

Maidencreek Township Planning Commission  
Wednesday, March 3, 2010

Attending: Joel High, David Anspach, Jeff Futchko, Matt Davenport, Eugene Orlando, Jr. – Orlando Law Office, Bruce Heilman– Systems Design Engineering, Inc., Diane Hollenbach – recording secretary

Guests: David Weiss, Nick Feola, Eugene Martin

Joel High called the Maidencreek Township Planning Commission regular meeting to order at 7:30 p.m. in the Maidencreek Township Municipal Building.

**APPROVAL OF THE AGENDA**

A motion was made by Jeff Futchko, seconded by David Anspach, to approve the agenda for the Maidencreek Township Planning Commission regular meeting. The Chairman asked for public comment on the motion. Hearing none, all members voted, “Aye.” Motion carried.

**APPROVAL OF PRIOR MEETING MINUTES**

A motion was made by Jeff Futchko, seconded by Matt Davenport, to waive the reading of the February 3, 2010 regular meeting minutes and approve the minutes as presented. The Chairman asked for public comment on the motion. Hearing none, Jeff Futchko, Matt Davenport and Joel High voted, “Aye.” Motion carried. David Anspach abstained.

**ACCEPTANCE OF PLANS**

Nick Feola of Bursich Engineering presented the Alternative Fuel Manufacturing Facility which is proposed for Maidencreek Road on the parcel that was part of the Custom Milling Subdivision Plan. There are 5 existing vacant buildings on the lot, which was once a mushroom farm. The proposed facility fits within the existing developed area and allows future expansion.

Mr. Feola stated that the alternative fuel facility will utilize 500 tons of residential waste a day. The processing converts the waste into a tier II fuel product. David Weiss of Diversified Energy Products stated that the operation takes place within a totally closed facility and uses proven technology from Europe to process the municipal waste. Metals and other materials are removed. 84% of waste is organic and has heat value. Through the use of vortex technology, waste is dehydrated and processed into a fluff like material that looks like what would come out of a vacuum cleaner. Plans now are to convey the fuel to W.D. Zwicky and blend it with his fuel. The intent is to process all the waste received each day. There will be some storage of the fuel made.

Matt Davenport asked if there was any waste from the process that needs to be disposal. Mr. Weiss stated that the metals will be sold in the secondary market. There is some inert waste but for most part it will be part of the fuel. There will be mechanical and manual sorting to allow paper and plastic to be removed for sale in the secondary market or plastic and paper can be a component of the fuel. Gene Orlando asked for a description of the process. Mr. Weiss stated that the plastic is shredded. The heat in the vortex, shrinks the plastic.

The Commission asked what happens when the equipment breaks down and trash trucks are lined up to deliver waste. Dave Anspach was concerned with odors, air quality and traffic. Mr. Martin stated that the project is being reviewed by the DEP. Everything is done indoors including the

Maidencreek Township Planning Commission  
Wednesday, March 3, 2010

tipping floor and processing and tipping floors are concrete and drained. The building is under negative pressure. Air and emissions are treated and DEP standards will be met. Nick Feola added that a traffic study and environmental assessment report is part of the submission to the Planning Commission.

Mr. Martin stated that the proposed building is 75,000 square feet and will employ two shifts, ten hours in length with 12-15 employees per shift. Some building on the site will need to come down. There will be no outside storage of municipal waste or fuel. 500 tons of municipal waste will come in per day and 325 tons of fuel will leave per day. Truck traffic will be spread out throughout the day.

A motion was made by David Anspach, seconded by Jeff Futchko, to accept the Alternative Fuel Manufacturing Facility Preliminary Land Development Plan for review. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

**COMMUNICATIONS** – None.

**PUBLIC COMMENT** – None.

**ENGINEER'S AGENDA**  
**SUBDIVISION STATUS CHECKLIST**

A motion was made by David Anspach, seconded by Matt Davenport, to recommend the Board of Supervisors accept the developer's request for a time extension until June 2010 for the Village at Summit Crest Preliminary Plan and Final Plan. The Chairman asked for public comment on the motion. Hearing none, David Anspach, Matt Davenport and Joel High voted, "Aye." Motion carried. Jeff Futchko abstained. Mr. Futchko commented that he is tired of granting time extensions.

