

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS**December 15, 2016**

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Thursday, December 15, 2016 at the Lower Pottsgrove Township Municipal Building, 2199 Buchert Road, Pottstown, Pennsylvania. The meeting was called to order at 5:59 p.m. and the Pledge of Allegiance was recited. The following were in attendance:

Board of Commissioners: Bruce L. Foltz, President; Stephen M. Klotz, Vice President; Earl E. Swavely, Jr., Raymond W. Lopez and Robert Mohollen.

Charles Garner, Solicitor, Edward C. Wagner, Manager and Sharon Colletti, Secretary also were present.

Mr. Garner announced that prior to tonight's meeting the Board met in Executive Session to discuss collective bargaining; no action was taken and no decisions were made. The Sunshine Act requires this announcement to be made.

Commissioner Lopez made the motion to approve the December 5, 2016 minutes and Commissioner Mohollen seconded the motion; all in favor (5-0)

COMMENTS BY VISITORS:

Mr. Tom Troutman, 2469 High Street, wanted to know if visitors would have the chance to ask questions or comment during or after the presentation by Sanatoga Green. Commissioner Foltz asked Solicitor Garner if it was permitted. Mr. Garner stated it was at the discretion of the Board. The Board agreed that visitors would be permitted to comment.

Mr. Tony Doyle, 1745 Kepler Road, expressed his concern with regards to the fact that the projected revenue for 2017 was \$115,000.00 less than in 2016 and wonders where cuts were made. He asked if there would be an increase in taxes for the year and if reserves would be utilized if necessary. Commissioner Foltz responded that there would be no tax increase and we would dip into the reserve if need be. Mr. Doyle expressed his concern that the Township continues to draw from the reserve and in his opinion would rather pay an increased tax than continue to utilize the reserve (he said he wanted to go on record).

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

Chief Foltz, Police Chief discussed a program available to the department in which discarded vehicles could be donated to the County for training purposes at the Emergency Vehicle Operations Course. The vehicle (#13) is a 2010 6-cylinder Dodge Charger marked police car with 100,000 miles. He feels that selling the car on Municibid would not be worth it and to decommission the car for sale to the public would cost too much money. Commissioner

Swavely made the motion to donate vehicle #13 to the County; Commissioner Lopez seconded the motion; all in favor (5-0)

Commissioner Klotz made the motion to advertise 2017 meeting dates for the Board of Commissioners, Sewer Authority, Planning Commission and Parks and Recreation Board; Commissioner Swavely seconded the motion. All in favor (5-0)

RESOLUTION AND ORDINANCE:

Commissioner Mohollen made the motion to adopt Ordinance No. 146-QQ Adopting the Lower Pottsgrove Township 2017 Budget (final draft budget dated December 15, 2016); Commissioner Lopez seconded the motion. All in favor (5-0)

Commissioner Klotz made the motion to adopt Ordinance No. 133-PP Setting the Real Estate Property Tax Rate for 2017; Commissioner Swavely seconded the motion. All in favor (5-0)

Commissioner Lopez made the motion to adopt Ordinance No. 134-QQ Setting the Rate of Assessment of Street Lighting for 2017; Commissioner Mohollen seconded the motion. All in favor (5-0)

Commissioner Lopez made the motion to adopt Resolution 344-35 Establishing the Rates for Act 511 Taxes for 2017; Commissioner Mohollen seconded the motion. All in favor (5-0)

Commissioner Klotz motioned for the approval of Warrant #855 for the month of November 2016. Commissioner Swavely seconded the motion and it was unanimously approved (5-0)

Commissioner Mohollen motioned to accept the Treasurer's Report for November 2016. Commissioner Lopez seconded the motion and it was unanimously approved (5-0)

OLD BUSINESS: PRESENTATION OF THE SANATOGA GREEN DEVELOPMENT

Mr. Frank Bartle, Attorney for the Applicant began the presentation by thanking the Board for the opportunity to present tonight and for all of the time and effort that has been placed into this project.

He explained their agenda for tonight which will begin with the history of the project and projected timelines going forward. He stated he would discuss the sustainable design elements provided by Wallace, Roberts & Todd, the review of waivers and variances received, the D.R. Horton townhouse renderings and the fire marshal review of proposed road network. He stated that with regards to the retaining wall the Applicant will do whatever the Township requires pertaining to the height and the fence they require; and with regards to the obligation of the HOA for maintenance of the wall & fence and perpetuity they will certainly comply and will be guided with direction of the Solicitor. The fiscal impact report will be discussed and will wrap up with questions from the Board and visitors.

