

**Penn Township Planning Commission  
100 Municipal Building Road  
Duncannon, PA 17020**

**NOVEMBER 20, 2006**

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The Penn Township Planning Commission (PTPC) met on November 20, 2006 at 6:30 p.m. in the Municipal Building. PTPC members present were Brian Maguire, Art Dalla Piazza, Rachel Mullen, and Ken Martz. Others present were Township Secretary Helen Klinepeter (Secretary) Township Engineer Max Shradley (Engineer), and Christopher Knarr. A list of visitors attending is available in Township Office. The meeting was recorded to aid in the preparation of the minutes. Vice-Chairman Dalla Piazza called the meeting to order.

**Visitors** - All visitors were acknowledged.

**CORRESPONDENCE** – Secretary presented the PTS letter approving the Doug McGonnel & Erin Green Flood Plain Plan (Building Permit).

**SUBDIVISION AND LAND DEVELOPMENT PLAN (SALDO)**

**Dr. Alan Schwartz** – Mr. Guy Waughtel represented Dr. Schwartz concerning an amendment to his plan for the Cove Mountain Animal Hospital Land Development. Mr. Waughtel explained Dr. Schwartz would like to amend his subdivision plan by adding 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. Engineer confirmed that the change in the impervious coverage is still under maximum percentage allowed and that the Stormwater will not be affected. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the amendment to the Cove Mountain Animal Hospital Land Development Plan, File # 2006-04.

**Warden Final Subdivision Plan, File # 2005-06** - Secretary presented the time extension request for ninety days (March 27, 2007). After due consideration, and upon a Maguire/Martz motion, the PTPC voted unanimously to recommend approval of the Time Extension for ninety days for the purpose of acting upon and/or reviewing the Warden Final Subdivision Plan, File # 2005-06.

**Sam Krick Final Subdivision Plan, File # 2006-05** - Secretary presented the time extension request for sixty days. After due consideration, and upon a proper motion, the PTPC voted unanimously to recommend approval of the Time Extension for sixty days for the purpose of acting upon and/or reviewing the Sam Krick Final Subdivision Plan, File # 2006-05

**OLD BUSINESS**

**OPEN SPACE DEVELOPMENT- (CURRATIVE AMENDMENT) – PERRY COUNTY (COUNTY) COMMENTS**

**Background/Summary** – The statement of the County that the present status as a principle permitted use is incorrect. The Open Space Development is a conditional use from the inception of the Zoning Ordinance.

**ANALYSIS**

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**The Perry County Comprehensive Plan** – The County stated that both the 1992 Perry County Comprehensive Plan and the 2006 Draft Perry County Comprehensive Plan support the proposed amendment. **The PTPC concurred with these statements.**

**Regional Growth Management Plan** – County recommended strategy is to adopt and utilize “Growing Greener” development. **Mr. Knarr reminded that he recommended this earlier but that it is beyond the purview of what was being done with the Open Space Development.**

Impacts on Surrounding Neighborhood & Traffic – The County states that Open Space is a site-specific item and need to be review on a case-by-case basis. **The PTPC agrees.**

**OTHER ISSUES**

1. County’s comment that by relegating Open Space Subdivision design to a conditional use status, the likelihood of an applicant actually pursuing this option will be diminished. **The PTPC comment is that the Open Space Development was a conditional use from the inception of the Zoning Ordinance.**

2. The County’s statement that neither the present ordinance language nor the proposed municipal curative amendment provides a guarantee of a specified percentage dwelling unit density bonus. As a result, no real incentive exists for any developer to pursue this option. **The PTPC does not agree with this statement. The specified percentage dwelling unit density will be determined by the yield plan.**

3. The County’s comment on the definition of Restricted Open Space still existing in Article II (Definitions) should be eliminated if not used. And the corresponding comment on the definition of Required Open Space needs to be listed. **The PTPC recommends that Required Open Space be defined as follows.**

**Required Open Space - The portion of an open space development in accordance with Section 1641 of this Ordinance and determined by calculation of a certain percentage of the parent tract that shall be set aside for permanent protection. Activities within the open space are restricted in perpetuity through the use of an approved legal instrument set forth in Section 1641 of this Ordinance.**

4. The County’s comment for the initial paragraph 1641.2.f. (3)(e)(2) a could be improved by replacing “Township may, but shall not be required, to accept dedication...” with “Applicant may, but shall not be required to, dedicated easements...” (Page XVI-20) **The PTPC recommends leaving the language as is.**

