

Penn Township Planning Commission Summary Report for the Year 2004

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The Penn Township Planning Commission (hereinafter referred to as the PTPC) has compiled the following list of all reviews and recommendations made to the Penn Township Board of Supervisors in 2004 beginning with the first meeting.

JANUARY 19, 2004

Reorganization- The PTPC voted unanimously to have John Tasker remain Chairman, Edward Chism remain Vice-Chairman and Arthur Dalla Piazza remain Secretary.

Correspondence - Secretary submitted the PTS letter dated January 7, 2004 reappointing John "Emil" Tasker to the PTPC for a four year term expiring on December 31, 2008.

Subdivision and Land Development (hereinafter referred to SALDO)

Gerald Hirt II, 6 Kamp Street – Mr. Hirt presented a sketch plan for his commercial property on Kamp Street to be comprised of storage sheds. Mr. Hirt asked if the placement of the retaining pond outside the commercial zone would be permitted. The PTPC offered that Mr. Hirt would have to discuss the matter with the Zoning Officer.

Mr. Hirt continued that the storage sheds would be placed in a staggered height formation due to the topography. The PTPC offered that they did not see any problems with the sketch plan and suggested that he brief the Board of Supervisors (PTS) on his plans for their comments.

Scott Sheaffer Final Subdivision Plan, File # 2003-09 – The PTPC voted unanimously to table the plan. The PTPC voted unanimously to sign the Planning Waiver and recommend the PTS approve the Planning Waiver for the Scott Sheaffer Final Subdivision Plan, File # 2003-09. The PTPC voted unanimously to recommend approval of the DEP Planning Module for lot 2 of the Scott Sheaffer Subdivision Plan, File # 2003-09. The PTPC voted unanimously to recommend approval of the time extension until April 19, 2004 for the Scott Sheaffer Subdivision Plan, File # 2003-09.

HEI Inc Final Subdivision Plan, File # 2003-11 – The PTPC voted unanimously to approve AOR for Section 304, *Final Plan Review* of the Subdivision and Land Development Ordinance.

The PTPC voted unanimously to recommend approval to the PTS of Section 309.B.4, *Erosion and Sedimentation Control Plan Waiver* of the Subdivision and Land Development Ordinance. The PTPC voted unanimously to recommend approval of the HEI Inc. Final Subdivision Plan, File # 2003-11 contingent upon the following.

1. The certification of title and the dedicatory statement shall be signed and notarized.
2. The Planning Module be approved by DEP.

The PTPC voted unanimously to recommend approval of the DEP Mailer for HEI Inc. Final Subdivision Plan, File # 2003-11.

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FEBRUARY 16, 2004

Correspondence - Secretary presented the PTS letter date January 29, 2004 approving the time extension for the Scott Sheaffer Final Subdivision Plan until April 19, 2004 and the PTS letter date January 29, 2004 approving the HEI, Inc Final Subdivision Plan, File # 2003-11 with contingencies.

SALDO

Dee Andreachi, Stonerook & Co. – Ms. Andreachi presented a sketch plan for a General Dollar-Chinese's Restaurant building to be placed on the south side of the Sheetz Store along SR 11/15. A discussion commenced on the different aspects of the sketch plan. The PTPC offered that a variance may be needed for the number of parking spaces and for a rear setback. Engineer also offered that a traffic study may be warranted for the area.

Scott Schaeffer Final Subdivision Plan, File # 2003-09 – The PTPC voted to recommend the Scott Schaeffer Final Subdivision Plan as a Final Plan as per Section 304 of the Township Subdivision and Land Development Ordinance. The PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, *Erosion and Sedimentation Controls* of the Township Subdivision and Land Development Ordinance due to the ground disturbance being less than one acre. The PTPC voted unanimously to recommend approval of the Scott Schaeffer Final Subdivision Plan, contingent upon following items being completed.

1. The certification of title and dedicatory statement shall be signed and notarized.
2. A note being placed on the plan showing the limits of earth disturbance on the plan.
3. The Sewage Planning Module be approved by DEP.
4. A note being placed on the plan indicating that the Township has enacted a Zoning Ordinance and that the property is in a proposed Commercial District and that upon the effective date of the Zoning Ordinance the residential use will become a non-conforming use and will be governed by those regulations for future use. The Township Solicitor is to approve the wording of this note before approval.
5. The private Right-of-Way shown along SR 11/15 needs to indicate **which** lot has ownership.

