

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

MINUTES OF AUGUST 15, 2016

The Penn Township Planning Commission (PTPC) met on August 15, 2016 at 6:30 p.m. in the Municipal Building. PTPC members present were Ed Chism, Chairman, Art Dalla Piazza, Ken Martz, and John Owen. Others present were Township Secretary Helen Klinepeter (Secretary) and Max Shradley. A list of visitors attending is available in the Township Office. Chairman Chism called the workshop to order.

WORKSHOP

The Workshop started at 6:30 p.m. regarding the changes to the Mixed Use Commerce District and wind energy of the Zoning Ordinance.

Mixed Use Commerce Zone - Mr. Timothy Anderson of the Pepper Law Firm sent an e-mail stating that he is representing a developer who is interested in the Business Campus. He submitted an amendment to the Limited Industrial Uses definition and to add as permitted uses of alcoholic beverages, tobacco and similar products and horticulture, gardening, nursery, greenhouse or commercial greenhouse uses conducted predominantly inside buildings under Limited Industrial Uses.

The PTPC reviewed the definition changes and had a consensus of approving the change. The permitted uses changes were discussed and tabled for further review at the next meeting.

Wind Ordinance – The PTPC reviewed and made the following changes to the Wind Ordinance:

- F. ~~Public~~ Ground Mounted Accessory Wind Energy Facility shall be prohibited in front yards, between the principal building and the street right-of-way.
- G. The minimum ground clearance for the Accessory Wind Energy Facility shall be 20 feet between ground and wind rotor blade.

Section 9 - WAIVER OF SETBACKS

- A. At the request of the applicant, the governing body may grant partial waivers of the setback requirements under Sections 8 (A) (2) (Occupied Buildings on Non-Participating Landowner's property), 8 (B) (Property Lines) and 8 (C) (Public Roads) and 8(F) (Ground Mounted Accessory) of this ordinance where it has determined that literal enforcement will exact undue hardship because of peculiar conditions pertaining to the land in question and provided that such waiver will not be contrary to the public interest. The applicant shall submit a signed notarized document from the property owner (s) that they are in agreement with the applicant's request for a waiver of the setback requirements under Section 8 (A)(2) and 8 (B) and 8(F) (Ground Mounted Accessory) of this ordinance. This document shall stipulate that the property owner(s) know of the setback requirements required by this Ordinance, describes how the proposed Wind Energy Facility is not in compliance, and state that consent is

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granted for the Wind Energy Facility to not be setback as required by this Ordinance.

Agritourism – The PTPC decided to table this matter for more information

Wireless Ordinance - Mr. Dalla Piazza offered that he had a change to the Wireless Ordinance, Section III – Definitions. He would like the following to be added.

B.1 Antenna and or 17 WCF = This definition does not apply to broadcast antennas, antennas designed for amateur radio use or satellite dishes designed for residential or household purposes.

Upon a Dalla Piazza/Owen motion the PTPC closed the Workshop and opened the Meeting at 6:59 p.m.

VISITORS

Floyd and Sue Smith and R. Benner – The Smiths and Mr. Benner wanted to let the Planning Commission know about the new owner of the property on Rupp Road (Mladenoff Property). The new owner wants to put in a dog kennel and train dogs. The dogs are running loose and onto neighbors' property and have bitten one of the police officers. It was explained that the new owner has not submitted a Zoning Permit for any use as of this time and until a permit was issued there was nothing the Planning Commission can do at this time. The Smith's and Mr. Benner understood this and just wanted the Planning Commission to know what was happening.

MINUTES – The minutes of the July 18, 2016 Planning Commission were presented. After discussion and upon a Dalla Piazza/Martz motion, the PTPC voted unanimously to approve the July 18, 2016 PTPC minutes with typographical changes.

SUBDIVISION AND LAND DEVELOPMENT ISSUES

Matt Baun, 4 Railroad Street – Mr. Baun came to the Planning Commission to get approval to build in the Floodplain. Discussion commenced on the location of the flood way and what would be needed. There were suggestions that the shed be placed in another location on the land. It was noted that he would have to present an evaluation certificate and build according to the Floodplain Ordinance. Mr. Baun thanked the Planning Commission for their time and would consider all the information received.

Upon the completion of all business and with an Owen/Dalla Piazza motion, the PTPC voted unanimously to adjourn the meeting at 7:15 p.m. The Workshop reconvened at 7:16 p.m.

WIND ORDINANCE - The PTPC finished the review of the Wind Ordinance with the following changes:

Section 15 - If neither the Facility Owner or Operator, nor the landowner complete decommissioning within the periods prescribed by Paragraphs 15(A) and 15(B5), then Penn Township may take such measures as necessary to complete decommissioning. The entry into and submission of evidence of a Participating Landowner agreement to Penn Township shall constitute agreement and consent of the parties to the agreement, their respective heirs,

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successors and assigns that the Penn Township may take such action as necessary to implement the decommissioning. In accordance with Section 15(A4) above the escrow agent shall release the decommissioning funds to the Township.

The PTPC decided to review the changes at the next meeting.

Upon an Owen/Dalla Piazza motion, the PTPC closed the workshop at 7:30 p.m.

Respectfully Submitted;


Helen Klinepeter
Recording Secretary