

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, July 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
Nathaniel Halter

Staff

John Weber, LTL Consultants, Engineer
Brian 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. Weller moved, seconded by Mr. Halter, to approve the minutes of the Regular meeting held on June 13, 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
Extension #2 approved 06.19.24; expires 12.18.24

No discussion at this meeting

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
Extension #2 approved 06.19.24; expires 12.18.24

Brian Boyer stated they have received John Weber's review letter dated 07.08.24 and looking to clarify some issues and further ask for Preliminary Plan approval. LTL review letter dated July 08, 2024:

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

2. *The proposed phasing of construction and corresponding posting of financial security for the project should be listed on the plan and documented in an agreement prepared by the Township.*

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Mr. Hunsberger has decided to consolidate the entire project into a single phase under one escrow agreement, rather than dividing it into multiple phases. Mr. Hunsberger stated this change could streamline the process and potentially make it easier to manage the project's finances.

CONFORMANCE WITH THE STORMWATER MANAGEMENT ORDINANCE

1. a. *Since the discharge of Basin 3 is towards the PennDOT right-of-way and because the design requires a PennDOT HOP for the emergency access lane in the vicinity, we defer to PennDOT for review and issuance of the HOP. We are concerned that the area directly downslope from the access lane entrance may receive increased runoff due to the construction of the new impervious surface as well as proposed grading changes.*

Mr. Boyer & Mr. Hunsberger requested the last sentence be removed as this review letter will become a part of the PennDOT submission for review and feels this may trigger PennDOT to require the developer to improve PennDOT's stormwater in this area. Mr. Weber stated while he agrees the calculations they provided do seem to be correct and should work in the area, he wanted to be sure PennDOT also agrees. Mr. Boyer stated they are not increasing any water runoff off the site as required by ordinance. Mr. Weber agreed to get together with Mr. Boyer to discuss the letter.

Mr. Boland asked if the architectural drawings were ever received. Mr. Hunsberger stated they have been submitted and reviewed. The drawings will be resubmitted with the final plan submission. Mr. Boland stated they need to be approved by the Board of Supervisors. Mr. Boyer and Mr. Hunsberger discussed the plan is currently designed with 170 units however the last building may be lesser or more units dependent upon the market at the time of build. The footprint and height will be the same, however the interior design may differ depending upon the demand. Mr. Hunsburger has 148 EDUs in reserve and requested to reserve 12 more, bringing the total to 160 and purchase any additional EDUs as the units go above 160 with a maximum allowed of 173. The Planning Commission was agreeable to this provided it is documented. Mr. Weller, moved seconded by Mr. Halter to authorize Mr. Jones to sign the Sewage Facilities Planning Module Component 4A – Municipal Planning Agency Review for submission to DEP. *Motion carried unanimously.* Mr. Halter, moved seconded by Mr. Buckwalter to approve the following WAIVER requests:

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Section 502(a)(20): Allow one main entrance with emergency access.

Section 502(a)(21): Not require an internal collector street.

Section 502(b)(1): Allow a street cartway within the site of 24'.

Section 502(e)(1): Allow sight distance of less than 200' along the vertical curve of Arbour Dr.

Section 505(b): Not require a traffic impact fee due to the realignment and reconstruction of RT 0622.

Section 507(a)(1) & 507(a)(3): Not require curbs on both sides of the streets

Section 510(i)(2): Allow parking less than 15 feet away from a building.

Section 510(i)(3): Not require tire stops.

Section 512(d)(1): Allow 2:1 slopes. Decrease the slope to 3:1 along Arbour Dr and wetlands. Plan to show the matting provided.

Section 517(b)(15): Not require a Landscape Architect seal and allow a professional engineer seal on Landscaping Plan.

Section 519(c)(12) & 519(d)(2)-Waive the recreational fee due to recreational amenities provided on site.

STORMWATER ORDINANCE

Section 307: To not require the 2yr to 1yr peak reduction rate. A 2yr to 2yr reduction rate is provided

Section 308(a): To not require a 2yr to 1yr peak reduction for Stormwater District B. A 2yr to 2yr reduction has been provided.

Section 311(b)(xiv): To allow HDPE pipe in place of concrete outlet pipes for stormwater BMP's.

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Motion carried unanimously.

Mr. Halter moved seconded by Mr. Buckwalter to approve withdrawal of the Conditionally Preapproved 148 Unit Apartment Plan, further identified as #CS111091A, approved June 16.21 provided a letter is received from the Applicant prior to the Board of Supervisor's meeting July 17, 2024. *Motion carried unanimously.*

Mr. Jones moved, seconded by Mr. Halter, to grant Preliminary Plan approval conditioned upon LTL's review letter dated July 8, 2024, and Entech's review letter dated March 13, 2024 and a letter to the Board of Supervisor's formally withdrawing the previously conditional approval of 148 Apartment Plan. *Motion carried unanimously.*

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

Extension #2 approved 06.19.24; expires 12.18.24

Mr. Boyer presented a layout of the 24' Driveway as requested by the Township. He is arranging a meeting with the Daniel Boone School District, PennDOT, & the Township to discuss the layout and classification as a low volume driveway. Mr. Boyer expressed concerns that PennDOT might request intersection improvements in the area due to the driveway. Mr. Boland indicated that any intersection improvements would be the responsibility of whoever develops the lot with the old school. Mr. Boyer stated he did not feel it would be required with the low volume driveway however if there is any higher volume it could trigger intersection improvements the Township may need to improve.

