

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

Henry A. Holman, Jr., Chairman    Brian Maguire, Vice-Chairman    Brian K. Peters, Supervisor

**MINUTES OF JANUARY 6, 2014**  
**Conditional Use Hearing for Perdix Fire Company**

Page 1 of 3

\*\*\*\*\*

The Penn Township Board of Supervisors (PTS) met on Monday, January 6, 2014, at 6:00 p.m. in the Municipal Building to conduct a Conditional Use Hearing for the Perdix Fire Company. Chairman Henry Holman, Jr., Vice-Chairman Brian Maguire and Supervisor Brian Peters were in attendance. Other personnel present were Helen Klinepeter (Secretary), P. Richard Wagner (Solicitor), and Elizabeth Goodhart (Treasurer). The list of visitors is on file in the office.

**BACKGROUND**

Lee and Kim Wright, owners of New Blooms greenhouse, are proposing to construct and operate an agricultural roadside stand and ice cream stand at a location owned by the Perdix Fire Company and previously leased by the Eagles Nest.

**CONDITIONAL USE HEARING**

Chairman Holman convened the hearing at 6:00 p.m., and turned the meeting over to Solicitor Wagner for opening comments and questions. Solicitor Wagner explained the procedure for the hearing, and had all persons intending to testify sworn in by the Stenographer.

He noted that the following joint exhibits were accepted into evidence. Joint Exhibit #1 is a Conditional Use Application, dated November 14, 2013, filed by the Perdix Fire Company, signed by Jodi Rissinger, and it requests the conditional use of property for the purposes of the construction of a complex for an agricultural roadside stand. Exhibit #2 appears to be a list of parcels within 200 feet of the applicant's property. Exhibit #3 consists of what appears to be a plan that was prepared by Burget and Associates and is marked "Sketch Plan for Perdix Fire Company dated November 12, 2013". Exhibit #4 is the advertisement in the News Sun, the Perry County Times and Duncannon Record with advertisements being the 19<sup>th</sup> of December, 26<sup>th</sup> of December, 2013, setting forth this evening at 6:00 PM for purposes of a conditional use hearing. Exhibit #5 is the Perry County Planning Commission recommendation to the Board of Supervisors to recommend approval through the Board. Exhibit #6 is a letter from the Township Zoning Officer indicating certain concerns, but overall indicating that they are in favor of the adoption of the recommended application. Solicitor asked if anyone had any objection to the admission of any of these exhibits in the record. Solicitor stated that hearing none, they will be admitted.

Solicitor Wagner asked if there was a spokesperson for the applicant and asked Joe Burget to identify himself to the PTS and the stenographer. He identified himself as Joe A. Burget, Jr., land surveyor for Burget and Associates. Solicitor Wagner asked Mr. Burget if he was the person who prepared what he read into the record as an Exhibit "Burget and Associates Sketch Plan" for applicant to which he replied yes. Solicitor Wagner asked if the "Sketch Plan" included what he would testify to as fulfilling the obligations of the applicants in accordance with Section 1820 of the Zoning Ordinance in Penn Township. Mr. Burget stated he would like to add a revised sketch plan which Solicitor Wagner stated would be marked as Exhibit #7. He said it would be called a revised sketch plan on behalf of the applicant dated December 16, 2013. Mr. Burget stated it was revised per Zoning Officer Lenny Sizer's comments. Solicitor

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

Henry A. Holman, Jr., Chairman    Brian Maguire, Vice-Chairman    Brian K. Peters, Supervisor

**MINUTES OF JANUARY 6, 2014**  
**Conditional Use Hearing for Perdix Fire Company**

Page 2 of 3

\*\*\*\*\*

asked if anyone had any objection to the admission of this exhibit. Solicitor stated that hearing none, it will be admitted. Solicitor asked if in preparation of Exhibit #7, was the information contained in that exhibit in accordance with requirements of Section 1820 of the Ordinance regarding conditional use requirements. Mr. Burget replied in the affirmative. Solicitor asked Mr. Burget if there was any additional information he wanted to provide to the Board for its consideration. Mr. Burget replied in the negative.

Solicitor Wagner had several questions for purposes of the record. He asked Mr. Burget if it is his opinion that the information he supplied to the Board sets forth all the requirements under Section 1820 Conditional Uses of our ordinance, to which Mr. Burget replied in the affirmative. Solicitor Wagner asked Mr. Burget if the Conditional Use provisions of the Zoning Ordinance, specifically section 805, which permits as conditional uses, nurseries, greenhouses and roadside stands for sale of agricultural products—are the conditional uses for which this applicant is seeking approval, to which Mr. Burget replied in the affirmative. Solicitor stated that assuming this is approved by the Board, on behalf of the applicant, will you be able to comply with Section 1635 concerning parking, loading, display signs, etc, to which Mr. Burget replied in the affirmative.

Solicitor asked the Board if they had any questions/concerns. Chairman Holman mentioned the issue of gray water. Mr. Burget stated that if this is approved, they will submit a land development plan to the Township which will show all items and will include all approvals from the treatment facility which will occur within the next 2-3 months. Solicitor asked Mr. Burget to confirm that if this conditional use is approved, will applicant meet all applicable ordinances in the township as well as anything required by DEP. Mr. Burget replied in the affirmative.

Solicitor Wagner asked all meeting attendees if they had any questions for Mr. Burget. He specifically asked Lee Wright if he had any additional information to be shared. Mr. Wright stated that he planned to go to the Municipal Authority to discuss the gray water issues.

Chairman Holman asked Mr. Wright about if the existing trailer sitting at the location will be removed. Mr. Wright replied in the affirmative. He also asked about the two storage sheds. Mr. Burget stated the small one will be removed but they may keep the larger one.

Solicitor Wagner asked the attendees if anyone wanted to say anything on behalf of or in opposition to this application. Hearing none, Solicitor Wagner recommended that Chairman Holman close the record.

Chairman Holman stated it was time to close this record and to close this hearing at 6:13 PM. Solicitor Wagner stated that the Board is faced with several choices. The Board can either digest the material and set a date, time and place to make a decision on this conditional use application. Or if the Board feels it is in a position to make a decision today, they can do so and we can read it into the record and a vote can be taken.

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

Henry A. Holman, Jr., Chairman    Brian Maguire, Vice-Chairman    Brian K. Peters, Supervisor

**MINUTES OF JANUARY 6, 2014  
Conditional Use Hearing for Perdix Fire Company**

Page 3 of 3

\*\*\*\*\*

Supervisor Peters stated he would abstain due to his relationship with Lee Wright. Chairman Holman discussed his interpretation of the Zoning Ordinance, and asked Solicitor Wagner if his interpretation was correct. Solicitor Wagner replied that Chairman Holman's interpretation was correct. He also stated that the Board could add compliance with section 1635 and compliance with all other ordinances, including regulations from DEP. as a condition of approval. Upon a Holman/Maguire motion, the application for conditional use was approved. Supervisor Peters abstained from the voting.

With a court reporter present, Solicitor Wagner entered into the record and read into the record, the decision of the Board. Solicitor stated it would be called "Findings of Fact and Conclusions of Law". He then dictated to the court reporter.

Upon a Holman/Maguire motion, the PTS voted unanimously to adjourn the hearing at 6:20 PM.

Respectfully submitted,



Elizabeth Goodhart  
Treasurer/Recording Secretary