OLD BUSINESS

Joint Comprehensive Plan – Frank Chlebnikow of Rettew is to draft a scope of work for review and approval of the JCP committee.

MARCH 15, 2004

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Correspondence - Secretary presented the PTS letter dated March 11, 2004 approving the Scott Sheaffer Final Subdivision Plan with contingencies and the Zoning Hearing Board notification of a Zoning Hearing for the PTMA requesting a variance from Section 806.

SALDO

John B. Leiter Final Subdivision Plan, File # 2003-02 – The PTPC voted unanimously to recommend approval of the time extension until September 29, 2004 for the John B. Leiter Final Subdivision Plan.

Amity Enterprises Final Land Development Plan, File # 2003-05 - The PTPC voted unanimously to recommend approval of the time extension until September 29, 2004 for the Amity Enterprises Final Land Development Plan.

Samuel F. Miller Final Subdivision Plan, File # 2004-01 – Secretary explained that Mr. Miller withdrew the previous Subdivision Plan and he has since submitted this new plan. Mr. Miller has requested and been granted the use of the previous DEP Approval due to the percolation and probe areas being in the exact same area. The PTPC voted unanimously to table this plan until comments could be addressed.

Rohrer/Schrantz Dollar General Subdivision/Land Development Plan, File # 2004-02 – The PTS voted unanimously to table this plan until comments could be addressed.

NEW BUSINESS

Meeting Time – Secretary reminded the PTPC that starting at the April meeting the PTPC would be meeting at 8:00 p.m. until November.

Dellville Bridge PennDOT Project – Mr. Dalla Piazza informed the PTPC that PennDOT conducted an open house on March 9, 2004 to discuss the proposed changes to the two-iron bridges on Dellville Road. The proposal is to replace the one-lane bridges with two lane bridges and to help ease some of the corners on Dellville Road at the second iron bridge.

APRIL 19, 2004

Correspondence - Secretary presented the April 2, 2004 PTS letters approving the time extension of the John Leiter Subdivision Plan and the Amity Enterprises Car Wash Land Development Plan.

SALDO

Samuel F. Miller Final Subdivision Plan, File # 2004-01 - The PTPC voted unanimously to review the Samuel A. Miller Plan as a Final Plan as per Section 304 of the Township Subdivision and Land Development Ordinance. The PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, *Erosion and Sedimentation Plan Approval* of the Township

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Subdivision and Land Development Ordinance due to the disturbance being less than one acre. The PTPC voted unanimously to recommend approval of the Samuel A. Miller Final Subdivision Plan, contingent upon following items being completed:

1. The certification of title and dedicatory statement shall be signed and notarized.

Rohrer/Schranz/Cocca Development Final Subdivision/Land Development Plan, File # 2004-02 - The PTS voted unanimously to table this plan until comments could be addressed.

Edmond Moore, Jr Final Subdivision Plan, File # 2004-03 – The PTS voted to table this plan until comments could be addressed.

NEW BUSINESS

Proposed Zoning Ordinance and Map Amendments – Secretary presented the draft ordinance amending the zoning ordinance and map and requested that the PTPC have comments for the May 28, 2004 Public Hearing.

MAY 17, 2004

Correspondence - Secretary presented the PTS letter approving the PTMA Cove Plant Expansion waiver from a land development plan. Secretary presented a letter from the PTS approving the Samuel A. Miller Final Subdivision Plan with contingencies.

SALDO

Bob Kerlin, Eagles Nest – Mr. Kerlin presented a sketch plan for a 6,000 square foot building to house Eagles Nest Auto Mart after a move. Mr. Kerlin explained that he is proposing to build on the old Doyle Motel site and that the present driveway would be utilized. The PTPC advised Mr. Kerlin to contact PennDOT in reference to driveway for clarification.

Rohrer/Schranz/Cocca Development Final Subdivision/Land Development Plan, File # 2004-02. – The PTPC voted unanimously to table the plan for the outstanding comments to be addressed.

Mike Frisch Conditional Use – Mr. Frisch explained that he is requesting a Conditional Use for parcel number 210,103.000-018.000, located on SR 274 next to the Stonebridge Rehabilitation Center, for a house and garage with home business. Engineer explained that the zoning for this lot is dual zoned with Low Residential and Agricultural. The lot is undeveloped at this time.

