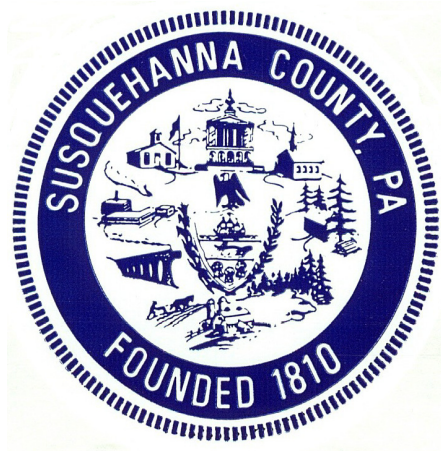


Susquehanna County Planning Commission



Annual Report 2009

County Office Building

31 Public Avenue

Montrose PA 18801

2009
Annual Report
of the
Susquehanna County
Planning Commission

County Office Building
31 Public Avenue
Montrose, Pennsylvania
18801

(570) 278-4600 ext. 290
fax (570) 278-9268
e-mail: susqplan@susqco.com
www.susqco.com

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OVERALL GOAL OF THE COUNTY COMPREHENSIVE PLAN

Maintain and improve the general quality of life for county residents by developing and implementing plans to deal with problems from all facets of local life including the environment, land use and development, government services, the economy, transportation, and recreation.

ORGANIZATION

The Susquehanna County Planning Commission has been in existence since August 10, 1964, created by resolution of the Susquehanna County Board of Commissioners to direct all County planning programs.

On December 3, 1992 the Board of Commissioners adopted an ordinance creating and establishing a Department of Planning and Development and a Planning Commission under the provisions of the Pennsylvania Municipalities Planning Code, Act 247 as amended by Act 170 of 1988. Under this ordinance overall direction is given by the County Commissioners with the Planning Commission acting in an advisory capacity to both the Department and the Commissioners. The Planning Commission is comprised of nine members appointed by the County Commissioners. The Department is headed by a Director of Planning and Development and is required to include sufficient staff to carry out the provisions of the ordinance which created the department. The ordinance outlines work areas in which both the Department and the Planning Commission shall function. It is intended that the scope of activity of both the Department and the Planning Commission be expanded to provide for the coordinated development of the County, to protect the general welfare and prosperity of its residents, and to uphold the goals and objectives of the County's Comprehensive Plan.

The Planning Commission meets once each month, on the last Tuesday of the month. Occasionally the Commission will meet to accommodate special business of the County or to participate in training sessions. Also, separate committees of the Commission meet, as needed, to attend to their duties. Formal action can only be taken at the regularly scheduled meeting unless otherwise advertised.

The Department of Planning and Development, housed in the County Office Building at 31 Public Avenue, Montrose, was staffed during 2009 by the Director, Deputy Director and a secretary. Office hours are from 8:00 A.M. to 5:00 P.M. Monday through Friday. Those seeking information on any facet of planning and development may visit at anytime. No appointment is necessary.

SUSQUEHANNA COUNTY
PLANNING COMMISSION MEMBERSHIP

2009

Commission Officers

Patrick Ahearn, Chairman
Frank Kwader, Vice Chairman
Nancy Harvatine, Secretary

Commission Members

John Butler
Richard Franks
Bernard Griffin
Ted Place
Katherine Shelly
Laurence Wilson

Department of Planning and Development Staff

Robert Templeton, Planning Director
Eleanor Kurosky, Deputy Director
LuAnn Myers, Secretary

PLANNING DISTRICTS 2009

Patrick Ahearn

267 Towner Hill Road
Susquehanna PA 18847
756-2245

PatrickAhearn@hotmail.com

Term Expires 2014

Harmony Township
Lanesboro Borough
Oakland Borough
Oakland Township
Susquehanna Borough

John Butler

3254 Bowbridge Road
Little Meadows PA
18830

553-2199
surveyor@epix.net

Term Expires 2011

Apolacon Township
Forest Lake Township
Friendsville Borough
Little Meadows Borough
Middletown Township
Rush Township

Richard Franks

PO Box 314
Great Bend PA 18821
879-4376

rick_franks@uhs.org

Term Expires 2014

Great Bend Borough
Great Bend Township
Hallstead Borough

New Milford Borough
New Milford Township

Bernie Griffin

2709 Stanley Lake Road
Friendsville PA 18818
553-9973

bmgriffin@epix.net

Term Expires 2011

Choconut Township
Franklin Township
Liberty Township
Silver Lake Township

Nancy Harvatine

34 Harv Farm Road
Thompson PA 18465
679-2273

harvfarm@nep.net

Term Expires 2012

Forest City Borough
Gibson Township
Herrick Township
Uniondale Borough

Frank Kwader

Box 113 Stearns Lake
Jackson PA 18825
756-3271

bkwad@nep.net

Term Expires 2014

Bridgewater Township
Brooklyn Township
Jessup Township
Montrose Borough

Ted Place

410 Place Road
Meshoppen PA 18630
833-4024

Term Expires 2012

Auburn Township
Dimock Township
Lathrop Township
Springville Township
Hop Bottom Borough

