

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

JUNE 18, 2007

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The Penn Township Planning Commission (PTPC) met on June 18, 2007 at 7:00 p.m. in the Municipal Building. PTPC members present were Chairman Edward Chism, Brian Maguire, Vice-Chairman Art Dalla Piazza, Rachel Mullen, and Ken Martz. Others present were 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 called the meeting to order.

VISITORS

Jerry Hirt, Kamp Street – Mr. Hirt is asking for a waiver of a land development plan. He explained that he has an existing rental trailer that he is changing the use from a rental property to a retail showroom/office. He explained that the Zoning Officer stated that he should have a Land Development Plan. Engineer asked Mr. Hirt if the trailer and garage are already in place and if there is parking available. Mr. Hirt stated that the trailer and garage is existing and that the parking is already in place. Chairman Chism asked how many parking spaces are with the trailer. Mr. Hirt offered that there are three parking spaces with each trailer. Engineer asked where the equipment would be stored. Mr. Hirt stated that the equipment would be in the storeroom inside the trailer. Mr. Hirt offered that the Township Solicitor told him that he would not need to have a land development plan being that structures are already in place. Chairman Chism asked if the Township Solicitor's answer is in writing. Secretary replied that the subject was not addressed during a public meeting so there are no minutes to support the statement. Engineer suggested that Mr. Hirt meet with the Zoning Officer to review the area and also to get a clarification on when land development begins especially in a case where building already exist and a change of use is desired.

CORRESPONDENCE

Secretary presented the PTS letter approving the Time Extension for Jason Gehman Subdivision Plan. Secretary presented the Solicitor's letters answering the questions from the PTPC concerning the Weaver/Hirt Plan, waivers, time extensions, and on Section 304.

Weaver/Hirt Plan - Chairman Chism offered that the question concerned whether a well had to be placed on the Lot 1 before the plan was approved. Chairman Chism stated that the Solicitor wrote that, it's the Township's responsibility to make sure the obligation is completed before approval of the plan.

Waivers – Chairman Chism offered that the question concerned whether the waivers mentioned in the documentation submitted by Penn 1155 LLC was considered a formal request for a waiver? Solicitor offered that, the waivers mentioned was not a formal request. The request needs to be submitted in writing and have a justification for the waiver.

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Time Extensions – Chairman Chism offered that the question was how many or how long should the time extensions be granted. Chairman Chism offered that the Solicitor and the Board of Supervisors both stated that the time extensions should be on a case-by-case basis.

Section 304 – Chairman Chism offered that the question concerned whether the PTPC has the authority to approve a Commercial Preliminary Plan as a final. Chairman Chism stated that the Solicitor wrote that the PTPC could always recommend an alteration.

SUBDIVISION/LAND DEVELOPMENT PLANS

The Preserve at Mountainside West Preliminary Plan, File # 2006-9 - Matt Coble of Eckert Seamans offered that he was present to answer any questions that the Board would have concerning the plan. Secretary offered that Jim Diamond, Solicitor for the developer, requested a time extension until September 30, 2007. Mr. Coble offered that due to the scheduling of the Zoning Hearing in August, he request that the time extension be granted to October 31, 2007. After due consideration, and upon Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of a time extension until October 31, 2007 for The Preserve at Mountainside West Preliminary Plan, File # 2006-9.

The Preserve at Mountainside East Preliminary Plan, File # 2006-10 Matt Coble of Eckert Seamans offered that he was present to answer any questions that the Board would have concerning the plan. Secretary offered that Jim Diamond, Solicitor for the developer, requested a time extension until September 30, 2007. Mr. Coble offered that due to the scheduling of the Zoning Hearing in August, he request that the time extension be granted to October 31, 2007. After due consideration, and upon Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of a time extension until October 31, 2007 for The Preserve at Mountainside East Preliminary Plan, File # 2006-10.

Chairman Chism offered that the plans named **The Preserve at Mountainside West Preliminary Plan, File # 2006-9** and **The Preserve at Mountainside East Preliminary Plan, File # 2006-10** are still tabled by the request of the applicant.

Furnley Frisch Request – Mr. Furnley Frisch explained that he wanted to join two lots into one lot. The lot with the house on it was created on January 19, 1980. The property with the driveway is a land locked piece of ground. Mr. Frisch explained that he would like to sell the lot with the house and the mortgage company wants the property with the driveway on one deed with the house. He stated that he wanted to do a simple lot addition, which he has laid out for the two lots. He also had two draft deeds. These deeds do not show the private road. Mr. Frisch stated that Watts subdivision on the other side of the road created a problem for this lot. The Subdivision and Land Development Ordinance (SALDO) states that a subdivision plan is required, however, Mr. Frisch feels that the original subdivision plan (dated 1980) is sufficient for his purposes of combining these two (2) lots now. Mr. Frisch is requesting to add the property with the driveway to the lot with the existing house. Ms. Mullen asked why the lots have to be one piece, why can't the properties be sold as two lots. Mr. Frisch offered that the mortgage company only wants to mortgage one property. Chairman Chism asked the Secretary what she knew about the matter. Secretary replied that according to the SALDO a plot plan is required.

