

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

MINUTES OF AUGUST 18, 2008

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The Penn Township Planning Commission (PTPC) met on August 18, 2008 at 6:30 p.m. in the Municipal Building. PTPC members present were Art Dalla Piazza, Ed Chism (Chairman), Brian Maguire, 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. The meeting was recorded to aid in the preparation of the minutes. Chairman Chism called the meeting to order.

Chairman Chism opened the workshop at 6:30 p.m.

Section 1637 - Commercial Communication Tower

The PTPC discussed the difference between inhabited and occupied. Further discussion commenced on “active recreation” regarding whether or not the verbiage is limiting. The consensus of the PTPC was to change the section as follows.

2. r. No Communications Tower shall be located closer than the length of tower, including antennas above the top of the tower, plus twenty (20) feet to the nearest inhabited **“or”** occupied building, playground, ballfield or other area used for active recreation **or other activities such, as but not limited to, flea markets or farmer markets.**

DEFINITIONS

The PTPC discussed the definition of occupancy with the following changes to be made.

Occupancy: Human presence in a building or part of a building. ~~A building or part of a building intended to be occupied by humans~~

Sections 403.4, 503.4, 603.4, 703.4 - Domestic Pets

The PTPC discussed the verbiage for domestic pets with the following changes to be made.

Noncommercial keeping of domestic pets shall be permitted by right; provided, however, that no more than four (4) adult pets not to include fish shall be permitted on lots that are one (1) acre and below. Feces shall be collected from premises and stored in an enclosed container on a daily basis. One (1) additional pet not to include fish shall be permitted per ½ acre increments. The Zoning Officer shall determine those animals that constitute suitable domestic pets considering the size, number and likely impact such animals would have upon adjoining properties and the neighborhood. Appeals from the Zoning Officer’s determination shall be provided as per Section 1804 of this Ordinance.

Chairman Chism closed the workshop at 7:00 p.m.

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Chairman Chism called the meeting to order at 7:00 p.m. with the announcement that the meeting was recorded to aid in the preparation of the minutes.

VISITORS

Bob Finnen – Susquenita School District – Chairman Chism abstained from this discussion due to his involvement with the School District. Mr. Finnen offered that the school district desires to place two dugouts at the girl's softball field. Mr. Finnen is requesting to know if a Land Development Plan is needed. After discussion, the consensus was for Mr. Finnen to present a sketch plan to the PTPC with the stormwater plan shown at the next meeting.

Keith Sultzbaugh, RSR Realty – Mr. Sultzbaugh offered that he represents Mike Ward, the new owner of the Dersham property. He has come to the PTPC to ask what the Township would like to see developed on that property. Chairman Chism replied that the policy of the Township is not to offer comments on the type of development for any tract in the Township.

MINUTES – The minutes of the April 21, 2008 and July 21, 2008 Planning Commission were presented. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to approve the April 21, 2008 and July 21, 2008 PTPC minutes with typographical changes.

CORRESPONDENCE

Secretary presented the Penn Township Board of Supervisors letter granting a time extension for The Preserve at Mountainside East and West Preliminary Subdivision Plans, the Jason Gehman Final Subdivision Development Plan and the John Leiter Final Subdivision Plan. Secretary presented the Zoning Hearing Board notification of the Rachochoa Zoning Hearing Remandation and the memorandum notifying the continuation of the Fishing Creek Valley Hearing.

SUBDIVISION/LAND DEVELOPMENT PLANS

Jason Gehman Final Subdivision Plan, File # 2006-08 – Secretary notified the PTPC that Mr. Gehman's time extension expires on August 27, 2008 and that a request for another time extension has not been received by the Township as of the beginning of this meeting. After discussion and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend denial of the Alternation of Requirements (AOR) for Section 304, *Final Plan* of the Township Subdivision and Land Development Ordinance.

After discussion and upon a Dalla Piazza/Martz motion the PTPC voted unanimously to recommend denial of the AOR for Section 503.03, *Accessory Building* of the Township Zoning Ordinance.

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After discussion and upon a Dalla Piazza/Martz motion the PTPC voted unanimously to recommend denial of the Jason Gehman Final Subdivision Plan, File # 2006-08 due to the following comments, presented by the Township Engineer, Zoning Officer, Highway Department and Perry County Planning Commission not being addressed.

