

PERRY COUNTY PLANNING COMMISSION

Minutes of the Meeting

May 17, 2006

The regular monthly meeting of the Perry County Planning Commission was held on Wednesday, May 17, 2006 in the Penn State Cooperative Extension Conference Room, New Bloomfield, PA. The meeting was relocated because of election week, requiring the use of the Commissioner's Conference Room for post-election business. Chairman James Turner called the meeting to order at 7:34 pm.

1. ROLL CALL

Members present were Robert Shaffer, Tom Graupensperger, Nathan Mohler, James Turner, Terry Meek, Dave Holcombe and Logan Bower. James Szyborski, Matthew Jones and Jason Finnerty of the staff were also present. Thomas Palm was present to represent all three (3) subdivisions on the agenda for consideration under the guidance of Perry County Subdivision and Land Development Ordinance.

2. MINUTES

Chairman Turner asked the Commission members if they would like to offer any edits to the minutes from the April 19, 2006 meeting. In response, no edits were brought forward.

A motion by Mr. Bower, seconded by Mr. Mohler, the Commission approved the minutes of the April 19, 2006 meeting without edits.

3. GOOD AND WELFARE

No one was present for the good and the welfare.

4. COMMUNICATIONS AND PAYMENTS OF EXPENSE

A. Communications

Mr. Turner asked staff if there were any communications that staff would like to call to the Commission's attention. Mr. Finnerty indicated he had a single piece of communication he wanted to bring to the Commission's attention. The letter was from the Pennsylvania Department of Community and Economic Development to the Perry County Commissioners regarding awarding a Land Use Planning and Technical Assistance Program grant. The grant was for a five (5) county community investment initiative carrying an overall grant amount of \$75,000.00. Staff indicated the Delta Development Group would be coordinating this effort.

B. Payment of Expenses

On a motion by Mr. Shaffer, seconded by Mr. Graupensperger, the Commission approved the following expense:

To the TCRPC for March - April Subdivision and Land Development Fees
Check #1020-----\$698.00

5. REPORTS

A. Treasurer's Report

The Treasurer's Report in the form of a financial statement for the period of January 1, 2006 through April 30, 2006 was accepted for filing and audit on a motion by Mr. Holcombe, seconded by Mr. Bower.

B. Staff Report

Mr. Szyborski introduced Staff Planner Mr. Matthew Jones to the Commission. Mr. Jones has been hired to fill the position vacated by Ms. Sara Henke. Aside from subdivision and land development review, he will be assisting Ms. Park and Mr. Finnerty with completing the two remaining county comprehensive plans for Dauphin and Perry Counties. Another area where Mr. Jones will be assisting is the development of the model subdivision and land development and zoning guides for the region. He will also be involved in assisting Mr. Finnerty with the sequential process of preparing environmental reviews for the County's CDBG Program this year.

C. Comprehensive Plan

Mr. Finnerty indicated with the completion of the Annual Report staff will be able to redirect attention to the County Comprehensive Plan. He mentioned Mr. Jones was provided a final copy to provide him with the background information on the Plans direction and to proof read.

Staff will initially put together a final draft to send to the printer and distribute to the municipalities. Staff would like to see this accomplished by early to mid-June. Knowing a concern was raised at the previous meeting regarding summer vacations and the timing of the outreach meetings, Mr. Finnerty followed up by asking the Commission if it would still be possible to hold the meetings in June. In response the Commission encouraged staff to target the month of August to coordinate the outreach meetings. Mr. Szyborski reiterated Mr. Jones would be assisting with the outreach process. At the previous month the following sites were discussed as locations to hold the outreach meetings:

1. Penn Township Municipal Building
2. Blain Elementary
3. Greenwood Elementary

Meanwhile staff will finalize the draft and make the necessary preparations to have the document printed for distribution. By sending the draft documents out in early to mid-June, municipalities, school districts and others will have ample time to provide feedback on the document prior to the public outreach meetings.

6. UNFINISHED BUSINESS

A. Progress: Regional Transportation Project, 2005-2006.

Mr. Szyborski advised the Commission the SPIKE funds were received by HATS.

To expedite the process of finalizing the Transportation Improvement Program for 2007 through 2010 there was a telephone ballot distributed to Coordinating Committee members. The decision was made to proceed with the TIP air quality analysis and the public comment period.

From the prior month, the most notable projects in the county, the Cove Road Bridge and the Shermansdale Bridge are both listed on the TIP. There are several road surfacing projects that are also stated for this year.

