

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, October 14, 2021

The Regular Meeting of the Amity Township Planning Commission was held at the Amity Township Office Building, 2004 Weavertown Rd, Douglassville, Berks County, PA 19518. The meeting was called to order by Paul Weller, at 7:00 P.M. with the pledge to the flag. The following people were in attendance:

Commission

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

Staff

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

Approval of Minutes:

Mr. Jones moved, seconded by Mr. Buckwalter to approve the minutes of the regular meeting of Thursday September 9, 2021. *Motion carried unanimously.*

Artistic Visions Wildlife Studio-507 Ben Franklin Hwy-Preliminary/Final Plan

Original Submission 04.12.21; expires 07.13.21  
Extension #1 approved 06.16.21; expires 11.17.21

Nothing currently.

Highland Place-McCarthy Engineering-Preliminary Plan-146 Semi's/193 Singles-Amity Park Rd

Original Submission 05.12.21; expires 08.10.21  
Extension #1 approved 07.21.21; expires 11.17.21

Mr. Flatley excused himself from the table and abstained from the matter as this development is proposed on land owned by his parents and he is representing the development. Craig Bonenberger, McCarthy Engineering stated they received the LTL review letter dated 9.7.21 and met with staff Monday October 4, 2021, and felt it was a very productive meeting to come to mutual solutions. Mr. Weber suggested a full review of this meeting, so everyone understands the discussions and resolutions. Mr. Bonenberger explained all onsite improvements will be owned by the developer and the Homeowners Association except for the water lines. They will be owned by PA American Water with individual meters at each home. The sewer design is a low-pressure system. The building setback requirements were discussed in detail. The developer agrees the front yard setbacks are set to the Zoning however the rear setback lines are in question. LTL's review letter requests 40 feet in the rear between all buildings and decks. Mr. Bonenberger & Mr. Flatley agree the buildings meet the 40foot setback however the decks make the distance 20 feet apart. Mr. Bonenberger stated with Zero lot lines as the ordinance allows, they interpret the 20 feet apart as allowed. Mr. Flatley stated if the 40-foot set back is required he would lose about half of the buildings and that would make the project unaffordable to build. Mr. Jones questioned the ordinance interpretation, stating when the ordinance was prepared it was with the intention of the zero lot lines to increase the density of 55 and older homes. The intention was to promote zero impact to the schools and little impact to the community. Adding their own amenities keep the people in their community. Mr. Bonenberger asked if the Amity Township Zoning Officer could provide an opinion. Mr. Weber suggested the developer reach out to Steve Loomis, Amity Township Zoning Officer to offer his opinion. Mr. Weber and Mr. Boland were of the same opinion at the meeting that a 40-foot separation would be required between the decks. They felt they are a part of the building and need to meet the 40 Foot separation. Mr. Jones moved seconded by Mr. Weller to recommend the

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interpretation use zero lot lines and allow the 20 Foot separation. Motion carried 3 to 1, with Mr. Weller, Mr. Buckwalter, and Mr. Jones in favor and Ms. Marburger opposed. Mr. Flatley discussed the sanitary pressure system is designated with the homeowner's association maintaining. They have designed the development to be built in phases. With the phasing they will apply for sewer exemptions per phase. At this time, they have 208 EDUs reserved and have been a part of the reports to DEP for sewer planning needs. They expect to build Phase 1 & Phase 2 at the same time requesting 118 of the 208 EDU's and the remaining available EDU's will be used in Phase 3. The developer has agreed to place in escrow of Phase 1 & Phase 2, the amount required to build the roadway listed in Phase 3, therefore guaranteeing ingress and egress to the development. Mr. Bonenberger questioned the 40% required of the Façade to be as natural materials. Mr. Flatley stated THP, the builder, has offered to provide a more detailed drawing of what they would like to build and show they can make the development homes different with their designs, however the 40% Façade is very hard to meet with the windows and garage doors. Are the windows and garages a part of the calculations? The Planning Commission request the developer come back with a design and they can offer a recommendation to the Board of Supervisors if they meet the intention of the ordinance. Mr. Flatley stated THP is currently preparing the drawings. Mr. Flatley stated THP plans to build the clubhouse in Phase 3 of the project however they will gladly place funds in the Securities and Improvements Agreement for Phase 1 and 2. It has been their experience the amenities do not get used until the development is further along. Mr. Bonenberger discussed he has been to the site and reviewed the site distance at the intersections. They are proposing a three-way stop sign at the intersection labeling no stop needed for right turns that would be going into the development. It appears the Limekiln Rd will require clearing to meet site distance. The Planning Commission advised this is a State Rd and they need to discuss with PennDOT. They are currently preparing for surveyors to go out and see what the needs are to meet the site line triangles. There currently is a stormwater issue between intersections and the surveying will help identify what they will be required to do for controls. Mr. Bonenberger explained they designed the curbs to be curved as opposed to vertical, and no planting strips along the curb line. This design will allow for ease of snow plowing. Mr. Bonenberger presented a plan showing where they would like to place sidewalks. The sidewalks in the development have been designed with walking paths throughout the development. They agree to provide intense landscaping as buffering. Mr. Jones asked about what they are thinking is a timeline to begin building. Mr. Flatley stated their biggest hurdle right now is getting permission to bore the waterline under Rt 422 to bring water to the site. Mr. Jones moved, seconded by Ms. Marburger to recommend the Board of Supervisor's grant the following waivers:

