



# TOWNSHIP OF SPRING PLANNING COMMISSION

**BERKS COUNTY, PA**  
2850 Windmill Road  
READING, PA 19608  
Tel. (610) 678-5393  
Fax. (610) 678-4571  
Website: [springtwpberks.org](http://springtwpberks.org)

## Meeting Minutes

April 6, 2023

Chairperson Ulrich called a meeting of the Township of Spring Planning Commission to order at 7:00 p.m. on Thursday, April 3<sup>rd</sup>, 2023 in the Public Meeting Room of the Township Administration Building. Upon roll call, Sarah Ehrlich, LeRoy Schannauer, Ron Keating and George Stuck were present. Also present were Jim Moll, Director of Engineering and Planning Services; Attorney MacFarlane from Kozloff Stoudt, Jen Bensinger, Director of Information Technologies and Judy Houck, Director of Parks and Recreation. The following individuals also attended the meeting: Martin Grosso, Frank Lapuma, Jeff Simcox, John Hoffert, Juan Cortes, Bill Meister and another representative from Juliana's Restaurant. The following individuals attended the meeting virtually: Jeff Shyk, Sean Daly and an individual identified only as "Jim".

**OPEN TO THE FLOOR:** None

**AMEND THE AGENDA** – No amendments to the agenda were presented.

### **MINUTES:**

**February 23<sup>rd</sup>, 2023 Meeting** – *Motion to approve the minutes of the February 23<sup>rd</sup>, 2023 meeting was made by Mr. Stuck, seconded by Mr. Schannauer. Upon roll call, Ms. Ehrlich abstained and all other members present voted affirmatively. MOTION CARRIED 4-0.*

### **NEW PLANS**

#### **Juliana's Restaurant Land Development**

(Review letter dated April 4<sup>th</sup>, 2023 is attached.)

The applicant has submitted Revised Preliminary Land Development Plans. Mr. Moll reported that most of the Review Letter provided an update on items that have already been discussed at great length. The applicant was required to submit Land Development plans in order to receive a permit for the outdoor seating area and to memorialize what has actually been constructed on the property. There has been considerable discussion between the applicant and the Building Code Official and Fire Marshal regarding the outdoor seating area, the covered bar, the occupancy levels and the possible requirement for a sprinkler system. Because this property is served by a private well and not a public water system, if a sprinkler system would be required, the applicant would need to provide on-site water storage. The applicant's representative stated that a sprinkler system is far too costly for the applicant and believes this issue is a building code issue which should be handled by the Building Code Official and Fire Marshal and is requesting that the Planning Commission defer these issues to them. Mr. Moll also referenced the Codes Officials' concerns with the two apartments on the second floor of the building.

## **NEW PLANS - Continued**

### **Juliana's Restaurant Land Development - Continued**

Mr. Moll highlighted the following land development and zoning issues:

1. Parking Spaces – The applicant received approval from the Zoning Hearing Board in 2019 for a specific number of spaces which was based on a higher number of indoor occupants. Since the applicant is now proposing fewer indoor and outdoor seats than what was proposed in 2019, Mr. Moll and Solicitor Becker believe that the number of proposed parking spaces is accurate.
2. Parking Lot Lights – There aren't any lights at the end of the parking lot and Mr. Moll is concerned about whether or not there is enough illumination in this area for the safety of the patrons. The applicant has engaged the services of a lighting expert to develop a lighting plan that will address this issue.
3. Traffic heading east on Fritztown Road and entering the parking lot may not be able to enter the lot if a vehicle is exiting the lot at the same time. An on-site visit was held with the applicant's representatives, Mr. Moll and the Township's Traffic Engineer. The group agreed that the installation of a stop bar for exiting traffic and line striping to guide exiting traffic to the right side will provide adequate space for traffic entering from the west to safely navigate the entrance.
4. Stormwater Management – The applicant is designing a bio-retention basin to collect the storm water between the railroad and the parking lot to prevent this water from reaching the parking lot. They believe this will compensate for the additional parking spaces that were installed without permission. Great Valley Consultants has reviewed and approved the stormwater calculations.

The applicant is very interested in moving the plan forward. Chairperson Ulrich directed the applicant to finalize all of the outstanding items with the Codes Official and Fire Marshal and then contact Mr. Moll. Once these issues are resolved the Planning Commission can act on the plan.

#### **Extension of Time**

The applicant has submitted a request for an Extension of Time until November 2<sup>nd</sup>, 2023. The deadline for action on the current plan is May 3<sup>rd</sup>, 2023.

*Motion to recommend the Board of Supervisors grant the Extension of Time request for Juliana's Restaurant until November 2<sup>nd</sup>, 2023 was made by Mr. Stuck, seconded by Ms. Ehrlich. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5 - 0.*

#### **Wilson High School – Addition and Alterations**

Mr. Moll has not completed his review of this plan but he provided a verbal review of the updated project. The new plan includes a building addition next to the existing auditorium that does not extend into the parking lot. Stormwater facilities and sidewalk extensions are also included. The athletic field improvements have been removed from this project. Mr. Simcox provided a brief verbal report about the revised plans. He also reported that the District has updated its event management program to assist in preventing multiple events being scheduled at one time and creating parking issues.

