

AMITY TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Thursday, October 10, 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. Weller, with the pledge to the flag. The following people were in attendance:

Commission

Paul Weller, Vice Chairman
Dwight Buckwalter
Thomas Flatley
Nathaniel Halter

Staff

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

Announcements

There were none.

Public Comments

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

Approval of Minutes:

Mr. Buckwalter moved, seconded by Mr. Halter, to approve the minutes of the Regular meeting held on September 12, 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

Mr. Flatley excused himself from the Planning Commission due to his interest in the plan.

Mr. Flatley stated he spoke to Chris Falencki, McCarthy Engineering and reports the following items from LTL Consultants, LTD review letter dated 10.02.24:

CONFORMANCE WITH THE ZONING ORDINANCE

3. The proposed architectural characteristics of all buildings in the development were approved by the Board of Supervisors on March 15, 2023. It is noted that the approved drawings depicting the proposed architectural characteristics of all buildings in the development must be recorded in the Berks County Recorder of Deeds Office. (Section 954(e)(11)).

Mr. Boland stated the architectural drawings may be recorded with the plan and should be listed in the sheets on the cover page. Mr. Weber stated they should be the drawings as approved dated 1.16.21, revised 3.9.21, last revised 12.16.21.

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4. *A Declaration of Restricted Covenants which properly documents all of 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. All homeowner's association documents, as deemed necessary by the Township Solicitor, must be submitted for review and approval by the Township Solicitor.*

After discussion Mr. Flatley reported he will have THP prepare the Covenants for review. Mr. Boland stated they must be recorded prior to the plans being recorded. If there are any revisions after construction has started revisions may be considered.

CONFORMANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

4. *Since widening of Amity Park Road is proposed, the ultimate Right-of-way for Amity Park Road shown on the plan should be dedicated to Amity Township (Section 403(d)(1)). A legal description and exhibit of the area to be dedicated as part of Phase 1 has been submitted. LTL has reviewed the legal description and exhibit and found them to be acceptable. Dedication should be prepared and executed in conjunction with the final approval of Phase 1.*

Mr. Flatley reported they are written and will be submitted with the Final Plan for approval and recording.

5. *A sewage facilities planning module must be approved by the Township and PA DEP for the project (Section 403(e)(10)).*

Mr. Flatley stated the planning module has been approved and the Part II Permit has been submitted.

6. *The intersection of Amity Park Road and Weavertown Road and Amity Park and Limekiln Road have been evaluated regarding available sight distance and potential improvements to improve the available site distance (Section 503 (e)).*

The plan now shows easement areas required for the construction of improvements to provide the required site distance at the intersection of Amity Park and Weavertown Roads. It is our understanding that the Township will pursue the acquisition of these easement areas, and the Applicant will design and construct the improvements required to provide the required distances at this intersection.

Mr. Weber, Mr. Boland, and Mr. Bingaman agreed a meeting needs to be scheduled to discuss with the residents involved. The work is scheduled to be completed in Phase III.

7. *The required traffic impact fee for each phase of the projects is now listed on Sheet 2(Section 505(b)). As stated on Sheet 2, a traffic impact fee of \$45,152.64 shall be paid/escrowed to the Township in conjunction with the final approval of Phase 1.*

Mr. Flatley agreed to this.

8. *The sanitary sewer aspects of the plan (both on-site and off-site) must be reviewed and approved by the Township Sewer Engineer (Section 514). It is noted that Entech issued a review letter dated 9/30/24.*

Mr. Flatley questioned the note from Entech requesting the alternate pump E1 be used as primary.

Mr. Weber advised him to contact Mr. Miller to clarify.

9. *All water supply aspects of the plan (both on-site and off-site) must be approved by the PAWC (Section 515(b)).*

Mr. Flatley reported they are currently working on an agreement with PAWC. There is a question as to who receives reimbursement from any residents who chooses to hook up along the line. Mr. Boland offered to look into the matter if needed to get things straightened out.

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11. A Municipal Improvements Agreement and a Financial Security Agreement will be required for the Phase 1 Final Plan. Any improvements cost estimate must be submitted to LTL Consultants for review. The form of the agreement can be obtained from the Township Solicitor (Section 610).

Mr. Flatley reported they are working on this and once the Waterline Agreement with PAWC is settled one will be submitted for review.