Mr. Frisch offered that he is planning on building a home and a 40x60 garage to house his equipment and a home business.

Engineer reviewed the general regulations and additional requirements for home occupations which the PTPC requested the following information from the Zoning Officer. In this case is the proposed garage included in the 33% limitation of the gross floor area for the home business? When a home business does become a commercial enterprise? What is the

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maximum number of employees a home business can employ? Is the parking of employee vehicles allowed in a home business while the employees are off premises?

OLD BUSINESS

Proposed Zoning Ordinance and Map Change

Map Change – The PTPC reviewed the map change for the property at the corner of SR 274 and Pee Wee Lane from Low Residential to Commercial along with the reasoning behind the proposed change. After discussion, and upon a Dalla Piazza/Chism motion, the PTPC voted unanimously to recommend changing the zoning map as stated with the comment being noted that the lot has limited use as a commercial property due to the required setback lines and easements and that there cannot be a residence placed on this property without a variance due to the present house being unoccupied for longer than one year.

Article VX, Sign Regulations, Section 1501.5.b - Secretary informed the PTPC that this section concerns the escrow for political signs. The proposed action is to delete this section from the Ordinance.

Article XVIII, Administration and Enforcement, Section 1805 – Secretary informed the PTPC that this section is a duplication of Section 1820.4.B. The proposed action is to delete this section and substitute with Reserved for future use.

Section 1810 – Secretary informed the PTPC that this section is a duplication of Section 1821. The proposed action is to amend this section as follows. Variances. The Zoning Hearing Board shall hear and decide request for a variance in accordance with the standards and criteria set forth in Section 1821 of this Ordinance. In granting a variance, the Zoning Hearing Board may attach reasonable conditions and safe guards as it might deem necessary to implement the purpose of this Ordinance and in the Pennsylvania Municipalities Planning Code.

Section 1821 – Secretary informed the PTPC that Section 1821 is hereby added as follows:

Variances

It is the intent of this Section to provide specific direction for the Zoning Hearing Board in their responsibility to hear and decide requests for variances. The Zoning Hearing Board may grant a variance provided that all of the following findings are made where relevant in a given case:

- a. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the

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provisions of the Zoning Ordinance in the neighborhood or district in which the property is located;

- b. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- c. That such unnecessary hardship has not been created by the applicant;
- d. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
- e. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

After discussion on the different proposed amendments to the Zoning Ordinance and upon a Chism/Maguire motion, the PTPC voted unanimously to offer no comments to the proposed Zoning Ordinance Articles XV and XVIII.

Zoning Hearing Board (ZHB) Comments – Secretary presented the two concerns on ZHB concerning the Zoning Ordinance. The first concern is a clarification of the definition of Department/Variety Store vs. Retail Store. The second concern is the size of the regular parking spaces and possible compact car spaces being allowed. After discussion, the consensus of the PTS was for the Engineer to review these matters and discuss them at the next meeting.

JUNE 21, 2004

Correspondence - Secretary presented the Zoning Hearing Notice for the Louise Arters appeal of Zoning Officer decision. She explained that Ms. Arters would like to build a house in Commercial District, which is not allowed. Secretary continued that due to the circumstances of the matter that Ms. Arters is also requesting the waiver of fees in this matter. After discussion, and upon a Mitchell/Dalla Piazza motion, the PTPC voted unanimously to recommend waiving of the fees to the Board of Supervisors.

SALDO

Charles Cook, Act One Consultants - Mr. Cook explained that he is representing Mr. William Rohrer and is showing a sketch plan of the property that he would like to subdivide off 4.50 acres for development. This proposed lot 4 has a 23-foot easement next to Leonard Oak World and the remainder of lot 1 is part of the storage buildings with its own 70-foot easement. Mr.

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Cook is asking for any comments on the proposed subdivision. After discussion, the consensus of the PTPC was that the easement used for lot 1 shall be deeded to lot 1. The PTPC also recommend that Mr. Cook show this sketch plan to Mr. Madden, the Zoning Officer.

Rohrer/Schranz/Cocca Development Final Subdivision/Land Development Plan, File # 2004-02. - The PTPC voted unanimously to table the plan with a Maguire/Dalla Piazza motion. The PTPC voted unanimously to recommend approval of the 90-day time extension until September 29, 2004.

