

Penn Township Planning Commission
Perry County
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NOVEMBER 6, 2006

Page 1 of 5

The Penn Township Planning Commission (PTPC) met on November 6, 2006 at 6:30 p.m. in the Municipal Building. PTPC members present were Edward Chism, Art Dalla Piazza, Rachel Mullen, Ken Martz and Township Secretary Helen Klinepeter (Secretary). A list of visitors attending is available in Township Office. The meeting was recorded to aid in the preparation of the minutes. Chairman Ed Chism called the meeting to order.

VISITORS

Dr. Alan Schwartz- Mr. Gay Waughtel represented Dr. Schwartz concerning an amendment to his plan for the Cove Mountain Animal Hospital Land Development Plan. Mr. Waughtel explained that Dr. Schwartz would like to amend his subdivision plan by adding a sixteen foot eight inch (16'8") by forty-four foot (44') or seven hundred thirty-three (733) square feet living quarters. The living quarters would be single story and there would be no change in the maximum impervious coverage. The consensus of the PTPC was for the information to be placed on a plan and to be submitted to the Township Engineer for Stormwater Calculations.

NATURAL FEATURES OVERLAY - Chairman offered that the PTPC needs to decided if the Natural Features Overlay is part of the Curative Amendment or not. Secretary offered that the Solicitor stated that the amendment could be adopted at the same time but as a separate ordinance. After discussion and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously that the Natural Features Overlay is not part of the Curative Amendment.

The PTPC reviewed the language for the natural Features Overlay with the following changes to be made:

1.1 PURPOSE

The purpose of the Natural Features Overlay District is to ensure the public health, safety and welfare through the protection of slopes, streams, wetlands, and surface waters all of which are considered some of the Township's most important natural resources.

1.2 CONFLICT

2. In the event that two (2) or more natural resource areas identified in this Section overlap, the ~~resources~~ **resource** with the most restrictive standard (the least amount of permitted alteration, ~~regarding,~~ regarding, clearing, or building) shall apply to the area of overlap.

1.3 STREAM PROTECTION OVERLAY ZONING DISTRICT

A. PURPOSE

Streams and the natural areas around them are important hydrological and environmental assets. It is the intent of this plan overlay district to preserve natural and man-made waterways.

B. ESTABLISHMENT OF STREAM PROTECTION OVERLAY BOUNDARIES

The Stream Protection Overlay shall consist of ~~a land strip on each side of a perennial stream.~~ **strip of land on each side of and including a perennial stream.** The Stream Protection Overlay boundary shall be based on an investigation of critical environmental features that are related to the waterway. The total extent of the critical areas in or adjacent to the perennial stream shall be considered in determining the boundaries of the Stream Protection Overlay...

C. DETERMINING THE CRITICAL AREAS

1. Alluvial Soils (DEFINE)

All alluvial soils adjacent to the perennial stream, For the purpose of this section, these areas are considered hydrologically related to the waterway.

2. Wet Soils (DEFINE)

All wet soils immediately adjacent to or **any portions** bordering within fifty (50) ...

3. Steep Slopes

(Steep slopes ~~equals~~ greater than 15% ~~and greater~~ in FC Zoning District and 25% in the AR and R-1 Zoning Districts.)

4. Wooded Areas

Where forested land having a predominance of trees of four-inch caliper **and measured from 12 inches from the ground** or greater exists within fifty (50) feet of the stream bank or drainage way. The Stream Protection Overlay boundary will include wooded areas within ~~one hundred (100)~~ fifty (50) feet ~~from~~ of the stream bank.

D. PERMITTED USES

The following shall be permitted uses in the Stream Protection Overlay, provided that they are in compliance with the provisions of the underlying zoning district and are not prohibited by another ordinance, and provided that they do not require building(s), fill or storage of materials and equipment and no-till farming.

