

The January 28, 2021 Zoom meeting of the Weisenberg Township Planning Commission was called to order by Chairperson Diane Matthews-Gehringer at 7:00 p.m. All other members were present and roll call was taken by the Chairperson: Stephen A. McGlynn, Stephen Schaffer, Michael Levitsky, Daniel Snyder, Allen Cerullo and Jeff Broadhurst. Administrator Brian Carl and Engineer Stan Wojciechowski were also present by zoom. The meeting was advertised and conducted in accordance with Act 15.

The minutes of the December 17, 2020 meeting were approved by motion made by Michael Levitsky, seconded by Stephen McGlynn. Motion carried.

Jeff Broadhurst made a motion to keep the Planning Commission Board as it is for the year 2021, this was seconded by Steve McGlynn.

Diane Matthews-Gehringer – Chairperson

Stephen A. McGlynn – Vice-Chairman

Michael E. Levitsky – Secretary

Motion carried.

Darvin Martin – (Duck Operation) Land Development – Final
Date revised 12/9/2020 - 8245 Holbens Valley Road

Bert Nye of Red Barn Consulting, Inc. attended the zoom meeting to present the proposed construction of a new agricultural duck barn on a 73.06 acre parcel with existing dairy farm located on Holbens Valley Road. Stan Wojciechowski reviewed his comment letter dated January 26, 2021 with the Board. They have received approval of the nutrient management plan, conservation plan, and odor management plan. They are currently working with the L.C.C.D. and applying for their NPDES permit. They are requesting (3) waivers which are: 1. A waiver requirement (§502.A.2) to submit a preliminary plan prior to final plan due to the fact that this is an agricultural land development plan. 2. A waiver of (§907.D.4) to allow the construction of Bio-retention basin with a flat bottom design. 3. A waiver of (§304.1) the requirement to maintain the 100 foot isolation distance from the building to the infiltration system.

Darvin Martin is the landowner and will tend to the day to day operations but Joe Jurgielewicz & Son, LTD (www.tastyduck.com) will oversee the operation and own the birds. There will be approximately 8,000 ducks in the building. Stephen McGlynn asked about the end result of the birds at this facility. Bert Nye stated that they are more of a breeding facility (collect eggs/growing) to be transferred to a finishing house.

Jeff Broadhurst made a motion, seconded by Daniel Snyder to recommend to the Board conditional final approval with reference to Stan's comment letter dated January 26, 2021. Also to recommend to the Board of Supervisors the granting of the (3) waivers they are requesting. Motion carried.

Scott Freeman – Minor Subdivision – Preliminary
Date revised 1/12/2021 – 9162 Gackenbach Road

Don Bara of J.H.A. Companies presented the one lot subdivision located on the south side of Gackenbach Road, east of New Smithville Road in the RC district. The applicant, Scott Freeman, intends to subdivide the existing lot of 8.3 acres into two lots. The new lot will be 1.72 acre with on-lot well/septic and the remaining land of 6.32 acres has an existing dwelling with on-lot well and septic. They are requesting a waiver of street trees to be planted on the new building lot since it has not been determined where the driveway/house will be located. The plan was submitted to the L.V.P.C. for their review.

Stan Wojciechowski reviewed his comment letter dated January 22, 2021. Don Bara agreed to make the changes Stan requested. Brian Carl reviewed his comment letter dated January 28, 2021 which stated that this plan could be viewed as a Final. The rec fee's due are \$2500.00 prior to the plan being recorded for the creation of a new building lot. R.O.W. dedication shall be done via a recorded easement. The planning module was submitted to the Township for Chris Noll's review.

Discussion was held regarding the waiver request of street trees. The waiver was deferred regarding the planting of the street trees until it is determined where the driveway/dwelling will be located. Mr. Bara was in agreement with the deferral.

Stephen Schaffer made a motion, seconded by Daniel Snyder, to forward the prel./final plan to the Board of Supervisors recommending conditional approval based upon the engineers review letter dated January 22, 2021 and Brian Carl's review letter of January 28, 2021. The waiver request of the street tree will be deferred until the driveway/house placement is determined. Motion carried.

Foley CAT – Land Development – Preliminary
Date revised – 1/14/2021 – 10171 Old 22

Stephanie Koenig – Attorney for Foley CAT; Jon Souliere and Ryan Foley of Foley Inc. Gary Collette and Heather Smith of Colby Co. Engineering; and Zak Reppert from McMahon Associates were in attendance by zoom to present the land development plan which proposes a new Foley CAT facility located at 10171 Old Route 22. Land owners, Tom and Joe Pasquales were also on the zoom call. Heather Smith reviewed the plan with some minor changes to the plan.

Stephen Schaffer, Jeff Broadhurst, Allen Cerullo and Stephen McGlynn expressed concerns with the intersection of Rt. 863 and Old 22. Since they are PennDOT roads it is up to PennDOT to set the improvements & requirements. Brian expressed to PennDOT multiple times that the Township would like to see a traffic light at this intersection with stop bars set back in order for the trucks to make the turns. Ryan Foley stated that he appreciates the concerns and is willing to have open conversation regarding this intersection with PennDOT once the time comes.

Stan Wojciechowski reviewed his comment letter dated January 22, 2021. Stan recommended having something in writing from the neighboring property owners regarding an access easement for facilities on the neighboring lot. Stan Wojciechowski is in support of the (2) waivers they are requesting regarding SALDO Section §907.D.4 to install a flat bottom basin and SALDO Section §907.D.5 which proposes a 3:1 slope in the basin. Stan suggested that cleaned up plans be submitted by February 18th 2021 in order for his review prior to the Board of Supervisors meeting on March 8th. Brian Carl stated he would like to see an elevation of the building in comparison to the road at final plan submission. Gary Collette stated that this is not a 24hour facility and will not be lite up all night. Brian also asked if there would be any fire hydrants on the facility which Gary Collette state they are having conversations regarding if it is needed for code compliance.

Michael Levitsky made a motion, seconded by Jeff Broadhurst, to forward the plan to the Board of Supervisors recommending preliminary plan approval conditional upon the engineer's comment letter date January 28, 2021. This motion also includes the recommendation of approval for the (2) waiver requests. Motion carried.

Stephanie Koenig will send over an extension of time request to Brian's email tomorrow.

With no further business on the agenda at 9:09 pm., the meeting was adjourned.

Respectfully submitted,

Janet L. Henritzky, Recording Secretary