

**THE TOWNSHIP OF MAXATAWNY
PLANNING COMMISSION MEETING
THURSDAY, JANUARY 21, 2016**

MINUTES

REORGANIZATION:

1. Nominations for Chairman 2016
 - a. Motion was made by Unger and seconded by Simpson to appoint Ken Bleiler as Chairman for 2016. Motion passed (5-0).
2. Nominations for Vice-Chairman 2016
 - a. Motion was made by Unger and seconded by Bleiler to appoint Ed Simpson as Vice Chairman for 2016. Motion passed (5-0).
3. Nominations for Secretary 2016
 - a. Motion was made by Unger and seconded by Simpson to appoint Don Bucci as Secretary for 2016. Motion passed (5-0).
4. Motion to appoint the Township Manager as the Recording Secretary for the Planning Commission 2016.
 - a. Motion was made by Unger and seconded by Simpson to appoint the Township Manager as the Recording Secretary for 2016. Motion passed (5-0).

CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chairman Ken Bleiler called the meeting to order at 7:30PM with the Pledge of Allegiance. Members present: Don Bucci, Ed Simpson, Nancy Unger, and Earl Martin. Professionals present: Engineer, Chris Falencki; Solicitor, Jill Nagy; Code Official, Chris Paff; Manager, Justin Yaich.

APPROVAL OF THE MINUTES:

1. Motion was made by DB and seconded by NU to approve the Minutes of the September 17, 2015 Planning Commission Meeting. Motion passed (5-0).

PLANS TO REVIEW:

1. Arrowhead Lot 18 & 19 – Preliminary Land Development
 - a. Rob Hain of Berks Surveying represented the revised preliminary plans.
 - b. The Commission reviewed Engineer Falencki’s review letter of 1-21-2016 as well as Code Officer Paff’s letter of 8-19-2015.
 - c. Fire Chief RJ Shagin raised concern over the access to water for the local fire departments.
 - d. Solicitor Nagy stated that the water access issues should be addressed with the development owner as part of their ongoing clean up items.
 - e. The Commission’s consensus was that gravel was acceptable for the yard area but all parking spaces must be paved.
 - f. Motion was made by NU and seconded by DB to approve the waiver request for section 406 and to add a note to the plan indicating that the identified probe sites would be protected and undisturbed. Motion passed (5-0).
 - g. Motion was made by NU and seconded by DB to recommend conditional preliminary approval based upon Engineer Falencki’s letter of 1-21-2016 and Chris Paff’s letter of 8-19-2015. Motion passed (5-0).
2. Josh Tucker – Zoning Change Request – West Kutztown Road

- a. Josh Tucker presented his zoning request to have the commercial zoning line changed from 300 to 550 feet along West Kutztown Road.
- b. Resident David Sobotka was present to oppose the request. Mr. Sobotka supplied a court reporter who kept the record for this portion of the meeting.
- c. There was professional testimony from Michael McDevitt who is a local real estate appraiser. He gave an explanation of the negative impact to residential property values should the commercial line be extended.
- d. Additional professional arguments were made by Charles Schmehl of Urban Research and Development in opposition to the zoning change.
- e. The Commission unanimously agreed that changing the zoning line was not a recommendation they were willing to make.
- f. Kathy Zima raised concern over the old farmhouse on the property and its preservation.
- g. Roy Bellenoit stated that he was opposed to the zoning request.
- h. Motion was made by DB and seconded by EM to recommend not changing the zoning line to the Board of Supervisors. Motion passed (5-0).

MONTHLY SUBDIVISION & LAND DEVELOPMENT STATUS REPORT:

1. The Commission reviewed the status report. There were no questions.

PROFESSIONAL SERVICES:

1. Solicitor – Jill Nagy
 - a. Nothing additional.
2. Engineer – Chris Falencki
 - a. Nothing additional

PUBLIC COMMENT & HEARING OF THE VISITORS:

1. Tammy Bollinger of Lyons questioned the Commission on their recommendation to allow East Penn Manufacturing to rezone a tract of land near her house.
2. The Commission stated that they acted in good faith and felt the request was in the overall best interest of the Township.
3. Nancy Unger stated that she would spend more time speaking with neighboring property owners going forward.
4. Solicitor Nagy stated that all advertising for the meetings and hearings followed the guidelines of Pennsylvania State Law.

ADJOURNMENT: Motion was made by ES and seconded by NU to adjourn the meeting at 9:15PM. Motion passed (5-0).

Respectfully Submitted,

Justin Yaich, Manager