

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

MINUTES OF SEPTEMBER 15, 2008

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The Penn Township Planning Commission (PTPC) met on September 15, 2008 at 6:30 p.m. in the Municipal Building. PTPC members present were Art Dalla Piazza, Ed Chism (Chairman), Brian Maguire, 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 workshop at 6:30 p.m.

AGRICULTURAL (AG) ONLY ZONING – The PTPC discussed how to proceed with an AG Only Zone. One of the suggestions was to put prime soils into the AG and a number of lots based on acreage and perhaps a sliding scale. It was discussed to start with the AG and Soils information from the Comprehensive Plan.

A suggestion was to have the present zoning map with overlays of aerial pictures of the lots and the soil database at the next meeting as a starting point. After discussion, the consensus of the PTPC was for the Engineer to bring the current Zoning Map with overlays of soils and aerial photography.

Upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to close the workshop at 7:00 p.m.

Chairman Chism called the meeting to order at 7:03 p.m. with the announcement that the meeting was recorded to aid in the preparation of the minutes.

VISITORS

Pat Devlin – Susquehanna Water Gap Landscapes – Ms. Devlin presented the PTPC with two handouts. She offered that her group, Land Logics Group, is funded by DEP Grants to present a training workshop in the future. She continued that her group has worked with municipalities doing ordinance reviews and ordinance writings. Her group has also worked with landscape design and land site development and therefore has worked with both sides of development. The main purpose of the group is to start a dialog between neighboring municipalities and to look at some improvements that might be made in the ordinances to better protect the natural resources of this region.

Ms. Devlin stated that her group has reviewed all the Subdivision and Land Development Ordinances, Zoning Ordinances (SALDO) and the Comprehensive Plans from the municipalities in the area and from their interpretation of the ordinances identified some strong areas and weak areas in each municipality's ordinances.

Ms. Devlin offered that the handouts are some draft recommendations and a summary of the Ordinances Audit. She stated that she is looking for some feedback on the worksheet and for Penn Township to stay in touch.

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Chairman Chism offered that as the PTPC has not reviewed the material, the PTPC would need time to review and decide what action is warranted. He thanked her for the presentation and Mr. Dalla Piazza requested that the word format be sent to the Secretary.

MINUTES – Upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table the minutes of August 18, 2008 for clarification.

CORRESPONDENCE – Secretary presented the Board of Supervisors' (BOS) letters granting conditional approval of the Charles Stoner and Marcia Andri Final Subdivision Plan, John Leiter Final Subdivision Land Development Plan, Lisa Laird Final Subdivision Plan and Barry P. & Mary J. Sheaffer Final Subdivision Plan. Secretary presented the BOS letter accepting the withdrawal of the Jason Gehman Final Subdivision Plan. Secretary presented the BOS letter granting a time extension until November 26, 2008 to the Warden Property Preliminary Subdivision Plan. Secretary presented the BOS letter answering the question if Elite Dialysis Medical Offices would need to place a sidewalk on the outside of the property.

SUBDIVISION/LAND DEVELOPMENT PLANS

Susquenita School District Alteration of Requirement (AOR) Request – Secretary presented the sketch plan from Mr. Bob Finnen showing the stormwater runoff of the dugout as requested. Chairman Chism announced that he abstains from voting on this matter due to his involvement with School District. After discussion on the stormwater aspect of the drawing, and upon Dalla Piazza/Maguire motion, the PTPC voted by majority, with one abstention, to recommend approval of the AOR request to not submit a Land Development Plan due to the minimum disturbance of the area and that there is little area of stormwater requirements for the proposed dugouts conditional upon the receipt of a written request presented to the township and sufficient grading is provided to direct stormwater into the existing stormwater control areas.

Larry Miller Final Subdivision Plan, File 2008-04 – Engineer reviewed his August 15, 2008 report with outstanding items being four AORs and the surveyor's certification is needed to be signed and sealed and the certification of ownership and dedicatory statement is needed to be signed and notarized.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to approve the Alternation of Requirements (AOR) for Section 304 & 305 *Preliminary Plan Procedures* of the Township Subdivision and Land Development Ordinance due to the plan qualify as a Final Plan.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.A.13.b, *Adequate Building Site* of the Township Subdivision and Land Development Ordinance due to the floodplain appears to encompassing the whole tract and the applicant has indicated elevated building structures are permitted by FEMA and have been previously used within the Township.

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After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the AOR for Section 405.A.5, *Private Right of Way Lot Limits* of the Township Subdivision and Land Development Ordinance due to the private right of way servicing 33 tax parcels in the existing condition.

After due consideration, and upon a Dalla Piazza/Martz 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 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/Mullen motion, the PTPC voted unanimously to recommend approval of the Larry Miller Final Land Development Plan, File # 2008-04, contingent upon the following items being completed.

