

**Tulpehocken Township Planning Commission Meeting
May 3, 2018**

Present: Planning Commission Members: Robert Sattazahn, Ray Daub, Scott Hetrick, Gary Deck, John Zimmerman, Chris Hartman, Jaclyn Hollenbach (Township Engineer) and Heather Claman.

Absent: Laverne Frey.

The Planning Commission meeting began at 7:31 p.m. and continued with the pledge to the American Flag.

The minutes from the April 5, 2018 meeting were reviewed. Ray Daub made a motion to approve the minutes, seconded by Scott Hetrick. The minutes were approved as written.

Public Comments: None.

Active Plans:

Mountain Meadows Phase II: Time expires September 6, 2018. No discussion.

Camp Calvary: Time expires August 31, 2018. No discussion.

Weaver Annexation: Time expires July 4, 2018. This plan has been reviewed by the Township Engineer and they are satisfied with the revised plan and feel that conditional plan approval could be recommended to the Board of Supervisors.

John Zimmerman made a motion to recommend to the Board of Supervisors to grant conditional plan approval with the conditions listed below. Scott Hetrick seconded the motion. All in favor, motion carried.

- *Conditions listed in the Ludgate review letter dated May 2, 2018.*
- *Record deed from the landowner of the parcel being annexed.*
- *A \$500.00 escrow needs to be posted with the Township to ensure that a new deed is recorded and a copy is provided to the Township.*

New Plans:

Earl Martin Poultry Plan: The applicant's representative, Red Barn asked to be removed from the agenda. The Township Engineer reviewed the plan. Comments are in a letter dated May 1, 2018. Red Barn will work at revising the plan and attend the Planning Commission meeting next month. The Township Engineer did discuss setback distances, boundary lines and wells need to be marked on the plan. There were three waivers asked for and the Planning Commission will address them at next month's meeting.

The plan should provide animal unit calculations that reflect the total number of animal units/acreage on site currently and proposed. The Township Engineer should receive a copy of the manure management plan for review as well.

The Township should require enough surveying since the barns are longer than what they have typically have been. The two additional poultry barns are measuring 63' by 600'.

The Township Solicitor stated that if we are relying on the satisfaction of the zoning for the acreage, then the Township should be asking for review of the nutrient management plan.

Walk-in Discussions: None.

Other Business:

John Zimmerman stated that the Chesapeake Bay area is getting high nitrites in it and it is the stuff that is going into the water and being carried in the water that is the problem. The Township Solicitor stated that MS4 could be accessing a tax on stormwater management. There are a lot of policies that various Townships and Borough are having to put into place with the MS4 guidelines.

Anthony Horst has applied for a zoning variance for 22 Summer Mountain Road. He is the potential buyer and has a sales agreement with the current owner with the contingency that he is granted a variance to change the existing farm shop into a machine shop. There would not be more than five full time employees besides family members.

A machine shop is not a permitted use in the EAP (Effective Agricultural Preservation) zoning district. The size of the shop does not meet the definition of a home occupation. A detached structure shall not be greater than 1,000 square feet for a home occupation use. Section 834.14 permits rural enterprises by special exception, however a zoning hearing will be required.

The Planning Commission discussed the Zoning Hearing Board Application for Anthony Horst for a variance from Section 831, 832 and 834 of the Tulpehocken Township Zoning Ordinance of 2013, as amended, to allow a home occupation, a machine shop. Mr. Horst would like to convert an existing 2,400 square foot farm shop in to a machine shop to have his business there at his home. This would be located at 22 Summer Mountain Road, Tulpehocken Township, and said property being situated within the EAP – Effective Agricultural Preservation. This is a 60 acre property.

The Township Solicitor stated that the category use that that applicant is applying for doesn't make a distinction of family and non-family it states five full time employees. That will need to be explained to the Zoning Hearing Board.

The applicant's current machine shop, Meadow Valley Machine LLC is located at 224 Meadow Valley Road in Ephrata.

The Planning Commission questioned what kind of machine shop the applicant is proposing. The applicant does not give any description.

The Planning Commission could comment that the Zoning Hearing Board makes sure that there is a clear record established about the scale and nature of the proposed business. And to also take into

consideration the flow of traffic that could occur with the business. There are surrounding neighbors that could be effected by this business.

Scott Hetrick made a motion to make a recommendation to the Zoning Hearing Board to be should to have a clear record on the scale and nature of the proposed business. The projected traffic generated from this proposed business should also be noted. The Township needs to be sure to enforce the Zoning Hearing decision and be sure that any future changes are within the scope of the decision. John Zimmerman seconded the motion. All in favor, motion carried.

The recreation grant through DCNR, the three Townships will need to form an inter-municipal Recreation Planning Study Committee. There should be a minimum of three members of the Township to maximum of five. Meeting dates for this Committee are yet to be determined. *The Planning Commission members discussed appointing a member to sit on the Recreation Planning Study Committee. Gary Deck made a motion to recommend to the Board of Supervisors to appoint Ray Daub as a member of the Recreation Planning Study Committee. Scott Hetrick seconded the motion. All in favor, motion carried. Gary Deck made a motion to recommend to the Board of Supervisors to appoint Scott Hetrick as an alternate if Ray Daub cannot attend the Recreation Planning Study Committee meetings. John Zimmerman seconded the motion. All in favor, motion carried.*

Ray Daub mentioned that as a concerned citizen of the Township, he is doesn't understand why the Township is going to be paying health insurance for Lester Feick. As Supervisor and Road Master, Mr. Feick is asking for the Township to pay for his supplemental insurance now that he is 65 years old and on Medicare. Mr. Feick will continue to be working as he has before.

The Township Solicitor stated that the payment for the premium for the supplemental insurance is allowed to be approved by the Board of Supervisors. However, the prescription plan is not something that the 2nd Class Township Code says that the Supervisors can approve. Therefore, the prescription request has to be treated as additional compensation and may only be approved by the Township Auditors.

The Township Solicitor read from the 2nd Class Township Code states Supervisors and their dependents who are over 65 years of age are eligible for inclusion in supplemental Medicare insurance coverage paid in whole or in part by the Township. Their inclusion in those plans does not require Auditor approval, but does require submission of a letter requesting participation at a regularly scheduled meeting of the Board of Supervisors before commencing participation. Lester Feick did submit a letter in writing to the Board of Supervisors. The Township Solicitor stated that there are 3 items that Mr. Feick is asking for payment for:

1. His supplemental insurance plan. In which the Supervisors can approve without Auditor approval.
2. His Medicare premium which is his share of the cost of the basic Medicare. That is not covered by the 2nd Class Township Code and has to be treated as compensation and has to be approved by the Township Auditors.

3. His prescription plans which again is not covered by the 2nd Class Township Code and has to be treated as compensation and has to be approved by the Township Auditors.

Ray Daub made a motion to recommend to the Board of Supervisors to be sure that the supplemental insurance rate for Lester Feick does not exceed \$135.50 monthly and would like to be sure that supplemental and prescription plan rates are shopped as a comparable plan to what he had with the regular insurance coverage. Scott Hetrick seconded the motion. Gary Deck abstained from voting. All other members in favor, motion carried.

Ray Daub made a motion to adjourn the meeting at 8:57 p.m., seconded by Scott Hetrick. All voted in favor. The meeting was adjourned.

Respectfully submitted,

Heather Claman

Planning Commission Secretary