

**FINDLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING - JANUARY 13, 2016  
AGENDA**

- \* CALL TO ORDER
- \* PLEDGE ALLEGIANCE
- \* PUBLIC HEARING - ORDINANCE NO. 403 Amending Chapter 100 of the Township Code relating to Storm Water Management
- \* ZIOLKOWSKI PUBLIC HEARING - REZONING REQUEST
- \* RESOLUTION NO. 2016-02 - Dedication of Solar Drive
- \* APPROVAL OF A 2016 CARGO VAN FOR PARKS DEPARTMENT
- \* APPROVAL OF A 2016 PETERBILT TRUCK FOR PUBLIC WORKS
- \* REQUEST TO PERFORM TRAFFIC STUDY FOR STOP SIGNS IN THE SUN RIDGE PLAN
- \* MINUTES OF DECEMBER MEETINGS.
- \* BILLS AND PAYROLL.
- \* TREASURER'S REPORT:

General Fund Checking Account . . . . .	\$ 120,680.22
General Fund Money Market Account . . . . .	\$2,262,880.74
Liquid Fuels Money Market Account . . . . .	\$ 206,690.61
RBC Wealth Management . . . . .	\$ 54,425.13
Capital Reserve Account (checking/money market). .	\$ 50,128.14
- \* DEPARTMENTAL REPORTS (attached)
- \* SUPERVISORS' COMMENTS:
- \* COMMENTS FROM THE FLOOR
- \* MOTION TO ADJOURN THE MEETING

**FINDLAY TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING - JANUARY 13, 2016**

The meeting was called to order at 7:00 p.m. In attendance were Supervisors Janet Craig and Thomas Gallant, Manager Christopher Caruso, Assistant Manager Thomas Garrett, Jim Pritchard of Michael Baker International, and Jean Novak of Strassburger, McKenna, Gutnick & Gefsky. Absent was Supervisor Raymond Chappell.

Everyone rose to Pledge Allegiance to the Flag.

The Chairman announced that an executive session was held prior to the meeting regarding a personnel issue.

\* PUBLIC HEARING - ORDINANCE NO. 403 Amending Chapter 100 of the Township Code, Storm water Management

Mr. Gallant moved to close the regular meeting and open the public hearing. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

Mr. Caruso indicated that this ordinance amends Chapter 100 of the Township Zoning and the update is a requirement from DEP, which provides for the regulation of Storm water Management. The amendment also conforms to MS4 requirements. The amendment was duly advertised with no comments having been received.

Hearing no further comments or questions, Mr. Gallant moved to close the public hearing and reopen the regular meeting. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

Mr. Gallant moved to approve Ordinance No. 403 amending Chapter 100 of the Township Code, providing for the regulation of Storm water Management to conform with MS4 requirements. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* ZIOLKOWSKI PUBLIC HEARING - REZONING REQUEST

Mr. Gallant moved to close the regular meeting and open the public hearing. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

Mr. Caruso read a letter written by Raymond and Michelle Ziolkowski requesting to rezone property he owns in the Township. The parcel is 25.45 acres and identified as 1469-K-00024-0000-00. The parcel is zoned Low Density Residential (LDR). They are requesting that the entire parcel be rezoned to Agricultural (AG) for the following reasons:

- \* The property is an open piece of land with no residential development or plans for said development.
- \* The property, after being rezoned, will border adjacent properties zoned AG.
- \* The property meets all standards as prescribed in the Findlay Township Zoning Ordinance 117.403.
- \* The property is subject to plans as agreed upon by us (lessors) and Range Resources Appalachia-LLE (lessee). According to the agreement, Rang has the right to develop oil and natural gas at the surface and subsurface of the property. They are seeking to have the surface and subsurface property developed for the exploration of oil and natural gas.
- \* According to the current Findlay Township Zoning Ordinance and Zoning Map, the lessee of the property would be unable to fulfill its plans (see Findlay Township Ordinance 384).

In the Low Density Residential zoning district, they are not permitted to put a well site there, which is why are they looking to rezone the property. Tonight is just a public hearing. The Board can take comments and close the public hearing or continue it.

\* Comments from applicant:

Melissa Gyergyo of 179 Walden Way. Her brother is Ray Ziolkowski. Doesn't have any comments, just here to listen.

\* Comments from audience:

John Bauer of 3993 Potato Garden Run Road right next door to the property. Does not want them to change the zoning because he doesn't want a well next to his property and if you let them change it to Agricultural, they will get the well and when they start building houses, they'll want it changed back to Residential. He would rather keep it Residential. His house is 20 feet from the property line.

Ms. Craig asked his location to the property and how much property he has. Mr. Bauer responded that he is within 500 feet from the proposed well and has a little over an acre of property.

Mr. Gallant asked if the owner of the property was here tonight, which he wasn't, only a family member.

Jocelyn Grecko, Government Affairs Analyst with Range Resource, indicated that they have been working with Michele and Ray Ziolkowski for the rezoning of their property. Extended an invitation to Mr. Bauer that if he has questions for Range or any issues to address, their Surface Land Department would be more than happy to meet with him. In accordance with the Township Ordinance, should Range apply for a well site in Findlay Township on that property, they would have to meet required setbacks and would through any issues or questions that landowners may have.

Ms. Craig asked if the actual site of the pad has been determined yet.

Ms. Grecko indicated there are plans for where the site would be. Where the actual well would be on the well pad, she didn't know their exact location.

Ms. Craig added that pads are usually pretty big and asked if it is possible that the edge of the pad would be 500 feet from his house.

Ms. Grecko indicated that without the plans in front her she couldn't say yes or no, but they do recognize there are setbacks they have to meet.

Mr. Gallant asked Mr. Bauer if he has well water, which Mr. Bauer acknowledged that he does.