Katherine Shelly

903 Ridge Road
Thompson PA 18465
756-2429

Term Expires 2011

Ararat Township
Jackson Township
Thompson Borough
Thompson Township

Laurence Wilson

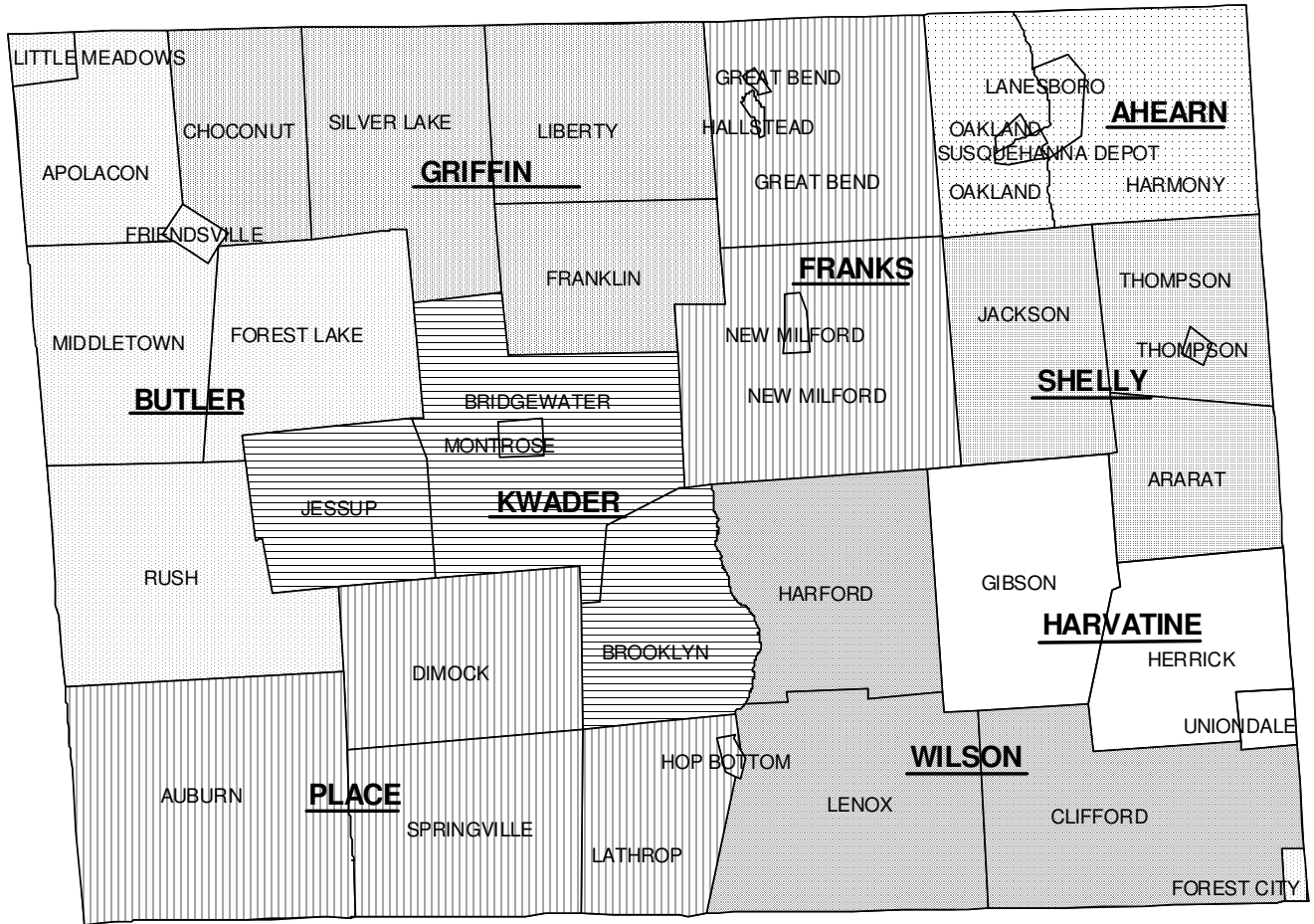
478 Round Hill Road
Clifford Twp. PA 18470
222-4637

lwilson@nep.net

Term Expires 2012

Clifford Township
Harford Township
Lenox Township

SCPC Representative Districts



MEETING ATTENDANCE 2009

The commission held twelve public meetings, preceded by workshop meetings also open to the public. Commission members continued to maintain their excellent record of participation with an average of 88% attendance at all meetings, amounting to 185.5 hours contributed to the County for this work. Not included in these hours is travel time to and from meetings and time spent at separate committee meetings and conferences.

Meeting Attendance 2009

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Patrick Ahearn	X	X	X	X	X	X	X	X		X	X	X
John Butler		X	X	X	X	X	X	X	X	X		X
Richard Franks	X	X	X	X	X		X	X	X	X	X	X
Bernie Griffin	X	X	X	X	X	X		X		X		X
Nancy Harvatine	X	X	X	X	X	X	X	X	X	X	X	X
Frank Kwader	X	X	X	X	X	X	X	X	X	X		X
Ted Place	X	X	X		X	X	X		X	X	X	X
Kathy Shelly	X	X		X	X	X	X	X	X	X	X	X
Larry Wilson	X	X	X	X	X	X	X	X		X		X
Length of Meeting	0.75	1.00	0.50	1.25	1.00	0.75	1.25	1.25	0.75	1.25	1.25	.50
Public Attendance	1	3	5	2	2	3	6	2	1	1	7	1
Hours – Meeting and Workshop	14.00	18.00	12.00	18.00	18.00	14.00	18.00	18.00	10.5	20.25	11.25	13.50

Total Hours contributed by Planning Commission members, including Workshop Meeting = 185.5 hours

X = Attended Meeting

2009 - MEETING CHRONOLOGY - 2009
(including items of interest brought forth during the meetings)

January

- 1 Citizen attended the Commissions regular meeting
- Reorganization / Election of officers for 2009
- 3 Act 170 Review and Comments reviewed
- 7 Staff approved plans were reviewed/concurred by Commission
- Staff attended the Northern Tier Coalition reorganization meeting in Silver Lake Township
- The Commission discussed gas drilling and zoning ordinances relative to two pending Pennsylvania Supreme Court cases

February

- 3 Citizens attended the Commissions regular meeting
- 4 Subdivision/Land Development plans were reviewed
- 1 Staff approved plan was reviewed/concurred by Commission
- Staff attended the "Continuity of Government" meeting held by the Emergency Management office
- Mary Felley, Executive Director of the Countryside Conservancy, presented an update on the Conservancy's activity in the County
- Staff attended the Leadership 2020 Graduation ceremony

March

- 5 Citizens attended the Commissions regular meeting*
- 1 Subdivision/Land Development plan was reviewed
- 3 Act 170 Review and Comments reviewed
- 4 Staff approved plans were reviewed/concurred by Commission
- The Staff and Commission members presented the 2008 Annual Report to the County Commissioners
- Staff attended the first "County Gas Task Force" meeting
- Staff attended the Watershed Planning Advisory Group (WPAC) meeting to review the Phase 1 Stormwater Management Plan

April

- 2 Citizens attended the Commissions meeting
- 3 Subdivision/Land development plans were reviewed
- 2 Act 170 Review and Comments reviewed
- 4 Staff approved plans were reviewed/concurred by Commission
- Staff attended the Countryside Conservancy's annual Stewardship Awards ceremony at which some County residents received awards
- The Commission discussed gas pipeline rights-of-way and the proposed natural gas severance tax

May

- 2 Citizens attended the Commissions regular meeting
- 2 Subdivision/Land Development plans were reviewed
- 5 Act 170 Review and Comments reviewed

- 4 Staff approved plans were reviewed/concurred by Commission
- The Commission discussed water withdrawals requests and erosion and sediment controls relative to natural gas drilling
- Staff met with the Susquehanna County Economic Development Advisory Committee (SCEDAC) to discuss the Ordinance requirements for developing commercial businesses
- Staff attended the PennDOT Customer Advisory Board meeting