The air quality analysis has been completed for each county but Lebanon. It is hopeful the plan will be into the STC by August.

B. Local Planning Assistance (LPA) Report.

Mr. Finnerty indicated the Marysville Borough Planning Commission held its meeting on April 26. As LPA representative, Staff Planner Omar Syed attended the meeting where he reported the

revised zoning map has been completed. Secondly, he mentioned there was some discussion about appointing a delegate to the Perry County Planning Commission meetings. Last of all, he reported their Planning Commission is down one member.

C. Perry County Solid Waste Management Plan (SWMP) (Non-substantial revision).

Staff indicated on April 24, 2006 the Perry County Commissioners passed Resolution 2006-7 and the non-substantial revision to the Perry County Solid Waste Management Plan. The resolution authorized the document to be forwarded to the Pennsylvania Department of Environmental Protection for the Department's review of the plan.

Mr. Szymborski indicated the revised Solid Waste Management Plan should be incorporated by reference as part of the Comprehensive Plan.

D. Hazard Mitigation Plan

Staff is still awaiting communications from FEMA regarding the grant application. Staff advised the Commission PEMA was notified by FEMA that the application was currently being reviewed. Staff will contact PEMA between monthly meetings to determine the status of the Pre-Disaster Mitigation grant application submitted earlier this year.

E. 2005 Annual Report

Staff informed the Commission its annual report for 2005 has been sent to Perry Printing. Each Commission member should receive a copy of the annual report at the April meeting.

F. Developments of Regional Impact (DRIs)

Staff jointly coordinated and conducted a test run of the DRI Support team concept in Penn Township on April 27th. Approximately thirty people were present at the session. Four of eight contacted municipalities in the Southeast Regional Growth Management Plan Development Section sent a representative to the meeting.

Staff provided an overview of the meeting, the attendees, some of the dialogue taking place.

Mr. Shaffer recommended staff redistribute copies of the information previously sent on DRIs to the Commission. He also requested staff also send a copy of Cumberland County's information to use in comparison.

G. State Ethics Commission – Statements of Financial Interests

Staff advised the Commission three of the members' State Ethics Commission forms are still absent from the office's file.

H. PCPC Mission Statement, Goals and Functions

Staff mentioned it previously provided copies of draft mission statements, goals and functions out to Commission. Staff asked if the Commission wanted to work on the structure of its mission statement. Because none of the Commission members had copies of the information in their possession, it was determined the Commission would resume discussion on the subject in June. Staff was instructed to provide copies of the information to each of the Commission members in addition to the DRI information.

7. NEW BUSINESS

A. Subdivision and Land Development Matters

1). Approval/Disapproval.

(a). File #06-037 Brenda L. Ehlman / Northeast Madison Township

Staff provided the Commission with a general overview of the proposed subdivision. In April the application was tabled. Staff followed up the meeting with a letter to Tom Palm indicating the Commission tabled the application.

The plat proposes two lots. Lot 1 is proposed to become 2.00 acres as the remaining lot. Lot 6 is proposed as a 3.37-acre lot. Lot 1 is displayed on the plat without soil testing information for sewage disposal. Lot 6 will be added to the adjoining lands of Scott A Reisinger and cannot be conveyed as a separate stand-alone lot.

Staff's initial review was completed on April 17, 2006. Staff forwarded its response to Mr. Palm on April 17, 2006. The review highlighted five (5) items for consideration. They were as follows:

1. The plat should have five foot (5') elevation contour lines displayed. (Section 301.3.E. – Waiver Requested)
2. The rear yard setback line is inaccurately displayed. (Section 301.3.E)
3. Lot 1 lacks soil suitability information for on-lot sewage disposal. (Section 301.3.A)
4. The plat scale of 1" = 100' is required. (Section 301.3.E)
5. The statement of ownership should be signed and notarized.

At the meeting Mr. Palm provided staff with a letter requesting waivers for Section 301.3.A. for the omission of soils testing information; 301.3.E for the plat scale of not being 1" = 100'; 301.3.E. for the displaying of the five foot elevation contour lines.

In addition to the letter, Mr. Palm provided the Commission with a revised plat showing the appropriate rear yard setback line for Lot 1.

As of the date of the April, meeting the Commission had not received comment from Northeast Madison Township. However, on May 2, 2006 the County received its standard municipal comment form with the Township Supervisors offering no comment on the application.

