

**Penn Township
Planning Commission Minutes
February 22, 2016**

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

Members Excused: Tim Moyer

Also Present: Attorney James Bathgate and Secretary Brenda Moyer

Members of the Public: Jon Payne, Bud Schenk, Chad Shaffer, Steve Bogush, Nelson Beachy, Jim Grose, Austin Clark and Kelsey Clark.

The February 22, 2016 regular meeting was called to order at 7:03 pm by Dan Kuruna.

On motion by Derek Straub, second Jim Wentzel, and acclamation of the commission the 1.25.2016 PC minutes were approved as presented.

Public Comment – No public comment

Persons Present to be Heard –

Bud Schenk, Mid Penn Engineering was present representing the CUMC (Christ United Methodist Church). This land develop, GIS addressed as 68 Mountain Drive, sits in the R-2 zone, on 18.56 acres, TAX MAP PN 013-08-116.

Mr. Schenk presented a Preliminary / Final Land Development Plan Phase II. Phase I of this plan was prepared by LDG and approved by Penn Township 11/11/2011. This prior approval addressed SW for the entire project and no changes are proposed to the original SW approval.

This Phase II proposes, a 7400 sq ft. portion of the church with basement, paving of the DW from route 522 up to the church and including the one-way loop in front of the church entrance, ADA parking will be paved; stabilized walkways will be installed from parking lots and to dumpster facility, two LED area lights on 25' poles.

Utilities – plan shows gas available at the entrance at Rt 522, phase 3 electric, TV and phone will be brought in from an overhead on Rt 522 then continue underground. Capacity for sewer and water were addressed in Phase I and readily available. A lit sign is proposed for the entrance along Route 522, no details, will be a separate permit app.

Stormwater was again questioned and Mr. Schenk noted there are no changes proposed to the already approved SW plan from 2011. All methodology is the same and no grading changes are proposed.

Landscape Plan from Phase I approval shall be addressed. (SP6)

On behalf of CUMC Mr. Schenk is requesting a recommendation for Preliminary / Final approval with Improvement Guarantee (110% of estimated site improvements). An estimate for site improvements was provided.

On motion by Cornelius Heeren, second Kevin Cook, and acclamation, the commission agrees plan shall be sent to Bob Bickhart for overall Plan and site improvements estimate review.

On motion by Kevin Cook, second Cornelius Heeren and acclamation, the commission recommends the Supervisors grant Preliminary / Final approval of the CUMC Phase II Land Development Plan with:

1. Preliminary Approval for the future Phases A, B and C and...
2. Final Approval for the construction of proposed paved ways and the initial portion of church w/ an improvement guarantee in the form of a performance bond provided and the following matters addressed:
 - ✓ Page 1 – site location hanging on the edge of the site map
 - ✓ Supervisors signature lines – need two additional lines
 - ✓ Tax Map PN 13-08-116 to be added to title block (project address as well, 68 Mountain Drive???)
 - ✓ Affidavit of the Owner(s) to be completed
 - ✓ County comments provided, reviewed and addressed as necessary
 - ✓ Page 2 – in the Inset adjoining owners and TaxMapPN #'s shall be included
 - ✓ Page 2 – corrections made to the adjoining property owners along the DW and TaxMapPN #'s added Amato13-08-173, Charles P Jasper III Paper Place s/b Foss Jewelers 13-08-180, Kenneth R. Gift two parcels 13-08-183 + 183A, Raymond T Stanton, frame office building s/b Todd Shinko 13-08-188,

**Penn Township
Planning Commission Minutes
February 22, 2016**

- ✓ note added to Title Page plantings shall be installed per the Landscape Plan page SP6 of 11/11/11 approved Plan by LDG
- ✓ Installation of landscape plan shall be added to the site improvements cost estimate
- ✓ Bickhart shall provide review of the overall land development proposal and the site improvements estimates
- ✓ The approved Phase II Plan shall be recorded after approval

This Plan will be added to the March 2, 2016 Supervisors agenda.

Note - The proposed Phases A, B and C additions will be in future phases. CUMC can go ahead and build a phase, then provide an "as-built" for the completed Phase. This will trigger an occupancy permit; as-built would be recorded.

Chad Shaffer was present representing the Final Subdivision Plan for Steve Bogush. Located in the R-2 district, TaxMapPN # 13-03-272 +272A, SD# 1602, total acreage 11.11, proposing a SD of one lot, shown as LOT 5 on Plan w/ 2.17 ac and the residual identified as LOT 4 w/ 8.94 acres.
Proposed use is a single-family home w/ well and on lot sewage.

Sewage testing was done 11.25.2015 with a site located on the Plan for an "at-grade" system.
No sewer permit has been issued at his time.

A 50' access easement off Clifford Road is identified on the Plan. Applicant and Suburban Propane, Tax Map PN 13-03-131 are currently working on the easement agreement. Bogush will provide this agreement to township solicitor for review. Utility agreements and maintenance will be included in the access easement.

