

**Tulpehocken Township Planning Commission Meeting  
June 2, 2022**

**Present:** Planning Commission Members: Scott Hetrick, Laverne Frey, Robert Sattazahn, John Zimmerman, and Gary Deck. Township Solicitor- Chris Hartman, Township Engineer- Matt Mack, Planning Commission Secretary- Heather Claman and new Planning Commission Secretary-Lisa Care.

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 April 7, 2022 Planning Commission meeting, seconded by John Zimmerman and approved unanimously.*

**Public Comments:** None.

**Active Plans:**

**Capitol City Remodelers, LLC:** Time expires August 10, 2022. No discussion.

**New Plans:** None.

**Walk-In Discussions:** Mr. & Mrs. Melvin Lapp were present to discuss the pole issues at their property located at 2 Stouchsburg Road. Their lot was part of the Shoestring Industries Subdivision Lot #1. Mr. Lapp is concerned that the developer has not completed the improvements on his property. The Township Engineer stated that he spoke to the developer and that the escrow for undeveloped lots will not be released until additional stone is placed along the road and the Verizon poles are set properly. The developer stated that he spoke to Verizon and that Verizon confirmed this. The Township Engineer informed the developer he would need correspondence from Verizon stating that the depth of the poles is sufficient prior to any additional escrow release. The topsoil mounds at the base of the poles will also need to be removed.

Mr. Lapp has purchased Lot# 2. He is currently not developing the lot. Future plans may consist of a pole building at some point. The Township Engineer informed Mr. Lapp that a pole building cannot be the only existing structure on a lot.

The Township Engineer stated that the Township could retain the escrow for the poles and would work with Verizon directly to complete the pole issues.

It was suggested that Mr. Lapp contact the PUC (Public Utility Commission) and file a complaint to help expedite and possibly resolve the pole issues.

## **Other Business:**

John R. Bicksler is requesting a waiver of land development for his property located at 7695 Lancaster Avenue. He is proposing a 50 feet by 156 feet high tunnel building. The reason for the waiver request is any building over 4,500 square feet would require land development. Mr. Bicksler will need to prove that he can meet the intent of the Stormwater requirements or he will need to provide a Stormwater plan. He will need to stay under 5,000 square feet of disturbance or obtain an E & S permit through the Conservation District. This building will be used for storage of agricultural commodities, no utilities and the floor will be crushed stone. Mr. Bicksler will need to prove that he will meet all of the requirements from the Stormwater Management Act-Effect of Watershed Stormwater Plans. The requirements are as follows:

- Has a metal, wood or plastic frame.
- When covered, has a plastic, woven textile or other flexible covering.
- Has a floor made of soil, crushed stone, matting, pavers or a floating concrete slab.
- The flooring does not result in an impervious area exceeding 25 percent of all total structures.
- Located at least 100 feet from any perennial stream or watercourse, public road or neighboring property line.
- Supported with a buffer that doesn't directly drain into a stream.

*John Zimmerman made a motion to recommend to the Board of Supervisors to grant the waiver of land development with the condition that the zoning permit will include the Pennsylvania State requirements for Stormwater Expansion Act guidelines. Seconded by Laverne Frey and approved unanimously.*

Harold Case Jr. resides at 54 Midway Road and is requesting a waiver of land development and has presented a Zoning Hearing Board application to remove an existing 3,600 square foot bank barn and build a 5,800 square foot pole building to store septic trucks inside. There will be less impervious area to this property. Due to the size of the property, Mr. Case is exempt from a drainage plan review, however he will still need to meet the intent of the ordinances. In the past, the Township has asked for the applicant to have an Engineer design, seal and take responsibility for the design. There wouldn't be a formal review from the Township, we would however have it on file as a reference.

There are four employees and Mr. Case, totaling five people/employees for the business. The employees personal vehicles will be parked at the house and all of the septic trucks will be parked in the proposed building. No office space or bathrooms are being proposed. Building code will require an ADA bathroom, therefore a porta potty will need to be placed on site. Mr. Case was advised to contact the Township SEO (Sewage Enforcement Officer) to verify if that will take care of the septic regulations.

