

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

MARCH 19, 2007

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The Penn Township Planning Commission (PTPC) met on March 19, 2007 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 and Township Secretary Helen Klinepeter (Secretary), Frank Chlebnikow (Engineer). A list of visitors attending is available in the 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 - All visitors were acknowledged.

MINUTES – Secretary presented the minutes of August 28, September 18, October 2, October 16, and October 23, 2006. After discussion and upon a Dalla Piazza/Mullen motion, the PTPC voted unanimously to approve the minutes of August 28, 2006. After discussion and upon a Dalla Piazza/Mullen motion, the PTPC voted unanimously to approve the minutes of September 19, 2006 with minor corrections. After discussion and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to approve the minutes of October 2, 2006 as corrected. After discussion Dalla Piazza/Mullen motion, the PTPC voted unanimously to approve the minutes of October 16, 2006. After discussion and upon a Dalla Piazza/Mullen motion, the PTPC voted unanimously to approve the October 23, 2006 minutes with minor corrections.

CORRESPONDENCE

Secretary presented the Board of Supervisors (BOS) letter approving the Jason Gehman Final Subdivision Plan for a time extension until May 30, 2007.

NATURAL FEATURES OVERLAY DISTRICTS – The Engineer presented the proposed changes for review by the PTPC. The following changes were made.

1.3 STREAM PROTECTION OVERLAY ZONING DISTRICT

- C.2 Wet soil shall be all areas within 50 feet of a perennial ~~or intermittent~~ stream, a spring, a seep, or other natural water source.
- C.3 (Steep slopes greater than 15% in FC Zoning District and greater than 25% in ~~the AR and R-1~~ all other Zoning Districts.)
- C.4 Where forested land having a predominance of trees of four-inch caliper or greater exists within fifty (50) feet of the top of the stream bank or in the absence of a defined top of bank, from the edge of the ordinary waterline of each side of the waterway, ~~The, the~~ Stream Protection Overlay boundary will include ~~wooded those~~ areas ~~within fifty (50) feet of the stream bank.~~

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1.4 SURFACE WATER PROTECTION OVERLAY ZONING DISTRICT

- A. By protecting ~~this~~**these** assets, the Township intends to:
- C.4 Trail access to adjacent open space; **and**
- D.1 This buffer shall contain no more than fifteen (15) percent of ~~a~~**pervious** or impervious structural areas.
- D.2 The buffer area along at least eighty (80) percent of the **affected surface water edge stream-length** shall remain in its natural state as open space.
- D.5 In all zoning permit applications, the 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 (1) ~~6~~**Scientific** study opportunities, **and**
- A (2) ~~2~~**Require** that activities not dependent upon wetlands **to** be located to upland sites; **and**
- B. Wetland mitigation shall be approved by the PA DEP and the Army Corps of Engineers. Wetlands **approved** ~~proposed~~ to be mitigated shall not be considered part of the Wetland Protection Overlay. **Wetland construction that is part of the mitigation plan shall be subject to the provisions of this section.**
- C. Where the applicant has provided a determination of the Wetland Protection Overlay, the Township Engineer or ~~the~~**a** person qualified by the **Army Corps of Engineers**, shall review, and may render adjustments to the boundary delineation. In the event that the adjusted boundary delineation is contested, the applicant may appeal to the Zoning Hearing Board for a variance.
- D. The following uses shall be allowed within the Wetland Protection Overlay to the extent that they are in compliance with the provision of the underlying zoning district and are not prohibited by any other ordinance, provided that they do not require structures, fill or storage of materials and equipment, and provided that a permit is obtained from the PA DEP and the ~~United States~~**Army Corps of Engineers**, if applicable.
- E. A conservation easement covering the Wetland Protection Overlay District shall be provided in accordance with the Penn Township Subdivision and Land Development **Ordinance**.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend adoption of the Natural Features Overlay District to the Board of Supervisors.

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SUBDIVISION AND LAND DEVELOPMENT PLAN (SALDO)

Warden Properties Subdivision Plan, File # 2005-06 – Secretary presented the letter from Alpha Consulting Engineers requesting a 90-day time extension. After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend a time extension for 90 days for the Warden Properties Subdivision Plan, File # 2005-06.