Mike Frisch Conditional Use - The PTPC voted unanimously to approve the withdrawal of the Mike Frisch Conditional Use request.

OLD BUSINESS

Zoning Hearing Board Comments to Zoning Ordinance - Engineer presented his comments to the question of difference between Department/Variety Store and Retail Store. After discussing the options the Engineer recommend that the Zoning Officer make the determination on the type of the store depending on the use of the store, therefore the verbiage to remain the same. After discussion, it was the censuses of the PTPC to recommend no change to the Zoning Ordinance on this matter.

NEW BUSINESS

Uniform Construction Code (UCC) Code - A discussion took place on the possible exemption of replacing the roof of a dwelling to the UCC Code. Upon Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend the Board of Supervisors to consider exempting from the UCC roof shingle replacement

JULY 19, 2004

Correspondence - Secretary presented the Zoning Hearing Notice that Louise Arters Hearing Board Docket # 2004-04 would be heard on August 12, 2004.

SALDO

Rohrer/Schranz/Cocca Development Final Subdivision/Land Development Plan, File # 2004-02. - The PTPC voted unanimously to recommend approval of the AOR for Section 304, Final Plan, of the Penn Township Subdivision/Land Development Ordinance due to this being a commercial property. The PTPC voted unanimously to recommend approval of the Cocca Development Subdivision/Land Development Plan, File # 2004-02 with the following contingencies:

1. The certification of title and the dedicatory statement shall be shown on the plan, signed, and notarized.
2. PennDOT HOP Approval.
3. The Planning Module shall be approved by DEP.

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4. The Estimate for Improvement Guarantee shall be submitted and approved and the Financial Guarantee shall be submitted to the Township prior to final plan approval.

The Cocca Development DEP Module is recommended for approval.

OLD BUSINESS

Uniform Construction Code Roof Repair – Secretary informed the PTPC that she had sent the request to exempt roof repair from the UCC. The PTS replied that roof repair is not under the control of the Township to exempt.

NEW BUSINESS

Zoning Map Change – Secretary informed the PTPC that there would be a Zoning Map Change Hearing for three areas. Mr. William Rohrer would like to his property changed from Low Residential/Commercial to Commercial; Leonard Oak World would like to change form Low Residential to Commercial; and the area along Valley Street/SR 274 from Commercial to Low Residential.

Mr. Chism offered that Mr. Shatto should not be included until he has an option to offer his opinion on the matter. A discussion took place on the history of the map change proposal. After discussion, and upon a Dalla Piazza/Chism motion, the PTPC recommended approval of the Zoning Map Change minus Mr. Shatto's property.

Zoning Ordinance Proposed Changes – Engineer presented his options on the change in the Commercial District for allowing Single-Family Dwellings and Section 1401, Off Street Parking Requirements. After a discussion, the PTPC recommended that letter be sent to the PTS requesting that any proposed changes to the Zoning Ordinance that shall be reviewed be sent to the PTPC by August 16, 2004. The consensus of the PTPC is to hold these items until the Zoning Ordinance could be reviewed.

Susquenita School District - Mr. Chism offered that he has a concern about the School District selling their property behind the school for development. After discussion, consensus of the PTPC is to have Engineer review the Steep Slope requirements.

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AUGUST 16, 2004

SALDO

Lisa Laird Final Subdivision Plan, File # 2004-05 - The PTPC voted unanimously to approve the Alternation of Requirements (AOR) for Section 304, *Final Plan* of the Township Subdivision and Land Development Ordinance. The PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, *Erosion and Sedimentation Control Plan* of the Township Subdivision and Land Development Ordinance. The PTPC voted unanimously to recommend approval of the Lisa Laird Final Subdivision Plan, contingent upon following items being completed.

1. The floodplain for the on-site stream on Lot No. 1 shall be shown on the plan.
2. The certification of title and the dedicatory statement shall be signed and notarized.
3. The mailer approval by DEP.
4. The SEO approve the DEP Module.
5. A monument shall be placed at the intersection of the property lines and the right-of-way lines of Cove Road (T-600).
6. A note shall be added to the plan stating that a driveway permit must be obtained from the Township prior to the issuing of a Zoning or Building Permit.
7. A note shall be added concerning the zoning data for the Agriculture/Rural District.

