

Tinicum Township Planning Commission Minutes

February 22, 2022

Members Present: John Cole, Terry Johnston, Carl Ruthardt, Neil Sullivan, Joy von Glueck, David Upmalis and John Clement.

Others In Attendance: Township Supervisors Richard Rosamilia, Eleanor Breslin and James Helms; Township Manager Teri Lewis

Call To Order: David Upmalis

Public Comment:

A general discussion among all present about the working procedures going forward following recent Township staff changes, including: 1) preparation of Planning Commission meeting agenda, 2) communication protocols between the Planning Commission, the Township and the Zoning Hearing Board, and 3) preparation of the Planning Commission meeting minutes.

Regarding the granting of variances, it was noted that on occasion the Township and the Zoning Hearing Board are scheduled to rule on a particular variance application before the Planning Commission's recommendations are made available in the official minutes. As a possible solution, Ms. Lewis presented a draft form that could be used to communicate the Commission's position immediately following their meetings. It was agreed that the form would be titled "Memo to the Board of Supervisors" and revised to include the date of the Variance Application/Plan being reviewed along with fields for the Commission's recommendations and any relevant notes/findings.

The recording of the minutes of the Planning Commission was discussed, and it was suggested that perhaps a Township volunteer might be enlisted to provide assistance. Ms. Lewis said she would look into possible volunteers.

Further discussion involving the process that led to the settlement of the Tretton venue.

Approval of Minutes:

MOTION by Mr. Sullivan and seconded by Mr. Cole to approve the minutes of the Planning Commission Meeting of January 25, 2022. Unanimous vote to approve.

New Business

1. Reorganization – Selection of Chair, Vice-chair and Secretary.

MOTION by Neil Sullivan to elect David Upmalis as Chair. Seconded by Mr. Cole. Unanimous vote to approve.

MOTION by Neil Sullivan to elect Carl Ruthardt as Vice-Chair. Seconded by Ms. von Glueck. Unanimous vote to approve.

MOTION by John Cole to elect John Clement as Secretary. Seconded by Ms. von Glueck. Unanimous vote to approve.

2. Distribution of Minor Subdivision Application Three Horse LLC, 38 Center Rd, TMP 44-15-1

It was agreed that some missing information would be obtained by the Township and that the application would then be reviewed at the next working session of the Planning Commission.

Old Business

1. Codification Update – Recommendation of Draft Codification to Board of Supervisors to approve as presented subject to the following amendments:

- a. To include updates to the Table of Uses and districts reflecting all accessory uses
- b. To allow H9 Commercial Garage in the C District
- c. To incorporate regulations of draft Ordinance 253 relating to solar farms and fencing
- d. To amend Article XIV Section 1408 to reference Sections 609, 609.1, and 609.2 of the Municipalities Planning Code.

Mr. Clement noted that Items a. and b. were approved in a Motion by the Planning Commission at the April 27th, 2021, meeting and that those items could therefore be removed from the agenda.

Regarding Item c., it was agreed that codification of the new draft ordinances for fencing and solar arrays not be included in the current codification as they are still pending approval by the Board of Supervisors. It was agreed that once approved they should be incorporated into the Zoning Ordinance promptly.

Regarding Item d., Mr. Clement explained that currently Section 1408 of the Zoning Ordinance only references Section 609 of the Municipalities Planning Code (MPC). The addition of references to MPC Sections 609.1 and 609.2 are necessary as they address the required procedures if a challenge to the validity of a Township ordinance or map is found to be valid.

MOTION by Mr. Clement to amend Article XIV, Section 1408 of the Tincum Township Zoning Ordinance to reference Sections 609, 609.1,

and 609.2 of the Municipalities Planning Code and to recommend future codification of both the Draft Solar Ordinance and the Draft Fencing Ordinance once they have been approved by the Board of Supervisors. Seconded by Mr. Ruthardt. Unanimously approved.

Mr. Clement presented a number of further codification corrections to the Township Zoning Ordinance. It was agreed that Mr. Clement would make all suggested corrections to the codified Zoning Ordinance and present a complete copy to the Planning Commission before the next meeting for final approval and submission to the Board of Supervisors.

2. Draft Solar Ordinance – Review Final Wording and BOS Comment

It was agreed that no further amendments to the ordinance are recommended.

Discussion. None

Adjournment

MOTION by Mr. Sullivan to adjourn. Seconded by Mr. Ruthardt. Unanimously approved.