

**Penn Township
Planning Commission Minutes
Reorganization
January 25, 2016**

Members present included: Cornelius Heeren, Derek Straub, Ken Herman Jr., Kevin Cook, Dan Kuruna, Ray Cerezo and Jim Wentzel.

Members Excused: Tim Moyer

Also Present: Attorney James Bathgate and Secretary Brenda Moyer

Members of the Public: Ross Bailey, Kim Morris, Char and Ken Bailey, Carson Bailey and Kevin Dressler

At 7:00 pm acting as temporary chair Attorney Bathgate called the January 25, 2016 reorganization meeting to order and Cornelius Heeren moved to nominate member Dan Kuruna as chairman of the planning commission, second by Derek Straub. Nominations were closed. **On motion by Cornelius Heeren, second by Derek Straub and acclamation, Dan Kuruna was appointed Chairman of the Planning Commission for 2016.**

Derek Straub moved to nominate member Cornelius Heeren as vice chairman of the planning commission, second by Dan Kuruna. Nominations were closed.

On motion by Derek Straub, second by Dan Kuruna and acclamation, Cornelius Heeren shall serve as Vice Chairman of the Planning Commission for 2016.

On motion by Jim Wentzel, second Derek Straub, commission acclamation the 12.21.2015 PC minutes were approved as presented. The record shall show the January 11, 2015 PC work session was canceled and not held as advertised.

Public Comment – No public comment

Persons Present to be Heard –

J. Leonard Meckley was present representing the Carson S and Dorothy K Bailey Final Subdivision Plan identified as Penn Twp SD#1601 and SCPC #5067 and dated 10.19.2015.

Tax Parcel – 08-02-017, the parent tract is comprised of 97.935 total acres in the AC (Agricultural Conservation) zone and lies in both Penn (44.679 ac) and Jackson (53.256 ac) Townships. Applicant proposes to subdivide a **LOT A** from parent tract. This proposed **Lot A** will lie in both Penn Twp - 8.76 acres and Jackson Twp-11.053 acres. The residual would have total acreage of 78.122 ac with 42.203 residual acres in Jackson Twp and 35.919 residual acres in Penn Township.

No buildings have been identified on the proposed **Lot A**.

Lot A is proposed to remain AG and no septic testing or other permits are being applied for.

SCPC did confirm receipt of the Plan in their office and review comments were provided. SCPC deferred their approval rights to Penn Township, noting any modifications should be requested in writing. SCPC also noted Section 302 – Existing Features of the Penn Township SALDO indicating:

- ROW's and paved widths should be shown on the Plan
- Show contours at 5' intervals on the Plan

It was noted this is the first proposed lot subdivision from this tract per adoption of the Penn Township Zoning Ordinance 2005-01, (**Lot A**) will be conveyed to a grandson.

A request for plan requirement modification was requested

- Plan scale, the Plan submitted shows 1" = 150' over the required 1" = 100'

On Motion by Jim Wentzel, second by Derek Straub and commission acclamation the Planning Commission would recommend granting the modification requested.

After discussion and review, on motion by Cornelius Heeren, second by Jim Wentzel and committee acclamation, the Penn Township Planning Commission would recommend Supervisor approval of the Plan with the following conditions met:

- Driveway be shown for **Lot A** in the Penn Township portion
- Table or Narrative on the Plan to show parent tract size at adoption of ordinance (2005) for this AC Zone, # of allowed lots or dwellings, # being proposed, acreage being subdivided, residue remaining, dates
- Two (2) additional signature lines shall be added for supervisors signatures
- Affidavit of Ownership shall be completed
- Address any comments from SCPC

- Revision dates shall be included on the Plan
- Stamp of approval from SCPC on the revised Plan

Mr. Meckley will make required changes to the Plan, resubmit to SCPC for stamping and return them to Penn Township for Supervisor approval on February 3, 2016.

Planning member Ray Cerezo departed the meeting at 7:27 PM.

Kevin Dressler was in attendance to present and discuss his application for Variance of Penn Township Zoning Ordinance 2005-01 as it pertains to the property in which he resides with his mother. The property is located at 23 Wedgewood Drive, in the Wedgewood Development, Tax Map PN 13-09-091-16, a .946 acre parcel located in the R-2 (Medium Density) zoning district. Mr. Dressler is requesting a variance in difference to Section 405 of the zoning ordinance and allowed uses in that R-2 zone.

Mr. Dressler indicated he started his business, Dressler's Farm in 2010 and retains sole proprietorship. Mr. Dressler is passionate about agriculture and is extensively involved in many areas. He has been accepted and plans to attend PSU this coming fall seeking an AG Education degree.

Currently Dressler houses and maintains @50 chickens at the named location. One goat and two miniature donkeys owned by Dressler are housed at the rear of the property on adjoining lands Dressler rents from Ammon Stauffer. This rented land is also zoned R-2. Dressler is requesting a variance to allow him to continue the operation with a prescribed time frame. Dressler maintains this operation is to support his education costs and will help to provide funding for a future land purchase where he can live and grow his business.

Dressler noted he is registered with the Department of Ag and believes he may be exempt from local zoning ordinances because the Right to Farm Act provides him relief if he meets one of the following criteria. 1) Have ten acres or more, or 2) earn 10K or more per year. Dressler provided a spreadsheet showing he earned 10K+ in 2015. Solicitor Bathgate will research this claim and provide result to the PC and Supervisors.

On motion by Derek Straub, second by Cornelius Heeren and acclamation, the Planning Commission will recommend the Zoning Hearing Board consider approval of the zoning variance request of Mr. Dressler provided there are no objections from neighbors and subject to any other conditions the Zoning Hearing Board may see fit to attach.

The hearing will be scheduled for Wednesday, February 24, 2016 at 7 PM. Notification of the zoning variance hearing request will be mailed to twelve (12) properties adjoining and near the Dressler property. The hearing will be advertised and the property will be posted. Dressler was advised to collect support of his operation and provide this to the ZHB at the hearing. Planning Commission was impressed with the passion, maturity and work ethic of Dressler.

New Business -

- Members required were presented with PA State Ethics forms to be completed and returned prior to May 1, 2016. Included were Dan K, Cornelius H, D Straub, J Wentzel, and Jim Bathgate.
- Member contact info and 2016 meeting schedule were provided and corrections were made.
- A form to request waiver of receiving a \$25 stipend to attend regular PC meetings was supplied.

Old Business - N/A

FYI – 2015 and history of Permit and Land Development totals were provided.

Adjournment -

On motion by Jim Wentzel, second Cornelius Heeren, and acclamation the 1.25.2016 regular Penn Township Planning Commission meeting was adjourned at 9:07 pm.