

Maidencreek Township Planning Commission
Wednesday, November 3, 2010

Attending: Jim Schoellkopf, Jeff Futchko, Matt Davenport, Eugene Orlando, Jr. – Orlando Law Office, Tom Unger– Systems Design Engineering, Inc., Diane Hollenbach – recording secretary

Guests: Scott Miller, Chris Bradley, and Brad Smith

Jim Schoellkopf called the Maidencreek Township Planning Commission regular meeting to order at 7:45 p.m. in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge to the Flag.

APPROVAL OF THE AGENDA

A motion was made by Jeff Futchko to approve the agenda for the Maidencreek Township Planning Commission regular meeting. The motion was seconded by Matt Davenport. The Chairman asked for public comment on the motion. Hearing none, all members voted, “Aye.” Motion carried.

APPROVAL OF PRIOR MEETING MINUTES

A motion was made by Jeff Futchko to waive the reading of the October 6, 2010 regular meeting minutes and approve the minutes as presented. Matt Davenport seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, “Aye.” Motion carried.

ACCEPTANCE OF PLANS - None

COMMUNICATIONS -The Commission was given information on upcoming classes.

PUBLIC COMMENT - None.

ENGINEER'S AGENDA

SUBDIVISION STATUS CHECKLIST

A motion was made by Matt Davenport to recommend that the Board of Supervisors accept the developer’s letter extending the review period for the Esbenshade Greenhouse Land Development Plan for 120 days until March 28, 2011. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, “Aye.” Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors accept the developer’s letter extending the review period for the Alternative Fuel Manufacturing Facility Land Development Plan for 90 days until March 1, 2011. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, “Aye.” Motion carried.

PLAN REVIEWS

Village at Summit Crest Phase III–The November 3, 2010 Systems Design Engineering Inc. review letter for the plan was distributed and discussed. The Commissioners also discussed the Orlando Law Office review letter dated November 3, 2010.

Outstanding Items:

- Erosion and Sedimentation Plan,
- The property deed contains several purparts. The developer agreed to consolidate the deed to follow the plan,

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- The Summit Crest III Final Plan showing public water should be withdrawn,
- The sanitary sewage on the site, which will be public and easement from curb to curb be offered for dedication to the Authority still requires review by the Maidencreek Township Authority,
- PA DEP Planning module approval,
- The water supply has not been approved by the PA DEP,
- Retaining wall plans should be certified and comments on the wall's effect on the wetlands should be addressed,
- Access during construction to the DeCeasar and Valeriano properties must be shown, and
- The developer must be mindful of the wetlands.

The Solicitor asked if the Developer would agree not to construct or move earth until final plan approval was granted. Mr. Bradley stated that he wants to cut trees because of the restrictions placed on the site due to the endangered Indiana bat. The Commission felt that there were no planning issues left, only outside agency approvals. The Supervisors would have to discuss the previously negotiated terms with the Developer.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-32.B.(2)(b)** to allow the right-of-way width to be less than 53 feet provided that the streets are posted no parking. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. The proposed right of way is 33 feet.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-32.I.(1)** to allow a single access street longer than 500 feet and more than 20 residential units. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. For informational purposes, length is approximately 1320 feet, which is less than on previous plans and number of units is 28 (26 modular homes plus two adjacent properties).

The Developer requested a waiver to **Section 190-32.I.(5)** to allow a dead end street. The Commission did not believe a waiver was necessary because the applicant is providing a paved cul-de-sac at the terminus, and is therefore not a "dead-end" street.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-32.I.(8)** to allow a 12% street grade for a single access street provided that emergency vehicles have access. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. Maximum street grade per ordinance is 10%.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-46.B.(5)** to allow no side yard setback to allow the construction of nine duplex units four of which may be constructed on lots 28-35, and five of which may be constructed on lots 57-79. Jeff