~~Crop and~~ tree farming, ~~pasturing~~, truck gardening, horticulture, aviaries, apiaries and similar enterprises, wild ~~crop farming~~ excluding other General and Specialized farms including Intensive Animal Operations, ~~requiring the installation and use of building(s), fill or storage of materials and equipment.~~

2. Nurseries, excluding greenhouses;
- ~~3. Agriculture, including general farming, pasture grazing, outdoor plant nurseries, horticulture, truck farming, no till planting and wild crop harvesting, excluding Intensive Animal Operations;~~
4. Conservation areas for the conservation of open space, water, soil and wildlife resources ~~excluding structures;~~
6. Educational or scientific use, ~~not involving buildings or structures;~~
9. Parks and passive recreational areas ~~not involving structures;~~

E. PROHIBITED USES

2. ~~Unenclosed~~ storage or stockpiling of manure.

F. STANDARDS

1. This buffer shall contain no more than fifteen (15) percent of structural areas of an impervious or non-impervious surface.
2. At least ~~seventy (70)~~ eighty (80) percent of the shoreline buffer area shall remain in its natural state as open space.
3. The Stream Protection Overlay shall be established at the time of **the application for** subdivision or land development or the application for a zoning permit if there is no subdivision or land development proposed.
5. In all zoning permit applications, the Stream Protection Overlay shall be shown on a drawing indicating the location and measurements of the overlay district in accordance with ~~the above standards~~ **this section.**

SURFACE WATER PROTECTION OVERLAY ZONING DISTRICT

A. PURPOSE

~~Streams~~ lakes and ponds and the natural areas around them are important hydrological and environmental asset~. It is the intent of this Overlay District to preserve these natural and man-made assets. By protecting this asset, the Township intends to:

B. ESTABLISHMENT OF SURFACE WATER PROTECTION OVERLAY BOUNDARIES

The Surface Water Protection Overlay Zoning District shall be established as the area in or within twenty-five (25) feet of a lake or pond ~~All natural and manmade lakes, ponds and established easement areas shall remain in permanent open space. Because these areas~~

~~may relate to other hydrologic features, no development or diverting of these water bodies shall be permitted without proper approval from PA DEP.~~

C. PERMITTED USES

Permitted uses are as follows: **Numbers 9 through 19 are added to this section.**

9. Agriculture, including general farming, pasture grazing, outdoor plant nurseries, horticulture, truck farming, no-till planting and wild crop harvesting, excluding Intensive Animal Operation;

10. Conservation areas for the conservation of open space, water, sell and wildlife resources, excluding structures;

11. Required and common open space;

12. Educational or scientific use, not involving buildings or structures;

13. Fishing, swimming, boating and hunting;

14. Trail access to the stream or drainage way and trails in linear parks;

15. Parks and passive recreational areas not involving structures;

16. Accessory residential and/or commercial uses such as gardens play areas, picnic areas or fences;

17. Essential Services provided they are installed underground;

18. Easements for drainage, access, sewer or water lines, or other public purposes;

19. Underground utility rights-of-way.

D. STANDARDS

1. This buffer shall contain no more than fifteen (15) percent of **structural areas of an impervious or non-impervious surface.**

2. At least ~~seventy (70)~~ **eight (80)** percent of the shoreline buffer area shall remain in its Natural state as open space.

3. The Stream Protection Overlay shall be established at the time of **the application for** subdivision or land development or the application for a zoning permit if there is no subdivision or land development proposed.

5. In all zoning permit applications, the Stream Protection Overlay shall be shown on a drawing indicating the location and measurements of the overlay district in accordance with the **above standards this section.**

NOVEMBER 6, 2006

Page 5 of 5

Secretary was instructed to ask the Engineer if there are or will there be any changes needing to be made to the Subdivision/Land Development Plan due to the Overlay.

After discussion and upon a Dalla Piazza/Mullen motion, the PTPC voted unanimously to adjourn the meeting at 10:00 p.m.

Respectfully Submitted;

Brian R. Maguire
Secretary