

**TULPEHOCKEN TOWNSHIP JOINT PLANNING COMMISSION  
AND BOARD OF SUPERVISORS MEETING**

**May 4, 2023**

**Present:** Planning Commission Members: Scott Hetrick, Laverne Frey, Robert Sattazahn and Gary Deck. Also Board of Supervisors members: Gary Deck, Lester Feick and Harold Zimmerman. Township Solicitor- Michelle Mayfield, Township Engineer- Matt Mack and Planning Commission Secretary- Lisa Care. Township Secretary/Treasurer, Kathy Judy was present and John Zimmerman was absent.

The Planning Commission meeting began at 7:35 p.m. and continued with the pledge to the American Flag.

*For the Planning Commission Robert Sattazahn made a motion to approve the minutes from the April 3, 2023 joint Planning Commission and Board of Supervisors meeting, seconded by Laverne Frey and approved unanimously 4-0.*

*For the Board of Supervisors Harold Zimmerman made a motion to approve the minutes from the April 3, 2023 joint Planning Commission and Board of Supervisors meeting, seconded by Lester Feick and approved unanimously 3-0.*

**Public Comments:** None.

**Active Plans:** None

**New Plans:** Vernon Martin Ag Operation

Land Development plans were submitted for a broiler operation located at 54 Mill Road, Myerstown. Burt Nye from Nye Consulting Services was unable to be present at this meeting to go over the plans, therefore the Township Engineer went over the plans with the board members. Per the Township Engineer, Burt Nye will be addressing numerous issues stated in the review letter provided by Mack Engineering. There was also an incompleteness letter issued from the Berks County Conservation District. These plans will be adjusted and will have additional waivers. Therefore this project will be revisited by the Planning Commission after updates have been made and resubmitted for review.

**Walk-In Discussions** - None

**Other Business:**

**Waiver of Land Development – Marlin Martin**

This is for a 10 ft X 64 ft calf barn to be constructed at 12 East Hunsicker Lane, Myerstown. Per our Township Engineer, Marlin Martin was granted a waiver before for up to the 6400 sq. ft. limit allowed and this new building will put the square footage over the limit as the measurement is accumulative.

*For the Planning Commission Laverne Frey made a motion to recommend to the Board of Supervisors to support the waiver of land development due to the minimal size of the proposed structure with the conditions that the owner will need to work with the Township Engineer to design a reasonable storm water facility and pay all costs associated with that time, seconded by Robert Sattazahn and approved unanimously 4-0.*

*For the Board of Supervisors, in accordance with the Planning Commission’s recommendations, Harold Zimmerman made a motion to support the waiver of land development due to the minimal size of the proposed structure with the conditions that the owner will need to work with the Township Engineer to design a reasonable storm water facility and pay all costs associated with that time, seconded by Lester Feick and approved unanimously 3-0.*

**Zoning Hearing Board Application for Ira and David Mast/Shank Door-**  
165 Greble Road, Myerstown located in an Effective Ag Zone.

Applying for (5) variances from the following sections:

- Section 1053.1 Expansion for non-conforming use.
- Section 1053.4 Construction of an additional structure in connection with a non-conforming use.
- Section 846.03 Maximum building coverage is 15 percent and they would be up to 18 percent with the new building.
- Section 847.03 Maximum impervious coverage which is 25 percent and the proposed expansion would be 54 percent.
- Section 1045.02 Maximum of one entrance per property. Currently there is an entrance that goes into the existing single family dwelling and the upper part of the business. A separate truck entrance is being proposed.

*For the Planning Commission Robert Sattazahn made a motion to recommend for the Zoning Hearing Board to support this application as a natural expansion as identified in the application and with the conditions that all land development and permit requirements be met, seconded by Laverne Frey and approved unanimously 4-0.*

*For the Board of Supervisors, in accordance with the Planning Commission’s recommendations, Gary Deck made a motion to support this application as a natural expansion as identified in the application and with the conditions that all land development and permit requirements be met, seconded by Harold Zimmerman and approved unanimously 3-0.*

### **Solar Ordinance**

Reviewed our recommendation to allow for accessory uses on steep slopes and wet lands, if DEP allows. Green Energy Overlay area only for solar farms by special exception. Community solar arrays would require a minimum of 5 acres dedicated to the array.

Discussion was held for the height or start of the solar panels. Six foot minimum, for maintenance under the panel, and ten foot maximum. Can ask for relief for less height. If it exceeds 10 feet, then additional storm water controls would be required to prevent accelerated erosion.

### **Wireless Communications Facilities.**

*Nothing additional was added during this meeting for this section.*

### **Animal Units.**

The Township Solicitor discussed lot sizes for animal(s) to have sufficient exercise. There was discussion about open space and vegetation for pasture, applicable acreage and frequency of an approved nutrient management plan.

The Township Solicitor proposed revisiting this topic to present specific language.

*Laverne Frey made a motion to adjourn the meeting at 9:05 p.m., seconded by Gary Deck and approved unanimously. The meeting was adjourned.*

Respectfully submitted,

Lisa Care, Planning Commission Secretary