

**PENN TOWNSHIP
PLANNING COMMISSION MINUTES
228 CLIFFORD ROAD, SELINSGROVE
November 25, 2024**

Members present included: Brian Wentzel, Marvin Weaver, Chris Fetter, Laura Fellencer, Alt. Paul Long, Alt. Tim Thomson, Dan Kuruna and Isaac Ramer Jr.

Members Excused: Jon Payne

Also Present: Manager Julie Hartley, Solicitor Jim Bathgate, Chad Shaffer, Terry Stauffer, Ben Kirk, Charles Axtman, Crystal Flauaus, Brian Schultz, Allen Hornberger and Joe Gonya

The meeting was called to order by Chairman Brian Wentzel at 6:30 pm.

On motion by Isaac Ramer Jr. and seconded by Chris Fetter, and carried on a 6-0 vote the minutes of the October 28, 2024 Planning Commission meeting were approved as presented.

Persons to be Heard:

Joe Gonya, Meck-Tech for Flauaus Flood Plain Permit – Joe shared that a shed was placed too close to the property line and was located in a flood plain which requires a flood plain permit. The Meck-Tech plans show that the shed will be moved to the proper set-back and be anchored so that if flooding occurs it will not be displaced. The shed is an accessory structure and will comply with the ten requirements listed in the flood plain ordinance. Chad Shaffer reviewed the application and plans and said he believed the four inch concrete slab and the anchor system will be sufficient. After discussion the following motion was made:

On motion by Isaac Ramer Jr. and seconded by Laura Fellencer, and carried on a 6-0 vote it was directed to the Flood Plain Administrator to grant the floodplain permit.

Allen Hornberger, Terry Stauffer, Joel Wiest and Charlie Axtman for Stauffer Driveway – Allen Hornberger presented a sketch drawing for a future two lot subdivision and access driveway to the Planning Commission. The proposed driveway would cross a neighbor's land and need legal documents in place to make the driveway a proper right-of-way. Jim noted that four dwellings or less require a twenty-five-foot legal shared driveway. The proposed driveway is in existence but undocumented. Jim said that without legal access to the properties the Planning Commission could not approve the subdivisions. Terry Stauffer's existing driveway to his property would be extremely difficult to redesign to accommodate the access need for the two additional properties because of the terrain and potential for stormwater issues. After discussion the group decided to pursue several options that were discussed and will return at a future date when the items are addressed.

Burget & Associates, Eastern Snyder County Regional Authority for Solar Array Zoning Variances – Ben Kirk explained that several zoning variances will be needed for the solar array proposed for ESCRA. It will need to have the side set-backs, front set-backs, rear set-backs and surface areas granted to proceed with the project. If the variance is granted a Conditional Use Hearing will need to take place next. The sewage processing plant has only one neighboring property and they have been informed of the variance hearing and the property will be posted one week before the hearing. The closest building to the project is over one hundred feet away. Ben shared that the reason the panel coverage needs to be nine percent instead of five is because five percent would not meet the facilities electricity needs. Jim explained that if the variance is granted, a conditional use would need to be granted as well as a flood plain permit would be needed since this property is in a flood plain. Ben said that the panel height can be adjusted to accommodate the flood plain requirements. He said posts will either be pounded in the ground or drilled depending on the soils. He also noted that the project is designed to meet one hundred percent of the electricity needs. After discussion the following motion was made:

On motion by Brian Wentzel and seconded by Dan Kuruna to recommend that the Zoning Hearing Board grant the variances with the following conditions:

- 1) Follow all local, state and federal regulations**
- 2) Apply for a Conditional Use Hearing**
- 3) Apply for a Flood Plain Permit**
- 4) Submit a Land Development Plan**
- 5) Cannot change the Accessory Use of the Solar Panels into a Principal Use**

Berk's Homes/Penn Core Consulting, Subdivision/Land Development – Brian Schultz presented a subdivision named Village at Penns Creek and land development for twenty-four residential lots located along 18th Street. Twenty-four lots are proposed with a street extending from Woodlynn to 18th Street and a cul-de-sac which branches from the main street. The proposed REC Center is not included in the plans. The driveways shown are

approximate and will be finalized upon construction of the homes. Inlets along the road will be provided and tied into a channel that conveys the stormwater into a new basin. Existing pipes at the basin will take overflow into the Weiser Run. Chad Shaffer noted that the amount of stormwater discharged which includes the REC Center will be handled by the new basin. Maximum impervious coverage for the lots is fifty percent. A chart on the plans shows the lots and their impervious calculations. Currently the cul-de-sac does not have a designated area for snow but Brian said that it will be added. There is a landscape buffer that is thirty feet wide between Harris Estates and Village at Penns Creek a buffer of fifteen feet is shown on the south border of the subdivision. Curbs are proposed along the streets but no sidewalks. Financial security will need to be deposited with the Township. Berks Homes would like to begin constructing homes next year. The DEP Sewage Planning Module was submitted last week. Jim Bathgate noted that the proposed lot for the REC Center should be marked on the plans with a non-building waiver. Sewage capacity and public water are available for the subdivision. Brian will incorporate all comments from the Planning Commission and the Township Engineer and return to the next meeting of the Planning Commission on December 9th.

New Business:

None

Old Business:

Stormwater Ordinance Revisions – Chad Shaffer said that he plans to bring the rewrites to the Stormwater Ordinance to the Planning Commission meeting on December 9th.

Agricultural/Open Space Trail – Tabled

FYI:

- Carl & Ladawn Leitzel, Subdivision, filed 7.23.24, due 1.19.25
- Carl & Ladawn Leitzel, Waiver from Land Development, filed 11.7.24, hearing 12.4.24
- ESCRA Zoning Variance, filed 11.6.24, due 1.6.25, hearing 12.17.24
- Village at Penns Creek Land Dev. & Subdivision, filed 11.15.24, due 2.13.25

Adjournment – On motion by Laura Fellencer, and seconded by Dan Kuruna, and carried on a 6-0 vote, the Planning Commission meeting was adjourned at 7:57 p.m.

Respectfully submitted,
Julie Hartley, Township Manager