

**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 JULY 29, 2009**  
**Conditional Use Hearing for Morrison, Inc**

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The Penn Township Board of Supervisors (PTS) met on Wednesday, July 29, 2009 at 6:30 p.m. in the Municipal Building to conduct a Conditional Use Hearing for Morrison, Inc. 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**

Morrison, Inc. has submitted a Conditional Use application for a variance of height restrictions for the proposed headquarters of Morrison, Inc. The company has drilling rigs that extend to forty feet in height. These rigs are operated all year, and increasing the height of the building will allow the rigs to be repaired inside during inclement weather.

**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 had the Secretary sworn-in, and then entered into exhibit the application, hearing notice advertisements, the site plan, letters to adjoining neighbors, and letters from the Penn Township Zoning Officer and Penn Township Planning Commission.

The Solicitor noted that Section 1820.2.A of the Zoning Ordinance contains nine requirements for the granting of a conditional use. Each requirement was discussed as to how it had been incorporated into the plan.

The Solicitor asked if the PTS or any visitors had questions for Mr. Morrison. There were none. The Solicitor instructed the PTS that, having concluded the testimony, it would be appropriate for the PTS to close the hearing and, if it so wished, make its decision. Chairman Holman closed the Conditional Use hearing at 6:47 p.m. After discussion, and upon a Holman/Novinger motion, the PTS voted unanimously to approve the Conditional Use requested by Morrison, Inc.

**FINDING OF FACTS**

1. A Conditional Use application was filed by Morrison, Inc. – PTS Exhibit 1.
2. As a result of that application, the PTS Secretary caused to be advertised appropriately in a newspaper of general circulation the notice of date, time and place of the Conditional Use hearing – PTS Exhibit 2.
3. The application contained a preliminary land development plan – PTS Exhibit 3.
4. The Penn Township Zoning Officer reviewed the plan and determined that the plan met with his approval – PTS Exhibit 4.
5. Notification was given per the Zoning Ordinance to adjacent land owners who may be affected by the Conditional Use – PTS Exhibit 5.
6. The Penn Township Planning Commission reviewed the Conditional Use application and voted unanimously to recommend approval of the request to increase the building height to forty-five feet – PTS Exhibit 6.

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7. At the hearing held on July 20, 2009, testimony was presented by Mr. Morrison, who reviewed the provisions of Section 8.20 of the Zoning Ordinance, specifically sections 1, 2, and 3. Additionally, the plan meets the requirements set forth in Section 1820, specifically those pertaining to Conditional Use.
8. Those requirements that were not met are contained in the final land development plan that has been filed with Penn Township, and which is incorporated herein by reference, for the purpose of the concluding that the facts of this hearing comply with the requirements of Section 1820.

**CONCLUSIONS OF LAW**

1. The plan was timely filed with Penn Township, who in turn timely advertised the plan for purposes of the hearing.
2. Penn Township received six exhibits, all of which are incorporated here by reference and made part of this record.
3. The exhibits clearly indicate that there has been compliance by the applicant with Section 1820 of the Township Zoning Ordinance, except for some facts that are incorporated here by reference and contemporaneously filed by Penn Township.
4. The proposed Conditional Use meets the requirements of the Penn Township Zoning Ordinance.
5. As a result of the above, the PTS voted unanimously to approve the Conditional Use application of Morrison, Inc.

The Solicitor noted that the above findings and conclusion will be typed and presented to the PTS for their signatures. He informed the public that they had a thirty-day time frame to appeal the decision.

**ADJOURNMENT**

Upon a Holman/Plummer motion, the PTS voted unanimously to adjourn the Conditional Use hearing at 6:52 p.m.

Susan E. Long  
Recording Secretary