June

- 3 Citizens attended the Commissions regular meeting
- 2 Subdivision/Land Development plans were reviewed
- 1 Act 170 Review and Comment reviewed
- 6 Staff approved plans were reviewed/concurred by Commission
- Staff met with the Bridgewater Township Zoning Committee regarding their proposed ordinance
- Staff met with the Silver Lake Township Planning Commission to review their proposed amended Subdivision and Land Development Ordinance (SALDO)

July

- 6 Citizens attended the Commissions regular meeting
- 2 Subdivision/Land Development plans were reviewed
- 1 Act 170 Review and Comment reviewed
- 4 Staff approved plans were reviewed/concurred by Commission
- The Commission discussed the proposed Lackawanna College development in New Milford Township
- Staff attended the Eastern Susquehanna County Partnership open house on their proposed zoning ordinance
- Staff attended the Silver Lake Township ad hoc committee to review proposed changes to the township's SALDO

August

- 2 Citizens attended the Commissions meeting
- 2 Subdivision/Land development plans were reviewed
- 3 Staff approved plans were reviewed/concurred by Commission
- The Commission discussed issues with natural gas pipelines
- Commission members and staff attended the Open Space / Greenway plan focus group meetings
- Staff attended the "Continuity of Government" workshop
- Commission and staff attended the Economic Development Board Annual Meeting
- Staff worked at the County Booth at the Harford Fair

September

- 1 Citizen attended the Commissions regular meeting
- 3 Subdivision/Land Development plans were reviewed
- 1 Act 170 Review and Comment reviewed
- 11 Staff approved plans were reviewed/concurred by Commission

- Commission reviewed the proposed Silver Lake Township SALDO amendment and recommended approval
- The Commission discussed natural gas activity relative to water usage and water treatment facilities

October

- 1 Citizen attended the Commissions regular meeting
- 4 Subdivision/Land Development plans were reviewed
- 1 Act 170 Review and Comment reviewed
- 2 Staff approved plans were reviewed/concurred by Commission
- Commission and staff attend the annual Pennsylvania Chapter of the American Planning Association conference at Valley Forge
- Staff attends the Natural Resource Conservation Service workgroup planning meeting
- Staff attends the Farm Bureau annual meeting

November

- 7 Citizens attended the Commissions regular meeting
- 4 Subdivision/Land Development plans were reviewed
- 2 Act 170 Review and Comment reviewed
- 3 Staff approved plans were reviewed/concurred by Commission
- Staff attended the Resource Conservation and Development "Flood Summit"
- Commission discussed the effects of the 2009/2010 State budget on planning and stormwater plan programs

December

- 1 Citizen attended the Commissions meeting
- 1 Subdivision/Land development plan was reviewed
- 2 Act 170 Review and Comments reviewed
- 7 Staff approved plans were reviewed/concurred by Commission
- Commission agreed to change the Work Session beginning time to 7:00 P.M. with the Regular Meeting remaining at 7:30 P.M.
- The staff was directed to re-send a memo to municipalities regarding building setbacks for activities that do not require subdivision or land development approval
- Commission members Pat Ahearn, Rick Franks and Frank Kwader were reappointed to 4 year terms by the County Commissioners

POWERS AND DUTIES OF THE SUSQUEHANNA COUNTY PLANNING COMMISSION

The Susquehanna County Planning Commission is made up of nine volunteers from throughout the County, appointed by the County Commissioners. The members of the Planning Commission provide a voluntary service to the community and receive no compensation for their time and effort. They can be reimbursed for any necessary and reasonable expenses incurred in the performance of their duties.

The Planning Commission meetings are advertised each year in January and are open to the public. The agenda for each meeting is on the County's web site (www.susqco.com) one week before each meeting. Initial action on certain minor subdivisions and addition subdivision plans may take place prior to a meeting. All industrial or commercial development plans, major subdivision plans, and any plan requesting a waiver of a requirement of the Ordinance are acted on at a public meeting. Every subdivision or land development plan is sent, as soon as it arrives in the Planning Department office, to the local municipality for their review and comments. No final action is taken on plans before hearing from the municipality.

An application for a subdivision or land development becomes public information upon receipt officially at a Planning Commission meeting. The Subdivision and Land Development Ordinance details the method of accepting subdivision plans, which is consistent with Pennsylvania State law (the Municipalities Planning Code, Act 247 of 1968 as amended). By law, the Planning Commission has 90 days from the date of official receipt to take action on a plan. The Ordinance contains a specific format to follow to determine when a plan has been officially submitted.

The County's Subdivision and Land Development Ordinance is available on the County's web site or on CD. It is available in printed form for a small fee to cover the cost of reproduction.

The Susquehanna County Planning Commission is charged with protecting the rights of all citizens and landowners of Susquehanna County with regard to their enjoyment and use of their land as they see fit, as long as it is done legally. This includes a landowner's right to subdivide or develop their land.

The single land use regulation tool that the County Planning Commission has available at this time is the Subdivision and Land Development Ordinance, which is governed by Pennsylvania State law (the Municipalities Planning Code, Act 247 of 1968 as amended).

A planning commission assists the governing body in and assumes primary responsibility for developing the ordinances necessary to guide future growth. A planning commission can merely act as an advisor to the governing body (County Commissioners) in defining how the community should grow. However, the governing body may, by ordinance, delegate approval authority to a planning commission for subdivision and land development applications. In practice most of a planning commission's time is devoted to administration of the subdivision and land development ordinance.

A County may enact a zoning ordinance. In Pennsylvania all but a few zoning ordinances are enacted at the municipal level which provides the greatest local control over land use. Certain townships and boroughs in Susquehanna County are moving toward adopting zoning ordinances.

The difference between subdividing and zoning is often misunderstood. Zoning regulates the specific types of uses allowed in a given area. A subdivision is the act of dividing land into 2 or more lots or parcels. Land Development regulations control how a particular use (such as a retail store or manufacturing plant) is physically placed on that particular parcel of land. Because the County has a Subdivision and Land Development Ordinance only, the Planning Commission cannot, under its Ordinance, tell someone they cannot propose a specific type of development on a specific piece of land. The Planning Commission may only regulate how that specific piece of land might be developed with the proposed type of development, such as through setbacks and buffers, in order to mitigate the effect it would have on neighboring property.

The Planning Commission invites and encourages all citizens and landowners of the County to attend its meetings. Meetings are held on the last Tuesday of each month beginning at 7:30 P.M. in the Conference Room of the County Office Building, 31 Public Avenue, Montrose. For more information you can call the Susquehanna County Department of Planning at (570) 278-4600 Ext 290, daily from 8:00 A.M. to 5:00 P.M.

