

**SCOTT TOWNSHIP  
BOARD OF SUPERVISORS  
MINUTES—SEPTEMBER 18, 2019**

The Scott Township Board of Supervisors met on the above date in the Municipal Building, 350 Tenny Street (Espy), Bloomsburg, PA. The meeting was called to order at 6:30 p.m., and opened with the Pledge of Allegiance to the Flag. In attendance were Supervisors William G. Hafner, Kathleen A. Lynn, Lanny R. Sheehan, and Dennis N. Wildt. Solicitor Anthony J. McDonald from Marinos, McDonald & Knecht LLP, Engineer Todd Pysher of Pysher & Associates, Inc., Police Chief Raymond J. Klingler, Maintenance Supervisor Mark J. Koons, and Secretary/Treasurer Brittany M. Stasik were also in attendance.

**ZONING ORDINANCE AMENDMENT HEARING FOR SOLAR ENERGY AND WIND ENERGY**

The hearing convened at 6:31 p.m. (Ervin Blank Associates made a stenographic record.) This section of the hearing concluded at 6:54 p.m. Ms. Lynn made a motion to adopt the Wind Energy Ordinance, with the condition that the Zoning Officer work with John R. Varaly, AICP, of Varaly Associates, to prepare an overlay district. Mr. Wildt seconded. Motion carried 4-0.

The hearing reconvened at 6:55 p.m. (Ervin Blank Associates made a stenographic record.) The hearing concluded at 7:09 p.m. Mr. Wildt made a motion to adopt the Solar Energy Ordinance. Ms. Lynn seconded and the motion carried 4-0.

Mr. Hafner made a motion to adjourn the hearing for the Zoning Ordinance amendments. Ms. Lynn seconded the motion, which carried 4-0.

**CONDITIONAL USE APPLICATION HEARING FOR 2523 OLD BERWICK ROAD**

Regarding an application submitted by Brooks and Pamela Lawton to operate an Airbnb at 2523 Old Berwick Road, the hearing began at 7:10 p.m. (Ervin Blank Associates made a stenographic record of the hearings.) Mr. Sheehan made a motion to approve the use of the property located at 2523 Old Berwick Road as an Airbnb, with the condition that the applicants submit the following:

1. A stormwater management plan,
2. A parking diagram, including an ADA compliant parking space,
3. A letter from the Tri-County COG IBC Inspection Service approving the use for a multifamily unit,
4. An approval letter from the Scott Township Authority,
5. A Zoning Permit as required for a change of use.

In addition, the applicants shall agree to follow all future short-term rental regulations. Ms. Lynn seconded and the motion carried 4-0.

Ms. Lynn made a motion to adjourn the hearing for the Conditional Use Application. Mr. Wildt seconded the motion, which carried 4-0. The hearing adjourned at 7:35 p.m.

### **QUESTIONS FROM THE AUDIENCE**

Ms. Melissa Marmor requested permission to dedicate a bench for Espy Park in memory of Ms. Virginia Cummings. Ms. Cummings, a Township resident who provided child care services for decades, recently passed away. She was a frequent visitor to the park, bringing the children in her care to play there. Ms. Vicky Hidlay recommended anchoring the bench. The Board thanked Ms. Marmor, granted her requested, and recommended she meet with Mr. Koons to choose a bench and determine the location.

Mr. Paul Gardner, Jr., explained drainage problems on his property that borders on Tower Road. Deep ravines have been carved out and a bridge at the lower section of his property is damaged. Representatives from DEP, the Army Corps of Engineers, and the County Conservation District met with him to inspect the problems. Mr. Gardner is concerned that excess stormwater is coming from the Lion's Gate property and requested that the Township address that issue and help to repair the excessive washout areas. He asked that Lion's Gate not be allowed to expand until the drainage issues are corrected. Mr. Koons and the Township Engineer will inspect the problem.

### **APPROVAL OF MINUTES**

Minutes of the August 21, 2019 meeting were presented for approval. Mr. Wildt made a motion to approve the minutes as presented. Mr. Sheehan seconded and the motion carried 4-0.

### **APPROVAL OF MONTHLY REPORTS**

The August Budget, Police, Roads, Treasurer's, Zoning, and Tri-County COG IBC Inspection Service Reports were presented for approval. Ms. Lynn made a motion to approve the reports as presented. Mr. Sheehan seconded and the motion carried 4-0.

