

# Penn Township Planning Commission Summary Report for the Year 2005

Page 1 of 21

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 2005 beginning with the first meeting.

## JANUARY 17, 2005

**Reappointment** – After discussion, and upon a Dalla Piazza/Mitchell motion, the PTPC voted unanimously to recommend the reappointment of Brian Maguire for a term of four years.

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

## **Visitors**

**Dale Ebersole** – Mr. Ebersole presented the sketch plan for the Butch Wolf property on YMCA Drive. He explained that Mr. Wolf is proposing two lot additions to existing lots and to have four new lots subdivided. Mr. Ebersole asked if the two lot additions would need to have a sewage module done on them as the additions are to lots with an existing house and septic system installed. The consensus of the PTPC was that there is no need for perc and probe testing, as long as there is a notation on the plan that there could not be further subdivision done to those two lots.

**Kevin Keefe/Dale Moyer – SASY Soccer** – Mr. Moyer explained that they had attended the PTS meeting and were informed that the PTPC would have to decide if their project would need to have a land development plan. After discussion, the consensus of the PTPC was to have SASY Soccer send a letter requesting an Alteration of Requirement for a Land Development Plan due to no buildings being built. Engineer reminded Mr.'s Keefe and Moyer that a NPEDS Permit would be needed for the Stormwater control.

***Correspondence*** – Secretary presented the PTS letters approving the Duncannon Fire Company and the Sheetz Car Wash Final Land Development Plans with contingencies.

## SUBDIVISION AND LAND DEVELOPMENT (SALDO)

**Mark L. Frisch DEP Mailer** – Secretary presented the DEP mailer for the Mark Frisch Subdivision Plan for recommendation of approval. After discussion, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Mark Frisch DEP Mailer contingent upon the Sewage Enforcement Officer's signature.

## **OLD BUSINESS**

**Zoning Ordinance** – Engineer present the Steep Slope information from East Pennsboro. After discussion on what is allowed for the different slopes, the PTPC requested that Engineer review the information from Mountain Dale, Susquehanna, and Paxton for the next meeting.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 2 of 21

**Land Development Ordinance** – Engineer presented the Revisions and Updates of the Subdivision and Land Development Ordinance for review and comment at the next meeting.

#12 – Change the number of lots on a private right-of-way. A discussion commenced on the requirement to place a “Township Road Stops Here” sign.

#28 – Review the length of cul-de-sac with fire departments. Engineer requested the names and phone number of the fire chiefs to be forwarded.

Secretary informed the PTPC that the Township requested that the distance to be connected to the sewer line be reviewed.

**2003 PTPC Summary** – Secretary requested to know the status of the review for the 2003 Summary. The PTPC requested to have one more month.

## NEW BUSINESS

**Meeting Dates** – Secretary presented the proposed meeting dates and requested to know what time did the PTPC wish to meet. After discussion, the consensus of the PTS was to meet at 7:00 p.m. February, March, November, December and 8:00 p.m. April through October.

## **FEBRUARY 21, 2005**

### **SALDO**

**Jerry Hirt, Kamp Street** – Mr. Hirt informed the PTPC that he has addressed the items that were suggested before the submission of a land development plan for his proposed storage sheds. He continued that he has talked to Mr. Madden and that the drainage field meets his approval. The right-of-way to this property does not have any restrictions on the use. Mr. Hirt talked to Duncannon Fire Company (DFC) and they recommended he use 5/8” drywall between the units. The swale has been added as per the request. Mr. Hirt advised that a traffic study has declared that there would be no impact at the intersection of SR 274 and Kamp Street. He stated that he has talked to PennDOT and that the HOP would be submitted with the final plans. Mr. Hirt offered that there would be no elevation changes to Kamp Street or the entrance from SR 274. After discussion the consensus of the PTPC was for Mr. Hirt to submit his plans for review.

**Susquenita Area Soccer Youth (SASY)** – Mr. Dale Moyer of SASY presented the Alteration of Requirement (AOR) for a Land Development Plan. He presented his reasons for the AOR as being the property will consist of athletic fields, a parking area, and concessions stand. No public buildings are going to be constructed on the site. He continued that the SASY organization does not believe that the expense involved in preparing a land development plan is necessary for a nonprofit organization that is trying to give the children of the community a place to play soccer. After discussion, and upon a Maguire/Chism motion, the PTPC voted unanimously to recommend approval of the AOR for a land development plan contingent upon an erosion and sedimentation control plan be presented to the Township.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 3 of 21

**Mark Frisch Land Development Plan, File # 2005-01** – Charlie Cook of Act One Consultants presented the Mark Frisch Land Development Plan. Engineer reviewed his, Zoning Officer, and the County Comments

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

After due consideration, and upon a Chism/Maguire motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.B.43, *Erosion and Sedimentation Control Plan* of the Subdivision and Land Development Ordinance due to the ground disturbance being estimated at 24,000 square feet.

After due consideration, and upon a Chism/Maguire motion, the PTPC voted unanimously to recommend approval of the Mark L. and Ann Marie Frisch Final Subdivision Plan, File # 005-01, contingent upon following items being completed.

1. The dedicatory statement shall be signed and notarized by the owner.
2. The driveway easement shall be extended.
3. The revision date shall be shown on the plan.
4. The definition of the lot width shall be placed on the plan.
5. The Engineer review the plan prior to the February 23, 2005 Penn Township Board of Supervisors meeting.

