

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

MINUTES OF JANUARY 19, 2009

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The Penn Township Planning Commission (PTPC) met on January 19, 2009 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 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 opened the workshop at 6:30 p.m.

DOG ORDINANCE – Chairman Chism offered that perhaps the existing Dog Ordinance could be modified. Engineer offered that after review and a discussion with his associates it was suggested that replacing “dog” with “pets” throughout the rest of the ordinance would not have a detrimental effect on the enforcement of the ordinance. After discussion, the consensus of the PTPC is to replace “dogs” with “pets” throughout the whole ordinance. After further discussion, the consensus was to change the following items in the proposed ordinance:

Section 2.a – Such enclosure shall be conducive to ~~such~~ sanitation procedures and adequate and sanitary drainage facilities shall be provided.

Section 2.b - Change the word “Treated” with “Created”.

Section 3 – It shall be unlawful for any owner/~~keeper custodian~~ of any pets to permit such pets to run at large upon the public streets, highways, parks, or other public property, ~~of Penn Township~~ or upon private property without the consent of the owner thereof.

Section 3.a - A pet which is on a leash or which is subject to the act or control or the direction of its owner/~~keeper custodian~~ shall not be deemed to be running at large.

Section 3.b - It shall be unlawful for any person to allow any pets to make any loud or harsh noise or disturbance which shall disturb or interfere with the peace, quiet ~~or~~ rest of the public within ~~the Township of Penn Township~~.

Section 4 - ... to imprisonment of not more than thirty (30) days. ~~Provided~~. Each day on which a violation shall take place shall constitute a separate violation.

Section 7 - Nothing herein shall prevent the Penn Township Board of Supervisors, in their discretion, ~~to enter from entering~~ into agreements with any officially recognized Humane Society for the purpose of enforcing this Ordinance.

Chairman Chism closed the workshop at 7:02 and called the meeting to order with the announcement that the meeting was recorded to aid in the preparation of the minutes.

REORGANIZATION - Chairman Chism turned the meeting over to the Vice-Chairman for the reorganization of the PTPC.

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Chairman – Upon a Maguire/Martz motion, the PTPC voted unanimously to appoint Edward Chism as Chairman.

Vice-Chairman Dalla Piazza returned the meeting to Chairman Chism.

Vice-Chairman – Upon a Chism/Maguire motion, the PTPC voted unanimously to appoint Arthur Dalla Piazza as Vice-Chairman.

Secretary – Upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to appoint Brian Maguire as Secretary.

VISITORS

Darrin Foster, Lou Harford Office – Mr. Foster presented a sketch plan of the Ryan Rohrer property and explained that Mr. Rohrer would like to subdivide his property into three lots. One lot would be the existing right-of-way for the Cemetery, the second lot would be for the existing dwelling and the proposed lot 3 would be sold. The PTPC reviewed the sketch plan and offered the following observances to consider: Can the sewer line be extended to the properties without traveling through adjoining properties? Is the existing 20 foot right-of-way on the southeast border of the property part of the access for the houses on Lincoln Street or is it a separate right of way? Engineer offered that if a cul-de-sac was placed at the intersection of Cemetery Street and Lincoln Street, then there would not be a need for private right-of-ways.

MINUTES – The minutes of the December 15, 2008 Planning Commission were presented. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to approve the December 15, 2008 PTPC minutes with typographical changes.

CORRESPONDENCE

FEMA Letter dated January 12, 2009 – Secretary presented FEMA's response to our comments on the Preliminary copies of the Flood Insurance Study report and the Digital Flood Insurance Rate Map for Penn Township.