A motion was made by Mr. Mohler to waive the requirements of the Preliminary Plat procedure (Section 301:2.A.) so the plan could be submitted under the designation "Preliminary-Final"; Section 301:3.E. for the elevation contour line interval of five (5) feet, since the ten (10) foot contour lines provide sufficient detail on the topography of the lot while reflecting the contours found on the USGS map for the area; Also for Section 301:3.E. for the Lot Drawing Scale (1"=100"), because of the lot size and for the purpose of legibly displaying the required information; Section 301:3.A. for the soil suitability and DEP approval letter accepting a revised sewage plan revision module in consideration, the applicant does not intend for either lot to be a residential lot. The motion was seconded by Mr. Bower and the motion passed unanimously.

On the Plat, A motion was made by Mr. Mohler to approve the plat. The motion was seconded by Mr. Bower and the motion passed unanimously.

(b). File #06-048 Alan N. Stoltzfus / Northeast Madison Township

Staff provided the Commission with a general overview of the proposed subdivision. The subdivision is a redivision of a prior subdivision under the name of William B. and Sadie L. Smucker (File #05-117). The plat proposes two lots. Lot 1 is proposed to become 7.96 acres as the remaining lot. Lot 2 (.98 acres) will be added to the adjoining lands of Daniel Derr II.

Staff's initial review was completed on May 12, 2006 and the review was forwarded its to Mr. Palm on May 12, 2006. The review highlighted one (1) item for consideration. The comment was as follows:

The elevation contour lines showing an interval of five (5') feet are absent from the plat. (Section 301.3.E) Staff acknowledges a waiver to this section has been requested.

As of the meeting, the Commission had not received comment from Northeast Madison Township.

As of the date of the meeting, a waiver request letter was not provided.

Mr. Meek asked if the surveyor requested a waiver of the setback requirements (Sections 404.3.J.(1) and 404.3.N(1)) for three structures on lot 1 currently located outside the setbacks. Mr. Finnerty indicated the surveyor had not requested a waiver of either section. He stated the reason staff did not comment on the issue with the initial review was because staff previously brought the situation to the Commissions attention with the previous subdivision and no waivers were granted or considered to be necessary on that prior date.

A motion was made by Mr. Meek to waive the requirements of the Preliminary Plat procedure (Section 301:2.A.) so the plan could be submitted under the designation "Preliminary-Final"; Section 301:3.E. for the elevation contour lines, since the ten foot contour lines provide sufficient detail on the topography of the lot without disturbing the clarity of the other information associated with the plat. The motion was seconded by Mr. Bower and the motion passed unanimously.

On the Plat, a motion was made by Mr. Shaffer to approve the plat subject to the receipt of municipal comment and a waiver request letter. The motion was seconded by Mr. Graupensperger and the motion passed unanimously.

(b). File #06-049 Gilbert P. Moose and Jacolyn J. Moose / Southwest Madison Township

Staff provided the Commission with a general overview of the proposed subdivision. The plat proposes two lots. Lot 1 is proposed to become 18.52 acres as the remaining lot. Lot 2 is proposed as a 2.00-acre lot. Lot 2 has been proposed with the appropriate soils testing information.

Staff's initial review was completed on May 12, 2006 and the review was forwarded its to Mr. Palm on May 12, 2006. The review highlighted five (5) items for consideration. The comment was as follows:

1. Monuments must be set at all street right-of-way lines. (Section 502)
2. The soil suitability report from the Southwest Madison Sewage Enforcement Officer should be supplied. (Section 301.3.A)

3. The plat scale is required to be 1" = 100'. (Section 301.3.E)
4. The soil characteristics report from the Perry County Conservation District should be supplied. (Section 301.3.B)
5. The letter from the Pennsylvania Department of Environmental Protection accepting the Plan Revision Module should be submitted. (Section 301.3.A)

As of the date of the meeting, a waiver request letter was not provided.

On May 9, 2006, the County received its standard municipal comment form with the Township Supervisors offering no comment on the application.

A motion was made by Mr. Shaffer to waive the requirements of Section 502 for monumentation and 301:3.E. regarding the plat scale requirements. The motion was seconded by Mr. Holcombe and the motion passed unanimously.

A second motion was made to approve the plat by Mr. Graupensperger subject to the receipt of all other documentation identified by staff with its initial review. The motion was seconded by Mr. Bower and passed unanimously. After the motion was seconded, Mr. Shaffer asked Mr. Palm if he had any objections to the conditions as they were presented. Mr. Palm stated he did not object to the conditions.

