

Maidencreek Township Planning Commission
January 3, 2024

Present: Jim W. Schoellkopf Jr, Randy Hauk, Matt Davenport, Gavin Milligan, Aaron Rogers, Christina Hafer, Township Secretary, Nicole Manley, Esq. of E. Kenneth Nyce Law Office, Tom Unger, Systems Design Engineering.

Guests: Dan Brown, David Brown, Anthony Spero, Donald Griest, and John Hoffert.

Jim W. Schoellkopf, Jr. called the January 3, 2024, meeting of the Maidencreek Township Planning Commission to order at 7:30 p.m. and asked everyone to rise for the Pledge to the Flag.

APPROVAL OF THE AGENDA

A motion was made by Matt Davenport to approve the January 3, 2024, Agenda. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

REORGANIZATION OF THE PLANNING COMMISSION

A motion was made by Randy Hauk to appoint Matt Davenport as chairman. The motion was seconded by Gavin Milligan and after hearing no question on the motion, it passed unanimously.

A motion was made by Matt Davenport to appoint Randy Hauk as vice-chairman. The motion was seconded by Gavin Milligan and after hearing no question on the motion, it passed unanimously.

A motion was made by Matt Davenport to authorize the advertisement of the 2024 meeting dates. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

COMMUNICATIONS

Randy Hauk said that West Earl Township, Lancaster County is considering limiting brake retarders on some roads after residents complained and are wondering if the Township is seeking that also. Matt Davenport stated our Township has been working on the brake retarder ordinance. Tom Unger stated the Township filed a brake retarder request with PennDOT for Route 222 and they have accepted it. He said we now have to submit permits and the Board of Supervisors has authorized moving forward with the ordinance.

A motion was made by Matt Davenport to close the reorganization of the Planning Commission. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

Matt Davenport opened the January 3, 2024, Planning Commission meeting of Maidencreek Township.

APPROVAL OF THE DECEMBER 6, 2023, MEETING MINUTES

A motion was made by Gavin Milligan to accept the minutes for December 6, 2023. The motion was seconded by Jim Schoellkopf and after hearing no questions on the motion, it passed unanimously.

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PUBLIC COMMENTS

No public comments.

SUBDIVISION AND LAND DEVELOPMENT STATUS REPORT & PLAN REVIEWS

The Crossing at Maidencreek requires an extension of time to the review period.

Tom Unger stated the Crossing at Maidencreek granted a time extension to the Township through March 15, 2024, and recommended the Board of Supervisors accept the time extension.

A motion was made by Jim Schoellkopf to recommend the Maidencreek Township Board of Supervisors accept the time extension for Crossing at Maidencreek through March 15, 2024. The motion was seconded by Gavin Milligan and after hearing no questions on the motion, it passed unanimously.

Maidencreek Associates Warehouse required an extension of time to the review period.

Tom Unger stated that Maidencreek Assoc. Preliminary Plan will require a time extension and asked if they were prepared to submit the time extension. Greg Adelman stated they were not at this time and said they do not know if they will be required to do so. Mr. Unger recommended the Board of Supervisors reject the Preliminary Plan if action is not taken and the time extension is not granted by January 19, 2024.

BUSINESS

Consideration of the waiver Request to the Land Development process from Deer Foot Farm Winery.

Larry Grybosky, Project Manager at C2C Design Group is requesting a waiver on the Land Development process for the Deer Foot Farm due to the small project size and intends to submit everything for stormwater, plan for review, zoning, and building permits.

Dan Brown went through the proposal for adding a tasting room to repurpose an existing feed bunk area and participates in the Berks County Wine Trail which requires mandatory events throughout the year. Mr. Brown stated they approached the Agricultural Preservation Board and stated their farm is a preserved farm because they grow grapes to make the wine.

Matt Davenport stated the only concern the Commission has is the parking situation. Dan Brown explained the parking situation, and where the parking would be on the plan and stated they have restrictions not to take land out of agriculture production. The Commission discussed the plan and Tom Unger explained they are asking for a waiver of the land development process, and if the Commission recommends them to the Board of Supervisors, they will still need zoning requirements, and stormwater ordinance requirements. The Commission asked Mr. Unger if he was comfortable with the waiver, Mr. Unger stated they are working with the Township and have been proactive in speaking with the Township and SDE and are confident they will follow and respect the requirements and regulations.

