

**Penn Township Planning Commission
Minutes
November 24, 2014**

Chairman Dan Kuruna called the 11.24.2014 meeting of the Penn Township Planning Commission to order at 7:05 pm.

Members present included: Dan Kuruna, Jim Geiswite, Derek Straub, Shane Kerstetter, Ben Moyer, and Cornelius Heeren. Member Mike Kuhns arrived at 7:12pm.

Members absent: All members were present.

Also Present: Brenda Moyer, PC Secretary and Attorney James Bathgate

Members of the Public Present: Lynne Renn, Jim Wentzel, Carl Carr, Karen Carr, Gene Kreamer and Joe Dubaskas

A motion by Shane Kerstetter to accept the minutes as presented was abandoned as Dan Kuruna asked the October 27, 2014 minutes to be revised to also include, "...planning commission also discussed applicants supporting letters accompany deed to courthouse." (this in reference to discussion about the zoning variance application for William D and Janet Bucher.) **On motion by Derek Straub, second by Cornelius Heeren and commission acclamation, the minutes from the October 27, 2014 PC will be amended and approved.**

Public Comment – Mr. Jim Wentzel was present to provide something to consider while working on the draft Outdoor Wood Fired Boiler Ordinance. His concern was the proposed minimum lot size of 2.5 acres. He wondered if anyone considered the 150' setback requirement and the size of the boiler and thinks a 2.5 acre minimum would greatly limit the placement of a boiler and asked that planning consider minimum lot size be 2.16 acre.

Persons Present to be Heard

Gene Kreamer was present representing the Final Subdivision Plan for Richard R. Riegel and Ronny W. Riegel. This subdivision of Tax Map and PN 13-3-274, a @25 acre parcel, proposing a subdivision of 5.04 acres that would contain the existing home and accessory buildings, and is served by an individual well and on-lot sewage disposal system, permit #003-41. The residual would contain 19.94 acres and will have NO improvements proposed at this time and is noted on the Plan as a Planning Waiver+Non-Building Declaration. Property is located in the AC (Agricultural Conservation) zone. SCPC acknowledged receipt of the plan in their office. Access is proposed on Plan by a 50' access easement centered on the newly proposed property line.

On motion by Jim Geiswite, second Mike Kuhns, commission would recommend Supervisors approve the subdivision request at the 12/3/2014 Supervisors Meeting with the following conditions; 1. Plans are signed and notarized by the owner, 2. Side and Rear Setbacks for residential use of an accessory structure shall be changed on Plan to read 15 (fifteen) feet, and 3. A driveway maintenance agreement shall be included in the deed.

Dan Kuruna abstained from the vote due to personal relationship with the family.

On motion by Jim Geiswite, second by Derek Straub a motion was made for the V-Chair, Cornelius Heeren to sign the DEP Request for Planning Waiver and Non-Building Declaration for the Richard R. and Ronny W. Riegel Subdivision planning waiver, motion was approved with Mr. Kuruna abstaining from the vote due to personal relationship with the family.

Carl and Karen Carr were present to discuss whether land development is needed for their property off Quarry Road. Tax Map PN 13-07-073 and consisting of 30.87 acres in the AC Zone. Discussion confirmed the following:

Since 2009 three permits were issued to Mr. Carr - ZP09076, ZP11037 and ZP12034. These permits allowed him to build a barn, garage, two corn cribs, two shelters and an addition to an existing building. (3 permits/7structures)

Mr. Carr admitted he did build two (2) additional sheds, one 14' X 40' and one 14' X 20' on the top of his property without permits. He noted @ 10 acres of his property is fenced and he houses @ 40 deer, 30 chickens and a pair of elk. He said Stahl Bros did a manure management plan for him, but he could not provide. He noted the Dept of AG inspects his location annually.

Research will be done on addressing his property. A private road sign could be purchased and erected.

Mr. Carr was asked to provide a detailed site plan complete with items 1 thru 3 and address items 4 thru 7:

1. Locate and number all buildings, include dimensions for all buildings,
2. indicate permit issued for each building on the building or in a legend
3. show roads, all utilities and any other unique features

4. provide completed permit application for the two buildings that have no permits (ZP14050)
5. complete the permit application for his most recent proposed structure (ZP14051)

6. a manure management plan should also be prepared and presented
7. follow up with GIS on addressing

A waiver application should be prepared as directed by Resolution 2014-07 and submitted to the next PC meeting for advisory comments for the Supervisors. Mr. Carr mentioned building a home on this property in the future, planning commission pointed out he could be looking at a land development plan with any future construction and most definitely with a new home.

On motion by Cornelius Heeren, second by Mike Kuhns and acclamation, planning commission would recommend Penn Township Supervisors grant waiver from Land Development to Mr. Carr provided he submits a complete detailed site plan as requested by planning commission and a written statement addressing Section 105, Land Development C(4) in the Subdivision Land Development Ordinance.

New Business

Jerry Hazelwood submitted on the day of this meeting a Final Subdivision Plan for Jerry Hazelwood. Tax Map PN 13-06-107 While neither he nor his PLS were available for this meeting it was presented to planning. Planning briefly discussed the submission and referred to the review by Mr. Robert Bickhart, of this same subdivision, dated August 2, 2013 and asked that the PLS and applicant be sure any concerns in the aforementioned review are addressed.

On motion by Jim Geiswite, second by Cornelius Heeren and acclamation planning tabled the plan until next meeting.

Old Business

- Meeting dates were approved as presented on motion by Jim Geiswite, second by Derek Straub and commission acclamation.
- The draft Outdoor Wood Fired Boiler Ordinance was discussed again and the earlier comments by Mr. James Wentzel were considered. Planning Commission did decide to keep the minimum lot size at two and one half (2 ½) acres. The title was changed to Outdoor Hydronic Heater a.k.a. Wood Burning Appliances and/or Outdoor Hydronic Heaters. In Section 3.4 an addition of, "in writing and at no cost. Registration shall be in the form of a written document (permit application)",
On motion by Cornelius Heeren, second Jim Geiswite and acclamation planning commission would recommend the Supervisors approve the Outdoor Hydronic Heater Ordinance as presented. Supervisors should also decide if a public hearing would be required and follow the MPC for advertising requirements.

PC requested secretary contact DEP and asks how DEP regulates coal fired boilers.

There was discussion about a gate installation and the requirements for a permit. PT Zoning Ordinance, Section 1102 states a 'structure' does need a permit but, setbacks are not required. Are there safety issues the township should be concerned about?

The November 24, 2014 Planning Commission meeting was adjourned at 10:10 on motion by Jim Geiswite, second by Mike Kuhns and acclamation.

Respectfully Submitted,

Brenda Moyer
Planning Commission Secretary