

PERRY COUNTY PLANNING COMMISSION

Minutes of the Meeting

March 16, 2022

The regular monthly meeting of the Perry County Planning Commission was held on Wednesday, March 16, 2022, 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, Dan Kirk, and Donny Bartch with Dana Cotton, Cathy Gilbert, Tom Graupensperger, participating virtually through the Zoom meeting arrangements. County Commissioner Brenda Watson was present representing her board as the liaison. Jason Finnerty was in attendance representing the staff. Executive Director Steve Deck, was also present remotely, representing staff and handling the logistics of the virtual meeting participation.

2. MINUTES

Chairman Turner asked the members if they had read through the March 16, 2022, monthly meeting minutes and if they had any edits they would like to offer. None of the members offered any revisions.

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

3. GOOD AND WELFARE

Mr. Charles Axtman and Mr. John Martin were present to discuss the Blain Building Supply, LLC Subdivision and Land Development Plans in Blain Borough. Mr. Ben Kirk was present for the Blue Bunny, LLC land development plan in Millerstown Borough. Mr. Tom Palm and his wife Patricia Palm were present for the John D. Huber subdivision plan in Northeast Madison Township. Mr. William Sloss was present to discuss driveway access concerns with the Cameron Drum property in Southwest Madison Township.

4. COMMUNICATIONS AND PAYMENTS OF EXPENSE

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, and staff did not identify any from the list.

B. Payment of Expenses

Mr. Kirk made a motion to approve the following expenses. Mr. Bartch seconded and the motion passed unanimously.

Transfer amount.....\$1,300.01

5. REPORTS

A. Treasurer’s Report

Mrs. Gilbert motioned to accept the Treasurer’s Reports in the form of financial statements for the period of January 1, 2022, through March 31, 2022, for filing subject to audit. Mr. Graupensperger seconded the motion and the motion passed unanimously.

B. Staff Report

1. Local Planning Assistance (LPA) Report

During the month staff met with the Oliver, Watts Township, and Bloomfield and Marysville Borough Planning Commissions on the PICTURE PERRY project. There was also discussion on Phase IV of the Rockville Estates Subdivision in Marysville Borough and discussed zoning changes in Bloomfield Borough and Watts Township.

A copy of the LPA Report is attached to the file copy of the minutes.

2. Program Progress Report

Covering transportation, Mr. Deck mentioned the Transportation Improvement Program will be advertised in May for adoption in June.

HATS has secured funding to undertake a study to review design of the intersection adjacent to the US Route 11/15 and SR 0274 intersection in Penn Township and the stretch of US Route 11/15 in Watts Township and New Buffalo Borough for highway access management.

Considering regional projects Mr. Deck stated water quality implementation funding has been secured for the Perry County Conservation District under the Countywide Action Plan (CAP). The grant implementation paperwork with the PADEP is being finalized so the funds can be accessed.

The updated Planning Toolkit is approaching its anticipated rollout. Some finalization work on the model subdivision and land development ordinance and model zoning ordinance is nearing completion.

The TCRPC’s partnering use of the WAZE app was mentioned. It has been used to identify road and highway closures and lane restrictions during construction. Mr. Graupensperger asked if it could also be used to identify other types of closures like

inundated roadways. The app enables the traveling public to enter issues where they are witnessed.

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)

Once again all of the LPA meetings during the month have included time spent on PICTURE PERRY.

It was mentioned the draft PICTURE PERRY website was shared with the municipalities and the steering committee between meetings. Projects are beginning to arrive in the office and staff continues to add new content to the website.

B. County Hazard Mitigation Plan Implementation

The landowners in Jackson Township where the floodplain mitigation project identified in the plan have not indicated whether they intend to move forward by hiring a surveyor to assist in determining the flood elevation of their structure.

C. Perry County Countywide Action Plan (CAP)

This item was covered in the Program Progress Report.

D. Driveway Access Concern - Cameron Drum/Southwest Madison Township

Mr. Finnerty indicated Mr. Sloss had requested 30 minutes to speak on the subject. Mr. Sloss offered to provide PennDOT's information on the case and Mr. Drum's response to the Planning Commission. Chairman Turner indicated it is not necessary, but if he would like to share what he has it would be fine.

