

**EAST PENN TOWNSHIP
PLANNING COMMISSION
MINUTES
Regular Meeting
November 16, 2016**

The East Penn Township Planning Commission conducted their November 16, 2016 meeting at the East Penn Social Hall. Chairman Kuehner called the meeting to order at 7:06 PM.

Commission Members Present: Chairman Gary Kuehner
Member Deanna L. Cunfer
Member Jonathan Ammary
Member Steven Heckman

Commission Members Absent: Vice-Chairman Dean R. Kercsmar

Other Township Officials Present: Township Engineer Michael H. Muffley, PE - Hanover
Engineering Associates

Visitors Present: none

Press Present: none

Courtesy of the Floor: none

MINUTES:

*Jonathan Ammary made a motion, seconded by Steven Heckman to approve the minutes from the October 19, 2016 regular meeting as submitted. AIF. Motion carried.
Deanna L. Cunfer abstained from the motion for lack of meeting attendance.*

Courtesy to the Floor (other than Subdivisions): none

Training & Correspondence is distributed as received.

Subdivisions / Land Development:

◆ **Duane A. & Lavona A. Schleicher Major Preliminary Subdivision (former Semmel property):**

- **PennDOT HOP:** As of the meeting no word has been received from PennDOT regarding the Highway Occupancy Permit approvals.

***No action necessary from the Planning Commission, will remain on the agenda as a reminder for future reference.**

◆ **Darryl & Linda Fritzing Subdivision:** This is a minor subdivision submitted on 9/22/2016. The proposed subdivision is located at 2516 Mahoning Mtn. Rd. consisting of 6.854 acres with 2 proposed lots. Carbon County Planning Commission has reviewed the plan on 9/20/2016 and found no areas of non-compliance and therefore recommend plan approval.

- To date revised plans have been received altering “Note 15” to state “Carbon County Conservation District”.
- PennDOT has approved the HOP as submitted.
- Awaiting DEP’s approval of the Planning Exemption Module as of 11/16/2016.

UNFINISHED BUSINESS: (none)

NEW BUSINESS:

◆ **Jonathan & Shelby Ammary Subdivision-Keystone Engineering:** Plan accepted on 10/19/2016. This is a proposed minor subdivision located on West Lizard Creek Road which contains an easement on Lot 2 for the required secondary sewage system that would serve the existing home on Lot 5. The easement site is temporary as stated in SEO, Scott Beiber’s letter dated 9/28/2016. Lot 2 is not proposed for development at this time. The HOP permit for access to Lot 2 was issued on 7/26/2016. Carbon County Planning Commission’s review letter was received 11/16/16. The Commission believes the plan as submitted does not conform to preliminary/final plan requirements due to minor areas of non-compliance but recommends Conditional Plan approval.

Hanover Engineering submitted their review letter dated 11/16/2016 with the following comments: (summarized)

ZONING-

1. **301-** The floodplain area of Lizard Creek does not appear to be excluded in calculations for Lot 5. The Environmental Protection Overlay District requires that minimum lot calculations must exclude land that has certain natural characteristics.
2. **303.041-** The plan should note that the subdivision must comply with the criteria of the Environmental Protection District.
3. **900-** Lot 2 requires a covenant listed on the plan describing future development of the lot conforming to the requirements of East Penn Township ZO Article 9-Environmental Protection Overlay.
4. **903.02-** Lot 5 the proposed 4-year fill site for on-lot sewage disposal located on steep slope areas, such as this one, would require that section 905 requirements would need to be met as follows: 10 minimum acres (2.013 presently) 600 ft. lot width (420 presently) Building coverage max. 3% (4.3% presently).

The Board discussed the following options, Mr. Ammary can apply for a Zoning variance if he can show a hardship. Alternatively, he can attempt to purchase a neighboring property, revise lot lines to make the lot larger, and or relocate the future on-lot septic system to meet the Environmental Overlay Criteria.

SALDO-

5. **3.206-** Sewage Facilities Planning Module or Exemption is required.
6. **3.210-** No E&S Control Plan has been prepared. A note has been added to the plan stating Carbon Conservation approval is required for any earth disturbance activity.

7. **3.212/5.102A.8/5.202A.30-** The labeled floodplain on the plan should be changed to be noted as 100-year flood plain and showed on the plan as such.
8. **3.221-** An Easement on to Frantz's property is recommended. The driveway is necessary to access the replacement sewage system.
9. **5.102.A.10-** The width along 895 and German's Rd. is not labeled.
10. **5.102.A.8-** Waiver requested as noted on the plan.
**Motion made by Deanna L. Cunfer and seconded by Steven Heckman to approve waiver request for SALDO section 5.102.A.8 regarding wetlands delineation. AIF. Motion carried. Johnathan Ammary abstained from the motion.*
11. **5.202.A.6-** Waiver requested for location scale map that specifies one inch equals 1000ft. The waiver is unnecessary and should be removed from the plan.
12. **5.202.B.7-** The Sewage disposal easement and related access should be included into the deed descriptions for Lot 2 and 5.

GENERAL-

13. Changes should be made so the hatchings for Middlebury soils and steep slopes are not the same. The hatch pattern should also be in the back of the drawing order throughout the plan. The hatch should not cover text objects and features.
14. If the labels shown on Lot 5 for the "net" area are the portions North and South of S.R. 895 minus the road right-of-way which equals 1.3 acres than no changes are necessary.

Adjournment: Being no further business before the Planning Commission, *Steven Heckman motioned, seconded by Deanna L. Cunfer, to adjourn the meeting at 7:58 PM. MOTION CARRIED, Kuehner, Heckman, Cunfer, Ammary voting yes.*

Respectfully Submitted,

Jillyan A. Sterling
Secretary