



**Minutes of the
Paint Township Planning Commission Meeting
7:00 pm Wed, October 28, 2009
Paint Township Municipal Building
1741 Basin Drive Windber, PA 15963**

Commission Members Present:

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| 1. Bob Feather | Chairman |
| 2. Brian Weaver | Vice-Chairman |
| 3. Brian Ott | Secretary |
| 4. Patrick Greer | Member |

Others Present:

- | | |
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| 1. Andy Tvarzik | Paint TWP Supervisor |
| 2. Pete Mishko Jr. | Paint TWP Resident |
| 3. Jared Weaver | Paint TWP Resident |
| 4. Doug Weaver | Paint TWP Resident |
| 5. Joseph Cominsky | Paint TWP Resident |
| 6. Joe Huff | Paint TWP Resident |
| 7. Thomas Feather | Paint TWP Resident |

Orders of Business:

1. Bob Feather called the meeting to order at 7:05 pm, and the Pledge of Allegiance to the Flag was conducted.
2. The minutes of the September 30, 2009 minutes was conducted. A conditional motion to accept the September 30th minutes was made by Patrick Greer, and seconded by Brian Weaver. All commission members in attendance approved and the motion was carried. The condition is that it should be mentioned in item #7 of the September 30, 2009 minutes that “an 8 inch diameter sewer main be extended up Jay Street to Fairview Drive to a new manhole at the intersection of Jay Street and Fairview Drive.” This change must be incorporated onto the drawing submitted by Jerry Thomas and dated August 11, 2009. All commission members in attendance approved and the motion was carried. No Voting action was required on this matter.
3. Old Business – Rambling Hills Development - Bob Feather requested an update from Andy Tvarzik (Paint TWP Supervisor), on the progress on the roads in the Rambling Hills Development. Mr. Tvarzik indicated that Rambling Hills will miss the October 31, 2009 deadline by about 1 week because of the current rainy weather. This item will be reexamined at the next meeting of the planning commission, and does not appear to present a problem.
4. Pete Mishko – Updated the planning commission of the ongoing desire to incorporate several unclaimed parcels of land, comprising an old “pole line” into his larger parcel. The land surveyors are still working on correcting a past Ripple survey of the area. There are several small undeeded parcels of delinquent land that Mr. Mishko would like to claim. Mr. Mishko showed the commission members a drawing reflecting what is going on in correcting mistakes on the past survey, and also establishing the correct sizes and boundaries of the undeeded parcels. The planning commission thanked Mr. Mishko for the update and advised that, after the survey(s) are complete, an attorney will have to place a public notice of the intent of Mr. Mishko to claim the undeeded land and wait the appropriate amount of time for other claimants to come forth. Also back taxes may have to be paid. This will have to be recorded as a land merger, at which time the planning commission must approve the merger. No Voting action was required on this matter.
5. Doug Weaver / Jared Weaver – Weaver Subdivision plan was presented. The plans were drawn by Musser Engineering, dated 10/14/2009, and titled “Plan of Survey for Weaver Subdivision.” The plans were reviewed by the commission and found to be in compliance with all rules and ordinances. A motion to approve the plans was made by Brian Ott seconded Patrick Greer. Refer to drawing for other notes. All commission members in attendance approved and the motion was carried, and sent on to the township supervisors for final approval.

6. Joseph Cominsky – Mr. Cominsky was called upon. Mr. Cominsky had nothing specific to offer, except to ask for a copy of 9/30/09 minutes. An extra copy of the minutes was given to Mr. Cominsky. No Voting action was required on this matter.
7. Thomas Feather – Mr. Thomas Feather was here to satisfy a Boy Scott merit badge requirement of attending a government meeting, and his attendance was recognized by the commission members.
8. Discussion on Subdivision and Land Development Regulations item 505.4 – The current wording of this section concerning setback lines reads:

“Structures built on lots shall meet the following setback lines depending on the availability of public water and sanitary sewer service. In all sections of the township not served by sanitary sewer and/or public water facilities, structures shall be constructed no closer than twenty-five (25) feet from front, fifteen (15) feet from side, and fifteen (15) feet from rear property lines.”

The planning commission decided to recommend, to the township supervisors, an amendment to the Subdivision and Land Development Regulations in the form of new item 505.4.1 to grandfather properties in existence prior to 1/1/2000, which may not be in compliance with item 505.4 The proposed wording for new item 505.4.1 reads:

“Structures built on lots prior to January 1, 2000 shall meet the following setback lines depending on the availability of public water and sanitary sewer service. In all sections of the township not served by sanitary sewer and/or public water facilities, structures shall be constructed no closer than twenty-five (25) feet from front property line, fifteen (15) feet from rear property line, and at least seven (7) feet from a side property line with a combined total of twenty- five (25) feet of side clearance between the said structure and the next adjacent structure on the same side.”

A motion to draft a resolution to the Paint Township Supervisors on this addition to the Subdivision and Land Development Regulations was made by Patrick Greer and seconded by Brian Ott. All commission members in attendance approved and the motion was carried, and the resolution was sent on to the township supervisors for final approval.

9. Township Note – The Creation of a Single Contractor Appeals Board was approved by the township supervisors. Further updates on the Contractor Appeals Board will be made at subsequent Planning Commission Meeting as deemed necessary.
10. A motion to schedule the next planning commission meeting for November 25, 2009 was made by Brian Ott and seconded by Patrick Greer. All members in attendance unanimously approved and the motion was carried.
11. Adjournment - - A motion for adjournment was made by Bob Feather and seconded by Patrick Greer. No voting action was required in this matter. The meeting was adjourned at 8:17 pm.

Minutes Submitted November 25, 2009

Brian K. Ott, secretary