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 06.21.23; expires 10.18.23

Extension #3 approved 10.18.23; expires 04.20.24

Extension #4 approved 04.17.24; expires 09.18.24

No discussion at this meeting

White Bear LD-The Crossroads Group, LLC-Riga Lane-Sketch Plan

Alex Hughes presented a Sketch Plan for 5 & 6 Riga Lane. The owner is looking to combine two lots into one, creating a 7.7-acre lot for expanding KER Custom Molders. They need to expand the manufacturing and storage. They designed the plan to provide a 24' Wide driveway around the site with underground storm water and a relocation of a sewer line. Wind River Environmental Septic is located in another building on the site. Mr. Boland and Mr. Weber confirmed multiple businesses are allowed in this district and it appears these businesses are allowable. Mr. Hughes requested a formal sketch plan review to move forward. He has signed an agreement with the Township to cover costs.. Mr. Weller moved seconded by Mr. Halter to proceed with the Sketch Plan review. *Motion carried unanimously.*

Precision Technology Inc / 551 Old Swede Road – Joe Body

In house review

Mr. Weber reviewed the Berks County Conservation District, has reviewed their submission and is looking for additional information.

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Zoning

C.S. Garber & Sons-231 Old Philadelphia Pike-Variation Forgiveness

Mr. Richard Almquist reviewed the variance requests from the Zoning Hearing Board as follows:

1. Section 32-407(e) – Minimum Side Yard-The western side of the lot has an existing setback of 34.2 feet where 40 feet is required. This is an existing non-conforming use.

The Planning Commission recommends forgiveness at this is existing condition.

2. Section 32-407(e)-Minimum Improvement Setback-The applicant is requesting forgiveness to locate an Outdoor Storage Area within 10.7 feet of the eastern boundary where 30 feet is required.

The Planning Commission supports this request.

3. Section 32-407(e)-Minimum Required Buffer Yard-The applicant is looking to provide 10.7 feet of Buffer in areas shown on the plan as opposed to 20 feet required.

The Planning Commission supports this request

4. Section 32-960-(a)(2) – Heavy Construction Contractor- The Applicant is requesting Outdoor Storage to be placed in the Side Yard of the Property as shown on the Plan.

The Planning Commission supports this request

5. Section 32-960-(a)(3)-Fence Enclosure-The applicant is asking for forgiveness to the fence requirement to the outdoor storage area at the site and replace with a landscape screen to limit visibility.

The Planning Commission supports this request

6. Section 32-960(a)(4)-High Intensity Buffer Screen-The applicant is requesting the existing vegetation satisfy the requirements.

The Planning Commission supports this request

Mr. Almquist reported the Berks County Conservation District has reviewed the proposed changes and has identified areas of improvement. He further noted after the Zoning Hearing they will be submitting a plan for review. Mr. Weller moved and seconded by Mr. Halter to recommend the Zoning Hearing Board grant the requests, provide a plan that meets SALDO & Zoning is submitted for Township Review.. Mr. Almquist requested when the plan is submitted can this be done as an in-house review for the Conservation District review as well as a Stormwater review. The Planning Commission had no objection to moving forward in this manner.

Multimodal Transportation Fund Application

Mr. Bingaman is applying for a Multimodal Transportation Grant from DCED for the realignment of Toll Gate Rd and Nicholson Ave. Mr. Weller moved, seconded by Mr. Buckwalter to authorize Mr. Jones to sign a letter in support from the Amity Township Planning Commission for the Multimodal Transportation Fund Grant Application. *Motion carried unanimously.*

OTHER PLANNING COMMISSION ITEMS

Redner’s Markets, Inc-Transfer of Liquor License

The Planning Commission had no objection to this application.

Pagoda Motorcycle Club Agreements

Mr. Boland reported the Agreements have all been reviewed and sent to JP Mascaro for their signature. Once they are received the Township may sign their portion. The Security Fund is, according to JP Mascaro, being sent by overnight Fed Ex to secure the agreements. Mr. Boland stated once all items have been completed the plans can be released for recording.

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Ordinance/Resolution(s)

No ordinance for review at this meeting.

PUBLIC COMMENT

Adjournment

Mr. Halter moved, seconded by Mr. Buckwalter, to adjourn the meeting at 8:07PM. *Motion carried unanimously.*

Respectfully submitted,

Kathie Benson

Planning Commission Secretary