

Bern Township Planning Commission Meeting of March 11, 2024

Present: Planning Commission: James Dailey, Christopher Becker, 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 and Bernville Business projects; Mr. Matt Close, C&B Development and Bernville Business projects; Mr. Steve Walsh, Engineer for Dynamic Engineering; John Hoffert, Hoffert Surveying.

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

Acceptance of Minutes

The minutes of previous meetings were not available at this time.

Public Comment

Beverly Knoll expressed concerns about warehouses that were presented at the last meeting and was particularly concerned about truck traffic.

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:

A waiver of Section 149-12.A to allow a design freeboard of 0.53 ft. in lieu of the required minimum of 1 ft. of freeboard above the 100-year maximum pool elevation specific to Basin #6/rain garden was requested. Due to the small size of the basin and its location, SSM was in support of the waiver.

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

A waiver of Section 149-20.C to allow the distance between the bottom of the infiltration basins and limestone bedrock to be less than 4', subject to the over excavation and clay line r backfill at any locations where bedrock pinnacles exist with the basin footprint. The request is specific to basins #2, #3 and #4.

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

Mr. Werley made a motion to recommend approval of the final plan subject to the remaining items in March 5, 2025 SSM review letter. Mr. Colflesh seconded the motion. All in Favor. Motion carried.

Bernville Business Center Warehouse

Steve Walsh noted that the applicant only wished to discuss items 5., 6. and comment 31 of the SSM Review letter of February 20, 2025. More specifically that the two parcels in question are owned by the Reading Regional Airport (the Airport) and that the applicant would be leasing

the property. Therefore, they would need to discuss with the Airport any further action. Ms. Cleary noted that if the plan would move forward and that the applicant was still going to lease the property, the airport would need to be the entity to enter into all agreements with the Township for final approval.

No action was taken on the plan or the waivers requested.

Bethany Romanian Church

John Hoffert was present to represent the applicant and present the plan.

A waiver has been requested of Sections 149-12.C and 149-22.A(6)(c) to allow less than 1.0' of freeboard in the emergency spillway of the stormwater basin. The proposed freeboard is 0.58'. SSM supports the request due to the small size and location of the basin.

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

A waiver has been requested of Section 149-20.A. to allow an infiltration rate less than the minimum infiltration rate of 0.5 inches/hr at the elevation of the bottom of the facility. The tested (w/o a safety factor) infiltration rate is only 0.125 inches/hr. SSM supports the waiver request subject to approval by the Conservation District as part of the NPDES Permit application review.

Mr. Becker made a motion to recommend approval of the waiver request. Mr. Colflesh seconded. All in Favor. Motion carried.

A waiver has been requested of Section 149-22.A(5)(a) for berm width of 5 feet (in lieu of 8 ft) requested due to limited site area at the basin and shallow ponding depth. SSM supports the waiver for the reason stated.

Mr. Becker made a motion to recommend approval of the waiver request. Mr. ____2____ seconded. All in Favor. Motion carried.

A waiver has been requested of Section 149-22.A(5)(b) to permit a 10" diameter basin outfall pipe (in lieu of 12") in that the 10" riser is required for basin routing and to pass the resulting flow. Also, the smaller pipe is more suitable given the limited pipe cover in the parking area. SSM supports this waiver for the reasons noted.

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

A waiver has been requested of Section 149-22.A(6)(a) to permit the proposed PVC riser pipe outlet rather than requiring concrete or masonry due to the limited contributing area. SSM supports this request as the riser pipe is relatively short and a concrete structure is not required for support.

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

Mr. ___4___ made a motion to recommend approval of the preliminary plan subject to the remaining items in March 5, 2025 SSM review letter. Mr. Becker seconded the motion. All in Favor. Motion carried.

Ray T. Davis II Subdivision

John Hoffert was present to represent the applicant and present the plan.

The SSM review letter of March 5, 2025 was discussed. Mr. Hoffert presented a letter for a waiver request of Section 154-32.I(4) to allow street monuments to be placed at key locations rather than to be monumented on the right-of-way line or the five feet range line at least one monument at each street intersection; at changes in direction of street lines, excluding curb arcs at intersections; at each end of each curved street line, excluding curb arcs at intersections; at intermediate points wherever topographical or other conditions make it impossible to sight between two otherwise required monuments; and at such other places along the line of streets as may be determined by the Township to be necessary so that any street may be readily defined in the future. The reason for the request is that the property will be farmed in the spring and any monument established along the street line will be plowed and disturbed during normal farming practices. In addition, if the lots are further subdivided in the future to say residential lots, monuments can be required at that time. SSM supports the request for the reasons noted.

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

Mr. Hoffert presented Mr. Morey with copies of the Planning Modules for SSM's review.

No further action was taken on the plan.

Jennifer and Bobby Jacob – 1160 Old Bernville Road

The Jacobs discussed their intentions to purchase 1160 Old Bernville Road and to continue with hosting events primarily weddings and wedding receptions. The Planning Commission, Mr. Morey and Mr. Mooney noted past history with the current owner and concerns that the Township had re: the previously approved plan with conditions in which conditions were not followed through with, noise, traffic and parking, addition of the western most parking not in compliance with the conditionally approved plan. The Jacobs talked about their intentions and even described their "long" term plans. Mr. Morey expressed concerns about "long" term plans as the Township has concerns about the current operations/activities at this location.

Comprehensive Plan Update

Mr. Tricarico asked for a motion to approve the update. Mr. Becker inquired about the changes and to see them. Mr. Tricarico noted that they were compiled by himself, Supervisor Mrs. Reed and Brian Potts, Twp. Manager. At about this point Mr. Mooney noted that the plan could not be voted on tonight because the plan needed to be advertised. Mr. Tricarico was going to gather the information that was used for the update for the other members to review.

Solicitor

No Comment

Adjournment

Mr. Colflesh made a motion to adjourn at approximately 9:05 PM; Mr. Tricarico seconded. All in favor. Motion carried.