

AMITY TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
June 10, 2020

The Regular Meeting of the Amity Township Planning Commission was held at the Amity Township Fire Company located at 47 Pine Forge Rd, Douglassville, Berks County, PA. The meeting was called to order by Paul Weller, at 7:00 P.M. with a salute to the flag. The following people were in attendance:

Commission

Paul Weller, Chairman  
Dwight Buckwalter  
Terry Jones  
Julie Marburger

Staff

Mr. John Weber, LTL Consultants, Engineer  
Mr. John Muir, Kozloff Stoudt, Solicitor  
Troy Bingaman, Amity Township Manager  
Kathie Benson, Amity Township Planning Commission Secretary

Terry Jones moved seconded by Dwight Buckwalter to approve the minutes of the Regular meeting of March 11, 2020. *Motion carried unanimously.*

*Paul Weller announced due to COVID19 there was no Planning Commission meeting held April 8<sup>th</sup> or May 13<sup>th</sup>. The Board of Supervisors did approve a time extension for the Jiffy Lube 1123 Douglassville Revised plan to August 19, 2020 at their meeting May 6, 2020.*

**78 TOLL GATE - FINAL PLAN - BOYER ENGINEERING**

Submission 01.08.20; expires 04.07.20

Extension #1 approved 03.18.20; expires 07.15.20

Mr. Boyer discussed next month would be the time to offer a Time Extension and after speaking with his client they were questioning if the Planning Commission would be in favor of a 6 or 12 month time extension. His Porta Potty business has not been in high demand with the COVID19 not allowing large gatherings, therefore the use is not needed. Expanding the business may not be in his best interest at this time until the demand increases for porta potties.

**1123 Douglassville, LLC Phase 2 - Jiffy Lube-1142 Ben Franklin Hwy-Preliminary/Final-Sevan Engineering**

Submission 02.11.20; expires 05.11.20

Extension #1 approved 05.06.20; expires 08.19.20

Mr. Chris Arnold, Sevan Engineering, stated they will fully comply with LTL's review letter dated 06.06.20. They will recompile and resubmit. John Weber discussed the plan has moved forward through COVID19 and all items have been addressed with the exception of the Conditional Use Hearing and Zoning Hearing for signage. Mr. Arnold reviewed the Zoning Hearing Request is for signage on the building. The signage proposed is the same signage Jiffy Lube uses nationwide. Jiffy Lube is requesting 414SqFT and the ordinance allows 160SqFt. Terry Jones stated the Planning Commission is in favor of commercial business in the Township and signage to them is important. Terry Jones moved seconded by Dwight Buckwalter to recommend the Zoning Hearing Board approve relief to Article 927 Section (g) (2) (i) and allow the 414SqFt of signage. *Motion carried unanimously.* John Muir reviewed Brian Boland has offered a suggested Resolution to address approval of the plan. Terry Jones moved seconded by Dwight Buckwalter to recommend the Board of Supervisors approve the Final Plan and adopt a resolution as listed below:

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RESOLVED, that 1123 Douglassville, LLC Land Development Plan for Phase 2 to provide for the development of Lot D with a 3048 square foot Jiffy Lube facility be approved with the following conditions, all of which conditions were specifically agreed to by the developer

1) All ten (10) of the items set forth in LTL Consultants, LTD's letter of June 6, 2020 (attached hereto and made a part of this Resolution) must be completed prior to the Township executing the plans for recording;

2) Approval of the Conditional Use application submitted by Jiffy Lube to permit an automobile service station use on the property as required by Section 405(c)(4) of the Amity Township Zoning Ordinance and adherence to all conditions required by the Township of Amity at the Conditional Use hearing scheduled for June 17, 2020. All conditions required at the Conditional Use hearing must be added to the Plan Notes and reviewed by the Township prior to execution or recording of the Plan; and

3) Approval of the zoning application for the project by the Amity Township Zoning Hearing board to permit signage on the property in excess of that permitted by Section 927(g)(2)(i) of the Amity township Zoning Ordinance. The Zoning Board approval decision, if received, must be added to the plan prior to execution by the Township or recording.

