

## NORTH ANNVILLE PLANNING COMMISSION

### MINUTES OF FEBRUARY 7, 2022

The North Annville Planning commission met at the Union Water Works Fire Company Social Hall on February 7, 2022 for a regularly scheduled meeting. Members of the Commission in attendance were: Brian Keck, Nelson Heagy, Randy Leisure, Ben Bow & Charlie Bomgardner. The following people from the community were also in attendance: Aaron Miller, Steve Bowman, Brent Kaylor, Julie Kaylor, Mark Bachman, Mel Gehman, John Shaver, Eric Brummer, Wayne Kaufman, Paul DeShong, Gary Tshudy, Sue Forney, Gary Thompson, Grady Summers.

Nelson Heagy called the meeting to order at 7:30 pm.

A motion was made by Ben Bow and seconded by Brian Keck to approve minutes with 5 small corrections from the January 3, 2022 meeting. Motion passed unanimously.

The following four approved zoning permits (by Lebanon County Planning) were presented:

- 1) John Yutzy, 170 Clear Spring Road, Annville, 30' x 60' x 22' equipment shed
- 2) Brian & Pamela McVision, 3070 Ligman Lane, Lebanon, 737' sq. ft. of solar panels
- 3) Mark Kramer & Charles Mazurkiewicz 7045 Bates Drive, Annville, 8' x 15' x 54" swim spa
- 4) Matthew & Melissa Heisler, 2070 Boltz Lane, Lebanon 36' x 48' x 23' detached garage

The township received three letters of correspondence from Storb Environment in accordance with PA Senate Bill 280, Act 32. These three letters were pertaining to underground tanks for PPR Lubricants, Meyer Oil & Petroleum Heat & Power. The township also received two correspondence from PA DEP. First one was pertaining to Surface Mining Permit Nos. 38870301C26 & 27 for Millard Quarry Operations. This was a correction to Module 10: Operations Plan to allow surface mining above the inactive deep mine on the permit and to amend the Module 16: Blast Plan. Second correspondence from PA DEP was to inform that Penny Supply made application to renew their NPDES permit.

Nelson Heagy reminded everyone that there will be another conditional permit hearing for Lebanon Solar LLC on Thursday, February 24 at 6:30 pm at the Water Works Hall with an additional or alternate date of Monday February 28 at 6:30 pm also at Water Works Fire Hall.

Nelson read letter from Adam Wolfe, Secretary for the North Annville Township Supervisors asking the planning commission to update or supplement their recommendation to the Supervisors pertaining to Lebanon Solar, LLC conditional permit application. Nelson read the following recommendation:

Lebanon Solar proposal fails to meet North Annville Township Ordinance 2-2019 in the following areas:

- 1) Lebanon Solar's interpretation of lot is not consistent with the ordinance
  - 2) There are 2 parcels that do not meet the 50-acre minimum
  - 3) Lebanon Solar language describing coverage does not conform to the ordinance
  - 4) We strongly oppose that Lebanon Solar has taken the liberty to write & grant themselves its own waivers
- Based on these four issues, the North Annville Planning Commission recommends that the North Annville Supervisors deny request for conditional use permit from Lebanon Solar LLC.

Nelson asked for a verbal vote from each of the members of the Planning Commission. Ben Bow, Charlie Bomgardner, Brian Keck and Nelson Heagy all voted yes supporting the recommendation. Randy Leisure abstained.

Brian Keck presented two Nonconforming lots, uses, structures and building ordinances from North Lebanon and South Annville along with current North Annville ordinance. He mentioned that Kim Spang from Lebanon County Planning suggested that North Annville update its current ordinance as it does not leave much to any flexibility when it addresses non-conformities. Some townships intent of a stringent non-conforming section is to lessen non-

conformities over time in hopes of properties eventually conforming to the ordinance. To confirm, the Township wants to allow some more flexibility to their residents? The other two township ordinances allow people to rebuild a nonconforming structure so that it cannot increase its nonconformity but it can be altered to decrease its nonconformity. This issue was tabled for discussion at a future meeting.

During the public comment section, Wayne Kaufman was in attendance who had made the original complaint about the Lebanon County Police Combat Pistol Club. He commented that the trees that the Pistol Club is planting will take a while to grow and will not have any sound buffering effect. Wayne also reiterated that the range is facing the wrong direction as he said there is room to turn it. Wayne also mentioned that they are continuing to shoot on Sundays. Nelson Heagy felt that there was decreased noise after the Pistol Club increased size of berm but Wayne disagreed. Nelson has concerns that bullets could go over berms. Mark Bachman said he feels the berms are plenty high.

The meeting was adjourned at 8:11 pm,

Respectfully submitted

Brian Keck, Secretary