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Chairman Chism questioned, can the PTPC accept an original subdivision plan for a re-division of the two lots. Engineer asked if the Chairman is indicating the plan that subdivides the two lots. Chairman replied in the affirmative. Ms. Mullen offered that the original plan does not show what Mr. Frisch wishes to do and that the definition of a Subdivision states “including changes in the existing lot”. Engineer offered that Mr. Frisch is asking that instead of submitting a formal subdivision plan that would show the joining of the two lots, he is asking that you accept the information he has provided rather than submit a formal plan, he is asking for an Alteration Of Requirements (AOR) for the submission of formal plan that could be reviewed and acted upon and recorded at the courthouse. Engineer offered that obviously he could get an attorney to write a deed joining the two lots.

Chairman Chism offered that there are two options before the PTPC, one is to require a plot plan and the other is to grant an AOR. Chairman Chism asked the Engineer what he would require on the plan. Engineer offered that Mr. Frisch has submitted most of the background information required for a subdivision plan; he would just have to put the background on a plan with signature blocks.

Mr. Frisch asked that since this property is part of a 26-acre lot would he have to subdivide the rest of the lot. Chairman Chism offered that the driveway property is part of the 26-acre lot a plot plan would have to be presented.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table this request for the Engineer to talk to the Solicitor regarding if this is a proper application.

Warden Properties Subdivision Plan, File # 2005-06 – Secretary presented the letter from Alpha Consulting Engineers requesting a 90-day time extension due a change in the plan and water issues needing to be finalized. After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend a time extension until September 25, 2007 for the Warden Properties Subdivision Plan, File # 2005-06.

Chairman Chism offered that the Engineer for Alpha Consulting had attended the Penn Township Municipal Authority and stated that the plan is to be changed from 122 lots to 190 lots. He questioned if this would be considered as a new plan or a revision. The PTPC requested that the Solicitor be asked what the guidelines are for a new submission versus a revision. The PTPC also requested that the Solicitor be asked what constitutes a plan. The PTPC requested that the Solicitor be asked if they could ask for an explanation and the progress made since the last time an extension request was granted.

Paul Krick Subdivision Plan, File # 2007-03 – Mr. Chris Hike of Burget and Associates gave background on the plan. Mr. Hike addressed the Zoning Officer’s comment concerning the easement over the absorption area for the alternate septic site.

The Zoning Officer’s comment concerning the steep slopes being shown on the residual and lot 1A was discussed. Engineer suggested that Mr. Hinke contact the Zoning Officer and talk to him about showing the steep slopes only on the affected lots.

Engineer offered that there has been a request received for the following Alteration of Requirements (AOR):

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Section 304, Preliminary Plan Processing Procedures
Section 309.A.11, Contour Interval
Section 309.B.4, Erosion and sedimentation Control Plan
Section 406, Stormwater Management Plan

Engineer offered that the following items are still outstanding:

1. The surveyor and engineer's certification needs to be signed and sealed.
2. The ownership and dedicatory statement shall be signed and notarized.

After discussion and upon a Dalla Piazza/Mullen motion, the PTPC voted unanimously to approve the AOR for Section 304, Preliminary Plan Processing Procedures due to the plan proposing no new construction.

After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.A.11, Contour Interval due to the plan proposing no new improvements.

After discussion 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 based on the justification that no improvements are proposed.

After discussion and upon a Dalla Piazza/Mullen motion, the PTPC voted unanimously to recommend approval of the AOR for Section 406, Stormwater Management Plan based on the justification to no improvements are proposed.

After discussion and upon a Dalla/Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the Paul Krick Subdivision Plan, File # 2007-03 contingent upon the following items:

1. The surveyor and engineer's certification needs to be signed and sealed.
2. The ownership and dedicatory statement shall be signed and notarized.
3. The Zoning Officer's approval of the Steep Slope being shown on the plan.

Secretary offered that if the information could not be acquired before the Board of Supervisors meeting then this plan would need a time extension. Mr. Hinke offered a written request for a time extension until July 31, 2007. After discussion and upon a Maguire/Mullen motion the PTPC voted unanimously to recommend approval of the time extension for the Paul Krick Subdivision Plan, File # 2007-03 until July 31, 2007.

Jason Gehman Final Subdivision Plan, File # 2006-08 – Secretary reported that the Township did not receive a copy of the revised plan. After discussion and upon a Maguire/Martz to table this plan until a revision is submitted to the Township and to allow the applicant to address the engineering comments. The PTPC directed the Secretary to notify the Board of Supervisors, the Applicant and the Applicant's Engineer.

Teresa Weaver Zoning Hearing – Secretary presented the Teresa Weaver Zoning Hearing Application for variances on the Impervious Area for Lot 1 and the Non-conforming lot changes.

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After discussion the consensus of the PTPC was to have the Board of Supervisors explore a need for a secondary on-lot disposal system for Lot 1.

OLD BUSINESS

Business Campus One – The consensus of the PTPC was to table this matter until next month due to the late hour.

NEW BUSINESS

Natural Features Overlay – The consensus of the PTPC was to table this matter until next month due to the late hour.

AG Security – Secretary informed the PTPC that next month the AG Security Area review would have to be done.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to adjourn the meeting at 10:20 p.m.

Respectfully Submitted,

Brian R. Maguire
Secretary