4) To the extent that any one of the above listed conditions is not met, the plan is not approved.

*Motion carried unanimously.*

**Seth Moorhouse- Minor Subdivision - 91 Blacksmith Rd - Boyer Engineering**

Mr. Brian Boyer reviewed Mr. Moorhouse now owns the property and has different plans than Manatawny Hills, previously approved August 6, 2005 but not recorded. Mr. Boyer, Mr. Weber & Mr. Muir discussed if the previous plan was ever formally withdrawn. Mr. Muir did not feel a withdrawal was necessary. Mr. Boyer said this plan is a minor subdivision of the land, leaving 173798 Sq. Ft for Lot 1 with the existing home and 567686 Sq. Ft for the remaining lot as undeveloped/agriculture. Terry Jones moved seconded by Julie Marburger to accept the plan for review. *Motion carried unanimously.*

**163 Amity Park Rd - Small Flow Sewage Treatment - Sewer Planning Module**

John Weber explained a Small Flow Sewage Treatment Planning Module has been proposed for 163 Amity Park Rd. The current system has failed and Steve Loomis has been to the site performing percs and probes and no suitable site on the property can be found. Mr. Weber sent a letter June 9, 2020 to Environmental Design Service outlining the items needed for completion in order for the Board of Supervisors to either reject or accept the module as presented. Terry Jones moved seconded by Julie Marburger to authorize Paul Weller to sign Component 4A as a part of the submission. *Motion carried unanimously.*

**ZONING**

**Jiffy Lube-1142 Ben Franklin Hwy- Sign - addressed during Plan discussion.**

**ORDINANCE**

**Small Wireless Tower**

Paul Weller questioned if this ordinance will hinder the current towers in the area. Troy Bingaman explained this is primarily to address small wireless towers that are now being proposed in other areas and will affect new towers and current locations. All towers need to apply for permits to perform work. Mr. Weber stated this is done currently, so this should not affect them. Mr. Bingaman stated the proposed ordinance meets current FCC Regulations and has been reviewed by Cohen Law Group, experts in Telecommunications Towers. Terry Jones moved seconded by Julie Marburger to recommend the Board of Supervisor adopt the ordinance as presented. *Motion carried unanimously.* John Weber stated this will need Berks County Planning Commission review and require a Board of Supervisor's hearing to fully adopt.

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**Construction & Landscape Contractors**

Troy Bingaman explained this was discussed previously. This proposal is written to allow Contractors and Landscapers in the Commercial District as a Conditional Use. Terry Jones stated he felt retail should be allowed in combination with Landscaping Use. John Weber reviewed this is written to a limited percentage of the property be used as outdoor storage. Troy Bingaman asked the Planning Commission if they wanted to allow the definitions and uses in the Commercial District as a Use by Right or Conditional Use. After discussion Troy Bingaman reviewed Mr. Boland discussed in their discussion, allowing the uses in the commercial district as a Conditional Use is the best way to review each situation and for the best interest of the Township. Terry Jones stated the lots along the commercial district are different at best and each present their own challenge to contacting businesses. Terry Jones moved seconded by Julie Marburger to recommend the Board of Supervisor adopt the Construction & Landscaping Ordinance definitions in the Commercial District with a use in combination of retail of associated product by Conditional Use. *Motion carried unanimously.* John Weber stated this will need Berks County Planning Commission review and require a Board of Supervisor's hearing to fully adopt.

**Solar Ordinance**

Mr. Bingaman reported the Solar Ordinance will need another review with Mr. Boland. Mr. Weber, Mr. Loomis and himself before a full recommendation to the Planning Commission will be proposed. Mr. Weber stated what was presented is a work-in-progress; and if anyone on the Planning Commission has any comments, he is requesting input.

**CORRESPONDENCE**

No comments to the correspondence.

**OTHER PLANNING COMMISSION ITEMS**

**Adjournment**

Terry Jones moved seconded by Julie Marburger to adjourn the meeting at 8:02 PM. *Motion carried unanimously.*

**Respectfully submitted,**

**Kathie Benson**  
**PC Secretary**