SUBDIVISION/LAND DEVELOPMENT PLANS

Leonard B. Rife Final Subdivision Plan, File # 2008-09 – Mr. Charlie Cook represented Mr. Rife and stated that all the comments have been addressed except the certification of ownership and dedicatory statement needs to be signed and notarized. Engineer confirmed and offered that there are Alterations of Requirements (AOR) to be addressed.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to approve the AOR for Section 306 *Preliminary Plan Procedures* of the Township Subdivision and Land Development Ordinance as the plan qualifies as a minor 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.9, *Prior Subdivision Plans (recording dates being shown)* of the Township Subdivision and Land Development Ordinance as no construction or earth disturbance shall take place as a result of this subdivision.

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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 309.A.11, *Contour Interval* of the Township Subdivision and Land Development Ordinance as no construction or earth disturbance shall take place as a result of this subdivision.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.A.18, *Lot Numbers* of the Township Subdivision and Land Development Ordinance as the lot add on will not be a standalone lot.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.B.3, *Stormwater Management* of the Township Subdivision and Land Development Ordinance as no construction or earth disturbance shall take place as a result of this subdivision.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the AOR for Section 309.B.1 thru 12, *Other Data* which includes Erosions and Sedimentation Control Plan and Planning Module requirements of the Township Subdivision and Land Development Ordinance as no construction or earth disturbance shall take place as a result of this subdivision.

After due consideration, and upon a proper motion, the PTPC voted unanimously to recommend approval of the Leonard Rife Final Subdivision Plan, File # 2008-09, contingent upon the following items being completed.

1. The certification of ownership and the dedicatory statement being signed and notarized.

Warden Property Preliminary Subdivision Plan, File # 2005-06 – Secretary presented the Time Extension request for 90 days as the applicant is continuing to revise the subdivision plan based on the Zoning Hearing Board's decision on the steep slope variance application and based on staff review comments. After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend the time extension for 90 days (April 28, 2009).

Time Extension Form – A discussion commenced on the applicant's use of the time extension form instead of a written letter. After discussion, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend that the Board of Supervisors require the attached Time Extension Form be used for all future requests.

Abundant Harvest Church Conditional Use – Docket 2009-01 – Mr. Matthew Zang offered that he is representing the church and that the church would like move in to the old Duncannon Family Medical Center which is zoned Commercial. Chairman Chism offered the audience a chance to comment on the application.

Mr. Jim Barrick offered that he did not have a problem with the church but with the tenant on the property, who is a problem tenant. Chairman Chism offered that the PTPC cannot address the problem tenant.

Mrs. Becky Barrick offered that she is concerned about the open property across the road and wanted to know if a subdivision could be done. Mr. Zang offered that there is a stipulation

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in the sales agreement that subdivision could be done but it is the church's intention to keep the property whole unless there is a future financial problem. Mrs. Barrick asked if the whole property is one deed. Mr. Zang offered that it is one property. Mrs. Barrick then asked if the whole property is zoned commercial. Chairman replied that it is zoned commercial.

A discussion commenced on the number of parking spaces, capacity of the building and the PTPC reviewed the Zoning Officer's comments.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the Abundant Harvest Church Conditional Use with the condition that the applicant complies with the conditions specified in Section 1401 of the Penn Township Zoning Ordinance.

OLD BUSINESS

Pet Ordinance – After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously recommend approval of the Pet Ordinance.

Zoning Ordinance Amendment - Secretary reminded the PTPC that when the Pet Ordinance was returned for amending the Building Height and Cell Tower portion of the ordinance was also returned. After discussion and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the proposed Zoning Ordinance Amendment.

NEW BUSINESS

FEMA Letter Dated December 16, 2009 – Secretary presented the FEMA letter directing the adoption of an updated Floodplain Ordinance by the June 16, 2009 deadline. Secretary offered that DCED has stated that the Municipality needs to adopt and send the updated ordinance by May 16, 2009. After discussion, the consensus of the PTPC is for Mr. Maguire and Mr. Chism to compare the two ordinances and bring the major changes back to the Commission at the February meeting.

Upon the completion of all business and with a Martz/Maguire motion, the PTPC voted unanimously to adjourn the meeting at 8:45 p.m.

Respectfully Submitted;

Brian R. Maguire
Secretary