

MINUTES
BROOKVILLE BOROUGH PLANNING COMMISSION
Wednesday, March 10, 2021 @ 5:00 P.M.

The Brookville Borough Planning Commission met on Wednesday, March 10, 2021 at 5:00 P.M. in the large conference room with the following in attendance:

MEMBERS

David Taylor
Dr. Ed Richards
Arthur McKinley
Bob Radaker

STAFF

Manager Dana Rooney
Zoning Officer Emerson Turnbull
Solicitor Jim Dennison – via Zoom
Recorder Christine Gunning

VISITORS

Ryan Stroup
Howard Goodstein –
via Zoom
Boyd Kerr
Seth Kerr
Marjorie McKnight
Justin McKnight
Mark Keafner – via Zoom
Alex Pitrofsky – via Zoom

CALL TO ORDER:

Chairman David Taylor called the meeting to order at 5:00 P.M. and welcomed new Member Arthur McKinley.

CORRECTIONS/APPROVAL OF MINUTES:

Vice-Chairman Ed Richards moved to approve the minutes of the February 10th Planning Commission meeting as submitted; seconded by Member Bob Radaker. Motion carried 4-0.

CHAIR REPORT:

None

PUBLIC COMMENT:

- A. **Boyd Kerr – Adjusting his Property Line** – Brookville resident Boyd Kerr stated he lives on Hastings Street, and he intends to adjust his property line. Boyd Kerr stated he expanded his driveway, on 164 Hastings Street, and the current line goes through his extended driveway. Boyd Kerr stated to the right of that, next to the garage, you can see a shed that is currently on the adjoining property. Boyd Kerr stated by adjusting that property line, he would like to put that shed on his 164 Hastings Street property, along with that extended driveway, so in the future the line is not encroaching on his driveway. Boyd Kerr stated the line currently sits between the shed and the garage, and you can see how much the driveway would be over the line. Boyd Kerr stated before he gets this surveyed, he wanted to check with the commission. Member Arthur McKinley asked about the setbacks. Zoning Officer Emerson Turnbull stated the setback for sheds is five feet because it is an accessory to the main shelter. Solicitor Jim Dennison asked if he owned both properties, and Boyd Kerr stated yes. Solicitor Jim Dennison stated he does not see a problem with it. Vice-Chairman Ed Richards moved to approve Boyd Kerr’s plan to adjust his property line as presented; seconded by Member Bob Radaker. Motion carried 4-0.

DEVELOPMENT PLANS:

None

COMMUNITY PLANNING:

- A. **BFS Foods – Approval of Plans** – Chairman David Taylor stated next is the approval of the plans for BFS Foods, which is the corporation that is building the new convenience store on the previous site of the Gold Eagle. Mark Keafner with BFS Foods stated they are proposing a 7200 square foot building in an Office Commercial zoning district with a fast-food restaurant, convenience store, a drive thru around the rear of the building, and fuel islands in front, along Allegheny Boulevard. Mark Keafner stated access to the site will be adjusted. Chairman David Taylor asked if they have to get new Highway Occupancy (HOP) Permits from PennDOT. Mark Keafner stated they have submitted two HOP permits; one for the driveways, and one for the utility. Chairman David Taylor stated he presumes you coordinated the water and sewer issues with the Brookville Municipal Authority. Mark Keafner stated he has been in contact with Commissioner Clyde Bullers for the water and sewer design to make sure we were in compliance before we submitted the permit to PennDOT. Member Arthur McKinley stated one of the points that Gwin, Dobson, and Foreman brought up is the water line that came through a neighbor's property, and they were raising the issue of whether there was a deed or something associated with that. Member Arthur McKinley asked has that been addressed? Mark Keafner stated typically there is a prescriptive easement, but there is no formal written easement. Mark Keafner stated they made the owner aware of that, and we suggested that they acquire a formal easement so everyone is aware of the water line and it does not disturb water service in the future because someone does not know it is there. Howard Goodstein from First Inform Services stated they are going to search that piece of property and see if we can come up with the easement. Howard Goodstein stated he contacted the law firm that did titles for us, and they are doing some more due diligence and research to see if we cannot locate that easement. Chairman David Taylor stated, just so we are all aware, Marjorie McKnight is here and she is the property owner you are speaking of and she does not have anything to add, is that correct? Marjorie McKnight stated she has not heard anything from anybody. Mark Keafner stated this was an issue that was just brought to our attention earlier this week. Howard Goodstein stated we are going to go back a few more years and take another look. After some discussion, Member Arthur McKinley asked if trees or anything will be planted. Mark Keafner stated he needs to speak to the Borough Engineer about where he would like those. Member Arthur McKinley asked if they would consider keeping the four tall pine trees that are there. Mark Keafner stated we will certainly take a look at that. Solicitor Jim Dennison stated you need to make sure there is some type of agreement in regards to maintenance with the Credit Union. Vice-Chairman Ed Richards moved to approve the plan for BFS Foods with these contingencies; proper water line approval, an agreement in regards to maintenance with the Credit Union, Highway Occupancy (HOP) Permit,

consideration to plant trees and save trees, and shared access for the driveway; seconded by Member Bob Radaker. Motion carried 3-1 with Member Arthur McKinley opposed.

- B. O'Reilly Auto Parts – Subdivision Approval** – Chairman David Taylor stated next is the O'Reilly Auto Parts subdivision which is along lower Allegheny Boulevard, behind the former plaza. Chairman David Taylor stated they are subdividing approximately an acre. Chairman David Taylor asked Zoning Officer Emerson if he is content with this, and Zoning Officer Emerson Turnbull stated yes. Chairman David Taylor asked where will the building be located in that lot? Alex Pitrofsky stated it will be relatively centered. Member Bob Radaker moved to approve the O'Reilly Auto Parts subdivision plan; seconded by Vice-Chairman Ed Richards. Motion carried 4-0

NEIGHBORHOOD PLANNING:

None

OFFICIAL REPORTS & CORRESPONDENCE:

None

COMMUNICATIONS & ANNOUNCEMENTS:

None

UPCOMING MEETINGS:

Chairman David Taylor stated the next Planning Commission meeting is tentatively scheduled for Wednesday, April 10th at 5:00 P.M.

ADJOURNMENT:

Vice-Chairman Ed Richards made a motion to adjourn at 5:25 P.M.; seconded by Member Arthur McKinley. Motion carried 4-0.