

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

JANUARY 15, 2007

Page 1 of 8

The Penn Township Planning Commission (PTPC) met on January 15, 2007 at 7:00 p.m. in the Municipal Building. PTPC members present were Chairman Edward Chism, Brian Maguire, Art Dalla Piazza, Rachel Mullen, and Ken Martz. Others present were Township Solicitor, P. Richard Wagner (Solicitor), Township Secretary Helen Klinepeter (Secretary) and Township Engineer Max Shradley (Engineer). A list of visitors attending is available in Township Office. The meeting was recorded to aid in the preparation of the minutes.

Chairman Chism opened the meeting with the announcement that the PTPC met with the Township Solicitor and Engineer to clarify the Solicitor comments to Section 1641, Open Space, of the Zoning Ordinance until 7:00 p.m. and perhaps would return to reviewing the Open Space Development after regular business.

VISITORS

Robert Lightner, 1879 Valley Road, Marysville – Mr. Lightner informed the PTPC that he has received the information from Windsor Companies that he requested on November 11, 2006.

Jim Diamond, Eckert & Seaman – Mr. Diamond explained that he is the Solicitor for the developer of The Preserve at Mountainside East and West Preliminary Plans and that he is requesting that the plans be tabled for this meeting for the Developer's Engineer to review the Township Engineer, Township Zoning Officer and the Perry County Planning Commission comments.

The Preserve at Mountainside West Preliminary Plan, File # 2006-9 After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to table The Preserve At Mountainside West Preliminary plan due to the requirement of additional time for the Developer's Engineer review of the comments by the Township Engineer, Zoning Officer, Municipal Authority and Perry County Planning Commission.

After due consideration, and upon Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of a 30-day time extension for The Preserve at Mountainside West Preliminary Plan, File # 2006-9.

The Preserve at Mountainside East Preliminary Plan, File # 2006-10 After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to table The Preserve At Mountainside West Preliminary plan due to the requirement of additional time for the Developer's Engineer review of the comments by the Township Engineer, Zoning Officer, Municipal Authority and Perry County Planning Commission.

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

JANUARY 15, 2007

Page 2 of 8

After due consideration, and upon Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of a 30-day time extension for The Preserve at Mountainside East Preliminary Plan, File # 2006-10.

Steve Hechert, Marysville – Mr. Hechert asked if the PTPC had received the necessary comments from all the entities involved. Chairman Chism offered that the Penn Township Municipal Authority has not submitted their report.

MINUTES – Secretary presented the minutes of June 19, 2006 and July 17, 2006 for approval. After discussion and upon Dalla Piazza/Mullen motion, the PTPC voted to approve the June 19 and July 17, 2006 minutes with corrections.

OPEN SPACE DEVELOPMENT – Chairman offered that the Solicitor, Engineer and PTPC reviewed the Solicitor's comments with the following amendments to the proposed ordinance being presented to the PTS.

Section 1641 – Open Space Development

2. Applicability

a. Zoning Districts Permitted

Open space developments shall be permitted only by conditional use in the FC, AR and R1 Zoning Districts. The applicant shall ~~demonstrate, to the satisfaction of the Board of Supervisors, compliance~~ **comply** with all design standards, requirements and criteria of this Section, as well as all other applicable provisions of the Zoning Ordinance.

d. Sensitive Area Disturbance

The proposed open space development design shall ~~strictly~~ minimize disturbance of environmentally sensitive areas, as shown on the Existing Resources and Site Analysis Plan. Lands within the one hundred (100) year floodplain, wetlands, slopes greater than or equal to sixteen (16) percent in the FC zoning district and prohibitive slopes greater than or equal to twenty-five (25) percent in the AR and R1 zoning districts, and rock outcroppings constitute such environmentally sensitive areas, where disturbance shall be ~~strictly~~ minimized. Demonstration by the applicant that these features will be protected by the proposed application shall be prerequisite to approval of both the Preliminary Plan and the Final Plan.