The PTPC voted unanimously to recommend approval of the DEP Mailer contingent upon the SEO signature being obtained.

Sheetz Car Wash Final Land Development Plan, File # 2004-06 - The PTPC voted unanimously to table this plan to allow time for developer to address the outstanding comments.

Susquenita School District, Preston Property Final Subdivision Plan, File # 2004-04 - The PTPC voted unanimously to table this plan to allow time for developer to address the outstanding comments.

Edmond Moore Subdivision Plan, File No. 2004-03 – The PTPC voted unanimously to recommend approval of a Time Extension until November 24, 2004 for the purpose of acting upon and/or reviewing the Edmond Moore Subdivision Plan.

OLD BUSINESS

Zoning Ordinance Review – PTPC requested topics for review be brought to the Board next month.

NEW BUSINESS

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2003 PTPC Summary Report – Secretary presented the 2003 PTPC Summary for review and request that comments are back at the September meeting.

SEPTEMBER 20, 2004

Correspondence - Secretary submitted the PTS letter dated August 27, 2004 approving the Lisa Laird Final Subdivision Plan, File # 2004-05 with contingencies, the PTS letter dated August 27, 2004 approving the General Dollar Final Subdivision/Land Development Plan, File # 2004-02 with contingencies, and the PTS letter dated August 27, 2004 approving the Edmond Moore Time Extension until November 24, 2004.

SALDO

Dale Moyer/Kevin Keefe, Sasy Soccer - Mr. Moyer explained that he represented Sassy Soccer Organization. The plan is to build soccer fields on a stretch of land above the archery range at PCRA. Mr. Moyer explained that the fields would be 1400 feet long by 1500 feet wide. He continued that Sasy would like to put in a concession stand and bathroom. The PTPC suggested that Mr. Moyer talk to the Sewage Enforcement Officer (SEO) about the bathrooms and the Zoning Officer (ZO) about the parking in front.

William Rohrer Storage Units – Mr. Rohrer explained that he is looking to place two 10 x 50 foot storage units on his property off SR 11/15 behind Big Bee Boats. He would like to place the units on the property line and therefore would not meet setback requirements. Secretary explained that Mr. Rohrer has talked to the Zoning Officer. The Zoning Officer wrote that according to the Zoning Ordinance, the placement of the two storage units could be placed there as a temporary measure for six months. The PTPC voted unanimously to recommend approval for the placement of two 10 x 50 foot storage units for a period of six months with the written approval of the neighbors.

John B. Leiter Subdivision Plan, File # 2003-02 – The PTPC voted unanimously to recommend approval of the Time Extension until March 30, 2005.

Edmond G. Moore, Jr. Final Subdivision Plan, File # 2004-03 – The PTPC voted unanimously to table this plan for engineer comments to be addressed.

Sheetz Car Wash Final Land Development Plan, File # 2004-06 – The PTPC voted unanimously to table this plan for engineer comments to be addressed. The PTPC voted unanimously to recommend approval of the Sheetz Car Wash Final DEP Mailer.

Duncannon Fire Company, Land Development Plan, File # 2004-07 - The PTPC voted unanimously to table this plan for comments to be addressed.

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Susquenita School District – Preston Property Final Subdivision Plan, File # 2004-04 – The PTS voted unanimously to approve an Alteration of Requirements (AOR) for Section 304, Final Plan Review. The PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, Erosion and Sedimentation Control Plan of the Township Subdivision and Land Development Ordinance being that the maximum earth disturbance will be 8,000 square feet and the erosion and sedimentation measures shown on plan will be ample. The PTPC voted unanimously to recommend approval of the Susquenita School District Subdivision Land Development Plan, File # 2004-04, contingent upon following items being completed.

1. The certification of title and the dedicatory statement shall be signed and notarized.
2. The plan shall be sealed and signed by the surveyor.
3. The plans and profiles for the sanitary sewer shall be approved by the PTMA.
4. DEP shall approve the Planning Module

The PTPC voted unanimously to recommend approval of the Susquenita School District – Preston Property DEP Mailer.

Amity Enterprises Land Development Plan, File # 2003-04 - The PTPC voted unanimously to recommend approval of the Time Extension until March 30, 2005.

Cocca Development Subdivision/Land Development Plan - The PTPC voted unanimously to recommend approval of the DEP modular and mailer.

