

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

**MINUTES OF SEPTEMBER 21, 2009**

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The Penn Township Planning Commission (PTPC) met on September 21, 2009 at 6:40 p.m. in the Municipal Building. PTPC members present were Ed Chism (Chairman) Art Dalla Piazza, Ken Martz, and Brian Maguire. 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.

**COMPREHENSIVE PLAN (Plan)** – Chairman opened the workshop asking about the money situation. Engineer offered that the proposed state budget has cut money to DCED. Chairman offered that his opinion, if there is no money it may not be any benefit to have a joint plan. Engineer offered that perhaps contacting the State Representatives would be able to tell if there is any money in the budget. PTPC directed the Secretary to contact our representatives and have Mr. Chlebnikow to contact DCED.

Chairman offered, a joint plan means one plan that would cover both Townships. A discussion commenced on the different levels of review needed between Penn and Wheatfield. Upon a Maguire/Dalla Piazza motion, the workshop was closed at 7:00 p.m. and Chairman opened the meeting with the announcement that the meeting was recorded to help with the preparation of the minutes.

**VISITORS** – All visitors were acknowledged.

**CORRESPONDENCE** – Secretary presented the PTS letters approving the Morrison Land Development Plan, Warren H. Snyder Subdivision Plan and the Charles Stoner Subdivision Plan.

**MINUTES** – The minutes of the August 17, 2009 Planning Commission were presented. After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously to approve the August 17, 2009 PTPC minutes with the typographical changes.

**SUBDIVISION/LAND DEVELOPMENT PLANS**

**Warden Property Preliminary Subdivision Plan, File # 2005-06** - Mr. John Murphy offered that he represents Warden Property owners and offered that he and the Township Engineer have talked and that he would like an interpretation of cul-de-sac length and where a cul-de-sac starts. Mr. Murphy offered that the plan has a boulevard entrance with cul-de-sacs branching off from that. Engineer offered that the plan shows that cul-de-sac is starting upon a cul-de-sac. The PTPC suggested that perhaps some of the cul-de-sacs could be made to connect to other roads. Mr. Murphy offered that they will look into a loop configuration.

Mr. Murphy offered that the second issue is the cartway of the width with parking on both sides. Mr. Murphy offered that they would like to have a 28 foot width cartway with parking on one side of the road only. Engineer offered that the ordinance calls for a 26 foot width cartway with 8 foot parking lanes on both sides. Mr. Murphy requests that they would be allowed to contact the Township Solicitor with this question. The PTPC agreed with the understanding that the applicant would pay for the Solicitor's fee.

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Upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to grant 10 more minutes for this plan.

Mr. Murphy offered that the third issue is the water supply. He offered that the plan proposes on-lot wells and that the requirement to connect to public water within 3000 feet may not be feasible as there may be capacity problems. Chairman offered that the PTPC was not prepared to comment on this matter as it was still receiving comments from the Authority. Chairman also offered that the water study that was performed earlier has not been seen by the Township. Mr. Murphy stated that the study would be provided to the Township.

**Mutzabaugh market Fuel Depot Final Land Development Plan, File # 2009-08** - Mr. Rob Shaffer of Act One Consultants represented Mr. Stanley Mutzabaugh. A discussion commenced on the traffic flow and exit for the fuel depot. Mr. Shaffer offered to review the traffic control and to contact the Township Engineer with his finding. Mr. Shaffer also informed the PTPC that the Zoning Hearing Board granted the variance request for the location of the fuel depot. The PTPC reviewed the outstanding comments of the Zoning Officer, Engineer and County.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC granted ten minutes to the review of this plan.

The PTPC discussed the Stormwater issues in connection with the runoff being discharged into the grass area behind the fuel depot flow into the stormwater basin. The contours and spills from the tanks were discussed.

After discussion and upon a Maguire/Dalla Piazza motion, the PTPC granted ten more minutes to the review of this plan.

After due consideration, and upon a Dalla Piazza/Maguire motion, the PTPC voted unanimously to recommend approval the Alteration of Requirements (AOR) for Section 306, *Preliminary Plan* of the Township Subdivision and Land Development Ordinance due to the limited scope and minimal footprint proposed.

