

Maidencreek Township Board of Supervisor Meeting  
January 3, 2006, 7:31 PM

Present: Roy Timpe, Robert Kopfer, Claude Beaver, Eugene Orlando, Jr. – Roland & Schlegel, Tom Unger – Systems Design Engineering, Inc., Keith Shuman – Public Works Director, Diane Hollenbach – Recording Secretary

Guests: J. Schoellkopf, Fay Isamoyer, Paul Martin, Tina Poole, Nicholas Timpe, Susan Myers, Harold Burgert, Penny Hummel

Roy Timpe called the January 3, 2006 meeting of the Maidencreek Township Board of Supervisors to order at 7:31 PM in the Maidencreek Township Municipal Building.

#### POLICE REPORT

Officer Drazenovich stated that the total breakdown of police assignments and hours was not available, since the meeting was so early in the month. The thefts from vehicles is slowing down. Also, the department asks residents to keep an eye out and report any suspicious activity as criminal mischief has occurred at the Village at Maidencreek.

PUBLIC COMMENT - none

#### APPROVAL OF THE MINUTES

A motion was made by Claude Beaver, seconded by Robert Kopfer, to approve the December 21, 2005 minutes of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried.

#### ENGINEER'S REPORT

##### Subdivision Status Checklist

##### **Esbenshade Land Development**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to grant a 90 day time extension to the Esbenshade Land Development Plan. All members voted, "Aye." Motion carried.

##### Plan Review

##### **Hess Subdivision Final Plan**

A motion was made by Roy Timpe, seconded by Claude Beaver, to grant a waiver to section 508.3 – lot depth to width ratio, of the Maidencreek Township Subdivision and Land Development Ordinance for the Hess Subdivision Plan. Roy Timpe and Claude Beaver voted, "Aye." Robert Kopfer abstained. Motion carried.

A motion was made by Claude Beaver, seconded by Roy Timpe, to authorize the chairman to sign the PA DEP planning module waiver for Lot 3 of the Hess Subdivision. Roy Timpe and Claude Beaver voted, "Aye." Robert Kopfer abstained. Motion carried.

A motion was made by Claude Beaver, seconded by Roy Timpe, to grant final plan approval to the Hess Subdivision Plan conditional upon approval of the Planning Module Waiver from the Pennsylvania Department of Environmental Protection, removal of Note 17, correction of the plan so that the driveway does not extend from Lot 2 to Lot 3. Roy Timpe and Claude Beaver voted, "Aye." Robert Kopfer abstained. Motion carried.

**Village at Summit Crest Annexation Plan – tabled at developer's request**  
**Mid Atlantic Subdivision – tabled (no representation)**  
**Esbenshade Land Development – tabled at owner's request**

**Riedel Rezoning**

Tom Unger presented the Board with a copy of the tax map with the Commercial Residential property Along Route 222 plotted using the description from ordinance that changed zoning of the Riedel property from Commercial to Commercial Residential. The Riedel property was included in the zoning change. The zoning map in 1993 did not show property lines. Mr. Unger concluded that he did not believe a mistake was made on the map during the zoning change.

Gene Orlando advised the Board that rezoning is a voluntary act and they can either choose not to entertain the request or schedule a hearing. Mr. Orlando asked why the area was rezoned in the first place. Diane Hollenbach explained that originally the developer of Georgetown Village had applied for a special exception to allow townhouses in the R2a zoning district. This was withdrawn and the developer applied to rezone the site Commercial Residential, which allows townhouses as a use by right. Mr. Orlando stated that the area must be posted and every bordering property must get a notice if the Board decides to have a hearing on rezoning the Riedel and Deichman properties.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to schedule a rezoning hearing and notify the adjoining property owners. All members voted, "Aye." Motion carried.

Projects

**Hoch Road Culvert** – Tom Unger reported that the GPII permit application was complete for a 7 foot wide by 6 foot vertical culvert capable of transporting a 25 year storm.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the chairman to sign the GPII permit application for the Hoch Road Culvert permit. All members voted, "Aye." Motion carried.

**Uniform Construction Code** – Mr. Unger provided information in his report on the Countywide Appeals Board for the Uniform Construction Code. The Township may join for \$200.00 per year. An intergovernmental agreement must be signed and an ordinance adopted. Mr. Unger recommended that the solicitor review the documents and if satisfactory, the Township should become members.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the solicitor to review the intergovernmental agreement and sample ordinance for the Countywide Appeals Board. All members voted, "Aye." Motion carried.

Roy Timpe suggested that the Supervisors give the solicitor direction on a motion made a few months back and asked if the Board wished to regulate accessory structures under 1000 square feet and if so, how they wanted to regulate them.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to direct the solicitor to prepare an ordinance regulating accessory structures between 600 and 1000 square feet with the Uniform Construction Code and all it's regulations. All members voted, "Aye." Motion carried.

