

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

AUGUST 20, 2007

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The Penn Township Planning Commission (PTPC) met on August 20, 2007 at 6:00 p.m. in the Municipal Building. PTPC members present were Art Dalla Piazza, Ed Chism, 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 the Township Office.

Chairman Chism opened the work session starting with Section 1316.2. The PTPC had a consensus of the following revisions being made.

MIXED USE COMMERICE DISTRICT – BUSINESS CAMPUS ONE (BCO)

Section 1316.2 – Smoke – The consensus of the PTPC was to have the Engineer provide new language for this section.

Section 1317 – Fire and explosive hazards

In all districts, no use, activity or process shall be conducted which produces electric and/or magnetic fields which adversely affect public health, safety and welfare including, but not limited to, interference with normal radio telephone or television reception **and/or transmission** off the premises where the activity is conducted.

Section 1318 – Fire and explosive hazards

The ~~Penn Township Building Code~~ **Uniform Construction Code** shall regulate hazards of fire and explosion arising from the storage, handling or use of substances, materials or devices and from conditions hazardous to life, property or public welfare in the occupancy of a structure or premises.

Section 1320 – Toxic and hazardous substance storage

Storage of toxic and hazardous substance shall meet the requirements of the Pennsylvania Department of Environmental Protection, **Pennsylvania Labor and Industry**, and/or the **Unities States** Environmental Protection Agency.

Section 1322 – Required Traffic Study Standards

The consensus of the PTPC was to add number 14 to read as follows. **The Applicant shall take into account the seasonal traffic and other conditions that are particular to traffic patterns.**

Chairman Chism closed the work session at 7:00 p.m. and opened the PTPC meeting at 7:03 p.m. The meeting was recorded to aid in the preparation of the minutes. Chairman Chism called the meeting to order.

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VISITORS - All visitors were acknowledged.

MINUTES – The minutes of the December 18, 2006, March 19, April 16, June 18, and July 16, 2007 Planning Commission meetings were presented. After discussion and upon a Dalla Piazza/Mullen motion the PTPC voted unanimously to approve the minutes of December 18, 2006. After discussion and upon a Dalla Piazza/Mullen motion the PTPC voted unanimously to approve the minutes of March 19, 2007 as corrected. After discussion and upon a Mullen/Dalla Piazza motion the PTPC voted unanimously to approve the minutes of April 16, 2007 as corrected. After discussion and upon a Dalla Piazza/Mullen motion the PTPC voted unanimously to approve the minutes of June 18, 2007 as corrected. After discussion and upon a Mullen/Dalla Piazza motion the PTPC voted unanimously to approve the minutes of July 16, 2007 as corrected.

After discussion, and upon a Dalla Pizza/Chism motion, the PTPC voted unanimously to approve the PTPC Summaries for 2004 and 2005.

CORRESPONDENCE

Letter from Township Solicitor – Secretary presented the letter from Mr. Wagner regarding the question of a major change in a subdivision or land development.

Notification of a Conditional Use Hearing – Secretary presented the memo from the Board of Supervisors announcing the date of the Dr. Cummings Conditional Use Hearing.

SUBDIVISION/LAND DEVELOPMENT PLANS

Furnley Frisch Submission, File # 2007-06

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend denial of the Furnley Frisch Subdivision Plan, file number 2007-06 because the following the comments presented by the Township Engineer, Zoning Officer and Perry County Planning Commission were not addressed..

Rettew, Township Engineer Comments dated August 10, 2007

Section 304 - The applicant needs to request an alteration of requirements (AOR) for waiver of preliminary plan.

Section 309.A.3 – The final plat needs to be submitted and entitled as a final plan. Currently, the submitted plan sheet is not clear as to what the applicant is proposing. Additionally, the table of contents does not coincide with the corresponding pages.

Section 309.A.3 – The surveyor’s address and phone number are too small to read.

Section 309.A.4 - The owner’s address and phone number are too small to read.

Section 309.A.5 – The graphic scale needs to be provided. The plan date and written scale are too small to read.

Section 309.A.6 – A location map needs to be provided showing streets and municipal boundaries.

Section 309.A.7 – The primary control point needs to be shown. The tract boundaries, bearings and distances are not legible.

Section 309.A.9 – A list of subdivision plans within 1000 feet of the subject tract needs to be shown on the plan with record name, date and number.

Section 309.A.10 – All existing structures, fences, pool, ponds, driveways, etc. should be identified as existing on the plan.

Section 309.A.11 – The contour interval shown on the plan appears illegible.

Section 309.A.13 – A statement relative to the presence or absence of floodplains needs to be shown on the plan.

Section 309.A.14 – A bearing and distance appears to be missing in the northwest corner of Lot 1. The lot area is missing from the “Existing Lot” part of plan of Cove Mountain Estates.”

Section 309.A.15 – The right-of-way width of Barnett Drive needs to be provided.

Section 309.A.18 – A lot number needs to be provided for each lot.

Section 309.A.19 – The appropriate building setback line needs to be provided on the plan.

Section 309.A.21 – The property corners need to be labeled.

Section 309.A.22 – The surveyor and engineer’s certification needs to be signed and sealed.

Section 309.A.23 and 309.A.24– The statement of ownership and dedicatory statement shall be signed and notarized.

Section 309.A.28 – The zoning data table showing the information required by the subdivision and land development ordinance needs to be provided.

Section 309.B.4 – Proof of Erosion and Sedimentation Control Plan approval needs to be obtained from the Perry County Conservation District.

