

MINUTES
BROOKVILLE BOROUGH PLANNING COMMISSION
Wednesday, August 10, 2022 @ 5:00 P.M.

The Brookville Borough Planning Commission met on Wednesday, August 10, 2022 at 5:00 P.M. in Council Chambers with the following in attendance:

MEMBERS

David Taylor
Dr. Ed Richards
Rick Park
Arthur McKinley –
arrived at 5:02 P.M.

STAFF

Zoning Officer Joe Kelsch -
arrived at 5:03 P.M.
Recorder Christine Gunning

VISITORS

Mike Griffith

CALL TO ORDER:

Chairman David Taylor called the meeting to order at 5:02 P.M.

CORRECTIONS/APPROVAL OF MINUTES:

Vice-Chairman Ed Richards moved to approve the minutes of the July 13th Planning Commission meeting as submitted; seconded by Member Rick Park. Motion carried 4-0.

PUBLIC COMMENT:

None

NEW BUSINESS:

- A. Subdivision Plans – Mike Griffith Rezoning** – Chairman David Taylor stated we have a subdivision plan that Mike Griffith is asking about rezoning. Chairman David Taylor stated this is for a piece of property on Allegheny Boulevard. Member Arthur McKinley stated he was not sure exactly where it was on Allegheny Boulevard. Mike Griffith stated there is the boot shop, then the new O'Reilly's, and then those frac tanks sitting there. Mike Griffith stated it is further down from the frac tanks, between there and the veterinarian. Mike Griffith stated it is on the same side of the road as the frac tanks. Chairman David Taylor stated the request is to have this parcel rezoned from Office Commercial (OC) to Light Industrial one (LI1) or Light Industrial two (LI2). Chairman David Taylor stated he is going to read a transmittal from our Solicitor, Jim Dennison, that was just sent today, and it is addressed to Commission Members. Chairman David Taylor read: I have reviewed the request by Mr. Griffith and I do not recommend approval. It is not proper to change the zoning of a single lot in a zone unless it is adjacent to other lots that are zoned the same as the proposed change to the single lot. This is called "spot zoning" and would not be permitted. It is also located in the Borough's prime areas for commercial/retail development, and I do not think it makes sense to trade that potential for a self-storage facility that will not generate much commercial traffic. I will not be at the meeting, but am available by phone if you need me. Chairman David Taylor stated that is the recommendation from our Solicitor, and asked the Commission Members if they

had any comments. Member Arthur McKinley stated he had similar concerns, and he is glad Solicitor Jim Dennison spoke up. Member Arthur McKinley asked is your ultimate purpose to have this as a storage facility? Mike Griffith stated yes, we are going to use the field, which is two acres or an acre and a half, right beside Pacific Pride, and start cleaning that up, and start building units there. Mike Griffith stated there is also another three acres that we would clean up, and if someone wanted to buy that for a commercial building, we would be more than willing to sell that to them, or have someone build a building on that. Chairman David Taylor stated the Planning Commission's role is to look at things and make a recommendation to Brookville Borough Council. Mike Griffith stated this property has been on the market for six years, and he will only buy it if the zoning is changed. Mike Griffith stated he does not own the property, but he has a notarized letter stating he can act on behalf of the owner and request a zoning change. Mike Griffith stated it seems like other lots need their zoning changed too. Mike Griffith stated, in his eyes, frac tanks and diesel gas stations do not belong in Office Commercial (OC). Mike Griffith stated across the road, the property beside the food pantry got changed to light industrial. After some discussion, Chairman David Taylor asked Zoning Officer Joe Kelsch for his thoughts regarding this. Zoning Officer Joe Kelsch stated this piece of property is not being utilized for anything, and it is just sits there doing nothing. Member Arthur McKinley stated he would hesitate to rezone it to something that does not benefit the community. Chairman David Taylor asked if this could be put on the Brookville Borough Council agenda for the next meeting on August 16th, and Recorder Christine Gunning stated yes. Chairman David Taylor stated spot zoning is illegal. Chairman David Taylor stated if Borough Council wants to rezone the whole strip, looking at current, present-day use, that is certainly their ability. Vice-Chairman Ed Richards stated if we are not going to approve this, then we should be looking at what is next door to it, and if it is appropriate to have those tanks there. After some discussion, Member Arthur McKinley made a motion to not recommend approval to Brookville Borough Council, since our understanding is the idea behind the zoning is to have businesses that create jobs, and to look at the broader issue of zoning in that area being in compliance, based on the fact that across the street is different zoning, and some of these businesses are maybe borderline with the zoning, such as the frac storage tanks. Member Rick Park stated he agrees with Chairman David Taylor in that we cannot just rezone one. Member Rick Park stated it has to be all or nothing. Member Rick Park stated he agrees with Member Arthur McKinley in that it is prime real estate to have this type of thing that does not create jobs. Member Rick Park stated he has been here since 2008, and he does not know how long those tanks have been there, but nobody ever came here about those frac tanks to his knowledge. Member Rick Park stated he thinks they just put them in. Chairman David Taylor stated that probably was the case. Chairman David Taylor stated there is a motion on the floor, is there a second? Vice-Chairman Ed Richards stated I'll second it. Motion carried 4-0. Chairman David Taylor stated he will transmit this decision to Brookville Borough Council.

UNFINISHED BUSINESS:

None

OFFICIAL REPORTS & CORRESPONDENCE:

None

ADJOURNMENT:

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