1. The certification of ownership and the dedicatory statement should be signed and notarized.
2. The surveyor's certification needs to be signed and sealed.

Verizon Wireless – Kinkora Site Minor Land Development Plan, File # 2008-05 Engineer reviewed his and the Zoning Officer reports with the outstanding items being professional certifications need to be completed, the certification of title and the dedicatory statement need be signed and notarized, Proof of Planning Module or exemption approval from DEP needs to be provided to the Township, Financial security in the amount of \$14,414.40 needs to be provided to the Township and the applicant must submit an agreement regarding the removal of the Communications Tower.

After due consideration, and upon a Mullen/Maguire motion, the PTPC voted unanimously to recommend approval of the Verizon Wireless – Kinkora Site Land Development Plan, File # 2008-05, contingent upon following items being completed.

1. All professional certifications need to be completed.
2. The certification of title and the dedicatory statement need be signed and notarized.
3. Proof of Planning Module or exemption approval from DEP needs to be provided to the Township.
4. Financial security in the amount of \$14,414.40 needs to be provided to the Township.
5. The applicant must submit an agreement regarding the removal of the Communications Tower.

Secretary presented a Request for Planning Waiver & Non-Building Declaration to the PTPC. After discussion and upon a Dalla Piazza/Mullen motion, the PTPC recommended approval to the Penn Township Board of Supervisors.

Elite Dialysis Medical Center Final Land Development Plan, File # 2008-06 - Engineer reviewed his report with the outstanding items being the requirements of the Penn Township

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Park and Recreation Ordinance need to be satisfied, all professional certifications need to be completed, proof of Erosion and Sedimentation Control Plan approval needs to be submitted to the Township, a construction cost estimate needs to be submitted to the Engineer before September 22, 2008, The certification of ownership and dedicatory statement needs to be signed and notarized and a stormwater ownership and maintenance agreement needs to be submitted.

After due consideration, and upon a Maguire/Mullen motion, the PTPC voted unanimously to approve the AOR for Section 306, *Preliminary Plan Procedures*, based on the plan qualifying as a minor plan.

After due consideration, and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Elite Dialysis Medical Center Final Land Development Plan, File # 2008-06, contingent upon the following items being completed.

1. The requirements of the Penn Township Park and Recreation Ordinance need to be satisfied.
2. All professional certifications need to be completed.
3. Proof of Erosion and Sedimentation Control Plan approval needs to be submitted to the Township.
4. A construction cost estimate needs to be submitted to the Engineer before September 22, 2008
5. The certification of ownership and dedicatory statement needs to be signed and notarized.
6. A stormwater ownership and maintenance agreement needs to be submitted for review and approval of the Township Solicitor and Engineer before September 22, 2008.

The PTPC requested that the Secretary notify the Municipal Authority that a customer will be coming on line.

OLD BUSINESS

Domestic Pets – The PTPC discussed the proposed language for Domestic Pets. The discussion revolved around the type of pets to be governed by the zoning ordinance. After discussion, the consensus of the PTPC was to have the following changes made to the language for Domestic Pets.

Domestic Pets –Noncommercial keeping of domestic pets shall be permitted by right; provided, however, that no more than four (4) adult pets, not to include fish, **birds, reptiles, and rodents**, shall be permitted on lots that are one (1) acre **or less and below**. Feces shall be collected from premises and stored in an air tight container on a daily basis. One (1) additional adult pet, not to include fish, **birds, reptiles, and rodents**, shall be permitted **for each additional per ½ acre**. ~~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.~~

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Section 1637.2.r - Commercial Communication Tower – The PTPC discussed the changes to Section 1637. After discussion the consensus of the PTPC was to change the section to read as follows:

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 **any of the following**:

- (1) The nearest inhabited or occupied building;
- (2) Playground;
- (3) Ballfield;
- (4) Other areas used for active recreation;
- (5) Activities such as but not limited to flea markets or farmer markets.

After discussion, and upon on Mullen/Dalla Piazza motion, the PTPC voted unanimously to recommend the changes to the Zoning Ordinance for Domestic Pets, Building Heights and Commercial Communication Tower to the Board of Supervisors

NEW BUSINESS

Penn 1155 LLC – Secretary informed the PTPC that Penn 1155 LLC Zoning Hearing will be on October 1, 2008 at 7:00 p.m.

Susquehanna Water Gap – Chairman offered that he is not pleased with the little he looked through and asked the other members to really look through the information.

Agriculture Only Zoning – The PTPC discussed the need to get permission from the Board Supervisor to go through with the review for an Agriculture Only Zoning.

Fishing Creek Valley Associates LLC – Engineer reported the outcome of the Zoning Hearing.

Upon the completion of all business and with a Maguire/Dalla Piazza motion, the PTPC voted unanimously to adjourn the meeting at 9:25 p.m.

Respectfully Submitted;

APPROVED October 20, 2008

Brian R. Maguire
Secretary