

**PLANNING COMMISSION
MINUTES OF MONTHLY MEETING
DECEMBER 5, 2006**

The monthly meeting of the Longswamp Township Planning Commission was held at the Longswamp Township Municipal Building, 1112 State Street, Longswamp Township, Mertztown, Pennsylvania, 7:30 p.m., prevailing time as previously advertised and posted.

ROLL CALL

Officials Present: Dick Meier, Chairman; Mike Radcliff, Vice-Chairman, Cathi Kratzer, Secretary, Bruce Godfriaux, David River, Frank Karoly, and Stanley Bauman. Also in attendance were Jill Smith, representing the Engineer; Jill Nagy, Esquire, representing the Solicitor; and Barbara Ebert, Recording Secretary. Supervisors Donald Siegfried, Bruce Hall and Steve Wyka were present at the meeting.

ATTENDANCE

Bruce Rader, Berks Surveying & Engineering (Hills of Shalom-3); and several interested residents.

CALL TO ORDER

Chairman Dick Meier called the meeting to order at 7:35 p.m.

APPROVAL OF MINUTES

Bruce Godfriaux made a **motion** to approve the Planning Commission Minutes for the November 8, 2006, meeting; Cathi Kratzer seconded that motion. All in favor.

ENGINEER'S REPORT – Jill Smith

Board of Supervisors Meeting of November 14, 2006:

1. The Board of Supervisors passed a motion to extend the review period for the Svoboda Subdivision to January 23, 2007 as recommended by the Planning Commission. The Board of Supervisors also requested the Township Engineer to notify the developer that since this was the fourth time extension processed for the project and since the last plan submission was made on July 7, 2006, the Township Supervisors will consider rejecting the plan at the expiration of this time extension if a revised plan is not submitted to the Township for consideration in accordance with the SALDO.
2. The Board of Supervisors passed a Resolution for the Sewage Facilities Planning Module Amendment for Bear Creek and authorized the Township Secretary to sign and process the Planning Module.
3. The Board of Supervisors passed Ordinance No. 236, the Construction Standards and Specifications Ordinance, which repeals and replaces Ordinance No. 227.
4. The Board of Supervisors passed Ordinance No. 237, Regulating Well Drilling, which repeals and replaces certain portions of Ordinance No. 200.

5. It was announced that a Public Hearing for the Land-Use Assumption Report, as required for the Traffic Impact Fee Ordinance, will be held on Wednesday, December 6, 2006 at 6:30 PM at the Township Municipal Building.
6. The Board of Supervisors passed a motion to sign the Final Plans for recording for the Fredericksville Farms Subdivision.
7. The Board of Supervisors passed a motion authorizing the Township Engineer and Solicitor to prepare a Resolution for the Stormwater Maintenance Fund for review and consideration by the Board. The Resolution would establish maintenance and inspection fees to be paid to the Township by Developers for stormwater management storage facilities proposed for subdivisions and land developments.

Board of Supervisors Meeting of November 28, 2006:

1. The Board of Supervisors granted conditional Final Plan approval for the Rohrbach Valley Subdivision, granted the waivers requested by the Developer and/or recommended by the Planning Commission, and passed a motion to accept the street right-of-way offered for dedication by the property owner.
2. The Board of Supervisors passed a motion excepting the Developer's Improvement Agreement for the East Penn Manufacturing Building Expansion Project.
3. The Board of Supervisors passed a motion authorizing a partial release of security (Release #1) as recommended by the Township Engineer for the Feld-3 Subdivision.
4. The Board of Supervisors passed a Resolution (Resolution #2006-21) establishing a Stormwater Maintenance and Inspection Fee to be deposited with the Township for stormwater management storage facilities within the Township.
5. The Board of Supervisors authorized the Township Solicitor to advertise for consideration at the December 12, 2006 Board of Supervisors meeting the Township On-lot Sewage Disposal Facility Management Program Ordinance which provides for the inspection, maintenance and rehabilitation of on-lot sewage disposal systems and establishes a mandatory pumping program requiring property owners to clean out their septic tank at least once every three years.