CONFORMANCE WITH THE STORMWATER MANAGEMENT ORDINANCE

Mr. Flatley reported they are currently reviewing the outstanding items with Mr. Weber. Mr. Weber confirmed they are discussing the outstanding issues.

GENERAL COMMENTS

Mr. Flatley reviewed they will speak to Mr. Miller in regard to the pump and any changes to the original to be recorded document will be submitted for review and recorded accordingly. Mr. Boland asked for THP to submit the restrictive covenants and deed restrictions as soon as possible.

Mr. Flatley rejoined the Planning Commission

River Rock Academy Minor Subdivision Plan – 2 Lots – Bover 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

Nothing presented for review at this meeting.

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

Original Submission 12.8.22; expires 03.6.23

Extension #1 approved 02.15.23; expires 06.22.23

Extension #2 approved 06.21.23; expires 10.18.23

Extension #3; approved 10.19.23; expires 04.20.24

Extension #4 approved 04.17.24; expires 09.18.24

Extension #5 approved 09.18.24; expires 03.31.25

Nothing presented for review at this meeting

295 Monocacy Creek Rd-Ludgate Eng-3 Lot Subdivision-Final Plan

Original Submission-06.24.24; expires 09.22.24

Extension #1 approved 09.18.24; expires 12.19.24

Nothing presented for review at this meeting.

824 E. Ben Franklin-Pre/Final Plan-Limekiln Holdings 12 LLC-SSB/A Wilkinson Apex Co

Preliminary/Final Plan Conditionally Approved 01.17.24

Mr. Weber reported they revised and resubmitted to PennDOT 10.09.24. Mr. Boland reported the Financial Securities and Municipal Agreements have been sent and the Township is awaiting signed plans.

Edwards Landscape

Mr. Weber stated revised plans that were received after our deadline for this meeting. He will have a review for November.

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

Conditional Preliminary Plan Approved - 3.20.24

Nothing presented for review at this meeting. It was noted this too was re-submitted electronically with no physical copies received as of this time.

Zoning

White Bear Properties-5 Riga Lane – Douglassville

Mr. Andrew Stall and Mr. Alex Hughes presented the plan to expand their building and while doing this they will need forgiveness from:

Section 407(a) to allow encroachment into the 20 Ft Buffer yard requirement for the driveway.

Section 504 to allow for the parking areas where Highwater Table Soils are listed.

The project proposes an expansion of the current use.

The purpose for this project is to accommodate a staff of 100 Employees.

Mr. Flatley moved seconded by Mr. Halter to recommend the Zoning Hearing Board grant their requests *Motion carried unanimously*.

Mr. Stall and Mr. Hughes stated they will return after the Zoning Hearing Decision with Land Development plans for review.

Joint Comprehensive Plan

Mr. Bingaman reported that a steering committee is currently reviewing and revising the Joint Comprehensive Plan, last adopted in 2005. The Berks County Planning Commission has recommended that such plans be updated every 10 years. As part of this revision process, Douglass Township has been invited to join the committee, which already includes Exeter and St. Lawrence.

Mr. Bingaman outlined the first phase of the process, which involves surveying residents from each municipality to identify the priorities of the community. He presented two sample surveys for consideration, with the Planning Commission agreeing that the Muhlenberg Survey was most aligned with the committee's approach. However, the Planning Commission recommended removing questions related to "Lack of Parking" and "Taxes too High" from the survey. Additionally, they suggested adding questions regarding the types of recreation residents would like to see in the township, where residents work, and whether they work remotely within the municipalities.

OTHER PLANNING COMMISSION ITEMS

CORRESPONDENCE

Ordinance/Resolution(s)

Accessory Structures - Sea Boxes:

Mr. Weber reviewed the proposed ordinance addressing Sea Boxes, which had been discussed in a previous meeting with Mr. Bingaman, Mr. Loomis, Mr. Boland, and himself. Following the review, Mr. Halter moved, and Mr. Buckwalter seconded, a recommendation to amend the ordinance by updating Subsection (b), entitled "Residential Provisions," and Subsection (c), entitled "Commercial and Industrial Provisions." These

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amendments pertain to Section 902, entitled "Accessory Uses or Structures," as outlined in Sections 3 and 4 of the proposed ordinance. *The motion passed unanimously.*

PUBLIC COMMENT

Adjournment

Mr. Flatley moved, seconded by Mr. Halter, to adjourn the meeting at 7:53PM. *Motion carried unanimously.*

Respectfully submitted,

Kathie Benson

Planning Commission Secretary