Land development addresses access, ADA accessibility, zoning requirements and E & S plan because of the area of disturbance. John Zimmerman stated that a grease trap and a holding tank maybe an option.

The Zoning Hearing Board application is for a special exception use for a rural enterprise, plus a dimensional variance under Section 834.14 to allow a building more than 2,500 square feet, or if needed a use variance under Section 830 of the Township Zoning Ordinance. There is a good reason why the applicant is in a rural location for this use. The septic company services people in rural areas.

The Planning Commission tabled the waiver of land development and the applicant will need to provide a plan and document all of the existing and proposed impervious buildings.

*Robert Sattazahn made a motion to recommend to the Zoning Hearing Board to consider the fact that this is a rural enterprise based on the location and type of service rendered to people in a rural location. The dimensional variance could be considered due to the removal of two buildings and replacing it with one larger building. The environmental impact would also be protected due to storing the trucks inside the proposed building. Seconded by Laverne Frey and approved unanimously.*

Michael and Katrina Oberholtzer reside at 102 Rehrersburg Road, have amended their previously submitted Zoning Hearing Board application for a use variance to construct a 131'4" by 56" (7,336 sq ft) combined garage and kennel on their property. This property is located in the Rural Residential (RR) zoning district. In reviewing the Township zoning map, it appears as if the property could actually be in the Rural Residential (RR) zoning district. The kennel is being proposed as being soundproof and dogs would not be permitted in the outdoor runs of the kennel between the hours of 8:00 p.m. and 8:00 a.m. According to the applicant's builder, the kennel would be for the applicant to breed and raise their own dogs. They would not be boarding other dogs for customers.

If the Zoning Hearing Board would approve their request, land development will still need to be done. If denied, the applicants could ask for a lot amendment. This would amend the zoning map and would be addressed by the Board of Supervisors. If granted the lot amendment, the applicants would need to submit an application to the Zoning Hearing Board under the new amendment.

*John Zimmerman made a motion to recommend to the Zoning Hearing Board that the Planning Commission has no comment regarding this application. Seconded by Gary Deck and approved unanimously.*

The Planning Commission needs to reaffirm the David G. Martin Subdivision Plan due to conditional plan approval being granted in September 2019. *Laverne Frey made a motion to*

*recommend to the Board of Supervisors to reaffirm the David G. Martin Subdivision Plan. Seconded by Robert Sattazahn and approved unanimously.*

The Planning Commission needs to reaffirm the Mountain Meadows Phase II Plan due to conditional plan approval being granted February 2022. *Robert Sattazahn made a motion to recommend to the Board of Supervisors to reaffirm the Mountain Meadows Phase II Plan. Seconded by Laverne Frey and approved unanimously.*

Gary Deck mentioned that Teen Challenge Road re-addressing should be worked on. The Planning Commission Secretary informed the Planning Commission that the Township Secretary will be working with Emergency Services to continue re-addressing roads in the Township.

Gary Deck stated that Harry Reinhold resigned as Township Supervisor at the April 13, 2022 Board of Supervisors meeting. If any of the Planning Commission members would know of anyone that would be interested in completing the remaining 2022-2023 term, to let the current Supervisors know. A new Supervisor will be appointed at the June 8, 2022 Board of Supervisors meeting.

Gary Deck also stated that Heather Claman has resigned as Planning Commission Secretary/Sewer Service Secretary/Police Secretary. Lisa Care was welcomed as the new Planning Commission Secretary/Sewer Service Secretary/Police Secretary. Gary Deck also invited the Planning Commission members to a luncheon at the Township Building on June 8, 2022 at 12:30 pm to thank Heather Claman for her years of service.

*Robert Sattazahn made a motion to adjourn the meeting at 9:31 p.m., seconded by Gary Deck and approved unanimously. The meeting was adjourned.*

Respectfully submitted,

*Heather Claman*, Planning Commission Secretary