

PERRY COUNTY PLANNING COMMISSION

Minutes of the Meeting

August 16, 2023

The regular monthly meeting of the Perry County Planning Commission (PCPC) was held on Wednesday, August 16, 2023, in the Perry County Commissioners' Hearing Room of the Veteran's Memorial Building, New Bloomfield, PA, and via Zoom telecommunication software, with members participating in compliance with the provisions authorized under PA Act 15 of 2020. Chairman Turner called the meeting to order at 7:00 PM.

1. ROLL CALL

Members present were Chairman Jim Turner, Robert Shaffer, Dave Rice, Donny Barch, and Michael Hartley, with Dana Cotton, and Tom Graupensperger participating virtually through the Zoom meeting arrangements. Jason Finnerty was in attendance representing the staff. TCRPC Communications Coordinator Larry Portzline was also present remotely, representing staff and handling the logistics of the virtual meeting participation. County Commissioner Brenda Watson was present serving as the liaison to the Board as was PCPC Solicitor Isaac Wakefield.

2. MINUTES

Chairman Turner asked the members if they had read through the July 19, 2023, monthly meeting minutes and if they had any edits they would like to offer.

Mr. Rice motioned to approve the minutes without edit. Mr. Hartley seconded the motion, and the motion passed unanimously.

3. GOOD AND WELFARE

Mr. Daryl St. Clair participated via the Zoom meeting arrangements. He provided a brief update on what PennDOT is doing to remedy the illegal driveway/ private drive issue along SR 233 in Southwest Madison Township. It was the consensus of the PCPC staff should forward a copy of the set out to the PCPC members once Mr. St. Clair sends all the documents. Mr. St. Clair indicated he would send the information out tomorrow.

Mr. Sloss was in attendance to reassert claims against staff regarding illegal driveway/ private drive issue along SR 233 in Southwest Madison Township and to serve a subpoena to Mr. Finnerty for the Dolores A. Ranzie Civil Case.

The PCPC went into executive session at 7:43 PM to discuss pending legal matters. The PCPC returned from executive session at 7:52 PM

Ben Kirk and was present for the Brenda L. Moore Subdivision in Millerstown Borough and the Matthew F. Stoltzfus and David M. Stoltzfus subdivision in Jackson Township. Tom Palm was in attendance for the Tony J. and Jerry D. Nesbit subdivision in Southwest Madison Township and the Timothy E. Naugle and Lisa K. Naugle subdivision in Blain Borough and Jackson Township.

4. COMMUNICATIONS AND PAYMENTS OF EXPENSES

A. Communications

Chairman Turner asked the PCPC members if there was anything from the monthly communications list needing to be discussed, or if staff had any items to bring to the PCPC’s attention. None of the members requested any additional information from the list of monthly communications. Staff did not have anything from the list to highlight.

B. Payment of Expenses

Mr. Rice made a motion to approve the following expenses. Mr. Shaffer seconded, and the motion passed unanimously.

Transfer amount.....\$760.00

5. REPORTS

A. Treasurer’s Report

Mr. Shaffer motioned to accept the Treasurer’s Reports in the form of financial statements for the period of January 1, 2023, through July 31, 2023, for filing subject to audit. Mr. Graupensperger seconded the motion and the motion passed unanimously.

B. Staff Report

1. Local Planning Assistance (LPA) Report

No information from the Program Progress Report was offered. A copy of the LPA Report is attached to the file copy of the minutes.

2. Program Progress Report

No information from the Program Progress Report was offered. A copy of the Program Progress report is attached to the file copy of the minutes.

6. UNFINISHED BUSINESS

A. Perry County Comprehensive Plan (PICTURE PERRY)

The PCPC staff is refining work groups to assist with the implementation of PICTURE PERRY. An effort will be made to try and have the five work groups meet in September.

B. County Hazard Mitigation Plan Implementation

The August PCPC meeting was preceded by the third annual review of the 2020 Perry County Hazard Mitigation Plan.

C. Perry County Countywide Action Plan (CAP)

There was no additional information to report on the Countywide Action Plan for the month.