7. NEW BUSINESS

A. Subdivision and Land Development Matters

1). Approval Consideration

a). File #22-008 Blain Building Supply, LLC. (Subdivision)

Mr. Axtman indicated he was in attendance to discuss the land development plan and not the subdivision. Action to table the subdivision was taken with the land development plan in item 7.A.1.b).

b). File #22-009 Blain Building Supply, LLC. (Land Development)

Mr. Axtman with Axtman Engineering, LLC re-presented the land development

plan, drawing attention to the building encroachment issue with the side yard building setback along the shared property line with Blain Lions Club property. Mr. Axtman indicated the proposed building would be 5' from the property line. It was later indicated there was also a front yard encroachment with respect to the private rights-of-way used for access to the site.

Mr. Finnerty read a letter from the Blain Lions Club President stating the Lion's Club's position to accept the PCPC decision with respect to the applicant's request for relief regarding the encroachment.

Mr. Shaffer asked why the building couldn't be positioned to respect the building setbacks required by the ordinance. Mr. Axtman introduced the general contractor for the site construction activities Mr. Martin. Mr. Martin explained the wash bay and its location with respect to its location in the building where customers first enter the site. It was explained the serving purpose of the wash bay and the closed water system to eliminate discharge into the Commonwealth's waters. Mr. Shaffer indicated that Mr. Axtman should provide a letter explaining why the two setbacks cannot be achieved.

Mr. Shaffer asked what the County comprehensive Plan had to say about such issues. Mr. Finnerty indicated that the Plan encourages the relaxing of such requirements in planned growth areas where infill development and encouraged maximization of developable space and the utilization of existing facilities.

Mr. Kirk mentioned the need for identifying the parking and the handicapped-accessible parking with the required paving.

A motion was made by Mr. Shaffer to grant a modification to §§ 505.5.A.2 and 505.5.B.1 conditioned on the inclusion of a letter from Mr. Axtman advising of the hardship information shared verbally. The motion was seconded by Mrs. Cotton and passed unanimously with Mr. Rice abstaining. Mr. Shaffer asked Mr. Axtman if his clients would accept the condition offered. Mr. Axtman stated yes, to accept the conditions on behalf of his clients.

A motion was made by Mr. Kirk to table both plans for the month to address the county engineer's review comments of the land development plan. The motion was seconded by Mr. Bartch and passed unanimously with Mr. Rice abstaining.

c). File #22-019 John D. Huber – Northeast Madison Township.

Mr. Palm presented the plan on behalf of his clients.

Mr. Finnerty highlighted items contained in the initial review report, read through the seven modification requests, and mentioned the PADEP disapproval of a sewage facilities planning exemption request. Mr. Palm acknowledged he has received a Component 2 from PADEP and will prepare the module for submission.

Commissioner Watson asked if fire trucks could gain access to the cabin along the lane. Answering the question, Mr. Palm said yes.

A motion was made by Mr. Rice to grant modifications to §§ 403 and 407 for the preliminary plan procedure and specifications to consider the plan as a final plan; § 409.5.D.5) for bearings and distances for existing easements; § 512 for monuments and markers; § 409.5.D.10) for delineating steep slopes, and § 409.5.J.1) regarding a final grading and earthmoving plan; and § 409.5.D.15) for all existing features within 200' of the property. The motion was seconded by Mr. Kirk and passed unanimously.

A motion was made by Mr. Shaffer to conditionally approve the plan with the receipt of municipal comment from Jackson Township and completed PADEP Form B non-building waiver form. The motion was seconded by Mr. Rice and passed unanimously. Mr. Shaffer asked Mr. Palm if his clients would accept the conditions that were offered. Mr. Palm stated yes, to accept the conditions on behalf of his clients.

d). File #22-020 Blue Bunny, LLC.

Mr. Kirk presented the plan on behalf of his clients and read through a letter requesting 10 modifications to the S&LDO. The proposal calls for a former vacant church to be converted into a practicing dental office.

Mr. Finnerty highlighted items contained in the initial review report. Municipal comment from the borough has been requested, particularly comments from the Borough's Engineer through the Secretary.

A motion was made by Mr. Rice to grant modifications to §§ 403 and 407 for the preliminary plan procedure and specifications to consider the plan as a final plan; § 409.5.B location map scale to display utilizing a 1" =1,000' scale; §§ 505.D.5 and 505.1.A for monuments and markers; § 409.5.J.1) regarding a final grading and earthmoving plan; § 409.5.D.15) for all existing features within 200' of the property; § 408.5.J.2 and 408.5.J.2.a regarding an erosion and sedimentation control plan; § 409.6.A pertaining to the stormwater management report; and § 505.C.5 for curbing. The motion was seconded by Mrs. Gilbert and passed unanimously.