**Thomas Rissinger Final Land Development Plan, File # 2005-02** – Charlie Cook of Act One Consultants presented the Thomas Rissinger Land Development Plan. Engineer reviewed his, Zoning Officer, and the County comments. A discussion on the private right-of-way (ROW) commenced. After discussion and upon a Maguire/Chism motion, the PTPC voted unanimously to table this plan for comments to be addressed.

**Charles H. Stoner & Marcia A. Andri Final Subdivision Plan, File # 2005-03** – Mr. James Hockenberry presented this plan. Engineer reviewed his, Zoning Officer, and the County comments. After discussion and upon a Chism/Maguire motion, the PTPC voted unanimously to table this plan for comments to be addressed.

**John Leiter Final Subdivision Plan, File # 2003-02** – Mr. Terry Kline of Kline Engineering presented this plan. Engineer reviewed his, Zoning Officer, and the County comments. After a discussion on the private ROW, and upon a Maguire/Chism motion, the PTPC voted unanimously to table this plan.

## OLD BUSINESS

**Zoning Ordinance Review & Discussion** – Engineer presented his findings on Steep Slopes to the PTPC. After discussion, the PTPC requested the Engineer to provide a revision of the Zoning Ordinance changes for final review.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 4 of 21

**Subdivision/Land Development Ordinance Review and Discussion** – Engineer presented the PTPC with revision and update summary and requested that the PTPC review the handouts for comments at the next meeting.

**2003 PTPC Summary** – Secretary requested to know if there were any questions on the 2003 PTPC summary. After discussion and upon a Chism/Maguire motion, the PTPC voted unanimously to approve the 2003 PTPC summary.

**MARCH 21, 2005**

**SALDO**

**New Heart Church Conditional Use** - Secretary presented the conditional use application for the New Heart Church and explained that the church is requesting permission to occupy a portion of the Big Bee Boats Building to hold their services. Secretary informed the PTPC that the location is zoned commercial and therefore a place of worship is considered a conditional use. Pastor Smith of the New Heart Church offered that his congregation is small at this time and would not need a larger facility for sometime. After discussion on the parking, amount of attendance, and the hours of service, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval for the conditional use contingent upon Pastor Smith producing a copy of the lease and a letter from Mr. Rohrer (owner of the Big Bee Boats) that the use of the parking lot is granted.

**Thomas Rissinger, Land Development Plan, File # 2005-02** – Engineer reviewed the outstanding comments.

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

After due consideration, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.A.11, *Contour intervals* of the Township Subdivision and Land Development Ordinance due to the parcel size and eliminating overcrowding.

After due consideration, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.A.19, *Plotting of the building setback lines*, due the proposed house is to be located well away from the proposed property line and the setback distances are shown on the zoning data.

After due consideration and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the AOR for Section 401.A.5, *Number of lots allowed on a private drive*, due to the existing two dwellings have used this road since 1960 and this proposal is for land development only.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 5 of 21

After due consideration, and upon a Chism/Mitchell motion, the PTPC voted unanimously to recommend approval of the DEP Planning Module for the Thomas Rissinger Land Development Plan.

After due consideration, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Thomas Rissinger Land Development Plan, file number 2005-02, contingent upon following items being completed.

1. The plan be signed by the owner and notarized.
2. The Planning Module shall be approved by DEP prior to the final plan approval.

**Charles Stoner Final Subdivision Plan, File # 2005-03** – Engineer reviewed his comments. After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table this plan for comments to be addressed.

Secretary presented the DEP mailer for the Charles Stoner Final Subdivision Plan to be considered for approval. After discussion, and upon a Chism/Maguire motion, the PTPC voted unanimously to recommend approval of the DEP mailer.

**John B. Leiter Final Subdivision Plan, File 2003-02** – Engineer reviewed his comments and a discussion commenced about the DEP mailer, erosion and sedimentation control plan, and a request for waiver for the review of the plan from Wheatfield Township. After discussion, and upon a Chism/Maguire motion, the PTPC voted unanimously to table this plan for comments to be addressed. After discussion, and upon a Chism/Maguire motion, the PTPC voted unanimously to sign the DEP mailer when the mailer was available.

## **OLD BUSINESS**

**Zoning Ordinance** – Engineer reviewed the proposed zoning ordinance amendment with an explanation of each sectional change.

A discussion commenced on construction of single family housing in the Forest Conservation District on slopes 16 percent or greater. Upon a Chism/Dalla Piazza motion, the PTPC voted to recommend the Board of Supervisors consider that The Steep Slope Overlay prohibit any single family dwellings in the Forest Conservation District on a slope 16% or greater. In conjunction, the Steep Slope Overlay prohibits any driveway for any single family dwellings in the Forest Conservation District on slopes 16% or greater.

**Subdivision/Land Development Ordinance** – Engineer asked the PTPC for comments on the proposed changes to the Subdivision/Land Development Ordinance. The following comments were presented.

**ARTICLE II** – Applicant – that the word “subdivision” be inserted to follow the word development.

**Block** – The definition match that of Section 404.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 6 of 21

**Section 401.a.5** – Change the width of a private right-of-way from 50 feet to 30 feet.

**Section 401.a.1** – Remove this section.

**Section 401.d.1a** - The maximum slope shall be under the heading column.

**Section 403.d** – A discussion on the use of this with the decision to review this further.

**Section 507.A** – Mr. Chism offered that this section needs to be clear on whether or not this section is meant for proposed or existing sewer lines.