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Section 309.A.23 – Certification of title showing that applicant is the landowner, agent of the landowner or tenant with permission of the landowner.

The applicant has not signed and notarized the statement of ownership.

Section 309.A.24 – Statement by owner dedicating streets, rights-of-way and any sites for public uses which are to be dedicated. In cases where the plan proposes private streets or private rights-of-way, the plan shall include an indemnification statement similar to the following and acceptable by the Township:

Maintenance of the private road or right-of-way shown hereon shall not be the responsibility of Penn Township, but shall be the responsibility of the property owners using the private road or right-of-way for ingress and egress.

The applicant has not signed and notarized the dedicatory statement.

Section 309.A.28 – The plan shall comply with the Penn Township Zoning Ordinance. A zoning data table shall be provided that indicates the required and the proposed requirements for the building setbacks, building height, impervious coverage, parking requirements, and other items as directed by the Planning Commission.

The applicant has not revised the zoning site data section to show the existing and proposed Maximum Impervious Coverage.

Section 309.B.2- Typical cross sections of streets, showing the width of right-of-ways, width of cartway, location and width of sidewalks, location and size of utility mains, and type of construction.

The applicant has not shown a typical street cross section showing the rights-of-way, width of cartway, location and size of any utilities, and the proposed surfacing.

Section 309.B.4.e – For plans with less than one (1) acre of disturbance, a note indicating the amount of disturbed area and the responsibility for securing the appropriate permits shall be included as follows:

The estimated area of earth disturbance is ____ Acre. If this disturbance is increased to over 1 acre, it shall be the sole responsibility of the owner to obtain a NPDES permit from the Perry

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County Conservation District.

The applicant has not added the following note on the plan. “The estimated area of earth disturbance is _____ Acre. If this disturbance is increased to over 1 acre, it shall be the sole responsibility of the owner to obtain a NPDES permit from the Perry County Conservation District.”

Section 309.B.7 – An approval by the Department of Environmental Protection of the “Planning Module for New Land Development.”

The applicant has not submitted approval of the “Planning Module for New Land Development” to the Township.

Section 401.B.1 - Street Widths - Minimum Street right-of-way and cartway widths shall be as follows:

<u>STREET TYPE</u>	<u>WIDTH</u>	
Arterial Streets Right-of-way Shoulders Cartway	As determined by the Penn Township Supervisors after consultation with the Pennsylvania Department of Transportation and the Penn Township Engineer	
	<u>w/o Curbs</u>	<u>w/Curbs</u>
Collector Street Right-of-way Shoulders Cartway Parking Lanes	60 feet 16 (8' each side) feet 24 feet NA	60 feet NA 24 feet 10 feet
Minor Streets Right-of-way Shoulders Cartway Parking Lanes	50 feet 10 (5' each side) feet 20 feet NA	50 feet NA 20 feet 8 feet
Private Streets Right-of-way Shoulders Cartway Parking Lanes	30 feet 6 (3' each side) feet 8 feet NA	50 feet NA 20 feet 8 feet
Turn around or Cul-de-Sac (diameter) Right-of-way	100 feet	

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Cartway	80 feet
Alley or Service Drive	
Right-of-way	20 feet
Cartway	20 feet

*Cartway width may be reduced if paved off-street parking areas are provided.

The applicant has not shown the improvements needed to bring Holman Drive up to Township specifications including cartway, shoulder width, and roadway widening.

Section 401.B.2.c - Provision for additional street width (right-of-way, cartway, or both) may be required when determined to be necessary by the Penn Township Supervisors in specific cases for:

Widening of existing streets where the width does not meet the requirements of the preceding paragraphs.

The applicant has not shown the improvements needed to bring Holman Drive up to Township specifications including cartway, shoulder width, and roadway widening.

Section 401.C.2 - Intersection curve Radii -

At intersections or streets the radius of the curb or edge of pavement radii shall not be less than the following:

<u>Intersection</u>	<u>Curb or Edge of Pavement</u>
Collector with Collector Street	thirty-five (35') feet
Collector with Minor Street	twenty-five (25') feet
Minor Street with Minor Street	fifteen (15') feet
Private Street with other Street	fifteen (15') feet

Property lines of corner properties adjacent to intersections shall be substantially concentric with curb lines or edge of pavement.

