

ATTENDANCE

Planning Commission

Brian Rater, Vice-Chair
Richard Schmidt, Secretary
Harry McAllister, Alt. Secretary
William Burnett
Jim Payne

Township Staff

Douglas Erickson, Township Manager
Stephen Casson, Township Engineer/Dir. Public Works
Alexandra Castrechini, Assistant Twp. Engineer
Ken Soder, Zoning Officer
Nicole Pollock, CRPA
Nicole Harter, Public Works Secretary

Audience

Betsy Whitman, Resident/Board of Supervisor Member

****Meeting took place via Zoom****

1. **CALL TO ORDER – REGULAR MEETING**

The April 6, 2020 regular meeting was called to order at 4:00 PM by the Vice-Chair, Brian Rater.

2. **ITEMS OF CORRECTION**

There were no additions or deletions to the agenda.

3. **APPROVAL OF MINUTES**

Meeting minutes from the March 2, 2020 combined Regular/Organizational Meeting and Work Session were brought before the Planning Commission for approval.

Mr. Richard Schmidt made a motion to approve the meeting minutes as submitted. The motion was seconded by Mr. Harry McAllister. The motion passed with a vote of 5-0.

4. **PUBLIC COMMENTS**

There were no public comments at this point in the meeting.

5. **WALMART STORE #1640 – 1665 NORTH ATHERTON STREET – TEMPORARY USE PERMIT APPLICATION FOR TENT SALE FROM 7/1/2020 TO 9/30/2020**

Mr. Brian Rater noted that Walmart has applied for a temporary use permit for a tent sale from July 1, 2020 to September 30, 2020. Walmart was last permitted to hold a tent sale from July 1, 2019 to September 30, 2019 (Permit# 1820539). The 20' x 40' tent will be located on the large concrete area to the left of the general merchandise entrance and will be used to sell large bulk merchandise during the store's "Back to College" event.

Mr. Harry McAllister made a motion to recommend approval of the Walmart Temporary Use Permit for the Tent Sale from July 1, 2020 to September 30, 2020. The motion was seconded by Mr. William Burnett. The motion passed with a vote of 5-0.

6. **WALMART STORE #1640 – 1665 NORTH ATHERTON STREET – TEMPORARY USE PERMIT APPLICATION FOR STORAGE CONTAINERS FROM 6/1/2020 TO 9/30/2020**

Mr. Brian Rater noted that Walmart has applied for a temporary use permit for the placement of 38 storage containers adjacent to the sides of the store for the company's "Back to College" event beginning in June.

The store has held temporary use permits for such containers a number of times in the past, with the most recent allowing the temporary use of 24 storage containers from June 1, 2019 to September 30, 2019 (Permit# 1820536).

Typically, temporary use permits are issued by the Zoning Officer in accordance with the §153-34.8: Temporary use design standards of the Township Code. These regulations were enacted by the Board of Supervisors (Board) in 2013 to provide a set of standards by which temporary land use applications are reviewed including requirements that pertain to unique circumstances that generally accompany a temporary use. However, at the July 11, 2018 Board meeting, a resident inquired about the permitting process and subsequent enforcement for Walmart's permit, citing a belief that Walmart was in violation of the permit. The permit in question (#1816124) was issued by the Zoning Officer in accordance with the regulations for a permit renewal. However, the subsection F(3) of the temporary use regulations address disputes. Any dispute over whether a requested use is in or out of compliance the regulations can be submitted to the Board of Supervisors for approval.

Accordingly, the Board discussed the matter and directed the Manager to relay the following information to Walmart for all future temporary use permits:

- The Zoning Officer will notify Walmart management that the temporary use containers shall be promptly removed following the end of the permit period.
- The Zoning Officer will remind Walmart management of the 7 AM to 7 PM time limit on hours of use for temporary use containers and also that the permit may be revoked for violations of the limits on hours of use.
- The Township Police Department will periodically monitor the Walmart site for compliance with the hours of use required by the permit and will keep a log of all site visits.
- The Zoning Officer will notify Walmart management that any requests for changes to the current permit conditions must be made to the Board of Supervisors, and that any request for a temporary use permit for storage containers will need to go through the Planning Commission and Board for approval in 2019.

In this permit request, the proposed location of the containers would be 1.) on the left side of the building, behind the lawn and garden area, and 2.) on the right side of the building near the grocery docks. These are the same locations where the containers were permitted with the last temporary use permit.

Mr. Harry McAllister made a motion to recommend approval of the Walmart Temporary Use Permit for Storage Containers from June 1, 2020 to September 30, 2020. The motion was seconded by Mr. William Burnett. The motion passed 5-0.

8. STATUS ON PENDING ITEMS

Ms. Nicole Pollock briefly reviewed the actions taken by the Board of Supervisors at their March 25, 2020 meeting and pending work tasks.

9. REPORTS

No additional reports were given.

10. OTHER BUSINESS

There was no other business brought before the Planning Commission.

11. ADJOURN – REGULAR MEETING

The meeting was adjourned at 4:11 PM.