

**LOWHILL TOWNSHIP  
JOINT PLANNING COMMISSION, BOARD OF SUPERVISORS & EPD  
AUGUST 21, 2024  
MEETING MINUTES**

The Lowhill Township Joint meeting of the Board of Supervisors, Planning Commission and EPD was called to order by Board Chairman Curtis Dietrich at 6:00 pm. Also present were Vice Chairman, Michael Divers; Supervisor George Wessner, Jr.; Planning Commission Chairman, Larry Geiger; Vice Chairman Stephen Lear, Secretary Kevin Bubbenmoyer; Richard Dorney; Susan McGorry; Barry Betz; Consultant Michael Siegel; EDP Representative AJ Schwartz; Engineer/Zoning Officer, Ryan Christman and Secretary Jill Seymour. Absent was Jack Iannantuono.

AJ said we could possibly do public review for 45 days and submit to the LVPC after the Board approves, by the September meeting. We can still deliberate during that time, but no action can be taken for 45 days. We must enact everything by the end of 2024. After the 45 days, there would be a hearing and voting action.

**Curt Dietrich:** Attorney Brooman would like to review the Zoning Ordinance and the advertisements.

**AJ:** Zoning Ordinance could be adopted by the end of the year and then make amendments after the fact. The Planning Commission will make recommendation to advertise, then it goes to the Board to act.

**AJ** went over the official map and changes that were made. The gray zone in front of the Township Building, proposed public grounds.

**Buddy Wessner:** If we mark it as first rights, that could hold him up from doing anything for 12 months, that's government overreach.

**Mike Divers:** Agrees we shouldn't do that, we either purchase or we don't.

First right or refusal, reason to have it on the map is so we know when it goes up for sale. AJ suggested labeling as required notification of sale.

**Kevin Bubbenmoyer:** Couldn't we just notify the owner we are interested in the property?

A vote was taken:

**Buddy Wessner:** Remove from map

**Rick Dorney:** Remove from map

**Larry Geiger:** Leave on and ask solicitor what it should be labeled

**Mike Siegel:** make ordinance we have 3 months to make formal offer

**Mike Divers:** leave on and ask solicitor what it should be labeled

**Kevin Bubbenmoyer:** leave on, label it differently  
**Barry Betz:** No comment, doesn't like the wording of future taking  
**Jill Seymour:** No comment  
**Steve Lear:** leave on, ask solicitor what to label  
**Curt Dietrich:** leave on and relabel

**Ryan Christman:** Would like road classification, refer to section 918. Four classifications of roads.

**AJ** discussed the zoning map.

**Curt Dietrich:** What about split lot properties?

**AJ:** We can put them on, would need criteria to dispute. There are no issues in Lowhill.

**Curt Dietrich:** We have maybe three or four split properties in Lowhill.

There was a vote and everyone is good with moving forward with the zoning map.

**Zoning Ordinance draft discussion:**

**Larry Geiger:** Page 26, 27, 28; some are permitted and should be conditional. The table and the text need to match.

**Curt Dietrich:** Thought regional overlay were conditional, not special exception.

**Mike Siegel and Larry Geiger:** No, Regional overlay was special exception, RV district is conditional.

Under RU01 and RU02, switch from special exception to conditional. Change #12 from RC to RV and make conditional. #46 move from RC to RU02. Page 31 will be removed. Page 32 is the same in table version. Change table, no 50' height. All will be 35' height. Page 35 is out of alignment. Page 45, need a table. AJ said there is a table now and will update. Page 49, steep slopes, should put in a definition.

**AJ:** LVPC wants more definitions, will be updated in definition section.

**SALDO** definitions should match zoning ordinance, as close as possible. Page 50, excessive slopes, says 8%, should be 25%.

**Sue McGorry** gave definitions of moderate to severe slope from the American Society of Civil Engineers.

**AJ:** retitle 877 and add A, B, C to match the table. Define how to determine slope in 877. Shouldn't be in definition.

Page 70, change to 11 copies. Page 71, group A & B differs from group C, etc. Only one in each, will relabel. Page 74, remove North Newton Township under 982.822, change to Lowhill Township. Page 89, 990.01.2 – line 13, stream spelled incorrect. Page 90, 990.0141 should be 14, not 41. Page 93, 990.04.02 Township is typed twice, remove one. Page 94, 990.05.05: SALDO spelled wrong. Page 104, section 1012 – member of Board can NOT be on the planning commission. Need a better definition of conflict of interest added to the ordinance. AJ: The DCED has little booklets that has cliff notes. States can't be on the planning commission. Will update.

Ryan Christman: In the introduction, 4<sup>th</sup> paragraph, Tri Township needs to be changed to Multi Municipal and also had an update on April 18, 2018, 2018-1.

Steve Lear: Page 4, section 308C, 10 acres in size.

AJ: That is state law and we can't supersede state law.

There was a discussion on acreage, animals and we can't take out of any district, as it is protected by the State.

Urban Ag is permitted in RV, the keeping of Chickens. Will define urban ag in definitions. And change to all, RC, R and RV.

Page 12 – 317a, AJ will come up with a nuisance definition.

Page 40, 831.1.01 has a typo.

Page 48, 865.02, we don't want sewage plants, should not have it in there.

AJ: You no longer have special exceptions, still can't eliminate that section, it's in the MPC.

Page 63, should say section 942.12 to clarify.

Page 91, grocery store gets removed.

Buddy Wessner: Agritainment, distilleries, educational or day care school, farm market/sales, garden center, limited winery, plant/nursery should be in all districts, not EP or overlays.

AJ discussed Mike Siegel's e mail dated 8/16/2024.

309L, building area, will give separate definitions for floor space. Define industry nuisance. AJ believes we should define nuisance in general and thresh holds for grounds for denial. Should put some standards in for nuisances.

Mike Divers is against opening this can of worms.

**Kevin Bubbenmoyer is concerned there are no standards.**

**It was decided to keep the ambiguity nuisance portion to try to keep the peace.**

**Prohibited uses:**

**911 must be struck, can't use prohibited. Falls under all other uses not listed. All agreed.**

**916B, flag lots. Will put a prohibition. All agreed.**

**955.01 – Non conforming use language, break into two sections. Change special exception to conditional use. Should not allow non-conforming to non-conforming. All agreed.**

**Hearing no further comments. Curt Dietrich adjourned the meeting at 9:15 pm.**

**Respectfully Submitted,**