

Penn Township Planning Commission

Minutes

June 25, 2012

Chairman Dan Kuruna called the 6.25.12 regular meeting of the Penn Township Planning Commission to order at 7:04 pm. **Members present included:** Dan Kuruna, Mike Savidge, Shane Kerstetter, Bill Moyer and Cornelius Heeren. **Members absent:** Ben Moyer and Mike Kuhns. **Also Present:** Attorney James Bathgate, and Brenda Moyer, PC Secretary. **Members of the Public Present:** Gene Kreamer, PLS, Craig Mitterling, Jon Payne and William Wright, PLS.

Mike Savidge made motion to approve the minutes from May 21, 2012; Bill Moyer seconded the motion, and minutes were approved as presented by commission acclamation.

Public Comment

- No public comment.

Persons Present To Be Heard

Gene A. Kreamer, PLS, was present representing a Final Subdivision Plan 2 for Elizabeth B. and Craig E. Mitterling. This is a one lot subdivision in the AC (Agricultural Conservation) zone along Middlecreek Road. Tax Map/PN 13-03-085. New Lot 4 holds an existing dwelling and is served by a common well shared with Lot 2. New Lot 4 has an existing septic system installed prior to 1972. An area has been reserved for a replacement system if needed. Ref permit app # 12.4. No other improvements are proposed at this time. Total acreage - 58.057 ac., new Lot 4 - 14.933 ac, Residual Lot 1 - 43.124 ac. Previous subdivisions were approved in 2007 and 2010.

Plan was reviewed by SCPC – Plan #4568

Mr. Kreamer will add a note to the Plan indicating the well on Lot 4 is shared with Lot 2. If a well is drilled for Lot 2 the share agreement will be null and void.

A motion to recommend approval from the Supervisors with a note added to the Plan about the shared well was made by Cornelius Heeren, a second by Shane Kerstetter and acclamation by all.

A motion by Bill Moyer with a second by Mike Savidge and commission acclamation, the SFPM for Final Subdivision Plan for Elizabeth B. and Craig E. Mitterling was reviewed and signed by Planning Commission Chairman, Dan Kuruna. Module will be forwarded to the 7.11.12 Supervisors meeting.

Old Business

Zoning issues were discussed while waiting for Mr. William Wright to arrive who was attending another meeting. Bob Bickhart will be contacted for his version of a definition of a corner lot.

A section in the 800 Section of the zoning ordinance is being considered to address churches and any specific building or development requirements a church would be asked to follow.

Dan Kuruna will review the information gathered currently on churches and prepare something for review.

On motion by Bill Moyer, a second by Mike Savidge and commission acclamation, the Supervisors will be provided with the definitions collected and information received for their review and input.

William E. Wright, PLS representing Final Subdivision Plan for Wesley R. Rickenbaugh, a one lot subdivision, TX Map PN 13-03-170, with total acres 45.226. Subdivision would create a Lot 2 of 23.812 ac. w/ a residual of 21.414ac. The Norfolk-Southern Railroad will run between the lots. Land N of the RR is zoned I (Industrial) and lands south are AC (Agricultural Conservation). No improvements or development on either Lot are proposed at this time. There is an existing private 20' ROW used currently as access to the property with ingress near the RR Bridge at Middlecreek Road. Mr. Wright added a note to the Plan indicating the existing private 20' ROW on Lot 2 is a shared ROW with maintenance and usage statements included in Deed Book 930, page 134 and intended for AG ACCESS ONLY. A non building waiver reviewed by Solicitor Bathgate was added to the Plan. Plan was reviewed by SCPC Plan #4565 – no adverse comments were received.

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A motion to recommend Supervisor approval was made by Mike Savidge, a second by Cornelius Heeren and commission acclamation.

Plan will move to the 7.11.12 Supervisors meeting. Mr. Wright will be placed on agenda to be heard asap.

Old Business continued,

A letter was received from Tom Snyder, ZO, in response to PC request as to whether FAA requirements were met for the installation of a radio tower in the Township. Information provided indicates all requirements were met.

Mike Savidge noted he will not be proceeding with a zoning variance request at this time.

FYI

DEP issued a letter to ESCRA reporting the ESCRA facility is organically overloaded. ESCRA must submit to DEP within 90 days a Corrective Action Plan (CAP) and new connections will be prohibited, with some exceptions. Mike Savidge asked Supervisors who were present if Penn does or can reach out to or put any pressure on ESCRA to correct the problem. Supervisor Jon Payne stated he would contact Tom Ferry, Penn Twp representative to the Authority to attend the July 11, 2012 Supervisors meeting to provide details.

Shane Kerstetter left the meeting at 8:37.

Conditional Approvals - PC discussed plans receiving Supervisor approval with conditions attached. Solicitor Bathgate noted some municipalities have eliminated conditional approvals altogether. PC may suggest language be added to conditions to set a time frame for conditions to be met or no longer give conditional approvals.

Ken Estep will be contacted about SIDCO and CUMC. These Plans have both received conditional approval but have not been completed or followed up by applicant or engineer.

Questions were presented about a resident who is running a business from his home located in a R2 zone. This business has grown from an initial request to occasionally purchase used lawn mowers, repair and resell them, into a large selection of lawn equipment, four wheelers and lawn furniture. It was noted a Supervisor had also received a complaint from a Township resident and indicated the Zoning Officer had spoken to the resident about the complaint but no formal action has been taken from either side at this time. A zoning variance request could be a possibility. Resident will be invited to attend the next Supervisors meeting.

On motion by Bill Moyer, seconded by Mike Savidge, and acclamation of all, the June 25, 2012 planning meeting was adjourned at 9:15 pm.

Respectfully Submitted,

Brenda Moyer
PC Secretary