

Lower Heidelberg Township Planning Commission
Meeting Minutes
November 13, 2017

The regular monthly meeting of the Lower Heidelberg Township Planning Commission was held at the Township Building, 720 Brownsville Road, Sinking Spring, on the above date. Present were: Chairman Michael Levan, Vice-Chair Neal Nevitt, and Members William Moser, Dean Hartman and Heath Kearney. Also attending were Township Solicitors Michael Crotty and Andrew Bellwoar and Township Engineers Glenn Neuhs (SSM), Ryan Rhode (Kraft) and Engineer Pamela Stevens (SDE).

Mr. Levan called the meeting to order at 7:07 p.m. The minutes from the August 14, 2017 regular meeting and the October 25, 2017 work session were reviewed. **On Motion** by Mr. Levan, seconded by Mr. Nevitt, to approve the regular meeting minutes of August 14, 2017 and the work session minutes for October 25, 2017, as presented. Motion passed unanimously.

Timberlake Lot 20 Subdivision

Matthew Mack of Ludgate Engineering was present for the applicant. The subject property is located at the corner of Lenge and Baywood Avenue in the Timberlake development. Mr. Mack stated that the applicant can now proceed with the in-fill of the project now that the original wetlands have been eliminated and PA DEP has concurred. The applicant presented the following waiver requests: from Section 404(f) requiring a resource impact plan, as this is typically for undeveloped land; from Section 404(n) requiring an existing resource plan, as typically this is for undeveloped land and only steep slopes which are manmade; from Section 663 requiring shade trees, as no shade trees are present; and a waiver to allow a combined preliminary/final plan submission. The home will need to be placed on fill as the building area is lower than the road.

The SSM review letter dated November 8, 2017 was discussed. Note 24 of the Vortex Engineering Wetlands report states that there are no wetlands; an email was sent by PA DEP but no letter is forthcoming. Mr. Rhode received an email and a phone call. Mr. Nevitt expressed concern about PA DEP not presenting a letter for the wetlands determination; Mr. Crotty is okay without the letter. There are no street trees on the plan. Mr. Rhode will look at the escrow figures as no street trees have been installed, but the subdivision has been dedicated.

The streets have been dedicated; no agreement needs to be added to the plans regarding the agreement between the lot owner and the builder. The Planning Module mailer is in progress; the Township will forward to Ludgate Engineering when it is available. There were several minor changes to the plans; notes have been added and details have been updated as requested. Mr. Nevitt asked if the original plan required shade trees; Mr. Crotty noted that if the prior plan required shade trees, then it would be required here, but the applicant has requested a waiver for the shade trees.

On Motion by Mr. Levan, seconded by Mr. Moser, to recommend approval of waiver requests from Sections 344, 404(f), 404(n) and 663 of the Zoning Ordinance. Motion passed unanimously.

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On Motion by Mr. Levan, seconded by Mr. Nevitt, to recommend Preliminary/Final approval for Lot 20 Timberlake Subdivision, conditioned on the comments contained in the SSM review letter dated November 8, 2017. Motion passed unanimously. Mr. Mack presented a time extension request to Mr. Levan.

Calvary Bible Fellowship Church – Request for Waiver of Land Development

Mr. Levan announced that the Township office received a letter from Calvary Bible Fellowship Church requesting a waiver of the land development process for the construction of a pavilion. No sketch was received with the letter. The applicant has submitted a building permit and may need a stormwater review. There was no one from the Church present. Mr. Rhode noted he will need a site plan showing the proposed location for the pavilion and does not recommend that the Planning Commission act on the request at this time. Mr. Levan noted that this item is tabled and will be moved to next month's meeting.

