

**PENN TOWNSHIP
PLANNING COMMISSION MINUTES
228 CLIFFORD ROAD, SELINGSGROVE
May 24, 2021**

Members present included: Derek Straub via Zoom, Alternate Dan Kuruna, Brian Wentzel, Jon Payne, Marvin Weaver and Ken Herman Jr.

Members Excused: Robert Grayston

Also Present: Solicitor Jim Bathgate, Manager Julie Hartley, Gene Kreamer, P.J. Adam and Chris Shaffer

The meeting was called to order by Chairman Brian Wentzel at 6:55 pm.

On motion by Marvin Weaver and seconded by Ken Herman Jr., and carried on an 5-0 vote, the minutes of the May 10, 2021 Planning Commission meeting were approved as presented.

Persons to be Heard:

Gene Kreamer presented the Holtzapple/Morris Subdivision which in the Agricultural Conservation zone. He proposed three lots be subdivided with one residual lot. Two lots of the original parcel were subdivided before the zoning ordinance and one lot was subdivided to a son. The farmstead is also allowed to be subdivided according to the Zoning Ordinance. All lots will be non-building lots with notes on the plan and are going to continue to be used for agriculture. The estate will continue to own the residual lot. The easement for the driveway is shown on the plans. All lots have direct access to Middle Creek Road. After this subdivision is approved, two additional lots may be subdivided.

After discussion the following items need follow-up by Gene Kreamer:

- 1) Subdivision plans need redrawn for lot six to allow for proper set-backs from property lines
- 2) Add a note on plans that, "After this subdivision two more parcels may be subdivided"
- 3) Add a note on plans that there is, "A maintenance agreement between owners of lot five and six for shared driveway maintenance"
- 4) Approval letter from Snyder County Planning Commission and notes on the plans showing their approval

P.J. Adams representing Weikel Bussing, noted that currently they are leasing at two sites. The one is at Super Service Garage in Beavertown and the other is at Keystone Building Products along 522. They are considering purchasing the old state police barracks in Pawling Station Business Park, adding an addition to the building and purchasing two additional vacant building lots for parking. Jim Bathgate noted that they would need a Conditional Use Hearing according to section 402.2 which covers "uses not provided for". Jim also explained that under section 502.2 parking spaces would need to be addressed if they add an addition to the former state police barracks. Jim Bathgate explained that after a conditional use is approved, they would have to file a land development plan. P. J. Adams was asked if there would be fuel storage on the site and he said there would not be any. It was noted that impervious coverage could not exceed sixty percent of the lot. Mr. Adams thanked the Planning Commission for their input.

Chris Shaffer is building an addition on his home to house his mother-in-law and is seeking a Conditional Use. His home is in the Highway Commercial Zone. The addition will be attached to his home but be a separate unit with future plans of opening each space to access the other. Jim Bathgate noted that a duplex in the HC zone is a non-conforming use under section 602 of the zoning ordinance, "legal non-conforming dwelling". It was noted that the set-backs and impervious coverage are acceptable but any large future additions to the property would not be allowed because the lot will now be "built-out" for impervious coverage.

After discussion the following motion was made:

On motion by Jon Payne and seconded by Ken Herman Jr., and carried on a 5-0 vote, it is recommended that the Board of Supervisors approve the Conditional Use with the following requirements:

- 1) **Subject to all local, state and federal laws**
- 2) **Letter from Penn Township Municipal Authority (PTMA) stating that the sewage connection can proceed without purchasing additional EDUs or having a separate line**

Marvin Weaver explained to the Planning Commission that he is seeking a Conditional Use to build an additional broiler house on his property which would make his farm a CAO (concentrated animal operation). The second barn will have the same square footage as his other barn. His property is forty-seven and a half acres which is well over the ten-acre limit for a CAO. Jim Bathgate noted that if the items that are needed for the Conditional Use hearing are not available at the time that is scheduled, a continuance should be filed.

After review the following items will need to be presented to the Planning Commission in order to recommend approval to the Board of Supervisors:

- 1) A Nutrient Management Plan acquired and approval by the Snyder County Conservation District by letter
- 2) A certified copy of the Odor Management Plan from Penn State
- 3) An approval letter for the Manure Management Plan
- 4) Certification by a registered professional engineer that there is compliance with the building siting requirements for CAOs/CAFOs under NOMA regulations

New Business:

Comprehensive Plan Review – The Planning Commission will review the draft Comprehensive Plan and provide any comments before the public hearing on June 2, 2021.

Transient Merchant Permits - Tabled

Old Business:

Letters from PTMA to Bright Farms – Two letters from PTMA to Bright Farms regarding their sewage output and meters were reviewed by the Planning Commission.

FYI-

- Bright Farms – Final LD, filed 6.17.20, due 7.13.21
- RBBB Holdings/Ron Brubaker – Final LD, filed 8.25.20, due 10.5.21
- VFW Subdivision, filed 1.5.21, due 8.4.2021
- Lester Sensenig Land Development, filed 3.22.21, due 6.18.21
- Constenbader/Morris Subdivision, filed 4.14.21, due 7.13.21
- Best Bowl Conditional Use, filed 4.21.21, due 6.18.21, hearing 6.2.21
- Marvin Weaver Conditional Use, filed 5.13.21, due 7.12.21, hearing 6.23.21
- Holtzapple/Morris Subdivision, filed 5.18.21, due 8.16.21
- Chris Shaffer Conditional Use, filed 5.19.21, due 7.16.21, hearing 6.23.21
- Timothy Horlacher, Trinity Solar Conditional Use, filed 5.21.21, due 7.20.21

Adjournment – On motion by Jon Payne and seconded by Ken Herman Jr., and carried on a 5-0 vote, the Planning Commission meeting was adjourned at 8:12 p.m.

Respectfully submitted,
Julie Hartley, Township Manager