

PENN TOWNSHIP BOARD OF SUPERVISORS
100 Municipal Building Road
Duncannon, PA 17020-1100

Henry A. Holman, Jr., Chairman

Lucinda (CeCe) Novinger, Vice-Chairman

Randy Plummer, Supervisor

MINUTES OF JUNE 24, 2009
Conditional Use Hearing for Duncan Oil

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The Penn Township Board of Supervisors (PTS) met on Wednesday June 24, 2009 at 6:30 p.m. in the Municipal Building to conduct a Conditional Use Hearing for Duncan Oil. Chairman Henry Holman, Jr., Vice-Chairman CeCe Novinger, and Supervisor Randy Plummer were in attendance. Other personnel present were Helen Klinepeter (Secretary), Susan Long (Treasurer), and Rich Wagner (Solicitor). A stenographer was present to transcribe the hearing. The list of visitors is on file in the office.

BACKGROUND

Duncan Oil has submitted a Conditional Use application for approval of an accessory use to a retail business at 3 Friendly Drive, Duncannon, PA. Duncan Oil would like to construct a gasoline refueling station with a kiosk and canopy for vehicular use. There would be no sale of diesel fuel, nor would there be vehicular repair services. This Conditional Use approval requires a public hearing in front of the Board of Supervisors.

CONDITIONAL USE HEARING

Chairman Holman convened the hearing, announced that it was being recorded to aid in preparation of the minutes, and then turned it over to Solicitor Wagner.

The Solicitor entered into exhibit the application, hearing notices, site plan, and letter from the Penn Township Zoning Officer.

Robert E. Shaffer, Jr. of Act One Consultants stated that he was the Engineer for the applicant. He explained that Duncan Oil wished to construct a refueling station with a kiosk and canopy at 3 Friendly Drive. The Solicitor asked Mr. Shaffer if he participated in the creation of the site plan for the property. Mr. Shaffer responded in the affirmative. The Solicitor noted that Section 1820.2.A of the Zoning Ordinance contains nine requirements for granting of a conditional use. He mentioned each requirement and asked if it had been incorporated into the plan:

1. The location, boundaries, dimensions and ownership of the land. Mr. Shaffer responded in the affirmative.
2. In the case of commercial development, a general description of the activities to take place as may be appropriate such as maximum employment, working hours, customer traffic, and delivery services. Developer Ken Kilgore responded that there would be four employees, and that hours of operation would be 6:00 a.m. to 11:00 p.m.
3. The location, use, and ground area of such proposed building and other structure. Mr. Shaffer responded in the affirmative.
4. The locations, dimensions, arrangements and proposed use of all open spaces, yards, streets, accessways, entrances, exits, off-street parking facilities, loading and unloading facilities, pedestrian ways and buffer yards. Mr. Shaffer responded in the affirmative.
5. The capacity arrangement and controls for all areas to be used for automobile access, parking, loading and unloading in sufficient detail to demonstrate that satisfactory arrangements will be made to facilitate traffic movement from the street or highway. Mr. Shaffer responded that the current parking spaces at Mutzabaugh's Market would be utilized.

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6. The character of the buffer area and screening devices to be maintained including the dimensions and arrangements of all areas devoted to planting, lawns, trees or similar
7. purposes. Mr. Shaffer presented Applicant's Exhibit 1, which showed the planting in the buffer areas.
8. A description of the proposed methods of control of development in sufficient detail to indicate the noise, glare, air pollution, water pollution, fire hazards, traffic congestion, and other safety hazards to be produced. Mr. Shaffer stated that there were no known hazards. When asked if there would be bulk storage of gasoline, Mr. Shaffer responded in the affirmative.
9. A description of the methods to be used for water supply treatment and disposal of sewage, wastes, refuse, and storm drainage. Mr. Shaffer responded that there would be no water supply.
10. The names and addresses of all adjoining property owners. Mr. Shaffer responded in the affirmative.

The Solicitor asked if there would be any gas pumps or gasoline storage within twenty-five feet of the property line, or within three hundred feet from any schools, churches, hospitals or places of public assembly. Mr. Shaffer responded in the negative.

The Solicitor asked if the PTS or the visitors had any questions for Mr. Shaffer or Mr. Kilgore. There were none. The Solicitor asked if anyone had any additional information to present. Mr. Kilgore stated that many supermarkets are now offering refueling services for the purpose of gaining customer loyalty. He stated that supermarket retailers do not sell fuel for financial reasons, as the fuel companies are the recipients of the profits. Rather, supermarket retailers hope that fuel sales will help them maintain their customer bases, so that the retailers may continue to be financially viable community anchors.

ADJOURNMENT

As there were no more public comments, Chairman Holman closed the Conditional Use hearing at 6:47 p.m., with the comment that a decision will be rendered later

Susan E. Long
Recording Secretary