

AMITY TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
JANUARY 13, 2021

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 7:02 P.M. with the pledge to the flag. The following people were in attendance:

Commission

Paul Weller, Chairman
Dwight Buckwalter
Thomas Flatley
Terry Jones
Julie Marburger

Staff

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

Mr. Weller turned the meeting over to Mr. Muir. Mr. Muir opened the floor stating he would entertain nominations for Chairman of the 2021 Amity Township Planning Commission:

Mr. Jones moved, seconded by Mr. Buckwalter to open the floor for Chairman and nominate Paul Weller as Chairman of the Planning Commission. *Motion carried unanimously.* Mr. Jones moved, seconded by Mr. Buckwalter to close the nominations and approve Paul Weller as Chairman. *Motion carried unanimously.*

Mr. Muir turned the meeting over to Chairman Paul Weller.

Mr. Weller opened the floor stating he would entertain nominations for Vice Chairman of the 2021 Amity Township Planning Commission:

Mr. Flatley moved, seconded by Mr. Buckwalter to open the floor for Vice Chairman and nominate Julie Marburger as Vice Chairman of the Planning Commission. *Motion carried unanimously.* Mr. Jones made the motion and Mr. Buckwalter seconded the motion to close the nominations and nominate Julie Marburger Vice Chairman. *Motion carried unanimously.*

Approval of Minutes:

Mr. Jones moved, seconded by Mr. Buckwalter to approve the minutes of the Regular meeting of December 9, 2020. *Motion carried unanimously.*

Monocacy Hill Investment, LLC-Povalitis-391 Monocacy Hill Rd-Boyer Engineering-2 Lot Minor Subdivision

Original Submission 10.14.20; expires 1.11.21

Extension #1 approved 12.16.20; expires 04.21.21

Brian Boyer, Boyer Engineering, reviewed the plan has been updated showing the correct Zoning Variance notes in accordance with the Hearing Board Approvals. Mr. Boyer stated he has prepared an easement description which Mr. Boland is currently reviewing for preparation of the easement agreement. Ms. Marburger questioned if the easement is legal when both parcels are owned by the same person. Mr. Muir stated this is for sanitary sewer and once the sanitary hook up is complete the easement goes away. Mr. Jones moved seconded by Mr. Flatley to recommend the Board of Supervisor's approve the plan subject to all conditions being met in LTL's review letter dated 01.07.21. *Motion carried unanimously.* Mr. Jones moved seconded by Mr. Buckwalter to recommend the Chairman sign the Sewage Planning Module and recommend the Board of Supervisor's sign also. *Motion carried unanimously.*

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Moorehouse Major Subdivision- Preliminary Plan- Boyer Engineering

Original Submission 11.11.20; expires 02.09.21

Ms. Marburger moved seconded by Mr. Buckwalter to recommend the Board of Supervisors accept a Time Extension to 08.21.21. *Motion carried unanimously.* Mr. Boyer discussed LTL Consultants review letter dated 01.07.21. Mr. Jones questioned the developer putting in a driveway in on this lot. He received 13 calls from residents complaining of the mud and dirt put on the roadway last Friday and remained all weekend. Mr. Boyer stated this is a temporary driveway access to get a well truck on the lot to locate well access as required in our ordinances. Mr. Boyer stated this was all done with Mr. Loomis', Amity Township Code Enforcement Officer, knowledge and awareness there was no other choice. It was originally intended to only have macadam at the very entrance off the street however once the well truck entered beyond that point it sunk into the ground. Therefore, they needed to extend the entrance to accomplish the task of finding a well location. Mr. Boyer stated there now are sediment controls in place to keep the disturbed and stored land stable. The Planning Commission discussed the plan calls for on-lot septic systems on each lot. Mr. Weber stated this site is in the Public Sewer area and DEP would have the ultimate say if they would even allow on lot systems in the Public Sewer area. Mr. Jones inquired where the sewer main was and how difficult would it be for these lots to be hooked into the public sewer. Mrs. Benson was instructed to have this matter investigated by the township's Sewer Engineer, Entech Engineering and feasibility on connecting. Mr. Boyer reviewed the waiver request to allow the lot lines to be as presented. The Commission had no objections.

