

**THE TOWNSHIP OF MAXATAWNY
PLANNING COMMISSION MEETING
THURSDAY, MAY 16, 2024 - 6:30pm**

MINUTES

CALL MEETING TO ORDER: Chairman Bucci called the meeting to order at 6:30pm with the Pledge of Allegiance. Members present: Michael Berger, 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. There were no comments at this time

APPROVAL OF THE MINUTES:

1. Motion to approve the April 18, 2024 meeting minutes
 - a. Motion made by Berger and seconded by Burkhardt to approve the April 18, 2024 meeting minutes. Motion passed (4-0)

PLANS TO REVIEW:

****Chairman Bucci stated that there will be a rearrangement of the agenda this evening****

The McDonalds prelim/final plan, the Conditional Use application review of 222 Capital Partners, as well as the 222 Capital Partners prelim plan review will not take place this evening as the project reps had reached out to the Township requesting to hold off review until June

1. Conditional Use application review – KU Solar
 - a. Project representatives Andrew Miller, Joe Burget, Steve Kremmel, and Mark Jones were in attendance and provided a review of the project. The variances requested and received were reviewed. June 11th is the date of the Conditional Use Hearing
 - b. There was discussion regarding the project including access, maintenance on site, and panel type, as well as elevation levels
 - c. Motion made by Sobotka and seconded by Berger to recommend approval of the Conditional Use application. Motion passed (4-0)
2. Martin Solar – Stormwater management
 - a. Project Representative, Joe Burget provided documentation of the soils testing that was completed at the recommendation of the Planning Commission
 - b. Waiver request letter dated May 8, 2024 was reviewed and discussed
 - c. Motion made by Sobotka and seconded by Berger to recommend a partial waiver of providing some stormwater control by working with Falencki and Paff. Motion passed (4-0)
3. Maxatawny CSG1 LLC Solar – Sketch
 - a. Project representatives Jen Johnson and Chris Watt presented the plan. This project is proposed in the field across the street from Advantage Point and will be leased from the owner. The solar panels will cover about 10 to 15 acres of the lot. A use variance would be necessary
 - b. The letters of Falencki dated May 14, 2024 and Paff dated May 16, 2024 as well as the Fire Marshal letter were reviewed
 - c. There was discussion regarding the project including access, parking and truck loading, maintenance and type of panel
 - d. No action taken
4. Villas of Maxatawny (Lobb Tract) – Preliminary plan
 - a. Chuck of C2C Design and Developer Brian Kobularcik presented the plan with multiple updates completed based on the previous letters of Falencki and Paff. A draft agreement

for sewer is ready to execute and payment will be provided to MTMA for reservation at their meeting next week

- b. The letters of Falencki dated May 14, 2024 and Paff dated May 15, 2024 were reviewed
 - c. There was discussion related to landscaping, walking trail, buffer area, sidewalks and HOA requirements
 - d. Waiver request letter dated April 24, 2024 was reviewed and discussed
 - e. Motion made by Berger and seconded by Sobotka to recommend approval of the requested SALDO waivers. Motion passed (3-1) Burkhardt – no
 - f. Motion made by Sobotka to recommend approval of the Stormwater waivers 1, 2, 4, 5, and 6. Motion was withdrawn
 - g. Motion made by Soboka and seconded by Berger to recommend approval of the Stormwater wavers 1, 4, 5, 6, and MRC basin design. Motion passed (4-0)
5. Provco Pinegood Kutztown LLC
- a. Keith Mooney and Shawn Muntz, representatives of the project, presented the plan and updated the Commission on the changes made since the last review
 - b. The letters of Falencki dated April 16, 2024 and Paff dated May 7, 2024 were reviewed
 - c. There was discussion related to the entrances/exits, sign locations, stormwater management and location, as well as lot configuration and Xode use/access
 - d. The waiver review letter dated May 16, 2024 was presented and discussed. Requested waivers #1 through #4 were previously given a motion to recommend approval.
 - e. Motion made by Sobotka and seconded by Berger to recommend approval of the requested waivers with the addition of 307. Motion passed (4-0)
 - f. Motion made by Sobotka and seconded by Berger to recommend conditional approval of the planning module. Motion passed (4-0)
 - g. Motion made by Sobotka and seconded by Berger to recommend conditional preliminary plan approval based on the letters of Falencki and Paff, as well as the consolidation of lots B and D. Motion passed (4-0)
6. Conditional Use application review – Hilltop Industrial
- a. Engineer Tom Dredge was in attendance for the developer. Dredge stated that he was authorized to attend, but not answer any questions related to the application until the CU Hearing
 - b. There was discussion on the application including the berm, on lot vs. public water and sewer, traffic, road widening, sidewalks, round-a-bout, and water for fire protection
 - c. Motion made by Bucci and seconded by Sobotka to recommend denial of the CU application. Motion passed (3-0). Burkhardt abstained due to conflict
 - d. Resident Marty Yourkavitch questioned fill and building height as well as traffic studies
7. Comprehensive Plan/SALDO/Zoning Update
- a. Bucci stated that we have been approved for grant funding for the Joint Comprehensive Plan
 - b. The Commission was provided with a draft landscape ordinance revision. There was extensive discussion regarding the draft with many recommendations made to Engineer Falencki for additions/revisions

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 – Anderson Deutschman
 - a. Provided an updated draft of the Landscape Ordinance as well as the Solar Ordinance for review for next months meeting

HEARING OF THE VISITORS & PUBLIC COMMENT:

1. Resident Alex Darlington wants to see the integrity and agricultural aspects of the Township to remain and questioned how these proposed developments benefit the Township
2. Resident Christina Ferris questioned the water testing completed on the warehouse project properties and if it affected the water level
3. Resident Steve Moyer stated that quality of water is more important than volume

ADJOURNMENT: Motion was made by Sobotka and seconded by Berger to adjourn at 9:22pm.

Respectfully Submitted,

Jerilyn Wehr, Secretary/Treasurer