

Maidencreek Township Planning Commission  
November 1, 2023

Present: Jim W. Schoellkopf Jr, Dave Brown, Randy Hauk, Matt Davenport, Gavin Milligan, Christina Hafer, Township Secretary, Tom Unger, Systems Design Engineering.

Guests: No guests attended.

Jim W. Schoellkopf, Jr. called the November 1, 2023, meeting of the Maidencreek Township Planning Commission to order at 7:01 p.m. at the Maidencreek Township Municipal Building and recited the Pledge of Allegiance.

### **AGENDA MODIFICATIONS**

A motion was made by Matt Davenport to approve the November 1, 2023, Agenda. The motion was seconded by Dave Brown and after hearing no questions on the motion, it passed unanimously.

### **APPROVAL OF THE SEPTEMBER 6, 2023, MEETING MINUTES**

A motion was made by Gavin Milligan to accept the minutes for October 4, 2023. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

### **COMMUNICATIONS**

Maiden Creek & Associates to appear at the December 6, 2023, Planning Commission meeting.

Mr. Unger stated Maiden Creek & Associates are proposing no curbing, macadam sidewalks, and lighting for the sidewalk but not on the street. He also said there have been four review letters for the Land Development Plan and looks like it is in clean shape. Dave Brown asked about the truck traffic stating the public is saying it is debatable, especially now having a tenant. The discussion continued about East Penn and what they intend to do with the facility, adding whether they will utilize the entire building, the fire suppression due to the type of batteries, and what will be stored at the facility.

A motion was made by Dave Brown to ask the Board of Supervisors to request Traffic Data directly from East Penn Manufacturing/Deka Batteries on their proposed use of the warehouse. The motion was seconded by Gavin Milligan and after hearing no questions on the motion, it passed unanimously.

Mr. Unger updated the Commission on the Maiden Creek & Associates Conditional Use Hearing, stating the docket is closed, and parties will be submitting briefs to the Township Solicitor. After that the Board of Supervisors is scheduled on December 21, 2023, to make a final decision. He also said the Land Development Plan and the Conditional Use are separate, and the Planning Commission could act on the Land Development Plan before the Conditional Use decision.

The Commission discussed the curbs and how they will affect the stormwater flow and plowing in the winter. There is no curbing on the opposite side of the street. The Commission also discussed PennDOT's views on curbing. The Commission discussed asphalt sidewalks and agreed they would not be suitable, recommending concrete sidewalks. The Commission was not

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in favor of street lighting on the sidewalks and discussed lighting around the building. Mr. Unger said the streetlights should have cut-off fixtures. They also suggested barriers or berms and trees to block the lighting around the building and minimize the sight of the building, which is part of the Land Development Plan. The Commission also discussed strengthening our ordinances. Mr. Unger stated that there are revised ordinances waiting for approval. The Commission discussed with Mr. Unger the stormwater ordinance concluding that Maiden Creek Associates are in compliance with the ordinance. The Commission asked for the position of Reading Area Water Authority. Mr. Unger said they reached out to RAWA, asking if they had any concerns, and stated RAWA would not be concerned as long as they meet the State's and NPDES permits. The Commission discussed the traffic at the Schaeffer Road roundabout, affecting the residents getting in and out of the developments, and that PennDOT stands on the fact there are fewer fatal accidents.

### **PUBLIC COMMENTS**

No public comments.

### **REVIEW OF SKETCH, PRELIMINARY AND FINAL PLANS**

#### Time Extension for Maiden Creek & Associates LDP until January 19, 2024.

A motion was made by Dave Brown to recommend the Board of Supervisors accept the developer's offer of a time extension for the Maiden Creek & Associates Preliminary Land Development Plan until January 19, 2024. The motion was seconded by Matt Davenport and after hearing no questions on the motion, it passed unanimously.

#### Review of Sunday/Davidson Annexation

Sunday/Davidson did not resubmit plans. No action was taken.

### **OLD BUSINESS**

#### Small Cell Tower Ordinance

Mr. Unger went over the revisions in the ordinance, including Article 186-54 Section B-4: PURPOSE AND INTENT; Article 186-59 Section A: PERMITTED USE, APPLICATION, AND FEES; Article 186-61 Section A-2 and Section N: REGULATIONS APPLICABLE TO SMALL WIRELESS FACILITIES; Article 186-63 Section B: REMOVAL OF EQUIPMENT.

The Commission discussed Article 186-54 Section B-4 needing more clarification on who the applicant, operator, and owners of Small Wireless Facilities. The Commission concluded using a more defined term and adding permittee to the ordinance.

They also discussed Article 186-59 Section A on Permit and Permit Term being defined and deduced that it is defined in House Bill 769 or the most recent amendment of the General Assembly to the Small Wireless Facilities Act.

A motion was made by Randy Hauk to pass the STREETS AND SIDEWALKS, PART 8 Small Wireless Facilities revised edition to the Board of Supervisors for review. The motion was

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seconded by Matt Davenport and after hearing no questions on the motion, it passed unanimously.

**NEW BUSINESS**

Draft a Solar Farm Regulation Ordinance.

A motion was made by Dave Brown requesting the Board of Supervisors authorize the Planning Commission to prepare a draft ordinance for Solar Regulation. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

**ADJOURNMENT**

A motion was made by Randy Hauk to adjourn the meeting. The motion was seconded by Matt Davenport and after hearing no questions on the motion, it passed unanimously.

The meeting was adjourned at 8:10 p.m.

Respectfully Submitted,

Christina L. Hafer  
Township Secretary