7. NEW BUSINESS

A. Subdivision and Land Development Matters

1). Approval Consideration

a. Subdivision File # 23-016 Brenda L. Moore – Millerstown Borough

Mr. Kirk with Burget and Associates, Inc. provided a brief overview of the subdivision and update on the borough's negotiations with Ms. Moore regarding the municipal easements for the municipal water system. It was explained that then negotiations between the parties established a twenty-foot wide rights-of-way for three accesses.

Mr. Finnerty explained in addition to the municipal water line there were also two residential driveways also passing across the Moore property. There was discussion on these two accesses continuing without a recorded rights-of-way. A staff recommendation was requested. Mr. Finnerty indicated that he would recommend that these two residential driveways be assigned a rights-of-way or accesses easement at this time. It was the consensus among members not to require the rights-of-way to be established for these accesses.

Mr. Shaffer asked Mr. Finnerty if he was okay with the modifications being requested. Mr. Finnerty indicated he was a little concerned about accesses on the plan to properties without any sort of rights-of-way or access easements described. Chairman Turner indicated that the plan was not changing anything with respect to the accesses. If they were subdividing or sharing access with the property being subdivided there would be a need to look at the plan differently.

A motion was made by Mr. Rice to grant modifications to Section 407 for preliminary plan specifications to allow this plan to be submitted as a final plan; Section 409.5.D.4) for displaying features within 200'; Section 409.5.C.9) for delineating steep slopes; Section 409.5.C.15) for displaying sewer and water mains all with consideration no proposed new development id being proposed at this time; and Section 507.1 for sidewalks with consideration for comments received from Millerstown Borough Council. The motion was seconded by Mr. Bartch and passed unanimously. Mr. Shaffer asked Mr. Kirk if he was accepting of the conditions. In response to the question Mr. Kirk responded, yes.

A motion was made by Mr. Graupensperger to conditionally approve the plan with the addition to the rights-of-way for the Borough to gain access to its facilities and property in consideration of Section 409.6.K. The motion was seconded by Mr. Hartley and passed unanimously.

b. File # 23-017 Matthew F. Stoltzfus and David M. Stoltzfus - Jackson Township

Mr. Kirk provided the Commission members with an overview of the

subdivision plan, and the updated information regarding the steep slope areas, and the reconfigured driveway.

Mr. Finnerty mentioned the last discussion point made during the July meeting involved the nationally identified wetland on the property which is bisected by the driveway.

Mr. Graupensperger indicated the plan note number 19 needs to cover the nationally identified wetlands. Separately, modification number two should be removed as Joe Burget mentioned during the July meeting, all of the existing features within 200' are displayed on the plan. He also revisited concern for stormwater crossing the cartway of the drive where there is moderate slope. The plan approval is also subject to receipt of the PADEP sewage planning approval in consideration of Section 409.6.C.

A motion was made by Mr. Rice to grant modifications to Section 403 covering preliminary plat procedure; Section 407 for preliminary plan specifications to allow this plan to be submitted as a final plan; Section 409.5.D. for the plan scale to provide a legible plan; Section 409.5.D.5) for easement bearings and distances with no public improvements proposed; Section 409.5.J.2)a). an erosion and sedimentation control plan approval; Section 409.5.J.1) for a grading plan; and Section 409.5.D.4) for a wetlands delineation, with no ground disturbing activity proposed at this time. The motion was seconded by Mr. Bartch and passed unanimously with Mr. Rice abstaining.

A motion was made by Mr. Shaffer to conditionally approve the plan considering the following two items. First, plan note 19 must account for the nationally identified wetlands appearing on the plan, and secondly the second modification request regarding features within 200' should be removed considering discussions during the July meeting to have the request withdrawn. As part of the motion staff was instructed to verify the acceptability of Note 19 with Mr. Graupensperger once prepared. The motion was seconded by Mr. Bartch and passed unanimously with Mr. Rice abstaining. Mr. Shaffer asked Mr. Kirk if he was accepting of the conditions. In response to the question Mr. Kirk responded, yes.

c. File # 23-051 Tony J. and Jerry D. Nesbit - Southwest Madison Township

Mr. Palm expressed concern for the staff review and interpretation of the County Subdivision and Land Development Ordinance. He stated the plan qualifies as a lot addition plan. Mr. Finnerty explained the plan provided did not qualify as a lot addition plan, as the plan displayed a lot labeled as "proposed." In addition, there is no mechanism in the fee schedule for charging a second fee to the current plan to conduct a complete second review. It was determined the best approach would be for the current plan to be withdrawn and a new application provided with the changes to enable the plan to be reviewed as a lot addition plan.