Ms. Craig commented that the property was previously Agricultural and changed. Was this the only property that was changed? Mr. Caruso indicated that just this property was changed.

Mr. Bauer added that they purchased the property as Residential. If they start building houses and the price of property goes up, they want to build more houses and change it back.

Mr. Gallant asked if the zoning was changed for the Dalbo well, which Mr. Caruso indicated that there was no change in zoning for it. He added that he is very wary about changing ordinances for the express purpose of putting a well on it. Not just for the controversy of it but that once we set that precedent, it would be one we won't be able to take back and find ourselves doing the same for other people who want to use their property in a way of making profit off the gas fracking industry. Speaking for himself, he would have to see a very positive reason why we should be making this kind of change to our zoning ordinance for one piece of property other than just the fact that someone wants to put a well on it.

Virginia Strouss of 69 Strouss Road. What is the regulation in Findlay Township for agricultural, is there any limitation on the acreage. Mr. Caruso indicated it is 30 acres in a low density residential area and that is why this property doesn't conform. Whereas, in the Agricultural it does because it is in other areas where there are bigger parcels.

Ms. Strouss asked what is Findlay Township's regulation for agricultural. Is there a certain number of acres that you have to have for agricultural land.? Mr. Caruso indicated that for a well site, no.

Ms. Strouss asked that the ruling made by the Township was only for Low Density Residential and not for any other type of zoning at all? Mr. Caruso indicated it was for the oil and gas industry in the Heavy Industrial, Light Industrial, Mixed Use and in Low Density Residential as a conditional use. One of those conditions was a minimum of 30 acres.

Ms. Strouss then asked that if you had 10 acres in Agricultural, you could have a well put on it. Mr. Caruso indicated that you could, but when looking at the ordinance and zoning map, in those areas you couldn't fit a well site in. That was the reason why there wasn't a minimum requirement in Agriculture just because there aren't many of those sites and you couldn't fit it in.

Ms. Strouss stated that wherever they put in a well, it is going to benefit whoever is close by. Range Resource has the Dalbo Well which affected me and part of my grounds. Hasn't had very good feelings with Range Resource for the last two years. In agreement with Tom in that it seems that some ruling comes up and now we're going to change back just because someone wants to do it. Can't say anything bad about Findlay Township because it has helped her out in the past. It's just like a whim and if you had a ruling, there was a reason for it and we should stick to it and we need to be fair to everybody in the Township.

Ms. Craig added that we're not changing the ordinance or ruling that was made. The issue is that they want to rezone their particular property for that.

Ms. Craig asked if there were any more comments. She indicated that the Board would not be making any decision tonight especially since they were missing a Supervisor due to illness. The Board has a certain amount of time before a decision has to be rendered.

Hearing no other comments, Mr. Gallant moved to close the public hearing and reopen the regular meeting. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

Mr. Gallant added that the Township will be sending out information as to when the decision will occur.

\* RESOLUTION NO. 2016-02 - Dedication of Solar Drive. Mr. Caruso explained that the resolution accepts the deed of dedication for Solar Drive in the Findlay Industrial Park.

Mr. Gallant moved to approve Resolution No. 2016-02 accepting the Deed of Dedication for Solar Drive and the Storm water easement in the Findlay Industrial Park. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* PURCHASE OF A 2016 CARGO VAN FOR PARKS DEPARTMENT.

Mr. Caruso read the proposal from Woltz & Wind Ford for the purchase and trade-ins. \$50,000 has been allocated in the capital account for this purchase in 2016.

Mr. Gallant moved to approve the purchase from Woltz & Wind Ford a 2016 Transit-350 Base Medium Roof Cargo Van for the Parks Department and trading in the 1996 F-350 4x2 high roof utility truck and the 2000 Ford Explorer for a total of \$31,887.00. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* PURCHASE OF A 2016 PETERBILT TRUCK FOR PUBLIC WORKS.

Mr. Caruso read the proposal from Hunter's Truck Sales for the purchase and trade-in. Monies have been allocated in the Capital account for this purchase in 2016.

Mr. Gallant moved to approve the purchase from Hunter's Truck Sales a 2016 Peterbilt 11-ton Model 348 truck for the Public Works Department and trading in Truck #10 for a total cost of \$148,080.00. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* REQUEST TO PERFORM TRAFFIC STUDY FOR STOP SIGNS IN THE SUN RIDGE PLAN.

Mr. Gallant moved to authorize the performance of a traffic study for the possibility of STOP signs in the Sun Ridge Plan. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* MINUTES OF DECEMBER MEETINGS. Mr. Gallant moved to approve the minutes from the December meetings as printed. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* BILLS AND PAYROLL. Mr. Gallant moved to approve the bills that are available for public inspection and payroll. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* TREASURER'S REPORT:

General Fund Checking Account

Balance, 12/01/2015	\$	339,375.16
Receipts		741,637.85
Money Market		856,000.00
Expenses		1,421,332.79
Money Market		395,000.00
Balance, 12/31/2015	\$	120,680.22

Balance in General Fund Money Market Account. . . . .	\$2,262,880.74
Balance in Liquid Fuels Money Market Account . . . . .	\$ 206,690.61
Balance in RBC Wealth Management . . . . .	\$ 54,425.13
Balance in Capital Reserve Account (checking/money market). . .	\$ 50,128.14

Mr. Gallant moved to approve the Treasurer's Report as read. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

\* DEPARTMENTAL REPORTS (attached)

\* SUPERVISORS' COMMENTS - None.

\* COMMENTS FROM THE FLOOR - None.

All further business having been conducted, Mr. Gallant moved to adjourn the meeting at 7:35 p.m. Ms. Craig seconded. 2 Ayes. 1 Absent. Motion carried.

Respectfully submitted by Cheryl L. Rinehart