

**JACKSON TOWNSHIP PLANNING COMMISSION**  
**MINUTES**  
**February 21, 2013**

A meeting of the Jackson Township Planning Commission was held on February 21, 2013. Jeffrey Thomas, chairman, called the meeting to order at 7:00 PM.

Members present: Jeffrey Thomas, Dale Eagon, Mark Werkeiser and Ronald Padula. Sal Caiazzo, P.E. from Hanover Engineering was present. Michelle Arner, SEO and Zoning Officer, was present.

**ReOrganization**

Current officers are as follows: Chairman: Jeffrey Thomas, Vice Chairman: Dale Eagon, Secretary: Ronald Padula. Mark Werkeiser moved to reappoint the current slate of officers for 2013, second by Dale Eagon, all aye. Motion passed.

Current meeting schedule is third Thursday of the month, 7:00 PM at the Jackson Township Municipal Building. Dale Eagon moved to keep this same schedule in place, second by Ron Padula, all aye. Motion passed.

**Minutes of December 20, 2012**

Dale Eagon moved to approve the minutes of December 20, 2012; second by Ron Padula, all aye. Minutes approved. There was no meeting in January.

**Old Business:**

**Mountain View Vineyard: Conditional Use Application - Agritourism**

Linda and Randall Rice were present as well as their attorney Joseph McDonald. Sal Caiazzo explained that a draft review letter had been prepared in the beginning of February so that the plan preparer, Frank J. Smith, Jr., P.L.S., could address the majority of the comments prior to this meeting. The most current plan, dated February 20, 2013 and Township engineer review letter, dated February 20 are current for the purpose of discussion at this meeting. All parties were supplied with the most current plan and review letter. There are seven comments remaining. Comment #1: Signature of the professional responsible for the plan. The plan has been signed. Comment #2: A 20' landscape buffer is required. Zoning Officer, Michelle Arner, indicated she believes the Zoning Ordinance section regarding the buffer allows driveways in the buffer, but not parking spaces. One parking space is shown in the buffer area. Use of the outdoor and indoor seating in relationship to the calculation of number of spaces was discussed. The parking calculation provided, plan note 10, suggests two persons per car with an average use of 16 persons per day. Michelle agreed with the two persons per car and also indicated an inconsistency in that 48 outdoor seats translates to 24 parking spaces, while only 18 spaces are provided. Additionally, it was agreed that either outdoor seating or indoor seating would be utilized. For instance, an outdoor event would utilize the outdoor seating only. The elimination of the one space within the 20' buffer, resulting in 17 spaces for the winery use, would allow for 34 seats outdoors. The three residential parking spaces are not used in this calculation, according to Michelle. There was further discussion about the parking calculation and the variable number of guests arriving in a car. The applicants agreed to reduce the number of outdoor seats to 34 and remove the one parking space within the 20' landscape buffer. Sal indicated with this change, the comment is satisfied. Comment #3: Paving requirement. It was noted the planning commission previously recommended the unpaved access and parking areas may be gravel.

Comment #4: Traffic circulation does not meet the ITE methodology as required by the Zoning Ordinance. Sal noted the angle parking, usually associated with one way traffic, is not compatible with turning around to exit the site. Linda and Randall explained that vehicles typically utilize the area by the wine making barn and are able to turn around. Some larger vehicles utilize a three-point turn. Randall questioned the ITE methodology being used for commercial sites; is it applicable for their site, being agriculture and agritourism? Attorney McDonald explained the ITE methodology being a result of numerous case studies involving non-residential uses and it is a standard that townships have adopted. He further stated the use of a winery may not be specifically included, however it is part of the ordinance and it is typically looked at as a guide.

Traffic circulation was further discussed including use of signage to direct drivers with useful guidance for safe maneuvering. Jeff indicated that from the Township perspective, if there was an accident, it would be their (the owners) responsibility. Linda expressed agreement and Randall added that there have been no accidents in 3 1/2 years. Sal expressed concern for safety especially during well attended special events. Randall indicated that they commonly have someone, such as a volunteer, to help direct traffic during events. There was agreement to utilizing a parking attendant for special events as a condition of the conditional use.

Comment #5: The lighting plan previously submitted may not be accurate. Sal indicated there may not be a concern and recommended a lighting review be conducted after the light fixtures are installed to assure compliance, especially with regard to spillover onto the neighbors' property. Randall indicated the planned lighting will be properly shielding to prevent spillover. Additionally, plan note 8 addresses this comment.

Comment #6: According to the plan, 4,227 square feet of impervious coverage have/will be added to the site since the adoption of the stormwater ordinance. If this figure is accurate, then no stormwater management plan is required. This is a statement for the record.

Comment #7: Parking calculations approved by zoning officer. This was previously discussed and certain revisions agreed to.

In preparation of listing recommended conditions for the Conditional Use, additional items were discussed. Michelle expressed concern about the edge of the parking lot being at the top of a steep downslope, where previous plans had show a proposed fence, but the current plan does not. Randall indicated they have big rocks there, about a foot high, to prevent vehicles from going over the edge and in their experience, a fence just wouldn't work. The concern is the rocks may not be seen from a vehicle attempting to maneuver. Randall suggested t-poles with reflectors along the edge at the top of the slope. After some discussion, it was agreed the reflectors would be acceptable.

Michelle mentioned the note from the building code official, Paul Jarrett, regarding ADA compliance. Jeff pointed out plan note 12 indicating that all buildings, parking and access be ADA compliant prior to issuance of a certificate of occupancy. There was discussion about which buildings this would apply to and just what exactly would be required. Linda mentioned that in her conversation with Paul, he indicated he would come to the site at such time the certificate of occupancy application is made. Attorney McDonald indicated that he believed the building code issue will take care of itself, it being a separate statute. The purpose for the planning commission is the use itself. Upon further discussion about the building code issue, ADA compliance, plan note 12 and the intent of the plan revealed the need to change the wording of plan note 12 to perhaps make it less binding.

Being comfortable with the comments and concerns having been addressed, the members, zoning officer and township engineer herein list the following conditions as a recommendation to the Board of Supervisors.

- Owners to provide an individual to assist with parking during special events
- Parking Lot Lighting to demonstrate compliance after installation
- Reflectors to be placed along the edge of the parking area at the top of the slope
- Building Code Compliance relative to the Certificate of Occupancy

ADA Compliance as addressed by the Building Code Official  
Holding Tank Permit for winery use

Plan Revisions to include: change outdoor seating to 34, remove one parking space within  
20' buffer, rewording of plan note 12 and revision date on plan

Dale Eagon moved to recommend approval of the Conditional Use (Agritourism) subject to the  
above listed items, second by Mark Werkeiser, all aye. Motion passed.

Michelle summarized the steps going forward and the scheduling of the Conditional Use Hearing.

**Correspondence:** none

**Comments:** Michelle noted that Brad Rustine has resigned from the Planning Commission and a new  
member is needed. Current members were encouraged to make recommendations to fill the vacancy.

**Adjourn:** Motion to adjourn by Ron Padula, second by Dale Eagon. Meeting adjourned at 7:45 PM

Respectfully submitted,

*Michelle Arner*

Recording Secretary