

**LOWHILL TOWNSHIP
BOARD OF SUPERVISORS
July 14, 2022
MEETING MINUTES**

The Lowhill Township Board of Supervisors meeting was called to order at 6:30 pm by Chairman Richard Hughes. Also present were Robb Werley, Supervisor, George Wessner Jr., Supervisor, Keith Strohl, Esq., Solicitor; Ryan Christman, Engineer; Brian Carl, Administrator and Recording Secretary Janet Henritzky.

After the Pledge of Allegiance, Robb Werley made a motion to approve the June 16, 2022 meeting minutes, as written. George Wessner Jr. seconded the motion. Motion carried. Richard Hughes made a motion to pay the monthly bills, as submitted. Seconded by Robb Werley. Motion carried.

Jost – Minor Subdivision: Robb Werley made a motion to accept the plan for review, seconded by Richard Hughes. Motion carried. The plan proposes to subdivide 2.84 acres (Lot#1) from the total tract of 19.18 acres. The residual lot of 16.34 acres will go with the existing house and barn while the newly created lot will have an existing trailer on it. There is no shared driveway and each lot has their own septic system. Richard Hughes made a motion, seconded by George Wessner Jr. to approve the preliminary plan and move to final. Motion carried.

Solicitor Comments: Keith Strohl addressed the Board with a proposal to vacate Popular Road. The Board granted permission to move forward with the process of vacating Popular Road.

Engineer Comments: Ryan Christman stated that he received the permit for Bear Road Bridge.

Administrator Comments: We have a planning commission meeting on July 25th. Brian Carl stated that he received a call from David Jandl. Mr. Jandl would like to clarify to the residents that he is not the owner of the properties that are proposing warehouses.

Road Master Comments: Joe Kalusky reported that in June they completed their oil & chipping. Tiger mowing is being performed and a tree was removed by the white bridge on Narris Road. They will be helping Weisenberg Township with their paving. They will be backfilling on Scheirers Road where they recently paved. They Oil & Chipped Farrier Road, Orchard Road, a short section of Game Preserve and a section of Scheirers Road. (approx. 3 ½ miles)

Old Business:

Oil Water Seperator – On Hold.

Salt Shed – On Hold.

Website Quotes – Discussion was held regarding the quotes received for a new website. Motion was made by Richard Hughes, seconded by Robb Werley to hire N.A. Studio's to design a new website at a cost not to exceed \$7,000.00. The annual maintenance fee is estimated at \$500.00. Richard Hughes would like to attend when N.A. Studios comes out to review the Township. All agreed/Motion carried.

New Business:

Planning & Zoning Courses – Discussion was held regarding municipal classes available through L.V.P.C. and PSATS. Motion made by Robb Werley, seconded by Richard Hughes to pay for classes that are offered by LVPC and PSATS for all members of the Board of Supervisors, Planning Commission, Zoning Hearing Board and Auditors. All agreed/Motion carried.

Noise Complaint/Noise Ordinance Update:

Brian Carl addressed the audience and the Board regarding a noise complaint @3836 Buck Hill Circle. The Township did not issue approval for this event/party @ 3836 Buck Hill Circle. Brian Carl spoke with the resident prior to this event notifying the resident of the noise ordinance and to walk the perimeter of their property as to not disturb the surrounding neighbors. Brian Carl also spoke to the State Police the Monday following the event and surrounding neighbors that were affected. He received RING camera footage of the noise and a violation letter was sent out to the property owner.

Joe Pany – (3876 Buck Hill Circle) stated that the party started around 1pm and went till 11 pm. The music was almost non-stop as the resident

had a live band. The windows were vibrating, cars block the roads and it was so loud it could be heard inside our homes.

Cindy Pany – (3876 Buck Hill Circle) stated she called the police and reported the loud music. This resident plays loud music even when they wash their cars or out in their back yard pool. Mrs. Pany stated that they have a daughter with special needs and it was a very disturbing.

Gail Smith – (2872 Twp. Line Road) asked the residents that are complaining about the noise if they went to the neighbor and ask them to turn the music down? Mr. Pany stated that he did not confront the neighbor because he did not want to get into any altercation.