And

Section 401.C.5 - Sight Distance -

Sight distance must be provided with respect to both horizontal and vertical alignment. Measured along the center line, three and one-half (3 ½') feet above grade, the minimum sight distance must be as follows:

<u>Type of Street</u>	<u>Sight Distance</u>
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Arterial	Based on PENNDOT criteria considering classification and design speed.
Collector	two hundred (200') feet
Minor	one hundred (100') feet
Private	one hundred (100') feet

The applicant has not shown the proposed driveways with the available and required sight distance.

Section 401.C.7 - Cul-de-sacs or Dead End Streets -

Cul-de-sacs or dead end streets, designed to be so permanently, shall not exceed fifteen hundred (1500') feet in length, and shall be provided with a turnaround having minimum dimensions for right-of-way and cartway widths as indicated in the preceding section.

The applicant has not shown the appropriate turnaround needed to be provided at the end of Holman Drive with an 80' cartway and 100' right-of-way.

Section 403.A – The minimum width of easements shall be fifteen (15') feet for underground facilities and twenty-five (25') feet for drainage facilities. Wherever possible, easements for public utilities shall be centered on side or rear lot lines. Additional width may be required by the Board of Supervisors depending on the purpose of the easement.

The applicant has not answered all the comments provided in relation to all the utility and snow easements.

Section 403.C - Applicant shall provide the Board of Supervisors with a statement from the Utility Company as to easement adequacy.

The applicant has not provided a statement from the Utility Company as to easement adequacy.

Section 403.D – Snow removal stockpile easements shall be provided at all intersections and cul-de-sacs. The snow removal stockpile easement shall be a minimum of 40 feet in length along the cartway. The depth shall be measured from the edge of the right-of-way and shall be in no case less than ten (10) feet. No on-street parking, driveway, structure, any above ground part of any utility, landscaping, or any other use shall be permitted along and within the snow removal stockpile easement that would interfere with the intended purpose of the easement. All snow removal stockpile easements shall be delineated on all plans and the restrictions on their use shall be noted on the plans. All locations shall be approved by the Township.

The applicant has shown a proposed snow removal easement on the plan; however, the dimensions are not legible and the snow removal easement needs to be placed outside of the right-of-way. The roadway foreman needs to support the shape and location of the snow removal easement due to fact that it is not adjacent to the pavement and the shape varies

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from the ordinance requirements.

Section 406 - Storm Water Management and Design Criteria

A. A Storm Water Management Plan (SWMP) shall be required for each subdivision or land development plan at both the Preliminary and Final Plan submittal stage. As an integral part of the SWMP, Erosion and Sedimentation Control measures shall be included. All erosion control shall be in accordance with Perry County Soil Conservation and DER regulation.

B. The SWMP shall be in accordance with the Penn Township Storm Water Management Ordinance, as revised to date. Copies are available at the Penn Township office.

The applicant needs to provide a Stormwater Management Plan.

Section 502.F - The amount of financial security to be posted for the completion of the required improvements shall be equal to one hundred ten (110) percent of the cost of completion estimated as of ninety (90) days following the date scheduled for completion by the Developer. Annually, the Municipality may adjust the amount of the financial security by comparing the actual cost of the improvements which have been completed and the estimated cost for the completion of the remaining improvements as of the expiration of the 90th day after either the original date scheduled for completion or a rescheduled date of completion. Subsequent to said adjustment, the Municipality may require the Developer to post additional security in order to assure that the financial security equals said one hundred ten (110) percent. Any additional security shall be posted by the Developer in accordance with this subsection.

The applicant has not provided a construction estimate for any public improvements required by the Township.

Section 506.B - Pavement - The pavement base and wearing surface must be in accordance with, and constructed in accordance with the Pennsylvania Department of Transportation, Pub. 408, as revised to date. The following Table will outline the alternates available to the developer.