e. Water Supply and Sewage Disposal

Open space developments shall be served by water supply and sewage disposal

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

JANUARY 15, 2007

Page 3 of 8

systems in accordance with the provisions of the Penn Township Subdivision and Land Development Ordinance, Penn Township Sewage Facilities (Act 537) Plan and any state or federal regulations. The applicant shall ~~demonstrate, to the satisfaction of the Board of Supervisors that an~~ **provide** adequate water supply and adequate method for sewage disposal exists for the intended residential and open space uses within open space developments. The Board of Supervisors ~~may~~ **shall** also require agreements and financial assurances to ensure proper long-term operation, maintenance, and ownership of the water supply and sewage disposal systems as part of the subdivision and land development approval.

f. Plan Processing

(1) Yield Plan

(a) Maximum Number of Dwelling Units Permitted Calculation

1. a. The Yield Plan must be prepared ~~as a realistic layout plan in compliance with the ordinance~~ including the location and siting of proposed building lots for dwelling units specifically meeting the minimum required lot area and minimum lot width requirements of the applicable base zoning district, as well as the streets, right-of-way, and other pertinent features, in accordance with the minimum requirements for Sketch Plans as stated in Article 3 of the Penn Township Subdivision and Land Development Ordinance, and any other applicable Township ordinances. These minimum required building lot area dimensions shall be exclusive of all wetlands, slopes greater than or equal to sixteen (16) percent in the FC zoning district and prohibitive slopes greater than or equal to twenty-five (25) percent in the AR and R1 zoning districts, and land under high-tension electrical transmission lines (69kV or greater). No more than twenty-five (25) percent of an individual building lot's minimum required building lot area may consist of land within the one hundred (100) year floodplain, and only then if it is free of wetlands.
- b. Although it must be drawn to scale, the Yield Plan need not be based on a field survey. However, ~~it must be a realistic layout~~ **the Yield Plan must be**

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

JANUARY 15, 2007

Page 4 of 8

in compliance with the ordinance reflecting a conventional development pattern that could reasonably be expected to be developed, taking into account the presence of wetlands, floodplains, slopes greater than or equal to sixteen (16) percent in the FC zoning district and prohibitive slopes greater than or equal to twenty-five (25) percent in the AR and R1 zoning districts, existing easements or encumbrances and, if un-sewered, the suitability of soils for subsurface sewage disposal. The maximum number of dwelling units for any proposed open space development shall not exceed the final maximum number of dwelling units in the approved Yield Plan.

2. On those sites not served by central/public sewage disposal, the number of lots shall be ~~further~~ determined by **the calculation hereinafter set forth:** evaluating the number of dwelling units that could be supported by individual on-lot sewage disposal systems on conventional lots. Based on the presence of important natural features and resources proposed to be preserved as part of the minimum required open space, identified as part of the ~~inventory and analysis~~ **Existing Resources and Site Analysis Plan** the Township shall select a ten (10) percent sample or at least two (2) of the lots, whichever is greater, considered to be marginal for on-lot sewage disposal. The applicant is required to provide evidence that these lots meet the standards for an individual on-lot sewage disposal system in the form of probe and perc test complying with all applicable Pennsylvania Department of Environmental Protection (DEP) and Township requirements. If all lots identified for the sample meet such individual on-lot sewage disposal system standards, then the applicant shall be granted the full number of lots determined by the Yield Plan. Should any of the lots in a sample fail to meet the standard for individual on-lot sewage disposal systems, those lots shall be deducted from the final Yield Plan total, and a second ten (10) percent sample or at least two (2) of the lots, whichever is greater shall be selected by the Township and tested for compliance. In determining the number of lots required to be tested in the second and subsequent ten (10) percent samples, only ten (10) percent of the total number of lots which have not been previously tested shall be used. This process shall be

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

JANUARY 15, 2007

Page 5 of 8

repeated until all lots in a given sample meet the standard for an individual on-lot sewage disposal system. For purposes of determining the number of lots to be tested, any fractional remainder shall be rounded up to the next highest whole number. See example below:

(2) Existing Resources and Site Analysis Plan

(b) The following information shall be included in this Plan:

10. Locations of all historically ~~significant~~ sites or cellar holes, stone walls, earthworks, public and private cemeteries or burial areas.

