

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, April 13, 2023

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 at 7:00 P.M. by Mr. Jones, with the pledge to the flag. The following people were in attendance:

Commission

Terry Jones, Chairman
Paul Weller, Vice Chairman
Dwight Buckwalter
Thomas Flatley
Nathaniel Halter

Staff

John Weber, LTL Consultants, Engineer
Joan London, Esq., Kozloff Stoudt, Solicitor
Kathie Benson, Planning Commission Secretary

Announcements

There were none.

Public Comments

There were none.

Approval of Minutes:

Mr. Flatley requested prior to the approval of the minutes a revision be made to Highland Place Conformance with the Zoning Ordinance #7 be revised to Mr. Falencki stated there is a note on the plan stating all trails will be paved where there is an excess of 8% slope. The minutes did not reflect the slope. Mr. Buckwalter moved seconded by Mr. Flatley to approve the minutes of the Regular meeting of March 9, 2023 as presented with the inclusion of trails to be paved where there is an excess of 8% grade. *Motion carried unanimously.*

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
Extension #2 approved 11.17.21; expires 02.28.22
Extension #3 approved 02.22.22; expires 08.17.22
Extension #4 approved 8.17.22; expires 3.15.23
Extension #5 approved 01.19.23; expires 08.15.23

Mr. Weber reported he has reviewed the Sewage Facilities Planning Module Component 4A and prepared the answers as presented. Mrs. Benson shared an email from Mr. H. David Miller, Entech Engineering where he agreed to the Planning Module. Mr. Weller moved seconded by Mr. Halter to agree Mr. Jones may sign the component on behalf of the Planning Commission. *Motion carried 4 to 0 with Mr. Flatley abstaining.*

Leaf Creek Farm-Age Restricted Housing-339 units-677 Old Swede Rd-Boyer Engineering/Cornerstone

Original Submission 06.09.21; expires 09.07.21
Extension #1 Approved 8.12.21; expires 03.16.22
Extension #2 Approved 3.16.22; expires 09.21.22

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Extension #3 Approved 9.21.22; expires 2.15.23

Extension #4 Approved 2.15.23; expires 09.20.23

Nothing new to discuss.

Amity Logistics Center/Doulassville Berks County Logistics- Bogia Engineering-Preliminary/Final Plan – 422/Toll Gate Rd/Township Line Rd/Leaf Creek – Two Warehouse Buildings

Original Submission 01.12.23; expires 04.10.23.

Mrs. London reported the Zoning Land Use Appeal is scheduled for Argument in the court on Monday April 17th. She is aware that this may be continued. Mr. Jones questioned if the fees the township incurs to defend the Zoning Decision are paid for by the township. Mrs. London stated yes and the Zoning Hearing Solicitor is also a party to the defense.

824 E. Ben Franklin-Sketch Plan-Limekiln Holdings, LLC-Stackhouse Bensinger-Don Fister

Nothing new to report.

Zemac Acquisitions, LLC-209 Monocacy Creek Rd- Preliminary Plan – Stackhouse Bensinger, LLC

Original Submission 12.8.22; expires 3.6.22

Extension #1 approved 2.15.23; expires 6.22.23

Nothing to discuss at this meeting.

Edward’s Landscaping Bus Yard – 335 Monocacy Hill Rd – Sketch Plan-McCarthy Engineering

Nothing to discuss at this meeting.

Seth Moorhouse Major Subdivision Final Plan Revision-Boyer Engineering

Mr. Boyer explained a revised plan submitted addressing all of LTL’s comments in their letter dated 4.10.23. Mr. Weber stated the outstanding items are the stormwater issues on Levengood Rd and the Sewer Easement Agreements. Mr. Flatley and Mr. Jones questioned the easement needed for sewer system. Mr. Boyer explained the owner of the land presently will be providing an easement across his lot to Lots 1,2,3 & 4 to provide service. Mr. Flatley moved seconded by Mr. Buckwalter to recommend the Board of Supervisors grant conditional approval to the plan provided the conditions as listed in LTL’s review letter dated 4.10.23 are completed and the applicant remits the submission fees, *Motion carried unanimously.*

Zoning

OZ Properties- Parking area Geiger Rd- Sketch Plan

Mr. Arnold presented the plan as they are looking at planning for their entire site along Weavertown Rd and Geiger Rd. He is asking a Variance from:

