

# PLANNING COMMISSION

## TOWNSHIP OF SPRING

**BERKS COUNTY, PA**

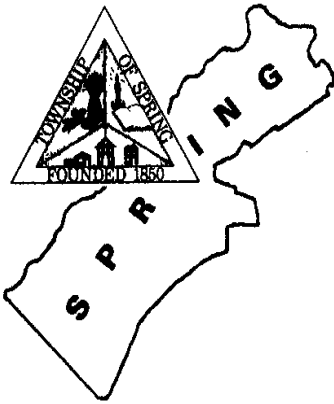
2850 WINDMILL RD.

READING, PA 19608

Tel. (610) 678-5393

Fax. (610) 678-4571

Website: [springtwperks.org](http://springtwperks.org)



### MEETING MINUTES

June 2, 2011

Chairman Oswald called the public meeting of the Planning Commission to order on Thursday, June 2, 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, Ron Keating, Sarah Ehrlich, Stephen Gibbs, Al Kreider and Peter Bliudzius. Also in attendance were, Jim Moll, Director of Engineering and Planning Services, Tasha Amato, Administrative Assistant, Jim Lillis, Esq., Scott Miller, Don & Bonnie Jarnoska, Steve Buck, Jay Barnett, Kim Berry, Gregory Davis, Esq., John Forde, Jason Shaner, Harlan Boyer, Rob Marrella, Greg Ganikon and Keith Smoker, Reading Eagle Reporter.

#### MINUTES: May 5, 2011

*Mr. Dallas, second by Mrs. Ehrlich, made a motion approving the minutes of May 5, 2011. Upon roll call, all members present voted affirmatively, with the exception of Mr. Kreider and Mr. Bliudzius who abstained.*

#### NEW SUBMITTALS:

Covenant Orthodox Presbyterian Church – Land Development Plan – (Scott Miller, Stackhouse Bensinger) (Review Letter, dated June 1, 2011, attached) Mr. Moll gave an overview of the Final Land Development Plans, with the proposed layout and seating arrangement of the sanctuary. After further review, the computations showed on the plan list 154 required spaces, while the applicant proposes to provide 160 spaces. With the first floor building plan being provided with the submittal indicating that the sanctuary will contain 362 seats (including the choir area), which would result in a total of 161 required parking spaces for the overall project, which is one greater than the number proposed by the applicant. Furthermore, construction of the parking spaces is intended to be phased along with proposed additions to the building. Phase one of the project, the applicant intends to construct 125 spaces and has determined that 119 spaces are required. Remaining 35 spaces to be constructed during Phase 2, **Section 701(A)**. In order to address any potential simultaneous events resulting in concurrent parking demands on the site, applicant has submitted a proposed parking agreement. The Township Solicitor, after further review of parking agreement has indicated that it is identical to that used by “St. Albans’ Church” and would just like to add an acknowledgement page for recording purposes is in accordance with agreement.

Mr. Gibbs, states that he is not in accordance with the parking agreement, Mr. Dallas is not in agreement with the Phasing construction regarding parking he is in favor of all of it being constructed simultaneously. Applicant stated that the Phase 1 would have 125 spaces; Phase 2 will add additional seating and parking furthermore, due to cost

factor applicant is unable to build all in one phase. In addition, Mr. Moll stated that Note 35 on Sheet 1 Of 10 states that the sanitary sewers were to be dedicated to the Township; however only sewer laterals are being proposed on said plans, which were to remain privately owned and maintained. Said note will need to be revised accordingly.

In addition, discussed was the off-site swale being proposed to convey storm water across the adjoining property directly to the north. Mr. Moll stated that the applicant would need to provide an easement agreement between the applicant and the adjoining property owner. Agreement should address any maintenance responsibility for any facilities located on the adjoining property. An easement description will need to be provided with said agreement. According to applicant Easement, agreement is in progress of being finalized. Mr. Oswald indicated that the next Planning Commission date might have to be cancelled due to lack of quorum being a Holiday week for the members to consider making a recommendation with conditions. After further discussion, *Mr. Keating made a motion, second by Mrs. Ehrlich, that the Board of Supervisors grant Final Plan approval to the Land Development Plans; however, this recommendation is conditioned upon the applicant addressing the following comments in the Engineering review letter of June 1, 2011:*

- 3) The Certification of Ownership must be signed and notarized, **Section 603(C)(5)**.
- 4) The Certificate of Accuracy must be signed and sealed, **Section 603(C)(6)**.
- 5) Note 35 on Sheet 1 of 10 states that the sanitary sewers are to be dedicated to the Township; however, the only sewers proposed on the Plans are the sewer laterals, which are to remain privately owned and maintained. This note should be revised accordingly.
- 6) The applicant needs to provide an easement agreement between the applicant and the adjoining property owner. This agreement should address maintenance responsibility for any facilities located on the adjoining property. An easement description will need to be provided with the agreement.
- 7) Several sinkholes exist within the proposed swale easement. It is highly recommended that the repair of these sinkholes be provided during construction of the swale. Furthermore, it is recommended that a sinkhole repair detail be added to the plan.
- 8) It appears that the E&S Plans and PCSM Plans will need to be revised to reflect the revised grading. The applicant will need to demonstrate that the Conservation District has approved these revisions.
- 9) Design calculations for the proposed off-site swale should be submitted for review.

