

Penn Township Planning Commission

Minutes

August 22, 2011

Chairman, Dan Kuruna called the 8.22.11 regular meeting of the Penn Township Planning Commission to order at 7:23 pm. **Members present included;** Dan Kuruna, Mike Savidge, Bill Moyer, and Shane Kerstetter. **Members absent:** Ben Moyer, Mike Kuhns and Brian Wentzel. **Also Present:** Mr. James Bathgate, Solicitor, and Brenda Moyer, Planning Commission Secretary. **Members of the Public Present:** J. Mark Skinner and Carl Zechman.

Approval of Minutes

Bill Moyer made motion to approve the minutes from June 27, 2011 as presented; Mike Savidge seconded the motion, and minutes were approved by commission acclamation.

Public Comment

- No public comment.

Persons Present To Be Heard

Carl Zechman was present representing himself. Mr. Zechman presented a simple sketch of the lot and what he would propose on the lot. Carl was interested in the zoning setbacks for a parcel (13-03-059) he owns that runs along Clifford Road on the south side of Route 522. Carl questioned whether the 80 ft. setback was necessary. After much discussion Mr. Zechman was advised of a couple of options. One; he could apply for a dimensional variance with the zoning hearing board or two; search back through his records to determine when he purchased the land and the use of the building that existed at the time of purchase and how that would coincide with the zoning ordinance that was in effect at the time of purchase to prove a "pre-existing" non conforming use. The burden of proof would fall on Mr. Zechman. Mr. Zechman would consider his options.

Mark Skinner was present representing himself. Mr. Skinner owns a 39 acre parcel, number 13-02-018, Deed Book 766, Page # 594. This parcel is located on Fair Oak Road on the north side of Salem Road. A small section of the parcel may fall in the Rural Residential (RR) zone while the bulk of the parcel does lie in the Agricultural Conservation (AC) zone. Mr. Skinner approached the Planning Commission with the idea of wanting to have the parcel rezoned so the entire piece would be Rural Residential (RR). Mr. Skinner cited numerous reasons for this request that included north face location of parcel (not the most suitable for growing), 22 tillable acres and 17 wooded, parcel would be more marketable zoned as RR. Mr. Skinner is also considering chicken barns or pig barns if the parcel is unable to be rezoned.

Planning Commission noted much time, public meetings and scientific research went into the ordinance and explained once land is zoned the only way to make a change is by amending the zoning ordinance. This is a very extensive process and the Township has to very careful they do not get in a situation where they are accused of "spot zoning". Commission recommended Mr. Skinner rethink his options and decide if he may want to formally request rezoning. Commission advised him he may want to contact an attorney to help him prepare an official presentation of his request. Commission also suggested if Mr. Skinner is truly serious he could talk to all the neighbors and collect signed affidavits indicating they would be in favor of such a change. Mr. Skinner too will consider his options.

New Business

The proposed township salt storage building was discussed. ***On motion by Shane Kerstetter, seconded by Mike Savidge and group acclamation, the Planning Commission would recommend the Supervisors appoint a Project Manger to keep the project on track and moving forward.***

A sketch of the improved recycling center was presented. PC members were concerned about stormwater runoff, the need for extra lighting and possibly surveillance cameras. These items will be addressed as the project moves forward.

Old Business

Subdivision Land Development Ordinance revisions were discussed. A revision to Section 1002 (b) was presented by Mr. Bathgate. The revision will be included in the SALDO revision.

Mr. Bathgate indicated he is reviewing the zoning ordinance and has numerous recommendations and will present them at our next meeting.

Adjournment

On motion by Mike Savidge, seconded by Shane Kerstetter and commission acclamation, the August 22, 2011 planning meeting was adjourned at 9:20pm.

Respectfully Submitted,

Brenda Moyer
PC Secretary