Maidencreek Township Board of Supervisor Meeting  
January 3, 2006, 7:31 PM

**Escrow Release** - There were no escrow release letters.

**OPERATIONS REPORT**

**Crack Seal Machine**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the purchase of a crack sealing machine through the PA State Contract as presented in the 2006 budget. All members voted, "Aye." Motion carried.

**SOLICITOR'S REPORT**

**Hearing Dates**

The Supervisors discussed three matters that required hearings: the Park and Recreation Ordinance, the Larken Conditional Use Request and the Riedel Rezoning Request. The Park and Recreation Ordinance will reduce the Park & Recreation Board to five members. If adopted on the night of the hearing, a resolution will also be adopted appointing the board members and setting their initial terms, which will be staggered. The Larken Conditional Use hearing will be similar to a zoning hearing, but the Supervisors will be the adjudicating body. The applicant must bear the burden of proof. The rezoning request will be more informal but a revised zoning map and ordinance must be reviewed. Mr. Orlando suggested that the rezoning fee in the future be higher and the Zoning Ordinance should be amended to specify requirements with the application such as a traffic study, water resource study and an environmental study. Roy Timpe stated that he was concerned about making the process too difficult for the small property owner.

A motion was made by Robert Kopfer, seconded by Claude Beaver, to authorize the solicitor to draft and ordinance for consideration to implement rezoning per the Riedel-Deichman request and authorize the engineer to prepare new zoning maps with all work to be charged to the applicant's deposit. All members voted, "Aye." Motion carried.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the secretary to prepare a resolution for the rezoning fee to be set at \$2,500.00 and the Zoning Hearing Board application fee to be set at \$1,500.00. All members voted, "Aye." Motion carried.

Roy Timpe stated that part of the revamping of the Zoning Ordinance should be modifying the section that requires a variance if a nonconforming building is destroyed more than 75 percent.

The Board agreed that the three matters would be scheduled for a hearing on January 31, 2006 beginning at 7:00 P.M. in the following order: Park and Recreation Ordinance, Larken Conditional Use, Riedel Deichman Rezoning Request and a special meeting would be held after the hearings to consider adopting the ordinances and resolutions. The solicitor was authorized to advertise the hearings for January 31, 2006.

**TREASURER'S REPORT**

A motion was made by Robert Kopfer, seconded by Claude Beaver, to approve the December 2005 Treasurer's Report and approve the December 2005 Prepaid Bill List. All members voted, "Aye." Motion carried.

**NEW BUSINESS**

**County Tax Bills**

Maidencreek Township Board of Supervisor Meeting  
January 3, 2006, 7:31 PM

A motion was made by Claude Beaver, seconded by Robert Kopfer, to authorize the Township real estate tax to be placed on the Berks County tax bills and to pay all associated costs. All members voted, "Aye." Motion carried.

**Route 222 Speed Limit Reduction**

The Township received a letter from Penn Dot requesting written verification that the Township would pay for all signage related a reduction of speed on Route 222 between Schaeffer and Tamarac if the traffic study warranted that the speed be reduced to 35 M.P.H.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to send a letter agreeing to pay for signs should the speed limit be 35 M.P.H. on Route 222 between Schaeffer Road and Tamarac Blvd. Claude Beaver rescinded his motion.

A motion was made by Claude Beaver, seconded by Robert Kopfer, to send a new letter to Penn DOT asking them to reduce the speed to 45 M.P.H. between Schaeffer Road and Tamarac Blvd. All members voted, "Aye." Motion carried.

**Snow Shoveling**

A motion was made by Claude Beaver, seconded by Robert Kopfer, to send a letter of thanks to the young man currently shoveling Mr. Fleming's snow. All members voted, "Aye." Motion carried.

**Executive Session - 8:45 P.M. to 9:35 P.M.**

Since there was no further business, a motion was made by Robert Kopfer, seconded by Claude Beaver, to adjourn the January 3, 2006 meeting of the Maidencreek Township Board of Supervisors. All members voted, "Aye." Motion carried. Meeting adjourned at 9:35 P.M.

---

**Transcribing Secretary**

Cc: Board of Supervisors  
Eugene Orlando, Roland & Schlegel, Solicitor  
Thomas Unger, Systems Design Engineering, Inc., Township Engineer  
Ed Kopicki, Systems Design Engineering, Inc., Planning Commission Engineer  
Planning Commission  
Park & Recreation Board  
Zoning Hearing Board and Alternates  
Paul Herbein, Zoning Hearing Board Solicitor  
Maidencreek Township Authority  
Patrick Donovan, Maidencreek Township Authority General Manager  
JoAnn Schaeffer, Maidencreek Township Authority Secretary  
Robert Hobough, Jr. Esq., Stevens & Lee, Maidencreek Township Authority Solicitor  
Greg Unger, Systems Design Engineering, Inc., Maidencreek Twp Authority Engineer    Barbara Hassler, Tax Collector  
Daniel Miller, Blandon Fire Company Chief  
Chief Scott W. Eaken, Northern Berks Regional Police