

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, April 11, 2024

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
Brian F. Boland, Esq., Kozloff Stoudt, Solicitor
Troy Bingaman, Township Manager
Kathie Benson, Planning Commission Secretary

Announcements

There were none.

Public Comments

There were none. Mr. Jones stated the audience may comment on a plan as they come up on the agenda.

Approval of Minutes:

Mr. Halter moved, seconded by Mr. Jones, to approve the minutes of the Regular meeting held on March 14, 2024, as presented. *Motion carried unanimously.*

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

Original Submission 9.14.23; expires 12.20.23

Extension #1 approved 12.20.23; expires 06.19.24

Mr. Flatley provided an update, mentioning that they are presently waiting for the NPDES Permit, although their Sewer Planning Module has been resolved. Mr. Boland informed the committee he has examined the Planned Community Declarations and has already forwarded his comments. Mr. Flatley stated THP had no issues with the comments.

Arbour Green Apartments Preliminary LD Plan – 170 Units - Boyer Engineering

Original Submission 9.14.23; expires 12.13.23

Extension #1 approved 11.15.23; expires 06.19.24

Mr. Bingaman provided an update on a recent meeting held in the office with Mr., Bingaman, Mr. Boland, Mr. Weber, Mr. Halter, & Mr. Weller to address a stormwater concern and the implementation of escrow in phases. Mr. Boland shared an agreement is currently being prepared to accommodate the phasing request. Additionally Mr. Hunsberger has agreed to undertake the installation of all detention basins, water, sewer, and utilities for the

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, April 11, 2024

entire site in Part One. Parts Two and Three will involve the construction of buildings, sidewalks, parking areas, lighting, and landscaping associated with the buildings, with escrow accordingly during these phases.

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

Original Submission 09.14.23; expires 12.13.23

Extension #1 approved 11.15.23; expires 06.19.24

Mr. Boland reported staff had a discussion with Mr. Boyer who will relay the recommendations back to the school regarding how Amity Township would prefer the roadway to be designed.

Zemac Acquisitions, LLC-209 Monocacy Creek Rd- Final Plan – 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

Extension #3 approved 10.18.23; expires 4.20.24

Mr. Weller moved seconded by Mr. Buckwalter to accept a time extension as requested until September 18, 2024. *Motion carried unanimously.*

Precision Technology Inc / 551 Old Swede Road – Joe Body

No discussion at this meeting

Pagoda Motorcycle Club-44 E Ben Franklin Hwy-Preliminary/Final Plan-MB Investments

Original Submission 11.09.23; expires 2.08.24

Mr. Boland reported he has examined the Private Road Maintenance Agreement presented and will be forwarding his comments to MB Investments for suggested modifications.

295 Monocacy Creek Rd-John & Sherry Hunter-Minor Subdivision-Ludgate Engineering

Original Submission 03.14.24; expires 06.12.24

Mr. Ludgate mentioned that he received the review letter from LTL Consultants dated 4.1.24 and the review letter from Entech Engineers dated 4.11.24. Subsequently, Mr. Ludgate proceeded to review the following items:

CONFORMANCE WITH THE ZONING ORDINANCE

3. In accordance with Section 921(a), pools shall not be located in side yard setbacks. The proposed lot line between Lot 3 and Lots 1 and 2 will cause the existing pool on Lot 3 to become nonconforming as the pool is located within the proposed 20-foot side yard setback (Section 403(e)).

Mr. Ludgate informed they will move the lot line to comply with the ordinances.

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

17. The Township and Applicant should discuss the potential provision of sidewalks along the property frontage in accordance with Section 507(b).

The Planning Commission agreed to not require the sidewalks on these lots as there are no existing sidewalks in this area.

24. The Township and Applicant should discuss the potential need for street trees along Monocacy Road (Section 517(e)). It is noted that there are several existing trees along Monocacy Road; however, many of the trees are of lesser quality, are in the right-of-way and some trees will need to be removed to provide the required driveway sight distance.

Mr. Ludgate agreed to update the plan to include Standard Street Trees along Monocacy Road and indicate the existing Pine trees that will remain on Monocacy Creek Road for review.