## **NEW PLANS - Continued**

### **218 Perkasia Avenue Minor Subdivision**

(Review letter dated April 4<sup>th</sup>, 2023 is attached.)

Ms. Bensinger reviewed the proposed plan which was submitted as a Preliminary/Final Plan. The applicant has submitted new plans which addressed the issues previously outlined in Mr. Moll's review letter. The applicant has requested a waiver of the scale requirement of 1" = 50'. The plan has been drawn to the scale of 1" = 20' which allows for greater detail to be shown.

*Motion to recommend the Board of Supervisors grant the Scale Waiver Request for 218 Perkasia Avenue was made by Mr. Keating, seconded by Ms. Ehrlich. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5 – 0.*

*Motion to recommend the Board of Supervisors approve the Final Minor Subdivision Plan for 218 Perkasia Avenue was made by Mr. Keating, seconded by Ms. Ehrlich. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5 – 0.*

### **Helping Harvest – Parking Lot Expansion –**

#### **Revised Preliminary Plans**

Mr. Moll reported that until the Zoning Hearing Board renders a decision on the zoning issues, the Planning Commission cannot take any action on this plan. The applicant is scheduled to appear before the Zoning Hearing Board on April 26<sup>th</sup>, 2023.

#### **Extension of Time**

The applicant has submitted a request for an Extension of Time until June 15<sup>th</sup>, 2023. The deadline for action on the current plan is April 11<sup>th</sup>, 2023.

*Motion to recommend the Board of Supervisors grant the Extension of Time request for Helping Harvest until June 15<sup>th</sup>, 2023 was made by Mr. Stuck, seconded by Ms. Ehrlich. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5 - 0.*

### **10 Beaver Road – Colony P LLC – Mini Self Storage**

(Review letter dated April 3<sup>rd</sup>, 2023 is attached.)

Mr. Moll reviewed the project and reported that the Zoning Hearing Board rendered a decision on the plans and the applicant has submitted Preliminary Land Development Plans. Mr. Moll still has some questions regarding exactly what the Zoning Hearing Board's decision included and is not prepared to make a recommendation on the plan this evening. He reviewed the number of units that were originally proposed, the number that the Zoning Hearing Board approved and the number of units that were now proposed on the Preliminary Land Development Plans. Several versions of the plan were displayed for the Commission's review.

Significant discussion was held regarding an emergency access on the paper street known as Rocklin Avenue. Adjoining property uses, the tendency to encroach on un-used property, the requirement for a gate and KNOX Box and the buffer plantings were topics that were discussed. Mr. Moll will review this matter with Fire Marshal Hatt and relay any updated information to Mr. Hoffert.

**NEW PLANS – Continued**

**10 Beaver Road – Colony P LLC – Mini Self Storage - Continued**

Mr. Moll discussed the required setbacks, the setbacks as originally proposed, how it was proposed to the Zoning Hearing Board and how the setbacks are now displayed on the plans. Mr. Hoffert would like to review the Zoning Board’s decision to confirm what was actually approved.

Mr. Hoffert distributed two waiver requests. The applicant is requesting waivers of the following sections of the Subdivision and Land Development Ordinance:

Section 503(C)(B)(2) Plan Scale: To allow a plan scale of 1” = 30’ instead of the required 1” = 50’ to provide better plan clarity and legibility.

Section 503 (C)(G)(12) : To not require installation of sidewalks along Beaver Road since there are no existing sidewalks in the area to connect to.

Mr. Keating questioned the number of existing storage units. Mr. Hoffert reported there were 12 units but there were a certain number of lots available for vehicle storage.

*Motion to recommend the Board of Supervisors grant the waiver requests for 10 Beaver Road to allow a plan scale of 1” = 30’ and to not require the installation of sidewalks along Beaver Road was made by Mr. Keating, seconded by Ms. Ehrlich. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5 – 0.*

Mr. Moll informed Mr. Hoffert that until the setback issues were resolved he would not be taking this recommendation to the Board of Supervisors.

**McMillan Minor Subdivision**

(Review letter dated April 5<sup>th</sup>, 2023 is attached.)

Ms. Bensinger presented the proposed subdivision plan which received Conditional Use Approval from the Board of Supervisors on February 27<sup>th</sup>, 2023. The applicant also received approval to use a 1” = 100’ scale at the February 13<sup>th</sup>, 2023 Board of Supervisors’ meeting. Mr. Moll reviewed the zoning district requirements, the need for the Conditional Use Approval and the limitations on earth disturbance on this lot. The applicant has requested that the Township not require them to complete a stormwater design until such time that a building is proposed on this lot. This item will be listed as a note on the plan. Mr. Keating questioned the recording of this plan and Mr. Moll confirmed that this plan will be officially recorded.

