

## **Bern Township Planning Commission Meeting of August 13, 2024**

Present: Planning Commission: James Dailey, Jeff Piccioni, James Colflesh, Michael Werley and Steve Tricarico.

Also attending: Mr. Keith Mooney, Solicitor; Mr. Kent Morey, Spotts, Stevens & McCoy; Ms. Josele Cleary, Special Counsel for C&B Development project; Mr. Matt Close, C&B Development; Mr. Steve Walsh, Engineer for Dynamic Engineering; Iliada Herrera, Bogia Engineering Inc.

Mr. James Dailey called the meeting to order at 7:30 p.m.

### **Acceptance of Minutes**

Mr. Tricarico made a motion to approve the July 9, 2024, meeting minutes; Mr. Werley seconded. All in favor. Motion carried.

### **Public Comment**

No public Comment

### **Subdivision and Land Development Plans**

#### **C&B Development, LLC**

Mr. Morey read the following waivers as outlined in his review letter of August 9, 2024:

Section 149-22.A(5)(a), to allow for a 5 ft. top of berm width in lieu of the required 8 ft. top berm width.

Section 149-23.E, to permit 2:1 graded slopes in lieu of the max permitted 3:1 slopes.

Section 152-8.K and Section 154-32.D, to not provide sidewalk along Leisczs Bridge Road.

Section 154-30.I(2)(F), to permit a Professional Engineer prepare the Hydrology Impact Study in lieu of a Hydrologist or Hydrogeologist.

Section 154-30.I(2)(H), to not provide a Historic and Archaeological Resources Impact Study.

Mr. Tricarico made a motion to recommend approval of the waiver requests. Mr. Werley seconded. All in Favor. Motion carried.

Mr. Morey discussed item 8 of his letter noting that the conditional use requires that the proposed landscaping plan does not but shall include a buffer (berm and evergreen trees) from Leisczs Bridge Road to the Buckeye pipeline as required by condition 12. Atty. Cleary pointed out that more specifically, that the Conditional Use condition specifically requires that this plan include the following note if the buffer is not shown on the plan:

Any subdivision or land development plan for the land identified as Residual Lot on the Leisczs Bridge Road 2 Lot Subdivision Plan recorded at Instrument No. 2022048667 in the

Office of the Recorder of Deeds in and for Berks County, Pennsylvania, provide earth berms and landscape screening on top of the berms to be located along the eastern property line from Leisczs Bridge Road to Buckeye Pipeline Company easement. The berm and landscaping shall be installed in an area measuring not less than 20 feet in depth from the property line and shall meet the requirements of Zoning Ordinance Section 184-148. The applicant and successors must maintain in perpetuity all required plantings, berms, shrubs and other plant materials. Trees or shrubs which become diseased or die shall be replaced by landscaping meeting all Zoning Ordinance requirements within six months.

The applicant's engineer agreed to add the note and/or resolve what screening will be provided prior to final plan approval.

In accordance with comment 11. the applicant's engineer agreed that the "alternate parking spaces" will be striped for passenger vehicles and alternate will be removed.

Atty. Cleary noted that with regard to comment 44, either an agreement shall be in place or a note added to the plan indicating that the Transportation Impact Fee amount be based on actual traffic counts as required by the comment/conditional use approval.

Mr. Morey noted that comment "54." Embedded within comment 45. Shall be considered as comment 51.

Mr. Tricarico made a motion to recommend approval of the C&B Development Preliminary Plan subject to the satisfaction of the above comments and remaining provisions in the August 9, 2024, SSM review letter; Mr. Colflesh seconded. All in favor. Motion carried.

### **Rietnouer 3 Lot Minor Subd.**

Mr. Werley made a motion to recommend approval of the waiver request of Section 154-32.1 Monuments. Mr. Colflesh seconded. All in Favor. Motion carried.

Mr. Werley made a motion to recommend approval of the Rietnouer 3 Lot Minor Subd. Final Plan subject to the satisfaction of the remaining provisions in the August 9, 2024, SSM review letter; Mr. Tricarico seconded. All in favor. Motion carried.

### **Solicitor**

No Comment

### **Adjournment**

Mr. Colflesh made a motion to adjourn at approximately 8:00 PM; Mr. Piccioni seconded. All in favor. Motion carried.