Chairman Turner asked Mr. Palm if he wanted to withdraw the plan. In response to the question posed by the Chairman Mr. Palm responded, yes.

d. File # 23-052 Timothy E. Naugle and Lisa K. Naugle - Blain Borough and Jackson Township

Mr. Palm provided an overview of the plan.

Mr. Finnerty went through the comments provided on the review report.

There was discussion regarding the lot consolidation extending over an alley with land ownership physically separated.

A motion was made by Mr. Shaffer to grant modifications to Section 410.4.B.9) for the bearings and distances for existing easements, and Section 410.4.B.3) bearings and distances on the perimeter of the remaining tract. The motion was seconded by Mr. Bartch and passed unanimously.

A motion was made by Mr. Rice to conditionally approve the plan with the inclusion of bearings and distances to the small lot along the western side of the public alley proposed Lot 12 is planned to be added to and the removal of all the nonaffiliated Z-labeled connections associated with neighboring properties. The motion was seconded by Mr. Hartley and passed unanimously. The plan approval is also subject to receipt of municipal comment from Blain Borough and Jackson Township in consideration of Section 406.4. Chairman Turner asked Mr. Palm if he was accepting of the conditions. In response to the question Mr. Palm responded, yes.

2). Review and Report

Chairman Turner asked the Commission members if there were any questions regarding the monthly review and report table. None of the PCPC members asked to see any of the plans and staff did not present any.

Mr. Rice motioned to ratify staff reviews of all plans listed in the monthly review report table. The motion was seconded by Mr. Graupensperger and passed unanimously.

A copy of the Review and Report Table is attached to the file copy of these minutes.

3) Revised Subdivision and Land Development Ordinance (Pan Handle Lots) - Liverpool Township

An ordinance was resubmitted to revise content in the Liverpool Township municipal Subdivision and Land Development Ordinance and Zoning Ordinance. The purpose of the pair of proposed ordinances was to address a few minor items related to Panhandle Lots.

An omnibus motion was made by Mr. Hartley to authorize the Chairman to sign the prepared letter supporting the adoption of the revised ordinance considering the minor the minor subdivision and land development ordinance amendments and

zoning ordinance amendments proposed. The motion was seconded by Mrs. Cotton and passed unanimously.

B. Zoning Matters

1. Revised Zoning Ordinance (Pan Handle Lots) - Liverpool Township

See action taken in 7.A.3. above.

C. Other Matters

1. Franklin County Comprehensive Plan

The PCPC staff went through the proposed Franklin County Comprehensive Plan update and offered essentially four points to assist the Franklin County Planning Department with the finalization of its plan update.

A motion was made by Mr. Hartley to authorize the chairman to sign the prepared letter confirming the general consistency with respect to the Perry County Comprehensive Plan. The motion was seconded by Mrs. Cotton and passed unanimously.

2. Intergovernmental Review for General Consistency – PENNVEST Application for Duncannon Borough Water System Rehabilitation (\$650,000)

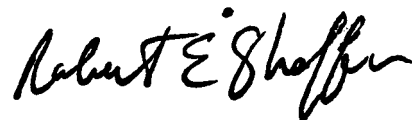
A motion was made by Mr. Shaffer to authorize the chairman to sign the prepared letter confirming the general consistency with respect to the Perry County Comprehensive Plan. The motion was seconded by Mr. Rice and passed unanimously.

8. ADJOURNMENT

Prior to the meeting adjournment, Mrs. Cotton advised the PCPC members she was stepping down as she will be moving out of Perry County for family reasons.

Chairman Turner adjourned the meeting at 9:30 PM. The next meeting of the Perry County Planning Commission is scheduled for Wednesday, September 20, 2023, at 7:00 PM.

Respectfully submitted,



Robert E. Shaffer, Sr., Secretary