

Maidencreek Township Planning Commission
Wednesday, November 4, 2009

Attending: Jim Schoellkopf, Jr., Joel High, Jeff Futchko, David Anspach, Eugene Orlando, Jr. – Orlando Law Offices, Tom Unger– Systems Design Engineering, Inc.

Guests: Tim Krall, Vicki Krall, Hank Koch, Dan Becker, Chris Bradley, Scott Miller, Jason Nix, Michael Hartman

Jim Schoellkopf called the Maidencreek Township Planning Commission regular meeting to order at 7:31 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 Jeff Futchko, seconded by David Anspach, 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 Joel High, seconded by Jeff Futchko, to waive the reading of the October 7, 2009 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

A motion was made by David Anspach, seconded by David Brown, to accept the Land Development Plan entitled the Villa at Maidencreek for review. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

COMMUNICATIONS – None

PUBLIC COMMENT – None.

ENGINEER'S AGENDA

Review Period Expiration James Hardie Land Development Plan – No action

PLAN REVIEWS

James Hardie Land Development Plan – Mr. Becker reviewed the agreement status between James Hardie Building Products and Can Corporation of America and stated that signed agreements would be presented to the Supervisors at their next meeting. Mr. Koch updated the Board on the offer of dedication of the water and sewer lines in the Industrial Park to the Maidencreek Township Authority. The Authority solicitor advised Mr. Koch that he had received the plan, letter and offer of dedication and had been told to do nothing.

A motion was made by Joel High, seconded by David Brown, to recommend the Board of Supervisors grant plan approval to the James Hardie Building Products Preliminary/Final Land Development Plan conditional upon full compliance with the conditions and specifications set forth in the following documents which are incorporated by reference: Systems Design Engineering, Inc. November 4, 2009 review letter to the Planning Commission, and the October 12,

Maidencreek Township Planning Commission
Wednesday, November 4, 2009

2009 letter to Mr. Becker of Kozloff Stoudt from Diane Hollenbach, Maidencreek Township Manager, execution and delivery of a Developer's Improvement Agreement, financial security satisfactory to the Township, and final review by the Township engineer of the characterization of the facilities that are referenced in plan notes 8 and 12. The Chairman asked for public comment on the motion.

Dan Becker asked what happens if the Maidencreek Township Authority does not get the dedication of the lines resolved. Mr. Orlando stated the Planning Commission has little influence over that. This was a condition set by the Supervisors. Hearing no further questions, David Brown, Jeff Futchko, Joel High and Jim Schoellkopf, Jr. voted, "Aye." David Anspach abstained. Motion carried.

Village at Summit Crest, Phase 3 Preliminary Plan – Tom Unger distributed the November 4, 2009 Systems Design Engineering, Inc. review letter. Scott Miller addressed the issue of access for the Decesar and Valariano properties. There is an existing driveway both land owners are using. The Decesars have an existing agreement to use the driveway. Gene Orlando stated the Township requires a plan note that access is to be provided by separate written easement for the Decesar property, which the Township will review. The Valariano property is not a predecessor in title on this land like the Decesar property. Mr. Orlando needs to know if there any other means of access for the Valariano property. Mr. Miller will research the matter.

Mr. Miller stated that he has clarified with Karen Pollock of SDE that driveways will be no greater than 7% and parking areas no greater than 5% grade and will be so noted on the plan. He agreed to bring a blow up of the landscaping at the entrance so the Commission could see what was planned. The Erosion and Sedimentation Plan for the project was approved in 2006 and a letter will be generated by the Berks County Conservation District indicating that a meeting to review the modifications will be held before construction begins. Mr. Orlando asked for the Trust and Community Association Documents. Mr. Bradley agreed to email them for Mr. Orlando's review.

A review has been given by the Authority and documentation provided for the additional flow resulting from the flushing of the water tanks. Mr. Miller stated that he was in the process of getting together the documentation for the DEP water permit and an outside consultant is working on the design of the internal water system. There is one hydrant that does not have 20 psi of pressure. Mr. Schoellkopf stated the Fire Chief would rather see a stand pipe than a hydrant if there is not enough pressure, so fire companies outside of Maidencreek would not mistakenly attach a soft hose to the hydrant. Lots 1-17 will not have adequate water pressure. Mr. Miller was going to address this when Phase II of the plan was submitted with a service pump to boost the pressure. Information will be provided now on how this will be addressed later.

The side yard waiver request was discussed for the duplex units. Mr. Miller clarified that the waiver applies to only the 10 units that are connected. There were concerns about any basements for the units and how they would be handled in relation to the property owner and the lot renter. Mr. Orlando and Mr. Heller added notes 57 through 60 to the plan to address basements and shared walls. The Zoning Hearing Board decision in regards to the duplex units' location was discussed. Mr. Bradley wants the flexibility to move the duplex units to whichever lots buyers

Maidencreek Township Planning Commission
Wednesday, November 4, 2009

wish to rent instead of where they are shown on the plan. The Engineer asked if changing the location of the units would change the grading plan and asked how the water and sewer laterals would be located if the location of the duplexes changes. Mr. Bradley stated that changing the location of the duplex units will not change the grading. The units will be different sizes and shapes than what is on the plan and they set the homes and try to get the water and sewer laterals between the homes. There are some cases where the lateral winds up concrete encased under a driveway. He needs the flexibility so that if people do not want duplexes, he does not have to build them. He will definitely build five duplex units on lots 26-35 but would like flexibility to move the remaining five duplex units to any of lots 58 to 66 and/or 68 to 78.

A motion was made by David Brown, seconded by David Anspach, to recommend the Board of Supervisors grant a waiver to the following sections of the Maidencreek Township Subdivision and Land Development Ordinance: section 601.B side yard setbacks to allow the construction of ten duplex units, five of which are on lots 26 to 35 as shown on the plan and the other five duplex units which may be located within lots 58 to 66 or 68 to 78 and section 601.C to allow the adjoining side of the duplexes to be less than twenty feet apart. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

A motion was made by David Brown, seconded by Jeff Futchko, to recommend the Board of Supervisors grant preliminary plan approval to the Village at Summit Crest Preliminary Plan with a private water system conditional upon compliance with the items outlined in the Systems Design Engineering, Inc. November 4, 2009 review letter, which is incorporated by reference, granting of the waivers by the Board of Supervisors and withdrawal of the previously approved Preliminary Plan for the Village at Summit Crest with the public water supply upon the Supervisors' approval of the private water supply plan. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried.

SOLICITOR'S COMMENTS – None

OLD BUSINESS

Planning Commission Term Expiration – David Brown stated that he will not be seeking reappointment to the Planning Commission. His current term ends December 31, 2009. He is willing to serve for a month or two until a replacement is found.

Revision to the Zoning Ordinance – Tom Unger distributed the draft of the Zoning Ordinance revisions for the Commission to review for the next meeting.

NEW BUSINESS

Corrado Request to Phase Plan – No representative was present and no action taken.

Having no other business, a motion was made by David Anspach, seconded by Joel High, to adjourn the November 4, 2009 Planning Commission meeting. The Chairman asked for public comment on the motion. Hearing none, all members voted, "Aye." Motion carried. Meeting adjourned at 9:25 p.m.

Maidencreek Township Planning Commission
Wednesday, November 4, 2009

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.	