# WASHINGTON TOWNSHIP PLANNING COMMISSION MINUTES MARCH 7, 2024

### CALL TO ORDER

Chairman, Carl Schaeffer called the Planning Commission meeting to order at 7:00 p.m. on Thursday, March 7, 2024, at the Washington Township Municipal Building.

# **ROLL CALL**

The following members were present: Carl Schaeffer, Frank Gehringer, Mark Bedle, Michael Ewing, Russell Drabick, Daniel Stauffer, Secretary, Susan Brown; John Weber, LTL Engineers and Solicitor, Joan London. There was eight (8) members of the public in attendance this evening.

Absent: Jennifer Cunningham

# TAPING OF MEETING

The meeting was recorded as an aid in the preparation of the Minutes. It was noted no one other than the Planning Commission Secretary was taping the meeting this evening.

# APPROVAL OF MEETING MINUTES FOR FEBRUARY 1, 2024

A motion was made by Dan Stauffer and seconded by Frank Gehringer to approve the minutes as amended for the February 1, 2024 Planning Commission meeting.

**Five-aves** 

Mark Bedle-abstained

#### SPECIAL REQUEST

None

# PUBLIC COMMENT

None

# **NEW SUBMITTAL**

None

### SUBDIVISION REVIEW

Eddinger Propane Land Dev. Plan – submitted 1/11/24.

- Request for simultaneous review-dated 12/28/23
- Waiver request-dated 12/28/23
- E&S Plan approval-dated 3/28/23

Mr. Weber explained this is a revised plan of record due to the increase in size of the accessory building that was previously approved. John noted there was a matter

previously discussed regarding two separate properties in the front of the Eddinger property which were combined by a previous plan however the Recorder of Deeds Office still shows them as separate properties. Mr. Weber suggested this matter should be corrected. The E & S Plan has been approved and there are two waivers being requested.

#### Waivers:

Motion made by Mark Bedle, seconded by Frank Gehringer to recommend granting waiver from Section 107-75.C(1)(a) property line buffer shall be provided for all nonresidential development.

#### All ayes

Motion made by Mark Bedle, seconded by Frank Gehringer to recommend granting a waiver from Section 99-50.B.12 minimum freeboard of one foot must be provided between the 100-year design storm maximum surface elevation and the invert of the emergency spillway and between the design flow through the emergency spillway and the top of the berm.

#### All ayes

A motion was made by Mark Bedle recommending conditional preliminary/final plan approval subject to the items listed in the February 19, 2024 LTL Review Letter, seconded by Russ Drabick.

# All ayes

**Stauffer Road Minor Plan Rev. #3-**submitted 2/16/24. Richard Mingey was present this evening to update the Planning Commission on the status of his plan and to request conditional preliminary/final plan approval. Mr. Mingey was at the February Board of Supervisors meeting at which time the five waiver requests were granted. The applicant will be providing a fee-in-leu of placing the curb and sidewalk. John asked if the stone driveway that encroaches onto Mr. Mingey's property will be removed. Mr. Mingey said the new plans will state the driveway will be removed. John also asked about the Planning Module approval to which Mr. Mingey stated his attorney will be reviewing that information with Joan London. Mr. Mingey said the buffer plantings will be provided in the front and rear yards.

A motion was made by Russ Drabick, seconded by Michael Ewing recommending conditional preliminary/final plan approval subject to the February 27, 2024 LTL Review Letter.

All ayes

All ayes

# **SUBDIVISION EXTENSIONS**

A motion was made by Mark Bedle, seconded by Frank Gehringer to recommend granting the following subdivision extension:

J.D. McGovern

04/04/24 to 07/03/24

A motion was made by Frank Gehringer, seconded by Michael Ewing to recommend granting the following subdivision extension:

D'Angelo Minor Plan

04/03/24 to 07/02/24

All ayes

A motion was made by Frank Gehringer, seconded by Russ Drabick to recommend granting the following subdivision extension:

**Reserve at Barto** 

04/03/24 to 07/02/24

All ayes

A motion was made by Dan Stauffer, seconded by Frank Gehringer to recommend granting the following subdivision extension:

1606 Main Street

04/03/24 to 07/02/24

All ayes

## ADDITIONAL ITEMS

**Solar Energy Systems revised draft ordinance review-**Joan stated the review letter was received from the Berks County Planning Commission on the 1<sup>st</sup> draft of the Solar Energy Ordinance. The comments mainly focused on the principal solar energy system. Joan provided a red line copy of the solar ordinance to the Planning Commission members prior to tonight's meeting. Joan stated one change is the maximum permitted area for a ground-mounted ASES shall not exceed two thousand square feet. Dan asked if the applicant has any procedure to request an exception to that and what would that be. Joan said it is under the zoning ordinance so it would be a variance.

Section 3 (2) states applicable zoning districts-Alternative energy systems shall be permitted as an accessory use within all zoning districts of the township, other than overlay districts with regulations having the effect of restriction of alternative energy systems. Dan asked if any overlay districts exist or are there plans for them in the future. Joan said she is not aware of any overlay districts that would have that type of restriction but in the event, there would be it would be best to have it included to make it clear. Dan questioned Section 3 (c) abandonment and asked if the six-month timeline is appropriate. Joan suggested changing the wording from not having been in operation to not having been operable which the members agreed was appropriate.

John said the first 1,000 sq. ft of impervious is not subject to stormwater so if there is a ground mounted system in excess of 1,000 sq. ft the spacing would be laid out as in the guidance document in order to consider the panels pervious.

Section 6 deals with PSES and states PSES would be permitted as a special exception going to the Zoning Hearing Board within the Commercial, Light Industrial, General Industrial and Quarry Districts. The two districts in question are the Watershed Conservation District and the Agricultural District and a recommendation from the Planning Commission is warranted. Dan asked if the township is obligated to have any area designated as a use by right and Joan said not for a PSES because there need to be conditions attached and there needs to be the right to attach reasonable conditions which

you don't have with a use permitted by right, so special exception is the best way to do that.

There are certain environmental protections that would apply to Agricultural and Watershed Conservation areas that are built into the ordinance. There was discussion regarding protecting the prime agricultural land.

Dan asked if the township should be considering an overlay district. Joan explained an overlay district is just a set of regulations that can be applied flexibly in a zoning district and can become complicated. The Planning Commission agrees to allow PSES in the Agricultural and Watershed Districts subject to the limitations of 136 h,i and j.

The Planning Commission said they agree with the BCPC comments in their February 14, 2024 Review Letter.

A motion was made by Mark Bedle, seconded by Michael Ewing recommending adoption of the Solar Energy System Ordinance as amended.

Five – ayes Dan Stauffer - abstained

## **COMMUNICATIONS**

- BOS meeting minutes dated January 25, 2024
- Rep. David Maloney letter regarding Camp Camino dated 11/29/23
- Rep. David Maloney letter regarding Daniel Bobb Homestead dated 2/14/24

#### **ANNOUNCEMENTS**

The next Board of Supervisors Meeting is scheduled for Thursday, March 28, 2024 at 7 p.m.

# **NEXT MEETING**

The next Planning Commission meeting is Thursday, April 4, 2024 at 7:00 p.m.

# **ADJOURNMENT**

A motion was made by Mark Bedle and seconded by Russ Drabick to adjourn the meeting at 8:36 p.m.

All ayes

Respectfully submitted,

Susan J. Brown Planning Commission Secretary