2). Review and Report – Attached Summary Table

Mr. Turner asked staff if there were any subdivisions on the monthly Review and Report Summary Table that staff would like to call to the Commission's attention. Mr. Finnerty offered up the Cove Mountain Animal Hospital.

On a motion by Mr. Bower, seconded by Mr. Graupensperger, the Commission ratified all staff subdivision and land development reviews found in the monthly subdivision and land development review table. A copy of the table is attached to the copy of these minutes.

B. Zoning Matters

1). Howe Township

On May 5, 2006, the office received four letters to rezone six (6) tax parcels. The letters covered the following situations:

1. From Residential - Agriculture to Commercial
2. Residential R-1 to Commercial
3. Residential and Commercial to Commerce (2)
4. Commercial to Commerce (2)

The review of each of the six (6) rezoning requests identified the requests to be inconsistent with the direction set by Howe Township Comprehensive Plan's Future Land Use Map and the presently adopted County Comprehensive Plan.

Also with the review it was recommended Howe Township reinvest time preparing an update to its Comprehensive Plan in conjunction with its process of updating its Act 537 Plan.

A motion was made by Mr. Bower and seconded by Mr. Mohler to authorize the Secretary Mr. Shaffer to sign the letter prepared by staff to disapprove the requests to

rezone the six parcels. With this disapproval, the Commission ratified staff comments offered by letter dated May 5, 2006 on the rezoning.

With this decision, Chairman Turner abstained.

2). Wheatfield Township

On April 27, 2006, the office received a facsimile requesting the Commission's review of a proposed zoning amendment covering the definition of a Barn.

The present Wheatfield Township Zoning Ordinance definition defines a barn as:

“BARN – a building, accessory or principal, which is used for the storage of farm products for feed, and housing of farm animals and farm equipment, or a combination of such uses.”

The proposed definition would be as follows:

“BARN – a building, accessory or principal, which is used for the storage of grain, and/or the housing of farm animals and/or poultry.”

The removal of farm equipment from the definition was a significant cause for concern.

A motion from Mr. Bower and seconded by Mr. Mohler the Commission recommended Wheatfield Township refrain from adopting the proposed ordinance amendment.

C. Sewage Facilities Planning Modules

1). File #06-08 Floyd C. Sr. and Shirley A. Crumlich / Rye Township

Staff offered the Commission a brief summary of the Floyd C. Sr. and Shirley A. Crumlich Sewage Facilities Planning Module. Staff mentioned the completed review forms were already returned to the applicant. The application involved a subdivision proposing the use of a holding tank to service a commercial lot. The lot proposed for development is 3.28 acres in size.

Staff indicated the Township was contacted to determine if the municipality had a holding tank ordinance on file. Staff was able to verify Rye Township has passed such an ordinance.

A motion was made by Mr. Holcombe to ratify staff's review of the Sewage Facilities Planning Module, which was conducted on April 25, 2006. The motion was seconded by Mr. Bower and passed unanimously.

C. Other

1). LPA Agreement for Penn Township (On-call status)

An LPA Agreement for Penn Township was received on April 27. The agreement was for five hundred dollars (\$500.00) in consideration of the TCRPC's on-call use of staff after the normal office hours.

On a motion by Mr. Holcombe, to authorize the Chairman to sign the LPA Agreement with Penn Township and seconded by Mr. Graupensperger, the Commission approved the contract.

2). FY 2006 Community Development Block Grant Environmental Review

Staff has initiated its Environmental Review for the 2006 projects under Perry County's CDBG Program. Letters to the appropriate local agencies were sent. Staff is coordinating with the DCED staff to verify the appropriate state and federal contacts.

3). PA House Bill No. 2564

Staff provided the Commission with a brief overview of the bill. The bill can be viewed on the PA House's website: www.house.state.pa.us

8. ADJOURNMENT

On a motion by Mr. Shaffer, seconded by Mr. Meek, the meeting was adjourned at 9:07 pm. The next meeting of the Perry County Planning Commission is scheduled for Wednesday, June 21, 2006 at 7:30 p.m. The meeting will be held in the Commissioner's Hearing Room of the Perry County Veteran's Memorial Building.

Respectfully submitted,

Robert E. Shaffer, Sr.

Robert E. Shaffer, Sr.
Secretary