5. The County’s comment for the initial paragraph 1641.2.f. (3)(e)(2) d could be improved by replacing “Township may, but shall not be required to, accept easements for public

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use of an any portion or portions of required open space land. The title ...” with “The Applicant may, but shall not be required to, offer dedication to the Township in the form of fee simple title...” (Page XVI-240). **The PTPC recommends leaving the language as is.**

6. The County’s comment that the scenario found in 1641.2.f (1)(a) 2.a.j, does not provide requirements but instead offers an example of how to calculate the yield plan’s maximum allowable dwelling units. This scenario should be placed in the ordinance’s appendix, and cited in 1641.2.f. (3) (2) instead. **The PTPC recommends placing the word “EXAMPLE” above this section and to leave the text in the main body.**

7. The County’s comments on the typographical errors will be corrected. **The PTPC concurs.**

8. The County’s question on where the “buffer area” in 1641.2.f (3) (e) 1.a. (2) are identified is answered by the **PTPC adding the wordage of “as required in the Subdivision/Land Development Ordinance and the Zoning Ordinance”.**

**NATURAL FEATURES OVERLAY** - The PTPC reviewed the language for the natural Features Overlay with the following changes to be made:

**SECTION 1.3 (E) ~~PROHIBITED USES~~**

1. ~~Storing of junk;~~
2. ~~Unenclosed storage or stockpiling of manure.~~

**1.5 WETLAND PROTECTION OVERLAY ZONING DISTRICT**

**A. PURPOSE**

- (1) Wetland areas are indispensable and fragile hydrological natural resources that provide:
  2. Water-quality maintenance and pollution control **and ground water recharge.**
- (2) Damaging or destroying wetlands threatens public safety and the general welfare. Because of their importance, wetlands are to be protected from negative impacts of development and other activities. It is the intent of this Overlay District to:
  - a. Require planning to avoid and minimize damage of wetlands whenever prudent or feasible.
  - b. Require that activities not dependent upon wetlands be located to other upland sites.

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- c. Allow wetland losses only where all practical or legal measures have been applied to reduce these losses that are unavoidable and in the public interest.

**B. ESTABLISHMENT OF WETLAND PROTECTION OVERLAY BOUNDARIES**

The Wetland Protection Overlay shall apply to all lands in or within twenty-five (25) feet of a non-tidal wetland located within Penn Township. The Wetland Protection Overlay shall be based on a wetland investigation by the applicant's **qualified professional**. The Natural Features Map of the Penn Township Comprehensive Plan may be used as a guide for determining the general location of wetlands. Wetland delineations shall be performed in accordance with the procedures of the PA DEP as specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and any subsequent amendments thereto. ~~Wetland mitigation shall be permitted.~~ Wetland mitigation shall be approved by the PA DEP **and the Army Corps of Engineers**. Wetlands proposed to be mitigated shall not be considered part of the Wetland Protection Overlay.

**D. PERMITTED USES**

1. ~~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;~~
3. ~~Agriculture, including general farming, pasture grazing, outdoor plant nurseries, horticulture, truck farming, no-till planting and wild crop harvesting, excluding Intensive Animal Operation;~~
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;~~
12. Easements for drainage, access, sewer or water lines, or other public purposes; **and**

**E. PROHIBITED USES**

1. Storing of junk; ~~and~~
2. ~~Unenclosed~~ storage or stockpiling of manure.

**F. STANDARDS**

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3. In all zoning permit applications, the Wetland Protection Overlay District shall be shown on a drawing indicating the location and measurements of the overlay district. ~~(Wetland delineations shall be performed in accordance with the procedures specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and any subsequent amendments thereto.)~~

**BUILDING CAMPUS ONE (BCO) ZONING REQUEST** - After discussion and upon a Maguire/Martz motion, the PTPC voted unanimously to table this matter.

After discussion on having a December 2006 meeting, the consensus of the PTPC was that if no plans were submitted then the December meeting would be cancelled and the next meeting would be January 8, 2007 at 6:30 p.m.

After discussion and upon a Maguire/Mullen motion, the PTPC voted unanimously to adjourn the meeting at 10:05 p.m.

Respectfully Submitted;

Brian R. Maguire  
Secretary