

NORTH EAST TOWNSHIP PLANNING COMMISSION

Monday July 5, 2023 7:00 P.M.

Minutes

Call to Order: Vern Frye called the meeting to order at 7:00. Vern, Char, LeAnn, Matt, Dennis and Jay were present.

Minutes of the June 5, 2023 meeting were reviewed. Char motioned for approval; Matt seconded. Approved. (Thanks to LeAnn for taking minutes in Char's absence.)

Old Business:

1. Chris and Levii Beardsley, West Law Road, presented their final plan to subdivide parcel 37-022-094.0-016.01 into two. Preliminary approval was granted on May 1, 2023 and no changes have been made. Char voted for approval; Dennis seconded. Approved
Final A-2

New Business:

1. David Thornton, West Law Road, presented his plan to subdivide parcel 37-022-092.039.00, creating five new lots. Lot 1 would have 50'+ off Law Road north to the bridge, and would cross the creek to the east of the electric right-of-way. Lots 2, 3, 4, and 5 would be created on the west side of the right-of-way, 50' wide road and cul de sac to meet Township specs. The smallest lot would be Lot 2, being 20,500 SF. Water and sewer are available. His construction road would continue to exist until all construction is done in this area, then the property would remain a right-of-way, but would be maintained by adjacent property owners. Vern motioned for approval, Char seconded. Approved.
Preliminary R-2.
2. Neil McCord, East Lake Road, presented his plan to change the property line between parcels 37-001-001.0-012.01 (A-2) and 37-001-001.0-012.02 (R-1) to align with requirements of the Erie County Agricultural Land Preservation Board. Both remaining parcels will have the required 50% ag land use and each will be capable of generating annual gross receipts of at least \$25,000. Parcel 37-001-001.0-012.01 will be approximately 12 acres and will include 6 acres of ag land. Parcel 37-001-001.0-012.02 will be approximately 14 acres and will include 7 acres of ag land use. The land is being divided between Neil and his brother. All deeds must acknowledge the agricultural conservation easement and must include the terms of the easement. The Erie County Agricultural Preservation Board approved the subdivision on April 10, 2023. Approval by the State Ag Land Preservation Board is not required since the farm was eased prior to adoption of Erie County's farm subdivision regulations in 1996. Burnham manages the grapes. McCord will deal with the cottages on the northeast portion of his property, which currently have an access road through this property, at a later date. Although the property has lost about 2 acres in the last 10 years to erosion along the lake, the acreage is still based on the original property line, which is now in the lake. It was suggested that the small

lots labeled L2, L3 and L4 be removed from the plans. Char motioned for approval; Dennis seconded. Approved

Preliminary A-2/R-1

Variance:

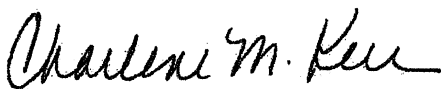
1. Evandale Farms LLC, 11575 Cole Road has presented Jay with a preliminary vision and request for a variance to change use from Ag to Commercial on the 130.89-acre parcel. Their vision includes farming and agricultural uses, Agri-tourism uses, Tourism uses and recreational activities. Jay mentioned that the Zoning Hearing Board has a public hearing scheduled for July 27 at 7:00 to discuss the variance request. Char pointed out that the term "variance" as define by the PA Municipal Planning Code does not include changes in use. Either a conditional use or a zoning change is more appropriate. She also mentioned that these types of activities are needed in North East and address the ag tourism goals of the township. Vern and others felt that the vision should have been presented to the PC earlier so that we could guide them. Jay said he suggested that, without any luck. Vern mentioned potential roadway issues with additional traffic and Dennis mentioned that there was no public water or sewer to the site. Dennis also mentioned that this project was similar to Port Farms south of us. Jay will check to see how that property is zoned. Ten (10) days prior to the public hearing, the PC can provide comments. The PC is meeting Monday, July 10, with John McGranor and will discuss this before or after that session.

Other issues:

Dennis asked if there was anything new on the charging station on the Paschke property. Jay has heard nothing new.

Dennis also asked if there was anything new on the solar farm on the Kirschner property. Jay mentioned that there is a public hearing on August 7 at 7:30.

Adjournment: Dennis motioned for adjournment.



Charlene M. Kerr, AICP
Secretary