

Lower Heidelberg Township Planning Commission
Meeting Minutes
May 13, 2019

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 Neal Nevitt, Vice Chairman Dean Hartman, and Members William Moser, Heath Kearney, and new Member Linda Williams. Also attending were Township Solicitor Michael Crotty, Township Engineer Ryan Rhode, and Township Manager/Recording Secretary Pamela Stevens. Guests attending were Supervisors Keltz, Johnson and Scull, Trupert Ortlieb, Kevin Hughes, Craig Jones, and Grant Shaffer.

Mr. Nevitt called the meeting to order at 7:03 p.m. of the Planning Commission, and all members of the Board were in attendance.

On Motion by Mr. Nevitt, seconded by Mr. Moser, to approve the March 11, 2019 Meeting Minutes as presented. Motion passed unanimously.

Legacy at the Paper Mill Presentation: Developers Trupert Ortlieb and Kevin Hughes with Legacy Paper Mill Associates presented a power point presentation and summarized Phase 1 of the construction of the 23 Cottages and the 2 Apartment Buildings E and F with 27 units each, and presented Phase 2 of the remaining 4 Apartment Buildings A, B, C and D. The Developer's had some internal discussions and they decided they want to continue Phase 2 with the 4 Apartment Buildings with 32 Units in each building.

Mr. Crotty summarized the Preliminary approval for the Phases for 1 and 2 and now the Developers can proceed for Phase 2 Final Plan. Some discussion on the status of the Phase 2 but all agreed that no Final Plan for Phase 2 was approved by the Board of Supervisors. Nothing was changed from the previously approved Plan for the Phase 2 layout. There appears to be a draft Phase 2 Decision, but appears that it was never signed.

Mr. Nevitt asked if there would be any changes to the 4 Buildings in Phase 2, and are these to be condominiums or rentals.

Mr. Ortlieb stated that the appearance and the plan as approved for Phase 2 will remain the same. The new units will also be rentals. Phase 1 dedication is in process and there is a separate escrow for these Phase 1 improvements. They plan on constructing the Community Center as part of Phase 2.

Mr. Ortlieb stated that the Phase 1 Improvements are almost complete and they are in process of obtaining As-Built Plans and moving towards dedication.

Mr. Rhode discussed that the storm water should not change and the NPDES permit was for the overall Project and did not reflect a Phased Project. There will be some transition of items in the Escrow to Phase 2.

Mr. Nevitt questioned why the Units were rentals and not condominiums, and how this affects the HOA.

Mr. Jones, homeowner and HOA member discussed the current plans and sign offs are needed for Phase 1 improvements. If something changes with the 4 Buildings, they are concerned about the traffic patterns. Condominiums vs. rentals are fine with the HOA being rentals. The Age restricted and the Federal Government regulations cover the age restricted requirements, so the occupants must meet the Age 55 restriction. Each unit whether an apartment or a residence must pay the HOA fee.

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Ms. Stevens stated that the Developer had an additional part of the presentation to discuss with the Planning Commission.

Mr. Rhode stated that there will be procedure for Phase 2, including Final Phase 2 Plan Set needs to be submitted, and then a Separate Agreement and a Financial Security for Phase 2. Storm water Agreement may just need a minor amendment. He wanted the current Developer's to understand what they needed to do for Final Phase 2 Plans.

Mr. Crotty stated that they need to submit a Final Phase 2 Plan set, and the typical Agreements, and some Agreements may be able to be merged.

Ms. Stevens stated that there is a portion of Phase 1 Escrow that will be used for the Paper Mill Road project and the Developer's will need to release the monies to the Township for the 2019 Road Project.

Mr. Ortlieb discussed a senior care facility with an assisted living for memory care, independent and assisted care. These facilities are becoming very popular. The photos of the Limerick facility reflects that it is very large with 4 stories and 160 units, but these facilities can be sized accordingly. This facility in Limerick has a low impact on parking and traffic. Another facility that is smaller in Chester Spring's is 100 units, and they are designed around the needs of the area. They did a preliminary Berks County market study and there seems to be a need in the area for this type of facility, as there is a limited supply of these facilities in the Berks County area. They want to make sure all are on board with the concept including the HOA, and will do some more studies. This type of facility would be complementary to the current development. The Legacy Developer's would not run the Facility as it would be a family operated Business. The Developers wanted to discuss a conceptual presentation for replacing 2 of the 4 buildings in Phase 2 with this type of facility.