The PTPC decided to continue the review of ordinance next month.

## APRIL 18, 2005

### SALDO

**John B. Leiter Final Subdivision Plan, File # 2003-02** - Engineer reviewed the outstanding comments.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to approve 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 401.A.5, *Number of Lots on a Private Drive and the Width of a Private Drive*, of the Township Subdivision and Land Development Ordinance for the subdivision to have 6 lots on a private drive due to the steep grades and stream crossings and the width of the private right-of-way to be 30 feet due to lot dimensions.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the AOR for Section 406 *Grading on Roadway Detention basins*, of the Township Subdivision and Land Development Ordinance due to the ponds being shallow and the elevations are less than two feet.

After due consideration, and upon a proper motion, the PTPC voted unanimously to recommend approval of the AOR for Section 502.D, *Waiver of Financial Security for all Construction*, of the Township Subdivision and Land Development Ordinance. The developer shall place a bond for the Stormwater Management and the Erosion and Sedimentation Control Plan for the access roadway.

After due consideration, and upon a Dalla Piazza/Mitchell motion, the PTPC voted unanimously to recommend approval of the John Leiter Final Subdivision Plan, File # 2003-02, contingent upon following items being completed.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 7 of 21

1. The removal of the words “and no trunk removal will be permitted to be dug out.”
2. The certification of title and the dedicatory statement shall be signed and notarized.
3. Final approval of the Perry County Conservation District is received before the plan shall be presented to the PTS for final approval.
4. The Planning Module shall be approved by DEP prior to the final plan approval.
5. A construction estimate shall be provided for review.
6. The required note is placed on the subdivision plan to reflect that adjustments to the dimensions for the assumed size driveway may need to be made as part of the building permit process.

**Amity Enterprises Final Land Development Plan, File # 2003-05** - Secretary informed the PTPC that Mr. Smithgall’s plan is up for time extension. She continued that he has also since sold the property. After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend disapproval of the Amity Enterprises Final Land Development Plan, File # 20003-05.

## **OLD BUSINESS**

**Zoning Ordinance Amendment Review and Discussion** – Engineer presented the draft zoning ordinance amendment and recommended having the public meeting on the May 16, 2005. After discussion, and upon a Chism/Maguire motion, the PTPC voted unanimously to conduct the zoning ordinance amendment public meeting on May 16, 2005 and to recommend to the PTS to have their Public Hearing on May 25, 2005.

**Subdivision/Land Development (SALDO) Ordinance Review and Discussion** – Engineer asked for any comments on the SALDO Ordinance. The following discussions took place.

**Section 403.D – Snow removal easements** -A discussion on the necessity of having snow removal easements commenced. After discussion, the consensus of the PTPC was to reduce the size of the easement to forty (40) feet long and ten (10) feet wide to be divided between two different lots in new subdivisions requiring cul-de-sacs and intersections.

**Section 507.A – Public sanitary sewer Hook distances** -A discussion on the on the word “proposed” in relations to sewer lines on a plan commenced. After discussion, the consensus of the PTPC was to add “proposed or existing” in relation to the sewer lines on a plan.

**Sight Lines at intersection** – Mr. Dalla Piazza requested that Engineer review the PennDOT requirement versus the Zoning Ordinance and Subdivision/Land Development Ordinance for conformance.

**MAY 16, 2005**

**CONDITIONAL USE**

## Penn Township Planning Commission Summary Report for the Year 2005

Page 8 of 21

**River of Life Church** – Secretary explained that the River of Life Community Church requested permission to operate a Place of Worship in a Commercial/Low Residential Zone as per Section 805.4 of the Penn Township Zoning Ordinance. After discussion and upon Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Conditional Use for the River of Life Church to operate a Place of Worship in a Commercial/Low Residential Zone contingent upon the church using the northern driveway as an entrance, the southern driveway as an exit and that the sight distance be presented to the PTS.

**Brain Adams, 46 Eisenhower Boulevard** – Secretary explained that Mr. Adams requested permission to operate a Home Business in a Low Residential Zone. Mr. Adams offered that he would like to have a barber shop in his converted garage. After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval for Mr. Brian Adams to operate a home business in a Low Residential Zone contingent upon the business hours being limited to 8:00 a.m. until 9:00 p.m. Monday through Friday.

**James Myers 1133 State Road,** - Secretary explained that Mr. Myers requested permission to operate a Home Business in a Low Residential Zone. Mr. Myers offered that he would like to have a gun smithing business. After discussion, and upon a Dalla Piazza/Chism motion, the PTPC voted unanimously to recommend approval for Mr. James Myers to operate a home business in a Low Residential Zone contingent upon the business hours being limited to 8:00 a.m. until 9:00 p.m. Monday through Friday, no equipment being used after 9:00 p.m. and that all clients are to park behind his dwelling with the entrance to be from Chestnut to Chilton Streets.

### **SALDO**

**Henry Holman** – Mr. Holman asked the PTPC how the Jeanette A. & Robert L. Shaffer Estate Plan was approved without the need for a Stormwater Management Plan, percolation and probes for septic, and with four waivers granted. The PTPC explained that the plan was for an estate plan and no construction was to be done. The waivers that were approved are standard for an estate plan. The PTPC offered that they felt that they were trying to be extra careful on this plan.

