

**PLANNING COMMISSION
MINUTES OF MONTHLY MEETING
December 7, 2021**

The monthly meeting of the Longswamp Township Planning Commission was held at the Longswamp Township Municipal Building, 1112 State Street, Longswamp Township, Mertztown, Pennsylvania, at 7:00 p.m. prevailing time.

ROLL CALL

Officials Present: Preston Boyer, Chair, Mark Story, Vice Chair, Greg Kupar, and David River, Secretary. Also, in attendance were Jill Smith, P.E. of Hanover Engineering Associates and Beth Kohl, Esq.

CALL TO ORDER

Chair Boyer called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES

The minutes of the September 7, 2021 Planning Commission meeting were presented. A motion to approve the minutes was made by Mark Story and seconded by Greg Kupar. All in favor.

ANNOUNCEMENTS

The Chair thanked the Planning Commission members who attended the joint meeting with the Board of Supervisors on September 28 regarding the draft Zoning Ordinance amendments.

In addition, the Chair has verified the expiration of terms for the Planning Commission members as follows:

David River	Term expires on December 31, 2021
Mark Story	Term expires on December 31, 2023
Preston Boyer	Term expires on December 31, 2023
Greg Kupar	Term expires on December 31, 2024
Chris Moore	Term expires on December 31, 2024

ENGINEER'S REPORT

Board of Supervisors Meeting of September 14, 2021:

1. A Conditional Use Hearing was held for Applicant Andrew Hafer of 340 Centennial Road for an accessory apartment to be built onto an already existing accessory structure. The Board of Supervisors granted Conditional Use Approval conditioned on compliance with the comments from the Zoning Officer's letter including, but not limited to, obtaining a variance to allow an accessory building apartment on a property smaller than 4 acres, submitting evidence and/or permits showing adequacy of on-site sewer and water systems to serve the property, and submitting plans showing compliance with steep slope protection criteria of Zoning Ordinance Section 624, as well as compliance with all local, state regulations and completion of any legal agreements required.
2. The Final Draft of the Longswamp Township Zoning Ordinance was presented to the Board of Supervisors for their review. The Board directed the Township staff to post the final draft of the ordinance on the Township website for public review and scheduled a Joint Workshop with the Planning Commission members for September 28, 2021 to review and discuss the proposed Zoning Ordinance.
3. The Board of Supervisors passed a motion to join other municipalities in opposing the warehouse in Maxatawny Township.
4. The Board of Supervisors passed a motion to adopt a Resolution for the Sewage Facilities Planning Module for Joseph Misura of 117 Walker Road.

Board of Supervisors Meeting September 28, 2021:

1. A Joint Workshop was held with the Planning Commission members to review and discuss the proposed Zoning Ordinance. The Planning Commission passed a motion to revise the draft Zoning Ordinance based on discussion at the Joint Workshop.
2. The Board of Supervisors authorized the Township professionals to draft a stand alone Public Gathering and Special Events Ordinance for review and recommendation by the Planning Commission.

Board of Supervisors Meeting October 14, 2021:

1. The revised Final Draft of the Longswamp Township Zoning Ordinance, based on the discussion at the Joint Workshop, was presented to the Board of Supervisors. The Board passed a motion directing the Township Solicitor to forward a copy of the amended Zoning Ordinance to the BCPC for their review and comment.

Board of Supervisors Meeting November 12, 2021:

1. The Board of Supervisor granted East Penn Manufacturing a one (1) year extension for Final Plan submission.
2. The Board of Supervisors accepted a time extension to March 8, 2022, as provided by the owner/applicant for the Mountain Village Section II Preliminary Plan.
3. The Board of Supervisors authorized the Township Solicitor to advertise a Public Hearing for the Amended Zoning Ordinance to be held on December 14, 2021 prior to the regularly scheduled meeting and to advertise the Ordinance for consideration for adoption at the regular meeting that same night.

