

**ROCKLAND TOWNSHIP
PLANNING COMMISSION**

**MEETING MINUTES
June 29, 2021**

The monthly meeting of the Rockland Township Planning Commission was held on June 29, 2021 beginning at 7:30PM. The following members of the Planning Commission were present: Richard Mazich, William Fredericks, Nancy Ogden, Nathan Roush and William McFadden. Also in attendance were: Township Solicitor Jim Smith, Township Supervisor Nathan Ohlinger, Township Supervisor David Wartenluft, Township Supervisor Michele Albright and interested citizens.

The minutes of the May 25, 2021 Planning Commission meeting were reviewed. On a motion by William McFadden, seconded by Nancy Ogden, the minutes of the May 25, 2021 Planning Commission meeting were approved as presented. There was no public comment. All were in favor. Motion carried.

Mr. Alex Bollinger requested to speak to the Planning Commission. Mr. Bollinger requested the Planning Commission and Township officials consider adding regulations and/or clarification to the Township's Zoning Ordinance regarding nonconforming properties as follows: 1) If a nonconforming property comes into compliance with any portion of the code, the property should not be allowed to go back out of compliance with that section of the code, and 2) No nonconformity should be allowed to expand by more than 25%. Mr. Bollinger requested that existing regulations be clarified in order to prevent a nonconforming use or property to be entirely exempt from compliance and any enforcement actions. Attorney Smith advised Township officials that he believes municipalities must allow for a reasonable expansion of a nonconforming use. Mr. Bollinger was informed that his recommendations would be taken into consideration as Township officials continue to review and update the Zoning Ordinance.

NEW BUSINESS

Zoning Hearing Board Application (Special Exception) – 17 Fleetwood Road – Rockland Township received an application for a Special Exception for 17 Fleetwood Road from Ehtesamul & Bibi Khoiratty on June 28, 2021. The applicants seek approval of a cemetery use for the property. The Planning Commission may submit comments to the Zoning Hearing Board regarding this special exception application. Mr. Bud Newton, Newton Engineering Group, PC briefly summarized the property owners' future intentions for the 17 Fleetwood Road property, and both Mr. Newton and the property owner were present to answer any questions and to provide any additional information to Township officials and residents. After a brief discussion, on a motion by Richard Mazich, seconded by William McFadden, the Planning Commission requested that the Zoning Hearing Board consider the concerns of the constituents as outlined in the March 30, 2021 Planning Commission meeting minutes (and requested that the Secretary provide a copy of the March 30, 2021 meeting meetings to the Zoning Hearing Board in advance of their upcoming public hearing). There was no public comment. All were in favor. Motion carried.

OLD BUSINESS

Zoning Ordinance Review/Amendment Project Update – Jackie Hollenbach, Mack Engineering was not able to attend tonight's meeting, but requested clarification from Township officials on two previously discussed topics (airBnBs and wireless communications). Township officials were in agreement to not adding specific references to airBnBs and short-term rentals and to allow other ordinances to regulate such activity. Regarding wireless communications, Attorney Jim Smith informed Township officials that the Pennsylvania General Assembly recently approved a new wireless bill (HB 1621) that regulates the deployment of small cell wireless facilities in the public rights-of-way. After a brief discussion, Township officials agreed to keep the new wireless communications facilities section (which would replace the current wireless communications section). Attorney Smith suspects this new section may require some changes as a result of the recent passing of HB 1621, but recommended Township officials consider having Urban Research & Development Corporation thoroughly review this section and recommend changes.

Proposal from Charlie Schmehl, Urban Research & Development Corporation – Attorney Jim Smith informed Township officials that he reached out to Charlie Schmehl and confirmed that Urban Research & Development Corporation would be willing to work on an hourly basis to review the final draft Zoning Ordinance (in lieu of a complete re-write). Urban Research & Development Corporation was agreeable to such an arrangement at an hourly rate of \$98/hour. For budgeting purposes, Urban Research & Development Corporation recommended a contractual cap. On a motion by William McFadden, seconded by Nathan Roush, the Planning Commission recommended the Board of Supervisors consider a proposal for Urban Research & Development Corporation to review the final draft Zoning Ordinance at a rate of \$98/hour with an agreed-upon contractual cap. There was no public comment. All were in favor. Motion carried. Attorney Jim Smith agreed to contact Charlie Schmehl at Urban Research & Development Corporation to obtain an agreement for the Board of Supervisors' consideration.

Zoning Hearing Board Decision – 12 Steep Lane – A written decision from the Zoning Hearing Board was received for 12 Steep Lane (Seth & Crystal Nace). The applicants request for a variance from the side yard restrictions set forth in Section 5.05.1 of the Zoning Ordinance was granted to permit the applicants to construct a proposed garage within 20' of the adjacent property to the north. In addition, the applicants request for a variance from Section 8.04.2 of the Zoning Ordinance prohibiting detached garages/accessory structures to be limited to 800 sq ft was also granted allowing the applicants to construct a detached garage of 1,200 sq ft. The granting of said variances were conditioned upon the structure not being a pole building; a structure must match applicants' residence in terms of the siding and roof materials; the pitch of the garage should match the pitch of the house as close as possible; and there should be no roof connections between the house and the garage.

Zoning Hearing Board Decision – 62 Cider Mill Road – A written decision from the Zoning Hearing Board was received for 62 Cider Mill Road (Robert & Alexis Eisenhart). The applicants request for a variance from the side yard restrictions set forth in Section 8.03 and Section 4.05.2 of the Zoning Ordinance was granted to permit the applicant to construct the proposed garage within 33' of the adjacent property.

PUBLIC COMMENT

There was no public comment.

There being no further business, the meeting was adjourned at 8:57PM on a motion by Nancy Ogden, seconded by William Fredericks.

Respectfully submitted,

Karen Krall
Secretary