

**Penn Township Planning Commission**  
**Perry County**  
**100 Municipal Building Road**  
**Duncannon, PA 17020**  
**(717) 834-5281 Fax: (717) 834-6854**  
E-mail Penntownship@earthlink.net

**MINUTES OF JULY 17, 2006**

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The Penn Township Planning Commission (PTPC) met on July 17, 2006 at 7:00 p.m. in the Municipal Building. PTPC members present were Art Dalla Piazza, Ed Chism, Brian Maguire, Rachel Mullen, and Ken Martz. Others present were Township Secretary Helen Klinepeter (Secretary), Township Engineer Max Shradley (Engineer) and Christopher Knarr of Rettew. A list of visitors attending is available in the Township Office. The meeting was recorded to aid in the preparation of the minutes. Chairman Chism called the meeting to order.

**MINUTES** – The minutes of the May 15, and June 19, 2006 PTPC meeting were presented. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to approve the May 15, 2006 PTPC minutes. At the request of the Secretary, and after discussion, upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table the June 19, 2006 minutes.

Chairman Chism, being a contractor Business Campus One turned the meeting over to Vice-Chairman Dalla Piazza, since Mr. Arnold is connected with the BCO.

**VISITORS**

**Dave Arnold, Mallard Enterprises** – Mr. Arnold offered that he is interested in buying a lot in BCO, and he has already talked to the Supervisors about his business. He offered that he has a handout to show the trips generated by Mutzabaugh's Market and his estimated traffic patterns. Mr. Arnold informed the PTPC that he has 16 trucks, and the trucks would only be coming into yard and sitting for one to three days of down time. The down time would only be 8 trucks at a time, and there would be no loading or unloading of products. He offered also that some of the trucks would be taken home with the driver unless the truck needed servicing.

Mr. Dalla Piazza asked what the normal time of day for trucks to be at the business. Mr. Arnold offered that 9 a.m. to 9 p.m. Ms. Mullen asked how many local drivers are employed by Mr. Arnold. Mr. Arnold answered 23 or 24 drivers total and 8 drivers in Perry County. Mr. Maguire stated that there is projection of growth up to 2007. Is there any growth projected beyond 2007. Mr. Arnold offered not yet. Mr. Martz asked how much and what types of maintenance of the trucks are done in house. Mr. Arnold offered that it would be preventive maintenance only. He continued that the company has a contract for more extensive repairs.

**Virginia Barr, Realtor for BCO** – Ms. Barr asked about the timeframe required to consider the requested changes to the BCO zoning designation. Engineer offered that he has drafted some changes to the ordinance, but that since the PTPC had just received the information, he did not know if it would be discussed tonight.

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Ms. Barr asked for direction on Mr. Arnold position. The PTPC suggested that Mr. Arnold talk to the Zoning Officer.

**SUBDIVISION/LAND DEVELOPMENT PLANS**

**Sam Krick Final Subdivision, File 2006-05** – Secretary informed the PTPC that Penn Township Municipal Authority (PTMA) received a letter from the Duncannon Borough that the sewer mains along Market Street would have to be televised before verification of sewer capacity could be discussed. After discussion, and upon a Maguire/Mullen motion, the PTPC voted unanimously to table this plan.

**Lisa J. Laird Final Subdivision Plan, File # 2006-07** - Charlie Cook of Act One represented Ms. Laird. Engineer reviewed the outstanding items. A discussion took place regarding Lot 8, Tract 2. Engineer noted that Tract 2 is not contiguous with Tract 1, nor does it meet the minimum lot requirements. Mr. Cook offered that due to the hydrological study being completed, and meeting with DEP, the DEP official stated that, if every lot could touch the lot line bordering the creek, the module should pass. The easement through the panhandle of Lot 9 would be a groundwater easement. Mr. Cook showed the PTPC the directions and requirements from DEP. The PTPC requested that Mr. Cook incorporate Lot 8, Tract 2 and Tract 1 with a note regarding the easement.

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

After due consideration, and upon a proper motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, Erosion and Sedimentation Control Plan of the Subdivision and Land Development Ordinance, since the Erosion and Sedimentation Control measures shown on the plan are adequate for the proposed minor earth disturbance.

After due consideration, and upon a proper motion, the PTPC voted unanimously to recommend approval of the AOR for Section 406, Stormwater Management Plan of the Subdivision and Land Development Ordinance since the proposed private drive is to be constructed at grade and will be gravel, and there is no additional impervious surface proposed.

After due consideration, and upon a proper motion, the PTPC voted unanimously to recommend approval of the Lisa Laird Final Subdivision Plan, File # 2006-07, contingent upon following items being completed.

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1. The lot areas shown on Sheet 1 of 3 and Sheet 2 of 3 shall be corrected to show consistency.
2. The statement of ownership and the dedicatory statement should be signed and notarized.
3. The Planning Module shall be approved by the DEP prior to final approval of the plan.
4. The SEO shall state the lots are suitable for an on-lot system.
5. Lot 8, Tract 2 shall become part of Lot 8, Tract 1 with a groundwater easement through Lot 9 with the provisions of no building or earth movement allowed except for the driveway.
6. The zoning comments shall be approved by the Zoning Officer.
7. All changes shall be to the Engineer no later than July 21, 2006.

After discussion, and upon a Martz/Mullen motion, the PTPC voted unanimously for Brian Maguire to sign the DEP Module upon receipt.

**OLD BUSINESS**

**2004 & 2005 PTPC Summaries** - After discussion, and upon a Chism/Martz motion, the PTPC voted unanimously to table this item.

**NEW BUSINESS**

**Brian Foster** – Mr. Foster asked what the Environmental Advisory Committee (EAC) covered. Mr. Chism informed him that the EAC is concentrating on Recycling at this moment and that other items could come into play in the near future.

