

**Tulpehocken Township Planning Commission Meeting
July 7, 2022**

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

The Planning Commission meeting began at 7:35 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. *Chris Hartman recommended another contact be made with them if they are aware of the deadline and if they are going to be taking any action to extend the deadline. Lisa Care noted that she will reach out to them to confirm.*

Shoestring Industries: A storm water resubmittal or submission of additional information is being requested by BCCD. May be looking for a waiver. No one from Shoestring was present. Matt Mack said this is for Lot #4 redesign to do an above ground basin. No waivers and no approvals being asked for from the District at this point. Will need to meet storm water requirements and post new escrow and show approval for either E&S or NPDES. It was mentioned that the dirt was removed away from each pole and also stated that Med-Ed said the poles were deep enough. *Per Matt Mack, they still need to add more stone due to erosion. No action tonight.*

Harold Case, 54 Midway Road: Update regarding waiver of LD. Harold Case was present and noted that they are still working on the E&S/storm water plans and will be ready for the next meeting. He did get his zoning approval. Richard Klopp was present in the audience with questions as a neighbor to this property. He was not able to be present at the ZHB meeting as he was out of town. He questioned changing the zoning from Residential/Agricultural to Commercial use and change it for a rural enterprise and that sewer trucks are not a rural enterprise. Chris Hartman said the zoning was not changed and referenced a 3-page written decision, conclusion in Law #3, Section 834.14. The use is okay under the zoning ordinance as a rural enterprise and Harold Case was granted a variance to allow for a larger building. Rick Klopp expresses his concerns for the creek, rain water run-off/residual from the trucks and the bridge is not rated for tri-axle trucks. Harold Case stated our trucks are clean and come back clean, parked in the shed, holding tank. Chris Hartman stated that ZHB decided that his use is a

rural enterprise and the zoning decision is final by the ZHB. The PC still has to decide whether or not there will be any LD planning requirements imposed on this project and what, if any of the LD regulations must be complied with. Any issue with the creek is a DEP issue, they regulate this type of operation to maintain his DEP permit. They have the authority to regulate environmental concerns. The Township does not have direct authority to regulate pollution. *John Zimmerman said the Attorney provided facts concerning the creek and to contact DEP .*

New Plans: Clair H. and Darlene R. Wenger Poultry Operations, 67 New Schaefferstown Road preliminary review of plans: Clair Wenger was present as well as Charles Yourshaw. Per Matt, this property is located in three townships. A small portion in Upper Tulpehocken, Tulpehocken and Jefferson. The buildings are in Jefferson and the property is assessed in Tulpehocken. Chris Hartman said the majority of the improvements are in Jefferson and we can only review within the geographic boundaries of our Township. Matt did a summary review of the plans and he and Chris said that we cannot implement our setbacks in another Township. *There was a meeting on Saturday, July 9 at Jefferson Township and they did not defer and they will be handling the planning.*

Other Business:

Glenden Martin, 9 West Four Point Road: Applied for a waiver of LD to install a large solar panel array. Glenden Martin was present. For his poultry operation only. Five separate panels, pavilion style, tilted south, virgin soil, slope is very minimal, 1-2 % grade, panels are 25 X 125 ft. with a 25 ft. gap between them, total size about a half of an acre. Grass cover will remain due to height. Per Matt, in regard to storm water, DEP came out with guidance for when you need or for when you do not need storm water. In the DEP regulations what they determined is if you are not grading it, or slopes are under 5%, its meadow, etc. typically you do not need storm water. Because this is a farm, you are exempt from submitting a drainage plan but not exempt from meeting the intent of the requirement. Work with property owner or engineer to provide simplified report. Has over 15,000 sq ft but minimal impact. Per Matt, if just boring and drilling posts, you would be under the 5,000 sq. ft. for E&S. At a minimum at least install something at the bottom but will need a zoning permit. Chris Hartman's recommendation is to grant the waiver with the condition with him complying with the DEP and/or comply with our storm water ordinance.

John Zimmerman made a motion to recommend to the Board of Supervisors to approve the waiver upon the condition that it meets the DEP solar panel storm water planning regulation or if not, it must comply with the Townships storm water ordinance and secure an E&S if over 5,000 sq. ft. Seconded by Scott Hetrick and approved unanimously.

Teen Challenge: It has been reported by several sources that Teen Challenge is converting an old welding shop/garage into a Women's dorm. Matt advised that zoning approval would be required and also land development per the moratorium currently on the pump station.

Gary Deck made a motion to recommend to take it to the Board of Supervisors to address the matter and check into the situation. Seconded by John Zimmerman and approved unanimously.

Gary Deck made a motion for the Board of Supervisors to include on their agenda to have an executive session be called to discuss the increase in emergency service needs and other concerns with Teen Challenge operations. Seconded by Scott Hetrick and approved unanimously.

Gary Deck introduced Harold B. Zimmerman as the new member on the Board of Supervisors.

Scott Hetrick made a motion to adjourn the meeting at 9:25 p.m., seconded by Gary Deck and approved unanimously. The meeting was adjourned.

Respectfully submitted,

Lisa Care, Planning Commission Secretary