

Maidencreek Township Planning Commission
Wednesday, February 3, 2010

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

Guests: Jason Nix, Michael Hartman, Robert Hanna, Henry Koch

Jim Schoellkopf called the Maidencreek Township Planning Commission regular meeting to order at 7:30 p.m. in the Maidencreek Township Municipal Building.

APPROVAL OF THE AGENDA

A motion was made by Jeff Futchko, seconded by David Anspach, to approve the agenda for the Maidencreek Township Planning Commission regular meeting. 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 David Anspach, seconded by Joel High, to waive the reading of the January 6, 2010 reorganization and regular meeting minutes and approve the minutes as presented. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

COMMUNICATIONS – The secretary distributed to each Commissioner a flyer on the Subdivision Course at Albright College and the Land Use Institute at the Berks Ag. Center.

PUBLIC COMMENT – None.

ENGINEER'S AGENDA

SUBDIVISION STATUS CHECKLIST

A motion was made by David Anspach, seconded by Matt Davenport, recommending that the Board of Supervisors reject the Esbenshade Land Development Plan for failure to satisfy the conditions of the July 1, 2009 Systems Design Engineering, Inc. review letter, which is incorporated by reference, unless a request for a time extension to the review period, which expires February 28, 2010, is received from the Developer or his agents. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

PLAN REVIEWS

Villa at Maidencreek Land Development Plan

A motion was made by Matt Davenport, seconded by David Anspach, to acknowledge that the Villa at Maidencreek Final Plan was withdrawn and would no longer be on the Planning Commission agenda.

Tom Unger of SDE distributed the February 3, 2010 review letter for the Villa at Maidencreek Preliminary Land Development Plan. The plan is for 124 unit Assisted Living Facility on Lot 332 of the Golden Manor III Subdivision which is located at the intersection of Park Road and Hoch Road. The lot is 5.1 acres. The facility will contain for the use of the residents a laundry facility, activity

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rooms, a dining room and personal care areas for visiting health care practitioners to use. Public water and sewer is proposed.

Waivers:

Two waivers were requested. The first waiver was to Section 503.M.3 of the Subdivision and Land Development Ordinance requiring curb and side walks. The developer would like to provide a walkway from the Assisted Living Facility to the Maidencreek Towne Center Shopping Center on Lot 331 instead of a sidewalk along Park Road. An easement is being negotiated between the two property owners. The second waiver was to Section 305.C which requires storm water to be infiltrated. The developer's geotechnical consultant advised minimizing infiltration due to sinkhole hazards.

Other Agency Approvals and Consultant Reviews:

The Maidencreek Township Authority review and approval will be needed. The building will be required to have sprinklers and will need to submit Planning Modules to the Pennsylvania Department of Environmental Protection. The Erosion and Sedimentation Plan has been submitted to the Berks County Conservation District and is under review.

A storm water review has been done by SDE and an Operation and Maintenance Agreement is required for the storm water facilities. A Traffic Impact Assessment has been submitted and is under review. Tom Unger stated that the study indicates that a left hand turn lane is warranted on Park Road under existing conditions. According to the study, the traffic from the Assisted Living Facility would not make the current conditions worse. Due to the proximity to the Penn DOT right of way, the retaining wall design should be provided prior to final plan approval.

Recommendations:

A motion was made by David Anspach, seconded by Jeff Futchko, to recommend that the Board of Supervisors grant a waiver to Section 503.M.3 of the Maidencreek Township Subdivision and Land Development Ordinance which requires the installation of curb and sidewalk along Park Road for the Villa at Maidencreek Preliminary Plan. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport, seconded by David Anspach, to recommend that the Board of Supervisors grant a waiver to Section 305.C of the Maidencreek Township Storm Water Management Ordinance which requires storm water infiltration for the Villa at Maidencreek Preliminary Plan. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport, seconded by David Anspach, to recommend that the Board of Supervisors grant preliminary plan approval to the Villa at Maidencreek Land Development Plan conditional upon the developer satisfying the conditions set forth in the February 3, 2010 Systems Design Engineering, Inc review letter, which is incorporated by reference, and the developer obtaining easements from adjoining property owners. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