Kinkora Pythian Home Building Expansion Final Land Development Plan, File # 2007-02 – Judd Dayton of Evans Engineering represented Yiengst Homes, the developer for Kinkora Pythian Home. Mr. Dayton offered that this plan had been submitted before and later withdrawn. He continued that the sewage issues were addressed during the first submission. Mr. Dayton stated that he did not have any problems with the comments presented. After discussion and upon a Dalla Piazza/Maguire the PTPC voted unanimously to table the Kinkora Pythian Home Building Expansion Final Land Development Plan, File # 2007-02 for the outstanding comments to be addressed.

Duncannon Family Medical Center Final Land Development Plan, File # 2007-01 – Mr. Dave Weihbrecht of Alpha Engineering represented Chet Snavelly, the developer for the Duncannon Family Medical Center. Mr. Weihbrecht asked for clarification on some of the comments from RETTEW. He offered that he could not find in the SALDO the need for a waiver to submit a final plan when certain criteria were met. He offered that Section 302 states that PTPC could grant the plan be reviewed as final. Chairman Chism offered this is the process under review. A discussion commenced on the definition of land development in regards to residential versus commercial. The PTPC directed the Secretary to contact the Solicitor to ask if the PTPC could grant waivers for the commercial plans.

Mr. Weihbrecht offered that the comment requiring a NPDES permit does not apply. The Business Campus One Subdivision Plan had acquired a NPDES permit for the whole development. Engineer offered that at a minimum a copy of the permit should be presented.

Mr. Weihbrecht offered that a planning module is not needed as planning has been completed with the Business Campus One Subdivision Plan. Engineer offered that he does agree that the planning has been done and the approval may have been taken care of, but that there is no verification submitted with the plan. Chairman Chism asked if a letter from the Penn Township Municipal Authority (PTMA) stating that there is capacity in the lines would suffice for this comment. Engineer replied in the affirmative.

Mr. Weihbrecht offered comment regarding the need for sidewalk to be installed; the language in the SALDO does not require this under land development. He continued that normally sidewalks are addressed during the subdivision process. He asked if sidewalks are required. The PTPC requested the secretary to pull the Business Campus One Subdivision/Land Development Plan to review the question of sidewalks. A discussion on the need for sidewalks commenced.

Chairman Chism turned the meeting over to Vice-Chairman Dalla Piazza at 9:30 p.m. and abstained from voting due to his association with Business Campus One.

Mr. Snavelly offered that the comments presented by the staff and county are minor in nature and requested that the plan be recommended for approval. He offered that he could respond to these comments before the Board of Supervisors' meeting on March 28, 2007/.

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After discussion and upon a Maguire/Martz motion, the PTPC voted by a majority of 4-0 to recommend approval of AOR 304, Final Plan. Chairman Chism abstained.

After discussion and upon a Maguire/Martz motion, the PTPC voted by majority 4-0 to recommend approval of the Duncannon Family Medical Center Final Land Development Plan, File # 2007-01 contingent upon the applicant addressing the outstanding Engineer, Zoning Officer, and County comments no later than March 22, 2007, that a letter from the PTMA be received no later than March 28, 2007 and recommend that sidewalks be included for this plan. Chairman Chism abstained due to his association with Business Campus One. Chairman Chism abstained

Vice-Chairman turned the meeting back over to Chairman Chism.

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** - Chairman Chism offered that these plans continued to be tabled at the request of the developer.

OLD BUSINESS

MIX USE COMMERCE DISTRICT ZONING CHANGE – Chairman Chism offered that Article X is presented for final review of changes. The following items were changed:

Section 1001

The MUC – Mixed Use Commerce District is designed to promote a compatible combination of light industrial, ~~supported by;~~ **professional and commercial uses** in an aesthetically pleasing, and planned environment where such uses can complement or support each other and the surrounding environs.

Brian Maguire left the meeting at 10:45 p.m.

Building Height – A discussion commenced on placing a height restriction in the Zoning Ordinance. It was the consensus of the PTPC to review this matter at a later date.

NEW BUSINESS

FLOOD PLAIN ORDINANCE – Secretary presented the Floodplain Ordinance to the PTPC for review and possible amending. The consensus of the PTPC was to table this matter until a later date.

After discussion and upon a Maguire/Mullen motion, the PTPC voted unanimously to adjourn the meeting at 11:35 p.m.

Respectfully Submitted,

Brian R. Maguire
Secretary