

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday October 12, 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

Brian F. Boland, Esq., Kozloff Stoudt, Solicitor  
John Weber, LTL Consultants, Engineer  
Troy S. Bingaman, Township Manager  
Kathie Benson, Amity Township Planning Secretary

Announcements

There were none.

Public Comments

There were none. Mr. Jones request the commission to add the Master Plan for Amity Logistics to the Agenda. Mr. Weller moved seconded by Mr. Halter to amend the published agenda and add the Master Plan for Amity Logistics to tonight's agenda. *Motion carried unanimously.*

Approval of Minutes:

Mr. Halter moved, seconded by Mr. Buckwalter, to approve the minutes of the Regular meeting of September 14, 2023, as presented. *Motion carried unanimously.*

Highland Place Phase 1 Final Plan / McCarthy Engineering

Mr. Flatley removed himself from the front table and took a seat in the audience as the subject property is owned by his parents. Mr. Bonenberger of McCarthy Engineering stated they will comply with all comments as listed in the LTL Consultants review letter dated 10.06.23, however he had two questions.

CONFORMANCE WITH THE ZONING ORDINANCE

4. *A Declaration of Restricted Covenants which properly documents all the requirements listed in Section 954(h) must be approved by the Township Solicitor and be recorded in the Berks County Recorder of Deeds Office.*

Mr. Bonenberger inquired if this document could be submitted at a later date. He stated they can meet the requirements however the document may need to be modified as the development progresses. The Planning Commission, Mr. Weber and Mr. Boland agreed the document needs to be finalized and recorded prior to any units being sold.

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

19. *The developer should coordinate with each utility regarding the provision of service for this project (Section 516(d)).*

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Mr. Boneberger wanted to clarify which utilities he was asking for. Mr. Weber stated we should have from the Water and Sewer utilities. Mr. Boneberger will comply.

Mr. Boneberger stated they are waiting for outside agency approvals. The traffic impact study has been submitted. Mr. Boneberger also stated for the Sewer Lines and pumps in the community, there are planned to be handled by a third party. They are expected to handle the maintenance and repairs for the lines within the development. Mr. Boneberger discussed in other communities the builder has done this program and will be willing to work with the township to come to an amicable agreement for maintenance security.

**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

Extension #3 Approved 9.21.22; expires 2.15.23

Extension #4 Approved 2.15.23; expires 09.20.23

Extension #5 Approved 9.20.23; expires 12.31.23

Mr. Weber agreed to review and prepare the Sewage Facilities Planning Module Component 4A to move the module forward. Mr. Buckwalter moved seconded by Mr. Halter to authorize Terry Jones, Chairman to sign the Sewage Facilities Planning Module Component 4A after it has been prepared and reviewed by Mr. Weber.

*Motion carried unanimously.*

**Arbour Green Apartments Preliminary Land Development Plan / 170 Units – Boyer Engineering**

Original Submission 09.14.23; expires 12.13.23

Brian Boyer, P.E stated they would like to review the following from LTL Consultants review letter dated 10.5.23:

**CONFORMANCE WITH THE ZONING ORDINANCE**

*8. The plan should contain a listing of the type and number of units of each proposed housing unit type to confirm compliance with Section 953(c). Such information could be added to General Note #13 on Sheet 1.*

Mr. Boyer agreed to clarify this better in the notes stating how many quads and units are in the buildings.

*9. In accordance with Section 953(c)(6)(I), the commercial retirement community center shall be a minimum of 6,000 square feet. The plan must list the size of the proposed community center in order to confirm compliance with this requirement.*

Mr. Hunsberger stated the size of the community center is being proposed at 8,000 square feet. Mr. Boyer will add the dimensions to the plan.

*10. In accordance with Section 953(c)(6)(iii), a walking system of sidewalks and trails shall be provided. The plan provides a walking trail through the open space at the southern end of the development and sidewalks in front of the three large apartment buildings. The plan does not provide any sidewalk in the townhouse portion of the development or in the parking lot at the end of Arbour Drive. The Townhouse portion of the development or in the parking lot at the end of Arbour Drive. The Township and Applicant should discuss the proposed trail/sidewalk system to determine if additional facilities should be provided.*

Mr. Boyer stated there are no walking sidewalks designed along the quad area. Mr. Hunsberger stated the design is such that the area to get to the community center and main apartments where the walking trails are. He stated they expect very little traffic in the quad areas and felt there is not a need for them in the area. This has worked well in his other communities. Mr. Boyer stated a waiver will be requested.

*14. In accordance with Section 953(d)(4)(i), the minimum front setback from the face of curb to a building shall be 20 feet. Where the use contains garages and driveways in the front of residential units, the setback between*

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*the face of the garage and face of curb shall be a minimum of 30 feet. These minimum requirements are not met for the majority of the buildings in the development.*

Mr. Boyer stated they will apply for a variance.

*15. In accordance with Section 953(d)(4)(v) the maximum building height of 35 feet. The plans list a proposed maximum building height of 45 feet.*

Mr. Hunsberger asked for clarification from Mr. Weber as to where the measurement starts and end? Does the roof count in the calculation? Mr. Weber stated the roof peak does count in the calculation. If the roof was flat the calculation would stop there. Also, the buildings with outside entrances below the calculation starts at that point. Mr. Hunsberger stated they will ask for a variance to the building height.

