

TULPEHOCKEN TOWNSHIP PLANNING COMMISSION MEETING

November 2, 2023

Present: Planning Commission Members: Scott Hetrick, Robert Sattazahn, John Zimmerman and Laverne Frey. Also, Township Solicitor- Michelle Mayfield, Township Engineer- Matt Mack and Planning Commission Secretary- Lisa Care.

Absent: Gary Deck

Members of the audience: Lisa Henne and Bert Nye

The Planning Commission meeting began at 7:38 p.m. and continued with the pledge to the American Flag.

Robert Sattazahn made a motion to approve the minutes from the October 5, 2023 Planning Commission meeting, seconded by John Zimmerman and approved unanimously.

Public Comments: None.

Active Plans:

Jason Newswanger, 9 Mill Road:

These plans were approved with conditions at the September 7, 2023 meeting. Per the Township Engineer, the majority of the conditions were met, the remaining items are shared driveway easement and pond easement, improvements agreement and posting escrow.

Robert Sattazahn made a motion to recommend to the Board of Supervisors to reaffirm the plans so their 90 day clock does not run out which will allow time for the Township Solicitor to prepare the agreements and for the escrow to be posted at which time the Planning Commission will sign the plans, seconded by Laverne Frey and approved unanimously.

John Bicksler, 7695 Lancaster Avenue:

Adding a fourth barn onto the property and utilizing the same driveway. Run-off control was discussed and per Nye Consulting, small micro pools or mini basins will be used and tier into the main facility.

Still needs the Conservation Plan, 50 feet of paving at the entrance to Deck Road, Cost estimate, detailing out the fire lane and the following waivers:

Section 302, proposing a one step plan (Preliminary/Final).

John Zimmerman made a motion to recommend to the Board of Supervisors to grant approval for a one step plan to go straight to Final, seconded by Laverne Frey and approved unanimously.

Sections 303.1B (bearings, distances and monuments), 303.1H, 303.1L (certificates), 501.2M.4b (metal markers), & 602.7 (monuments). It was stated to confirm that monuments are in place. A total of (3) monuments, two along Route 501 and one along Deck Road.

John Zimmerman made a motion to recommend to the Board of Supervisors for approval of the requested waivers as listed with the conditions that the monuments are placed as noted, seconded by Robert Sattazahn and approved unanimously.

Laverne Frey made a motion to recommend to the Board of Supervisors for conditional plan approval based upon the Engineer's letter dated October 31, 2023, seconded by John Zimmerman, approved unanimously.

Vernon Martin, 54 Mill Road:

Expansion project adding two broiler barns to the south side of the existing two barns. Driveway entrance will be maintained, manure storage to the rear of the facilities and a new stormwater facility located directly behind the barns. Discharge is close to the neighboring property and an easement was received from this neighboring property owner. The Township Solicitor will review the note on the plan and also make a note to hold the Township harmless.

Waivers and partial waiver requests for sections 303.1.L (certificate), 303.1.B (bearings, distances and monuments), 501.2M.4.b (metal markers), 602.7 (monuments). It was discussed to have two (2) monuments placed, one at each corner on the southernmost property line.

John Zimmerman made a motion to recommend to the Board of Supervisor for approval of the requested waivers as listed with the conditions that the monuments are placed as noted, seconded by Robert Sattazahn and approved unanimously.

Section 302, proposing a one step plan (Preliminary/Final).

Laverne Frey made a motion to recommend to the Board of Supervisors to grant approval for a one step plan to go straight to Final, seconded by Robert Sattazahn and approved unanimously.

Items remaining are NPDES approval, cost estimate including two monuments, easement review and agreements by the Township Solicitor. These items are all included in the Township Engineers letter dated November 1, 2023.

Robert Sattazahn made a motion to recommend to the Board of Supervisors for conditional plan approval based upon the Engineer's letter dated November 1, 2023, seconded by John Zimmerman, approved unanimously.

Florence R. Schrack Revocable Trust Subdivision, 9-11 New Schaefferstown Road:

Lisa Henne was present to discuss and update the plans consisting of two annexations, one went to number 9 and one went to number 11 and creating two new residential lots for future development. Lisa Henne wanted to reaffirm the monument locations. Four (4) monuments on

the outside boundaries were marked in red on the plans by the Township Engineer at the October 5, 2023 Planning Commission meeting. These locations were reaffirmed.

Items remaining are PA DOT HOP applications and Aqua Terra to complete the BOG turtle habitat study. No action was taken by the Planning Commission at this meeting.

Walk-in Discussions:

- a. Bert Nye discussed an upcoming new heifer facility to house existing animals and manure storage. This proposed project will require Township permitting for stormwater requirements per the nutrient management plan. Building is estimated to be proposed at 36 feet by 426 feet (15,366 sq ft) located on a 125 acre property. Land Development could possibly be waived due to the fact that there will be no increase in animal units, no utilities, no new driveways, no increase in traffic and under one acre of disturbance.
- b. Bert Nye introduced a proposed subdivision to construct a Fellowship Center as a gathering place. Facility to be used by church members only for weddings, viewings, youth events, dinners, etc. Discussion was held as to the uses, proper zoning and ordinance. It was suggested to submit a sketch plan for a complete review and to communicate with the Township Zoning Officer.

Wireless Communications:

The Township Solicitor will amend some of the language to further define specific criteria and identify any historical markers and features listed within the Township in accordance of the Historical Resource Map as recommended by the Berks County Planning Commission.

Solar:

The Township Solicitor discussed the received recommendations from the Berks County Planning Commission on the creation of the Green Energy Overlay Zoning District for Solar Farms. The Township Solicitor will update some of the language and include a definition for agricultural soil classes that are in line with the Pennsylvania Municipal Planning Code (MPC). Solar farms should be avoided in the wetland areas or approved by Department of Environmental Protection (DEP) and must secure a permit from any State or Federal agency.

It was recommended that the set-backs should be greater than six feet from the right-of-way for solar farms. It was discussed and suggested to revise our amendment to align with the Township zoning set-backs for the district.

It was recommended to position the transformers to limit noise disturbance. The Township Solicitor suggested the transformers should not be noticeable from the closest adjacent residential property line to reduce any noise disturbance.

Remove parcel number 86-4410-00-61-9296, 93 Deck Road, as this property is an agricultural conservation easement parcel.

Concerns to the southern portion of the Green Energy Overlay District that is in a core habitat area. Consideration should be given to BOG turtles and Indiana bat habitat. Any tree removal would be performed during the months when the bats are not hibernating so they can find another location when they return.

Robert Sattazahn made a motion to adjourn the meeting at 9:55 p.m., seconded by John Zimmerman and approved unanimously. The meeting was adjourned.

Respectfully submitted,

Lisa Care, Planning Commission Secretary