A motion was made by Matt Davenport, seconded by Jeff Futchko, recommending that the Board of Supervisors reject the Can Corporation Land Development Plan for the reasons cited in the August 13, 2009 minutes of the BOS outlining the waiver of the preliminary plan review process and failure to satisfy the conditions of the February 3, 2010 Systems Design Engineering, Inc. review letter, both of which are incorporated by reference, unless a request for a time extension to the review period is received from the Developer or his agents before March 11, 2010. The Chairman asked for public comment on the motion. Hearing none, Matt Davenport, Jeff Futchko and Joel High voted, "Aye." Motion carried. David Anspach abstained.

**PLAN REVIEWS** – None.

**NEW BUSINESS**

Land Use Assumption Report from Perry Township – Bruce Heilman stated there is nothing in Perry Township's Land Use Assumption study that impacts Maidencreek Township. This study is part of the process to establish traffic impact fees. Adjoining municipalities are asked to review and comment on the study because it deals with land use. No reply is needed.

**SOLICITOR'S COMMENTS** – None

Maidencreek Township Planning Commission  
Wednesday, March 3, 2010

**OLD BUSINESS**

Revisions to the Zoning Ordinance

*C-1 Local Commercial*

- Lodges and Clubs were not previously permitted in this district, but were allowed by conditional use in the Agricultural District. This draft allows the use as a permitted use in C-1. The Commission agreed that this should be left as a permitted use in C-1.

*Definitions*

- Bruce Heilman distributed revisions to the definition section. Gene Orlando was concerned about the definition of Home Occupation and the performance standards. A home occupation is defined as a business or commercial activity as an accessory use to a residence. This is very broad and the Commission should consider revising this definition. Also allowing home occupations in an accessory structure could be bothersome to adjoining property owners. Uses of barber and beautician should have specific performance standards because of the water use. Another municipality took the activities allowed in the C-2 zoning district and said they are not home occupations. Gene Orlando will forward District Township and Bethel Township's definitions and regulations to Bruce Heilman.

*C-2 Regional Commercial District*

- Drive Thru Lanes are not mentioned for financial institutions or eating establishments. The Commission agreed that this should be changed to be the same as C-1 regulations which allow drive thru lanes by special exception.
- Personal Service and Business Service need to be defined. Uses such as fitness centers, health clubs, miniature golf, indoor amusement and recreation facilities should be included in the larger definition.
- Jeff Futchko felt the definition for Inn is too broad. Bruce Heilman will look at it.
- Matt Davenport asked if the use of General Agricultural references the correct section.

*Industrial District*

- Bruce Heilman will modify this section to include billboard regulations.
- General contracting should be included as a permitted use.

*Special Intensified Agriculture*

- Dry Lot Farming is now included in intensive agriculture in the Agricultural Preservation District and will be removed from the SIA District.
- Personal storage is permitted in the Industrial District and is not permitted in the C-2 District. All storage units that are currently built in the Township are in the C-1 District. This ordinance revision would make the existing units nonconforming. Gene Orlando commented that typically the expansion of nonconforming uses is capped off by percentage. Bruce Heilman stated that typically businesses run into problems with bank loans when they are nonconforming to their zoning district. Matt Davenport asked if self storage units were allowed in the C-1 District as a conditional use, would the existing properties need to go through a conditional use hearing if the facility was expanded. Mr. Orlando did not believe so, but they would probably go through the land development

Maidencreek Township Planning Commission  
Wednesday, March 3, 2010

process. The Commission decided to allow personal storage units in the C-1 District as a conditional use.

- Composting was discussed. Section 1202 B5 and C both prohibit commercial composting. The Commission agreed that B5 should be deleted. Section 1202 C will be amended to say "except as provided elsewhere in this ordinance". The definitions of composting and municipal solid waste were reviewed and need to be revisited. Matt Davenport suggested adding organic material to the definition of municipal solid waste. Gene Orlando suggested removing municipal solid waste from the definition of composting.
- Bruce Heilman will look at Section 1202 D. 6 and Section 1202 A. 4. These sections are very similar to each other.
- Mr. Orlando suggested and the Commission agreed that the name of Special Intensified Agriculture District be changed to Special Intensified Activities. Section 1201 Purposes should be reviewed to be consistent with this idea.

*Nonconforming Uses*

Bruce and Gene will review this section.

Having no other business, a motion was made by David Anspach, seconded by Matt Davenport, to adjourn the regular meeting. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. Meeting adjourned at 9:35 p.m.

Respectfully Submitted,

Diane E. Hollenbach, secretary

CC:	Board of Supervisors	Tom Unger, SDE	Barbara Hassler
	Planning Commission	Eugene Orlando, Solicitor	Chief Scott Eaken
	Park & Recreation	Patrick Donovan	Dan Miller
	Authority	Zoning Hearing Board & Alt.	