

**WASHINGTON TOWNSHIP PLANNING COMMISSION
MINUTES
MAY 7, 2009**

CALL TO ORDER

The meeting of the Planning Commission was called to order at 7:00 p.m. by Chairman, Russell Drabick on Thursday, May 7, 2009, at the Washington Township Municipal Building. The meeting opened with the Pledge of Allegiance.

ROLL CALL

The following members were present: David Moyer, Tom Jordan, Mark Bedle, David Heimbach, Rose Martin, Jennifer Cunningham, Susan Brown, Planning Commission Secretary, Steve Price, Esquire, representing Mogel, Speidel, Bobb & Kershner, Dwight Powell, Engineer representing Evirotech & Associates, Inc.; and nineteen (19) people in attendance.

Absent:

TAPING OF MEETING

The meeting was recorded as an aid in the preparation of the minutes. It was noted that no one was taping the meeting other than the Planning Commission Secretary this evening.

APPROVAL OF FEBRUARY 12, 2009 MEETING MINUTES

A motion was made by David Moyer and seconded by David Heimbach to approve the minutes, as prepared, for the February 12, 2009 meeting of the Planning Commission. **No public comments received.**

All ayes

NEW SUBMITTAL

Gehringer Farms Phase I (4 single family homes) Revised Area – This plan was submitted on February 16, 2009. Mr. David Shafkowitz was present representing Rotelle Development. Planning Commission Member Jennifer Cunningham stated some residents within the 500 feet of this area were not notified by letter. Mr. Shafkowitz stated he would send notices out to all property owners within 500 feet.

A motion was made by Mark Bedle and seconded by Rose Martin to accept the Gehringer Farms Phase I Revised Plan retroactive to March 5, 2009. **No public comments received.**

All ayes

SUBDIVISION REVIEW

Gehringer Farms Phase I Revised:

Mr. Shafkowitz stated he would like to work with Engineer Powell to take care of some outstanding issues and get the plan “cleaned up” and ready for final approval. Mr. Shafkowitz explained the Geringer Farms plan is a three phase plan. This particular area is located between two potential lots and the Met-Ed lines. This tract of land was rezoned to allow for the R-1 Zoning District and as a result of the rezoning the cul-de-sac was redesigned to allow for four (4) additional units. This has been submitted and will be recorded as a revised final plan.

It was questioned if there is a snow removal easement located at the cul-de-sac. Mr. Shafkowitz stated he was sure arrangements could be made to include the requested easement.

The question was also raised regarding the street lights for the subdivision. Mr. Shafkowitz stated the street lighting would be consistent with the rest of the subdivision.

Public Comment:

Mark Thompson, 30 Joy Circle –asked if this proposed lighting is a requirement. Mr. Shafkowitz stated he believes it is a requirement.

Mr. Shafkowitz also stated he is under the understanding that some residents of Gehringer Farms attended a Board of Supervisors meeting to discuss street trees. Mr. Shafkowitz stated the Board of Supervisors said they were okay without the planting of the street trees being planted as originally planed, however, to make sure the developer still plants two (2) trees per lot.

Mike Kealey, 27 Joy Circle – stated he did not receive a letter concerning this plan. Mr. Kealey also questioned the size of the lots. Mr. Shafkowitz stated they range in size from 23,000 square feet to 35,000 square feet, so about ½ acre to ¾ acre. Mr. Kealey expressed some concern with respect to the houses being close to the power lines. Mr. Shafkowitz explained the easement width were the power lines are located is approximately 400 feet wide. There is an off-set of at least 100 feet before the tower.

Bally Well #4:

In attendance this evening representing the Bally Well Project was Michael Bedard, Arcadis and Mitch Cron from the Environmental Protection Agency. Mr. Bedard is requesting conditional approval this evening. The big issue is access to the well and the attorneys for both parties are working on an access agreement at this time. In addition to the access agreement, the 50 foot ultimate right of way needs to be provided to the Township. Discussion took place regarding the maintenance of the private lane and who is responsible for the maintenance. Mr. Cron stated he would rather completed the work now and worry about working out the maintenance issues at a later time, however, the Planning Commission Members wish to have the Maintenance Agreement in place first. Mr. Price will contact Mr. Karver regarding obtaining a Maintenance Agreement for the maintenance of the private lane.

