

Public Hearing
2016 Capital Plan & Zoning Amendment Hearing
Council Chambers
Monday, October 19, 2015
5:00 p.m.

Mr. Waltman, President of Council, called the public hearing to order and stated that Council will first take testimony on the 2016 Capital Plan.

Attending: City Councilors Sterner, Goodman-Hinnershitz, Reed, Waltman, Slifko, Marmarou, City Clerk Kelleher, City Solicitor Younger, City Planner Miller, EAC Chair Curran-Myers, Deputy City Clerk Katzenmoyer, Adm. Services Director Pottiger

2016 Capital Plan

I. Testimony from City (No more than 10 minutes)

Mr. Pottiger reviewed the draft plan provided by the administration. He stated that the 2016 plan includes the following:

- \$870K for carryover projects – River Road extension and African American Museum
- \$937K for 2016 Public Works projects – City Hall roof and HVAC system
- \$808K for 2016 Fire projects – breathing apparatus replacement (over a 3 year period); 2 Fire Staff vehicles (over a 5 year period, Fire apparatus (over a 5 year period) and a study for fire house relocation

II. Council Comment

Mr. Waltman noted the importance of funding this capital plan as it contains critical path items.

III. Public Comment

Mr. Waltman opened the floor for public comment. No citizens were in the audience and the comment period was closed.

Ms. Reed moved, seconded by Ms. Goodman-Hinnershitz, to adjourn the hearing.

Zoning Amendment
Riparian Buffer & Alternative Energy

Mr. Waltman called the public hearing to order and he announced that the hearing is being held to take testimony on the zoning amendments proposed by the EAC (Environmental Advisory Council).

Zoning Amendments

Ordinance – amending the City Code Chapter 600 Zoning, by adopting a new Section §600-818 providing for a Riparian Buffer Overlay District and amending §600-2202 Definitions ***Introduced at the September 28 regular meeting; Advertisement scheduled for Oct 5th and 12th; Public Hearing scheduled for Oct 19th at 5 pm***

Ordinance – amending the City Code Chapter 600 Zoning by amending Part 8 Districts to add alternative energy systems as Accessory Uses, Part 10 Accessory Uses by renaming Section 1012 Wind Turbines to Alternative Energy Systems, and amending Section 2202 Definitions ***Introduced at the September 28 regular meeting; Advertisement scheduled for Oct 5th and 12th; Public Hearing scheduled for Oct 19th at 5 pm***

I. Overview of the proposed amendments by the EAC (no more than 10 minutes)

Ms. Kelleher issued the oath to Ms. Curran-Myers. The EAC's comments were distributed to Council and the court reporter.

Ms. Curran-Myers stated that these ordinances were initiated by former EAC Chair David Beane. She stated that the EAC received input from the City and County Planning Commissions, along with input from the City One Stop Shop. The input is reflected in the proposed amendments. The City Planning Commission recommended the enactment of the proposed amendments at their August meeting. While the Alternative Energy and Riparian ordinances are being submitted together they are independent of each other.

The Alternative Energy ordinance establishes provisions for the design, permitting, construction and operation of Alternative Energy systems within the City subject to reasonable conditions that will protect the health, safety and welfare of the community. The ordinance encourages the use of alternative energy systems such as solar, wind, geothermal and water applications.

The Riparian Buffer ordinance keeps the edges of waterways protected to reduce storm runoff, flood damage, pollution, erosion, etc. and it protects vegetated buffers. The ordinance creates a buffer setback to require new development to locate structures outside of the setback area.

The EAC has been working on these ordinances for over three (3) years. The EAC is open to questions and additional input.

Ms. Goodman-Hinnershitz stated that she is happy that these proposed ordinances are moving forward. She inquired if the Alternative Energy ordinance includes Wind Turbines. Ms. Curran-Myers stated that the ordinance does include Wind Turbines.

II. Planning Commission Comment

Ms. Kelleher administered the oath to Mr. Miller, City Planner, who provided comment from the Planning Commission. The Planning Commission's comments were distributed.

Mr. Miller stated that the Planning Commission reviewed the ordinances in January and August and they support the adoption of both ordinances. He stated that the EAC attended both meetings and the requested adjustments were made.

Mr. Miller noted the need for HARB to approve projects that will occur within the City's five (5) historic districts and the projects must comply with the City's Building and Trades codes.

Mr. Miller expressed some personal concerns about both ordinances. He questioned the lack of a map to determine the location of the Riparian Buffer area. He also expressed concern about how the ordinances will interplay with the City's SALDO (Subdivision and Land Development Ordinance).

Mr. Sterner left the hearing due to a family emergency.

Mr. Slifko asked Mr. Miller to elaborate on his concerns regarding the Alternative Energy ordinance and HARB. Mr. Miller stated that HARB regulates the exterior appearance of properties within historic districts and he expressed concern that the Secretary of the Interior Guidelines will not include or address Alternative Energy issues.

Mr. Slifko noted that the HARB would address Alternative Energy projects in the same way they address issues such as satellite dishes. Mr. Miller agreed.

Mr. Slifko questioned the location and definition of waterways. He noted that storm water bodies are not obvious and questioned if they are subject to the ordinance. He added that that the Riparian Buffer ordinance can impact large and small construction projects.

Ms. Reed agreed as swales can be included.

Ms. Curran-Myers stated that where definitions are not included, the user would use the definitions provided by the PaDEP and Clean Streams regulations. She noted that the State and Federal regulations have descriptions and jurisdiction. She noted that the EAC considered the use of a map for the Riparian Buffer ordinance; however, after discussing the issue with an engineer, the EAC found that having a map would not provide additional clarity. She also expressed the belief that the terms of the ordinance will not require additional engineering.

Ms. Curran-Myers noted the productive discussions about both ordinances with Building and

Trades professionals at the One Stop Shop meetings. All adjustments to make the ordinances code compliant were made.

Ms. Curran-Myers stated that the ordinances were also reviewed and revised after two reviews by the HARB Board.

III. Public Comment

Mr. Waltman opened the floor for public comment. He stated that no citizens are registered to speak. No one in the audience responded to Mr. Waltman's invitation to comment. The public comment period was closed.

Mr. Marmarou moved, seconded by Mr. Slifko to adjourn the hearing.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk