

MINUTES

Indian Lake Borough Planning Commission Meeting

Date: November 9, 2009

Regularly scheduled meeting

Those in attendance:

Members present:

Bob Hanson

Dick Brodt

Paul Cornez

Tom O'Toole

Bob Vogel

Members absent:

none

Visitors:

Dick Stern

Ron Sieling

Order of Business:

Call to order: at: 6:00

by: Bob Hanson

Approval of minutes: Minutes of October 26, 2009 approved all ayes

Correspondence:

Review by a professional planner of revision to zoning ordinance 144:
Bob Hanson received word from Bradley Zearfoss, Director of Somerset
County Planning Commission that he would be happy to review the draft
zoning ordinance revision for Indian Lake Borough and offer comments at no
charge to the Borough. It would take a couple of weeks to review and get
comments back to the Borough. [attached]

Planning Commission reviews requested by Council:

Mr. Hanson provided copies of e-mails issued to Council regarding UAI and
St.Clair Development plans, per last meeting. [attached]

Don Reed:

Don Reed sent word to the PC that he would like to fill the vacant seat
on the PC which will open up after the first of the year. [attached]

Committee reports: none

Old Business: Ordinance 144 Revisions controversy might be aided by a
review by an independent professional planner. (see correspondence)

New Business: The MPC allows 2 elected officials on the PC and we will
have 3 in January. Tentatively, Bob Vogel and Bob Hanson will remain on
the PC and Paul Cornez will resign the PC to focus solely on Council.

Public comment: Ron Sieling expressed hope the newly elected Council will
bring tranquility and hopefully stem the lawsuits that plague our Borough.
Ron suggested PC focus is needed on our drinking water infrastructure, and
both silt and undermining of tributaries to the Lake.

Adjournment at 7:10
Hanson

by Paul Cornez

seconded by Bob

Next scheduled meeting: December 14, 2009

Respectfully submitted: Dick Brodt

Robert Hanson

From: "Brad Zearfoss" <zearfossb@co.somerset.pa.us>
To: "Bob Hanson" <hansonrf@aol.com>
Sent: Monday, November 09, 2009 9:34 AM
Subject: RE: Planning Assistance
 Mr. Hanson:

We would be happy to review the draft zoning ordinance revision for Indian Lake Borough and offer comments. There would be no charge to the Borough for our review. It would take us a couple of weeks at most to review the ordinance and get comments back to you. If you want to go ahead and send us the document when you're ready, we can take a look at it.

Brad Zearfoss

Bradley A. Zearfoss, AICP
 Director
 Somerset County Planning Commission
 300 N. Center Ave., Ste. 540
 Somerset, PA 15501
 P: 814-445-1544
 F: 814-445-1575

From: Bob Hanson [mailto:hansonrf@aol.com]
Sent: Sunday, November 08, 2009 10:28 AM
To: planning@co.somerset.pa.us
Subject: Planning Assistance

Indian Lake Borough is in the midst of a significant revision to our zoning ordinance. The drafting is essentially complete but the review process not yet begun. Our existing ordinance has been challenged in court but the judge has not yet ruled. He has been deliberating ~18 months. The complaint with the existing ordinance is process and the new ordinance will not suffer that complaint.

The new ordinance removes a PRD provision, adds several pages of new parking restrictions for commercial development, defines new zones and adds density and intensity restrictions.

Several community members have suggested a review by a professional planner.

My question is whether the Somerset County planning department could offer such a service, at what fee, and in what timeframe.

This review would **precede** any public hearings and formal submittal to the County Planning Commission (as required by the MPC). We recognize such consultation would be advisory only and not binding on the County Planning Commission wrt the formal review.

Thank you,

Bob Hanson

Chairman, Indian Lake Planning Commission
www.indianlake.info (Planning Commission)
 Councillor Elect
www.indianlakepa.us (Borough)
PLANNING@indianlakepa.us

Robert Hanson

From: "Don Reed" <DonaldPReed@Comcast.net>
To: <PLANNING@indianlakepa.us>
Cc: "Gay Reed" <GayleneReed@comcast.net>; "Paul & Natalie" <pcornez@yahoo.com>
Sent: Monday, November 09, 2009 12:14 PM
Attach: RTR_Business_Description_5-08[1].doc
Subject: Volunteering for duty

Gentlemen--It is my pleasure to volunteer again, to fill the vacant seat on the Indian Lake Planning Commission which will open up after the first of the year. As I mentioned at the last Borough Council meeting, I have been an Indian Lake property owner for over 20 years now--I love this community and plan to live here as long as I am able. My wife and I have been organizing monthly "Community Mixer" luncheons for some time now, to try to bring together the several segments of the community. A further indication of my community orientation is the fact that I have chosen Real Estate as a second career--I specialize in Indian Lake properties.

Until recently, real estate and my auto safety business (see attached business description) have kept me so busy that I have declined suggestions to participate in Borough operations. I now have the time--and it would be my great pleasure to contribute as a member of the Planning Commission.

Thank you for your consideration,

Don Reed

The message is ready to be sent with the following file or link attachments:
RTR_Business_Description_5-08[1]

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Robert Hanson

From: "Robert Hanson" <hansonrf@aol.com>
To: "Paul" <pcornez@yahoo.com>; "Dick Brodt" <dabrodt@localnet.com>; "Bob Vogel" <rjbird13@comcast.net>
Cc: <CouncilPresident@indianlakepa.us>
Sent: Tuesday, October 27, 2009 9:53 PM
Subject: Re: Planning Commission reviews requested by Council

I looked at 99 and it says "the same thing", or so I thought, but when I compared them side-by-side I noted in 99 there is no distinction between a residential or commercial building but there clearly is in 144 and I had not caught the subtle difference; 801.c.1.e (all of 801.c1.) applies **only** to commercial buildings and 801.c.2 applies to townhomes and condos, but does not have a section e, and thus no similar restriction. The setbacks of 801.c.2.c applies (10 feet). If no one objects I will revise and resend the below e-mail deleting what is in red. **Apologies to all in confusing this.**

Bob

----- Original Message -----

From: [Robert Hanson](#)
To: CouncilPresident@indianlakepa.us
Cc: [Paul](#) ; [Dick Brodt](#) ; [Bob Vogel](#)
Sent: Tuesday, October 27, 2009 9:34 PM
Subject: Planning Commission reviews requested by Council

Council requested PC review the revised plans of Universal American Inc. (UAI), as presented by Musser Engineering (Randy Musser), and a minor change to the St.Clair Development (SCD) plans for Chicora, Santee and Tiwa townhomes adjacent to the Lodge.

UAI presented plans answering all previous questions and incorporating Council's suggestions. Planning Commission still does not see how we can split-zone a single (platted) parcel as (A) there is no formal (recorded) definition as to the resulting zone boundary, and (B) so doing may effectively approve a subdivision without authority (Indian Lake has no Subdivision ordinance and the County SLD ordinance governs). PC agreed that we could recommend a 'notional' approval of the rezoning, subject to formal definition by subdivision, requiring County approval. Mr. Musser indicated he would instead proceed with a subdivision approval though Somerset County. It was proposed that if the Subdivision approval and deed was clear and distinct about the need for an expanded no-build buffer zone, so as not to impact the rights of the adjoining property owner (airport), that fewer distinct zones might be shown. Mr. Musser understands the issue and indicated he will address this in his submittal. Council/Zoning Officer will need to sign off on the submittal to the County and needs to make certain this is handled acceptably.

The SCD detailed plans were reviewed and are acceptable. **Planning recommends approval on the basis that the existing plans were indeed approved as stated. Specifically the current plans reflect a non-compliance to current ordinance 144 for Chicora (10 feet vs. 100 feet set-back from R-1 to C-R zone boundary), which Mr. St.Clair stated was approved by Council prior. Planning Commission has no way of confirming this, nor do we have reason to disbelieve that assertion. [I will check old ordinance 99 and advise, as it likely was in effect].**

Draft minutes of our meeting are attached so that you may see the official record. If you would like this notice of our action more formally, I can prepare a letter stating the same.

Respectfully,

Bob Hanson
 Chairman, Indian Lake Planning Commission
www.indianlake.info (Planning Commission)
www.indianlakepa.us (Borough)
PLANNING@indianlakepa.us