**Charles Stoner Final Subdivision Plan, File # 2005-03** – Secretary presented the request for a sixty day time extension. After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the sixty day time extension. Engineer reviewed the outstanding comments.

After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to approve the AOR for Section 304, *Final Plan*, of the Subdivision/Land Development Ordinance.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 9 of 21

After discussion, and upon a Dalla Piazza/Chism motion, the PTPC voted unanimously to recommend approval the AOR for Section 502.D, *Waiver of Financial Security for all Construction*, of the Township Subdivision and Land Development Ordinance.

After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the Charles Stoner Final Subdivision Plan, File #2005-03 contingent upon the following items being completed.

1. Final approval of the Perry County Conservation District is received before the plan shall be presented to the PTS for final approval.
2. The Statement of Ownership and the dedication of streets shall be signed by the owner and notarized.
3. A profile of the proposed private right-of-way at a minimum scale of one hundred feet horizontal and ten feet vertical shall show on the plan. The station at the end of the private right-of-way to corresponding to the final station must be shown on the profile.
4. A note on the plan stating that future development would require a stormwater management plan that will use the undeveloped condition of the 78.38 acres as the pre-developed condition.
5. Actual and required sight distance shall be shown on the plan.

## **OLD BUSINESS**

**Zoning Ordinance** – Chairman Tasker offered that the Perry County Planning Commission comments to the proposed Zoning Ordinance amendment were received. Mr. Dalla Piazza read the comments for discussion. A discussion commenced on the wording for the change to steep slopes in the Forest Conservation District. The consensus of the PTPC was to change the wording to the recommendation from Perry County Planning Commission. After discussion, and upon a Chism/Mitchell motion, the PTPC voted unanimously to recommend approval of the Zoning Ordinance amendment.

**Zoning Map Changes** – Secretary presented the six requests for zoning map changes to the PTPC. After discussion on each request the consensus of the PTPC was for an advertisement to be placed in the paper notifying other residents of the opportunity to do a zone map change and to send neighboring residents notice of possible zone map changes.

**JUNE 20, 2005**

**SALDO**

# Penn Township Planning Commission Summary Report for the Year 2005

Page 10 of 21

**Maynard Gandy Final Subdivision Plan, File # 2005-04** – Engineer reviewed his, County and the Zoning Officer comments. Engineer offered that Mr. Gandy is asking for Alteration of Requirements for Section 304, *Final Plan* and Section 309.A.11, *Existing Contours is shown at intervals of ten feet*. After review and discussion, and upon Chism/Dalla Piazza motion, the PTPC voted unanimously to table this plan for the developer address the outstanding comments.

## **OLD BUSINESS**

### **Zoning Map Changes**

**Barnett Drive** – Secretary presented the requests of Mr. William Warner, David Hammaker, Jr., and Mr. David Clark to change their properties from Low Density Residential (R1) to Agricultural/Rural (AR). After a discussion on spot zoning versus rezoning the development of Barnett Drive as a whole, the Secretary was directed to send letters to all property owners on Barnett Drive asking if anyone else wished to change their zoning.

**Allander Drive** – Secretary presented the requests of Betty Ann McMullan, Dallas Ashenfelder, James Bretz, Marlin Woodward, and Paul Clark to change their properties from R1 to AR. Mr. Chism offered that he has talked to Lee Clugston and was informed that he would like to change his property to AR. After discussion, the Secretary was directed to contact the remaining homeowners to request their opinion on the proposed zoning change.

**Kamp Street** - Mr. Hirt offered that he would like to either shift the Commercial zoning on his property or to enlarge the Commercial zoning. After discussion with Mr. Hirt, the PTPC requested that Mr. Hirt submit a drawing with a final proposal for the Commercial zone.

Mr. Gene Hollenbaugh expressed his concern with a Commercial zone abutting his property, which is in a residential zoned neighborhood and the notification time allowed to the neighbors.

**Cove Road**– Secretary presented the requests of Mike Frisch to change R1 to Commercial. A discussion commenced on the need for a buffer zone to be placed between the proposed Commercial zone and the residential neighborhood abutting this property. Mr. Oaks represented the residential neighborhood in asking the PTPC to not recommend the change to the property due to the fact that the road is not wide enough to handle the excess commercial vehicles and that the noise level would destroy the peacefulness of the neighborhood. Mr. Oaks asked how is the best way to place their objections to this change. The PTPC offered that a written letter or petition would be the best way to place their concerns before the board and that the more people who express their concerns the better. After discussion, the PTPC directed to Secretary to have the Zoning Officer check into a buffer zone and to enforce any zoning violations.

**Inn Road – Christian Holler** – Secretary presented the letter from Mr. Holler requesting to rezone his property from Commercial to High Density Residential (R2). Mr. Holler explained

# Penn Township Planning Commission Summary Report for the Year 2005

Page 11 of 21

that he would like to have a second apartment building on this property and that due to zoning constraints that this would not be feasible. Mr. Holler offered that he did not want to place the new building attached to the existing one due to partial sinkage of the foundation. After discussion, the PTPC asked the Zoning Officer define the word attachment. Could an attachment be two building attached by a walk through with only a roof linking to two buildings?