Kathy Casciano – on Zoom -(3882 Buck Hill Circle) stated that she appreciates the violation letter that was sent. She spoke with the neighbor back in May of this year about the level of their music. They did turn it down initially and then turned it up louder 20 minutes later. She again spoke with the neighbor and she was told to mind her business and get off her property.

Jeff Drobins – (3821 Buck Hill Circle) suggested to the Board to look at the current noise ordinance and amend it.

Sue White – (3862 Buck Hill Circle) the noise was so loud it was unacceptable. She questioned how do you measure the sound on the audio that we send you. Brian stated that if it does go to enforcement he would need surrounding neighbors to attend the magisterial hearing in order to testify on the noise level. If it happens again we would go to enforcement. The maximum fine would be requested at the magisterial hearing. (Plus court costs.)

John Casciano – on Zoom - (3882 Buck Hill Circle) stated that we need to look in the noise ordinance and put some teeth into it. We have surrounding municipalities with strong noise ordinances and we should consider adjusting ours.

Richard Hughes asked Keith Strohl what the law is on maximum fines. Keith Strohl informed the Board and audience what is allowed by law (criminal and civil offenses) since we are a 2nd Class Township. The

state police could have possibly fine them for disorderly conduct or disturbing the peace and they chose not to.

Kathryn Jeanes – (3828 Buck Hill Circle) stated the level of noise from this live band was so loud you couldn't even watch TV in your own home. We are just asking to be reasonable with the level of music for us all to enjoy our backyards.

Robin Houston – (3888 Buck Hill Circle) asked what the process is in order to move forward and change the ordinance. Brian explained the process. Brian stated if you have suggestions please forward them to him so we can look at them.

Robert Kozlowski – (3871 Buck Hill Circle) asked if we were made aware of this last year. Brian stated this is the first that we are made aware of this problem.

Bill Keba – (3967 Windy Road) spoke on the measurements of decimals.

Proposed Zoning Ordinance Amendment

Discussion was held regarding the following changes proposed to the RV-District in the Lowhill Township Zoning Ordinance.

- 1.) Limit the sq.ft. of warehouse/distribution to 50,000 sq.ft. per lot.
- 2.) Maximum height is 35 feet.
- 3.) Minimum lot size for a Single family is 43,500 sq.ft. (1 acre)

Public Comment:

Kim Weinberg – (8802 Claussville Road) asked Brian about lot size. Brian explained the rule of the RV District, the uses and lot size.

Sue White – (3862 Buck Hill Circle) Does the Township have to allow for Warehouses. Brian explained the Multi-Municipal Plan.

Curt Dietrich - (7484 Skytop Court) asked a question regarding the height restriction of 35' and if there are options to seek a variance with this new proposed change. Brian answered that anyone can seek a variance to any of our ordinances but this change would give us more strength.

Debra McDermott – (6424 Game Preserve Road) questioned who is paying for the water to be brought up to these warehouses. Brian stated that the whole cost is paid by the developer.

The Board of Supervisors agreed to send the proposed Zoning Ordinance amendments in the RV District to the Planning Commission for their comments.

Richard Hughes opened the floor for public comment.

Wayne Schaeffer – (3075 Weidasville Road) Questioned who was responsible for the maintenance of the water line. Brian stated that the water line will be owned/operated by LCA and they maintain it. He also wanted to know where he could get information regarding the Multi-Municipal Plan. Brian stated that the draft of the plan is on “PlanNL.org” or at the municipal building.

Robert Weinberg (8802 Claussville Rd.) asks how many trucks will be on the road. Brian stated that the traffic study was not completed yet and didn’t want to guess.

Gail Smith (2872 Township Line Rd.) commented that she thinks the Board of Supervisors are way too small and should have more members. Rick stated we are regulated by the number of residents in our municipality and the 2nd Class Township code.

George Wessner Jr. made a motion to adjourn. Robb Werley seconded the motion. Motion carried.

The Lowhill Township Board of Supervisors meeting was adjourned by motion made by George Wessner Jr., seconded by Robb Werley at 7:56 pm. Motion carried.

Respectfully Submitted,