

Lower Heidelberg Township  
Planning Commission Minutes  
Monthly Meeting  
April 9, 2015

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 Edward Emery; Member David Seip was absent. Also attending were Solicitor Ryan Jennings, and Engineers Glenn Neuhs (SSM), Ryan Rhode (GVC) and Pamela Stevens (SDE).

The Chairman called the meeting to order at 7:03 p.m. The minutes for the March 9, 2015 regular meeting were reviewed. **On Motion** by Mr. Nevitt, second by Mr. Moser, to approve the minutes of March 9, 2015. Motion passed unanimously.

#### **Trent Shauffer Sketch**

Mr. Shauffer addressed the Commission regarding a possible subdivision on Brownsville Road. The property is a 4.5 acre lot zoned RC with an existing single family dwelling. Mr. Shauffer said his intention would be to subdivide the property to create two lots, with the original dwelling on a one acre lot, and creating a new 3.5 acre lot on which he would build a dwelling. The discussion involved the possibility of waivers or a variance application in order to achieve Mr. Shauffer's plans. Mr. Neuhs and Mr. Rhode asked the applicant to determine the amount of developable land as a starting point for any future discussions.

#### **Time Extensions**

Mr. Levan noted that the plan for Green Valley Dental is again approaching the extension deadline. Mr. Jennings confirmed that the Township has not received an extension request prior to this evening's meeting. **On Motion** by Mr. Levan, second by Mr. Nevitt, to recommend to the Board of Supervisors that, unless an MPC extension request is submitted for the project, the Green Valley Dental Plan be denied given the outstanding issues noted in the Township Engineer's latest review letter.

#### **Other Business**

The next workshop meeting will be held Wednesday, April 29<sup>th</sup> at 7:00 p.m.

Mr. Levan announced that the Southwestern Berks Regional Planning Commission meeting was held on March 25, 2015. The Regional Commission recommended approval by the respective governing bodies of the mini-cell tower ordinance, the revocation of the Industrial Use Overlay District in South Heidelberg, and the transmission pipeline ordinance.

**On Motion** by Mr. Nevitt, second by Mr. Moser, to recommend for advertisement the proposed amendments to the Joint Zoning Ordinance Amendment as provided by the Solicitor's office. Motion passed unanimously.

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Mr. Rhode said that the Township must adopt a revised Stormwater Management Ordinance as part of the Township's Municipal Separate Storm Sewer System (MS4) Permit. DEP is requiring this update for the Tulpehocken Creek Watershed. Mr. Rhode noted that the language of the ordinance has been updated to the same language that DEP requires from the County Conservation District. The revised ordinance provides an updated formula for an applicant to determine the required ground water recharge volume for a project. The revised ordinance has been expanded to incorporate DEP guidelines for basin construction; Mr. Rhode asked the Commission to look at this section in regard to developers who have in the past asked for waivers; stronger language in the ordinance will enable the Commission to require the applicants to adhere to the ordinance. An appendix has been added to assist a typical residential lot owner who must provide stormwater control for smaller projects such as driveways, detached garages and pools.

Mr. Nevitt questioned Section 403(e)(4) responsibility for the operations and maintenance of stormwater controls and BMP's (Best Management Practices); does the language imply that the Township would be responsible for the maintenance of the system. Mr. Rhode said that the Township would have the final determination as to whether or not to take over the system. Mr. Levan questioned whether the Township could take over the system, and yet recoup the cost from the property owner. Discussion ensued as to whether or not the Township can require a Home Owner's Association (HOA) instead of the individual homeowner bearing the responsibility. Mr. Jennings will discuss this point with Mr. Crotty. Mr. Nevitt also questioned Section 706 which provides for a Maintenance Fund deposit to be paid by those persons installing stormwater controls or BMP's. Mr. Rhode will discuss this in detail with Mr. Crotty. Mr. Nevitt also asked that the language in Appendix E be coordinated with the requirements of the SALDO (Subdivision and Land Development Ordinance). Mr. Rhode will work on the revisions and discuss the proposed changes with Mr. Crotty. He will circulate the proposed changes for review by the Planning Commission members for further discussion at the next work session.

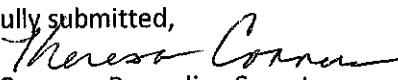
Mr. Levan reminded the members that Earth Day/Local Government Day is Saturday, April 18<sup>th</sup> and the Planning Commission members will be there to meet with the public to answer questions. Mr. Neuhs said he is working on the Zoning Map for use as an exhibit that day.

Ms. Conners asked for a clarification on the electronic submission of plans; now that the meeting room has been equipped with a projector system, Kraft Codes should require that every plan submission include an electronic version of the plan, preferably in PDF format. Mr. Levan confirmed that the Zoning Officer should now re-institute the electronic filing of plan submissions, effective immediately.

**Adjournment**

**On Motion** by Mr. Levan, second by Mr. Moser, to adjourn at 8:35 p.m. Motion passed unanimously.

Respectfully submitted,

  
Theresa Conners, Recording Secretary

Approved on: June 8, 2015