

PERRY COUNTY PLANNING COMMISSION

Minutes of the Meeting

November 15, 2023

The regular monthly meeting of the Perry County Planning Commission (PCPC) was held on Wednesday, November 15, 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. With Chairman Turner absent, staff reached out to the Vice Chairman Tom Graupensperger to run the meeting over the virtual connection. With no response received, the responsibility fell to the Treasurer Dave Rice who called the meeting to order at 7:05 PM.

At the beginning of the meeting Robert Shaffer announced his resignation as the Secretary of the Perry County Planning Commission (PCPC). Letters were supplied to staff to deliver to the Chairman of the Board of Commissioners, Brian Allen and PCPC Chairman Jim Turner.

1. ROLL CALL

Members present were Robert Shaffer, Dan Kirk, Michael Hartley, and Dave Rice, with Tom Graupensperger, and Donny Bartch 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.

2. MINUTES

Treasurer Rice asked the members if they had read through the October 18, 2023, monthly meeting minutes and if they had any edits they would like to offer.

Mr. Kirk motioned to approve the minutes with one minor edit pointed out by Mr. Shaffer. Mr. Hartley seconded the motion, and the motion passed unanimously.

3. GOOD AND WELFARE

Tom Palm was in attendance for the Emanuel J. Allgyer, Rebecca B. Allgyer, Richard A. Black and Nicole R. Black and the Emanuel J. Allgyer, Rebecca Allgyer, Robert H. Stevenson, Jr. and Barbara A. Stevenson subdivision plans in Jackson Township. He also requested the PCPC revisit the conditional approval of the Allen C. Sheaffer and Brenda J. Sheaffer subdivision (File # 23-069) in Southwest Madison Township. Patricia Palm accompanied Mr. Palm as an observer.

The revisited discussion on the Allen C. Sheaffer and Brenda J. Sheaffer subdivision plan took into account the documentation provided by Mr. Palm between meetings. One piece of this information was a summary sharing the difficulties he has had getting the highway occupancy permit from PennDOT. He detailed how the Department was not able to provide him with a copy of the permit although he had a copy of the Southwest Madison Township building permit (#87-10) which listed the HOP number as being 529130.

A motion was made by Mr. Kirk to revise the conditional approval from the October 18, 2023, meeting to require two edits to the plan. The first edit was to list the PennDOT Highway Occupancy Number the research had concluded the number to be. The second edit to the plan was to document the Southwest Madison Township building permit number (87-10) issued for the dwelling utilizing the driveway. The motion was seconded by Mr. Graupensperger and passed unanimously. When asked by staff, Mr. Palm accepted the conditions by responding yes to the question.

4. COMMUNICATIONS AND PAYMENTS OF EXPENSES

A. Communications

Treasurer Rice 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. Mr. Kirk asked about the Act 14 notification for Village Square in the Village of Shermans Dale. Mr. Finnerty explained the notification was for a renewal permit for the existing sewerage treatment plant.

B. Payment of Expenses

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

Transfer amount.....\$1,045.00

5. REPORTS

A. Treasurer’s Report

Mr. Hartley motioned to accept the Treasurer’s Reports in the form of financial statements for the period of January 1, 2023, through November 30, 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

Staff was requested to attend one LPA meeting during the past month in Newport Borough. Work involved assisting the Newport Borough Planning Commission in the development of a Shade Tree Ordinance

A copy of the Local Planning Assistance Report is attached to the file copy of these minutes.

2. Program Progress Report

It was mentioned the TCRPC staff received a PA APA award for the TCRPC’s Planning Toolkit at the Annual Conference in Scranton PA.

Covering Transportation, the items discussed included the Safe Streets for All (SS4A) plan and the Highway Performance Monitoring System (HPMS). With the SS4A plan a steering committee meeting was held and the strategies will be the next focus. There is also a survey presently being conducted and staff will send out the link to the members. Regarding HPMS there were several items mentioned with traffic counts in Rye Township and Newport Borough, and Geographic Information System work in six municipalities covering base maps for workgroup use, zoning map updates and integration, and US Census mapping research for the latest urbanized area mapping.

A copy of the Program Progress Report is attached to the file copy of these minutes.

6. UNFINISHED BUSINESS

A. Perry County Comprehensive Plan (PICTURE PERRY) Implementation

An update was made to Table D.2 covering the status of projects. The table is found on PICTURE PERRY's Picture in Motion webpage to document plan successes throughout the plan's implementation.

B. County Hazard Mitigation Plan Implementation

There was no additional information to report on the Hazard Mitigation Plan.

C. Perry County Countywide Action Plan (CAP)

There was nothing new to report for the CAP this month. The next scheduled meeting will take place next Monday.

7. NEW BUSINESS

A. Subdivision and Land Development Matters

1). Approval Consideration

- a. File # 23-073 Emanuel J. Allgyer, Rebecca B. Allgyer, Richard A. Black and Nicole R. Black - Jackson Township

Mr. Palm provided an overview of the plan.

