

**Tulpehocken Township Planning Commission Meeting
October 7, 2021**

Present: Planning Commission Members: Scott Hetrick, Robert Sattazahn, Laverne Frey, John Zimmerman (via telephone), Chris Hartman, Matt Mack and Heather Claman. Gary Deck was absent. The Planning Commission meeting began at 7:31 p.m. and continued with the pledge to the American Flag.

Robert Sattazahn made a motion to approve the minutes from the August 5, 2021 Planning Commission meeting, seconded by Laverne Frey and approved unanimously. Planning Commission didn't meet in September 2021 due to lack of business.

Public Comments: None.

Active Plans:

Capitol City Remodelers, LLC: Time expires November 10, 2021. No discussion.

Mt. Meadows Phase 2-Final Plan: Time expires November 2, 2021 for this plan. The developer cannot get any building permits with Preliminary Plan approval, but they can do some site improvements. Mr. Hurst instead of posting the escrow right now, would like to construct the roads and the pump station off the preliminary plan which he does have approval (Board of Supervisors granted preliminary plan approval on March 10, 2021). There should be a separate agreement for Mr. Hurst to build off the Preliminary Plan along with an escrow to cover the Township Engineer's inspections to make sure that what he is putting in matches the plan. The Township Solicitor stated that if the Township has an inspection escrow agreement that covers the cost of the Township Engineer's inspections, what the agreements are, what they are allowed to do and that they acknowledge that they are doing this at their own risk meaning that unless they complete a final plan and post all of the necessary agreements and escrows that would allow them to get building permits, that this plan is never going to be constructed. There is an active final plan application. Based on the preliminary plan, if he does an inspection agreement plan with the Township, he could begin to do some preliminary work while he is working on the final plan.

The idea is, Mr. Hurst would start to get everything moving and then when he gets further along, he would then have to come in and file the final plans and post whatever is not posted in an escrow, agreements are drafted like normal and the final plan and agreements are recorded. He then can then pull zoning, building and sewer permits from that final plan.

The Township Solicitor stated that there are (2) two paths at one time and they come back together again in the end. The idea of the developer beginning some construction off of preliminary plan while he finalizes the final plan, is an advantage that he only has to post cash for the inspections that he does based on the preliminary plan. Then all of the work that he does based on that preliminary plan, he will not have to escrow that cost in the final plan escrow. The Township Solicitor stated that he has no legal reason to state that it is a bad thing. The municipalities planning code does authorize developers to proceed this way and it is a very big

project and in the long run, the Township will benefit from this project. The Township Solicitor stated that he would encourage the Township to cooperate with what the developer is requesting. It is not putting the Township at risk. It is just a way for the developer to get started and to lower his cost for the financial security that would otherwise apply. It is reasonable to recommend that the developer do an inspection escrow agreement to begin to do site work off of the preliminary plan approval and give him the (90) ninety day time extension on the final plan because it will help the developer.

Pioneer Management LLC, the applicant's engineer, presented a time extension letter to the Township for a 90 day time extension. John Zimmerman made a motion to recommend to the Board of Supervisors to grant the time extension request for Mountain Meadows as a 90 day time extension to January 31, 2022, AS LONG AS PIONEER MANAGEMENT CHANGE THE LETTER TO STATE FINAL PLAN INSTEAD OF PRELIMINARY PLAN PRIOR TO THE BOARD OF SUPERVISORS MEETING ON WEDNESDAY, OCTOBER 13, 2021. And if Mr. Hurst would submit an official request to have a preliminary plan inspection escrow agreement with the Township that will enable him to begin, at his own risk, to construct improvements prior to getting final plan approval. Planning Commission recommends the Board of Supervisors except that request. Seconded by Laverne Frey and approved unanimously.

Sketch Plan for Record Shirk Farm Annexation: Time expires November 10, 2021 for this plan. No discussion.

New Plans: None.

Walk-In Discussions: None.

Other Business: The Planning Commission discussed recreation space. John Zimmerman stated that it is important for the Township to continue to have the recreation agenda moving forward.