The Department of Environmental Protection (DEP) denied approval of the on-lot sewage system due to the existence of nitrates in a private well within ¼ mile of the proposed development site. Mr. Hoffert explained how nitrates get into the water system and the additional nitrate study and document processing that must be completed in order to obtain DEP approval. The nitrate study will determine the size of the lot that would be permitted.

The applicant is requesting conditional plan approval pending completion of the sewage issues, final approval from DEP and successful completion of any items on Mr. Moll’s review letter dated April 5<sup>th</sup>, 2023.

**NEW PLANS – Continued**  
**McMillan Minor Subdivision**

*Motion to recommend the Board of Supervisors grant conditional plan approval for the McMillan Minor Subdivision with the following conditions: 1) Completion of the pending sewage issues and final approval from the Department of Environmental Protection 2) Successful completion of all items listed in Mr. Moll's review letter dated April 5<sup>th</sup>, 2023 and 3) The Township of Spring will not sign any plans until all of the previously stated conditions are successfully met was made by Mr. Stuck, seconded by Mr. Keating. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5 – 0.*

**PENDING PLANS**

**Lilyfield Mini-Warehouses – Preliminary Plan**

Mr. Moll briefly reviewed the project and the Commission's recommendations to the Zoning Hearing Board. The Board of Supervisors recommended that the Zoning Hearing Board deny the requests. The applicant requested an extension from the Zoning Hearing Board which was granted and the hearing is now set for April 26<sup>th</sup>. Discussion was held regarding whether or not new plans would be submitted and the applicant's reveal of a new plan at the Board of Supervisors' meeting. No new plan has been submitted.

The applicant has submitted a request for an Extension of Time until July 11<sup>th</sup>, 2023. The deadline for action on the current plan is April 11<sup>th</sup>, 2023.

*Motion to recommend the Board of Supervisors grant the Extension of Time request until July 11<sup>th</sup>, 2023 was made by Ms. Ehrlich. Motion died due to the lack of a second.*

*Motion to recommend the Board of Supervisors deny the Extension of Time request until July 11<sup>th</sup>, 2023 was made by Mr. Keating. Motion died due to the lack of a second.*

Mr. Moll and Attorney MacFarlane discussed the plan review process, the Township's responsibility to make a recommendation and the potential effects of not making a recommendation. The Commission engaged in a lengthy discussion about the waiver requests and the plans.

*Motion to recommend the Board of Supervisors deny the Lilyfield Mini-Warehouses-Preliminary Plan based upon Mr. Moll's review letters dated October 24<sup>th</sup>, 2022 and February 23<sup>rd</sup>, 2023 was made by Mr. Stuck, seconded by Ms. Ehrlich. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5– 0.*

**R. Weller II Minor Subdivision**

Mr. Moll had nothing new to report at this time.

**MISCELLANEOUS**

**The Learning Center – Component 4A**

Mr. Moll reported that this sewage facilities planning module is for the day care center located in the Spring Ridge Development. He is requesting the Planning Commission retroactively authorize him to complete and sign the application. Due to timing issues, Mr. Moll had to submit this review prior to the Planning Commission’s meeting.

*Motion to retroactively authorize Mr. Moll to complete, sign and submit the Sewage Facilities Planning Module Component 4A for the Learning Center was made by Ms. Ehrlich, seconded by Mr. Stuck. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5-0*

**ZONING REQUESTS**

**Decola – Calco Lot – Variance Request**

(Review letter dated April 5<sup>th</sup>, 2023 is attached.)

Mr. Moll reviewed the plan which is part of the 1925 Sinking Spring Terrace development plan. The Commission discussed the application, what is actually being proposed to be built on the lot, and the required side yard setbacks. No drawing was included in the Zoning Application however they did indicate that the building would be approximately 20’ wide and 38’ long and have a floor area of approximately 760 square feet.. If this scenario holds true, the proposed building would only be 10’ from the neighboring property lines. There are two additional lots of the same size right next to this lot. These lots are served by public water and sanitary sewer service.

Discussion was held regarding the building coverage and lot coverage, the definition of a single family detached dwelling and whether or not a mobile home would be permitted. Mr. Moll reported that a mobile home would be permitted on this site because it is considered a single family detached dwelling. Attorney MacFarlane reported that a mobile home would not meet the existing essential characteristics of the neighborhood.

*Motion to recommend the Zoning Hearing Board deny the Variance Request because 1)any structure located on this site would alter the essential characteristics of the neighborhood; 2) the proposed structure will exceed the building coverage maximum; 3) the proposed development may exceed the impervious coverage maximum and 4)insufficient information was submitted to determine the location of the proposed building was made by Mr. Stuck; seconded by Mr. Keating. Upon roll call, all members present voted affirmatively. MOTION CARRIED 5 – 0.*

**ANNOUNCEMENTS:** The next meeting is scheduled for Thursday, April 27<sup>th</sup>, 2023.

**ADJOURNMENT:** There being no further business, Chairperson Ulrich adjourned the meeting at 8:52 p.m.

  
\_\_\_\_\_  
Ron Keating, Secretary