

**PLANNING COMMISSION  
MEETING MINUTES  
July 26, 2017 7:00 PM**

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**MEMBERS PRESENT:**

Frank Scarpato, Chairman  
Colleen Preston  
Geoffrey Stroud  
Kevin Runey  
Rick Schroder

**OTHERS PRESENT:**

Ken Battin, Township Manager  
Dawn Maciejczyk, Township Secretary

**I. CALL TO ORDER**

Mr. Scarpato called the meeting to order at 7:02 p.m.

**II. PUBLIC COMMENT**

Mr. Scarpato asked for any public comment. There was none.

**III. APPROVAL OF MEETING MINUTES**

The Commission reviewed the meeting minutes of May 31, 2017. Mr. Runey made a motion to approve the meeting minutes of May 31, 2017, seconded by Mrs. Preston and approved by a vote of 4-0.

**IV. PLAN EXTENSIONS**

Mr. Scarpato reviewed the plan extensions for  
Needham Farms- September 27, 2017,  
Coventry Reserve- September 2, 2017,  
Hy-Tech Mushrooms- October 10, 2017 and  
Shirley Dowdy- October 12, 2017. There were no comments.

(7:15 p.m. Mr. Stroud arrived)

**V. AGENDA ITEMS**

**1. Hy-Tech Mushrooms Land Development Sketch Plan**

Mr. Bill Fredrick, on behalf of Mr. Arthur Needham and Mr. Ken Lomax, a consultant with a background in Chemical Engineering and Agricultural Engineering, presented what their plans are for moving most of their operations indoors.

Mr. Fredrick stated that the advantage is odor reduction. Most of the odor comes from the gases that get trapped under the soil. These gases get released as they are turning the soil. Hy-Tech Mushrooms are proposing moving most of the composting operation indoors to a bunker. They will be asking to demolish some buildings and build new ones.

There would be a total of four (4) phases. Phase 1 would be to build the tunnels to move the compost. Phase 2 would be to build the bunkers. Phase 3 and 4 have not been in the works as of yet. This would not be a project that happens overnight. This will take several years.

The two (2) lagoons will be replaced by concrete tanks. The water is reused to make the compost. There would be a wet pond for rain water and a dry pond to keep the run off and excess rain water out of middle creek.

Mr. Scarpato asked how does the compost get from one building to the other? Mr.

Needham said that there will be a conveyor belt covered by a roof but exposed. Mr. Fredrick said there are some legal complexities surrounding this project. Right now, it is a lawful consisting non-conformity, there are some variances that we will be asking for. Mr. Needham's attorney will contact the Township Solicitor to see what they need to do to meet ordinance requirements. Mr. Scarpato asked if the problem would be the new ordinances versus the change that you are proposing now? Is it just red tape that we need to get through? Mr. Fredrick said yes.

Mr. Schroder said that with redoing our ordinances two years ago we required that you are following "Best Mushroom Practices" and the article in the Kennett Gazette with the Yeatman property also moving in this direction which is great. I like where you guys are headed and it makes us all feel better if everyone can work more jointly. I'm not an engineer I would have to ask someone else, are you guys are making a great step are you conforming with best practices of the mushroom industry?

Ken Lomax, who helped with the best practices through the Environmental Study said that the Township Ordinance has a number of elements that would be difficult to apply in this space here. Mr. Schroder said the one Ordinance that comes to mind specifically for me is the aeration process dissipates the odors gas a little more so that it makes it balance a little better between the residents and what you guys are trying to accomplish. If I remember correctly it also makes the sub trait more efficient so that you guys can get it to growing more quickly which in turn puts more money in your pocket. These are the types of things that I would really like to try and understand to grant my support around the variances that you are looking for.

Mr. Scarpato asked if there is anything drastic in the list of variances that will be asked for that we should be aware of? Mr. Needham said the tunnels are larger and help with the anaerobic core. The word anaerobic means without oxygen. The result is a much less obnoxious odor. This does not mean that it is odor free it means it is less. Mr. Schroder said the way that I interpret that is that it is more of an informed spell. Mr. Scarpato said it's the difference between when you walk out of your house in the morning and you say oh the mushroom farms are cooking today and oh my goodness that's terrible today. Mr. Needham said yes, I agree.

Mr. Fredrick said that setbacks would be a variance that we would be asking for. Right now, we are an existing non-conforming. We would seek a special exception to continue that. Boundary work is all that we have completed at this time in the process. Mr. Schroder said that he would echo Mr. Scarpato in it is great that you guys are coming to us with the presentation and asking our opinion and that you are addressing an issue that we are addressing odor complaints. Having a list of the issues that we are going to have to focus on would be great so that we are able to discuss them and have them cleaned up before it becomes time for you to come to us for approval. The Township solicitor and the Needham's attorney are discussing at this point. It's an expansion but really, it's an improvement said Mr. Scarpato.

Mr. Scarpato said from a planning prospective I do not see anything drastic that should come into play. How did the community response go? Mr. Lomax said I think it went very well, there were lots of questions and time to have a one on one conversation with the residents. Many were very impressed by the process and what goes into this once they viewed our presentation. Many of the residents at the end said, what's going to take so long, let's get this process started now.

Mr. Schroder asked are you definitely going through a land development process?

Mr. Scarpato said yes, they do not have a choice. Mr. Schroder said based on what I see you have to do land development. Mr. Scarpato said once you get through the zoning and setbacks I think you are going to be just fine moving forward to the Planning Commission. Mr. Scarpato asked what would your completion timeline be starting to finish? Mr. Needham said I do not know at this time. I will get some numbers together and lay it out for you but at this time I do not know.

Mr. Battin said that the Fire Marshal, Robert Weer did take a quick look at the sketch plans and there was just a few comments. Most revolves around the technology. Is there anything that has been completed like this anywhere else that would help with preplanning and fire flows etc. Fire flow for those buildings is enormous. I know we can't solve and answer those questions but please keep them in the back of your mind. Mr. Needham said can we have a copy of that letter? Mr. Battin said absolutely we will get that over to you.

## **2. Shirley Dowdy Reverse Subdivision**

Mr. Ken Battin, reviewed that Ms. Shirley Dowdy went in front of the Zoning Hearing Board back in May 2017 to ask for Zoning relief to build a little shed in her back yard. The shed did not meet the setbacks. The Zoning Hearing Board did grant Ms. Dowdy some relief contingent upon her combining her two lots to make one big lot. This will also help Ms. Dowdy to meet her setback requirements.

Mr. Schroder made a motion to recommend approval of combining the two lots to create one lot as presented by Mr. Battin, Mr. Schroder is also recommending reimbursement of the fees that Ms. Dowdy has paid the Township in Land Development due to past practices, seconded by Mrs. Preston and approved by a vote of 5-0.

## **VI. ADJOURNMENT**

Mrs. Preston made a motion to adjourn the meeting at 7:45 p.m., seconded by Mr. Runey and approved by a vote of 5-0.

Respectfully submitted,

Dawn Maciejczyk,  
Township Secretary