

Maidencreek Township Planning Commission  
April 3, 2024

Attending: James Schoellkopf Jr., Matt Davenport, Randy Hauk, Gavin Milligan, Aaron Rogers, Tom Unger and Pamela Stevens of Systems Design Engineering, Inc., Nicole Manley of NYCE Law Offices LLC and Diane Hollenbach, Secretary/Treasurer

Guests: Daniel Miller Sr., Steve Wolfson, David Wolfson, Greg Adelman, Chris Dinoulis, Ashley Snyder

Mat Davenport called the April 3, 2024 regular meeting of the Maidencreek Township Planning Commission to order at 7:00 p.m. in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge of Allegiance to the Flag.

**Approval of the Agenda**

Aaron Rogers made a motion to approve the agenda. Gavin Milligan seconded and hearing no questions on the motion, it passed unanimously.

**Approval of Meeting Minutes**

Gavin Milligan made a motion to approve the March 6, 2024 meeting minutes as presented. Jim Schoellkopf Jr. seconded and hearing no questions on the motion, it passed unanimously.

**Communications** – Diane Hollenbach informed the Commission that a sketch plan for a solar farm on Snyder Road in the R2 Zoning District had been submitted but the application was incomplete. The plan will be held until the application is complete. Power Generation is allowed only in the Industrial Zoning District.

**Public Comment** – None

**Business**

**Maiden Creek Associates Warehouse Final Plan** – Pamela Stevens of Systems Design Engineering, Inc went through the March 28, 2024 review letter. Walkway lighting will be added as the township directs. Third party approvals are in process. This includes the Penn DOT Highway Occupancy Permit and the PA DEP NPDES permit. The Maidencreek Township Authority (MTA) review of the water and sewer service is still in process. The MTA is working with the developer on an extension of the line on the opposite side of Route 222 under separate agreement. The question has been raised whether the tenant will need an industrial user permit. The Authority Manager and Fire Chief have inquired if there would be generators. A diesel generator will be provided for the fire suppression system and a generator will be provided for the sewage pump. Discussion will be held with the tenant if a generator will be added for the building.

An Improvement Agreement and Storm Water Agreement will be needed. A \$5,000 storm water inspection fee will be required. The applicant plans on recording the plan prior to the issuance of

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the Penn DOT HOP as allowed by the Municipalities Planning Code. Building Occupancy will be held until the HOP is received. Pamela Stevens discussed the angle of the access drives with Route 222 and the applicant agreed the plan would be updated after the Penn DOT review to meet township driveway standards. Profiles are needed for the first 150 feet of the driveway to make sure that slopes are draining correctly. There will be a public hearing conducted by the PA DEP on the NPDES Permit on May 2<sup>nd</sup> from 6 to 8 p.m.

Randy Hauk made a motion to recommend the Board of Supervisors grant final plan approval to the Maiden Creek Associates Warehouse Facility Final Land Development Plan subject to items in the March 28, 2024 review letter and the April 2, 2024 Bohler Engineering response letter which were incorporated by reference. Jim Schoellkopf, Jr. seconded and hearing no questions on the motion, it passed unanimously. The applicant was asked to provide a clean version of the plan based on the SDE review letter for the Board of Supervisors to consider for approval.

Heeby's Conditional Use Application – Jeff Bukowski, representing Kevin Heebner reviewed some changes to the plan since its submittal. The two properties will be on one deed, the zoning table was corrected, the existing house and garage are being removed and the West Wesner Road ingress/egress was modified to allow better access for emergency vehicles. Gavin Milligan did a site visit due to concerns about the location of the parking spaces in relation to the dock. There is plenty of room for vehicle access. Mr. Bukowski stated the warehouse will remove thirty to fifty trailers. The impervious surface will decrease with the removal of the house and garage and the new building will meet setbacks with the deed consolidation.

The West Wesner Road access was of concern to the Commission. Tractor Trailers will have difficulty navigating this ingress/egress. The Commission asked that this access be used for emergency vehicles only and blocked with an unlocked gate and signage.

Gavin Milligan made a motion to amend the previous recommendation to include the proposed emergency access as shown on the amended plans. Jim Schoellkopf Jr. seconded and hearing no questions on the motion, it passed unanimously.

Solar Ordinance - Pamela Stevens reviewed the draft Solar Ordinance. Comments from the Berks County Conservation District were received and included in the draft. The zoning ordinance currently covers power generation. The Soils Map shows that Maidencreek Township has Class I, II and II soils. These are good soils that should be preserved for agricultural use. The engineer recommended and the Commission agreed that ground mounted solar farms should remain a use in the Industrial Zoning District and not be allowed in the Agricultural Zoning District. Farms can still do roof mounted solar to generate electricity for their own needs. The Commission decided to allow Accessory Solar Energy Systems in the Commercial Residential Zoning District with the size not to exceed 2000 square feet and permitted by conditional use. In

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the Industrial and Special Intensive Agriculture Zoning Districts both Accessory Solar Energy Systems and Principal Solar Energy Systems would be allowed by conditional use. Setbacks were discussed and was determined that no system be allowed in the front yard. Screening must be eight feet high at time of planting. The ordinance views solar panels as 100% impervious.

The process to build a Principal Solar Energy System will be submittal of a zoning permit application, a conditional use application and hearing, land development plan and storm water management plan application, review and recording. The land development plan will be reviewed by the Berks County Planning Commission, Berks County Conservation District and a NPDES permit will be required on areas of disturbance of more than one acre. Accessory roof top systems will require only a building permit. Provisions are included in the ordinance for a 110% escrow for decommissioning costs.

Zoning Regulations – Pamela Stevens researched the definition of warehouse, heights and setbacks. There are at least twenty different definitions for types of warehouses – high cube, low cube, freight terminal, distribution center, etc. The Commission previously recommended that warehouse be removed from the C2 Zoning District. They agreed that warehouse be permitted in the Industrial Zoning District and allowed by Conditional Use in the Special Intensive Agriculture Zoning District.

Home Based Business Regulations – Pamela Stevens was unable to find regulations that allowed more frequent or routine visits to home businesses. Her recommendation was to not change the current ordinance but to update the questionnaire that is used when a permit application is submitted. The Commission agreed.

Having no further business, Gavin Milligan made a motion to adjourn the April 3, 2024, Maidencreek Township Planning Commission meeting. Aaron Rogers seconded the motion and hearing no questions on the motion, it passed unanimously. Meeting adjourned at 9:02 p.m.

Respectfully submitted,

Diane Hollenbach  
Manager