



# TOWNSHIP OF SPRING PLANNING COMMISSION

**BERKS COUNTY, PA**  
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## MEETING MINUTES December 1, 2011

Chairman Oswald called the public workshop meeting of the Planning Commission to order on Thursday, December 1, 2011, at 7:00 p.m., in the Meeting Room of the Township of Spring Administration Building, 2850 Windmill Road, Cornwall Terrace, Berks County, Pennsylvania.

The following Planning Commission members attended James Oswald, John Dallas, Peter Bliudzius and Stephen Gibbs, Ron Keating, Sarah Ehrlich and Al Kreider. Also in attendance were, Jim Moll, Director of Engineering and Planning Services, Jim Lillis, Esq., Tasha Amato, Jason Shaner, McCarthy Engineering, Frank DeGenova, Valore, LLC, and Greg Ganikon, Resident.

### MINUTES: November 3, 2011

*Mr. Dallas, second by Mr. Gibbs, made a motion approving the minutes of November 3, 2011. Upon roll call, all members present voted affirmatively, with the exception of Mr. Kreider who abstained.*

### NEW SUBMITTALS:

**One Meridian Blvd. – Phase I – Plan Reaffirmation** – (EPS Review Letter, dated November 28, 2011, attached)(Jason Shaner, McCarthy Engineering) A brief description of the referenced plan indicated that during the review of the One Meridian – Phase 2 (Kohl's) Final plans, it was pointed out that the original plans for Phase I of the development had been approved by the Township, but was not recorded by the applicant. Applicant has since submitted a full set of the Phase I plans for reaffirmation of the Board of Supervisors approval. These plans have been compared to the plans that had been approved by the Board of Supervisors on August 13, 2007, and have been determined to contain only those modifications that reflect field changes that have occurred in the vicinity of Office Building A and utility changes resulting from the review process for Phase 2 (Kohl's) of the project.

*After further discussion, Mr. Keating, second by Mr. Bliudzius, made a motion recommending that the Board of Supervisors approve the One Meridian Blvd, Phase I – Plan Reaffirmation with the condition that the plans contain a notation identifying the portion of the project proposed to be modified by the recording of subsequent plans for the proposed Kohl's Land Development. Upon roll call, all members present voted affirmatively.*

**One Meridian Blvd – Retail Store (Kohl's) – Final Land Development-** (EPS Review Letter, dated November 30, 2011, attached)(Jason Shaner, McCarthy Engineering) It was indicated that the applicant has since submitted a draft reciprocal easement agreement between Kohl's Meridian Blvd. Investors and Meridian at Spring Ridge Condominium Association. Said agreement was prepared to address access to the site and the conveyance of stormwater across the site. It is recommended that execution of an acceptable version of this agreement be one of the conditions of Final Plan approval, **Section 403.1(I)**. Mr. Moll indicated to the planning committee that at the October 11, 2011 Transportation Advisory Committee, applicant was advised to proceed with the deceleration lane

requested by PennDot at the proposed entrance along Paper Mill Road, and that this deceleration lane has now been reflected on the land development plans. However, the roadway improvement plans necessary for PennDot approval have not yet been submitted. The Township should also be provided with all application material, correspondence with PennDot, and copies of any permits; in addition to a notation stating that such HOP's are required on the land development plans. Mr. Moll stated that said "notation should also state that any deviations from the information currently shown on the land development plans resulting from the HOP review process will require that revised land development plans be submitted to the Township for review and approval". Mr. Gibbs, requested seeing the deceleration lane review prior to Planning Commission approval of plans.

There was some discussion between applicant and committee members regarding (comment No. 7, page 2 of the review letter) regarding the added note no. 42 on Sheet 1 of 18 in regards to the "unconstructed parking lot, and that it shall be constructed in the future by the record owner of the residue parcel at the time another building is to be constructed if required by the Township at that time". Mr. Dallas, expressed he was not in favor of another potential developer having to construct said residue parcel at a later time. Mr. Moll also stated that a Traffic Impact Study was presented a couple of months ago but a new study was requested due to PennDot's requirement of extra lanes. In addition the applicant has also submitted the Highway Occupancy Permit materials to PennDot, and is currently awaiting the review.

*No Action Taken*

**Special Exception & Variance Application:**

**Valore, LLC & Metro PCS Pennsylvania, LLC:** - (EPS Review Letter, dated November 30, 2011, & Addendum to Review Letter, dated December 1, 2011, attached)(Frank DeGenova, Valore, LLC) Mr. Moll indicated the applicant is requesting Special Exception approval and three (3) variances that would permit the erection of a 122-foot monopole communications cell tower on the existing parking lot located at 2610 Keiser Boulevard. A Zoning Hearing has been scheduled for December 21, 2011 to consider the special exception request and the following variances requests:

1. Relief from the requirement that the leased area comply with the minimum 10,000-square foot lot area within the POB District, Section 321(B)(24)(i).
2. Relief to permit the tower to be located less than 100 feet from the property line, Section 321(B)(24)(1).
3. Relief, if necessary, to permit the tower to be located within 1,000 feet of a residential district or dwelling, Section 321(B)(24)(m).

Also stated was that the plans accompanying the application indicate that the proposed facility would eliminate six (6) existing parking spaces and replace them with three (3) new spaces that would not comply with the required minimum standard of 10' by 20'. The applicant has not requested any relief from the parking requirements and has provided no information regarding the actual parking demands of the existing building. A Mr. Frank DeGenova of Valore, LLC gave a brief description of the process involved in locating a potential site and reason this site was a prime location for Metro PCS Cell Tower. Planning Commission members expressed their concerns regarding such requests on behalf of the applicant and although in most cases is willing to meet applicant's partial way that the variances being requested amount to a very large relief from the Zoning requirements.

After an extensive discussion between applicant and committee members *Mr. Gibbs, second by Mr. Dallas, made a motion to the Zoning Hearing Board that the Special Exception & Variances be DENIED with the condition that the motion is to reflect the Engineering Department's review. Upon roll call, all members present voted affirmatively.*

**Miscellaneous:**

**Agriculture Security Area 7 – Year Review:** Mr. Moll gave a brief overview of the Agricultural Security Hearing

that was held on Wednesday, November 30, 2011. He explained that a 7-year review of the current properties in the ASA was completed. According to Mr. Moll a Mr. Thomas Derr responded to the Public Notice and submitted an application for his 29-acre property at 145 Shearer's Road located in the RHA zoning district, and that it is a livestock farm where he raises about 2,100 hogs per year. In addition, during the same hearing a Mr. Balthaser questioned the exclusion of the Labe property located at 111 Goose Lane, from the list of township properties included in the ASA. Mr. Moll explained that the Agriculture Security Advisory Committee concluded that Derr's and Balthaser's properties be added to the Agricultural Security Area with all other properties' included in this area to remain. *Mr. Keating, second by Mr. Kreider, made a motion recommending that the Board of Supervisors add the Derr and Balthaser properties into the Agriculture Security Area. Upon roll call, all members present voted affirmatively.*

**Ordinance Amendment Committee:** Mr. John Dallas gave a brief overview of the Alternative Energy Sources meeting that took place Thursday, December 1, 2011, prior to the Planning Commission meeting. Committee discussed principal uses within municipalities. The committee is to review and discuss Accessory uses next meeting.

Chairman, Jim Oswald announced there will be no Planning Workshop on Thursday, December 29, 2011.

There being no further business, Chairman Oswald adjourned the meeting at 8:30 p.m.

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Ronald J. Keating, Secretary