A motion was made by Mr. Graupensperger to conditionally approve the plan with the receipt of municipal comment from Millerstown Borough and engineer. A landscape plan is also required as a condition placed on the plan by the Millerstown Zoning Hearing Board. The motion was seconded by Mr. Barch and passed unanimously. Mr. Shaffer asked Mr. Kirk if his clients would accept the conditions that were offered. Mr. Kirk stated yes, to accept the conditions on behalf of his clients.

2). Review and Report

Chairman Turner asked the Commission members if there were any questions regarding the monthly review and report table.

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

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

B. Zoning Matters

- 1). Two Watts Township Zoning Amendments Section 367 (Pertaining to Building Height of Wholesale Businesses, Warehouses, and Similar Non-Processing Storage and Distribution in the Industrial District and Associated Standards for Height Exceptions) - One with and the other without *Special Exception* consideration

Mr. Finnerty shared two proposed ordinances submitted to Watts Township by McNees, Wallace, and Nurick, LLC on behalf of MRP Industrial. The drafted ordinance contained zoning amendments attending to the building height of wholesale businesses, warehouses, and similar non-processing storage and distribution facilities in the Industrial District. Remaining from the prior proposed ordinance reviewed in February is a provision to increase yard requirements by 2 feet for every foot a building is over 35'. The Solicitor, on behalf of the Watts Township Board of Supervisors, has asked that the PCPC review and offer comments on the proposed ordinance containing the zoning amendments.

Mr. Finnerty indicated the letter did not offer any adverse thoughts on the increased setback distances with the proposed allowance of additional building height but recommended the supervisors consider seven items with their decision. These include the submission of a vertical depiction of the proposed buildings, minimalizing visual impacts to nearby residential properties, correction of a misspelled word in the ordinance title, the limitations, and needs of emergency first responders should be solicited, encouraging the integration of access management provisions into the ordinance adoption process while entertaining both ordinance arrangements either with or without the *special exception* arrangement.

Mr. Shaffer indicated he felt it important to help Watts Township by providing sound planning guidance on the proposed ordinance changes to ensure township officials will have the tools needed for future development in the Industrial District.

A motion was made by Mr. Shaffer to authorize the Chairman to sign a revised letter clarifying the Re: line of the letter to include mention of the associated increased setback distances. The letter would be offered in support of the

proposed ordinance after the supervisors considered the three items offered. The motion was seconded by Mr. Kirk and passed unanimously.

C. Other Matters

- 1) Sewage Facilities Planning Module 22-01 Shawn R. and Amy L. Lesh - Howe Township

A motion was made by Mr. Shaffer to ratify staff review of the sewage planning modules on the agenda. The motion was seconded by Mr. Kirk and passed unanimously and passed unanimously.

- 2) 2022 Newport Borough LPA Agreement (Level 2)

Mr. Finnerty stated an LPA agreement was received by the office for Newport Boroughs. A motion was made by Mr. Rice to authorize the Chairman and Secretary to sign the LPA program service agreement with Newport. The motion was seconded by Mrs. Cotton and passed unanimously.

- 3) Intergovernmental Review - PennVEST Grant - Newport Borough Water Authority (5th Street waterline replacement project)

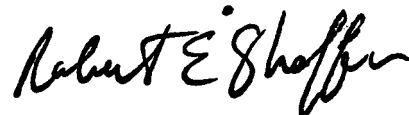
Mr. Finnerty explained that the Newport Borough Water Authority had returned with a follow-up request for a general consistency letter for the grandstand trail project reviewed last month. The request has been submitted to clarify the final dollar amount being sought from the PennVEST for the project following new estimates from the municipal engineer.

A motion was made by Mr. Kirk to authorize the chairman to sign the prepared letter supporting the project grant application. The motion was seconded by Mr. Bartch and passed unanimously and passed unanimously.

8. ADJOURNMENT

Chairman Turner adjourned the meeting at 8:55 PM. The next meeting of the Perry County Planning Commission is scheduled for Wednesday, April 20, 2022, at 7:00 PM. The meeting will be held in the Commissioner's Hearing Room of the Perry County Veteran's Memorial Building and via Zoom teleconferencing software.

Respectfully submitted,



Robert E. Shaffer, Sr.
Secretary