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Can Corporation of America Warehouse Expansion – Next Mr. Unger distributed the February 3, 2010 review letter for the Can Corporation of America Final As Built Plan. This was the second review for the plan, which depicts the construction of a 47,000 square foot warehouse expansion on an existing manufacturing facility on June Avenue, Blandon. The expansion does not increase impervious surface. All zoning issues have been resolved. Mr. Unger brought the screen planting to the Commission’s attention noting that the property abuts a residential zoning district on one side that is screened by existing vegetation that appears to be adequate.

Easements:

A written description needs to be provided for storm water and sewer easements on the property.

Other Agency Approvals and Consultant Reviews:

The Maidencreek Township Authority should be contacted to determine if they want to review the plan.

Recommendations:

Mr. Koch, solicitor for Can Corporation, requested a recommendation for final plan approval. Mr. Orlando, solicitor for the Township, did not recommend that the “As Built Plan” be approved since the project is still under construction. Mr. Koch stated that everything depicted on the plan is in existence, and Mr. Hanna added that a plan note states that no change orders will be issued for the project. Mr. Hanna asked if the Commission would grant final plan approval if they could not grant final “As Built Plan” approval. Mr. Orlando pointed out that the Board of Supervisors agreed per Can Corporation’s request to waive the preliminary plan process and allow submittal of “Final As Built Plans”. Jim Schoellkopf had been to view the construction and stated that there is cement work and interior doors that need to be completed. Mr. Koch suggested that the Commission not confuse the fact that his client is presenting an “As Built Land Development Plan” not an “As Built Building Plan”.

Mr. Orlando asked what the status was of the dedication of easements and dedication of existing water and sewer lines to the Maidencreek Township Authority. Easements would need to be shown on the plan once resolved. Mr. Koch did not feel that the two matters were related and those easements would be recorded separately. Mr. Orlando reminded Mr. Hanna of his promise to dedicate the water and sewer lines.

A motion was made by Matt Davenport, seconded by Jeffrey Futchko, to recommend that the Board of Supervisors grant approval to the Can Corporation of America Warehouse Expansion Final As Built Plans conditional upon the satisfactory completion of the items in the February 3, 2010 Systems Design Engineering, Inc. review letter, which is incorporated by reference, and conditional upon a final inspection performed by the Township Engineer to determine that all the site improvements shown on the plan are completed. The Chairman asked for public comment on the motion. Hearing none, all members voted, “Aye.” Motion carried.

Mr. Hanna stated that he stands behind his promise to resolve and dedicate as much as we can of the water and sewer lines to the Maidencreek Township Authority.

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SOLICITOR'S COMMENTS – None

OLD BUSINESS

2009 Annual Report

A motion was made by David Anspach, seconded by Matt Davenport, to approve the 2009 Annual Report of Planning Commission Activity and to send it to the Board of Supervisors. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

Revisions to the Zoning Ordinance – Tom Unger suggested that the Planning Commission meet with Bruce Heilman for a special meeting to discuss the Revision to the Zoning Ordinance Draft. The Commission tentatively scheduled the meeting for Wednesday February 24, 2010 at 7 PM. The Secretary will contact the members via email to confirm that this date is okay after checking their calendars.

NEW BUSINESS

Variance Request 318 East Wesner Road

A motion was made by David Anspach, seconded by Matt Davenport, to authorize the secretary to send a letter regarding the variance requested for 318 East Wesner Road, Blandon to the Zoning Hearing Board that based on the application, it appears that the hardship is self imposed and a variance is not warranted. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

Having no other business, a motion was made by David Anspach, seconded by Jeff Futchko, 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 8:55 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.	