OLD BUSINESS

Zoning Ordinance Comments – Secretary presented a list of the topics for review of the Zoning Ordinance. A discussion commenced and the following items were added to the list for review.

Car Wash as an accessory use.
Parking within the Front Setback of an establishment

OCTOBER 18, 2004

SALDO

Edmond Moore Subdivision Plan, File # 2004-03 – The PTPC voted unanimously to approve the Alternation of Requirements (AOR) for Section 304, *Final Plan* of the Township Subdivision and Land Development Ordinance. The PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, *Erosion and Sedimentation Control Plan* of the Township Subdivision and Land Development Ordinance due to the area of disturbance being less than one acre. The PTPC voted unanimously to recommend approval of the Edmond Moore Subdivision Plan, File # 2004-03, contingent upon following items being completed.

1. The plan shall be sealed and signed by the surveyor who prepared them.
2. The Plan shall be signed by the owner and notarized.

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Sheetz Car Wash Final Land Development Plan, File # 2004-06 – The PTPC voted unanimously to table this plan for the outstanding comments to be addressed.

Duncannon Fire Company Land Development Plan, File # 2004-07 – The PTPC voted unanimously to table this plan for the outstanding comments to be addressed.

OLD BUSINESS

Zoning Ordinance Amendments – Engineer informed the PTPC that he and Frank Chlebnikow reviewed the areas presented for review.

Variances being reviewed by the PTPC and the PTS instead of the Zoning Hearing Board (ZHB) - A discussion on the method of how variances could be granted took place with the pro and cons of the PTS granting variances and what type of permit would be needed for the regulations governing. Mr. Tasker also stated that the issue of fees being charged for variances was not the intended purpose of the Zoning Ordinance.

After discussion, the consensus of PTS was to have Engineer talk to the Zoning Officer about the number of setback problems that have come before him in the Zoning Permit Application process.

Off-Street Parking Requirements – Engineer explained that this was before the PTPC in July and that it concerned the size of the parking spaces. Secretary informed the PTPC that at that time it was recommended to the PTS not to change the size of the parking spaces. After discussion, the consensus of the PTPC was to recommend not making a change to the Zoning Ordinance.

Permitting single-family dwellings in the Commercial District – Engineer explained that this was before the PTPC in July and it concerned having an existing lot in the Commercial District developed with a single family dwelling. Secretary informed the PTPC that at the time it was the recommendation to the PTS to allow Residential dwellings in a Commercial District as a Conditional Use. After discussion, the consensus of the PTPC was to recommend allowing Residential dwellings in a Commercial District as a Conditional Use.

Development limitations on steep slopes – Engineer explained that the Zoning Ordinances already regulates development of steep slopes. The ordinance sets the prohibitive slope as areas greater than 25%. Mr. Chism asked what other Townships do to regulate or protect their mountain slopes. After discussion, the consensus of the PTPC is for Engineer to research other municipalities.

Review of Cluster Zoning Areas – Engineer explained that the Zoning Ordinance has provisions for the design and development of an Open Space Development. He explained that open space and cluster zoning is consistent with each other. Open Space Development is permitted as a conditional use in the Agriculture/Rural, Forest Conservation, and Low Residential District. After discussion, the consensus of the PTPC was to find out who instituted the review of cluster zoning areas.

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Parking within the building setback line in the Commercial District – Engineer explained that Section 1401.1.b needs to be clarified as to the parking in the front setback. For clarification purposed, Engineer proposed deleting the words “or within the front yard”. After discussion, the consensus of the PTPC is to delete the words “or within the front yard” for better clarification of Section 1401.1.b.

Consistency with District Tables – Engineer explained that this came from the Zoning Officer and that when explained this table is to be used only when it is not stated anywhere else in the ordinance. Engineer informed the PTPC that he will discuss this with the Zoning Officer.

Use Table and District Text for Car Washes in the Mixed Use Commerce District. (MUC) – Engineer explained that a stand alone car wash is not a permitted use in a MUC district. It is allowed as an accessory to a service station in the MUC district. Engineer explained that this came from the Zoning Officer. After discussion, the consensus of the PTPC is that the Engineer discusses this matter with the Zoning Officer.

NEW BUSINESS

Subdivision/Land Development Ordinance - Engineer explained that most of the revisions are from the update to coordinate with the Zoning Ordinance. Engineer requested to know if the PTPC would like the book edited with the items struck through and additions put in place. A discussion on the number of lots on a private drive, the need for right-of-way dedication, consider designating types of trees, and the requirement of digital file of the final approved plan.

