

**Tulpehocken Township Planning Commission Meeting
April 7, 2011**

Present: Robert Sattazahn, Gary Deck, Laverne Frey, Ray Daub, Bethany Emkey, Beth Auman, Peter Eisenbrown, Heather Claman and other interested persons. John Zimmerman and Scott Hetrick were absent from the April meeting.

The Planning Commission meeting began at 7:33 p.m.

The minutes from the March 3, 2011 meeting were reviewed and approved as written.

Public Comments: None.

Active Plans:

Mountain Meadows Phase 2: No discussion.

Mount Aetna Village: Applicant's Surveyor, Joseph Body presented the Township with a letter dated March 28, 2011 requesting the Township grant the project an additional 97 day time period. *Gary Deck made a motion to recommend to the Board of Supervisors to accept the offer of a 97-day time extension until August 9, 2011. Ray Daub seconded the motion. All in favor, motion carried.*

The Applicant and his surveyor were both present and brought a revised sketch plan for the Planning Commission's comments. There are 23 new units which include a mix of single detached homes and single semi-detached homes. They would leave the existing house at 7671 Lancaster Avenue on this plan and intend to contribute a fee in lieu of dedication of open recreation space. The plan layout is basically the same as before, however it has half the amount of units. The plan will still need to seek relief from the Township's Zoning Hearing Board due to being noncompliant with the lot area requirements in Section 544 of the Township's Zoning Ordinance. The revised sketch plan proposed to dedicate the main street to the Township, but the Applicant was open to suggestions or future changes for other access roads or for emergency access. Some of the other changes from original plan are as follows:

- No Home Owners Association (HOA)
- No public gas facility
- No HOA pavilion or shed
- The bus shelter could be taken off plan as well

Overall, the Planning Commission advised that the revised sketch plan is better than the previous plan; however the Planning Commission remained concerned about the following:

- Zoning requirements
- Connecting the development to Apple Street. (how will this affect the church parking lot and traffic flow?)
- Concerns about water issues that could affect the current wells within the Mt. Aetna area. There would still be 23 new wells drilled with this plan.
- On street parking

New Plans:

Martin Poultry Operation: The applicant, David Martin and Bert Nye from Red Barn Consulting Inc. were present to discuss a new poultry operation land development plan to be located at 9 West Four Points Road. There will be two embryo layer barns that will house 40,000 birds per barn. There will be 2 infiltration basins to meet the Township requirements. They are anticipating egg truck traffic 1-2 times weekly and feed trucks once daily. They will possibly be using a compost tumbler for the dead birds. This will be placed at least 300 foot from the bird houses.

The Township Engineer addressed some comments from his review letter dated April 6, 2011. For this plan to meet the qualifications for general agriculture per Section 831.01 the use of NET area in calculations and the two parcels of land need to be on one single deed and recorded as such.

Given the nature of the plan, the Township Engineer suggested that the Applicant request SALDO waivers from the following Sections:

- Section 205 requiring a separate preliminary plan, and request a combined Preliminary/Final plan to be permitted.
- Section 302.3.I, requiring contours to be shown on the Plan.
- Section 302.4.F, requiring wetlands to be shown on the Plan or state that there are no wetlands on the parcels.
- Section 303.1.B, governing tract boundary requires accurate boundary information.
- Section 303.1.L, requires a Certificate of Accuracy signed by a surveyor.

The Applicant was advised to contact the Township SEO to arrange a site visit to verify the condition of the existing septic system and to determine if back-up testing maybe required.

Another suggestion is to have the Fire Chief review the plans and have an on-site meeting with the Township Engineer. This is to make sure that the fire company would have proper access in an emergency situation.

Walk-In Discussions: Peter Klassen was present to discuss a property for sale in which he may be interested in purchasing, 11 Stouchberg Road. The property consists of 15 acres with one house already on property and he would consider building a second home on the same tract. This property is located in the Effective Agricultural Preservation District. There are deed restrictions on the parcel. The construction of a second home could be accomplished with a subdivision, provided the deed restriction allows for it. Mr. Klassen was advised to obtain a copy of the recorded Plan and then follow the Township's subdivision and land development procedures if he purchases the property.

Kevin Boltz was present to discuss additions for the Little Swatara Church of the Brethren. The church is interested in building a carport out the back with a new driveway on the south side of the church and also enclosing the front steps of the church on the north side with handicap access off to the side. The Church is having problems with their foundation drains not working properly, however this will be an E & S issue and is not necessarily a concern regulated by the

Township. The Church was advised that this project qualifies as land development, but that it is a good candidate for review as a Preliminary/Final plan. The Church could also request a waiver of land development, so long as certain requirements have been met. Examples would be parking, Stormwater Management, setbacks, no change in impervious coverage, etc. could be addressed through permitting. Mr. Boltz will take this information back to the Church and possibly revisit the Planning Commission again in the near future.

Zoning Hearing Applications:

Nolan Martin: Mr. Martin resides at 121 Teen Challenge Road. He would like to place a storage shed along the west side of the property within 5 to 10 feet of the setbacks for privacy, convenience and also for property aesthetics. The Township Zoning Ordinance Section 844.023 requires that the side yard setback requirements be 30 feet. *Gary Deck made a motion to recommend to the Zoning Hearing Board that the Planning Commission as no report for this particular application. Ray Daub seconded the motion. All in favor, motion carried.*

Scott & Elissa Eshleman: Mr. & Mrs. Scott Eshleman reside at 29 Cottage Road. They would like to place a pole barn along the side yard within 10 to 12 feet of the setback area. The Township Zoning Ordinance Section 844.023 requires that the side yard setback requirements be 30 feet. Applicants are requesting this location due to placement of the septic tank, the water line to their sand mound, possible future placement of second sand mound location, and added cost of a new driveway if it would be placed further back into yard. *Gary Deck made a motion to recommend to the Zoning Hearing Board to inquire about the work involved in placing the pole barn in compliance with the Zoning Ordinance, evidence of a hardship, and the height of the pole barn. This information was not provided in the application. Laverne Frey seconded the motion. All in favor, motion carried.*

Zoning & SALDO updates:

The Planning Commission would like to hold workshop meetings with the Board of Supervisors, Planning Commission, the Township Solicitor, the Township Engineer and 2 or 3 members of the community as part of a Zoning Task Force to address needed updates to these Ordinances. The Township Solicitor will provide a number of sample ordinances to the Township to review and be prepared to discuss at the workshop. Mondays and the 2nd Thursday of the month are not good dates for members of the Planning Commission. Others will check their schedules and inform the Township Office Staff of possible conflicting dates.

Other Business:

The Township Solicitor, Bethany Emkey informed the Planning Commission that this will be her last Planning Commission meeting representing our Township. She will be moving out of the area the end of April. She stated that Beth Auman, also of the law firm Hartman Shurr will be attending future Planning Commission meetings. The Planning Commission thanked Bethany for her service as Solicitor and wished her well.

Ray Daub made a motion to adjourn the meeting at 10:12 p.m., seconded by Gary Deck. All voted in favor. The meeting was adjourned.

Respectfully submitted, Heather Claman, Planning Commission Secretary