Flexible Pavements	Pavement Courses	<u>Streets</u>	
		Minor	Collector
Option No. 1	Wearing	1 1/2"	1 1/2"
	Binder	0"	2"
	Base	4 1/2"	4"
	Subbase	8"	8"
Option No. 2	Wearing	1 1/2"	1 1/2"
	Binder	2"	2"
	CABC	6"	8"
	Subbase	8"	8"

LEGEND

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- * Wearing Superpave Asphalt Mixture Design, HMA Wearing Course, PG 64-20, 0.0 to 0.3 million ESAL's, 9.5 mm mix, SRL L.
- * Binder Superpave Asphalt Mixture Design, HMA Binder Course, PG 64-20, 0.0 to 0.3 million ESAL's, 19.0 mm mix.
- * Base Superpave Asphalt Mixture Design, HMA Base Course, PG 64-20, 0.0 to 0.3 million ESAL's, 25.0 mm mix.
- * CABC Crushed Aggregate Base Course

The applicant has not placed the improvements to be done to Holman Drive in accordance with the township street surfacing requirements on the plan.

Section 506.D.1.b - Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width, and in no case shall be less than ten (10) feet in width, the type and depths of base and wearing surface to be the same as specified above for roadway paving. Where sidewalks are installed, the required driveway surfacing shall end at the street side of the sidewalk.

The applicant has provided a driveway surfacing detail; however, it does not meet the requirements of the township ordinance.

Lot Number 1 On-Lot Disposal System – The OLDS for lot number 1 is south of the roadway and the building area is to the north. Proper permits and agreements will need to be obtained prior to the installation of any lines within the roadway if it is public.

The applicant needs to provide a minimum 12" diameter cast iron or steel casing pipe across the road extending 5' beyond the right-of-way on both sides. The pipe shall be used to contain the sewer pipe to the drain field on Lot 1. After the sewer pipe is installed, the 12' pipe needs to be filled with sand to stabilize the sewer carrier pipe. The applicant needs to provide a detail and the structure needs to be shown on the plan.

Utility Easement – The PTPC requested to be informed if the utility easement shown on the plan has both lines of utility wires and poles in the boundary.

The applicant has not supplied this information.

ZONING ORDINANCE

Section 503.3 – Accessory Uses and Structures – Garages

A note is to be placed on the plan restricting the use of the existing garage for any purpose until a principal dwelling has been constructed with full Township approval.

The applicant has not provided a note on the plan.

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Section 505 – Lot Area, Lot Width, Impervious Coverage, Building Setbacks and Maximum Building Height Requirements.

The existing building on lot 2 appears to be within the front yard setback; please explain why the building setback line is shown the way it is on the plan. A note should also be added explaining the existing building is already in Non-Conformance with the setback.

The applicant has not provided the explanation or a note on the plan.

Section 1649 – Panhandle Lots – Where permitted, Panhandle lots shall be developed pursuant to the following criteria:

1. Lot Area - As required by the zoning district in which the panhandle lot is located. The area of the panhandle as required in 2.A shall not be used in determining the applicable minimum lot area requirement.

It appears that the panhandle for lot # 3 was used in determining the total lot area. Area calculated without the panhandle appears to be 1.487 acres; this does not meet the required minimum lot area of 1.50 acres.

The applicant has not provided the information requested.

TOWNSHIP STAFF COMMENTS

HIGHWAY DEPARTMENT

A speed study was needed for Holman Drive. No pins are marked where driveways are to be located. The plans do not show a cul-de-sac.

The applicant has not presented a speed study for Holman Drive.

John B. Leiter Final Subdivision Plan, File # 2008-02 – Mr. Darrin Foster, of Lou Harford Surveying represented Mr. Leiter and informed the PTPC that he is looking for a recommendation of approval for the plan. Engineer reviewed his report. 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*, the AOR for Section 309.B.4, *Erosion and Sedimentation Calculations and Details*, and AOR for Section 309.B.4, *Soil Boundaries*, of the Township Subdivision and Land Development Ordinance based on the justification that no construction or earth disturbance will occur as a result of this subdivision plan.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the John Leiter Final Subdivision Plan, File # 2008-02, contingent upon following items being completed.

1. The surveyor's certification needs to be signed and sealed.

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2. The certification of title and the dedicatory statement should be signed and notarized.
3. The Request for planning waiver and non-building declaration approval by DEP.

Verizon Wireless – Kinkora Final Land Development, File # 2008-05 – Ms. Paula Leicht of Mette, Evans & Woodside represented the applicant. Ms. Leicht offered that she has received comments from the Township Engineer, Zoning Officer and Perry County Comments. She continued that she would like to discuss the speed study. She presented a speed study to the PTPC and the engineer and offered that the driveway has been reconfigured to comply with the site distance. After discussion, the PTPC requested that the highway department review the reconfiguration and speed study.