Section 309.B.6 – The Erosion and Sedimentation Control Plan implementation covenant needs to be shown on the plan.

Section 309.B.7 – Appropriate sewage planning module approval needs to be submitted.

Section 309.B.12 – All soils testing information needs to be shown on the plan.

Madden Engineering Services, Zoning Officer Comment dated August 6, 2007 – It appears the lot in question is not an existing lot, but part of the Cove Mountain Estates lot, therefore a subdivision plan must be submitted.

Perry County Planning Commission Comment dated August 13, 2007 - A plat (as defined in the Penn Township Subdivision and Land Development Ordinance) of the layout of the proposed

lot-addition subdivision must be filed and processed with Penn Township and the Perry County Planning Commission before such lot-addition can be reviewed, approved and recorded in accordance with the requirements of the Township Subdivision and Land Development Ordinance – see cited ordinance sections 302, 304, 308 and 309). The assortment of information already provided does not qualify as a plat plan. For this reason, the Perry County Planning Commission cannot offer any additional comments on this information until a plat is submitted.

Jason Gehman Subdivision Plan, File 2006-08 – Secretary presented a request for a time extension until November 29, 2007. After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of a Time Extension until November 29, 2007 for the purpose of acting upon and/or reviewing the Jason Gehman Final Subdivision Plan, File # 2006-08.

Weaver/Hirt Subdivision Plan, File 2007-04 – Mr. Roger Watson represented Mrs. Weaver and Mr. Hirt on the subdivision plan. After due consideration and upon a Martz/Dalla Piazza motion, the PTPC voted unanimously to approve the Alteration of Requirements (AOR) for Section 304, *Minor Subdivision* of the Penn Township Subdivision and Land Development Ordinance because there are no improvements being considered and the plan does not involve creating any new lots.

After due consideration, and upon a Martz/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.B.4, *Erosion and Sedimentation Control Plan* because the plan does not involve any new building or construction, Section 309.B.7 *DEP Planning Module* because the SEO has determined that there are adequate locations for an alternate sewage disposal site, and Section 401.A.5 *Private Right-of-Way (ROW) Standards* of the Township Subdivision and Land Development Ordinance because the private ROW is already an established fifty-foot (50') ROW. This plan decreases the length of the ROW and the ROW has been in existence since 1984.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the Weaver-Hirt Final Subdivision Plan, File # 2007-04 contingent upon the following items being completed.

1. All existing structures, fences, pool, driveways, etc should be identified as existing on the plan.
2. The surveyor and Engineer's certification needs to be signed and sealed.
3. The statement of ownership and dedicatory statement shall be signed and notarized.
4. The available and required sight distance for the existing driveway needs to be shown.
5. The plan notes the use of a "proposed 50' ROW, it should be noted as a "private ROW".
6. A note shall be placed on the plan indicating that the maintenance of the private ROW shall be the responsibility of the property owners not Penn Township.

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After due consideration, and upon a Mullen/Martz motion, the PTPC voted unanimously to recommend approval of a Time Extension until November 29, 2007 for the purpose of acting upon and/or reviewing the Weaver-Hirt Final Subdivision Plan, File # 2007-04.

Dr. Cary Cummings, III, MD - Mr. William Grow of True North Surveying & Mapping represented Dr. Cary Cummings. Mr. David Hollabaugh, representative of Stonebridge/Extencicare submitted a written statement from Extencicare explaining that a right-of-way (ROW) would be granted to Dr. Cummings to access his dialysis center from Stonebridge's property. Engineer asked, if in five years the dialysis center closes, will the ROW still be granted. Mr. Hollabaugh offered that the granting of the ROW is only for a dialysis center.

Engineer reviewed his comments to the Conditional Use and explained that some of the items would be provided by the Preliminary Plan.

After discussion and upon a upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the Dr. Cary Cummings Conditional Use Request for a Hemodialysis facility with the following conditions.

1. Limitation on further construction within the property due to the limitations of property access.
2. The granting of the Conditional Use is for a Hemodialysis Center only.

Secretary was asked to contact the Township Solicitor with the questions of "Where the Township's responsibility with the ROW is if there is no Dialysis Center?" and "Are the three lots on a private ROW requirement in the Subdivision and Land Development Ordinance, still valid if the three lots are being used as a commercial use?"

Secretary was asked to send a letter to Mr. Spease explaining that the PTPC is a recommending entity.

OLD BUSINESS

Natural Features Overlay – The PTPC reviewed the Perry County Planning Commission comments to the Natural Features Overlay District. After considerations, the consensus of the PTPC was to change the following in the Natural Features Overlay.

Place the definition of ordinary water into the definition section.

Article III of the Penn Township Zoning Ordinance shall be revised to reflect the additions of the Natural Features Overlay.

NEW BUSINESS

Dr. Schwartz Zoning Variance – Secretary presented the Zoning Hearing Board variance request from Dr. Alan Schwartz for sign placement. After discussion, and upon a Mullen/Martz motion, the PTPC voted unanimously to recommend that the Board of Supervisors review the request with the condition that the lights on the sign are turned off after business hours.

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Time Extension Form - Secretary presented the Time Extension Form to the PTPC for review. The consensus of the PTPC is to send the form to the Solicitor for review.

Upon the completion of all business and with a Dalla Piazza/Martz motion, the PTPC voted unanimously to adjourn the meeting at 10:20 p.m.

Respectfully Submitted;

Arthur Dalla Piazza
Vice-Chairman