

**Penn Township Planning Commission  
Minutes  
February 25, 2013**

Chairman Dan Kuruna called the 2.25.13 regular meeting of the Penn Township Planning Commission to order at 7:05 pm. **Members present included:** Dan Kuruna, Bill Moyer, Mike Kuhns, Shane Kerstetter, Mike Savidge, Cornelius Heeren and Ben Moyer. **Also Present:** Attorney James Bathgate, and Brenda Moyer, PC Secretary. **Members of the Public Present:** Warren Kerstetter, PLS and Doug Klingler.

*Mike Savidge made motion to approve the minutes of January 28, 2013; Mike Kuhns seconded the motion, and minutes were approved as presented by commission acclamation.*

**Public Comment**

- No public comment.

**Persons Present To Be Heard**

Doug Klingler was present representing himself for the Land Development/Amended Subdivision Plan for Proposed Poultry Barns. As previously noted, this is Lot 2 of the recent Wesley R. Rickenbaugh Subdivision approved 7.11.12. Klingler's parcel Tax Map 13-03-170 is 23.812 acres and zoned AC (Agricultural Conservation). Klingler's proposed Land Development Plan is for three poultry barns, housing @ 93K birds. Water will be supplied by an on-lot well and no sewage facilities are proposed. An extension of time for Plan approval was requested of the Supervisors on 12/5/2012 and granted. Plan expiration date is now 4/3/2013.

Mr. Klingler has decided to propose a Preliminary Land Development Plan. It was noted preliminary plan approval would allow applicant 5 years to complete construction at which time an "as-built" would be required by the Township to receive signatures for final Plan approval and recording. A preliminary land development approval would not require financial security. While the applicant has a five year timeframe an extension may be required dependant on when applicant actually begins construction. Supervisors would evaluate the when construction begins and/or progress of development and determine if applicant would be required to proceed applying any ordinance revisions that may have occurred over the 5 years.

Discussion showed Lot 2 of the Rickenbaugh subdivision now owned by Mr. Klingler includes a non-building waiver. Therefore a Final Amended Subdivision Plan is required, and should identify the sole purpose is to remove the non-building waiver. A note should be added to the Final Amended Subdivision Plan stating "No construction shall take place until such time as landowner obtains approval of a Preliminary or Final Land Development Plan". This Final Amended Subdivision Plan would be in addition to a Preliminary Land Development Plan for Proposed Poultry Barns.

The Final Amended Subdivision Plan will need to be reviewed by the Planning Commission followed by a review of the Preliminary Land Development Plan. Both could be forwarded to the next Supervisor meeting with PC recommendations. (Note: approval of the Preliminary Plan would be conditioned upon Klingler providing proof that he recorded the Final Amended Subdivision Plan along with any other conditions applied).

An Easement Agreement was provided by Rickenbaugh for review. Concerns were noted as the alternative easement was indicated at 25' when a 50' easement had previously been discussed. Concerns were noted about making the turn south over the RR tracks with large trucks. Mr. Rickenbaugh will be contacted for clarification. Current Plan indicates the previously discussed 50' easement.

Mr. Klingler presented e-mail verification the Norfolk Southern RR had received application for a private grade crossing. Application is awaiting review and decision. Klingler noted without an agreement RR could remove the crossing and not replace it.

Mr. Klingler presented copy of a letter to Mr. Wesley R. Rickenbaugh from PennDOT dated 2/22/13, letter indicated a driveway location request was reviewed by PennDOT and a driveway will be extended upon receipt of the HOP application, providing speed limits, highway geometrics and other features have not changed since on-site review. Exact location and design TBD when application is received.

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Modification request by applicant of Section 303C (B) of SWM Ordinance 2005-03 to allow 72 hour drain time in lieu of 48 hour max for the infiltration basins. With Supervisor agreement, the modification would be approved by motion, followed by motion to preliminary approve with "conditions" if appropriate.

Note #26 was added to the 2/22/13 revised Plan, note indicates new ownership would be required to provide documentation whether a Nutrient Management Plan is required.

**On motion by Mike Savidge, second by Cornelius Heeren and commission acclamation Plan will be tabled.**

**Warren Kerstetter presented a sketch plan for Proposed Subdivision for Alfred E. Herman, Jr.**  
General overview of the proposed subdivision was discussed, ROW providing access to the proposed lots, maintenance agreement for this access, sewage testing. Kerstetter will submit subdivision application at a later date.

#### **New Business**

Planning commission reviewed specific revisions to the sign section of the Penn Township Zoning Ordinance.

**On motion by Mike Savidge, seconded by Shane Kerstetter and group acclamation, Planning Commission will recommend Supervisors proceed with process to approve revisions to the sign section of the zoning ordinance.**

Supervisors will review at 3/6/13 meeting.

Ethics forms were collected from those completed.

#### **Old Business**

Commission was reminded of the Penn State Extension PA Agriculture: Local Planning, Regulations and Policies seminar on 3/5/13 for those may want to attend.

**On motion by Mike Savidge, seconded by Mike Kuhns and acclamation of all, the February 25, 2013 planning meeting was adjourned at 8:50 pm.**

Respectfully Submitted,

Brenda Moyer  
PC Secretary