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, April 11, 2024

Edwards Landscape-335 Monocacy Hill Rd-Preliminary/Final-McCarthy Eng

Original Submission 03.14.24; expires 06.12.24

Mr. Craig Bonenberger, McCarthy Engineering requested a time extension to 12.31.24, for a Conditional Use. This request aligns with the Board of Supervisor's in their Conditional Use Hearing Decision & Order issued following the hearing held December 12, 2023. *The Decision and Order states (d) In the event the Subdivision and Land Development Plans are not submitted and approved by June 30, 2024, or any of the above conditions are not met to maintain, this Conditional Use Approval and the prior approval granted August 16, 2023 (the approval of the (2) uses in combination) shall automatically expire on June 30, 2024. In such case, the approval for this Conditional Use and two (2) uses in combination shall be automatically revoked, unless specifically extended by a vote of the Board of Supervisor of Amity Township in their sole and absolute discretion.* Mr. Bonenberger explained that they are not ready for approval they are currently collaborating with PennDOT, a process that will take some time. Mr. Boland clarified the chosen deadline was intended to ensure the development of the Landscape portion of their business across the road. Extending the deadline would not pose an issue they have already submitted a plan and are actively working towards fulfillment in good faith. Upon this discussion Mr. Halter moved seconded by Mr. Flatley, to recommend the Board of Supervisors extend the Conditional Use deadline to 12.31.24, provided a written letter is received prior to the Board of Supervisor's meeting. *Motion carried unanimously.* Regarding the buffering and screening along Monocacy Hill Rd, Mr. Povilaitis expressed the preference to maintain the existing conditions along the roadway without adding more trees. He emphasized his desire for his business to be visible to passersby. The Planning Commission agreed the buffering as depicted on the plan is sufficient.

Mr. Bonenberger reviewed LTL review letter dated 4.5.24 as follows:

CONFORMANCE WITH THE ZONING ORDINANCE

6. In accordance with Section 408(f)(1), a master plan for a construction site of 40 acres minimum must be submitted to the Township prior to the submission of a preliminary subdivision or land development plan. Given the nature of the proposed property and project, this requirement does not appear to be practical/relevant. This matter should be discussed.

The Planning Commission agreed this would not be needed in this instance.

9. In accordance with Section 924(b)(6), all common parking areas shall be paved. The common parking areas on Lot 2 includes existing paved parking spaces and existing gravel parking spaces. This matter should be discussed.

Mr. Bonenberger and Mr. Povilaitis pointed out Lot 2 lacks paving for the current bus parking. The area under discussion is presently utilized for parking. The planning commission concurred that this is an existing condition that is functions adequately, no paving will be mandated.

11. The number of parking spaces provided on Lot 2 does not comply with the testimony provided during the conditional use hearing and does appear adequate for the number of school buses (40 full-size buses and 10 small buses.) and school vans (20) that utilize the property. The Township and Applicant should discuss the number of automobile spaces provided for the school bus drivers and employees, as the plan proposes only 24 parking spaces which are not occupied by a bus when all buses are present on the site (section 924(c)).

Mr. Bonenberger explained their current parking arrangement, stating that once a bus has departed from its parking spot, a driver occupies the space with their personal vehicle, thereby serving a dual purpose for parking. They are allocating macadam parking for office employees and additional spaces for bus drivers. The Planning Commission concurred that this utilization of the site was acceptable.

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, April 11, 2024

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPEMTNB ORDINANCE

11. The proposed use of the area being regarded at the rear of Lot 2 should be stated on the plan (Section 402(d)(6)). The proposed ground surface should also be identified on the plan for this area.

Mr. Povilaitis specified that the area is designated for parking small buses and vans, currently surfaced with impervious gravel. Upon transitioning to a landscaped area, its function will shift to business purposes, potentially including material storage.

19. In accordance with Section 507(a)(3), vertical curbs shall be installed in common parking areas. The plan does not appear to propose curbs in the common parking areas.

Mr. Bonenberger indicated that Lot 2 is currently operating under an existing non-conforming use. Regarding Lot 1, they plan to install wheel stops since the water flows directly to the basin. A waiver will be sought for this proposal.

27. It is noted that the plan proposes connection to the proposed water main along Limekiln Road for water service for Lot 1. Therefore, a will-serve letter should be obtained from Pennsylvania-American Water Co. to confirm they have adequate capacity to serve the proposed project. Any public water improvements required for the proposed project must be reviewed and approved by Pennsylvania-American Water Co. (Section 515).

Mr. Bonenberger mentioned that the applicant intends to drill a well for water usage until they are able to connect to public water.

33. The plan proposes no new site lighting on Lot 2. This matter should be discussed (Section 520).

The lights have previously been installed on the building and existing conditions are acceptable.

Zoning

OTHER PLANNING COMMISSION ITEMS

Ordinance/Resolution(s)

PUBLIC COMMENT

Adjournment

Mr. Halter moved seconded by Mr. Buckwalter to adjourn the meeting at 8:05 PM. *Motion carried unanimously.*

Respectfully submitted,

Kathie Benson

Planning Commission Secretary