

**PLANNING COMMISSION
MEETING MINUTES -
MAY 15, 2003**

Special Meeting

Following the Pledge of Allegiance, the Jackson Township Planning Commission meeting was called to order by Vice-Chairman, Tom Marhefka on May 15, 2003 at 6:30 p.m. Members present were Don Knopsnyder, Laird Rager and Tom Marhefka and Debbie Nagle. Bruce Baker was absent.

Public Comments

George Burkey stated that the tax records that Steve Yurasek presented to the board before the meeting listing the property as industrial have nothing to do with the way the property was zoned. He stated that once the township passed the zoning ordinance in December 2001, the ordinance took precedence over any county laws that were passed, and how the property was taxed should have no bearing on any decision made by the township. He stated that Mr. Yurasek knew what the property was zoned and that there were deed restrictions and the township has no obligation to change the zoning map. Mr. Burkey also stated that at the last meeting the chairman said that the engineer ruled that the stormwater management plan or permit had to be addressed before the tanks were removed and that Mr. Yurasek had removed the tanks today. Mr. Burkey stated that he called the office today and was told that Mr. Yurasek had not done a stormwater management plan nor did he have a stormwater permit. He also stated that a road was put on the property and the zoning ordinance addresses roads.

Robert Benedict said he felt that the township should have zoned Mr. Yurasek industrial when they zoned the township.

Ed Westrick stated that because of the zoning ordinance two (2) businesses are being run out of the township because they cannot rebuild. He stated that the beer distributor is going to be out of business. He also stated that the Sheepskin Shop is moving out of the township because of the Zoning Ordinance. He also stated that Mr. Harper cannot rebuild because of zoning.

Mr. Burkey asked to reply to Mr. Westrick's statements. He said they are untruths. Mr. Burkey said that at one township meeting our attorney said that what Mr. Harper wants to do with his property is perfectly legal. Mr. Burkey also stated that the same thing is true with the others. There are variances to be had in each instance.

Mr. Knopsnyder stated we are not here to debate the zoning ordinance. We are here to discuss Steve Yurasek's request for the zoning change.

Clair Michaels stated that the board should give Mr. Yurasek's request because it was that for years and was decided that and that if can't be used for residential is the township going to buy it and sit on it for the next 10,000 years.

Old Business

Tom asked the Board if they had any comments concerning Mr. Yurasek's request for the zoning change.

Laird Rager said that he felt that the township engineer and solicitor should have given the Planning Commission advise and he didn't want to make a decision on this other than it stays the same as it is. He felt that Mr. Yurasek knew what the property was zoned when he bought it, and he felt that he nor any other board member had the knowledge to decide if it should be changed. He said he wasn't saying that it should not be changed just that he didn't feel the board had the knowledge to make the decision. He said he wanted the engineer's and solicitor's opinion before he made any decision.

Debbie Nagle asked Mr. Yurasek if he has had the groundwater tested because the township needed to be careful with that. Mr. Yurasek stated he had the DEEP from Pittsburgh there the other day. Deb Nagle asked if they have issued a report yet. Mr. Yurasek stated that they had not.

Don Knopsnyder stated that to summarize the board had some concerns that they did not know what the property would eventually be used for and that they would like the advise of the township solicitor and engineer concerning possible ground contamination. Laird stated that he felt there should be a storm water plan submitted.

Don asked Mr. Yurasek if he has submitted anything specific that he wanted to do with the property. Mr. Yurasek stated that if he decided to do something with property he would come to township for a permit. Don stated that it was his understanding that the township did not require a storm water plan until Mr. Yurasek submitted a specific plan for developing the property.

Mr. Burkey said that Bruce stated at the last meeting that there had to be a storm water management plan before the tanks were removed.

Steve Yurasek submitted a card (copy attached) with the contacts of the firm who was doing the study of the ground for the DEP.

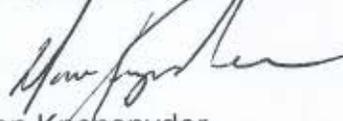
Tom asked the board if they had any other concerns.

Don stated that to summarize he felt the board had some concerns about the future development of the property and he also gathered that the citizens around the area also had some concerns about the water and the use of the property. He stated that he felt it all narrowed down to these two points that were at issue.

Don Knopsnyder made a motion that having heard all public comments from neighboring property owners and reviewing all information available to this Planning Commission, we would not recommend the proposed changes. We would suggest that the property owner at the time of development seek a variance thru the zoning hearing board and present plans for the proposed development and land use, having a description of the development and land use would greatly aid in making the decision. Tom Marhefka, Don Knopsnyder and Debbie Nagle voted yes. Laird Rager voted nay. Motion passed.

Don Knopsnyder made a motion to adjourn the meeting at 6:50 p.m. Laird Rager second. Motion passed.

Respectively Submitted,

A handwritten signature in black ink, appearing to read "Don Knopsnyder", written in a cursive style.

Don Knopsnyder
Secretary