

Lower Heidelberg Township  
Planning Commission Minutes  
Monthly Meeting  
August 11, 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, Ronald Limpus and David Seip. Also attending were Solicitor Michael Crotty and Engineers Glenn Neuhs (SSM), Ryan Rhode (GVC) and Pamela Stevens (SDE).

The Chairman called the meeting to order at 7:04 p.m. The minutes for the July 14, 2014 regular meeting and the July 30, 2014 workshop were reviewed. **On Motion** by Mr. Levan, second by Mr. Nevitt, to approve the minutes of July 14, 2014 and July 30, 2014. Motion passed unanimously.

**Cacoosing Crossing North Subdivision – Preliminary**

Aristides Otero presented for the applicant. The SSM review letter of August 8, 2014 was discussed. Mr. Otero noted that the applicant has proposed to pay a fee-in-lieu of providing a recreation area. The improvements agreement will be completed at final plan stage. Items 34 & 35 pertain to the additional lot which is labeled 49A. Mr. Crotty noted that the additional lot is addressed in the draft settlement agreement, which has been circulated between the parties; after review all parties would sign and the Board of Supervisors would approve at the next meeting. Any consideration of the plans is subject to court approval of the 56 lots. Mr. Levan questioned the decision to accept the additional lot due to the shape. Mr. Neuhs said the depth of the lot is more than three times the width. A waiver was previously granted for several other lots on the plan for the same issue. This lot has a narrow backline to match up to the neighboring property line. Mr. Neuhs noted that generally the Township does not approve long narrow lots as they are usually not wide enough to meet secondary zoning issues. Mr. Rhode explained that if the buyer of the lot applies for accessory uses, the long narrow lot makes it difficult to meet the setback requirements without crowding. Mr. Levan asked how many lots had to be adjusted to achieve the additional lot. Mr. Otero replied that he had to adjust seven lots; he noted that a written waiver request has been submitted for the depth to width ratio on Lot 49A.

Mr. Otero addressed the SSM comments regarding the proposed crosswalks. There are three proposed crosswalks: Faust Road at the school access drive; Gaul Road north of Faust Road; and Gaul Road south of Faust Road. He has spoken with the School District and they are in agreement on the crosswalk locations. Mr. Rhode said his comments were speaking to the wording of crosswalks as opposed to sidewalks. Mr. Otero noted that the crosswalk on the school property would not be installed until all the lots are developed. Mr. Rhode suggested a note on the plan memorializing when the crosswalks will go in; Mr. Otero said a note will be added to the plan. Mr. Levan questioned who ensures that the crosswalks are done; Mr. Rhode asked when the Planning Commission would like to see the crosswalks go in. Mr. Limpus said his opinion is that the crosswalks should go in when the first lot is constructed.

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Mr. Levan said it would be helpful to have wording to ensure when the walks go in. Mr. Otero said the applicant is agreeable to install the crosswalk when the block immediately across is built, or when requested by the School District or the Township. Mr. Levan asked if the project could be phased; Mr. Otero said that has not been discussed. Mr. Levan noted that phasing would allow the crosswalks to be developed as needed for each phase. Mr. Crotty said those details could be worked out at the final plan stage. Mr. Koch, whose property adjoins the development, asked if the developer will provide a creek over the bridge as it could pose a danger to the children crossing there. Mr. Levan noted that when the first house is sold in the Gaul Road section, that is when the crosswalk should go in; Mr. Otero said this can be memorialized with language on the plan.

