

**RICE TOWNSHIP PLANNING COMMISSION
RICE TOWNSHIP MUNICIPAL BUILDING
3000 CHUCH ROAD
MOUNTAIN TOP, PA 18707**

**MINUTES
May 27, 2020**

The duly advertised regular meeting of the Rice Township Planning Commission was held on Wednesday, May 27, 2020 at the Rice Township Municipal Building, 3000 Church Road, Mountaintop. Copies of the Agenda and Minutes of the previous meeting were available to the public by email and when the building reopens to the public. Chairman Rick Arnold called the meeting to order at 7:05 p.m. It was announced that the meeting was recorded for preparing the minutes. Interior cameras were also recording the video. The attendance was limited to 4 persons to effect social distancing. The meeting was also being conducted via conference call.

ROLL CALL: **Richard Arnold - here**
 Mark Manosky – here via telephone
 Tom Romanyshyn – here via telephone
 Bob Smith - here via telephone
 Paul Ward - absent

Also in attendance were: Please see sign in sheet, and John G. Dean, Esq., Andrew Pasonick and Timothy Connelly all by telephone

PUBLIC COMMENT: Arnold called for public comment but there was none.

MOTION by Arnold; second by Romanyshyn, to accept the minutes of the regular meeting held on April 22, 2020.

Roll Call. Arnold - yes Manosky – yes Romanyshyn - yes Smith - yes Ward -
Motion Carried.

MOTION by Manosky; second by Romanyshyn, to adopt the 2019 Annual Report and submit it to the Board of Supervisors.

Roll Call. Arnold - yes Manosky – yes Romanyshyn - yes Smith - yes Ward -
Motion Carried.

Old Business:

Hear update from LIVIC Civil regarding the Dollar General application and satisfaction of required items in section 804 of the Zoning Ordinance. Justin Ross from LIVIC Civil reviewed the history of the Dollar General application and previous conditional use hearing and asked for the conditional use hearing to be held and to keep moving forward on the land development application. Township Engineer Pasonick reviewed a number of problems and unresolved issues, one of which was the need for concrete monuments as required by the Ordinance. Ross asked that this requirement for the

monuments be waived, but Jason Lang representing Capital Growth agreed to install the monuments as required. Ross and Lang also said that they will fix plan errors and work on Pasonick's comments. Pasonick said that he would complete his review and issue his comments by Friday, May 29, 2020. Pasonick also noted the waiver request Comment #21 to submit the Plans as Final rather than Preliminary. Ross and Lang noted that typically they seek to get such an approval conditioned on receiving all the permits that Pasonick referenced in his review discussion. Solicitor John Dean noted that there were two pieces to this application. The land development phase must address all the issues that Pasonick has raised. The second piece is the conditional use permit relating to earth disturbance, and that could be addressed separately from the land development piece. Pasonick noted that the NPDES permit had not yet been issued, a critical part of earth disturbance review. After further discussion, the following was moved and adopted:

MOTION by Manosky, second by Arnold, to send a letter to the Board of Supervisors recommending that the Board grant the conditional use permit for earth disturbance conditioned on the receipt of the NPDES permit during the land development process.

Roll Call. Arnold - yes Manosky - yes Romanyshyn - yes Smith - yes Ward -
Motion Carried.

Hear Presidential Lands presentation that all conditions of Board of Supervisors conditional tentative approval have been met for the Woodberry Manor PRD. Matt McGowan of Presidential Lands reported that they are working on the remaining comments from Pasonick and asked Dean if he could work with Presidential Lands' attorney to draft the Development Agreement which would include the \$375 contribution each to the General and Recreation Funds as currently exists with Woodberry Manor. Connelly noted that all the infrastructure in the PRD would ultimately be dedicated to the Township. Connelly also stated that he would update the plans addressing the Engineer's issues and submit to Pasonick for review. Dean agreed that he would work on the development agreement for the next Planning Commission meeting. A note will be made on the plans that they are subject to the Developers Agreement whenever dated. Discussion was also held regarding the 7 waivers requested on the plans and whether or not those waivers had been specifically granted. Beck confirmed that the Board of Supervisors had not specifically approved the waivers based on the minutes. Pasonick read of the requested waivers, all of which were previously granted for the Woodberry Manor development.

MOTION by Arnold; seconded by Romanyshyn to recommend that the Board of Supervisors grant the waivers as requested and noted on the Woodberry Manor PRD plans.

Roll Call. Arnold - yes Manosky - yes Romanyshyn - yes Smith - yes Ward
Motion Carried.

Hear BJD Holdings/Bruce Fine confirmation of sewer connection for Jennifer's Way as presented when preliminary approval was granted. Dean explained that the attorney for BJD Holdings had provided the evidence that the easement across the former Gallagher property exists and that the Stop Work Order was lifted. Fine and Arnold confirmed for Pasonick that the easement conformed to the original plans presented and approved. Bruce Fine presented the deed and easement for the files. He also presented the estimate for financial security for Pasonick's review. Pasonick will review.


PUBLIC COMMENT: Arnold called for public comment but there was none.

ADJOURNMENT:

The next meeting of the Planning Commission is Wednesday, June 24 at 7:00 p.m ..

MOTION by Arnold, second by Romanyshyn, to adjourn at 7:53P.M.
All were in favor.

Respectfully submitted:



Jeffrey D. Beck
Secretary