

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

MINUTES OF MAY 18, 2009

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The Penn Township Planning Commission (PTPC) met on May 18, 2009 at 6:30 p.m. in the Municipal Building. PTPC members present were Ed Chism, Chairman, Art Dalla Piazza, 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. Chairman Chism opened the workshop at 6:30 p.m.

COMPREHENSIVE PLAN (Plan) – Chairman Chism offered that there is a need for a date to be set for the Plan meetings. After discussion the tentative date was set for the first Thursday of the month. A discussion commenced on how the public input meeting would be handled. Upon a Dalla Piazza/Martz motion the PTPC voted unanimously to close the workshop.

The meeting was recorded to aid in the preparation of the minutes. Chairman Chism called the meeting to order.

VISITORS – All visitors were acknowledged.

MINUTES – The minutes of the April 20 and 28, 2009 Planning Commission were presented. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to approve the April 20, 2009 PTPC minutes with changes. Upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to approve the April 28, 2009 minutes.

CORRESPONDENCE – Secretary presented the Land Logics Group letter. Secretary presented the Board of Supervisors letter approving the Ferster & Mervine Final Land Development Plan, File # 2009-03.

SUBDIVISION/LAND DEVELOPMENT PLANS

Warren H. Snyder Estate Final Subdivision Plan, File # 2009-02 – After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to table the Warren H. Snyder Plan to allow the applicant to address the comments.

Morrison Inc. Headquarters Preliminary Land Development Plan, File # 2009-05 – Mr. Ed Lupyak represented Mr. Morrison and offered that a new list of Alterations of Requirements were presented. Mr. Lupyak discussed stormwater issues. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously table the Morrison Inc Headquarters Plan to allow the applicant to address the comments.

Penn Tech Properties, LLC Land Development Plan, File # 2009-04 Mr. Grant Marshall represented Penn Tech Properties. A discussion on County and Engineer's comments commenced regarding monuments and stormwater. After discussion and upon on a Maguire/Martz motion, the PTPC voted unanimously to table this Penn Tech Properties, LLC Land Development Plan to allow the applicant to address the comments.

Cherise Robinson Zoning Hearing, Docket 2009-02 – Secretary presented the Zoning Hearing Packet for Cherise Robinson. She explained that Ms. Robinson is requesting a variance from Article XVII, Section 1703 which concerns the non-conforming use. Ms. Robinson's lot is 40% non-conforming and the Zoning Ordinance only allows a 20% non-conformance. After discussion and

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upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval of the variance request because to the lot existed before zoning was enacted and it is of comparable or larger size than surrounding lots.

Duncan Oil Conditional Use, Docket # 2009-03 – Mr. Robert Shaffer, Jr. of Act One represented Duncan Oil. Mr. Ken Kilgore of Duncan Oil and Mr. Stanley Mutzabaugh were also present to answer any questions. Mr. Shaffer explained that the gas kiosk would be on the same lot as Mutzabaugh's Markets and an accessory use to the Market. The PTPC allowed Mr. Martin Harris and Ms. Carrie Haverman to talk to the Mr. Kilgore and Mr. Mutzabaugh.

Upon a Maguire/Dalla Piazza motion, the PTPC granted ten more minutes of discussion.

After Discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to recommend approval of the conditional use request with the condition that the Zoning Officer is to make a recommendation on the request. The PTPC also requests that the PTS consider the requirement of Section 1624.e and f of the Penn Township Zoning Ordinance due to the use being a retail outlet and not a vehicle service center.

Ryan Rohrer Zoning Hearing, Docket # 2009-04 – Secretary presented the Zoning Hearing Packet for Ryan Rohrer. She explained that Mr. Rohrer is requesting a variance from Article XVI, Section 1649.4 which concerns the spacing between right-of-ways. A discussion commenced on the number of lots on a right-of-way. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend denial of the variance request for the following reasons.

1. Presently there are at least two private right-of-ways meeting at one location.
2. Granting this variance would create a third private access at the same location.
3. Furthermore the granting of the variance would create four (4) or more private accesses on a private right-of-way.

NEW BUSINESS

Cutoff Date of Zoning Hearing Board Applications – A discussion commenced on the cutoff date for submission of the Zoning Hearing Board Application and the hardship on the PTPC to review the information presented. The consensus of the PTPC was to request that the Zoning Hearing Board change the cutoff date to the beginning of the month.

Upon the completion of all business and with a Martz/Dalla Piazza motion, the PTPC voted unanimously to adjourn the meeting at 9:34 p.m.

Respectfully Submitted;

Approved June 15, 2009

Brian R. Maguire
Secretary