

Lower Heidelberg Township
Planning Commission Minutes
Monthly Meeting
June 9, 2014

The Lower Heidelberg Planning Commission's regularly scheduled meeting was held at the Lower Heidelberg Township Building on the above date.

Present were: Chairman Michael Levan, Vice Chairman Neal Nevitt and Members William Moser and David Seip. Also attending were Solicitor Michael Crotty and Engineers Glenn Neuhs (SSM) and Pamela Stevens (SDE). Absent were Member Ronald Limpus and Engineer Ryan Rhode (GVC).

The Chairman called the meeting to order at 7:08 p.m. The minutes for the May 12, 2014 regular meeting and the May 28, 2014 workshop were reviewed. **On Motion** by Mr. Levan, second by Mr. Nevitt, to approve the minutes of May 12, 2014 and May 28, 2014. Motion passed unanimously.

Green Valley Dental Subdivision/Land Development – Preliminary/Final

The applicant was not present. Mr. Neuhs discussed the open items from the SSM review letter dated June 5, 2014. The proposed sign will have to be located behind the improvement setback line. Engineer seal and certifications still need to be added to the plans. Mr. Neuhs conveyed that Township Engineer Ryan Rhode had expressed his concerns about the stormwater drainage and feels that action on the plan should be deferred. Mr. Levan noted that the Highway Occupancy Permit is still an outstanding issue, and that the Township has not received a review from the Berks County Conservation District. There is a long history of stormwater issues in the area of this parcel, causing major problems down to the Sinking Spring area. Ms. Stevens reported that the Planning Module has not gone to DEP yet and the Township is still waiting for the "will serve" letter from PA American Water. She also noted that she has not received confirmation of the sewer flow calculations as they relate to the water usage. Mr. Crotty noted that the applicant has provided the Township with a 90-day extension request. Mr. Levan said the extension will be addressed later on the agenda.

Gelsinger Poultry – Request for Waiver of Land Development

Mr. Levan explained that the applicants, Lynette and Troy Gelsinger, are proposing a land development plan in Heidelberg Township; a small portion of the plan falls in Lower Heidelberg Township. The applicants have submitted a written waiver of land development request. Mr. Crotty noted that although a portion of the property is located in Lower Heidelberg, none of the proposed improvements on the plan are actually located in Lower Heidelberg. Mr. Crotty said that if the Commission is inclined to recommend approval of the waiver request, it should be noted that all plans for this project will need to be submitted to Lower Heidelberg Township for review as they are submitted to Heidelberg Township. Mr. Neuhs said his concern would be that adequate provision will be made for stormwater control, so that there is no impact to Lower Heidelberg Township. The township border is the creek; there is a potential for runoff pollution to the creek.

Lower Heidelberg Township Planning Commission

Minutes June 9, 2014

Page Two

On Motion by Mr. Levan, second by Mr. Moser, to approve the request for a waiver from the Land Development process for the Gelsing Poultry plan submission, subject to the condition that the applicant must submit plans to Lower Heidelberg Township as they are submitted to Heidelberg Township for review by the Lower Heidelberg Township Engineer. Motion passed unanimously. The waiver request will be considered at the Board of Supervisors meeting on June 16, 2014.

Mr. Levan asked if there were any other comments related to plan review issues. Ms. Stevens noted that since Grande Construction has provided the Planning Module for Green Valley Estates West, Cacoosing Crossing North can now move forward with their Planning Module.

Time Extensions

On Motion by Mr. Levan that the Planning Commission recommends to the Board of Supervisors to approve the extension request for the Papermill Estates Subdivision, extending the review period to September 15, 2014. Mr. Nevitt noted the applicant has outstanding review fees; he questioned whether there is any remedy for collection of the outstanding fees. Mr. Crotty said the Township has a number of actions it can take, including placing a lien on the property, filing a judgment with the court or requesting immediate payment of past dues fees. Mr. Levan expressed his concern that the fees continue to mount as the Township is continuing to review the plans. Motion seconded by Mr. Nevitt. Motion passed unanimously.

On Motion by Mr. Levan, second by Mr. Nevitt, that the Planning Commission recommends to the Board of Supervisors to approve the extension request for the Cacoosing Crossing North Subdivision, extending the review period to July 21, 2014. Motion passed unanimously.

On Motion by Mr. Levan, second by Mr. Moser, that the Planning Commission recommends to the Board of Supervisors to approve the extension request for the Green Valley Dental Subdivision/Land Development, extending the review period to September 15, 2014. Motion passed unanimously.

Other Business

Mr. Levan noted that the next Planning Commission Workshop meeting is scheduled for Wednesday, June 25th at 7:00 p.m. at the Township Building. Mr. Levan noted that Planning Commission meetings are always open to the public; the Commission generally discusses plans in review and ordinance revisions.

Mr. Levan asked for any other public comments. Mr. Crotty asked for discussion on an item on behalf of Mr. Rhode from GVC, who was not able to attend the meeting. Mr. Crotty noted that Mr. Rhode has been contacted by Mr. Barnett regarding Green Valley Estates West. Though the plan has been approved, the applicant would like to change the curbing style from the regular vertical style to the Belgium Block style.

Lower Heidelberg Township Planning Commission

Minutes June 9, 2014

Page Three

Mr. Crotty said his understanding is that the applicant would use the Belgium Block in the single family section only; the townhomes would still have the vertical style. Mr. Nevitt said that Mr. Rhode has expressed concern that the style should remain consistent throughout. Mr. Levan questioned whether the request would constitute a waiver, and if so, should it be in writing. Mr. Neuhs said a curbing waiver would fall under Section 652 of the ordinance; the style of curbing is not specified within Section 652.

On Motion by Mr. Levan, second by Mr. Moser, to recommend that the developer be allowed to use Belgium Block curbing in lieu of vertical curbing for the single-family section of Green Valley Estates West Phase 1 Subdivision, conditioned on receiving the request in writing from the developer. Mr. Nevitt's recusal letter pertaining to decisions that involve Grande Construction is on file with the Township office. Motion carried with Mr. Levan, Mr. Moser and Mr. Seip voting aye, and Mr. Nevitt being recused as previously stated.

Mr. Levan asked for any other public comments. Mr. William Koch reported to the Commission that he attended a meeting with Mr. Grande. Mr. Grande authorized him to speak at the Commission meeting to inform the Commission that Mr. Grande has become an equitable owner of Cacoosing Crossing North. Mr. Koch noted that Mr. Grande told him that the plan will not be changed; he will proceed with the current plan, but change the name of the development. Mr. Grande will contact the Township solicitor's office regarding these developments.

Adjournment

On Motion by Mr. Levan, second by Mr. Moser, to adjourn at 7:40 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Recording Secretary

Approved on: July 14, 2014