*Applicant will need to resubmit revised plans with changes to Jim Moll for review and to be considered satisfactory to Mr. Moll and the Board of Supervisors. Upon roll call, all members present voted affirmatively, with the Exception of Mr. Kreider who ABSTAINED and Mr. Gibbs who voted NO.*

**One Meridian Blvd – Tentative Plan Amendment – Retail Store :** (Gregory Davis, Esq., Saul Ewing, John Forde, BPG CO. and Jason Shaner, McCarthy Engineering)(Review Letter & Memo, dated June 1, 2011, attached) Mr. Moll gave a brief description of the submitted request for the Amendment of the Tentative Plan for the Spring Ridge PRD. In addition to a waiver request from the parking requirements of **Section 610(A)(1)(c)** of the PRD Ordinance. Furthermore, the applicant has also provided additional information regarding the parking demand for the proposed Kohl's department store. Information consists of layout plans and parking data for four (4) existing Kohl's stores located in Pennsylvania as requested by Planning Commission. Submittal also includes a revised Concept Plan for the store, which shows modifications to the parking facilities. Applicant summarizes the parking information for these existing stores in a table format (see review letter, dated June 1, 2011 attached). After a brief summary of the proposed parking information, *Mr. Dallas made a motion, second by Mr. Bliudzius recommending approval for*

*the use of the Department Retail Store with the parking as outlined. Upon roll call, all members present voted affirmatively.*

**Pending Zoning Change Applications:**

**Will-O-Hill Zoning Change Request:** (Letter, dated April 26, 2011, attached)(Jay Barnett, Steven Buck) Mr. Moll gave a brief overview of applicants requests to state that in January of 2010 the owner of Will-O-Hill Apartments requested a zoning change from the **Rural Suburban (RS) District** to the **Urban (U) District** for an adjoining 4.1-acre property. This would allow the expansion of the apartment development into this additional area. At the April 7, 2011 meeting, Planning Commission *recommended to the Board of Supervisors that they approve the Will-O-Hill parcel zoning change from Rural Suburban (RS) District to Urban (U) District.* Furthermore, he stated, at a later date the applicant amended their request to include a revision to the zoning definition of **“Family”, Section 201**, which would permit the development of four (4) person apartment units. *In addition, the applicants were to submit a more defined clarification of the definition of “Family”, Section 201 for the Township Solicitor to review and Planning Commission members to be able to make a recommendation (per PC meeting April 7, 2011).* Mr. Moll explained the three (3) proposals for consideration to amend its Zoning Ordinance in one of three ways, in order to address the student housing use for the expansion of the Will-O-Hill Apartments. (Reference letter, dated April 26, 2011). Mr. Jim Lillis, Township Solicitor further explains Mr. Steven Buck, drafted a “Family Housing Act Amendment”, in which Mr. Lillis only had some minor changes to be made. A brief description of said amendment, “accept such limitations on number of unrelated persons maybe modified to afford an Equal Opportunity in order to obtain Fair Housing to the extent as required by the “Fair Housing Act”. Planning Commission inquired from the Township Solicitor which of the three proposals would be suggested for the Township. Per Mr. Lillis, proposal number 2 since it addresses the housing use and is narrowly tailored to multi-family units with at least one bedroom per occupant.

Mr. Boyer, who resides approximately 12 ft from said plan, addressed his concerns of proposed student housing chaos and traffic that it might bring to his property. Mr. Boyer was told that a Traffic Study was performed at Peak and it concluded that it would not affect that area. Conversely following further debate, *Mr. Dallas, second by Mr. Kreider made a motion recommending to the Board of Supervisors that the definition of “Family” in Section 201 be changed according to said language in paragraph No. 2, letter dated April 26, 2011; with the additional language of allowing some exceptions that would allow “Equal Opportunity under the Fair Housing Act”.* Upon roll call, all members present voted affirmatively, with the exception of Mr. Bliudzius and Mr. Keating who voted NO.

**Miscellaneous:**

Mr. Stephen Gibbs, Vice-Chairman of Township Planning Commission stated that the Township of Spring has an Identity Issue, being a community, second in size to the City of Reading in Berks County. As a member of the Township Planning Commission and resident, he takes pride in the work of the Township. Nonetheless, he feels that after months, at times years of reviewing plans, only to then have the developers submit plans case in point as Giant of West Lawn (Van Reed Road), Giant of West Reading (Spring Towne Center), Lowe’s of South Reading, Target of Wyomissing and Weis Market of West Lawn. In addition, Mr. Gibbs wants to suggest to the Board of Supervisors that the Township take a more proactive approach in advertising the Township, on signs or in the newsletters, and perhaps establish a small committee to study the same.

There being no further business, Chairman Oswald adjourned the meeting at 8:00 p.m.

---

Ronald J. Keating, Secretary