Arbour Green Apartments-Preliminary Plan - 148 Apartment Units-Old Swede Rd-Boyer Engineering

Original Submission 12.9.20; expires 3.9.21

Mr. Boyer reviewed the plan and LTL Consultants review letter dated 01.07.21. Discussions were as follows:

Conformance with the Zoning Ordinance:

#2. *A portion of building 27 is located in the area with existing slopes greater than 25%. In accordance with Section 505(c), a residential dwelling unit is not permitted on lands with slopes greater than 25%. Mr. Boyer will be applying to the Zoning Hearing Board for forgiveness to build on land with greater than 25% slopes.*

#8. *In accordance with Section 953(b)(4), a commercial retirement community shall be 100% age-restricted as deemed appropriate by the Township Solicitor.* Mr. Boyer and Mr. Hunsberger discussed this is different than the current Federal Guidelines. Federal guidelines allow for 20% of the community to be under the age of 55. Mr. Hunsberger stated information is filed with the Federal Government annually proving they comply. Mr. Hunsberger stated Federal Guideline allows you to control the ages of the children to prevent burdening the schools.

#15. *In accordance with Section 953(j)(3) at least 40% of all building facades shall be construction of brick or stone. The proposed architectural drawings of the residential units do not conform with this requirement. Section 953(j)(3) does allow substitutions for said material when authorized by the Board of Supervisions. This matter must be reviewed and resolved.* Mr. Hunsberger stated the siding on the back of the units is designed to have three different color choices while the Roof, Stone and trim will be the same throughout the site. Mr. Weber would like more detail to verify percentages. Mr. Flatley moved seconded by Julie Marburger seconded to recommend the Board of Supervisor's allow the buildings facades to be in accordance with the plan sheet as presented. *Motion carried unanimously.*

Conformance with the Subdivision and Land Development Ordinance:

#8. *In accordance with Section 502(a)(20), a residential development containing 20 or more dwelling units shall provide a street system with a minimum of two separate points for ingress and egress. The proposed plan contains 148 dwelling units but only one street ingress and egress. An emergency access drive is proposed.*

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The applicant has requested a waiver. Mr. Boyer reviewed this waiver was applied and approved for on the previous plan and will write a new letter requesting the same waiver for this plan.

#10. In accordance with Section 502(b) (I), the minimum cartway width for a new street shall be 33 feet. The plan proposed a cartway width of 24 feet throughout the development. The applicant has requested a waiver. The waiver note on the plan must be corrected to a width of 24 feet. Mr. Boyer reviewed this waiver was applied and approved for on the previous plan and will write a new letter requesting the same waiver for this plan.

#11. In accordance with Section 502(b) (3), where a subdivision abuts an existing street of inadequate cartway width, additional width shall be constructed. The applicant has requested a waiver from requirement of widening Old Swede Road. Mr. Boyer stated the plan is designed to meet the requirements of PennDOT's requirements along Route 662. It is designed to have shoulder widening and some portions of the embankments removed.

#13. In accordance with Section 502(g), dead-end streets are prohibited unless they are designed as cul-de-sac streets with a turnaround having a paved radius of 50 feet. The plan proposes three dead-end streets that do not contain the above specified turn around area. Mr. Weber requests Mr. Boyer provide information large trucks can turn around in the development. Mr. Boyer agreed to provide the information and request a waiver.

#17. In accordance with Section 507(a) (1) vertical curbs shall be provided along both sides of all proposed street. The proposed streets are not curbed. Mr. Boyer reviewed this waiver was applied and approved for on the previous plan and will write a new letter requesting the same waiver for this plan.

#20. In accordance with Section 512(d) (1), all grading shall have a maximum slope of 3:1. The plan proposes grading at a slop of 2:1 between building 26 & 27. Mr. Boyer reviewed this waiver was applied and approved for on the previous plan and will write a new letter requesting the same waiver for this plan.

