

**Tulpehocken Township Planning Commission Meeting  
October 6, 2016**

**Present:** Robert Sattazahn, John Zimmerman, Scott Hetrick, Ray Daub, Gary Deck, Chris Hartman, Matt Mack, and Heather Claman.

The Planning Commission meeting began at 7:36 p.m. and continued with the pledge to the American Flag.

The minutes from the September 1, 2016 meeting were reviewed and approved as written.

**Public Comments:** None.

**Active Plans:**

**Mountain Meadows Phase 2:** No discussion. Time expires March 8, 2017.

**Camp Calvary:** No discussion. Time expires March 19, 2017.

**John Bicksler Poultry Plan:** Time expires November 2, 2016. The applicant and his Engineer were present to discuss the plan. The applicant does have the NPDES permit from the Conservation District.

The Township Solicitor reviewed the proposed Drainage Agreement on page 1 #32 of the plan. It states the following: The landowner, its successors or assigns, shall indemnify the Township, its employees and designated representatives against any and all damages, accidents, casualties, occurrences or claims which might arise or be asserted against the Township for the construction, presences, existence or maintenance of the BMPS by the landowner, its successors or assigns. In the event a claim is asserted against the Township, its agents or employees, the Township shall promptly notify the landowner, its successors and assigns, and the shall defend, at their own expense any suit based on such claim. If any judgment or claims against the Township, its agents or employees shall be allowed, the landowner, its successors and assigns shall pay all costs and expenses in connection therewith. The Township Solicitor is satisfied with the language noted.

Section 301.E. Where a development site is transverse by watercourse drainage easement shall be provided conforming to the line of such watercourses. The Township Solicitor will draft a drainage agreement for the neighboring property owner, the applicant's son to sign and be recorded.

The Township Solicitor will also draft a shared driveway access agreement for the applicant and the neighboring property owner (applicant's son) to sign and be recorded. This is for shared maintenance for both property owners to be accountable.

The fire marshals are satisfied with the creek or pond being used for fire access if needed. The applicant still needs the PennDot permit prior to the recording of the plans. A zoning permit will not be issued by the Township until the plans are recorded. The applicant's engineer has submitted the cost estimate to the Township Engineer for review. Once the escrow is posted, the applicant can begin moving dirt for grating purposes.

Boyer Engineering LLC submitted the following waiver request:

- *Section 303.1.B. This section requires the total tract boundary lines of the area being subdivided or developed be determined by accurate survey in the field. The applicant is requesting a waiver of this section to not require a boundary survey for the entire property. The right of way along Route 501 has been determined and a monument has been set. The development site is limited to a small portion of the property and not near property lines. Ray Daub made a motion to recommend to the Board of Supervisors to grant the waiver request for Section 303.1.B. Scott Hetrick seconded the motion. All in favor, motion carried.*

*John Zimmerman made a motion to recommend to the Board of Supervisors to grant conditional preliminary final plan approval with the following conditions. Ray Daub seconded the motion. All in favor, motion carried.*

- *The conditions listed in the Ludgate Engineering letter dated October 6, 2016*
- *A shared driveway access agreement which will be drafted by the Township Solicitor.*

**New Plans:** None.

**Walk-In Discussions:** None.

### **Other Business:**

Samuel Lapp was present to discuss his vegetative buffer and landscaping plan for a proposed kennel at his property located at 36 Camp Swatara Road. He is planning to use forsythia hedges and have them grow to be approximately 9 to 11 feet tall and 6 feet wide. The Planning Commission commented that he may not want the hedge opening along the south side of the kennel due to the residential residence to the South. He should note the species, minimum height, location and if the shrubbery dies, it is to be replaced. He has sold the existing kennel and most of the dogs have been removed from the property. He is proposing to relocate the kennel to hopefully meet the setback requirements, however he will still need to reapply for the special exception variance.

The new proposed kennel dimensions are 10 feet by 22 feet with 8 foot runs for the dogs on the east and west sides of the kennel. He should locate the kennel 200 feet from the neighbor to the West as it could be considered a farm. The property has 25 acres. 300 feet (from the edge of the

run) from the neighbor to the South as the property is considered residential. And 200 feet from the neighbor to the North and East as it is also a farm.

He plans on using 2 by 4 walls with insulation for soundproofing. Various types of insulation were discussed to give Mr. Lapp ideas on what will work best for his situation. The roof will be insulated as well and there will be ventilation on the North, West and East sides of the kennel.

It was recommended to Mr. Lapp to have a surveyor come in and get the exact measurements of his property. The surveyor would not need to do a full property survey. The Township Engineer stated that Mr. Lapp could have the surveyor contact him directly if they would have any questions.

Mr. Lapp was advised to prepare the following for the next variance application.

- Location, size and type of shrubbery to be used as a buffer.
- Show exact boundaries with the dimensions.
- The size of the proposed kennel and runs.
- Opening of the vegetative buffer.
- Consider obtaining legal counsel to represent him at the next Zoning Hearing.

Robert Sattazahn received information in the mail on the DCNR recreation and conservation grants program. It was discussed that maybe the Township could apply for a planning grant since we are not sure at this time what we are looking to do with our recreational area. *John Zimmerman made a motion to have the Planning Commission Secretary send the information to the Recreation Board to see there would be an interest in going to the workshop. Scott Hetrick seconded the motion. All in favor, motion carried.* The letter stated that the Planning Commission would like for the Recreation Board Members to review the enclosed grant information. They were asked to respond to the Township Office by Tuesday, October 11 if there would be an interest in attending the grant workshop. The Board of Supervisors meeting will be held on Wednesday, October 12 and the grant information will be discussed then.

We are located in the North East Region, therefore the Workshop location is at Luzerne County Community College. The Planning Commission Secretary called and left a message for the Bureau of Recreation to see if it is possible if we could attend the Camp Hill Workshop.

*Ray Daub made a motion to adjourn the meeting at 9:40 p.m., seconded by Gary Deck. All voted in favor. The meeting was adjourned.*

Respectfully submitted,

Heather Claman, *Planning Commission Secretary*

