

Maidencreek Township Planning Commission
Wednesday, February 2, 2011

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

Guests: William Sottolare, Toni Angstadt

Jim Schoellkopf called the Maidencreek Township Planning Commission Regular Meeting to order at 7:03 p.m. and asked everyone to rise for the Pledge to the Flag.

APPROVAL OF THE AGENDA

A motion was made by David Anspach to approve the agenda for the Maidencreek Township Planning Commission Regular Meeting. The motion was seconded by Joel High. Hearing no questions on the motion, all members voted, “Aye.” Motion carried.

APPROVAL OF PRIOR MEETING MINUTES

A motion was made by David Anspach to waive the reading of the January 5, 2011 meeting minutes and approve the minutes as presented. Joel High seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” Motion carried.

ACCEPTANCE OF PLANS - None

COMMUNICATIONS -The Commission was given the Berks County Conservation District review of the Village at Summit Crest Erosion and Sedimentation Plan.

PUBLIC COMMENT

Angstadt Property 175 Hecktown Road

Toni Angstadt and William Sottolare discussed with the Commission the possibility of subdividing six acres from Lot 3 of the Troxel Hill Subdivision to use for pasture. The Angstadt home is located on Lot 3 of the Hain Subdivision, which is adjacent to Lot 3 of the Troxel Hill Subdivision. Tom Unger, the Township Engineer pointed out that there is a note on the Troxel Hill Plan preventing the lots from being further subdivided. Gene Orlando, the Township Solicitor stated that notes on a plan are interpreted by the Courts as covenants running with the land. They are binding forever and the Township does not have the power to change them.

Mr. Orlando discussed two possible options for the Angstadts: lease the land to use as pasture, or petition the Court to remove the covenant. In order for the Court to consider the petition, all the property owners with interest in both subdivisions and the Board of Supervisors would need to sign a legal document agreeing not to enforce the covenant. Mr. Orlando stated he could not give legal advice and that the Angstadts should talk with a good real estate lawyer if they want to go this route.

ENGINEER'S AGENDA

SUBDIVISION STATUS CHECKLIST

A motion was made by Joel High to recommend that the Board of Supervisors accept the Developer's request for an extension of time to the review period for the Maidencreek Alternate Fuel Preliminary Plan until June 1, 2011. Matt Davenport seconded the motion. Hearing no questions on the motion, all members voted, “Aye.” Motion carried.

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PLAN REVIEWS - None

SOLICITOR'S COMMENTS – None

OLD BUSINESS- None

NEW BUSINESS

Traditional Neighborhood Design – The Commission was given samples of other Zoning Ordinances with Traditional Design. Robert Orischak pointed out that the concept requires a lot of infrastructure such as sidewalks and curbs and promotes linking neighborhoods together. This does not seem feasible because the developments in Maidencreek Township are spread out. Jim Schoellkopf pointed out that if the Commission were to only do Traditional Neighborhood design in old Blandon it would be difficult given how close to the road that houses sat. The Commission will continue to read the ordinance samples.

Having no other business, a motion was made by Dave Anspach, seconded by Matt Davenport, to adjourn the regular meeting. All members voted, “Aye.” Motion carried. Meeting adjourned at 7:37 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.	