A motion was made by Jim Schoellkopf to recommend the Board of Supervisors accept the waiver of the Land Development process for Deer Foot Farm. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

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Review and consideration of the Sunday/Davidson plan review.

John Hoffert was present on behalf of Glenn Sunday and stated they requested a waiver of sections of the Maidencreek Township Subdivision and Land Development Ordinance on curbs and sidewalks due to the rural setting not to install them along Troxel Road. He also stated they set a monument on the common lot line and are asking the Township to accept existing corners and the concrete monument.

A motion was made by Jim Schoellkopf to recommend the Board of Supervisors accept the Sunday/Davidson Annexation Subdivision waiver of the Maidencreek Township SALDO section 190.34 related to curbs and sidewalks. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

A motion was made by Gavin Milligan to recommend that the Board of Supervisors accept the Sunday/Davidson Annexation Subdivision waiver of the Maidencreek Township SALDO section 186.14P related to curbs and sidewalks. The motion was seconded by Aaron Rogers and after hearing no questions on the motion, it passed unanimously.

A motion was made by Jim Schoellkopf to recommend the Board of Supervisors accept the Sunday/Davidson Annexation Subdivision waiver of the Maidencreek Township SALDO sections 190-17(2), 17(8), and 36 related to monuments. The motion was seconded by Gavin Milligan and hearing no questions on the motion, it passed unanimously.

A motion was made by Randy Hauk to recommend the Board of Supervisors accept the final approval of the Sunday/Davidson Annexation Subdivision contingent upon the latest SDE letter. The motion was seconded by Jim Schoellkopf and after hearing no questions on the motion, it passed unanimously.

Maiden Creek Associates

Greg Adelman reviewed the process of the Conditional Use Plan and reviewed letters from Systems Design Engineering. He stated the Preliminary Plan is mostly the same as before with some minor changes, including the size of the building, location, access change to right out only, location of water tank moved to the back, stormwater basin changes, trailer spaces and storage and landscaping in excess is proposed.

Tom Unger commented that the stormwater rate and velocity were reduced but the volume has not been reduced. Mr. Adelman clarified they reduced the 2-year storm as required. Mr. Unger asked if he could describe the grating on the site and how the building is going to be set. Mr. Brown went over the existing contours with grating measurements, creating a flat plane cutting the front down, and filling up the back. He also noted there would be two retaining walls adjacent to the perimeter access drives. Mr. Adelman stated they addressed everything in the SDE review letter dated November 30, 2023, and Bohler's December 11, 2023, response except for on stormwater comment dealing with offsite discharge contingency plans that can be discussed when we get to stormwater. He continued going over the review letter from System Design Engineering and how the issues were resolved. The Commission and Mr. Adelman discussed curbing the frontage of the site including contacting PennDOT, they also discussed the concrete sidewalk installation instead of asphalt and both items have to be addressed. Mr. Adelman discussed the overall stormwater issues with one exception asking for a contingency plan for any offsite drainage impacts and explained why DEP and Berks County Conservation District does not require any offsite discharge analysis. Mr. Unger said we maintain that there are sections in the ordinance that give the flexibility to request offsite discharge analysis with a publication from DEP attached to the SDE letter. DEP has stated in an email that they do not

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require the offsite discharge analysis in their permitting but said it should be addressed at the local level due to the local conditions. Mr. Unger said Maidencreek Township's solicitor would have to contact Mr. Adelman about this issue.

A motion was made by Randy Hauk to recommend sending the Preliminary Land Development Plan as submitted meeting all the conditions discussed this evening and are subject to the December 31, 2023, SDE letter. The motion was seconded by Gavin Milligan and after hearing no questions on the motion, it passed unanimously.

A motion was made by Jim Schoellkopf to recommend the Board of Supervisors to grant the time extension for Maiden Creek Associates. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

Authorization to send the 2023 Annual Report to the Board of Supervisors.

A motion was made by Jim Schoellkopf to send the 2023 Annual Report to the Board of Supervisors. The motion was seconded by Randy Hauk and after hearing no questions on the motion, it passed unanimously.

Don Griest and the Commission discussed further the warehouse, site plan, and whether it would be posted on the website.

ADJOURNMENT

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

The meeting was adjourned at 842: p.m.

Respectfully Submitted,

Christina L. Hafer
Township Secretary