**Subdivision/Land Development Ordinance** – The consensus of the PTPC was to table this matter due to the late hour.

## **NEW BUSINESS**

**Zoning Ordinance** – Secretary presented the request from the Board of Supervisors to consider that the minimum lot size in an AR district be changed from 1 acre to 1 ¼ to 2 acres. The reasoning behind this request was due to possible new regulations on the nitrate levels in wells may require a hydrological study to be done and necessitate larger lot size and to try to save ground water for future development. The larger the minimum lot sizes the less amount of development possible and thus the less drain on the water tables. Engineer was requested to check into the rationale and the average minimum acreage in the surrounding communities.

**JULY 18, 2005**

## **CONDITIONAL USES**

**John Jones, Java Junction** – Mr. Jones presented his request to be allowed an off-premise sign located on the property located between 1815 and 1825 State Road. Mr. Jones stated that he would like to place a trailer on the property with a banner on the side of the trailer. Mr. Chism asked if the trailer was part of the sign or is the only the banner the sign. After discussion, on the whether the dimension of the sign includes the trailer or is just the banner and upon a Dalla Piazza/Chism motion, the PTPC voted unanimously to request John Madden, Zoning Officer, make this determination. Upon a Dalla Piazza/ Mitchell motion, the PTPC voted unanimously to recommend approval of this Conditional Use contingent upon John Madden, Zoning Officer affirmative approval that the dimensions of the sign is the banner and that a trailer is considered an off-premise sign base.

**James Myers, 1133 State Road** – Mr. Myers explained that he is asking for a home business. Mr. Myers offered that there was a misunderstanding on the selling of fire arms in the previous conditional use hearing. He offered that he is not opening a store or having a showroom in his residents. After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of this Conditional Use for the approval of gun sales contingent upon auctions or gun shows not being permitted on the premises. The previous Conditional Use granted still applies.

## **VISITORS**

# Penn Township Planning Commission Summary Report for the Year 2005

Page 12 of 21

**Charles Stoner** – Mr. Stoner offered that he had a sketch plan of the Cornerstone Christian Church and offered that a plan will be presented to the Township in the near future. The consensus of the PTPC was favorable for the plan to be submitted.

Mr. Stoner asked the progress of the 6-lots on a private drive. The PTPC offered that the Subdivision/Land Development Ordinance is being completed as soon as possible.

## **SALDO**

**John Leiter Final Subdivision Plan** – Secretary informed the PTPC that the Board of Supervisors (PTS) requested an Agreement for the Private ROW be presented to the PTPC for review before they would approve Mr. Leiter's Plan. Mr. Terry Kline represented Mr. Leiter and reviewed the agreement. After discussion, and upon a Chism/Mitchell motion, the PTPC voted unanimously to recommend approval of the Agreement for the Private ROW due to adverse environmental impact, drainage and steep slope concerns contingent upon the following changes:

1. That paragraph 2 is reworded so that the Township would not be doing road maintenance and the road would need to be brought up to Township specifications before being offered for dedication to the Township.
2. The wording concerning the sign at the entrance to private right-of-way is also on the attached letter. This is to be placed on the plan and can be added as a provision of the agreement with the residents being responsible for maintenance of said sign.
3. The next item to be placed on the agreement and as a note on the plan is that before a building permit is to be issued, the agreement must be signed, initialed and submitted to the Township at the time of application.

**Maynard Gandy Final Subdivision Plan, File # 2005-04** - Mr. Marlin Peters represented Mr. Gandy and presented his revised plan. Engineer reviewed the outstanding comments.

After due consideration, and upon a Chism/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 Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.A.11, *Contour Intervals of 5 feet* of the Township Subdivision and Land Development Ordinance.

After due consideration, and upon a Chism/Mitchell motion, the PTPC voted unanimously to recommend approval of the Maynard Gandy Final Subdivision Plan, File # 2005-04, contingent upon following items being completed.

1. The certification of accuracy statement be signed and sealed by the registered surveyor.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 13 of 21

2. The statement of ownership and the dedication of streets shall be signed by the owner and notarized.
3. Proof of Planning Module or exemption approval by DEP shall be submitted to the Township.
4. The plan provide a note stating the date and code number for the sewage planning approval for lots 8 and 11.
5. The date of system installation on lot 8 and information on said system submitted to the Township SEO.

## **OLD BUSINESS**

**Zoning Map Change** - Secretary present the Zoning Map Change requests to the PTPC for review.

**Barnett Drive** – After discussion, and upon a Chism/Mitchell motion, the PTPC voted unanimously to recommend changing Barnett Drive from Low Density Residential (R1) to Agricultural/Rural (AR).

**Allander Drive** – After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend changing Allander Drive from Low Density Residential (R1) to Agricultural/Rural (AR).

**Cove Road**– Secretary presented the request of Mike Frisch to change Low Density Residential to Commercial. Secretary presented the Zoning Officer comments to the PTPC. After discussion, and upon a Dalla Piazza/Chism motion, the PTPC voted unanimously to recommend denial of Mr. Frisch’s request to change his parcel to Commercial due to restrictive access of commercial vehicles and the negative aspects of the surrounding neighbors.

**Inn Road – Christian Holler** – Secretary presented the letter from Mr. Holler requesting to rezone his property from Commercial to High Density Residential (R2). After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend denial of Mr. Holler request to change to High Density Residential due to other methods being able to accomplish his goals.

**Kamp Street** - Mr. Hirt offered that he would like to enlarge the Commercial zone on his property by 500 feet x 700 feet x 1000 feet. After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of Mr. Hirt’s commercial zone as 500 feet x 700 feet x 1000 feet as per the sketch plan.