Mr. Bartle introduced Ted Drauschak and Ken Briar both principals in the project; project engineer, Mike Engel and Paul Callahan both from H&K. Mr. Bartle stated that the agreement of sale took place in August 2012. In May 2013, Wallace Roberts and Todd made their first presentation to the Township regarding the sustainability issues primarily in the regard that this is a piece of property that has certain topographical conditions and features such as steep slopes, wooded areas and some areas that have environmental issues. The plan was to integrate the homes and development that were going to be built there with the existing conditions.

Since their original appearance, the Applicant has had much interaction with various Boards & Commissions in the Township and outside agencies. The Applicant met with Board of Commissioners to request an Amendment to the Zoning Code and Map. They submitted two separate applications to the Zoning Hearing Board and submitted a Conditional Use Application to the Board of Commissioners. In December, 2016 the Applicant received a verbal approval from the Zoning Hearing Board with respect to all relief that was sought and the conditions articulated by the Board will be met by the Applicant.

Mr. Bartle stated that as they have their approvals from Zoning and also from the Board on the Conditional Use, they would be before the Planning Commission on Monday, December 19th. Mr. Wagner stated that they were not on the agenda for that night as the Township Engineer had not yet received revised plans for his review. Therefore, they would not be reviewed until after the first of the New Year.

Mr. Bartle stated that this development is a natural enclave, rather than a cookie-cutter subdivision. The project is not a simple grid subdivision and the terrain is rolling, slopes are steep and rock is relatively shallow. These existing conditions create unique design challenges. Curves and hills encourage traffic calming and the Applicant proposes a conservative 15 mph speed limit within the development and roads will have small centerline radii.

Mr. Bartle discussed each of the waivers the Commissioners wanted to hear more about:

#3 Outer perimeter of cul-de-sac not to exceed 3%; Applicant will withdraw waiver request because the slope of the road (Patton Terrace) was changed to meet the code section. As a result utilities and some basements on Patton will be in rock.

#4 30 feet paved width of paved residential streets; Applicant will provide 24 feet with the condition no parallel parking on street

#5 Approach to intersections to follow straight and horizontal course for at least 100 feet; Applicant will have 46.63 feet, 93.21 feet, 76.61 feet and 36.37 feet.

#6 20 feet stopping area behind r/o/w to not exceed 4%; Applicant will provide not to exceed 8% mainly due to steep slopes and rock and the need to service a long building on a sloping road.

#8 no less than 20 feet of open space between curb line of parking area and wall of dwelling; Applicant will comply with less than 6 feet. Parking will be perpendicular parking and sidewalks will be 5-feet wide.

#9 Sidewalks to be located 2 feet behind curb line; Applicant will provide zero but five feet wide sidewalks.

#11 Riprap shall be utilized for banks exceeding 25%; Township Engineer has verbally approved the waiver.

#16 Minimum 25 foot buffer required along all property lines; zoning relief has been granted.

#17 Storm water detention basins shall be located at least 50 feet from any structure; based on conversation with Township Engineer, if basins are re-labeled, designed and constructed as "Recharge Basins" the storm water ordinance is met and the waiver request can be withdrawn.

#19 All head-in parking spaces adjacent to sidewalk shall contain a wheel stop; this issue was resolved at the planning commission level through providing 5-foot wide sidewalks rather than 4-foot wide sidewalks.

Mr. Wagner asked if the variance extension had been granted beyond the six months. Mr. Bartle stated that they were good under the zoning ordinance until November 15, 2017.

Mr. Drauschak stated that Nancy Templeton, Senior Partner with Glackin Thomas who put together the fiscal impact study was present and if there were any questions in regards to the study, she would be willing to address them at this time. Mr. Bartle reiterated that the school district would net \$2,383,762 from the project and the Township would net \$191,628. Mr. Wagner asked if a new study other than the one performed in July, 2016 had been done and was the result still 58 new school aged children. Ms. Templeton explained why the numbers generated by the study she did were so much less than the numbers than what the school district presented to the Board at the November 7, 2016 meeting, and they still believe the impact of the development will only be 58 new school aged children.

Mr. Tom Troutman, 2469 E. High Street, asked how this development would affect Sanatoga Park. The Applicant feels that the development will benefit the park as it will increase park activity. In addition they will be contributing \$100,000 to the recreational fee and will be installing two bike trails into the park.

Mr. Guy Dimartino of Traffic Planning and Design was next to speak. He stated that there have been multiple meetings with PennDOT to discuss the project. Mr. Drauschak announced that they wanted to make sure they were in line with what PennDOT wants prior to starting the HOP process. He also announced that it has been arranged for the easement for the eastbound ramp of 422 to be made available to the Joint Township Committee and they also will be contributing to the Act 209 impact fee for the ramp.