PUBLIC COMMENTS

None

SUBDIVISION/LAND DEVELOPMENT AGENDA ITEMS

Mountain Village Section II Subdivision Plan –

Representing Mountain Village Mobile Home Park (MVMHP) were:

- Carl N. Weiner, Esq. of Hamburg, Rubin, Mullin, Maxwell, Lupin PC
- Deborah Roesener of Bursich Associates, the applicant's engineer
- P. Brad Macy, PLS. representing 055MV, LLC the property owner

The Mountain Village Mobile Home Park Section II expansion project was previously granted conditional Final Plan approval in 2003. The owner's representatives have submitted a plan dated July 26, 2021 consisting of 27 sheets.

Hanover Engineering Associates' Review Letter of this project is dated October 1, 2021.

The tract is approximately 26+ ac. of open woodlands, with plans to develop it for 108 new units on separately deeded lots to be operated in line with the regulations for an "Adult Community".

Points raised and discussed include:

1. Following the Planning Commission's review of this draft, the Applicant will need to go before the Zoning Hearing Board, as this use is by 'Special Exception' under the Township Zoning Ordinance. Taking into account the findings, recommendations, etc. from that body, the Applicant must then approach the Planning Commission and finally to the Board of Supervisors to gain an approved Final Plan.
2. In process are Wetlands, Fiscal Impact, Traffic, Recreation, and Hydrogeologic studies which will be submitted to the Township when completed. This was noted by the Township Engineer in their October 1 review letter.
3. Three parking spaces (6' X 8' each) have been provided for each of the 108 lots. Also discussed was street and/or off-lot parking in the event of additional cars at individual properties.

4. The developer will retain ownership of the grounds, with a Home-Owners' Association tasked with maintenance of the grounds. The water and sewer systems will be owned and maintained by the Community/developer.
5. The emergency spillway noted on the plan for Infiltration Basin 2 would need to be controlled on-site in the adjoining woodlands. An adjoining property owner, Andrew Berg, of 348 Hunter forge Road, noted that the adjoining use is farm land. The discharge needs to show that there are no corrosive conditions (increase or concentration in flow) perpetrated upon the adjoining properties, depending on the severity of a given storm.
6. A question arose as to the placement of the fence at the rear of the homes backing on Infiltration Basin 2. The Township Engineer suggested that the fence should be placed at the top of the graded slope, as opposed to the top of the berm, as suggested by the Applicant's Engineer. The setbacks from the home to the detention basin must be further investigated.
7. Adjoining property owner, Brian Billig, of 292 Hunter Forge Road was concerned about:
 - a- the buffering between the retention basins and the property lines and the park boundary lines.
 - b- present and future park residents who are trespassing / walking through adjoining private properties. He suggested a privacy fence.
 - c- water availability with 108 additional units' drawing on the area's water table.
 - d- the ownership of the lots and the homes. As noted, the homes will be owned by the residents while the lots will be owned by MVMHP.
 - e- spacing between units: side lot for each unit is presently 15' and the smallest lot depth is 58' at the building setback line.
8. Andy Berg, of 348 Hunter Forge Road, asked about the process for sufficient sewage capacity. It was noted that the developer must certify that the system's design is sufficient for the additional infiltration and that approvals have been received from DEP.

ADDITIONAL AGENDA ITEMS

Public Gathering and Special Events Ordinance

A draft Ordinance was presented to the Planning Commission. It specifically calls out private parties as not applicable. If a gathering is open to the general public, with admission &/or advertising associated, then this proposed ordinance may come into play.

A motion was made by Greg Kubar and seconded by Mark Story to recommend approval to the Board of Supervisors, with the suggestion to review the level of the fines outlined in the draft. All in favor.

Discussion regarding Final Zoning Ordinance per BCPC's Review Comments

The Commission members were presented with a printed final draft of the proposed Zoning Ordinance and use chart which will be used for internal reference only. Various sections, definitions, criterion, etc. were discussed. In addition, the Berks County Planning Commission's review of the Draft Zoning Ordinance was reviewed.

GENERAL PLANNING COMMISSION TOPICS

None.

PUBLIC COMMENTS

None.

ADJOURNMENT

A motion was made by Mark Story and seconded by Greg Kubar to adjourn the meeting at 9:40 pm. All in favor.

Respectfully submitted,
David River, Recording Secretary