**1815 State Road - Mrs. Violet Ward** – Secretary presented Mrs. Ward request to rezone her two properties from Low Density Residential to Commercial. After discussion, the consensus of the PTPC was to send letters to the adjoining neighbors in reference to this request.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 14 of 21

**Raub Request-** Secretary presented the letter dated July 1, 2005 requesting consideration of zoning map changes. After discussion, and upon a Mitchell/Chism motion, the PTPC voted unanimously to recommend denial of this request.

**Subdivision/Development Ordinance** - Engineer presented his wording for a change to the Subdivision/Land Development Ordinance concerning the number of lots on a private drive. After discussion, and upon a Mitchell/Dalla Piazza motion, the PTPC recommend changing the number of lots on a private drive to six (6) lots.

After discussion, the consensus of the PTPC was to meet at 7:00 p.m. to review the changes to the Subdivision/Land Development Ordinance and the Zoning Ordinance.

**AUGUST 15, 2005**

## **SUBDIVISION/LAND DEVELOPMENT ORDINANCE (SALDO) REVIEW**

**Charge of Fees** – Chairman Tasker read the letter from Solicitor Wagner concerning a change to the MPC allowing the fees of other professionals to be charged to the developer.

**SECTION II – DEFINITIONS** – The PTPC reviewed the definitions with the following result.

**Block** – The definition of block shall be the same in the SALDO and Zoning Ordinance.

**Condominium** – This definition is to be added.

**Accessory Building** – This definition is to be added.

**Dwelling, Single-Family Semi-Detached** – Engineer is to check on the difference between a party wall and a common wall.

**Building Setback Line, Front Setback Line** – Engineer is to check on wordage and perhaps insert a diagram similar to the one in the Zoning Ordinance.

**Excavation (b)** – Engineer is to change the word higher to lower.

**Marker-** Remove the word “in” in the portion of the definition “(3/4) of an inch in square or...”

**Screening** – “off from adjacent” - Engineer is to check into the wordage for correctness.

**SECTION IV – DESIGN STANDARDS** – The PTPC reviewed this section and made the following comments.

# **Penn Township Planning Commission Summary Report for the Year 2005**

**Page 15 of 21**

**Section 401.5** - Engineer explained that this change of the width and number of lots on a private right-of-way was on the recommendation of the PTPC and with necessity for an agreement and for a note to be placed plan and in the deeds for the property.

**Section 401.C.1; Horizontal Alignment Intersections** – The consensus of the PTPC was to place the same requirements for private right of ways connecting to a Township road.

**Section 401.C.3.A; Horizontal Alignment Intersections Sight Distance** – Engineer is to compare this section with PennDOT requirements and the Zoning Ordinance.

**SECTION V – Improvement and Construction Requirements** - The PTPC reviewed this section and made the following comments.

**Section 509.1 and 510.1.C - Standards for curbs and sidewalk** - Both sections have the same wording. Engineer will fix section 510.1.C. to specify sidewalks.

**Section 507. A –Sewers and Water** – There is a question on whether existing or proposed would be the proper verbiage. Engineer was to review the section.

Due to the time the PTPC consented to table the review until next month at 7:00 p.m. and to begin the regular meeting of the PTPC.

## **VISITORS**

**Tammy Morris, Penn Manor** – Carl Fox represented Tammy Morris and presented the question from their lawyer on whether or not a subdivision plan was need. He continued that the original deed described one lot with a drawing of two tracks. The new deed separates the tracks. After discussion and upon a proper motion the PTPC voted unanimously to recommend not requiring a subdivision plan upon the Solicitor's agreement.

## **ZONING MAP CHANGE**

**Violet Ward, State Road** - Secretary presented Mrs. Ward's request to rezone her two properties from Low Density Residential to Commercial. Mrs. Rose Bender represented the adjoining landowners and informed the PTPC that they were opposed to the zoning change due to deed restrictions and not wanting to change the flavor of the neighborhood. After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend denial of the zoning request due to the deed restrictions on the property and in connection with the neighbor's opinion.

**SEPTEMBER 19, 2005**

**SALDO**

# Penn Township Planning Commission Summary Report for the Year 2005

Page 16 of 21

**Section 507.A – Sewers and Waters** – A discussion on how far from public sanitary sewer system would a dwelling be before mandatory hookup is necessary. The PTPC recommended that the mandatory hookup be changed from 3000 feet to 1000 feet. The consensus of the PTPC was for a subdivision of 6 dwelling units or less to be exempt to the 1000 foot mandatory hookup rule. A single dwelling unit would remain at the 150 foot requirement.

**Section 405.D.2 - Access** – A discussion on the need to have a design of access streets be submitted for review commenced. The consensus of the PTPC is to add: “A design must be submitted to the PTPC for review and approval.

**Section 403.D – Easements** - A discussion on a snow easement commenced, the consensus of the PTPC being that the easement be 40 feet in length and 10 feet in depth.

## VISITORS

**Mr. Jonas Stoltzfus, Perry County Land Preservation Board** - Mr. Stoltzfus talked about the role of zoning in land preservation. He asked the PTPC to consider having a buffer zone between agricultural areas and the development areas of 1000 feet. The PTPC thank Mr. Stoltzfus for his time and input.