Mr. Hughes stated that this Facility would replace 2 of the 4 Buildings in Phase 2, and they understand that they will need to investigate zoning, storm water, and traffic. Due to financing matters, they may also break Phase 2 into 2 Phases A and B, but will build 2 of the Apartment Buildings while the research is done on the need for this type of facility.

Mr. Nevitt asked some questions about traffic and zoning, and are open to the concept. Concerned about the emergency access for a care facility. Understands that affordable senior housing and care is needed.

Mr. Moser asked about Alzheimer's and Memory care and does this type of Facility provide for these people. Mr. Ortlieb stated that these facilities can have all levels of service Independent, Assisted, and there are separate floors or wings for the Memory Care and it is staffed for 24 hour care and 3 shifts. Mr. Ortlieb agreed with Mr. Moser that they must look at parking and traffic. PC Members consensus that the Senior Care Facility is a good idea.

Mr. Hartman asked about the timing with the Phase 2. Mr. Ortlieb stated that they want to move forward with 2 of the Apartment Buildings while they do a Market Study, and want to start of the Apartment Buildings this year. Assemble sketches for the Facility.

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Mr. Moser asked about the potential impact of the Bridge Project and the residents have been notified and can still access from Reber's Bridge Road.

Mr. Rhode noted that the HOA agreements may need to be modified, and that the Phase 1 owners should weigh in on the Phase 2 and asked Mr. Crotty his opinion. Mr. Crotty agreed that Phase 1 property owners need to sign off or not object to the potential changes, and is encouraged with this type of facility as from a planning perspective it supports the long term compliance of the Age 55 development.

Sheetz Presentation for Land Development Waiver Request: Grant Shaffer Project Manager for the proposed project presented the Land Development Waiver request for the 334 SF building addition which is planned to be in the area of existing sidewalk. Interior 30 seat dining area and beer cave. Exterior items on the sidewalk will be relocated.

Mr. Crotty noted that the Cavalry Church has received these waivers for similar low impact building additions, and since this is a non-residential improvement, a waiver for Land Development should be processed.

Mr. Shaffer stated that the building addition would modify the entrance and have indoor seating right inside the new entrance. The Ice machines that are on the sidewalk where the new addition is going will be relocated. There will be no increase in impervious area.

Mr. Rhode's noted that the waiver is reasonable, and is similar to the improvements to other Sheetz's in the area.

Mr. Shaffer explained that along with the addition, the building interior and exterior are to be modified.

On Motion Mr. Nevitt, recommended to the Board of Supervisors to grant the Waiver of Land Development for the Sheetz Building Addition of 334 SF subject to compliance with Township permitting and any other Township Ordinances, and other and state and federal requirements. Mr. Kearney, seconded, and the motion was unanimous.

Ms. Stevens stated that the Township was in receipt of the Liquor License Transfer and verified that there were two licenses associated with the Green Valley Country Club and one license can be transferred and one will remain with the Swim Club and Event Tent.

Ms. Scull requested clarification on the remodeling and not rebuilding. Mr. Shaffer stated that Sheetz researched and it was decided to just remodel with the addition.

Ms. Stevens noted that the grease trap needs to be replaced with the Building Project as it is currently failing. Kraft Code Services will be looking for the new grease trap as part of the Building Permit package as it will be less costly to replace the grease trap than to be fined with the high strength discharge.

Mr. Nevitt noted that there is a Workshop scheduled for May 29th and he will let the PC Members know if he needs to schedule one.

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Ms. Stevens did note that there is other business concerning the plan submitted for the Annexation and there may be zoning relief needed for the Lot size as it is over the permitted residential lot size in the A-1 District and Ms. Stevens will keep the PC members informed.

Mr. Jones and the HOA have concerns about wrapping up Phase 1 including finishing Phase 1 items such as the sewer and sidewalks; as well as if there is sufficient monies left in the escrow. He has requested a reserve fund study to assure the HOA that there is sufficient monies. Mr. Rhode and Ms. Stevens have been working to move things forward with Phase 1, and want to get Phase 1 closed out while the Developers are interested in moving Phase 2 forward. Mr. Rhode and Ms. Stevens have finally received phone calls from consultants about the dedication of Phase 1.

Time Extensions: None

Public Comment - None

Other Business - None

Adjournment

On Motion by Mr. Nevitt, seconded by Mr. Moser, to adjourn at 7:48 p.m. Motion passed unanimously.

Respectfully submitted,
Pamela Stevens, Recording Secretary

Approved on: August 12, 2019