Mr. Finnerty went over the initial review report comments and shared the modification request letter provided by Mr. Palm.

There was significant discussion over the ownership of the lot described as now or formerly the William W. Wheeler property. It was the consensus among the PCPC members that the parties involved will need to clear up ownership of the lot before proceeding with the proposed lot addition involving this particular property.

A motion was made by Mr. Shaffer to table the plan. The motion was seconded by Mr. Hartley and passed unanimously.

- b. File # 23-074 Emanuel J. Allgyer, Rebecca Allgyer, Robert H. Stevenson, Jr. and Barbara A. Stevenson - Jackson Township

Mr. Palm provided an overview of the plan.

Mr. Finnerty went over the initial review report comments and shared the modification request letter provided by Mr. Palm. The plan would need either two or three modifications.

There was discussion over the 20' wide existing rights-of-way, and the metes and bounds description for the two lot additions 2A and 3S. With this lot addition arrangement, Mr. Kirk mentioned there could be an improvement made to the location map to better connect the lot displayed in the location map with the lot associated with the main plat description. It was the consensus among the PCPC members that a modification to the metes and bounds description for the lot would still need to be requested by the applicant.

A motion was made by Mr. Kirk to table the plan. The motion was seconded by Mr. Hartley and passed unanimously.

2). Review and Report

Treasurer Rice asked the Commission members if there were any questions regarding the monthly review and report table. Mr. Shaffer had asked to see the two Penn Township plans for File #23-072 Michael S. and Deborah S. Frisch and File #23-077 Michael L. Worthy and Thomas, Thomas O. May and Betty A. Kleinfelter May.

Mr. Shaffer 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.

B. Other Matters

1. Ordinance for Solar Regulations - Buffalo Township

An ordinance was submitted to address solar energy facilities in Buffalo Township. A letter was prepared for the PCPC to consider recommending the Buffalo Township Board of Supervisors refrain from enacting the proposed ordinance regulating solar facilities, until such time the Township Solicitor is requested to help, assist, and advise on whether the ordinance will stand any legal challenge on this matter. Two additional items were pointed out.

- The proposed ordinance leaves out a critical provision of Section 1506 of the PA 2nd Class Township Code, where it reads: “not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control.”
- Municipal zoning ordinances have been authorized by The Commonwealth to be the municipal tool by which municipalities are enabled to regulate land use. Buffalo Township has not enacted such an ordinance.

A motion was made by Mr. Graupensperger to authorize the Chairman to sign the prepared letter advising the Buffalo Township Board of Supervisors refrain from enacting the proposed ordinance until the Township Solicitor is involved to the level previously discussed. Mr. Kirk seconded the motion. With the number of those in agreement in question, Treasurer Rice requested a roll call vote. The final vote was four members in favor of sending the letter (Mr. Kirk, Mr. Bartch, Mr. Graupensperger, and Mr. Shaffer), with two dissenting (Mr. Rice and Mr. Hartley). Having been approved, staff was authorized to send the letter to the Township.

2. 2024 PCPC meeting dates and advertisement

It was the consensus of the PCPC members to table action and have staff revise the associated documents to reflect a 7 PM meeting time adjustment from the 5PM draft. A motion was made by Robert Shaffer to authorize the staff to advertise the dates, times, and locations of the 2024 Perry County Planning Commission’s meetings with this change and a readjustment of the reorganization meeting date from January to February to match the current bylaws. The motion was seconded by Mr. Hartley and passed unanimously.

3. PCPC Bylaws Update

Mr. Finnerty indicated the revised set of bylaws as drafted looked to incorporate changes to the time allowances offered during the good and welfare portion of the agenda, and virtual meeting arrangements.

It was the consensus of the Commission members present to table discussion on this item.

4. Draft Resolution Covering Rules of Decorum

It was the consensus of the Commission members present to table discussion on this item. Mr. Shaffer noted he saw a few typographical errors that should be corrected before the Commission considers the Resolution. Mr. Finnerty indicated he had not made any corrections to the document supplied by the PCPC Solicitor which was distributed to the members between meetings.

5. Newport Borough LPA Agreement

Mr. Finnerty mentioned Newport Borough officials supplied an LPA agreement for consideration.

Treasurer Rice asked if any of the members wanted to make a motion regarding all the 2024 Newport Borough LPA agreements supplied this month. A motion was

made by Mr. Shaffer to authorize the Chairman to sign. The motion was seconded by Mr. Hartley and passed unanimously.

6. TCRPC Recommended Appointments (2024-2025 Term)

Mr. Finnerty advised that two officer position on the TCRPC. Mr. Shaffer asked if staff had spoken to Chairman Turner to see if he is willing to stay in. Mr. Finnerty

It was the consensus of the Commission members present to table discussion on this item.

8. ADJOURNMENT

Treasurer Rice adjourned the meeting at 8:55 PM. The next meeting of the Perry County Planning Commission is scheduled for Wednesday, December 20, 2023, at 7:00 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. R. Finnerty", written in a cursive style.

Jason R. Finnerty, Recording Secretary