#27. The plan must be reviewed by the Fire Marshall for firefighting and emergency access concerns. The Fire Marshall should review the physical aspects of the proposed emergency access drive as well as the logistical aspects (chain, lock, keys, etc.). The distance between the bollards should be specified on the detail on Sheet 12. Mrs. Benson agreed to have the Fire Marshall review the plan in accordance with this statement.

#30. In accordance with Section 519(c) (12) and 519 (d) (2), the developer shall provide 5.6 acres of dedicated open space or a fee-in-lieu of such open space in the amount of \$210,900. Such fee must be paid prior to final plan approval. Mr. Hunsburger stated the plan is for him to put in \$1.5 million worth of amenities for recreation within the development. The plan calls for a Community Center, walking trails and a dog park. Mr. Boyer will include a waiver request with his waivers for forgiveness to the Recreation Fees.

Conformance with the Stormwater Management Ordinance

#10. Section 311(b) (xix) - At the discretion of the Township, the perimeter of the detention/retention ponds shall be enclosed with a standard chain link security fence or approved equal with a minimum height of 4ft. with locking gates.

Mr. Boyer reviewed this waiver was applied and approved on the previous plan and will write a new letter requesting the same waiver for this plan.

Mr. Weber and Mr. Boyer agreed to meet to discuss the remaining Stormwater Conformance issues. Mr. Hunsburger & Mr. Boyer discussed the 8-unit apartment buildings will designate parking spots for each of the two units that do not have a garage.

John Koons Subdivision - John Hoffert Surveyor - Sketch Plan

Karen Crater from John Hoffert Surveyors presented a plan for the Koons property located along Limekiln Rd. Mr. Koons purchased two adjoining properties several years ago from the same owner and was advised at that time to combine them into one deed. He would now like to separate them to one lot being approximately 10 acres and the other being

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approximately 20 acres. The plan was discussed, and the Commission asked they review the road frontage to each lot to conform with our ordinance. Ms. Crater will review and revise the lines to meet all requirements at this time. They will proceed with Preliminary Plans and submit for February.

7 Riga Lane-Michael Collester - Stackhouse Bensinger - Preliminary Plan

Scott Miller, Stackhouse Bensinger, reviewed this plan is to build a 7,200 Sq. Ft. Building. The business focuses on Retail of Motor Parts and Installation and Repair of said parts. Mr. Jones moved seconded by Ms. Marburger to accept the plan for review. *Motion carried unanimously.*

Amity Square-Concept Plan - Lake Dr - Boyer Engineering

Mr. Boyer presented a plan to expand the Amity Square Shopping Center on Park Lane. The owner, Mr. Ralph Yocum, is looking to accommodate a 3,000 Sq. Ft. addition to the building to accommodate a physical therapist. Mr. Boyer explained they looked at placing a stand-alone building on the lot; however, the 422 setbacks would not make this the best fit. After discussion the Commission advised Mr. Boyer to request in writing an In-House Review. The items for this expansion can be reviewed in-house and through the building permit process. Mr. Weber will discuss with Mr. Loomis, Amity Zoning Officer to get his opinion on this prior to any recommendation.

ZONING

Nothing to report currently.

ORDINANCE

Business Registration and Licensing

Mr. Weller asked if the Commission reviewed the presented ordinance changes and if they have any recommendations. Mr. Jones stated he would like to see the focus at this time on commercial registrations and licensing of business. Mr. Weller and Mr. Jones stated they feel a yearly registration is not what the township may want. They do not want to see businesses pay a fee yearly. The Commission felt the businesses should register initially and when the business changes a "change of use" registration should be applied for. Mr. Flatley stated in his personal business in another township they complete a yearly form to the township to keep all information to the township current without fees. Mr. Bingaman upon his return will set up a meeting with Mr. Boland, Mr. Weber and himself to discuss revisions to the proposal as discussed at December and January Planning Commission meetings.

CORRESPONDENCE

None

OTHER PLANNING COMMISSION ITEMS

Adjournment

Ms. Marburger moved, seconded by Mr. Buckwalter to adjourn the meeting at 8:37PM. *Motion carried unanimously.*

Respectfully submitted,

**Kathie Benson
PC Secretary**