Public Comment:

Richard Nester, Route 100, asked if his well level drops due to the Bally Well does he have any recourse. Mr. Cron stated the Delaware River Basin Commission issues a docket which allows Bally Borough to take the water out of the ground and that has been completed. There is a condition in the docket which states if by operating the new municipal supply well they

adversely impact someone else's well, they cause a draw down and cannot use their well, the Borough of Bally is obligated to repair the well. Mr. Nester also questioned if the surrounding areas prior to choosing the well site. Mr. Nester pointed out there is a quarry site that was used for dumping years ago. Mr. Cron stated the new well was pumped for nine (9) days and the water was tested and no contamination was identified. Mr. Cron also stated he spoke with local residents who stated most of the items dumped into the quarry were mostly landscaping type items and no indication of chemical contamination.

After lengthy discussion a motion was made by Rose Martin and seconded by David Heimbach to recommend this plan to the Board of Supervisors for conditional approval based upon the completion of the following items:

- Obtaining permitting for the holding tank
- Receipt of all easements and rights-of-way
- Modification of Certificate of Ownership
- No work is to be performed prior to securing the required easements
- Revise the Grading Plan to maintain the grade within the 20 foot right-of-way
- Obtain agreement to provide appropriate mowing of the undeveloped areas of the parcel
- Plan to show 50 foot ultimate right-of-way
- Property monuments to be set during construction phase
- Receipt of resubmitted E & S Plan to Berks County Conservation District
- Provide re-alignment of parking spaces to provide for handy capped parking spaces
- Final plan to be submitted to Township Engineer for final review prior to submittal to the Board of Supervisors

Following are the Waiver Requests and the recommendations by the Planning Commission:

1. AHI is working on securing the required easements. It could be approved with the conditions AHI has suggested. No work will commence prior to the establishment of the necessary easements and agreements.
CONDITIONALLY RECOMMENDED
2. AHI is requesting a waiver to the ultimate right-of-way. We understand that AHI can not grant ultimate right-of-way through lands of others, however, it can add a 17 foot additional right-of-way through the well parcel. This should not impact the project. Wheeler Lane is the only access to the remaining lands of Longacre. If the Longacre's intend to develop the property in the future the balance of the Township Road requirement would be required to be fulfilled at that time.
NOT RECOMMENDED.
3. Same as #1
CONDITIONALLY RECOMMENDED
4. AHI is requesting a waiver from the Traffic Impact Fee. This is logical due to the minor impact on the roads from this project.
RECOMMENDED

5. Land locked parcel. AHI is requesting a waiver. This is logical due to the nature of the project and the conditions of the existing parent property.
RECOMMENDED
6. Open space. AHI is requesting a waiver to this section due to the very limited impact to the Township and that the project will provide no impact to the recreation facilities.
RECOMMENDED
7. Minimum 30-foot easements. AHI is requesting a waiver due to the restrictive width of the existing Wheeler Lane.
RECOMMENDED
8. AHI is requesting that Wheeler Lane remain private and not be dedicated. Due to the existing conditions and there is no room to up-grade Wheeler Lane to the Township road standards this waiver request would be recommended.
RECOMMENDED
9. The existing driveway does not comply with the ordinance. Due to the fact the existing driveway does not comply with the ordinance. Due to the fact the limited right-of-way will not allow the required improvements this waiver request is recommended.
RECOMMENDED
10. CURBS-Due to the fact that no other curbs exist in the area and the restrictive nature of the right-of-way this waiver request is recommended.
RECOMMENDED
11. SIDEWALKS-Due to the fact that no other sidewalk exists in the area and the restrictive nature of the right-of-way this waiver is recommended.
RECOMMENDED
12. WATER SUPPLY-Since a public water supply well is permitted to a higher standard this waiver request is recommended.
RECOMMENDED
13. LIGHTING PLANS-Due to the fact AHI only wishes to provide a minimum amount of light for security and safety and this should not be disruptive to the surrounding residents this waiver request is recommended.
RECOMMENDED
14. MONUMENTS- AHI requests a waiver to the requirements to show the monuments to be set on the plan. They plan to establish monuments as part of the construction.
RECOMMENDED
15. FEES –AHI Requests a waiver. Following plan approval by the Township, AHI requests arrangements be made between the Municipal Authority and the Township for reasonable and appropriate fees associated with the Township inspections.
RECOMMENDED

16. FINANCIAL SECURITY-Following plan approval by the Township, AHI requests arrangements be made between the Municipal Authority and the Township for reasonable and appropriate fees associated with the Township inspections.