Engineer offered to place all changes into the document with strike through and additions highlighted. After discussion, the consensus of the PTPC was for the Engineer to make the changes in the SALDO for clarification and ease of review.

A snow easement on a cul-de-sac was discussed with advice on language.

Mr. Chism asked how the Township will be protected from residents wanting their private roads being taken over. Engineer replied that a note is required on the plan and shall also be on the deed. Mr. Chism offered that a sign at the beginning of the road would be also in place stating that the Township does not maintain the road.

Secretary asked if there was a way to limit a plan as active if there is no activity with plan. Engineer suggested Secretary talk to Solicitor about the time limit.

Secretary also asked about ensuring the compliance of the subdivision or land development. A discussion on whom and what could be done commenced. Secretary was asked to talk to Solicitor and Zoning Officer for their opinions.

NOVEMBER 15, 2004

Correspondence

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Secretary presented the PTS letters dated November 2, 2004 approving the Edmond Moore Final Subdivision Plan and the Susquenita School District Final Subdivision Plan approvals with contingencies.

Secretary presented the notice from the Zoning Hearing Board (ZHB) of a request for a variance from Article XV, Section 1501.4.c, Centre Signs, of the Zoning Ordinance.

SALDO

Terry Kline – Mr. Kline presented a sketch plan for a change to the John Leiter Subdivision Plan. Mr. Kline explained that Mr. Leiter is considering a change to the private drive. After a discussion, the PTPC offered the following suggestions.

1. The grading of the private drive is to be done as per the Subdivision/Land Development Ordinance with the stipulation that a “not a township road” sign be placed at the entrance of the private drive.
2. That an environmental right-of-way (ROW)/Easement be placed on the slope.
3. The residual lot has a driveway located on the Township Road.
4. A road maintenance agreement be prepared and executed.
5. An Alteration of Requirements be requested for the number of lots off a private drive.

Sheetz Car Wash Final Land Development Plan, File # 2004-06 – Mr. Charles Cook of Act One Consultants represented the Sheetz Corporation. Engineer reviewed the outstanding engineering and zoning comments.

After due consideration, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval the Alternation of Requirements (AOR) for Section 304, *Final Plan* of the Township Subdivision and Land Development Ordinance.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the AOR for Section 507.E.6, *Emergency Spillway* of the Township Stormwater Ordinance.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the Sheetz Car Wash Final Land Development Plan, File # 2004-06, contingent upon following items being completed.

1. The certification of title and the dedicatory statement shall be signed and notarized.
2. The engineer and surveyor must sign and seal the plan.
3. The Planning Module shall be approved by DEP prior to the final plan approval.
4. The Penn Township Municipal Authority’s condition of Operator Chism’s review and approval of the proposed car wash system.
5. The approval of the improvement cost estimate and proper bonding must be posted.

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After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the DEP mailer for the Sheetz Car Wash Final Land Development Plan, File # 2004-06.

Duncannon Fire Company Final Land Development, File #2004-07 - Mr. Charles Cook of Act One Consultants represented the Duncannon Fire Company. Engineer reviewed the outstanding engineering and zoning comments.

After due consideration, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval the AOR for Section 304, *Final Plan* of the Township Subdivision and Land Development Ordinance.

After due consideration, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Duncannon Fire Company Final Land Development, File #2004-07, contingent upon following items being completed.

1. The certification of title and the dedicatory statement shall be signed and notarized.
2. The Plan shall be signed and notarized by the owner.
3. The Erosion and Sedimentation Control Plan approval shall be obtained from the Perry County Conservation District and submitted to the Township.
4. A copy of the PennDOT HOP shall be submitted to the Township prior to Final Plan approval.
5. The financial security bond and agreements need to be accepted and completed prior to final plan approval.

Carrie Shaffer, Rohrer Drive – Secretary presented the DEP mailer for the Carrie Shaffer lot. Secretary explained that this lot was previously subdivided under the Jeanette /Robert Shaffer Subdivision.

After discussion, and upon a Chism/Maguire motion, the PTPC voted unanimously to recommend approval of the Carrie Shaffer DEP mailer.