The proposed DW shown to cross a stream, a general permit must be acquired prior to any other permits being issued.

With an access easement agreement in place, no further HOP would be required.

On motion by Derek Straub, second Jim Wentzel and acclamation, the planning commission would recommend approval with the following conditions met:

- ✓ Favorable review from SCPC
- ✓ Note added to the Plan – Landowner shall apply to the appropriate party for stream encroachment permit
- ✓ Owner Acknowledgement completed on Plan
- ✓ HOP noted on the Plan
- ✓ Provide access agreement for Solicitor review
- ✓ Access Easement Agreement will need to be formalized and recorded when appropriate

Jim Grose presented the Final Land Development Plan of Levi M Beachy and Linda Ann Beachy. Grose is presenting this Plan to remove a statement included on the Plan in a 1991 subdivision naming this Lot #14, as a "non-building" agricultural lot. This proposes removing that statement allowing for a residential lot.

Lot #14 is 10.92 acres, TaxMapPN# 13-02-013, located in the AC (Agricultural Conservation) zone, a driveway permit from Penn Township has been approved DWP# 16-01, on-lot sewage disposal has been tested for and permitted #Z-191356.

A PPL line runs across the property with a 200' ROW.

An existing 15' drainage easement is currently in place per original 1991 Plan and shown on the plan. This easement shall remain.

With the "AG only" note removed it was called to the attention of the planning commission with regard to maximum lot area in the AC zone for residential use. Section 411.5 (B) 3 (a) of the zoning ordinance was referred to. If this falls within a conditional use requirement, it was determined changing the lot from AG to residential, while not changing the zone, only adding a residence, by giving notice to adjoining landowners will be sufficient, if adjoining owners choose they can come to a Supervisor meeting and express concern.

On motion by Cornelius Heeren, second by Kevin Cook and acclamation, the commission would recommend the Supervisors grant approval of the Final Land Development Plan of Levi Beachy with the following conditions met:

**Penn Township
Planning Commission Minutes
February 22, 2016**

- ✓ Tax Map PN in Title Box s/b 13-02-013
- ✓ Jim Grose will add a proposed barn to the revised Plan
- ✓ Jim Grose will address the stream and stream crossing on the revised Plan
- ✓ Township has provided notice to adjoining landowners – FYI pending approval of a LD plan submitted for the purpose of constructing a house.

This Plan will be added to the March 16th Supervisors Agenda.

A waiver request for Michael Savidge was provided. Property is currently a multi family dwelling, under zoning theory there is a doctrine called "natural expansion of existing use" – he proposes to expand this use. With the addition of another home he may be required to provide a land development plan.

Savidge submitted this request for waiver from Land Development as he feels he meets the requirements per the definition of land development in the SADLO, under Section 105 Definitions, Land Development (C) 4.

Sewer and water will not be negatively affected as public water and sewer are available.

No permits shall be issued for this property without sewer and water capacity.

The existing driveway to ELM Court will be utilized causing no impact.

Total parking for this property currently exceeds requirements and will continue.

As for SW, Savidge proposes removal of a 28' X 125' (3500 sq ft), of impervious on the front of his property while only proposing to add 1748 sq ft with a single family home and parking addition.

The zoning officer shall verify measurements provided on Plot Plan, also confirm applicant does not exceed the density restrictions for the HC (Highway Commercial) zone. Specifically sections 408.8 - Building Coverage and 408.9 - Impervious Surface Coverage.

A notice of special meeting to hear the waiver from the land development requirement before the Board of Supervisors has been advertised and provides for public comment. This notice will be posted on the property and mailed to adjoining property owners.

On motion by Jim Wentzel, second by Derek Straub, Ray Cerezo abstaining and remainder of commission in acclamation, they will recommend the Board of Supervisors approve the waiver request of Michael Savidge provided the following conditions are met:

- ✓ Savidge's measurements and computations provided on plot plan are correct
- ✓ Proposal does not exceed the Density Restrictions of Sections 408.8 and 408.9 of the zoning ordinance

New Business –

A proposed amendment to Section 701 (A) of the zoning ordinance was provided. This amendment would allow for five members to sit on the zoning hearing board over the current three. SCPC reviewed and provided no comments. After discussion, **on motion by Derek Straub, second Cornelius Heeren and acclamation, the commission will recommend the Supervisors consider increasing the Zoning Hearing Board from three to five members.**

Old Business – planning members Derek Straub and Cornelius Heeren provided ethics forms.

FYI– reminders and dates of meetings and upcoming hearings were provided to members. Also noted the February 8, 2016 scheduled work session was canceled.

Adjournment –

On motion by Derek Straub, second by Ray Cerezo and acclamation of the commission the 2.22.2016 Planning Commission regular meeting was adjourned at 9:25 pm.

Respectfully Submitted,
Brenda Moyer, PC Secretary