**BCO Zoning Request** – Engineer and Mr. Knarr presented the draft changes for BCO as requested. Engineer handed the topic to Mr. Knarr for a quick overview. He offered that he was given the directive to incorporate some permitted uses into the Mixed Use Commercial (MUC) District and to change the zoning of the MUC district along SR 11/15 to Commercial. This would address the Zoning Officer's concerns about some of the proposed uses building along SR 11/15.

**Section II – Definitions** – Mr. Knarr offered that some new definitions were added to coincide with the proposed permitted uses.

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1. The modification of the **General Industrial Use** definition to involve the process or manufacture of semi-finished or finished materials or products from extracted and/or raw material.
2. The modification of the **Limited Industrial Use** definition to involve manufacturing predominately from previously prepared semi-finished or finished materials or products.
3. The **Manufacturing** definition was added.
4. The **Research and Development** and **Research Laboratory** definitions were added. Mr. Chism offered that the type of research should be listed or some types of research be prohibited.
5. The **Warehouse, Warehousing, Distribution and Wholesaling, and Wholesale** definitions were added to distinguish the differences.

**SECTION 903 - Industrial Uses** – Mr. Knarr offered that the permitted uses describing warehousing and industrial activities primarily performing conversion, assembly, or non-toxic chemical operations were removed to Light Industrial. The addition of Limited Industrial Uses by right was added. There will also be supplemental criteria that must be met for the different uses.

**Article X – Mixed Use Commerce District** – Mr. Knarr offered that the designation would change from MUC to Mixed Use- Light Industrial/Commerce District (MU-LIC). The Limited Industrial Uses were added to the permitted uses and some accessory uses were added and designated some accessory uses to be for the benefit of the servicing employees of the site and adjacent properties within the district. Mr. Knarr pointed out that Section 1007 was amended for the side and rear setback. Mr. Knarr also offered that Section 1010 and 1011 Landscaping and Structural Sighting and Design were added.

**SECTION 1310 through 1315** – Mr. Knarr offered that these sections had additions to comply with the changes in the Industrial and MU-LIC districts.

**SECTION 1316** – Mr. Knarr offered that this section on Air Pollution was added for control.

**SECTION 1317** – Mr. Knarr offered that this section on Electromagnetic Interference was added.

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**SECTION 1318** – Mr. Knarr offered that this section on Fire and Explosive Hazards was added.

**Section 1319** – Mr. Knarr offered that this section on Glare and Heat was added to control.

**Section 1320**- Mr. Knarr offered that this section on Toxic and Hazardous Substance storage was added for control.

**Section 1321** – Mr. Knarr offered that this section on Ground Vibration was added.

**Section 1322** – Mr. Knarr offered that this section on Traffic Study Standards was added for additional protection of excessive vehicle traffic.

**Sections 1629, 1631, 1633, 1651, and 1652** – Mr. Knarr offered that these sections were amended and added to provide additional conditions for the proposed use changes.

After discussion, the consensus of the PTPC was to copy the Board of Supervisors with these comments and ask them to provide direction on the proposed changes. The choices submitted to the PTS were to proceed with the proposed changes, just place the conditional uses discussed as permitted uses under the MUC, or not to change anything.

Vice-Chairman Dalla Piazza returned the meeting to Chairman Chism.

**OPEN SPACE DEVELOPMENT**

Chairman. Chism started with the questions put to the Engineer after the special meeting on Open Space Development.

1. Why is High Residential (R2) zone not in the Open Space section? Mr. Knarr offered that the ordinance does not permit it because the open space is to bring the buildings closer together and the R2 zone already does this in town homes, apartments, and duplexes. This is not permitted due to calculation.

2. In Section 1641.2.A the word “permitted” is contradictory to the Conditional Use of Open Space. Why? Mr. Knarr offered that the wording does not permit by Conditional Use. The qualifiers in Article IV, V, and VI are the Board of Supervisors approval and all other provisions are covered in the Zoning Ordinance. The wordage will be clarified.

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3. What is the difference between individual and community On-lot Sewage Disposal system? Mr. Knarr offered that individual on-lot sewage disposal is one system per lot/residence. The community On-Lot Sewage Disposal system is placed off the individual lot within a separate tract for two or more lots/residences. This could be either a treatment plant or a large on-lot system. A discussion commenced on where the placement of the community on-lot sewage disposal system is located. Ms. Mullen suggested a clarification of the definition of common and restricted open space

4. & 5. What is base zoning? If dual zones are on one tract of land, what is the base zone? Do we need a definition? How do you calculate the yield plan in dual zones? Mr. Knarr offered that base zoning is the density calculation for each zone. If there were dual zones, each zone would be calculated separately. Mr. Knarr offered that he would add language to permitted calculation. (Section 1641.4.b)

6. Where is Section 1642.4.c (4)? Mr. Knarr offered that this is typographical error.

7. Please explain Section 1641.6.a (2) and Section 1641.a (4). Mr. Knarr offered that lands with steep slopes, floodplains, or wetlands cannot be more than 15% of the required open space. i.e. 100 acres in R1 has 35% or 35 acres open space, 15% of 35 acres is 5.25 acres. Therefore only 5.25 acres of the open space can be steep slopes, floodplains, or wetlands. Mr. Knarr explained that if there were more steep slopes, floodplains, or wetlands than the 15% that the developer wishes to place as open space, the developer would have to increase the percentage of area for open space designation to comply with the 15% allowance.

**Newsletter** - Secretary informed the PTPC that any newsletter articles are due by August 11, 2006.

Upon the completion of all business and with a Maguire/Dalla Piazza motion, the PTPC voted unanimously to adjourn the meeting at 11:58 p.m.

Respectfully Submitted,

Brian R. Maguire  
Secretary