

**Tulpehocken Township Planning Commission Meeting
September 7, 2017**

Present: Robert Sattazahn, John Zimmerman, Laverne Frey, Gary Deck, Ray Daub, Scott Hetrick, Michelle Mayfield, Matt Mack and Heather Claman.

The Planning Commission meeting began at 7:30 p.m. and continued with the pledge to the American Flag.

The minutes from the August 3, 2017 meeting were reviewed and approved as written.

Public Comments: None.

Active Plans:

Mountain Meadows Phase 2: Time expires March 8, 2018. No discussion.

Camp Calvary: Time expires March 4, 2017. No discussion.

Aaron Hoover Dairy Operation: Time expires October 4, 2017. Red Barn Consulting was present to discuss this plan. The main concern for this plan is the access to the farm. Currently, trucks are using both driveways for access and there will be no increase in the truck traffic. It was presented that stop signs could be placed at the intersection of Airport Road and Little Swatara Church Road or signage to be placed for trucks not to use the upper driveway and to use the lower driveway only. The trucks would be making left turns only to enter and right turns only to exit. Plans need to be revised and resubmitted for the Township Engineer's review. The Planning Commission would be more favorable to have the signage placed and possibly have a one way for the entrance and the exit. There will be a note on the plan stating that signage and owner will notify the truck drivers of the access to the farm.

John Zimmerman made a motion to recommend to the Board of Supervisors to grant the waiver request for Section 205, Section 303.1.B, Section 303.1.L and Section 307.B.1.a. Scot Hetrick seconded the motion. All in favor, motion carried.

- *Section 205. This section requires submitting a preliminary plan for approval ahead of submitting a final plan. A modification of this section is being requested due to the plan being minor in scope and no new utilities or streets are being offered for public dedication.*
- *Section 303.1.B. This section pertains to the requirement of providing precise bearings and distance, for the entire tract and all boundaries, accurately labeled and the location of all required boundary line monuments. The land development is located over one hundred feet from any property line or street right of way line and Hershey Surveying Inc. will be establishing monuments.*
- *Section 303.1.L. This section pertains to the requirement of providing a certificate of Accuracy to be signed and sealed by a surveyor. This plan will have the monuments set*

by an established registered surveyor. *Hershey Surveying Inc. will review and certify the Deed Plot prior to final plan approval.*

- *Section 307.B.1.a. A minimum depth of 48 inches between the bottom of the facility and the seasonal high water table and or bedrock for street runoff. Testing was completed for the infiltration facility of this plan the results provided a minimum of 24 inches of separation. The PA BMP Manual only requires a minimum of 24 inches of separation.*

Laverne Frey made a motion to recommend to the Board of Supervisors to grant conditional preliminary/final plan approval based on the conditions listed below; Ray Daub seconded the motion. All voted in favor, motion carried:

- *The conditions of the Township Engineer's review letter dated September 6, 2017.*
- *Adding the signs discussed for the truck traffic.*
- *Adding additional notes to the plan regarding the operator telling the trucking companies*
- *Verification that certified letters were sent to the trucking companies regarding the access to the farm.*
- *Creating an exhibit for the truck access driveway.*

Red Barn Consulting Inc. presented a time extension letter to the Township for a 90 day time extension. Gary Deck *made a motion to recommend to the Board of Supervisors to accept the time extension letter for 90 days, giving a new date of January 2, 2018. John Zimmerman seconded the motion. All in favor, motion carried.*

Nelson Auker Poultry Operation: This plan was discussed informally at July's Planning Commission meeting. The property is located at 16 Rehrersburg Road and is in the RR District.

The applicant would like to take down two of the existing barns and put up three new barns for broilers. The current number of birds housed is approximately 60,000. The total proposed would be 86,000. The one existing barn he would like to use as a woodshop. A woodshop is not a permitted use in the Rural Residential district. He could use 1,000 square feet of the building for the woodshop and the remaining space would need to be for storage for the residence or the chicken houses. It cannot be utilized for storage for the woodshop. The operation would be considered intensive agriculture. Lot size is only 11.27 acres. The maximum building coverage allowed is 10% for this zoning district. The total proposed is 35%.

The residential trailer will ultimately be removed in the future. If it stays, septic testing will need to be done for the trailer as well as the house. The driveway will be widened for truck traffic

There are a number of general comments for this plan. The main concern is not having enough building coverage of the lot. The applicant has said that he will discuss securing a drainage easement with the adjoining property owner to the North, which is also is uncle. The applicant will need to obtain 20.5 acres to meet the maximum building coverage. *John Zimmerman made a motion to recommend to the Board of Supervisors to not approve an easement with the*

adjoining property owner. Instead, the property should be subdivided. Laverne Frey seconded the motion. All in favor, motion carried.

The applicant will be submitting a Zoning Hearing Application to the Township on Monday. This would be due to exceeding the total impervious lot coverage for the rural residential district in the Township. The Planning Commission will be able to review and comment on the Zoning Hearing Application to the Zoning Hearing Board.

New Plans:

Rufus Eugene & Susan Martin Poultry Plan: This plan is located at 74 Wintersville Road and is in the Effective Agricultural Preservation (EAP) and Environmental Protection (EP) Districts. The plan proposes three chicken houses 63 feet by 500 feet with parking area, and will relocate and expand the current driveway entrance. There will be two poultry barns to start and eventually they will add the third barn in the future. There are 44 acres with this parcel and there is 12.6 area of disturbance with this project.

