

**Tulpehocken Township Planning Commission Meeting**  
**June 3, 2021**

**Present:** Planning Commission Members: Scott Hetrick, Laverne Frey, Robert Sattazahn, John Zimmerman, Gary Deck, Chris Hartman, Matt Mack and Heather Claman.

The Planning Commission meeting began at 7:42 p.m. and continued with the pledge to the American Flag.

*Robert Sattazahn made a motion to approve the minutes from the May 6, 2021 Planning Commission meeting, seconded by John Zimmerman and approved unanimously.*

**Public Comments:** None.

**Active Plans:**

**Preliminary/Final Plan for Capitol City Remodelers, LLC:** Time expires August 25, 2021 for this plan.

**Mt. Meadows Phase 2-Final Plan:** Time expires August 4, 2021. Applicant's engineer is still waiting for comments from the Conservation District and DEP for the pump station. The planning module approval was received this week.

There was discussion with the Supervisors voting against fencing around the wetland basin A at the May Board of Supervisors meeting. Some of the Supervisors feel that the Township would have to fence all ponds if we would fence this basin.

The Township Solicitor stated that he has a Township that agreed to maintain a stormwater facility with the condition that the developer imposed a legally enforceable declaration of restrictions on the lots before they sold any of the lots. They would collect an assessment which would be paid to the Township. It is like a home owners association, but there is no association. It is a legal obligation to pay a fee to the Township. The idea is to find a means to collect money from the people that are directly benefitting from the stormwater facility. Unfortunately, this basin serves Phase I and II. It is too late to go back since Phase I is recorded and developed.

If the Township could come up with a cost estimate for twenty (20) years with an inflation adjustment built into it and the money from the developer was escrowed upfront and they would be required to have a contract with a landscaper, it would still be owned by the lot owner but at least for that timeframe it would be taken care of.

The Township has a legal obligation to anticipate the risk and to impose reasonable conditions to try and negate the risk. The Township would not be liable however it would not be a good decision for the Township to not try to protect the children in the neighborhood.

The Township Engineer stated that the banks could be cut back. If someone would fall in that they would be able to get out.

The fire dam outside of Rehrersburg was brought up. The Township Solicitor stated that if the Township is going to own the fire dam, it would be a good idea to fence it and post it with no trespassing signs.

The Township Engineer stated that he could work with the designer to lessen the slopes of the wet pond.

*John Zimmerman made a motion to recommend to the Board of Supervisors to have the Township Engineer to work with the developer to make sure that the water retention ponds are developed in a manner that is best for maintenance and lessen the slope. Seconded by Robert Sattazahn and approved unanimously.*

John Zimmerman mentioned the sidewalk to be installed along Thistle Court that is owned by the church. We need to be sure that this is installed. The Township Engineer stated that it is on the recorded plan to install this sidewalk and that it is in the escrow. The sidewalk will need to be installed prior to escrow being released and the roads in the development are dedicated.

**Shirk Farm Annexation:** The applicant's surveyor, DeVon Henne stated that they will be proceeding with the survey and preparation of a final plan to be submitted later this year. Mr. Shirk is fine with establishing the right of way for Gobbler Run Lane at a width of twenty-five (25) feet as recommended by the Township.

**New Plans:** None.

**Walk-In Discussions:** None.

**Other Business:**

Erik Kauffman would like to operate a gunsmith business out of an existing commercial building located at 233 Gravel Pit Road and is asking for a special exception to allow the gunsmithing as a small farm related business and rural enterprise. Erik's father, David S. Kauffman is the owner of the property. He would like to use 30 x 70 feet in an existing 60 x 180 feet building for his business. The business would be operated during normal business hours. Customers would be on an appointment only basis and there would be no walk-in traffic. There would be no additional employees. A small sign would be erected at the end of the driveway to direct customers to the business. There are no proposed improvements to the property. The Zoning Hearing Board can impose reasonable conditions to address any potential adverse impact to the community.

There was discussion to consider security for the building for safety purposes.

*Robert Sattazahn made a motion to recommend to the Zoning Hearing Board to consider building security measures for safety purposes if the application is approved. Seconded by John Zimmerman and approved unanimously.*

Austin Brown resides at 104 Wintersville Road. He would like to remove a 22 x 20 foot building that is beyond repair and replace it with a 36 x 40 foot pole building. He would not meet the thirty (30) foot side yard setback with the new pole building. He is proposing a nine (9)

foot side yard setback. There is a concern with the size of the new building. It is two and a half (2 ½) times the structure that is currently there. Will it be for the applicant's own personal use, not commercial use?

The Township Solicitor stated that he would recommend a spot survey to make sure that it is a minimum of ten (10) feet for the side yard setback. The last thing the Township would want to happen is that the new structure is built on the neighbor's property.

*Laverne Frey made a motion to recommend to the Zoning Hearing Board to have a spot survey performed to make sure that there is a minimum of ten (10) feet for the side yard setback and that there be a requirement that there not be any commercial use. The proposed building would just be for an accessory for the residential use of the property. Seconded by John Zimmerman and approved unanimously.*

Recreation space was discussed briefly. The Township should receive some money for the master plan and Mr. Hurst paid \$110,000 for the first forty (40) lots and the advance payment for the next twenty (20) lots.

*Robert Sattazahn made a motion to adjourn the meeting at 8:36 p.m., seconded by Laverne Frey and approved unanimously. The meeting was adjourned.*

Respectfully submitted,

*Heather Claman*, Planning Commission Secretary