

Lower Heidelberg Township
Planning Commission Minutes
Monthly Meeting
December 8, 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 Member William Moser. Members Ronald Limpus and David Seip arrived during the meeting. 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 7:05 p.m. The minutes for the November 10, 2014 regular meeting were reviewed. **On Motion** by Mr. Levan, second by Mr. Nevitt, to approve the minutes of November 10, 2014. Motion passed unanimously.

Green Valley Dental – Preliminary/Final Plan

No one was present for the applicant. Mr. Rhode said that the applicant is still working through the PennDOT Highway Occupancy Permit. They also received the technical review from PA American Water, but have not yet received the approval letter. They also received their review from the Berks County Conservation District. Mr. Nevitt asked whether the applicant's sewer questionnaire had been forwarded to the Sinking Spring Wastewater Treatment Plant; the applicant indicated on the questionnaire that medical waste, primarily blood, would be discharged into the sewer system when patients rinsed their mouths. Ms. Stevens said that Sinking Spring did receive the information and were okay with this issue since the amount of waste was small and would become very diluted by the time it reached the plant. The applicant is expected to appear in front of the Commission in January.

(Mr. Limpus arrived at this time.)

Leibman 190 Evans Hill Road – Preliminary/Final Plan

Steve Bensinger presented for the applicant. The SSM review letter of December 5, 2014 was discussed. Mr. Bensinger explained that the property contains the current dwelling, a barn and a second outbuilding. The applicant was granted a special exception by the Zoning Hearing Board to construct a second dwelling on the property. Mr. Bensinger said the majority of the issues raised in the SSM letter are "will comply" but that the applicant will be requesting several waivers from the Subdivision and Land Development Ordinance (SALDO): Section 402(d) requiring a plan scale of 1"=50' – applicant would submit at 1"=40'; Section 409(r) requiring a Final Resource Impact and Conservation Plan – with only one new dwelling proposed on 84 acres there will be minimal impact; Section 408(g) requiring the total tract boundary be based on a field survey – as the proposed dwelling is not close to the boundary of the tract, nothing will be changed there; Section 652 requiring curbs along Evans Hill Road – there are no other curbs at this location; Section 653 requiring sidewalk along Evans Hill Road – there are no other sidewalks at this location with the exception of Rosewood Hills and the two sections would not connect; and Section 658 requiring concrete monuments – applicant requests the waiver as none of the boundary lines are being changed.

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(Mr. Seip arrived at this time.)

Mr. Rhode noted that with the addition of a second house on the lot, neither would be able to be sold separately in the future without further subdivision approved by the Township and other relief. There is a conservation easement on the property and it provides that the property cannot be subdivided. Mr. Rhode recommended that the survey be completed now as it would resolve any potential issues that might arise. Mr. Bensinger said that as there were no changes to the lot lines, he would like to spare the applicant the cost of the full survey. Mr. Levan asked if there is any chance of this additional house adding to or relieving the water issues at the neighboring property. Mr. Rhode said that the applicant will be installing additional stormwater controls.

On Motion by Mr. Levan, second by Mr. Moser, to recommend the Board of Supervisors grant the request for waiver from the SALDO for the following items: Section 402(d) requiring a plan scale of 1"=50'; Section 409(r) requiring a Final Resource Impact and Conservation Plan; Section 408(g) requiring the total tract boundary be based on a field survey; Section 652 requiring curbs along Evans Hill Road; Section 653 requiring sidewalk along Evans Hill Road; and Section 658 requiring concrete monuments for the 190 Evans Hill Road Preliminary/Final Land Development Plan. Motion passed unanimously.

Mr. Bensinger noted the applicant will return with revised plans based on the waivers being recommended. Ms. Stevens noted that action is required by the Planning Commission for Component 4A of the Planning Module, the Municipal Planning Agency Review. **On Motion** by Mr. Seip, second by Mr. Nevitt, to authorize the Planning Commission Chairman to sign Component 4A of the Leibman Planning Module. Motion passed unanimously. Ms. Stevens will meet with the Township Secretary and the Board of Supervisors Chairwoman to complete the packet and then forward it to DEP for review.

