

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

DECEMBER 18, 2006

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The Penn Township Planning Commission (PTPC) met on December 18, 2006 at 7:00 p.m. in the Municipal Building. PTPC members present were Chairman Edward Chism, Vice-Chairman Art Dalla Piazza, Brian Maguire, Rachel Mullen, and Ken Martz. Others present were Township Secretary Helen Klinepeter (Secretary) Township Engineer Max Shradley (Engineer), and P. Richard Wagner (Township Solicitor). A list of visitors attending is available in Township Office. Chairman Chism called the meeting to order and announced that the meeting was recorded to aid in the preparation of the minutes.

VISITORS - Solicitor Wagner announced that a stenographer contracted by a developer was presented and all comments will be stenographically recorded and will be used as deemed appropriate by the developer. He also asked that each person stand up and identified himself or herself for the stenographer.

All visitors were acknowledged.

CORRESPONDENCE

Secretary presented information concerning the 2007 Perry County Association of Township Officials 94th Annual Convention and requested to know if any members wished to attend to contact the Township by the next Planning Commission meeting in January 2007.

Secretary presented the Board of Supervisors (BOS) letter approving the Warden Property Subdivision Plan Time Extension until March 28, 2007.

Secretary presented the BOS letter approving the Sam Krick Final Subdivision Plan Time Extension until February 28, 2007.

SUBDIVISION AND LAND DEVELOPMENT PLAN (SALDO)

Samuel Krick Final Subdivision Plan, File # 2006-05 - Secretary presented the Penn Township Municipal Authority's (PTMA) approval and Duncannon Borough's verification for the Samuel Krick DEP Mailer. After discussion and upon Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the Samuel Krick DEP Mailer.

The Preserve at Mountainside – West Preliminary Subdivision/Land Development Plan, File # 2006-09 and **The Preserve at Mountainside – East Preliminary Subdivision/Land Development Plan, File # 2006-10** - Secretary presented to the PTPC the update from the PTMA and Zoning Officer stating that additional time is needed to complete the review of these plans. Chairman Chism asked the Engineer if he had his comments available. Engineer replied that he would need additional time for review.

Loudon Campbell of Eckert Seamans stated that he represents Mr. David Meiskin, the developer of The Preserve at Mountainside East and West. He offered that, as there were no comments at this time that Mr. Meiskin's Engineer, Mr. Craig Rahenkamp would like to make some general comments concerning the plans.

Mr. Rahenkamp offered that an application for a Planned Residential Development (PRD) which would use 200 of the 1100 acres was presented to the Township. The BOS has not acted on that request at this time. But as the PTPC has recommended against a PRD, the developer decided to look at the ability to develop under the existing ordinance. What is before the PTPC are two applications, but that are not the end of what will ultimately happen for the overall development. The Western portion is currently shown as a residential subdivision with 75 homes. The Western portion would have its own sewer plant; the location is shown on the plan as a large area. The developer is proposing individual wells in the Western portion. Mr. Rahenkamp offered that the Eastern portion would have three towers and 83 single-family homes. This is essentially the High Density Residential (R2) portion of the site. The developer is proposing to expand the existing sewage treatment plant and create a new water plant to service the central portion of the site and perhaps some of the neighbors around the site. The developer understands that there are some issues with user and connection fees dealing with the access of that plant. The developer is proposing the same number of units as proposed under the PRD.

In regard to the two applications currently under consideration, the developer has not submitted an application for the upper slopes of the overall mountain range. The developer is not abandoning the intention to develop the upper area. The developer anticipates the development of the hillside will be something that can be filed after the status of the ordinances is finalized.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table The Preserve at Mountainside – West Preliminary Subdivision/Land Development Plan, File # 2006-09 to allow time for the various staff comments to be presented.

After discussion and upon a Dalla Piazza/ Maguire motion, the PTPC voted unanimously to table The Preserve at Mountainside – East Preliminary Subdivision/Land Development Plan, File # 2006-10 to allow time for the various staff comments to be presented. Solicitor Wagner left the meeting.

OLD BUSINESS

NATURAL FEATURES OVERLAY – The PTPC reviewed the revised language of the Natural Features Overlay with the following changes being made.