RECOMMENDED

17. IMPROVEMENT GUARANTEE-Since this is not a typical development of a commercial or residential nature this waiver request is recommended.

RECOMMENDED

18. STREET TREES – AHI is requesting a waiver.

19. BUFFER SCREENS- AHI is requesting a waiver.

20. SITE ELEMENTS SCREENS –AHI is requesting a waiver. Items 18, 19 and 20 have been satisfactorily addressed by the landscaping plan. This waiver is recommended.

RECOMMENDED

21. BUILDINGS TO HAVE SITE ACCESS-Wheeler Lane is the only access to the site. The developer has complied with the regulations to the fullest extent. The Board of Supervisors should entertain its approval for the planned use.

RECOMMENDED

22. ADA PARKING- ADA requirements are that 1 to 25 spaces requires 1 van accessible parking space. Room is available and it should be provided. ONLY THE ZONING HEARING BOARD CAN PROVIDE RELIEF IN THIS AREA. ENOUGH PARKING AREA IS SHOWN ON THE DRAWINGS TO RE-LINE THE SPACES AND MEET THE REQUIREMENT.

SUGGEST CONDITIONAL WAIVER

23. PARKING LOT LIGHTING-Only the minimum amount of lighting they are proposing should provide for building safety and security.

RECOMMENDED

24. INFILTRATION OVERFLOW DEVICE- AHI is requesting a waiver to the physical structure since the infiltrator extends down an existing grade and will provide a natural sheet flow outlet.

RECOMMENDED

25. INFILTRATION SETBACKS –AHI is requesting a waiver to the 10 setback on a property line. Due to the position of the existing Wheeler Lane in and along the existing property line this waiver request is recommended.

RECOMMENDED

Mr. Cron spoke regarding the residential access plan. Mr. Cron stated they will be on Wheeler Lane for a total of three (3) days. Arcadis will meet with the residents who live uphill from the

well site and explain what days of the week the project will be performed and let them know for the majority of time they will not have a problem getting in and out of Wheeler Lane. There is one portion of Wheeler Lane that becomes narrow and they will coordinate with the neighbors to let them know what hours of the day Wheeler Lane will be disrupted. In the event of an emergency they will have steel plates available to allow access by emergency personnel.

MAY MEETING SUBDIVISION EXTENSIONS

A motion was made by Rose Martin and seconded by David Moyer to ratify the actions taken at the March 26, 2009 Board of Supervisors meeting approving the following subdivision extensions:

Melcher/Quaker Homes	04/07/09 to 07/06/09
George Sterner Sketch Plan	04/07/09 to 07/06/09
Clover Hill Sketch Plan	04/07/09 to 07/06/09
Charles Hoffman Sketch Plan	04/07/09 to 07/06/09
Back Country Road	04/07/09 to 07/06/09

No public comments received.

All ayes

A motion was made by Rose Martin and seconded by Mark Bedle to ratify the actions taken at the March 26, 2009 Board of Supervisors meeting approving the following subdivision extension:

Bally Well #4	04/22/09 to 07/20/09
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No public comments received.

All ayes

A motion was made by David Heimbach and seconded by Rose Martin to ratify the actions taken at the April 23, 2009 Board of Supervisors meeting approving the following subdivision extension:

Stinely Subdivision	05/07/09 to 08/04/09
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No public comments received.

All ayes

A motion was made by Rose Martin and seconded by Mark Bedle approving the following subdivision extension:

West Side	05/29/09 to 08/28/09
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No public comments received.

All ayes

COMMUNICATIONS

The letter from the Volunteer Barto Fire Company regarding West Tract dated 3/16/09 will be placed on the next agenda for discussion.

ADDITIONAL ITEMS

Hereford Zoning Ordinance was made available to all Planning Commission Members. Mark Bedle stated the Joint Planning Meeting was held two weeks ago. The misalignment with general zoning in the township will be a minor adjustment and is limited to a fairly limited amount of properties.

The Act 537 Plan Update was distributed to all Planning Commission Members for their review. This will be reviewed and discussed at the next meeting of the Planning Commission.

ADJOURNMENT

A motion was made by Tom Jordan and seconded by David Moyer to adjourn the meeting at 8:42 p.m.

All ayes

Respectfully submitted,

Susan J. Brown
Planning Commission Secretary