Mr. Dimartino mentioned that PennDOT requested that the local portion of Evergreen Road be abandoned and be turned back to the property owners who front it. They also have requested a right turn lane be provided to facilitate right turns on to Evergreen Road in addition to the need of a deceleration lane. In addition pedestrian walkways will be provided. At this time, Park Road will remain private and will allow entering traffic from High Street to come through Park Road towards the development and ultimately through to Evergreen Road. The Road will be

narrowed down to 12'0" however to allow one-way inbound traffic only and will discourage traffic from exiting onto High Street at an un-signalized intersection.

The Applicant is also providing bike lanes along Park Road for access to the park. In addition to installing speed tables along the existing South Park Road, Mr. Camburn asked if there would be any improvements made to the existing Park Road. Mr. Drauschak stated they would be repaving and also expanding the road from the Route 422 underpass to the park entrance.

Mr. Drauschak outlined some of the other features of the proposed development such as electric parking recharge stations and special parking for those cars. They will maintain over 20% of native plantings. The development will feature all LED lighting and solar lighting when possible. Solar collectors may be added to heat the pool and to operate the gate house.

Commissioner Foltz told the Applicant that he, Commissioner Swavely and Mr. Wagner had taken a site visit and it answered a lot of questions. Mr. Callahan stated they would be happy to give a guided tour of the property to any of the commissioners if they were interested.

Mr. Doyle stated that he felt this is one of the best presentations he has seen given by a developer and he personally is in favor of the project. He did however express some concern over the fact that the commercial portion actually comes to fruition and hopes that we are not stuck with just another huge housing development. Mr. Drauschak responded by explaining that the zoning granted for the site is a general mixed zoning use and the only way the project works in all aspects is to have a commercial component. He then presented a new drawing which depicts a new 100-bed hospital and a 45,000 sq. ft. medical office building and expressed that this scenario was their goal.

COMMISSIONERS COMMENTS:

Commissioner Mohollen wanted to commend the Township staff for what they do on a daily basis throughout the year. Since becoming a commissioner this year he sees more and more of the behind the scenes and for such a small staff, great accomplishments get achieved.

Commissioner Lopez thanked Sanatoga Green staff for tonight's presentation and feels that it answered a lot of his questions.

Commissioner Swavely thanked everyone, Township staff, the Police Chief and the Department and the other Commissioners for their dedication and hard work this year.

Commissioner Klotz reminded everyone that the Township is committed to be a business friendly Township; and by that he means that we want to welcome business but also have to go through the necessary steps to do so and thanked the Sanatoga Green staff for their efforts. He also extended his thanks to all Township staff with a special thanks to Lou Babel, Fire Marshal, reminding everyone that the guys in the fire departments are strictly volunteers and also gave credit to Chief Foltz for his hard work in this exceptionally difficult year and feels that we have the greatest department. He gave recognition to our Engineering staff especially for all the extra work they have done this year on these larger projects. He acknowledged Commissioner Foltz and the other Commissioners for their work throughout the year.

Commissioner Foltz stated that he was excited with the accomplishments achieved throughout the Township this year and provided a list of several of them including the implementation of the Naloxone program which places an opiate antidote in the hands of police officer (saved 7 lives this year); completed the in-car video installation project; began implementing technological improvements in the patrol fleet to include outfitting (3) cars with in-car scanners and printers; acquired approx. \$8,500.00 in private donation used toward community outreach and equipment purchases; hired the (20th) police officer bringing the department to full patrol staff and balancing out the squad schedules; hired a new Township Solicitor in February; passed Act 209 implementing traffic impact fee in April; paved three roads (Rivendale, Wooded Way & Shire Drive); oil & chip Porter Road; completed Sanatoga Band Shell Improvements; implemented a plan to retrofit 91 street light to LED; constructed new 32' x 36' pole barn; acquired multi-mogul transportation grant for Sanatoga Interchange project Westbound Ramp for \$2.1 million; hired new Township Secretary in September; installed new digital sign in November; signed new three year trash contract with 8% reduction (mailers are being sent out within the next few days).

Mr. Doyle complimented and recognized Commissioner Foltz for the Township achievements and for all of his extra work around the Township.

Ed Wagner thanked the Commissioners for a wonderful year and stated that the Township does have a great staff and he will communicate same to them at their staff meeting on Friday.

Solicitor Garner had no comments.

There being no further business, the public meeting was adjourned at 7:46 p.m. Next regularly scheduled meeting will be held on Monday, January 3, 2017 at 7:00 p.m.

Respectfully submitted,


Sharon Colletti
Township Secretary