

Jim Thorpe Planning Commission

May 24, 2022

Meeting called to order: 6:30 PM

Members Present: Lou Hall, Nancy Porambo, James Dougher, Joanne Klitsch, John McGuire

Members missing: Joe Micko, Bob Schaninger

Visitors Present: Dave Berger, Attorney, Darrin Heckman, Ed Kanick

Hearing of visitors: Mr. Berger is here for subdivision. Council said Solicitor Nanovic will draft an overlay area. Mr. Berger and Mr. Heckman are here to answer any questions.

Lou has a few questions:

Review of reverse subdivision: James said third page, 4E, he questioned should that be discussed? John said one lot that has improvements on it. You can't do a reverse with two houses on it. If there is an existing structure on it, no house, no problem, garage is an accessory building. They would have to have a variance on a vacant lot. Provision said we have the right to go through the original Saldo.

Joanne said there cannot be anything on the other lot, two houses, no. The other lot is only to make it bigger.

James motioned to move this issue to the Borough, Joanne seconded, all in favor, motion carried.

Kanick Subdivision – request for extension, permitted to Council and PC in order to continue to move it forward, September 30, 2022 is the deadline.

Motion by James to make the recommendation for the extension, Joanne seconded, no questions, motion carried.

Lou would like to make a recommendation to Council to make a "Development Rights Transfer Ordinance". It means, if you have property, you have development rights too, you have to create so much common space so they can't develop 100%, so much is non-developed area. If they have land in this area, they can sell those development rights, even though it is in JT, another area can develop it. It would allow free space in this area.

The other area would get a credit in their area. Lou would like to develop it. It would encourage more undeveloped space in this area.

Councilman Yeastead asked, why sell the land if you sold the development rights? Lou said you could make more \$ selling them in an area like Bethlehem than otherwise. Councilman Yeastead also asked what is benefit to Borough? It keeps development from happening. The towns can't handle any more. Lou said people come to this area to enjoy nature. Lou would like to have this recommendation acted upon, it's in the 10-year comp plan.

He told Councilman Yeastead it's in the paperwork he gave to him. Page 2-10. Comp plan was done with Lansford and Summit Hill, done in 2012. You can access it on-line.

The concerns get into the water quality, the flood plane. We also have an issue with mining, land disturbance dumping into the lake. We have an issue with flooding. The flood plan talks about impervious areas, it goes downtown and at some point it won't be able to handle it.

The half-mile was created by the study done in Carbon County. The engineer (Terry Good), sent the page of the half-mile buffer. The Wild and Scenic Rivers Act talk about contamination to the on-line sewer systems. Checked it when swimming was not happening. He asked for the PC to go through it and get back to Lou on it. Councilman Yeastead stated this half-mile buffer is old. Lou disagreed. The septic system goes into the ground water. He said it all goes into the ground throughout Jim Thorpe. They are guaranteeing the system could filter before it would hit the lake. James asked for the proposed new development map.

Lou said the commissioner said there was mining going on back behind the property in question with Mr. Kanick. The engineer said the study is from 1978, the study is referred to in Ivan Meitzell's report. He refers to this study, zoning ordinance does reference being a distance away. Mr. Kanick owns two parcels. He has 11-acre partial and 45-acre parcel. He is looking to develop that. Committee meeting revealed that it wouldn't affect watershed. Kanick property is 1,000 ft. away from creek, less than a quarter mile. Bill Briar, sewage enforcement officer, said he tested it and it was ok. DEP told him its dated, but currently said it has to be 150 away from septic. They propose 5 acres for a lot, to make lot width wider and have a back up septic system. Build one for home, if fails, build another one.

Dougher said there are two camping facilities, does that camping facility tie into the borough line to take care of the camping sewage. Heckman said he was recommended to tie into the system. The county line is a 2' line, Halenar's house to the lake. He owns all the way to the borough line. The line ends at Halendar's property.

White Bear Estates are on-lot systems, ½ acre lots. He purchased the land several years ago. This criterion has been in existence for some time. 1978, had to do with SH and MCLP that it not be developed without a central sewage system. Lou said it ties all lots into a central system. It's more than one lot. Heckman said you don't have to have all the lots hooked on to it. McGuire asked why? He has concerns about development. He questioned why Mr. Kanick bought it knowing what had to be done. Why would Council bend to this? Why change all our ordinances? Why not try to get a variance from zoning. Yeastead said if we make him put in a sewer system, he'll saturate it with 50 houses. Now we're going to line it with houses. Try getting it through FEMA, the 10-year comp plan is to protect the water plan, the creek. He said we are not in a flood plane. Lou wants to see something from DEP. Lou said FEMA said it is.

Heckman said the ordinance is dated, they've done on-site testing, this property is also outside the public sewer area. Lou said that's the whole point. Heckman asked Maureen that he be put on the agenda this evening. Lou was not informed and didn't expect this discussion.

Lou said STR should not be done with on-lot septic systems, home are popping up all over the place. Yeastead said 500 ft. Kanick is outside the system. Timely inspections, clean-out's yearly, when? All that has to be worked out.

Lou said he was asked to give information to Council. Yeastead said they need to talk about run-off and roads.

Heckman said they have to manage storm water. Lou asked for the original application given to the Borough. He was asking for the engineer's review. This letter indicates the lot owner is responsible for all the permits.

Heckman said he doesn't know where people plan to build so the reason for his plan, he would make responsibilities to the land-owner. He said they would get DEP permits for site suitability, also a PennDot permit, no further subdivisions and more safeguards.

James asked, do you have a sense how much property is between Mr. Kanick's property and the Halenar property. Halenar's haven't made any movement toward such development. James asked how many properties could potentially be built. Whatever we do here, will make a difference. It would necessitate a sewer line. If we applied the same 5-acre subdivision. Based on the calculation done here at the meeting with the current vacant lots, there are potentially 20 lots that could be developed. Who owns the other side of the lake? Flagstaff road out to the borough line, Borough owns part of it and County.

Lou had no more questions. Mr. Heckman said he wants to move this forward and Attorney Nanovic would draft an ordinance. Borough Council suggested they draft an ordinance. Councilman Yeastead said they had an exhaustive discussion regarding adding a low-pressure line, 2" line. Lou said a 2" line is non-sufficient. He would have to run their own line next to it. They discussed the current pump-station, they can't add any more to it. It costs ½ million to connect to it. There are problems to connect to it, it can't take the capacity there.

Lou suggested that anyone can get back to him if they have questions.

James – Where does Hackelbarney sewer come in? He asked what the capacity of the system? What can it take on?

The proposed ordinance will be sent over to the PC for review when the ordinance is drafted by the solicitor.

Nancy made a motion to draft a Development Rights Transfer Ordinance, Joanne seconded, all in favor, motion carried.

Nancy made the motion to adjourn, Joanne seconded, motion carried.