(3) Open Space Development Concept Plan

(c) Residential and Building Area Design Standards

4. The builder or developer ~~is urged to~~ shall consider variations in the principal building position and orientation, but shall observe the following minimum yard regulations:

8. While conformance to these area and bulk regulations ~~is~~ ~~are~~ not dependent upon any specific minimum lot area or dimensions, the applicant shall be required to ~~demonstrate to the satisfaction of the Township that all lots established under the~~ **comply with all the** provisions of this Section: ~~are of~~ **regarding the** appropriate size and shape relative to ~~provide for~~ the establishment of suitable private yard areas for all dwellings and adequate access for the management of any adjacent open space areas.

14. The applicant shall ~~demonstrate compliance~~ **comply** with applicable state and/or federal regulations of streams and wetlands. For any proposed activity requiring the submission of a wetland delineation report, stream or wetland encroachment

(e) Open Space Designation and Management Standards

1. General Standards for Open Space Designation

- a. Areas designated as required open space shall be consistent with the goals and strategies of the Penn Township Comprehensive Plan. The location and

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

JANUARY 15, 2007

Page 6 of 8

layout of required open space shall be configured so as to serve residents adequately and conveniently and to promote the conservation of the resources listed herein below. The required open space land shall consist of a mixture of Primary Conservation Areas (PCAs) and Secondary Conservation Areas (SCAs). All of the land identified as PCA must be included as part of the required open space.

PCAs comprise wetlands, one hundred (100) year floodplains, slopes greater than or equal to sixteen (16) percent in the FC zoning district and prohibitive slopes greater than or equal to twenty-five (25) percent in the AR and R1 zoning districts.

SCAs ~~should~~ shall include special features of the property ~~that would ordinarily be overlooked or ignored during the design~~ and include the following features:

- f. ~~Where deemed appropriate by the Board of Supervisors,~~ Open space areas shall be provided with sufficient perimeter parking, and with safe and convenient access by adjoining street frontage or other right-of-way or easement capable of accommodating pedestrian, bicycle, and maintenance and vehicle traffic, and containing appropriate access improvements.

(2) Standards for Ownership of Required Open Space

- e. Transfer of Easements to a Private Conservation Organization

~~With the permission of the Township,~~ An owner may transfer easements to a private, nonprofit, organization recognized by the Township, among whose purpose it is to conserve open space and/or natural resources, provided that:

- (1) The organization ~~is acceptable to the Board of Supervisors, and~~ is a bona fide conservation organization with perpetual existence;

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

JANUARY 15, 2007

Page 7 of 8

- (3) A maintenance agreement ~~acceptable to the Board of Supervisors~~ **is shall be** entered into by the developer, ~~and~~ the organization **and the Board of Supervisors.**

The Solicitor left the meeting.

SUBDIVISION AND LAND DEVELOPMENT PLAN (SALDO)

Samuel Krick Final Subdivision Plan, File # 2006-05 –Mr. Joe Burget, representative of Mr. Sam Krick, is requesting that the PTPC recommend approval of the Subdivision Plan. He explained that Duncannon Borough and Penn Township Municipal Authority have signed the DEP mailer and that DEP is reviewing the mailer at the present time. Engineer explained that the outstanding items were three alterations of requirement requests and minor 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 due to that this plan is a three lot subdivision of standard lots with no public improvements except for connections to public water and public sanitary sewer systems.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, *Erosion and Sedimentation Control Plan* of the Township Subdivision and Land Development Ordinance due to the plan proposing minimal earthmoving activities.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the AOR for Section 406, *Stormwater Management Plan* of the Township Subdivision and Land Development Ordinance due to the plan proposing minimal earthmoving activities and with little change to the existing flow of surface waters.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the Samuel Krick Final Subdivision Plan, File # 2006-05, contingent upon following items being completed.

1. The plan shall be provided with responsible preparer's seal/certification.
2. The statement of ownership shall be signed and notarized.
3. The dedicatory statement shall be signed and notarized by the owner.
4. The Sewage Planning Mailer shall be approved by DEP.

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

JANUARY 15, 2007

Page 8 of 8

OLD BUSINESS

Natural Features Overlay - After discussion and upon a Maguire/Martz motion, the PTPC voted unanimously to table this matter.

Building Campus One Zoning Request - After discussion and upon a Maguire/Martz motion, the PTPC voted unanimously to table this matter.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to adjourn the meeting at 7:40 p.m.

Respectfully Submitted,

Brian R. Maguire
Secretary