*17. Concrete sidewalks shall be constructed on at least one side of the interior drives and accessways (Section 953(e)(9)). As noted previously, the plan does not propose sidewalk along the drives in front of the townhouse units.*

Mr. Boyer stated they will apply for a variance.

*22. In accordance with Section 953(k), a boulevard entrance shall be required for the primary entrance to the development. It is noted that the plan does not propose a boulevard entrance.*

Mr. Boyer stated a variance will be applied for. This is governed by PennDOT in their review.

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

*7. A suggested street name should be added to the plan for the street/drive which provides access to buildings 1-7 and 10-13 and the street that provides access to the two 4-story apartment buildings (Section 402(d)(2)).*

Mr. Weber stated he had concerns about Arbour Drive being the only street off Rt 662 and Emergency Services having issues with finding the different buildings. Mr. Boyer requested the Amity Township Fire Marshall review the situation and comment. Mr. Jones stated this is not a part of what we asking from the Fire Marshall in their review. Mr. Hunsburger stated there will be visible signage within the community to direct emergency services to all buildings. This will be discussed further with Mr. Weber at a Stormwater Management Ordinance review meeting set up for next week.

*15. 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 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 170 dwelling units but only one street ingress and egress. An emergency access drive is proposed.*

*16. In accordance with Section 502(a)(21), a residential developments containing 50 or more dwelling units shall provide an internal collector street. The plan does not provide an internal collector street.*

*17. In accordance with Section 502(b)(1), the minimum cartway width for a new street shall be 33/36 feet. The plan proposed a cartway width of 24 feet throughout the development.*

Mr. Boyer stated they will be requesting a waiver from numbers 15, 16, & 17.

*18. The minimum and maximum allowed street grades could not be confirmed as no road profiles were provided (Section 502(c)(2)).*

*19. The maximum allowed intersection approach grades could not be confirmed as no road profile drawings were provided (Section 502(c)(3)).*

*20. The street centerline radii must be listed on the plan to determine compliance with Section 502(d)(2)).*

Mr. Boyer & Mr. Hunsberger agreed to discuss in the meeting with LTL.

*22. In accordance with Section 502(f)(5), the minimum street curb intersection radius shall be 20 feet from minor street intersections. The plan proposes two intersections with radii of 15 feet. The intersection radii should be labeled at the emergency access driveway.*

Mr. Boyer agreed to look into this matter and may possibly request a waiver.

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28. *A trip generation report must be provided which documents the total number of trips per day the proposed development will generate and the number of peak PM hour trips in the development will generate. If the development generates more than 500 trips per day a traffic impact study will be required (Section 505 (a)).*

Mr. Boyer stated they will request a waiver, due to PennDOT does not requiring a traffic impact study for the project. They will request a waiver. Mr. Boyer also agreed to advise the Township with the costs they are incurring for Route 662 Improvements to compare the traffic impact fees for forgiveness with the waiver.

34. *The Township and Applicant should discuss the need for and location of street sidewalks. (Section 507(b)(7)).*

Mr. Boyer agreed to discuss at the meeting with LTL.

35. *The edge of the parking areas shall not be located closer than 15 feet to the outside of the nearest building Section 510(i)(2)). The plan proposes parking spaces less than 15 feet from the two 4-story apartment buildings.*

36. *Concrete tire bumpers shall be provided to prevent overhang of vehicles onto sidewalks (section 510(i)(3)). This matter should be discussed.*

Mr. Boyer stated they will request a waiver for #35 & 36.

38. *In accordance with Section 512(d)(1), all grading shall have a minimum slope of 3:1. The plan proposes grading at a slope of 2:1 along both sides of Arbour Drive adjacent to the 20-unit apartment building with the clubhouse.*

Mr. Hunsberger stated they agree there are some minimal areas with 2:1 slopes however, they plan to provide landscaping to control the areas. Mr. Boyer stated they will request a waiver.

44. *In accordance with Section (517(b)(15), for residential developments with 50 or more dwelling units, the landscape plan must be sealed by a professional landscape architect.*

Mr. Boyer stated they will request a waiver from this asking the Township to allow a PE Seal.

47. *In accordance with Section 517(d)(2)(iii), in residential developments, parking lots shall be divided by planting strips into smaller parking areas of no more than 20 stalls. The plan proposes at least three parking lots with more than 20 stalls.*

Mr. Boyer stated they will request a waiver from this.

52. *In accordance with Section 519(c)(12), the developer shall provide 6.46 acres of dedicated open space or a fee-in-lieu of such open space in the amount of \$242,250. Such fee shall be paid prior to final plan approval.*

Mr. Boyer, Mr. Hunsberger, Mr. Weber and the Planning Commission agreed to review the costs of the Amenities in the community vs Open Space Fees.

CONFORMANCE WITH THE STORMWATER MANAGEMENT ORDINANCE

A meeting has been set up to review the listed items with LTL Consultants.

