

Maidencreek Township Planning Commission  
Wednesday, May 5, 2010

Attending: Jim Schoellkopf, David Anspach, Jeff Futchko, Matt Davenport, Eugene Orlando, Jr. – Orlando Law Office, Tom Unger– Systems Design Engineering, Inc., Diane Hollenbach – recording secretary

Guests: Bruce Rader, Jim Hollenbach, Jason Nix, Linda Fritzingler, EJ Walsh

Jim Schoellkopf called the Maidencreek Township Planning Commission regular meeting to order at 7:30 p.m. in the Maidencreek Township Municipal Building and asked everyone to rise for the Pledge to the Flag.

**APPROVAL OF THE AGENDA**

A motion was made by Dave Anspach, seconded by Jeff Futchko, to approve the agenda for the Maidencreek Township Planning Commission regular meeting. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

**APPROVAL OF PRIOR MEETING MINUTES**

A motion was made by Jeff Futchko, seconded by Dave Anspach, to waive the reading of the April 7, 2010 regular meeting minutes and approve the minutes as presented. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

**ACCEPTANCE OF PLANS** - None

**COMMUNICATIONS** – None.

**PUBLIC COMMENT** – None.

**ENGINEER'S AGENDA**

**SUBDIVISION STATUS CHECKLIST**

A motion was made by Dave Anspach, seconded by Jeff Futchko, to recommend the Board of Supervisors accept the time extension for the Corrado Commercial Final Plan until August 11 2010. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by Matt Davenport, seconded by Jeff Futchko, to recommend the Board of Supervisors accept the time extension for the Alternate Fuel Manufacturing Facility Preliminary Plan until September 1, 2010. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

**PLAN REVIEWS**

**Villa at Maidencreek** – Tom Unger distributed the May 5, 2010 review letter for the proposed 120 unit, three story, Congregate Care and Assisted Living Facility on Park Road. Many of the comments on the letter were technical in nature and the applicant had no problem addressing them. Under storm water management comments, Mr. Walsh pointed out that a waiver for infiltration was approved. He added that the grading has been revised to remove the area referenced in the letter that fell on the adjoining property on the plan. A clay liner was added back into the plan to address SDE comment 5. The area also slopes off and follows the grading of the wall so ponding is not a concern in this area. The retaining wall is not in the Penn DOT right of

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way and not on the neighbor's property. Mr. Unger recommended installing a geotech fabric instead of clay liner. Mr. Walsh stated that clay is less cost prohibitive and readily accessible.

Mr. Walsh stated that the major outstanding item on the review letter is the sewage planning module approval and the Maidencreek Township Authority review which is on the Authority meeting agenda for May 12, 2010.

A motion was made by Matt Davenport, seconded by Jeff Futchko, to recommend that the Board of Supervisors approve the Villa at Maidencreek Preliminary/Final Plan conditional upon completion of the items in the May 5, 2010 Systems Design Engineering, Inc. review letter, which is incorporated by reference, receipt of a letter of withdraw of the previous approved final plan, approval of the Sewage Planning Module by the PA DEP, entering into Improvements Agreement with the Township and posting of financial security in a form acceptable to the Township. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

**Moyer Subdivision 2 Final Plan** – Tom Unger distributed the April 30, 2010 Systems Design Engineering, Inc. review letter and explained that the plan is a two lot subdivision with no building proposed. Currently, Lot 2, the residue lot, is being used for agriculture which is not a permitted use in the R2 Zoning District. The use is a preexisting nonconforming use. The existing home is nonconforming for the front yard setback. No storm water analysis, landscaping, e & s are needed since there is no construction proposed. Mr. Orlando stated that a note should be placed on the plan stating that if a home is constructed on Lot 2 in the future, the Fee in Lieu of Open Space will apply.

The applicant is requesting the non-building waiver from the Pennsylvania Department of Environmental Protection (Pa DEP). Mr. Orlando stated that the residue lot should be labeled with a lot number and referenced as Lot 2 in the waiver language on the plan. Mr. Rader stated that the additional perk and probe test on the lot with the existing home has been initiated as requested in the review letter.

There was some discussion on changing the lot line on the plan to accommodate the farmer who rents the field. If the lot is made wider and less deep, the plan would need a waiver to the section of the Subdivision and Land Development Ordinance that regulates lot width to depth ratio. Ms. Fritzinger decided to keep the plan as presented.

The applicant is asking for a waiver to the following requirement: paving the first 20 feet of the existing driveway, widening the cart ways, and installation of monuments except for the two front corners. All notes on the plan including the waiver notes should be corrected to reference the Codification of Township Ordinances. The Planning Commission took no action on the plan.

Mr. Unger stated that one tenth of the tract is in Ontelaunee Township. The property owner has not yet submitted the plan to them. Ontelaunee Township will have to either review the plan or waive their review but in either case the Ontelaunee Township Board of Supervisors and Planning Commission must sign the plans.

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**SOLICITOR'S COMMENTS** – None

**OLD BUSINESS**

Tom Unger informed the Commission that a letter had been sent to the applicant discussing if the Alternate Fuel Manufacturing Facility was a use permitted by right. It is the Township Zoning Officer's opinion that the use is not permitted by right. The applicant has picked up an application for a special exception.

Diane Hollenbach updated the Commission on the Revisions to the Zoning Ordinance. The review of the revisions is finished. Systems Design Engineering will make changes suggested by the Planning Commission. No more special meetings will be needed for now.

Jim Schoellkopf updated the Commission on the Joint Planning meetings. The June meeting will be about transportation planning. The July meeting has been cancelled and in August, the Joint Commission will begin looking at future land use.

**NEW BUSINESS**

Residential Wind Energy Regulations – Tom will bring a revised ordinance for the next meeting.

Having no other business, a motion was made by David Anspach, seconded by Jeff Futchko, to adjourn the regular meeting. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. Meeting adjourned at 8:17 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.	