

The Zoning Hearing Board of the Borough of Columbia met on Wednesday, July 31, 2019, in the Paul W. Myers Council Chambers. Chairman Don Haines called this meeting to order at 7:00 p.m.

Roll call was taken with the following members being present: Don Haines, Steve White, David Brumbaugh, Jonathan Lutz and Terry Anne Doutrich. Joe Nikolaus was absent from this meeting. Also present were Josele Cleary, Solicitor; Jeff Helm, Zoning Officer; Ray Danyo, Court Stenographer; and Deb LaClair, Administrative Assistant.

There was the pledge to the flag.

Steve White motioned to approve the minutes from the February 27, 2019, meeting and David Brumbaugh seconded. All favored this motion.

Jeff Helm, Zoning Officer, announced tonight's hearings were advertised and the properties were posted.

The application for Robert Barley, 504 Kinderhook Road, was continued until the August 28, 2019 meeting per correspondence from Mike Grab, Nikolaus & Hohenadel LLP.

Josele Cleary explained the procedure for the hearing. There were no questions regarding the procedures. There were no parties to the hearing for L18 North Fourth Street.

L18 North Fourth Street – Arlette Warren - Mike Grab, Attorney, informed the Board that the applicant was requesting use and dimensional variances to sub-divide the vacant lot into 5 lots and construct 5 town homes at L18 North Fourth Street in the Low Density Residential zoned district. Steve Gergely, Harbor Engineering, was sworn in and testified the property was located at North Fourth and Linden Streets. He talked about the surrounding area zoning districts. Applicant's Exhibit #1 was presented which was an overhead view of the property and Applicant's Exhibit #2 which was a site plan modified since the submittal of the Zoning application. Steve pointed out the shared access driveway off Fourth Street, that would lead to the garages, with the front yard of the properties on Linden Street. Steve explained the request for the use variance was because the construction of town homes was not a permitted use in the Low Density Residential district. Steve talked about the dimensional variances being requested which include minimum lot area, minimum lot width, minimum front yard for North Fourth Street, minimum side yard and maximum building coverage. Steve asked to amend the Zoning application to include the variance for minimum front yard.

Steve added the applicant has agreed to use an HOA for maintenance of the common areas of the property. The Columbia Borough Planning Commission approved the project with conditions. Steve stated the proposed residential use would be appropriate for the area.

Jeff Helm, Zoning Officer, had no questions for the applicant.

Frank Doutrich, 1001 Ironville Pike, asked if the town houses were residential. Steve stated yes. Frank asked if the property owner would receive one property tax bill. Steve explained the lot was being sub-divided into five lots, so there would be individual deeds issued for each property.

There were no further questions from the audience. Mike Grab concluded the testimony.

Jonathan Lutz motioned to approve the amendment request to the Zoning application to add a variance for front yard set-back and David Brumbaugh seconded. All favored this motion.

Jonathan Lutz asked if the common driveway would be connected to the unopened alley. Steve stated there were no plans to have the driveway connect to the alley. Jonathan asked about a potential problem with parking on Linden Street due to parking for the Turkey Hill Experience. Steve explained there were two off-street parking spaces per unit and agreed Linden Street parking could be problematic. Jonathan asked about the design of the town home. Steve stated they have not quite finished the design. Jonathan asked if the front yard variance for Fourth Street would obstruct the sight distance. Steve stated no.

Steve White reconfirmed the front yard of the property would be on Linden Street. Steve stated yes. Steve White asked about easements. Steve explained there would be common access easements. Steve White asked what would happen if someone installed a fence. Mike Grab explained a gate would have to be installed to maintain the access. Steve White asked about the excavation of slopes on the Linden Street side of the property. Steve explained that part of the property would not be excavated but would have some type of vegetation planted to protect the slope. Steve White expressed his concern that the town homes

would become rental units and no one would take care of the vegetation. Mike stated the maintenance of the vegetation would be part of the HOA or the homeowner's responsibility. Steve White asked Steve Gergely to review the dimensional variance requests. David Brumbaugh asked if this project went before the HARB. Mike stated no, the first step was to get Zoning approval. Steve White asked Steve Gergely to review the various Zoning districts in the area. There was discussion on an existing lot located on North Fourth Street with town homes and the size of that lot. Terry Doutrich asked about water and sewer. Steve stated that exists in the street. Terry asked about maintenance of the grass areas. Mike responded by saying that still needs to be determined. Steve White asked about stormwater. Steve stated the stormwater would be determined through the planning process with a possible underground detention system. Terry asked about the width of the driveway entrance. Steve stated the width was 18 feet. Mike added the maintenance and snow removal for the driveway would be handled through the HOA. Terry asked about the size of the town homes. Steve didn't give a size for the homes but did state they would be two-story with a daylight basement.

Josele Cleary asked about the size of the lot. Steve Gergely stated the lot was 119 feet long by 146.5 feet wide. Josele asked about the distance between the common access drive and the garage. Steve stated the distance was 19 feet, which was enough space to park an additional vehicle.

Josele asked if the applicant would agree to a condition that the dwellings would be set-back from the access drive to allow for 2 vehicles to be parked. Steve Gergely stated yes. Josele asked if the applicant would agree to a condition that the property be sub-divided into 5 individual lots. Mike Grab stated yes. Josele asked if the applicant would agree to a condition that an HOA would be established to maintain all common facilities including the access driveway and the stormwater system. Mike stated yes. Josele asked if the applicant would agree to a condition to establish an access agreement and documentation prohibiting fences. Mike stated yes. Josele asked if the applicant would agree to a condition that all necessary approvals be obtained from Historic Architectural Review Board. Mike stated yes. Josele read off the standard conditions. Mike agreed to the standard conditions.

There were no statements or questions from the audience.

David Brumbaugh motioned to close the testimony and Terry Doutrich seconded. All favored this motion.

Don Haines convened to an executive session at 7:50 p.m. with the meeting to be reconvened.

Don Haines reconvened the meeting at 8:15 p.m.

David Brumbaugh motioned to approve the use and dimensional variances request for Arlette Warren to sub-divide and construct 5 town homes on the property located at L18 North Fourth Street in the Low Density Residential zoned district with the conditions read by the Solicitor and the standard conditions and Jonathan Lutz seconded. A roll call vote was taken with the following Zoning Hearing Board members voting yes: Haines, Brumbaugh and Lutz. Steve White and Terry Doutrich voted no. Motion carried.

Don Haines motioned to adjourn the meeting and Jonathan Lutz seconded. All favored this motion.

There being no further business, this meeting of the Columbia Borough Zoning Hearing Board was adjourned at 8:20 p.m.

Respectfully submitted,



Jeffrey M. Helm
Zoning Officer