29. *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. Applicant shall discuss this with the Township.*

Mr. Boyer stated they will request a waiver.

The architectural drawings were discussed. Mr. Hunsberger stated the front of the quads should meet the ordinance however the side of the building may not meet the minimum as well as the Community Center and Apartments. This will all be detailed and added for review and approval by the Board of Supervisors as stated in the ordinance. Mr. Hunsberger also stated this plan still incorporates the removal of the hump in Route 662 as in previous plans. Mr. Boyer stated they are awaiting PennDOT approval.

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**River Rock Academy Minor Subdivision Plan / 2 Lots – Boyer Engineering**

Brian Boyer, PE, the checks still owed for the plan are in the approval process at the School District.

**Amity Logistics Center/Douglassville 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.

Extension #1 approved 4.19.23; expires 10.18.23

**MASTER PLAN**

The master plan was discussed as added to the amended agenda. Mr. Jones moved seconded by Mr. Weller to grant approval to the Master Plan last revised 7.5.23 conditioned to all item in LTL review letter dated 7.7.23.

*Motion carried unanimously.*

**PRELIMINARY PLAN**

Mr. Steve Buck stated the Developer will comply with all items addressed in LTL’s review letter dated 10.06.23. They are working on their Third-Party Approvals for the Final Plan Stage. Mr. Buck reviewed the waivers as they requested for the plan. The Planning Commission discussed the lighting along the roadway and buildings. Mr. Haas stated in order to provide adequate safety lighting to the plan they needed to adjust the heights in some areas. Mr. Haas agreed to look at Mr. Weber’s and the Planning Commission suggestions to come up with what will be acceptable to all parties. Mr. Michael Tornetta requested preliminary plan approval.

The Planning Commission requested they revise the plans to comply, as Mr. Buck stated, with LTL’s review letter dated 10.06.23. Bogia Engineering was also advised to revise their waiver requests as discussed for consideration at the November 9, 2023, Planning Commission meeting. Mr. Halter moved seconded by Mr. Flatley to accept a Time Extension to 1.17.24 for the Preliminary Plan. *Motion carried unanimously.*

Mrs. Eagle questioned the lighting and entrance across from her home on Toll Gate Rd. Mr. Buck stated Toll Gate Rd is to be realigned with Nicholson Road, and there will be signage stating no truck traffic allowed to make a right on Toll Gate Rd or left on Township Line Rd leaving the development. Mr. Haas agreed to look at placing a light near the entrance to aid the trucks entering and exiting.

**Zemac Acquisitions, LLC-209 Monocacy Creek Rd- FinalPlan – Stackhouse Bensinger, LLC**

Original Submission 12.8.22; expires 3.6.22

Extension #1 approved 2.15.23; expires 6.22.23

Extension #2 approved 6.21.23; expires 10.18.23

Mr. Weller moved seconded by Mr. Halter to reject the plan based on LTL’s review letter dated 2.3.23 unless a Time Extension is received prior to the Board of Supervisor’s meeting 10.18.23. *Motion carried unanimously.*

**824 E. Ben Franklin Hwy-Preliminary/Final Plan-Limekiln Holdings 12, LLC – SSB a Wilkinson Apex Co.**

Original Submission 6.8.23; expires 9.6.23

Extension #1 approved 8.15.23; expires 3.20.24

Mr. Weber has received plans for review however they were received past the deadline. A review will be prepared for h November 9, 2023, meeting.

**Precision Technology Inc / 551 Old Swede Road – Joe Body**

Mr. Halter moved seconded by Mr. Buckwalter to accept the plan as an In-House review. *Motion carried unanimously.*

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**RR Games Site Improvements Plan / Warehaus**

Mr. Weber reported he is working on revised plans he received. The Planning Commission reviewed a Zoning Application received for a Hearing scheduled Monday October 30, 2023. The applicant is looking for site coverage forgiveness. Our Ordinance allows 50% Coverage, and they have 54% existing. They are requesting up to 65% coverage. Mr. Flatley moved, seconded by Mr. Halter, to recommend the Variance as requested to the Zoning Hearing Board.

**Zoning**

Discussion during RR Games.

**Ordinance/Resolution(s)**

No discussion at this meeting.

**OTHER PLANNING COMMISSION ITEMS**

**JC Investment Group, LLC – Conditional Use Application**

Mr. Weber reviewed with the Planning Commission the developer is requesting to allow a Landscaping Business in the Highway Commercial District. Mr. Boland stated there does not need to be a decision at this meeting this can be taken under advisement and formally decided on at the November 9, 2023, Planning Commission meeting.

**Vincenzo’s Restaurant 2023 Plan**

The approved lighting plan was discussed. It was decided the changes to the plan can be handled in house and will not require a rerecording of the plan. Mr. Weber stated the lighting should be shown on the As Built Plans submitted after all work is completed.

**PUBLIC COMMENT**

None at this time.

**Adjournment**

Mr. Halter moved, seconded by Mr. Buckwalter, to adjourn the meeting at 9:01 PM. *Motion carried unanimously.*

**Respectfully submitted,**

**Kathie Benson**

**Planning Commission Secretary**