## SALDO

**Kinkora Pythian Home Final Land Development Plan, File # 2005-05** – Secretary informed the PTPC that Mark Zimmerman, project designer/representative of the Kinkora Pythian Home requested that this plan be tabled. After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to table the Kinkora Pythian Home Final Land Development Plan, File # 2005-05.

**Warden Property Preliminary Subdivision Plan, File # 2005-06** – Todd Wilson of Alpha Consulting Engineers described the project and requested that the plan be tabled so that Engineer comments could be addressed. Mrs. Dianne Henery asked Mr. Wilson about the Right-of-Way (ROW) that borders the Warden Property and is shown on the emergency exit of the plan. Mr. Wilson stated that this was an oversight that the ROW would be defined on the plan. After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to table the Warden Property Preliminary Subdivision Plan, File # 2005-06.

**Cornerstone Christian Church Final Subdivision Plan, File # 2005-07** – John Melham of Melham Engineering described the project and requested that the PTPC consider the Alteration of Requirements for the Stormwater basin depth. After discussion a meeting was to be held at the Municipal Building with the Stormwater Engineer of Melham Engineering, the Township Engineer, and Supervisor Stoner. Mr. Melham requested that the plan be tabled so that Engineer comments could be addressed. After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to table the Cornerstone Christian Church Final Subdivision Plan, File # 2005-07.

# Penn Township Planning Commission Summary Report for the Year 2005

Page 17 of 21

**Subdivision/Land Development Ordinance** - The PTPC resumed the review of the Subdivision/Land Development Ordinance with the following changes to be made.

**Section 306.E.4 and 308.E.4 – Conditional Approval** – Engineer to clarify the wording.

**Section 504 – Remedies to Effect Completion of Improvements** – Change Board to Board of Supervisors.

## **ZONING ORDINANCE AMENDMENT**

**Lot Size** – A discussion commenced on changing the minimum lot size for single family dwellings with on-lot septic to 1 1/2 acres. After discussion, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend a change in the single family dwellings with on-lot septic to 1 1/2 acres due to the nitrate and water table concerns.

**Hydrological Study** – The necessity to require a Hydrological Study for land development was discussed. Upon a Maguire/Dalla Piazza motion, the PTPC recommended that a Hydrological Study for Subdivision/Land Development Plans with greater than 6 dwelling units that have wells and septic or sewer be required for management of adequate water supply.

After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to submit the Subdivision/Land Development and Zoning Ordinances Amendments to PTS for review.

## **OCTOBER 17, 2005**

### **VISITORS**

**David Meiskin** – Mr. Meiskin offered that he was with Windsor Companies, Inc. (Windsor) and continued that he was interested in talking with the PTPC concerning the J. Nevin White Cove Mountain land. He offered that Windsor is interested in working with the local municipalities and public to build a community that would be welcomed by all in the area. A presentation was made on the types of communities that have been designed and built by Windsor in the past. Mr. Meiskin asked for feed back on the concerns from the PTPC. He offered that the plan at present is for 750 units. A few concerns mentioned would be keeping the trees and views, open spaces, traffic patterns, and commercial versus the residential layout. He mentioned that perhaps a zoning ordinance change may be needed.

Mr. Meiskin asked if the Township Engineer was to work with Windsor how would payment for the fees be dealt with. Would an escrow account be set up or would a billing system work. Mr. Dalla Piazza offered that a joint meeting with the PTPC and the Board of Supervisors would be advisable.

## **SALDO**

# **Penn Township Planning Commission Summary Report for the Year 2005**

**Page 18 of 21**

**Cornerstone Christian Church (Cornerstone) Land Development Plan, File # 2005-07** – Mr. Ron Horton of Melham represented Cornerstone and requested the opinion of the PTPC regarding the Alteration of Requirement (AOR) for Section 507.E.2 relating to the maximum depth of the stormwater basin shall not exceed 5 feet in depth and an AOR for Section 513.A.3 relating to peak release rates of runoff for the post development condition. A discussion commenced on the overage of the 5 foot depth. A suggestion of a fence around the detention pond with landscaping was made with a discussion on the height of the fence. The PTPC informed Cornerstone that they were leaning favorably toward recommending an AOR for Section 507.E.2 with a four foot fence around detention pond 2.

A discussion commenced on the peak release rates of the detention ponds. An understanding was made for the disturbance area to be calculated only for the actual area of the project.

**NOVEMBER 21, 2005**

## **VISITORS**

**Randolph and Tammy Morris Alteration of Requirement (AOR) Request** - Mr. and Mrs. Morris are present to request an AOR for non submittal of a Subdivision Plan. Mrs. Morris explained that the lots J & K were purchased at the same time in the 1950's with the intention of building on one of the lots and having the other lot for future development. Mrs. Morris presented a copy of her grandparents' deed that shows a description of the two lots as one lot with an attached drawing of the lot along with deeds and copies of the original subdivision showing that the two lots were considered separate.