1.3 STREAM PROTECTION OVERLAY ZONING DISTRICT

B. ESTABLISHMENT OF STREAM PROTECTION OVERLAY BOUNDARIES

The Stream Protection Overlay shall consist of a 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. Where critical areas do not exist, a minimum

buffer of at least twenty-five (25) feet from top of the bank or edge of the **ordinary** waterline **if there is no top of bank** on each side of the waterway shall be established. For purposes of this section the ordinary waterline shall be the point on the bank of a stream or watercourse where the presence and/or action of surface water is so continuous as to leave a distinctive mark by erosion, destruction of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic.

C. **DETERMINING THE CRITICAL AREAS**

The total extent of the critical areas adjacent to the perennial stream shall be considered in determining the boundaries of the Stream Protection Overlay. Critical areas include the following:

2. Wet Soils

All wet soils immediately adjacent to or any portions bordering within fifty (50) feet of the perennial stream. For the purpose of this section, these areas are considered hydrologically related to the waterway. Wet soils include springs and other intermittent **drainage stream** areas.

3. Steep Slopes

Where the base of a steep slope is fifty (50) feet or less from the stream or drainage way or if the stream or **drainage way channel** is in a ravine, the critical area shall extend to the top of the steep slope(s) or ravine plus an additional twenty (20) feet of moderate or lesser slope. (Steep slopes greater than 15% in FC Zoning District and **greater than 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-feet (50) of the stream bank or **drainage way channel**. The Stream Protection Overlay boundary will include wooded areas within fifty (50) feet **from** of the stream bank.

D. **PERMITTED USES**

14. **Private access and stream crossing; and**

15. **Reforestation and bank stabilization**

E. **STANDARDS**

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

2. **The buffer area along at** least eighty (80%) percent of the stream length shall remain in its natural state as open space.

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~~ **this section.**

1.4 SURFACE WATER PROTECTION OVERLAY ZONING DISTRICT

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 man-made 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.~~ Engineer stated that he will research this matter.

C. PERMITTED USES

- ~~4. Passive recreational areas not involving structures;~~
7. Crop and tree farming, pasturing, truck gardening, horticulture, aviaries, apiaries and similar enterprises, 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;~~
- ~~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, soil 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 area**.
2. At least eighty (80%) percent of the shoreline buffer area shall remain in its natural state as open space.
3. The ~~Stream Surface Water~~ 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.
4. In all subdivision and land development applications, the ~~Stream Surface Water~~ Protection Overlay shall be described by metes and bounds. A conservation easement covering the Stream Protection Overlay shall be provided in accordance with the Penn Township Subdivision and Land Development Ordinance.
5. In all zoning permit applications, the ~~Stream Surface Water~~ Protection Overlay shall be shown on a drawing indicating the location and measurements of the overlay district in accordance with the this section.

1.5 WETLAND PROTECTION OVERLAY ZONING DISTRICT

A. PURPOSE

10. 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~~.

~~E. PROHIBITED USES~~

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

F. STANDARDS

1. The Wetland Protection Overlay District 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 ~~involved~~ proposed. The 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.

BUSINESS CAMPUS ONE - Secretary presented the proposed changes to the Mixed Use Commerce Zone from the draft dated July 13, 2006 with the following changes being made.

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7. Monument Sales – The consensus of the PTPC is move Monument Sales are to be included in #15 Limited Industrial Uses
15. w. **Small** household appliances ~~excluding major appliances~~
15. y. ~~Small novelty products and prepared materials~~
16. Research and development is to be included under Conditional Uses
17. Warehousing, distribution and wholesaling facilities of products, supplies and equipment including lumberyards, building **contractors** and construction material, nursery and garden materials, and farm supply ~~and building material yards~~. (See Section 1629)

NEW BUSINESS

The PTPC asked the Secretary to contact the Solicitor regarding what is permitted in regards to photographers, video, and audiotape restrictions.

After discussion and upon a Maguire/Mullen motion, the PTPC voted unanimously to adjourn the meeting at 9:50 p.m.

Respectfully Submitted;

Brian R. Maguire
Secretary