PURPOSE OF THE SUSQUEHANNA COUNTY SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

103 Purpose*

This Ordinance has been adopted to protect and promote the health, safety, and general welfare of the citizens of Susquehanna County by establishing regulations to allow for the proper and controlled development of the County, to provide for environmental protection and to insure the proper provision of community facilities. Regulations for specific types of development for which additional standards have been deemed necessary are intended to protect the rights of the residents of the County to enjoy clean air, pure water, and the natural, scenic, historic, and aesthetic value of the environment, and in particular to preserve and conserve the rural and natural features of the County. The basic tenet of subdivision and land development in the County is basing design on land capability and encouraging flexibility of design via the *conservation subdivision design* process. This will provide larger areas of open space within subdivisions and result in interconnected open space areas throughout the County.

* Susquehanna County Subdivision and Land Development Ordinance, adopted August 27, 2008, Page I-3

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ADMINISTRATION

The Susquehanna County Subdivision and Land Development Ordinance governs all subdivision and land development activity in 32 of the 40 municipalities in the county. The Planning Director may approve minor subdivision plans and certain land development plans that do not include requests for waivers and are found to be in conformity with the ordinance. A report of those approvals is made each month to the Planning Commission for their concurrence. Major subdivisions, non-residential subdivisions and land developments, and any plan which includes a request for a waiver from one or more of the requirements of the ordinance are reviewed by the staff and presented for consideration to the Planning Commission at their next regularly scheduled meeting.

When a plan is submitted to the planning department a copy of the map and application is immediately sent to the municipality in which the development is taking place. The Commission believes that all municipalities should take an active part in the review of the plan. A "Municipal Report Form" is included in the package so that any comments on the plan can be easily submitted by the municipality to the planning department.

The remaining 8 municipalities, listed below, govern subdivisions and land developments through their own ordinance and a municipal planning commission.

Ararat Township	Thompson Township
Clifford Township	Forest City Borough
Liberty Township	Montrose Borough
Silver Lake Township	Susquehanna Depot Borough

Subdivisions and land developments that occur in those municipalities having their own ordinance are submitted by that municipality to the County Planning Commission for review and comment.

Certain municipalities have established their own planning commissions for a variety of reasons but do not govern their own subdivisions. Listed below are those municipalities having active planning commissions.

Choconut Township (Planning Advisory Board)	
Harford Township	Hop Bottom Borough
Herrick Township	New Milford Borough

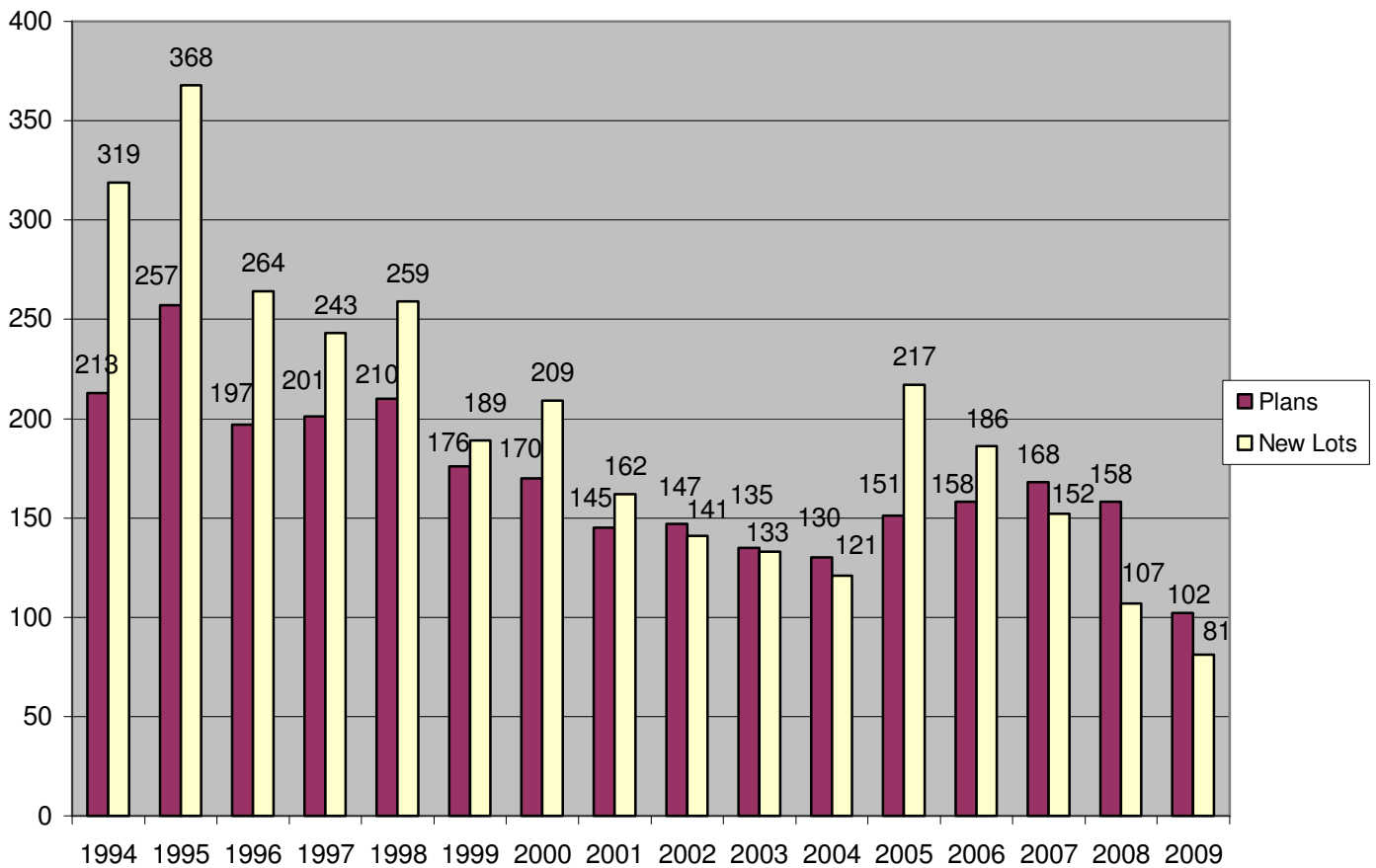
When reviewing a subdivision or land development plan local regulations must be taken into consideration, including zoning ordinances and building code regulations. Six municipalities have established zoning ordinances in order to further regulate development:

Forest City Borough
Hop Bottom Borough
Herrick Township

Montrose Borough
New Milford Borough
Susquehanna Depot Borough

SUBDIVISION AND LAND DEVELOPMENT ACTIVITY

During 2009, the Commission processed 102 subdivision and land development plans. These plans represented 81 new lots/parcels of land given final approval. This represents the fewest plans and new lots created in at least the last 16 years. Again this year there were no subdivisions which created numerous lots. The most new lots created in any single subdivision were 4, the same as in 2008.