OLD BUSINESS

Zoning Ordinance Review and Discussion – Engineer suggested reviewing the November 15, 2004 memorandum in order.

Variances being review by the Planning Commission and Supervisors instead of the Zoning Hearing Board. – Engineer explained that he has met with the Zoning Officer and was told that there have not been a lot of variance requests to date. Engineer suggested that further monitoring be conducted on the number and type of variances and make changes as needed in the future. After discussion, the consensus of the PTPC is to leave the variance requests with the ZHB. Secretary offered that she is recommending a reduction in the zoning application escrow due to non-use of the total escrow in place.

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Off-Street Parking Requirements – Engineer explained that this item was presented to the PTPC in July 2004 and that the recommendation of the PTPC at that time was not to change these requirements.

Permitting single family dwellings in the Commercial District – Engineer informed the PTPC that he had met with the Zoning Officer and learned that there have not been a lot of variances requested to date for a residential dwelling in a Commercial District. Engineer, therefore, recommended that the Zoning Officer monitor the number and type of variances requested and make changes as needed in the future.

Development limitations on steep slopes – Engineer informed the PTPC that a steep slope map has been prepared and that he has reviewed several other Township ordinances for how they regulate this issue. Engineer stated that the Zoning Ordinance regulates the development of the steep slopes in Article XII. After discussion, the PTPC requested more research from other communities.

Review of Cluster Zoning Areas – Engineer explained that Section 1641 of the zoning ordinance has provision for the design and development of an Open Space Development. The type of development occurring in the Township does not lend itself to Open Space design; therefore, this development option has not been utilized in Penn Township. After discussion, the consensus of the PTPC was not to change this item.

Section 1809.3 – Zoning Hearing Board – Conduct of Hearing – Engineer explained that this change is for conformity throughout the ordinance. After discussion, the consensus of the PTPC was for this item to be changed.

Parking within the building setback line in the Commercial District – Engineer explained that this clarification of the Zoning Ordinance with the removal of the phrase “or within the front yard.” to Section 1401.1.b. After discussion, the consensus of the PTPC is the deleted the phrase in “or within the front yard.”

Appendix C – Consistency with District Tables – Engineer explained that he has talked with the Zoning Officer and confirmed that no change is needed. After discussion, the consensus of the PTPC was not to change this issue.

Use Table and district Text for Car Washes - Engineer explained that he has talked with the Zoning Officer and confirmed that no change is needed. After discussion, the consensus of the PTPC was not to change this issue.

SUBDIVISION/LAND DEVELOPMENT ORDINANCE (SALDO) – Engineer explained that he has presented just an overview of the sections that need to be reviewed. He suggested that he do amendments to the SALDO and asked if there were any comments at this time.

Section 401.a.5 - A discussion commenced on the number of lots to allow on a private ROW. After discussion, the consensus of the PTPC is to consider 6 lots on an ROW with the length of the ROW being 2,500 feet.

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Section 403 – A discussion commenced on a snow easement being considered for cul-de-sacs. After discussion, the consensus of the PTPC requested Engineer to review language concerning this matter.

Section 401.B.2.c – A discussion concerning the requirement to widen the roadway adjacent to a subdivision commenced. After discussion, the consensus of the PTPC was to delete this section.

Section 509 and 510 – A discussion concerning the requirement for sidewalks and curb on all subdivisions commenced. After discussion, the consensus of the PTPC was to delete these matters.

Section 512 – A discussion concerning the designation of trees with a list of the types allowed on a street commenced. After discussion, the consensus of the PTPC was to have a list designating prohibitive tree types.

Section 513 and 905 – A discussion on the need for a digital file of the final approved plan be submitted. After discussion, the consensus of the PTPC is to delete the requirement for a digital file. After discussion, the consensus of the PTPC is to concur with the Engineer in deleting Section 905.

Section 3 – Engineer requested to know if the flow charts at the end of the section are in need to be updated or deleted. After discussion, the consensus of the PTPC is to delete the flow charts.

Section 306.D – Engineer requested to know if the PTPC wished to delete the requirement for the Planning Commission to complete a review within 60 days. After discussion, the consensus of the PTS was for engineer to review the MPC and advise at the next meeting.

Engineer offered that he would place changes into the sections and present them for review.

DECEMBER 29, 2004

No meeting held this month.

Respectfully submitted;

Arthur Dalla Piazza
Secretary