After due consideration, and upon a Dalla Piazza/Maguire 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 Existing contours shall only be shown in the area where improvements are proposed.

After due consideration, and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to recommend approval of the Mutzabaugh's Fuel Depot Preliminary/Final Land Development Plan, File # 2009-08, contingent upon following items being completed.

1. Evidence of approval of the Erosion and Sedimentation Control Plan (E&S Plan) by the Perry County Conservation District shall to be provided.
2. The E & S Plan only shows the reinforced silt fence. The Applicant must show all control facilities to the Engineer by September 28, 2009 or the plan will not be submitted to the Board of Supervisors until produced.
3. A construction Cost estimate needs to be submitted to the township which includes stormwater management improvements and E & S Control Facilities.

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4. Upon approval of the cost estimate, an appropriate form of financial security shall be submitted to the township.
5. The surveyor shall certify the accuracy of the plans prior to plan approval.
6. The engineer shall certify the engineering details of the plan by signature prior to plan approval
7. The landowner shall certify ownership by signature prior to plan approval.
8. The final contours for the surface water runoff shall be to the Engineer by September 28, 2009 or the plan will not be submitted to the Board of Supervisors until produced.
9. The reconfiguration of the exit only driveway shall be to the Engineer by September 28, 2009 or the plan will not be submitted to the Board of Supervisors until produced.
10. The lease area shall be designated on the plan.

**Brent Fox Zoning Hearing, Docket # 2009-08-01** – Secretary informed the PTPC that Mr. Fox has amended his variance request to expand his barn to include the amount of square footage of the non-conformance. After discussion and upon a Dalla Piazza/Maguire motion, the PTPC voted by majority to offer that the applicant should provide more substantiation of the hardship with the location of the non-conformance and the extent of the non-conformance. Mr. Martz abstained from the motion.

**Elmer Knaub Zoning Hearing, Docket # 2009-11** - Secretary explained that Mr. Knaub is requesting a variance of the side set back requirement of 10 feet to 8 feet. Mr. Knaub wishes to enlarge his garage. Mr. Knaub has submitted a letter from his neighbor stating that he did not oppose the request. Mr. Chism abstained himself from this matter due to his working with the Municipal Authority and Mr. Knaub is a member of the Municipal Authority. After discussion and upon a Maguire/Dalla Piazza motion, the PTPC voted unanimously that the PTPC has no objection to the requested variance provided enough separation is maintained between the houses.

**Ryan and Jennifer Rohrer Zoning Hearing, Docket # 2009-13** – Secretary explained that Mr. Rohrer is requested a variance of the road frontage of his lot. The PTPC discussed the road frontage, and as shown in the requested variance, the amount of lots that would access the private right-of-way. After discussion and upon a Dalla Piazza/Martz motion, the PTPC voted by majority to recommend the granting of this request because of the existing non-conformance along SR 849 contingent upon the access to the property not being off SR 849 and upon obtaining legal access that is not though the steep slopes. Mr. Chism opposed.

**Robert E. Shaffer Zoning Hearing, Docket 2009-13** - Secretary explained that Mr. Shaffer wishes to be buried on his property and that he is requesting a variance to reduce the amount of land required for a cemetery. The PTPC discussed the amount of land that should be designated for a private burial be kept at 5 acres to prevent everyone having a small lot from requesting to be buried on their property. The discussion continued that the 5 acres would not be allowed to be further subdivided, to have a plot plan that shows the designated burial plot(s), and require only the owner of record of the property could be buried there. Anyone else desiring to be buried would have to submit a separate request. An access easement and maintenance agreement

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was discussed. After further discussion and upon a Martz/Dalla Piazza motion, the PTPC voted unanimously to recommend denial of this request.

### **OLD BUSINESS**

**Warden Property Preliminary Subdivision Plan, File # 2005-06** - Secretary presented the Solicitor Wagner's response to the question that Ms. Sullivan proposed to Alpha and what liability the Township would have if the proposed plan was approved.

Upon the completion of all business and with a Martz/Dalla Piazza motion, the PTPC voted unanimously to adjourn the meeting at 10:00 p.m.

Respectfully Submitted;

**APPROVED OCTOBER 19, 2009**

Brian R. Maguire  
Secretary