32.409(b)- Permit the Use of the Property

32.409(c)(1)-Prohibited Uses-Vehicle Fueling Operations, Auto Repair Shops, and Auto Sales

32.409(d)(2)-no-Residential Use-Proposed Building Setback reduced from 30’ to 15’ for the Proposed

Office Building

32.1003(a) - Nonconforming Uses of Land- Extension

32.1003(c) - Nonconforming Uses of Land – Changes or Moving of Use

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32.1005(a) – Enlargement of Nonconforming use of Structure or Buildings or of Building and Land in Combination

Mr. Arnold stated they are looking to build an office for their headquarters and be a member of the community for at least 60 years as the previous owner. They would like to expand the fuel capacity on site to accommodate their vehicles, and there is no public sale of fuels. They are requesting to allow a 15foot setback of the office as it appears to encroach the right of way line of Weavertown Rd. They recently found the area they are looking at has a wider right of way than what was shown on previous plans he received from the previous owner. These were the plans he used to decide what they may need. Mr. Arnold stated they will have the property surveyed and an actual distance and building expansion will be placed within the setbacks allowed. They will have this completed prior to Land Development plans. They are looking to receive the maximum forgiveness and engineer after the Decision & Order. He is hoping to not need all of the requested amount but wants to cover the plan if they may need. They are requesting an expansion of nonconforming use as has been in the past. They will also be combining all 5 properties under one deed during Land Development to alleviate the setback lines on the other building. Mr. Flatley moved seconded by Mr. Halter to recommend the Zoning Hearing Board grant the Variances Requested. *Motion carried unanimously.*

June Baer Trustee-2936 Limekiln Rd

Mr. Boyer explained the applicant is looking to subdivide their land, separating the house from the business. This creates setback issues and required front yardage. They are requesting variances to the following:

- Section 405(d) – Lot Width – Lot 2
- Section 405(d) – Rear Yard – distance to barn
- Section 405(d) – Side Yard – distance to barn
- Section 405(b) – Permit a single family home
- Section 405(d) – Paved area

Mr. Flatley questioned the laterals to the properties. Mr. Boyer stated he has the lot lines design so that each property has its respective laterals within their boundaries. Mr. Jones moved seconded by Mr. Weller to recommend the Zoning Hearing Board grant the request. *Motion carried 4-0. Mr. Buckwalter abstained as he is an adjoining property owner.*

Ordinance/Resolution(s)

No discussion at this meeting.

OTHER PLANNING COMMISSION ITEMS

Conditional Use Hearing

Danielle Gerhart – 32 Leaf Creek Court – In-Home Business

Mrs. Gerhart presented a packet explaining what is planned for her in-home business. She is looking to have a beauty salon in her home. She does not plan to have any walk-in business; it would be by appointment only. She currently is providing services to family at no cost as allowed by her Beautician’s License. She would like to expand to provide services to family and friends and donate 50% of her profits to local charities. She stated she has a separate entrance and will be moving her car from the street and keep her driveway open to clients. There may be two cars in the driveway at the same time only for a few minutes as one client is leaving and the next arrives. Mr. Flatley moved seconded by Mr. Halter to recommend the Board of Supervisor’s grant the Use as

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requested. *Motion carried 3-0 with Mr. Jones and Mr. Weller abstaining as they will form their decision at the Hearing Wednesday April 19, 2023.*

PUBLIC COMMENT

Ms. Tessier asked to speak about the Highland Place land development. She questioned if there is going to be a traffic study done at the Intersection of Amity Park Rd and Weavertown Rd. She has heard through the grapevine that her property will be involved and she has heard the township will be taking some of her property, Mr. Jones explained yes this intersection has been identified and needing improvements however nothing has been fully decided. Once a decision is made about what will be needed, she will be contacted to discuss what is planned. Ms. Tessier stated their property is a twin, her leach field is in the front of the property and the neighbors septic is in front and this may impede the process. Mr. Jones advised she is welcome at all Planning Commission Meetings to know what is happening and when she may possibly be contacted.

Adjournment

Mr. Halter moved seconded by Mr. Buckwalter to adjourn the meeting at 7:51PM. *Motion carried unanimously.*

Respectfully submitted,

Kathie Benson

Planning Commission Secretary