

**Tulpehocken Township Planning Commission Meeting  
June 5, 2025**

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

Members of the Audience: Mike Forry, Jeremy Hummel (LDG), Jennifer Gutekunst, Rick Kreamer, Bill Dewart, Renee Wenger

The Planning Commission meeting began at 7:38 p.m. and continued with the pledge to the American Flag.

*Robert Sattazahn made a motion to approve the minutes from the May 1, 2025 Planning Commission meeting, seconded by Laverne Frey and approved unanimously. (5-0)*

*Laverne Frey made a motion for the Planning Commission to approve the minutes from the May 20, 2025 joint workshop meeting with the Board of Supervisors, seconded by John Zimmerman and approved unanimously. (5-0)*

**Public Comments on existing plans:** None.

**Active Plans**

**b. Dollar General-Womelsdorf, Route 419 & Four Point Road:**

Larson Design Group, for the applicant, prepared a list of waiver requests for the Dollar General project for review:

There was discussion regarding Section 602.4: Sidewalk: Hold for now and revisit at a later meeting.

Section 205: Preliminary plan to final. *For the project to proceed as a one-step plan process.*

Section 602.3: Curbing: The development occurs on an existing parcel and is a driveway. No streets are proposed, and the lot size is larger than 100 feet. The curbing is requested to be waived since the lot width and street does not apply and this does not serve a purpose for directing of stormwater since the area of the parking lot is directed to internal inlets. Similar to Centerport Milk Hauling located nearby.

Section 602.12: Buffer/Screening A reduced area is provided of screening for the headlights at the residential use area only. Other areas are commercial and have screening or grading prevents visuals.

Section 308 & 309: Water quality and stream bank erosion requirements: A waiver is requested for the 2-year post development runoff reduction to a 1-year pre-development rate.

Section 310F: Freeboard: Minimum one (1) foot of freeboard for basin embankment: The Infiltration Berm is proposed to be a cut condition to control the runoff from the driveway that will leave to the north. Since this is cut, a traditional outlet structure is not able to be utilized, and a spillway is utilized instead.

Section 310.K.2.b: Top of Slope: Fill slope to be no less than 25 feet from property line. The toe of slope is closer than 25-feet due to the existing topography of the area.

Section 501.2Q.4.i(3): Off-site Drainage Easement: Storm water or surface water discharged or drained in volume over lands within or beyond the boundaries of the subdivision or land development. Request to waiver requirement for off-site drainage easements as rates and volumes are both reduced for post-development conditions to less than or equal to pre-development.

*John Zimmerman made a motion to recommend to the Board of Supervisors to grant the Off-Site Drainage Easement waiver request with the condition upon the note from the Township Solicitor being added to the plan with regards to hold harmless to the Township, seconded by Robert Sattazahn and approved unanimously. (5-0)*

*Gary Deck made a motion to recommend to the Board of Supervisors to grant the additional list of waivers (205, 602.3, 602.12, 308 & 309, 310F and 310.K.2.b, seconded by Robert Sattazahn and approved unanimously. (5-0)*

*Laverne Frey made a motion to table the plan to the next scheduled Planning Commission meeting on July 1, 2025, seconded by John Zimmerman and approved unanimously. (5-0)*

**c. Cedar Ridge Fellowship Center, 85 Hurst Drive – Final:**

No representation was in attendance. Per the Township Engineer, they are currently working through their plan revisions and NPDES. This project will be reviewed at a later date and no action was taken at this meeting.

### **Walk-In Discussions:**

Mike Forry brought to the board concerns of a neighbor impeding the natural water flow on his property. Two chicken houses were constructed in 2012 at which time there were two existing driveway pipes that the water drained through which flowed to a wetland below and this flow has since changed and is backing up onto his property. The Township Solicitor indicated that this issue appears to be on private property and therefore would be considered a civil matter. Per our Township Engineer, since this water is feeding a wetland, DEP may get involved if the natural water flow is blocked or changed. He suggested having a meeting with the neighbor and possibly a mitigator to discuss the concerns of having these pipes remain open and the natural flow of the water reserved.

### **Other Business**

#### **a. Review of the Zoning Hearing Board Appeal Application for 0 Host Road:**

The Planning Commission re-reviewed the Zoning Hearing Board Appeal application for 0 Host Road. The applicant applied for a dimensional variance from sections 844.012 and 844.022 of the Tulpehocken Township Zoning Ordinance of 2013, as amended, for the permitted principal uses to construct a new home with an attached garage on a vacant lot. Additional information was provided from the Township Zoning Officer that Section 348 of our Ordinance states if this is an existing lot of record created prior to the effective date of the Ordinance, the applicant can choose the front yard lot line and the other lot line shall be a side lot line. The Members acknowledged the setbacks and the recommendation remains the same as previous.

*Based on the re-review of the information available, John Zimmerman made a motion to recommend to the Zoning Hearing Board to deny this application for Variances from Section(s) 844.012 & 844.022, but should the Zoning Hearing Board grant the application, then the Planning Commission recommends the Zoning Hearing Board to consider verification that placed upon where the stop bar is that placing this house as shown on the plan would not interfere with the required sight lines coming from Church Road onto Host Road, and that the driveway has adequate site distance. The front yard setback needs to be 50 feet, meet stormwater for the house, a grading plan and a driveway permit. Seconded by Laverne Frey and approved (4-1).*

**b. Review draft of proposed Zoning Ordinance Amendments for Agritainment, Agritourism and Short-Term Rentals:**

The Planning Commission members reviewed the changes relative to the draft that existed the last time it was reviewed at the joint workshop of May 20, 2025. Residents were present to ask questions, express their concerns and provide feedback.

*John Zimmerman made a motion to recommend to the Board of Supervisors to remove the paragraph for “Impervious Coverage” for Agritourism and Agritainment and when a permit is submitted it can then be determined if it requires Land Development at which time the applicant can ask for appropriate waivers, second by Robert Sattazahn and approved unanimously. (5-0)*

*Laverne Frey made a motion to add the definitions for Agricultural Operation and Agricultural Use Principle to the Ordinance. Suggested sources to use was The Right to Farm Law or from the Ag Security Law to help explain what agricultural uses are, seconded by John Zimmerman and approved unanimously. (5-0)*

*John Zimmerman made a motion to review the Ordinance amendments with definitions inserted for Agricultural Operation and Agricultural Use Principle to the next scheduled Planning Commission meeting on July 1, 2025, seconded by John Zimmerman and approved unanimously. (5-0)*

*Robert Sattazahn made a motion to adjourn the meeting at 9:35 p.m., seconded by Gary Deck and approved unanimously (5-0). The meeting was adjourned.*

Respectfully submitted,

Lisa Care, Planning Commission Secretary