The Township Engineer stated that the empty lots on Lions Park Drive owned by Larry Dean Martin, will not be available to the Township. He isn't interested in selling the lots to the Township, he is considering selling the lots as building lots. All the Township really has is the Township lot and possibly the Lions Club grounds. The Lions Club did not sign any agreement with the Township to date. The Township should be receiving funds from the grant sometime this month or in November. The Township Solicitor stated that the first version of the agreement was that the Township would take responsibility of the building and would give the Lions Club first choice at any interior usage and the Township would give them the right to generate revenue from the usage of the inside of the building. After the first version was reviewed by the Lions Club, they decided that they would keep the building and give the Township the exterior space. Then the Township Solicitor revised the agreement to reflect those ideas, that the Township would control the outside and the Lions Club would have control of the building and its contents. This revised version (2nd version) of the agreement was sent to the Supervisors and they haven't acted on the revised version and it hasn't been submitted back to the Lions Club for their comments.

John Zimmerman stated that we need to keep the ball rolling. The Township Solicitor stated that he would like to verify that the Supervisors haven't acted on the revised version of the agreement. The Township Solicitor stated that he offered to come and meet with the Supervisors and the majority of the Supervisors were not ready to act on the revision.

John Zimmerman stated that the money sitting in the account from Mr. Hurst isn't doing the Township any good and is losing value daily. The Township Engineer stated that the (3) three items that the Township has are the Lions Club exterior space (possibly), the Township lot next to the Lions Club and the Mt. Aetna Fire Company Playground (possibly). John Zimmerman stated that the Mt. Aetna Fire Company would be open to something according to the last conversion he had with someone there. They have a nice pavilion behind the Fire House and the playground had some updates, however there are still some improvements that could be done.

The Tulpehocken School District Administration building was also discussed and is currently owned by the School District. There have been recent discussions at the School Board meetings to possibly move the administrative offices up to the Jr./Sr. High School when the remodeling occurs. There is a meeting room in the building. Future ideas are a variety of programming inside the building and there are fields outside for the children.

Scott Hetrick made a motion to recommend to the Board of Supervisors take action to get the lease agreement completed with the Lions Club. Seconded by John Zimmerman, and approved unanimously.

The Township should be receiving information regarding the grant from DCNR in October or November. One of the concerns that the Board of Supervisors have is taking on the additional financial responsibility of the Lions Club. If there is a DCNR grant, that will help with the planning process and makes it obvious that there is an opportunity for additional funding down the road. That might be something that the Board of Supervisors would like to see and feel more comfortable with. The grant will most likely need to be spent within a certain amount of time.

The Township Solicitor stated that if there is a matching requirement, that's a budget issue for the Township. The Township has money in the bank for recreation expenditures, however they still need to budget to expend that money and if this grant does require some kind of matching, that is something that the Planning Commission should recommend to the Board of Supervisors that they should budget for that from the recreation fees that are on hand if needed.

The Township Solicitor stated that it was discussed to pursue an agreement with the Mt. Aetna Fire Company as well, but at the time it was decided to wait and just pursue the agreement with the Rehrersburg Lions Club first. The Township does not have to wait. We could initiate discussions in Mt. Aetna and see where that goes. It does make sense to complete the agreement with the Rehrersburg Lions Club too.

The Tulpehocken School Administration Building was discussed as a good location and has a lot of potential. It is centrally located. Now might be a good time to notify the School District that the Township may be interested in the property since the School is in discussions to possibly move the administrative offices. The Township Solicitor stated that if the School District is evaluating their plans currently, the Township should notify them that we may have an interest.

The letter could state something to the effect that the Township is having ongoing discussions about recreation facilities planning for the community. We have identified the administration building property as that may be useful for that purpose and would like to discuss what the plans of the School District are for that property. That would be enough to start a conversation. *Laverne Frey made a motion to recommend to the Board of Supervisors to send a letter to the School Board of Directors of the Township's interest in the current administration building, seconded by John Zimmerman, and approved unanimously.*

The Planning Commission Secretary presented a meeting date schedule for 2022 for the Planning Commission to review. All dates listed are satisfactory to the present members, Township Solicitor and Township Engineer. Planning Commission meeting dates to be advertised for 2022:

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| January 6 | July 7 |
| February 3 | August 4 |
| March 3 | September 1 |
| April 7 | October 6 |
| May 5 | November 3 |
| June 2 | December 1 |

Laverne Frey made a motion to adjourn the meeting at 8:15 p.m., seconded by Robert Sattazahn and approved unanimously. The meeting was adjourned.

Respectfully submitted,

Heather Claman, Planning Commission Secretary