This farm is not Farm Land Preservation and a note should be added to the plan. And a copy of the conservation plan should be provided to the Township for review.

The Planning Commission would like to see that the berm on the opposite side of the road is widened, stoned and reinforced for the trucks turning into and out of this operation.

There are sections that the applicant should request waivers. The applicant will submit the waiver requests at the next meeting.

The Planning Commission would like to see a total of three monuments placed. Two along the front right-of-way and one in the back South corner.

The plan proposes a blanket easement and the Township Solicitor will review the note and comment.

The current Stormwater design is utilizing the infiltration rate alone to meet the volume and peak rate control. There are concerns with issues from infiltration the large increase of stormwater within the bottom of the basin and it functioning as intended. The Township Engineer recommended a drainage easement and an alternate design be prepared to limit the amount of infiltration to the minimum required per the NPDES permit. The applicant's engineer stated that if it doesn't drain, there is a plan in place for it to dewater so that it doesn't impact any other properties. He presented a two year storm plan to dewater the retention pond.

There should be an overall view page for the proposed plan. There are several other comments and the applicant's engineer will address the Township Engineer's comments and will resubmit a revised plan for review.

Walk-In Discussions: Thomas Wise owns property at 31 Witman Road and would like to construct a barn for agricultural and commercial storage on an adjoining lot. Mr. Wise, his

attorney, Alex Elliger and his engineer, Steve Bensinger were present to discuss a proposed bank barn on Lot 1 of the Rossini Subdivision Plan. TW Construction, Mr. Wise's company owns both Lot 1 and Lot 2. Lot 1 adjoins Mr. & Mrs. Wise's forty-three acre farm located at 31 Witman Road. There is a current 30 foot by 45 foot current shop on the farm property however Mr. Wise would like to relocate the shop so that it is not as close to his house (120 feet) since he does have young children and is concerned with their safety.

Mr. Wise had a Zoning Hearing on April 18, 2017 and presented the Zoning Hearing Board with a plan proposing to construct a 7,000 square foot frame shop and warehouse building on the 43 acre farm property. The Zoning Hearing Board denied this application.

Mr. Wise has now revised the plans and is now proposing an 80 feet by 55 feet bank barn on Lot 1 which is 1.17 acres. This is located in the Rural Residential zoning district. This would be used for partial commercial and agricultural storage. The commercial storage would primarily be for building and framing materials. The primary use will be for general agriculture (hay storage) and a variance application will be submitted for the partial use for commercial storage use.

The Planning Commission stated that they feel that it would be beneficial for the applicant to annex the two lots to the farm lot.

Other Business:

Robert Sattazahn stated that he spoke to Paul Keller who currently owns a property at 5267 Four Point Road that is zoned Commercial. There was a fertilizer storage business there before and now he is looking to sell the parcel since the fertilizer business went out of business. A potential buyer was asking if he could buy it and put a woodshop business there. This property does not have a septic system, just a holding tank. The owner could contact the Township Engineer with any questions or concerns.

John Zimmerman is concerned with some of the stop signs in the Township not being certified. Therefore, the police cannot fine anyone for going through those stop signs. John lives close to one of those stop signs and he is very upset of the amount of people that drive through the stop sign. The Township Engineer stated that there is an ordinance for the new stop signs that were erected when the Mt. Aetna Mennonite School was built and they are certified. Before a certain date the signs are grandfathered and after a certain date the signs are supposed to be engineer surveyed. The Township Engineer is able to do engineering judging which gives them the capability of doing a report and state if there is a safety concern. And then, the Township can turn that into an Ordinance. There should be an Ordinance for all of the stop signs in the Township. There was an Omnibus Ordinance enacted in the Township within the last number of years.

There is also a concern with the entrance to Village Estates because of the water that runs along Route 501. There are silt bags at the sediment basin and water is at the top of the grate. The Township Engineer has told the developer that they should be removed.

Ray Daub asked the Township Engineer if he spoke to the Conservation District. The Township Engineer stated no, he has not. Ray Daub stated that he would like a letter sent to Lanita Trucking to make sure that they do what needs to be done to fix the drainage issue running onto Ray's property. They are supposed to be putting in a stone trench along the edge of the berm. It seems like water seeping through and hitting the shale and draining onto Ray's property. The applicant's design engineer sent anti-seep collar pictures to the Township Engineer. However, it is not clear whether the pictures are truly from this particular location. The Township Engineer told the applicant's design engineer that a letter needs to be signed and certified that this was indeed done for this job. *Scott Hetrick made a motion to recommend to the Board of Supervisors to have the Township Engineer draft an official letter to Lanita Trucking and their engineer to document that a stone trench the length of the basin with a perforated pipe will be installed and connected to the existing inlet on Ray Daub's property. This stone trench and pipe will address the concern with the storm water infiltrating under the basin and onto Ray Daub's property. This work shall be done prior to final release of any escrow amount. Seconded by John Zimmerman. All in favor, motion carried.*

John Zimmerman stated that there is concern with the water along Tanner Street. There is no stormwater collection at all along the street and it runs along the street down onto neighboring properties. The Township Engineer stated that there are a couple ideas on how to utilize natural drainage. He will be out tomorrow, September 8 with the Road Master to inspect and decide the best way to fix the issue.

Laverne Frey made a motion to adjourn the meeting at 10:13 p.m., seconded by Ray Daub. All voted in favor. The meeting was adjourned.

Respectfully submitted,

Heather Claman

Planning Commission Secretary