After due consideration, and upon Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend granting the AOR Request for non submittal of a Subdivision Plan for the property located in Penn Manor due to the following:

1. Similar recorded plans show that lots J and K are two separate lots.
2. Mr. Roy Stoner and Mrs. Reta Stoner purchased both lots J and K and only built a house on lot J, therefore showing their belief that lots J and K were two separate lots.
3. That lots J and K were bequeathed as lots J and K to their grandsons in their will.
4. That there are lot pins established for the common line between lots J and K as shown on the property plan attached to the deed of Roy E. and Reta A. Stoner as filed in vol. 169, page 91

**SALDO**

# Penn Township Planning Commission Summary Report for the Year 2005

**Page 19 of 21**

**Emma Smith Final Subdivision Plan, File # 2005-08** - Charlie Cook of Act One Consultants represented Mrs. Emma Smith and explained that Mrs. Smith would like to subdivide her property so that the two homes on the property will be separate. Mr. Cook explained that Mrs. Smith is willing to grant a Right-of-Way easement for Spur Lane. Mr. Cook also noted that Spur Lane is a dead end road with no foreseeable road improvement. He also noted that Mrs. Smith will not be developing either lot as there are already two structures. Mr. Cook requested three AORs for Section 304; *Plan to be reviewed as a Final Plan*, 309.A.11, *Contours*, and 401.B.1, *60 feet of Dedicated Right-of-way* from the Subdivision/Land Development Ordinance.

Engineer reviewed his, county and zoning officer comments. After a discussion on Engineer comment #11, that the property is a double frontage lot, Engineer was satisfied that the access to the lot from Spur Lane is not topographically feasible.

After discussion, and upon a Dalla Piazza/Chism motion, the PTPC voted unanimously to table this plan for comments to be addressed.

## **NEW BUSINESS**

**Charles Stoner Zoning Map Change Request** – Secretary presented Mr. Stoner's zoning map change request for his properties located on Linton Hill Road and Faculty Road with the parcel numbers 210,116.00-008.001, 210,117.00-134.000, and 210,117.00-154.000. Mr. Stoner's request is to change the parcels from Agricultural/Rural to Low Density Residential. After the review of the current zoning map, the PTPC requested the secretary to notify Mr. Larry Peters of Linton Hill Road, Mr. Stephen Smith of Linton Hill Road, and Mr. Ed Hoak of Rupp Road of the PTPC's consideration of changing their properties to Low Dentist Residential to prevent spot zoning.

After discussion and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to table this matter until the December 19, 2005 meeting for notification of all individuals concerned.

## **DECEMBER 20, 2005**

**REAPPOINTMENT** – Secretary presented the PTS letter dated December 5, 2005 informing the PTPC that Arthur Dalla Piazza term is up for reappointment. After discussion, and upon a Chism/Maguire motion, the PTPC voted unanimously to recommend the reappointment of Arthur Dalla Piazza to the Penn Township Planning Commission.

## **SALDO**

**Kinkora Pythian Home Land Development Plan, File # 2005-06** – Secretary presented the Time Extension request from Kinkora Pythian Home Land Development for a 90 day time limit until March 29, 2006. After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend the Time Extension until March 29, 2006.

## **Penn Township Planning Commission Summary Report for the Year 2005**

**Page 20 of 21**

**Warden Property Subdivision Plan, File # 2005-06** - Secretary presented the Time Extension request from Warden Property Subdivision Plan for a 90 day time limit until March 29, 2006. After discussion, and upon a Chism/Maguire motion, the PTPC voted unanimously to recommend the Time Extension until March 29, 2006.

**Cornerstone Christian Church Land Development Plan, File # 2005-07** - Secretary presented the Time Extension request from Cornerstone Christian Church Land Development Plan for a 70 day time limit until March 8, 2006. After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to recommend the Time Extension until March 29, 2006.

Engineer reviewed the County and second review of Engineer comments. A discussion on the Stormwater issues concerning the maximum depth of the basin not exceeding 5 feet. And the freeboard of 2' above the maximum water surface elevation on the basin is required. Engineer was satisfied that the maximum depth of the basin questions has been satisfied. Engineer stated that he would double check the plan and computations for the freeboard of 2' above the maximum water surface elevation of the basin.

After discussion, and upon a Chism/Dalla Piazza motion, the PTPC voted unanimously to table this plan for address Engineer comments.

### **OLD BUSINESS**

**Charles Stoner Zoning Map Change Request** – Secretary presented the Zoning Map and a copy of the pertinent Zoning Ordinance from Wheatfield Township that was requested from the PTPC. A copy of the letter sent from Mrs. Sam Smith of 14 Rupp Road was presented to the PTPC. Mr. Floyd Smith asked Mr. Stoner why he wants to zoning change. Mr. Stoner stated that he want to stop commercial farming from coming in the future. Mr. Smith asked if there were plans to develop this property later. Mr. Stoner stated that is a possibility. Mr. Steven Smith of Linton Hill Road asked if this would increase the traffic on Linton Hill Road. He is worried about his children and asked if children at play signs could be placed on this road. The PTPC informed Mr. Smith that if this land was developed an increase in traffic would happen and that the issue of children at play signs had to be addressed to the Township Supervisors.

Further discussion on this matter between the PTPC members resulted in a request for the Zoning Officer to offer his comments on the proposed change and for Township Engineer to review and comment on the planning issues in relation to the Township Comprehensive Plan for the next meeting.

After discussion, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table this matter until the January 16, 2006 meeting.

**Penn Township Planning Commission  
Summary Report for the Year 2005**

**Page 21 of 21**

**NEW BUSINESS**

**Applicants for PTPC Board** – Secretary presented Don Carpenter and Craig Raynor as applicants to fill the two vacancies on the PTPC. After talking with Mr.'s Carpenter and Raynor, the PTPC directed Secretary to advertise for more applicants.

Respectfully Submitted;

Arthur Dalla Piazza  
Secretary