Reese (Riegel Road Property) – Preliminary/Final Subdivision

Mr. Bensinger presented for the applicant. The SSM review letter of December 5, 2014 was discussed. The applicant is proposing to subdivide a 12 acre lot on the south side of Riegel Road, leaving a 61 acre lot on the north side of Riegel Road. The north side will be farmed, and the south side will contain the proposed dwelling. The current maximum lot size is 2 acres; the applicant is scheduled for a Zoning Hearing on January 6, 2015 to ask for a variance to allow the 12 acre lot. As part of the Agricultural Security easement, the dwelling would be located within the 2 acres and the remaining 10 acres are to be farmed. Mr. Neuhs said that a note to that effect should be placed on the plan. Mr. Bensinger said at this time the location of the house is still to be determined. Mr. Bensinger said the applicant will be asking for waivers from SALDO Section 402 requiring a plan scale of 1" = 50', Section 652 requiring curbs, Section 653 requiring sidewalks, and Section 658 requiring concrete monuments. He will outline the waivers in a letter to be presented after the Zoning Hearing. Ms. Stevens noted the well and septic will need to be located on the plan after the house location is determined. Mr. Bensinger said the applicant will return after the Zoning Hearing decision has been rendered.

Wilson School District Green Valley Elementary – Waiver of Land Development

Janelle Cole, HAS parent, was present for the applicant. The request for a waiver of land development letter of November 14, 2014, and the attached plan were reviewed. Mr. Levan noted that the School District would like to construct an outdoor pavilion at the elementary school over an existing macadam pad. The pavilion would measure 24 feet by 45 feet; there will be no walls, no electricity or heat. The pavilion is a structure, rather than a building, and there are no changes to the property in any other way; for that reason there is no reason for a land development application. The School District will be the applicant for the building permit, with the project being pursued by the Parent's Association. Mr. Rhode said that the building permit was received at the Township office first, and comments from the Zoning office indicated that the permit could not proceed unless a determination was made regarding whether or not a land development application was needed. Mr. William Koch commented that the pavilion is a great idea; he has no objections to it. He did ask if the school district would consider removing the Port-o-Pots, in another location on the property, as they were supposed to be a temporary measure, not permanent. Mr. Rhode noted that this is an issue that should go through the Code Enforcement office. **On Motion** by Mr. Levan, second by Mr. Limpus, to recommend the Board of Supervisors approve a waiver of land development for the Wilson School District Green Valley Elementary School Pavilion. Motion passed unanimously.

Time Extensions

On Motion by Mr. Levan, second by Mr. Nevitt, that the Planning Commission recommends the Board of Supervisors approve the extension request for the **Green Valley Dental** project, extending the review period 90 days. Motion carried unanimously.

On Motion by Mr. Nevitt, second by Mr. Limpus, that the Planning Commission recommends the Board of Supervisors approve the extension request for the **Heffner Estates Subdivision**, extending the review period 90 days. Motion carried unanimously.

Other Business

Mr. Levan announced that the next workshop meeting will be held in January of 2015. The Commission members continued the discussion of several proposed ordinances. Ordinances under discussion include a cell tower ordinance, a pipeline ordinance and an invasive plant ordinance.

Mr. Levan noted that with the December 31st resignation of Mr. Limpus, there will be a vacancy on the Planning Commission. At the current time there are two applicants for the open position: Edward Emery and Dean Hartman. A meeting will be arranged to interview both candidates. Mr. Limpus remarked that it has been a pleasure to serve the commission during the last five years. Mr. Levan thanked Mr. Limpus for his service. Mr. Levan asked for public comment. There was none.

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Adjournment

On Motion by Mr. Limpus, second by Mr. Moser, to adjourn at 8:30 p.m. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Theresa Conners".

Theresa Conners, Recording Secretary

Approved on: January 12, 2015