OLD BUSINESS

Bridge Replacement

Chairman Meier requested an update on the recent Public Officials meeting held by PennDOT on replacement of the bridge over Little Lehigh Creek on SR 1010. Supervisor Wyka and Secretary Kratzer attended the meeting and reported that an entirely new bridge will be constructed and may take up to three (3) years to complete. The present bridge structure will remain in place until the new bridge is completed.

Planning Commission Expenses

Chairman Meier referred to a detailed report of expenses charged to the Planning Commission for the period January through September 2006. It appears that expenses for Hanover Engineering's attendance at PC meetings is not being budgeted. The PC requested that \$2600-\$3000 be included in the 2007 Budget to cover meeting attendance (2 hrs. x 12 months).

NEW BUSINESS

Estates of Sutherland

The Engineer notes in her letter dated November 30, 2006, that the following items were not included in the Final Plan submission:

- a. Payment of the filing fee
- b. Submission of evidence of review of an Erosion and Sediment control Plan by the County Conservation District
- c. Submission of evidence that the Final Plan has been submitted to the electric, telephone, cable television and gas companies which will serve the subdivision or land development

In addition, the Developer shall submit a completed Final Plan Checklist of Submittal Requirements.

The items noted above must be submitted before the revised plan deadline of Monday, December 11, 2006, for review by the Planning Commission at their January 2, 2007, meeting.

The Engineer also reported that contrary to a previous understanding with the Developer, Final Plans were not submitted in phases.

Hills of Shalom-3

Drawing dated November 1, 2006. Reviewed by our Engineer with comments contained in Hanover Engineering letter of November 30, 2006.

A review by the Engineer included the following comments:

- Waivers were discussed with the Board of Supervisors. They have decided to defer action on the waivers to the Final Plan.
- Shared driveway will require an agreement to be prepared by Solicitor
- Shade tree located on the property line between Lots 2 and 3 shall be located on Lot 3 only.
- Engineer will send letter detailing fees owed the Longswamp Township Stormwater Maintenance Fund which must be paid prior to release of plans upon Final Plan approval.

The Planning Commission requested that Note #7 on the plan be enhanced to include the professional qualifications of Mr. Seth Bacon.

Time Extension

Cole Woods (formerly Eric Gross Subdivision)

Mike Radcliffe made a **motion** recommending to the Board of Supervisors that a time extension to February 13, 2007, be granted to Cole Woods Subdivision; David River seconded the motion. All in favor.

Chartwell Manor

Mark and Barbara Seidel equitable owner with W. B. Homes (Prospect Acquisitions, L.P.) have withdrawn the preliminary plan for the Chartwell Manor Subdivision.

Discussion on Homeowner's Associations (Planned Communities)

The Solicitor distributed copies of boilerplate agreements to Planning Commission members for their review.

A discussion begun by the Solicitor included the following comments:

- Recommended that Rules and Regulations for the Planned Community be contained in a separate document
- Issues commonly covered in a Planned Community agreement include:
 - Driveways
 - Fencing
 - Restrictions for parking tractor trailers, etc.
- Examples of items included in a Planned Community fee:
 - Stormwater facilities
 - Open space
 - Streets
- Planned Community agreement must contain breakdown of fees
- Realtor is required to inform all prospective purchasers of any Planned Community agreement
- The Planned Community Act drives the procedure for establishing and maintaining a Planned Community agreement
- Planning Commission will review Planned Community agreements in the Final Plan stage
- The Developer has control of the Planned Community until 75% of the units are sold or two (2) years after offering or five (5) years after first unit is sold.
- Solicitor has reviewed Grande Planned Community agreements for Lilyfield and Columbian Court – they fall within well established standards.

Berks Smart Growth Alliance

Don Siegfried gave materials distributed at the first meeting of the Alliance to the Planning Commission Secretary for distribution to PC members. Materials may be returned to the Township Library after review by PC members.

PUBLIC COMMENTS

ADJOURNMENT

David River made a **motion** to adjourn the meeting at 9:02 p.m.; Cathi Kratzer seconded that motion. All in favor.

Respectfully submitted,

Barbara K. Ebert
Recording Secretary