1. Section 27-500(g)(4) allow a cul-de-sac street with 21 units as opposed to the 20-maximum allowed.
2. Section 27-502(a)(13)- allow 24-foot-wide private streets and waive the requirement to build the street to 33-foot widths.
3. Section 27-502 (a)(21) allow a collector street with more than 50 units.
4. Section 27-502(b)(1) allow minor street cartway to be 24 foot wide.
5. Section 27-502(c)(3) allow the approach to an intersection on a through street to be increased from 5% to 8% in grade.
6. Section 27-502(d)(2) allow the horizontal curve on a minor street to be 75-feet.
7. Section 27-502(d)(3) allow the tangent distance between horizontal curve to be 60 feet.
8. Section 27-507(a)(1) allow interior curb on the private drives to be slant curbing.
9. Section 27-507(b)(1) allow sidewalks to be constructed on one side only.

*Motion carried unanimously*, with the stipulation Amity Park Road entrance be constructed according to the ordinance at a 5% Grade. Jen Boone - 148 Amity Park Rd questioned the design of the detention pond. She wanted to know if the design fails will the township accept responsibility for any flooding to her home. They have placed water controls at their property due to major water coming from the fields. Mr. Jones explained the development will have stormwater controls and ponds to aid in the control of the run-off

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from the development. The Berks County Conservation District will review the design and be certain no additional water will come off any faster. Mr. Weber explained the water is still allowed to leave the site only at a slower rate. Mr. Jones stated there have been at least 3 major rain events in the last 18 months and they would be hard for anyone to control. The Township cannot predict the future. Mrs. Boone also asked if the entrance to the development is designed to be on the bend. Mr. Jones explained they are required to design the roads and entrances and exits with the safest design in mind. Mr. Flatley offered to sit down with her and review the entrance design. He offered to have surveyor place temporary markings to show where it would be and how it would affect her property. Mrs. Boone declined the offer, stating she does not want them on her property. Planning Commission **RESOLUTION 21-02** certifying the Flatley parcels (Amity Park Road Redevelopment Area) as Blighted in need of Development. Mr. Jones moved seconded by Ms. Marburger to Adopt Resolution #21-02. *Motion carried unanimously.*

**Leaf Creek Farm-Age Restricted Housing-339 units-677 Old Swede Rd**

Original Submission 06.09.12; expires 09.07.21

Extension #1 Approved 8.12.21; expires 03.16.22

Nothing currently.

**Zemac Acquisitions LLC-Stackhouse Bensinger-209 Monocacy Creek Rd**

Mr. Bingaman reported staff met with Zemac Acquisitions LLC and Stackhouse Bensinger to discuss their design and whether it conform to our Zoning. The plan presented with the Sketch Plan was different then the one reviewed at the meeting. Mr. Weber stated the plan presented shows two uses on the property and would at best need a Variance from the Zoning Hearing Board. Staff will reach out to see if they could attend the next meeting to discuss further.

**ZONING**

**Michael Spletzer-1514 Weavertown Rd**-Proposed home in PBOI. Mr. Weller stated this property sits between two homes and is on the very edge of the PBOI Zoning. The proposed home would blend in with the surrounding properties nicely. Mr. Jones moved seconded by Mr. Flatley to recommend the Zoning Hearing Board grant Mr. Spletzer's request to build a single-family home on his property. *Motion carried unanimously.*

**CONDITIONAL USE**

**Christine Hall-1107 Ben Franklin Highway West - Landscape Contractor**

The Planning Commission chose to not make a recommendation to the Board of Supervisors for this application.

**ORDINANCE**

**OTHER PLANNING COMMISSION ITEMS**

**Arbour Green Land Development - HOP**

Mr. Bingaman stated Brett Klingel from PennDOT reached out inquiring if the Township desired to have the developer install a left turn lane on SR662. The Commission stated this has not been a requirement for any iteration of the plan.

**Adjournment**

The meeting adjourned at 8:50 P.M.

Respectfully submitted,

*Kathie A Benson*

Kathie A Benson

Planning Commission Secretary