Mr. Otero noted that the improvements agreement will be submitted prior to final plan approval. Comments were included on plan sheet PCSM6 indicating the Township has the right to enter and inspect the proposed stormwater management BMP's. He said the individual lot owners will also be notified. Mr. Otero said the deed notation is agreeable. The maintenance agreement will be provided prior to final plan approval. Proposed road improvements were discussed, with Mr. Rhode recommending that the improvements extend south of Fieldgrass Drive. Mr. Otero will provide plan detail for both the restoration of Gaul Road at the area of the proposed storm sewer connection near the Koch's barn, and will also change the name Mia Drive to Fieldgrass Drive on the key diagram. The Planning Module packet and mailer for the 56<sup>th</sup> lot has been submitted to the Township; Ms. Stevens will present to the Board of Supervisors at their next meeting. Mr. Otero verified that the note has been added to the plan regarding the issue of proper abandonment of the existing manholes.

**On Motion** by Mr. Levan, second by Mr. Moser, to recommend to the Board of Supervisors to approve the following waiver request: waiver of Section 521(d) for the required lot depth to width ratio for Lot 49A for the Cacoosing Crossing North Subdivision. Motion passed with members Levan, Moser, Seip and Limpus voting aye and Mr. Nevitt abstaining. Mr. Nevitt's letter of recusal is on file with the Township.

**On Motion** by Mr. Levan, second by Mr. Moser, to recommend to the Board of Supervisors to approve the Cacoosing Crossing North Subdivision Preliminary Plan, subject to the following conditions:

Township approval of the settlement agreement, and court approval to allow 56 lots on the property; payment of the required recreation fee-in-lieu of per dwelling unit; Township approval of the Financial Security Agreement, Developer's Agreement and the Stormwater Management Agreement; Township Engineer's review and satisfaction of the Operations and Maintenance Plan as referenced on plan sheet PCSM 5 & PCSM 6; road widening and improvement of Gaul Road up to Fieldgrass Drive to the degree approved by the Board of Supervisors and the Township Engineer; obtaining all outside agency permits and approvals, including DEP, Berks County Conservation District, PennDOT and Sinking Spring Borough Municipal Authority; compliance with all outstanding engineering review issues from the SSM review letter of August 8, 2014; installation of crosswalks per the Township Engineer's approval, with

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crosswalks to be installed upon any lot along Gaul Road being constructed, or when required by the School District, whichever event is earlier. Motion passed with members Levan, Moser and Seip voting aye and members Limpus and Nevitt abstaining. Mr. Nevitt's letter of recusal is on file with the Township.

**Time Extensions**

Mr. Crotty said that no action is needed for the extension request for Cacoosing Crossing North as the Planning Commission has recommended approval for the project.

**Other Business**

Mr. Levan noted that the next Planning Commission Workshop meeting is scheduled for Wednesday, August 27<sup>th</sup> at 7:00 p.m. at the Township Building; Planning Commission meetings are always open to the public.

Mr. Levan said the Commission is currently working on some sample ordinances. The first proposed sample ordinance involves changes to the Subdivision and Land Development Ordinance (SALDO). Section 521(d) for lot depth to width ratio, Section 657 location and separation of fire hydrants and Section 807 outlining the definition of the terms Land Development and Subdivision were all discussed. A sample ordinance pertaining to the control of invasive plants was also discussed. A township resident has addressed the Board of Supervisors about an issue she is having with a neighbor planting bamboo, which has invaded her property. The Board of Supervisors has asked the Planning Commission for their input on whether or not other species should be included in any proposed ordinance. The Planning Commission reviewed the Department of Conservation and Natural Resources list of invasive plants, which is very comprehensive. The Commission does not feel the entire list should be referenced, but instead the ordinance should list bamboo and those plants which local farmers might feel were of issue to them. Mr. Nevitt volunteered to check with the Ag Center for their input. The last sample ordinance reviewed involves pipeline setbacks and regulations. The sample ordinance is based on Chester County's regulations; Mr. Nevitt will seek additional input from the Pennsylvania State Association of Township Supervisors, to see what they can offer in the way of a sample ordinance. Additional discussion on the sample ordinances will take place at the next Planning Commission meeting.

**Adjournment**

**On Motion** by Mr. Limpus, second by Mr. Nevitt, to adjourn at 8:40 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Connors, Recording Secretary

Approved on: September 8, 2014