SUBDIVISION ACTIVITY BY MUNICIPALITY 2009

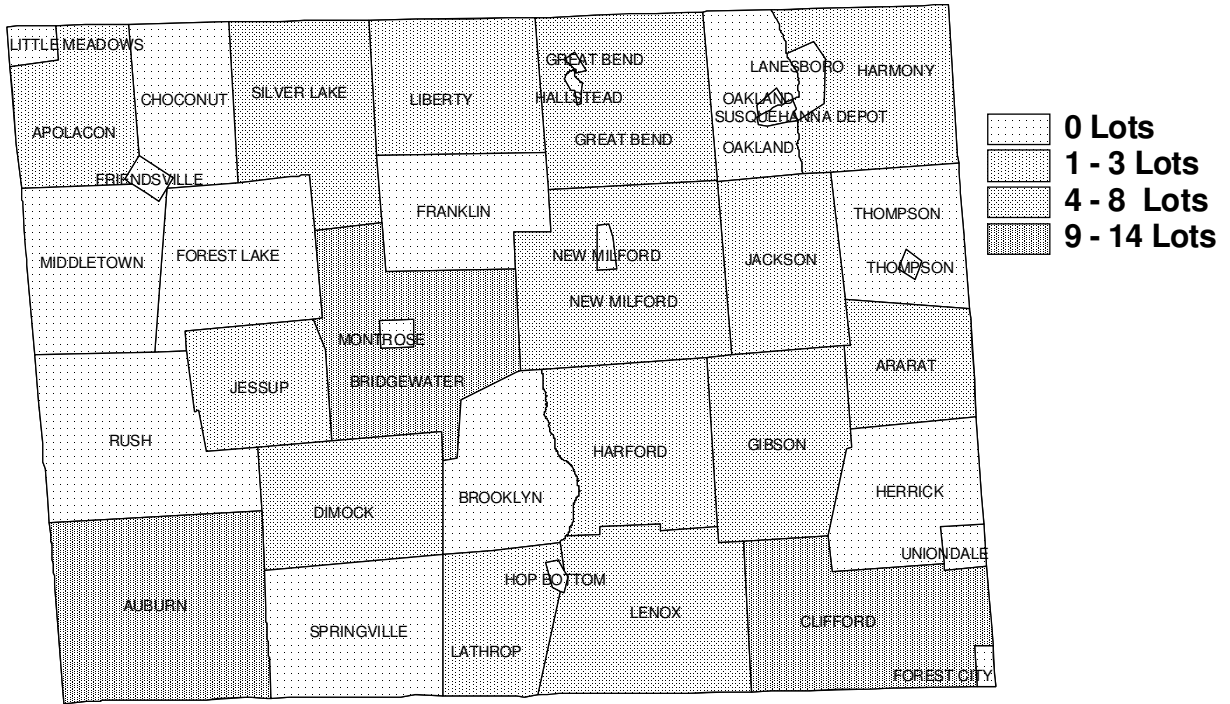
TWP. / BOR.	LAND DEV.	MAJOR SUB	M H PARK	MINOR SUB	ADD- ONS	NEW LOTS	R & C ACT 170
Apolacon Twp.				2	2	2	
Ararat Twp.				2	1	4	3
Auburn Twp.				6	2	9	
Bridgewater Twp.	4	1		6	4	12	
Brooklyn Twp.							
Choconut Twp.					2		
Clifford Twp.		2		5	1	14	8
Dimock Twp.	4			3	3	5	
Forest City Bor.							
Forest Lake Twp.							
Franklin Twp.					1		
Friendsville Bor.							
Gibson Twp.				3		4	
Great Bend Bor.							
Great Bend Twp.				2	1	5	
Hallstead Bor.	1				1		
Harford Twp.	1	1		1		3	
Harmony Twp.				2	1	3	
Herrick Twp.							
Hop Bottom Bor.							
Jackson Twp.				1	1	1	
Jessup Twp.		1		1		3	
Lanesboro Bor.							
Lathrop Twp.				1		1	
Lenox Twp.				2	1	4	
Liberty Twp.				2		3	2
Little Meadows Bor.					1		
Middletown Twp.					1		
Montrose Bor.							
New Milford Bor.							
New Milford Twp.	2	3		1	5	4	
Oakland Bor.							
Oakland Twp.	1				1		
Rush Twp.	1				2		
Silver Lake Twp.				2	3	4	6
Springville Twp.	1				1		
Susquehanna Bor.							
Thompson Bor.							
Thompson Twp.	1				1		2
Uniondale Bor.							
TOTALS	16	8	0	42	36	81	21

Land Development includes Commercial and Industrial
Add-ons (Additions) include Lot-Line Adjustments

Minor Subdivision includes Minor Non-Residential

Total Subdivision Plans Reviewed = 102

New Lots Created 2009



TYPES OF SUBDIVISIONS / DEVELOPMENTS

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Addition Subdivisions	52	47	56	50	45	53	48	57	54	36
Land Developments (includes Commercial & Industrial)	17	16	15	13	15	12	33	32	27	16
Major Subdivisions	6	5	8	8	7	14	16	8	4	8
Minor Subdivisions	92	77	68	64	63	72	60	71	73	42
Mobile Home Parks	3	0	0	0	0	0	1	0	0	0

The types of subdivisions and land developments reviewed by the Planning Commission have been generally consistent throughout recent years. Land development plans returned to “normal” after a three year spike due to the placement of cellular communications towers by NEP Cellcorp and Verizon and various commercial and industrial developments during 2006, 2007 and 2008. Minor subdivision plans were lower during 2009, possibly having to do with the state of the economy and/or landowners holding onto their land for natural gas leasing purposes.

Commercial and Industrial Development Plans Reviewed

Andre & Son, Inc	Bridgewater Twp
Baldwin, Scott - Stone Shop	Harford Twp
Burman, David / Crawford, Ronald - Phase 2	Oakland Twp
Cabot Oil and Gas Maintenance Building	Dimock Twp.
Cabot Oil and Gas Compressor Station	Springville Twp.
Epsilon Energy Compressor Station	Rush Twp.
Lackawanna College	New Milford Twp.
NEP Cellcorp #41 / Hibbard	Dimock Twp
NEP Cellcorp #52 / Arnold	Dimock Twp
Rite Aid Corporation / Monroe Montrose	Bridgewater Twp
Susquehanna County Housing Authority	Hallstead Bor.
TNT Partnership Saw Shop and Stone Yard	New Milford Twp.
Tractor Supply / Diaz, Adam / Keith Corp	Bridgewater Twp
Vaccarro, Andrew / Endless Mts. Specialties	Bridgewater Twp.