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Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-46.C.** to allow the adjoining side of the nine duplexes to be less than twenty feet apart to the extent that four of which may be constructed on lots 28-35, and five of which may be constructed on lots 57-79. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-47.A.** to allow walk out basements as the mobile home foundation for lots 1, 2, 12-16, 19-22, 28-35, 42 and 48-56. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Sections 190-48.B., 190-34.A., 190-34.D.(2) and 190-32.L.(3)** to allow macadam walkways to be built instead of sidewalks to Township Standards. Note 51, which shall be corrected to reflect the current Code numbering, shall state that if the streets are ever to be dedicated to the Township, the sidewalks will be brought up to Township standards prior to dedication. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Sections 190-32.L.(3), and 190-48.A.(1)** to allow slant curbing instead of vertical curbing. Note 51, which shall be corrected to reflect the current Code numbering, shall state that if the streets are ever to be dedicated to the Township, the curbs will be brought up to Township standards prior to dedication. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-32.L.(5)** to allow streetlights at the intersections and parking areas only provided that there are individual post lights on each lot. Note 52, which shall be corrected to reflect the current Code numbering, shall state that if the streets are ever to be dedicated to the Township, the street lights will be brought up to Township standards prior to dedication. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-42.A.(5)** to not require roof leaders to directly connected to storm sewer. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all

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members voted, "Aye." Motion carried. This will help the Developer meet the PA DEP infiltration requirements.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-42.F.(2)(d)** to allow greater than 24 hour storage duration in the detention basins. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. Mr. Miller stated that the basins will drain within 72 hours.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-42.F.(4)(a)** to allow greater than 6 feet dam height for the detention basin walls but not to exceed 10 feet. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend that the Board of Supervisors grant the Village at Summit Crest 3 Land Development Plan, Revision 27 a waiver to The Code of Maidencreek Township, **Section 190-44.F.(2)(c)** for screen plantings along Lee Spring Road only and will be provided as shown on the plan. A note shall be placed on the plan that the screen planting consisting of existing natural vegetation shall be maintained as shown on the plans. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. The applicant will provide a small drawing of the proposed entrance landscaping for Commission consideration during final plan review as discussed and agreed in previous meetings.

A motion was made by Matt Davenport to rescind the previous recommendation to the Board of Supervisors regarding granting preliminary plan approval to the Village at Summit Crest 3 Land Development Plan, Revision 24. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport to recommend the Board of Supervisors grant preliminary plan approval to the Village at Summit Crest 3 Land Development Plan, Revision 27 conditional upon the completion of all items outlined in the November 3, 2010 Systems Design Engineering Inc. review letter, the November 3, 2010 Orlando Law Office review letter both of which are incorporated by reference and the Applicant agreeing not to construct or move earth until final plan approval is granted except for the removal of trees that requires no earthmoving or excavation. Jeff Futchko seconded the motion. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

SOLICITOR'S COMMENTS – None

OLD BUSINESS

Light Industrial District – Definitions and examples were handed out to the Commissioners. The Commissioners were asked to review the examples and to come to the next meeting with ideas about areas that could be zoned Light Industrial.

Traditional Neighborhood Design – The Planning Commission should come to the next meeting with ideas of which streets should be included in the traditional neighborhood design overlay. This design

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standard allows for smaller front yards in areas that do not meet traditional zoning standards. The Berks County Planning Commission will provide guidelines for Traditional Neighborhood Design.

NEW BUSINESS - None

Having no other business, a motion was made by Jeff Futchko, seconded by Matt Davenport, to adjourn the regular meeting. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. Meeting adjourned at 8:52 p.m.

Respectfully Submitted,

Diane E. Hollenbach, secretary

CC:	Board of Supervisors	Tom Unger, SDE	Barbara Hassler
	Planning Commission	Eugene Orlando, Solicitor	Chief Scott Eaken
	Park & Recreation	Patrick Donovan	Dan Miller
	Authority	Zoning Hearing Board & Alt.	