Glen Ridge Estates

Present for the applicant were Eric Vorgity, Daniel Becker and Greg Bogia, Engineer. Mr. Levan noted that the review process for this plan has been different from other plans. The plan came before the Planning Commission many years ago and did receive a preliminary approval at that time. The new plan is not following that process and Mr. Levan questioned the reason for this. Mr. Bellwoar presented a full history of the zoning denial and appeal and the ensuing litigation. Processing of the plans was noted on the Judgement, and did not follow the typical plan submission process. The new plan submission went through the Judgement process and resulted in a new design for the cluster option. The plans were then submitted and reviewed several times by the Township and Sewer Engineers. The plan is being presented tonight for general concept comments by the Planning Commission. The amendment to the agreement clearly states that the Township Engineer is responsible for the review. The Township Planning Commission is not responsible for the planning review, but only general comments.

Mr. Rhode summarized the review process; he met with Mr. Bogia several times and the current plan should address the open items in the Kraft Engineering letter dated October 23, 2017. There are still some outstanding items, so Mr. Rhode cannot conclude that everything has been addressed. Mr. Becker noted that the normal 21 day review period does not apply as it is a litigation issue and the MPC timeline is not valid. Mr. Bogia presented a general concept layout. There are 96 single family dwelling and 32 townhomes proposed; Lot A will be given to the Township. The number of lots fronting Sweitzer Road has been reduced. The tree line is to be preserved along the Rosewood Hills border. An HOA will be established for the maintenance of the detention basins. There are no sidewalks in the cluster area, but there will be sidewalks in the townhome sections.

The Planning Commission members reviewed the plans as presented.

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Mr. Kearney questioned whether there is a 100 year floodplain on the plan. Mr. Bogia confirmed that there was; there will be culvert hydraulics installed and the floodplain will not be affected. Mr. Kearney inquired whether the current plan meets the Act 167 requirements. Mr. Rhode replied that stormwater requirements have been met for the Township, and both PA DEP and BCCD are more restrictive. There are still some issues to address on the infiltration requirements. The current plan meets the 2004 ordinances.

Traffic impact was discussed; Mr. Rhode noted that Township ordinances do not require substantial off-site improvements. Mr. Bogia stated that the applicant has obtained an official wetland delineation. Fire Marshal Deiterich noted that all comments from his review and the review of the Fire Commissioner have been addressed. Mr. Kearney noted that outside agencies such as PA DEP, BCCD and FEMA are being addressed and the applicant stated infiltration testing was satisfactory. Mr. Nevitt noted that the plan is placing a lot of units on a fragile piece of land, but the Township Engineer has reviewed the plan. Mr. Kearney questioned whether there are drainage easements from the discharge location to the receiving waters, and will BCCD require downstream analysis; Mr. Bogia confirmed that there are drainage easements, but Mr. Rhode said the downstream analysis was not required by the previous ordinance or by BCCD. Mr. Bogia confirmed that the HOA will maintain the stormwater facilities and will also be responsible for the maintenance of the open space. Mr. Bogia confirmed that no basements will be within the 100 year flood plain.

Speed bumps have been eliminated, crosswalks to postal boxes have been added, and stop signs have been added along the main through road. Traffic calming measures have been added. Mr. Levan and Mr. Nevitt both expressed concern about the lack of a pedestrian path and school children walking through the development. Mr. Bogia noted that the streets will be 32 feet wide with parking on one side and curbs within the development.

Mr. Levan asked if there was any further public comment about Glen Ridge Estates; there was none.

Time Extensions

Mr. Levan noted that a 90 day time extension request was received earlier for Lot 20 Timberlake; **On Motion** by Mr. Levan, seconded by Mr. Nevitt, to recommend approval of the time extension request for Lot 20 Timberlake. Motion passed unanimously.

Other Business

Mr. Levan noted that the calendar calls for 10 workshop meetings with the months of November and December having no meetings. Ms. Stevens noted that the sewer planning for the Longview Tract has been reviewed by PA DEP and they are open to various types of on-lot and package plants. The commercial development may still happen.

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Public Comment

Mr. Levan asked if there was any public comment; there was none.

Adjournment

On Motion by Mr. Levan, seconded by Mr. Nevitt, to adjourn at 8:00 p.m. Motion passed unanimously.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Theresa Connors".

Theresa Connors, Recording Secretary

Approved on: December 11, 2017