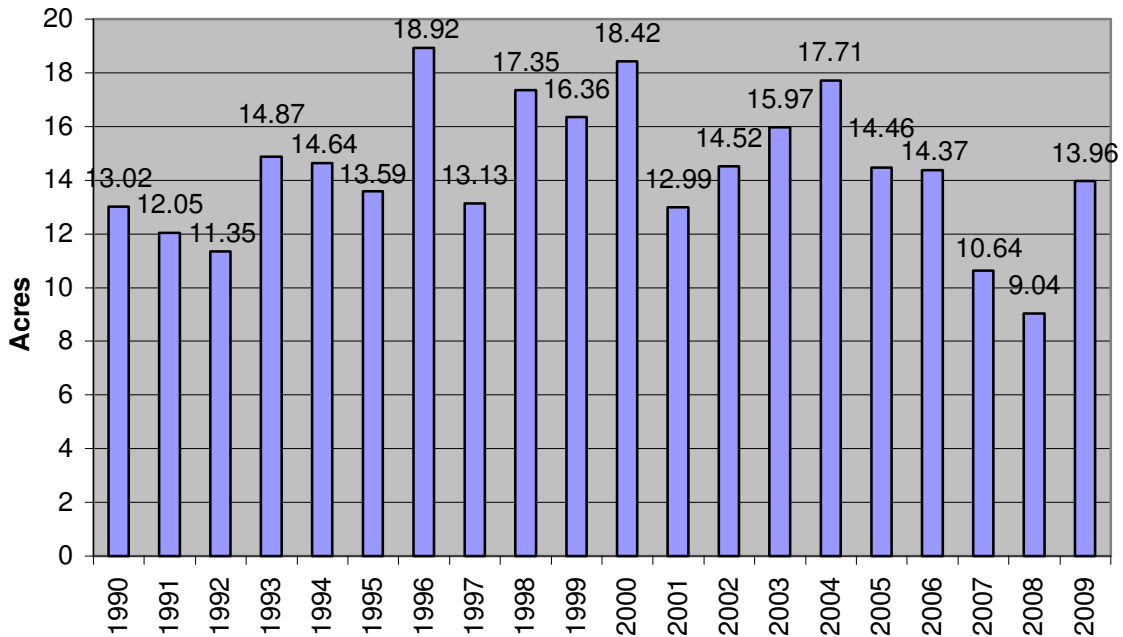
LOT SIZES

There were fewer new lots created and fewer subdivision plans submitted during 2009 than in the previous fifteen years. However, the new lots created were larger on average than in the previous two years.

In the updated Subdivision and Land Development Ordinance adopted in 2005 and amended in 2006 and 2008, the minimum lot size for new lots served by on-lot sewage and on-lot water was set at 1.00 acre, having been previously set at 2.00 acres in 1990. Since 1999 we have been tracking the percentage of 2 acre lots and since 2006 the percentage of 1 acre lots. The percentage of 2 acre lots increased this year to 30% of the total number of new lots created (24 out of 81). The percentage of 1 acre lots also increased this year to 18% (15 out of 81).

Up to and including 2006 the average size of new lots created remained around 14 acres, indicating that the change in minimum lot size requirement in 2005 had little or no effect on the average size of lots created. 2007 and 2008 saw a decrease in the average lot size, but in 2009 the average lot size went back to the original range of approximately 14 acres.

Average Size of New Lots Created 1990 - 2009



TYPES OF PARCELS (AS ASSESSED)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Agricultural	5,784	5,849	5,943	6,089	6,197	6,292	6,333	6,394	6,445	6,515	6,560
Commercial	988	989	999	1,015	1,008	1,034	1,053	1,072	1,083	1,082	1,088
Industrial	26	27	28	28	27	26	26	25	25	25	26
Lots (<10 ac)	3154	3,146	3,077	3,064	3,004	2,974	2,953	2,938	2,917	2,880	2,877
Mining	24	23	21	21	18	17	15	15	14	12	9
Residential	12,842	12,895	12,978	12,976	13,026	13,051	13,127	13,163	13,197	13,233	13,232
Trailers	1,025	1,017	985	979	955	918	900	842	835	807	798
Vacant (>10ac)	3,358	3,394	3,402	3,372	3,346	3,330	3,306	3,296	3,317	3,294	3,278
Totals	27,201	27,340	27,433	27,544	27,581	27,642	27,713	27,745	27,833	27,848	27,868

CLEAN AND GREEN PARCELS (AS ASSESSED)

	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Agricultural	4,442	4,562	4,735	4,932	5,098	5,254	5,333	5,425	5,503	5,572	5,618
Commercial	38	37	35	35	38	38	43	42	44	43	47
Industrial	1	1	1	1	1	1	1				
Lots (<10 ac)											
Mining											
Residential											1
Trailers											
Vacant (>10 ac)	2,343	2,435	2,478	2,512	2,540	2,570	2,588	2,609	2,655	2,636	2,630
Totals	6,824	7,035	7,249	7,480	7,677	7,863	7,965	8,076	8,202	8,251	8,296

AGRICULTURAL SECURITY AREAS

Among the several strategies to protect and retain valuable farmland resources in Pennsylvania is the "Agricultural District" concept. The enactment of Act 43 in 1981 and amended in 1988 provides the basis to help in farmland retention. This is a voluntary program in that landowners must initiate enrollment and secure a minimum of 500 acres for each Agricultural Security Area prior to requesting its approval by the local government and recording in the County Courthouse. A municipality can record a second Agricultural Security Area with less than 500 acres. The term of an Agricultural Security Area is 7 years and may be renewed or amended after each 7 year period.

36% of the county's land is currently enrolled in this program.

During 2009 there were no renewals of existing Agricultural Security Areas.

The following list shows agricultural security areas that have been established in Susquehanna County.

