

**THE TOWNSHIP OF MAXATAWNY  
PLANNING COMMISSION MEETING  
THURSDAY, FEBRUARY 15, 2024 - 6:30pm**

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**MINUTES**

**CALL MEETING TO ORDER:** Chairman Bucci called the meeting to order with the Pledge of Allegiance. Members present: Michael Berger, Rob Reynolds, Dave Sobotka, and Laurel Burkhardt. Professionals present: Engineer, Chris Falencki and Anderson Deutschman; Solicitor, Chris Muvdi; Township Code Enforcement Officer, Chris Paff; and Township Secretary/Treasurer, Jerilyn Wehr

**PUBLIC COMMENT:** (Agenda items)

1. Multiple residents/taxpayers stated that they would like to speak regarding agenda items when being discussed

**APPROVAL OF THE MINUTES:**

1. Motion to approve the January 29, 2024 meeting minutes
  - a. Motion made by Reynolds and seconded by Berger to approve the January 29, 2024 meeting minutes. Motion passed (5-0)

**PLANS TO REVIEW:**

1. Conditional Use application review – Siegfriedale Solar
  - a. Solicitor Muvdi informed the Commission that he was notified late this afternoon that the project reps would not be in attendance this evening, as they are making changes to the plans. It is unknown at this time if they plan to attend the Conditional Use Hearing scheduled for February 28<sup>th</sup>
  - b. The Planning Commission did not make any recommendation
2. Villas of Maxatawny/Lobb property – Preliminary plan
  - a. Brian Focht of C2C presented the plan. The lot is a 22-acre parcel in the R2 zoning district. There are currently 118 homes proposed with access off of Hartman Road and College Blvd. The roads within the development will remain private and be maintained by an HOA. Public water and sewer are planned. There are proposed walking trails and open space within the development
  - b. The letters of Falencki dated February 13, 2024 and Paff dated February 14, 2024, as well as the Fire Marshal letter were reviewed
  - c. There was discussion regarding parking, road width, Homeowners Association agreements, ownership of the homes and land, stormwater management, the sizing of the proposed community garden, architectural renderings, and road improvements on Hartman Road
  - d. Requested waivers were reviewed
  - e. Resident Marty Yourkavitch asked why PennDot can force developers to do off-site improvements, but the Township can not
  - f. Resident Anne Franke questioned parking on the roads and enforcement
  - g. Resident Kim Smith voiced concern over stormwater issues
  - h. Resident Janna Gregonis asked if the project has approval for use of public water and sewer
  - i. No action was taken on the plan
3. Age Restricted Community/Tucker Tract – Sketch plan
  - a. Ken Wenhold of Judd Builders presented the plan. This is a proposed active adult community (55+) on 38 acres. The 62 single homes are proposed to be single level, ranging from 1,600 to 2,300 sq ft. There is a proposed clubhouse with amenities. Access

- will be across from Palmer Lane and the access road behind the St. Lukes property. The roads will be private and be maintained by an HOA. Public water and sewer are planned
- b. The letters of Falencki dated February 13, 2024 and Paff dated February 14, 2024, as well as the Fire Marshal letter were reviewed
  - c. There was discussion regarding lot size, location of access points, house style and price range of homes
  - d. Resident Janna Gregonis asked if the project has approval for use of public water and sewer
  - e. No action was taken on the plan
4. Zoning Hearing application review – KU Solar
    - a. Representatives of the project Joe Burget, Seth Berry, and Andrew Miller were in attendance and provided information on the project and the variances that were being requested
    - b. Motion made by Berger and seconded by Sobotka to recommend to the Zoning Hearing Board that Section 407.6(f) requiring installation of curbing be required. Motion passed (5-0)
  5. Florez Trucking – updated Final plan
    - a. Mark Koch stated that the representatives of the project met with Township staff to review the plan and clean up the remaining issues, including access, the recharge easement, and DEP’s approval of the planning module, which still has composting toilets approved for lots 1 and 3. Notes will be made on the plans regarding these issues. The plan will be presented to the Board of Supervisors at their March meeting
    - b. No action needed by the Commission
  6. Comprehensive Plan/SALDO/Zoning Update
    - a. Review of draft zoning ordinance amendment – Jerome Skrincosky
      - Skrincosky reviewed the modifications of the amendment, including having a maximum of 25,000 sq ft of warehousing allowed in the Light-Industrial zone and a maximum of 500,000 sq ft of warehousing in the Industrial zone. Skrincosky stated that when changes are made to the zoning ordinance the changes should be consistent with the Comprehensive plan, look at the community development objectives, look at health, safety, and general welfare issues, and take into consideration the economic development benefits
      - Sobotka voiced concern regarding the proposed changes and questioned if the limitations could be challenged, the number of acres in Industrial as well as the best location for large scale development
      - Bucci stated that he believes that there should be additional requirements added to the proposed changes including making larger berms, LEED certification, solar or green roof requirements, and carbon offsets and credits
      - Motion made by Sobotka and seconded by Reynolds to recommend approval of the zoning ordinance amendment. Motion passed (5-0)

**MONTHLY SUBDIVISION & LAND DEVELOPMENT STATUS REPORT:**

1. The Planning Commission reviewed the Status Report for the month.

**PROFESSIONAL SERVICES:**

1. Solicitor – Chris Muvdi
  - a. Nothing at this time
2. Engineer – Chris Falencki/ Anderson Deutschman
  - c. Nothing at this time

**HEARING OF THE VISITORS & PUBLIC COMMENT:**

1. Resident Rob Boyer voiced concern regarding solar fields
2. Resident Marty Yourkavitch questioned zoning regarding solar fields
3. Resident Anne Franke voiced concern over truck traffic issues and questioned how new submissions came in so fast
4. Resident Peter Karch also voiced concern over truck traffic issues

\*\*\*After public comment ended, it was determined by staff that there were two drafts of the proposed zoning ordinance amendment, one that allowed 25,000 sq ft warehousing in the Light-Industrial area and one that completely eliminates warehousing in Light-Industrial. The draft that eliminated warehousing from Light-Industrial was the one that was sent to Berks County Planning Commission to review for acceptance

- Motion made by Sobotka and seconded by Berger to withdraw the previous motion. Motion passed (5-0)
- Motion made by Sobotka and seconded by Berger to recommend not approving the proposed zoning ordinance amendment that was submitted to Berks County Planning Commission, but do recommend the draft that allows for 25,000sq ft buildings in the Light-Industrial zone. Motion passed (5-0)

**ADJOURNMENT:** Motion was made by Sobotka and seconded by Berger to adjourn at 10:00pm.

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Respectfully Submitted,

Jerilyn Wehr, Secretary/Treasurer