### **APPROVAL OF BILLS TO BE PAID**

The General Fund bills to be paid were presented as one transfer of electronic funds and check numbers 15836—15880 for \$61,208.19. In addition, a Liquid Fuels Fund bill to be paid was presented as check number 1750 for \$815.74. Mr. Sheehan made a motion to approve the bills to be paid, totaling \$62,023.93. Ms. Lynn seconded and the motion carried 4-0.

### **SUBDIVISION & LAND DEVELOPMENT**

Regarding the Lion's Gate agenda item, Mr. Mark McIntyre distributed paperwork depicting corrections to the stormwater management issue. He stated they have a failing system of the water infiltration in the existing stormwater basins. Curtis L. Barrick, P.E., of AECOM, prepared a plan that is a resubmission to correct the stormwater deficiencies. Mr. Pysher stated he has been in contact with Mr. Barrick and has received a revised land development plan, a stormwater management plan, and a cost opinion for the drainage corrections. However, he has not completed his review of that paperwork. Mr. McDonald asked Mr. Pysher if he would be able to determine whether these changes would make Mr. Gardner's drainage problems better or worse. Mr. Pysher recommended including the design engineer, Mr. Barrick, in the inspection of the Gardner property. That would give Mr. Barrick the information necessary to ensure that his design will solve Mr. Gardner's drainage issues. Mr. McDonald recommended that the Board have Mr. Pysher and Mr. Koons work with Mr. McIntyre and Mr. Barrick to ensure that this will fix and stop the issues on Mr. Gardner's property, and in addition, not shift the problem to someone else's property. Mr. Hafner questioned why initial soil testing and design did not properly address the clay soil. Mr. McIntyre stated the engineer that did the original stormwater

design felt that it did. Mr. Hafner stated he assumes the stormwater basins were built to the specifications. Mr. McIntyre answered, "Absolutely." Mr. Hafner asked if the clay below the basins is not allowing proper infiltration. Mr. McIntyre stated that is correct and added they did try to repair the basins once before but used soil that was essentially inadequate and the repair did not work. Mr. McIntyre stated he is not requesting permission to construct a building but is requesting permission to move ahead with footers, concrete slabs, and underground preparations such as installing conduit. Mr. Sheehan stated permitting that will worsen the drainage problems. Mr. McIntyre responded that because the site is predominantly a clay soil, the site is already an impervious surface. Mr. McDonald stated that until the Township Engineer determines that the soil on the proposed slab area is already impenetrable, he does not recommend permitting any additional construction. He added that the Board should have the necessary information from Mr. Pysker, Mr. Koons, and the County Conservation District by the next meeting, and recommended addressing this at the October meeting. Discussion ensued regarding time constraints due to weather and changing seasons. Mr. Gardner stated he feels allowing any construction before the problems on the Lion's Gate property and the properties below it are repaired would not be reasonable. Mr. McDonald will contact Lion's Gate attorney to prepare a new Developer Agreement.

#### **OLD BUSINESS**

Regarding an additional full-time officer, Chief Klingler requested that the Board hire Evan Lingousky to begin at Probation I status of \$21.38 per hour as outlined in the Police Contract. He would have a full-time start date of October 7. Mr. Sheehan made a motion to hire Officer Evan Lingousky as a full-time officer at the status listed above, starting October 7. Ms. Lynn seconded and the motion carried 4-0.

#### **NEW BUSINESS**

Regarding the 2020 Budget, Ms. Stasik requested that the department committees prepare their sections of the budget in order to have a preliminary budget ready for discussion at the October meeting.

Ms. Stasik presented the completed Minimum Municipal Obligation Worksheets for the 2020 Uniformed and Non-Uniformed Pension Plans. Mr. Sheehan made a motion to accept the Minimum Municipal Obligations as presented. Mr. Wildt seconded and motion carried 4-0.

Mr. Sheehan made a motion to allow Trick-or-Treating after the Espy Fire Company parade on October 29 and on October 31 from 6:00 to 9:00 p.m. Ms. Lynn seconded. The motion carried 4-0.

Mr. Wildt made a motion to adjourn the meeting. Mr. Sheehan seconded and the motion carried 4-0. The meeting adjourned at 8:30 p.m.

Respectfully submitted,  
Brittany M. Stasik  
Secretary/Treasurer