AGRICULTURAL SECURITY AREAS

As of December 31, 2009

	ACRES ENROLLED IN	TOTAL ACRES	
MUNICIPALITY	AG SECURITY	IN MUNICIPALITY	PERCENTAGE
Apolacon Township	3,738	16,640	22%
Ararat Township	3,572	13,440	27%
Auburn Township	8,592	30,720	28%
Bridgewater Township	13,029	23,680	55%
Brooklyn Township	9,451	14,720	64%
Choconut Township	4,304	12,800	34%
Clifford Township	2,953	26,880	11%
Dimock Township	7,172	17,920	40%
Forest Lake Township	6,941	19,200	36%
Franklin Township	4,096	14,720	28%
Gibson Township	7,753	26,880	29%
Great Bend Township	2,598	24,320	11%
Harford Township	8,259	20,480	41%
Harmony Township	626	21,120	3%
Herrick Township	6,128	16,640	37%
Jackson Township	3,441	16,000	22%
Jessup Township	9,165	12,160	75%
Lanesboro Borough	583	1,920	30%
Lathrop Township	8,358	14,080	59%
Lenox Township	12,804	25,600	50%
Liberty Township	10,618	19,200	55%
Middletown Township	9,275	19,840	47%
New Milford Township	7,750	29,440	22%
Oakland Township	1,458	10,240	13%
Rush Township	16,761	23,680	53%
Silver Lake Township	1,695	20,480	8%
Springville Township	12,783	23,040	55%
Thompson Township	4,695	14,720	32%
TOTALS	188,598	530,560	36%

NORTHERN TIER REGIONAL PLANNING AND DEVELOPMENT COMMISSION MEMBERSHIP

During 2009, the Northern Tier Regional Planning and Development Commission continued to provide technical assistance to our Commission, Staff and County in general. NTRPDC operates through several citizen advisory committees, including executive and commission membership. Susquehanna County residents who served in this capacity during 2009 are as follows.

(please note: the following information was provided by NTRPDC)

Full Commission

Leon Allen	County Commissioner
Michael Giangrieco	County Commissioner
MaryAnn Warren	County Commissioner
David Darrow	Franklin Township Supervisor
Dennis Phelps	Trehab
Katherine Shelly	Planning Commission

Personnel Committee

Leon Allen	County Commissioner
Michael Giangrieco	County Commissioner

Nominating Committee

MaryAnn Warren	County Commissioner
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Economic Development Advisory Committee

William Dovin	Choconut Township Supervisor
Robert Neira	Retired (Banking)
Jack Taylor	Broadline Construction, Inc.

Local Loan Review Committee

Thomas Bush	People's National Bank
Rick Soden	Pennstar Bank
James Pietrowski	Community Bank

Rural Area Transportation Advisory Committee

Rudy Mattes	Choconut Township Supervisor
Joseph Plonski	Retired (PennDOT)
Leonard Wheatley	

Workforce Investment Board

Sam Anderson	Pump and Pantry
Tom Kurosky	Department of Public Welfare
Loren Stone	Endless Mountains Health Systems

INVOLVEMENT WITH OTHER PROGRAMS

During 2009 Planning Commission members and the Planning Department staff continued their involvement with various agencies and organizations in order to further the scope of planning activities throughout the County. The Commission members and staff held positions with and/or attended the regular meetings of the following organizations:

- Agricultural Preservation Board
- E.L. Rose Conservancy
- Eastern Susquehanna County Partnership
- Northern Tier Coalition
- Northern Tier Regional Planning and Development Commission
- Susquehanna County Council of Governments
- Susquehanna County Farm Bureau
- Susquehanna County Natural Gas Task Force
- Susquehanna County Soil Conservation District
- Susquehanna County Township Supervisors Association

Northern Tier Coalition

The Northern Tier Coalition received an award titled "Excellence in Township Planning" at this year's PSATS township supervisor's convention in Hershey, Pa. The award is given to municipalities who have demonstrated success in multi-municipal cooperation and planning.

Their plan to adopt a zoning ordinance has been put on hold for now. However, the members of the Northern Tier Coalition were successful in developing and adopting a multi-municipal comprehensive plan, and their proposed zoning ordinance is complete and available for any NTC member municipality who wishes to enact it in the future. Also, the townships and boroughs have successfully worked together on a number of other issues, including road maintenance and leaf composting. These successes may not have happened if not for the formation of a multi-municipal planning group.

Eastern Susquehanna County Partnership

Throughout 2009 the Eastern Susquehanna County Partnership held a series of public meetings to promote the public's understanding and acceptance of their proposed zoning ordinance. As with the Northern Tier Coalition's attempt to adopt a zoning ordinance there were some members of the public who fought against adoption of the ordinance. Due to this the Gibson Township Supervisors decided to not pursue adoption of the zoning ordinance. As of this date the balance of the Eastern Susquehanna County Partnership municipalities still intend to adopt the ordinance.

A public hearing on the proposed ordinance will be held in early 2010.

CURRENT AND FUTURE PROJECTS

2009-2010 State Budget

As a result of cuts in the State budget that the Governor signed in October of 2009, the County had to postpone for at least one year our work on Phase II of the county-wide Stormwater Management Plan. There is no money in the 2009-2010 state budget for Stormwater planning. Luckily we had completed Phase I and had received the reimbursement that was due to the County from the Department of Environmental Protection. When and if funding becomes available from the State we hope to continue with Phase II.

The Land Use Planning and Technical Assistance Program (LUPTAP) funds, which we and others have used in the past for ordinance preparation, were cut over 90% in the current State budget. Again, we were lucky that the County as well as the Northern Tier Coalition and the Eastern Susquehanna County Partnership had received funding under the program prior to this cut.

Northern Tier Greenways Master Plan

The Northern Tier Regional Planning and Development Commission (NTRPDC) chose Norris Design of Denver, Colorado to develop a Greenways and Open Space Plan for Sullivan, Susquehanna, Tioga and Wyoming Counties.

Norris Design visited the county on July 20 to gather public input for the plan. Thirty-three people, representing various agencies, businesses, non-profits and school districts, attended the focus group meetings.

During that trip Norris Design visited sites throughout the County such as Salt Springs State Park and the Rail-Trail (formerly Bridgewater Riding Club) trail. Following the meetings Norris Design sent to each county a list of key findings from their visit. The findings, and especially the "challenges" and "opportunities" sections, are similar to the Heritage Trail plan that was done about ten years ago by NTRPDC.

Norris Design returned in August to meet with anyone who was unable to attend the first set of meetings. Also, they prepared a public questionnaire which was available at the County booth at the Harford Fair. Thirty-five people responded, the majority stating that hiking and walking are the activities they most favor, and Salt Springs Park as their most visited recreation spot in the county.

Northern Tier expects Norris Design to have the plan completed by the end of 2010. Following completion of the plan Norris Design will assist with initial projects to implement the plan.

Natural Gas Extraction

Natural gas extraction activity increased during 2009 with more drilling companies arriving in the area and more land being leased to gas companies by landowners. The Planning Commission continues to monitor the number of permitted sites in order to gauge where development might occur. The Commission anticipates an increase in the number of subdivisions, residential and commercial land developments and mobile home parks as more gas related workers come to the area and require housing. Locally procured parts and supplies for the gas industry along with an increase in expendable income could increase demand for products and services, creating opportunities for retail and service businesses.