After discussion and upon a Dalla Piazza/Maguire Motion, the PTPC voted unanimously to table this plan for the applicant to address the outstanding comments.

Elite Dialysis Medical Offices Final Land Development Plan, File # 2008-06 – Dave Weihbrecht represented the applicant. Mr. Weihbrecht offered that he has no problem with the comments received but he did have a couple of questions. He asked if a lighting plan is necessary at this point or if a note could be placed on the plan that a lighting plan will be presented with the zoning permit application. Mr. Weihbrecht also asked if a sidewalk would need to be installed along the roadside.

After discussion the consensus of the PTPC was for the Zoning Officer to be asked if a note placed on the plan regarding the lighting plan is sufficient or if a lighting plan is required with the Land Development Plan.

After discussion the consensus of the PTPC was for the PTS to be asked if a sidewalk was required.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table this plan for the applicant to address the outstanding comments.

Lisa Laird Final Subdivision Plan, File # 2008-07 – Mr. Roger Watson of NAVTec Inc., represented Ms. Laird. Mr. Watson offered that this is just a simple lot line addition. Mr. Watson offered that the line would be removed from Lot 6 and attached to Lot 1. He continued that he would like a recommendation of approval of the plan and that he can have all the comments addressed before the PTS meeting on August 27, 2008. The Engineer and PTPC reviewed the comments.

After due consideration, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Alteration of Requirements (AOR) for Section 306, *Preliminary Plan Procedures*, an AOR for Section 406, *Erosion and Sedimentation Control*

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Plan, and an AOR for Section 407, *Stormwater Management Plan of the Township Subdivision and Land Development Ordinance* based on the justification that no construction or earth disturbance will occur as a result of this subdivision plan.

After due consideration, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Lisa Laird Final Subdivision Plan, File # 2008-07, contingent on the Township Engineer, County, and Zoning Officer comments are addressed on the plan and the plan is to the Township Engineer by August 20, 2008 and that the Township Engineer approves that all the comments have been addressed prior to the Board of Supervisors meeting on August 27, 2008.

Barry & Mary Sheaffer Final Subdivision Plan, File # 2008-08 – Mr. Roger Watson of NAVTec Inc., represented Mr. Sheaffer. Mr. Watson offered that this is a lot addition from Ms. Laird to Mr. Sheaffer. He continued that he would like a recommendation of approval of the plan and that he can have all the comments addressed before the PTS meeting on August 27, 2008. The Engineer and PTPC reviewed the comments.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the Alteration of Requirements (AOR) for Section 306, *Preliminary Plan Procedures*, an AOR for Section 406, *Erosion and Sedimentation Control Plan*, and a AOR for Section 407, *Stormwater Management Plan of the Township Subdivision and Land Development Ordinance* based on the justification that no construction or earth disturbance will occur as a result of this subdivision plan.

After due consideration, and upon a Dalla Piazza/ Maguire motion, the PTPC voted unanimously to recommend approval of the Barry & Mary Sheaffer Final Subdivision Plan, File # 2008-08, contingent on the Township Engineer, County, and Zoning Officer comments being addressed on the plan and the plan submitted to the Township Engineer by August 20, 2008 and that the Township Engineer approves that all the comments have been addressed prior to the Board of Supervisors meeting on August 27, 2008.

Larry Miller Final Subdivision Plan, File # 2008-04 – Mr. Charlie Cook offered that he is representing Mr. Miller. Mr. Cook offered that he has placed the flood plain building requirements on the plan and that he had a question on whether an the Erosion And Sedimentation Control Plan needs to be submitted. After discussion Mr. Cook verbally withdrew the request for an AOR for Section 309.B.4, Erosion and Sedimentation Control Plan.

After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to table this plan to allow the applicant to acquire an Erosion and Sedimentation Control Plan approval.

Warden Property Preliminary Subdivision Plan, File # 2005-06 – Secretary presented the time extension request until November 26, 2008 due to the ongoing Zoning Hearing. After

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discussion, and upon Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the time extension request for the Warden Property Preliminary Subdivision Plan until November 26, 2008.

Secretary submitted the request to table the plan this month. After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table this plan.

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

Respectfully Submitted;

Brian R. Maguire
Secretary

ADPOTED October 20, 2008