Regarding the local control of natural gas wells, the Pennsylvania Oil and Gas Act precludes local municipalities (and the County) from regulating the location and development of gas drilling operations under their land use ordinances (with the possible exception of zoning ordinances).

The ability of municipalities to regulate natural gas exploration is limited by the Oil and Gas Act, which states that “[n]o ordinances or enactments, adopted pursuant to the aforementioned acts shall contain provisions which impose conditions, requirements or limitations on the same features of oil and gas well operations regulated by this act...” Essentially, this statutory provision means that the Oil and Gas Act preempts a municipality or county from regulating a matter that has been addressed in the Act.

Publication: “Marcellus Shale: What Local Government Officials Need to Know”, © The Pennsylvania State University 2008, <http://naturalgas.extension.psu.edu/Localgovt.htm>

Two court cases relating to this issue were decided during the past year by the Pennsylvania Supreme Court.

*In a much-awaited decision that is likely to reverberate through the Pennsylvania Marcellus Shale fields for a long time, and probably put some planned drilling projects in temporary or permanent jeopardy, the Pennsylvania Supreme Court ruled last Thursday that municipal governments may exclude from some zoning districts the surface use of land for natural gas production. In *Huntley & Huntley v. Borough Council of the Borough of Oakmont*, the Court ruled that, although the Pennsylvania Department of Environmental Protection (PaDEP) regulates the location of wells in relation to such features as buildings, water wells, wetlands, and bodies of water, the preemption provisions of the Oil and Gas Act (OGA) do not disable local government’s “core municipal function,” under the Municipalities Planning Code (MPC), of designating districts in which land uses may occur.*

In effect, every single well drilled in a Pennsylvania municipality or county that has adopted a zoning ordinance must be placed only in a zoning district where it is allowed under that zoning ordinance.

Forced to decide between two potentially competing legislative schemes—the OGA and the MPC—the Court observed that while there is “some overlap” between the goals and the purposes of these two laws, such as the protection of public health and safety, the MPC is distinct in its delegation of authority to municipalities to address objectives “pertaining to preserving the character of residential neighborhoods.” Further, the Court noted that municipalities had “unique expertise . . . to designate where different uses should be permitted in a manner that accounts for the community’s development objectives, its character, and the ‘suitabilities and special nature of particular parts of the community’.” Over the industry’s objection, the Court ruled that the community planning objective overrides the purpose of the Oil and Gas Act to “permit the optimal development of the oil and gas resources of Pennsylvania consistent with the protection of the health, safety, environment and property of the citizens of the Commonwealth.”

The Court viewed the regulations on well placement imposed by the PaDEP as being different in character from the municipal regulations designating where activities can occur within a municipality, based on zoning district. The industry had argued that since both types of regulation address the same subject—location—the state regulation should prevail and supersede municipal zoning. The position adopted by the Court was supported by the PaDEP in its amicus brief.

*Upon concluding its analysis, the Court ruled that the “**overall restriction on oil and gas wells in R-1 districts is not preempted**” by the Oil and Gas Act.*

Article: “Pennsylvania Supreme Court decision opens valves to zoning power over natural gas production” by George Asimos, Saul Ewing LLP Oil and Gas Practice Group, February 2009, www.saul.com

(Note: the Court’s decision above relates only to the matters in the Huntley case where the issue was the placement of a gas well in an R-1 district. As of this date we are not aware of any cases or decisions related to other zoning districts.)

In a companion case to the recently-reported Huntley v. Borough of Oakmont, the Pennsylvania Supreme Court has limited the scope of municipal regulation of the natural gas drilling projects, giving this burgeoning Pennsylvania industry some salve to heal the wounds of Huntley. In Range Resources-Appalachia, LLC v. Salem Township, the Court held that a comprehensive scheme of municipal regulation of activities related to gas well drilling, though not all regulating the well drilling itself, contained in the Township’s Subdivision and Land Development Ordinance, was preempted by the Pennsylvania Oil and Gas Act.

Article: “Court limits – but did it preclude? – municipal regulation of natural gas drilling operations” by George Asimos, Saul Ewing LLP Oil and Gas Practice Group, February 2009, www.saul.com

DEP's e-Facts and e-MapPA Web Site

One of the better web sites that tracks gas well permitting is the DEP eFacts site found at: <http://www.ahs2.dep.state.pa.us/eFACTSWeb/default.aspx> As of this writing this site has continued to be updated on a regular basis.

There are various ways to view items in e-Facts / e-MapPA for oil and gas sites. You can look at individual sites, all sites within a municipality, or view the entire map and click on various individual sites for their information.

To search for an individual site:

Click on "Site Search" on the left side. Under the "Program" drop-down box choose "Oil and Gas". Choose the county and choose Active Sites. Hit Search. This will list all of the active oil and gas sites in Susquehanna County in alphabetical order.

To search for all sites within a particular municipality:

Click on "Sites by County/Muni" on the left side of the home page. Use the drop down boxes to choose the county and municipality. However, the resulting list includes all DEP program sites, not just oil and gas sites.

In either case, if you want, you can export the resulting list to an Excel spreadsheet by clicking on the "X" which is to the right of the magnifying glass icon at the top of the page.

To view a particular site in map form:

Perform a search using one of the two methods above. Click on the desired site name. Under "Facility Permits" click on the Authorization ID number. On the page that comes up next, click on "View Map in eMapPA" found on the bottom right of the page. This will open a new window, e-MapPA, and another smaller window with the information on that particular site you have chosen. If you want to see the location of that site on the map hit "locate" in the smaller window then zoom in using the "(+)" tool at the top of the map

You will probably want to add some layers, such as roads, so that you can find your way around the map once you zoom in on an area. Under "Features" on the left side, click on the grey box next to "Transportation Networks". Under "Facilities", click on the grey box next to "Oil and Gas Location" and also open the file folder icon for Oil and Gas Facilities. Click the circle by "Oil and Gas Well". This will allow you to use the "i" for identifying various sites. Hit "Refresh Map" below the Features / Facilities / Legend box.

To start with the eMapPA instead of a particular site:

On the eFACTS home page, click “eMapPA” under “Other sites” found on the left side of the page. This will bring up a new window.

Choose the zoom in tool (+) and frame an area of the county you would like to see. You have to be zoomed in quite a bit for the well sites to show up (little turquoise dots). Again, add layers by clicking on items under “Features” and “Facilities”. Don’t forget to open the file folder icon for Oil and Gas Facilities and click the circle by “Oil and Gas Well”. Hit Refresh.

Once you have found an area of interest, you can use the “i” button at the top to identify a particular site by clicking on the “i” then clicking on the turquoise circle.

You can also move around the map using the hand icon like you do with Adobe Reader pages.

Sample eMapPA section showing well locations represented by dots

