

**LOWER POTTS GROVE TOWNSHIP    BOARD OF COMMISSIONERS**  
**September 25, 2014**

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, September 25, 2014 at the Lower Pottsgrove Township Municipal Building, 2199 Buchert Road, Pottstown, Pennsylvania. Meeting was called to order at 7:00 p.m. and the Pledge of Allegiance was recited. The following attended:

**Board of Commissioners:** Bruce L. Foltz, President; Stephen M. Klotz, Vice President; James Kaiser, Shawn Watson and James Vlahos.

Robert L. Brant, Solicitor; Edward C. Wagner, Manager; Michael A. Foltz, Chief of Police and Michele Cappelletti, Township Secretary.

Commissioner Foltz announced the meeting was being recorded.

**EXECUTIVE SESSION:**

Solicitor Brant announced that prior to tonight's meeting, at 6:15 p.m., the Board met in executive session to discuss several personnel matters. No action was required by the Board of Commissioners.

**APPROVAL OF MINUTES:**

Commissioner Klotz made a motion to approve the meeting minutes of the September 4, 2014 Board of Commissioners meetings. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**COMMENTS FROM VISITORS:**

None.

**CORRESPONDENCE AND INFORMATION:**

**Zoning Hearing Application #2014-11 of Kyle Laverty**—Mr. Wagner reported Mr. Laverty is seeking zoning relief to build a pole barn on his property line (0 setback). Application is scheduled to be heard by the Zoning Hearing Board on October 21, 2014 at 6:00 p.m.

Commissioner Watson asked if Mr. Laverty started pouring footers. Mr. Wagner advised he did. There was discussion on Mr. Laverty's request for a 0 side yard setback. Mr. Wagner advised Mr. Laverty was granted a 5' side yard setback at a previous zoning hearing, which is indicated in the Zoning Decision and Order.

Commissioner Vlahos recalled there was a full discussion at the zoning hearing in regard to Mr. Laverty's existing house being built on the property line. He asked Mr. Wagner if he checked the stenographer's transcript from the hearing. Mr. Wagner advised he reviewed the matter with the Zoning Solicitor and since Mr. Laverty's order says a 5'

side yard setback was granted, it was necessary for him to apply for additional zoning relief for a 0 setback.

**Appeal of Reading Materials on Board of Assessment Decision**—Solicitor Brant reported the School District normally takes the lead on assessment appeals. However, he explained since Reading Materials properties assessed values total over \$1.6 million, he felt the Township should be a party to the Board of Assessment Appeals.

Solicitor Brant requested that the Board consider authorizing him to enter his appearance as Solicitor for the Township on that matter. He would then receive formal notice of everything and will be involved in the negotiations before they present him with the stipulation settlement.

Commissioner Vlahos made a motion to authorize Solicitor Brant to enter his appearance as Solicitor of Lower Pottsgrove Township at the Montgomery County Board of Assessment Appeals hearing for Reading Materials. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**OLD BUSINESS:**

None.

**SUBDIVISION AND LAND DEVELOPMENT:**

None.

**NEW BUSINESS:**

**Police Department Promotions**—Commissioner Klotz made a motion to authorize Chief of Police Michael Foltz to make conditional offers of employment to three (3) officers to be promoted to sergeants in the Police Department. Commissioner Watson seconded the motion and it was unanimously approved.

Joe Zlomek of the Sanatoga Post asked if the Township was hiring new individuals or promoting existing officers. Commissioner Klotz stated we are promoting from within.

**New Employee**—On behalf of the Board, Commissioner Foltz welcomed Katherine Smith, who was recently hired to fill the Administrative Support in the Township Municipal Office at a rate of \$18.00 per hour.

**2013 Auditor Report**—Ronald Minninger, CPA, of Dreslin and Company reviewed the audit reports for the Township, Tax Collector, Ringing Hill Fire Company and Sanatoga Fire Company. Mr. Minninger provided a walk-through of the 2013 financial statements for the Township, Tax Collector and Ringing Hill Fire Company. He said the auditors were struggling to get enough information to complete the audit for Sanatoga Fire Company and he did not have a report for this entity.

After his report, Mr. Minninger thanked the Township for hiring Dreslin and Company to complete the audits. He also thanked Michele Christman, Ed Wagner and Township staff for being very responsive during the audits.

**Proposed Development**—Ben Goldthorp of Reading Materials delivered a presentation on proposed development of a 57-acre property located near the Sanatoga Quarry on Pleasantview Road. Prior to tonight's presentation, Mr. Goldthorp discussed the proposed development with Township staff to see if this would be something the Township would consider.

Mr. Goldthorp displayed and explained two sketch plans: One showing residential development and another showing residential with commercial development along Route 422. The commercial plan would have over 7 acres of commercial development, 118 single family homes and roughly 20 acres of open space (35%). The developer does have concerns about access to the commercial/retail section, as there would not be direct access from Route 422. The all-residential plan would have 155 single family homes and roughly 20 acres of open space (35%). The developer is looking to partner with a builder, like Ryan Homes/NVR, who would build their typical home to fit on a 6,000 square foot lot. Homes would range in size from 2,200 square feet up to 3,000 square feet. Mr. Goldthorp said if the Board would like to continue a conversation on this, Reading Materials could prepare a proposed text amendment or follow any direction the Board may have.

Commissioner Foltz asked if the homes are single family or townhouses. Mr. Goldthorp advised they are single family homes, detached. Mr. Wagner asked if they have done a steep slope study. Mr. Goldthorp advised most of the steep slopes are in areas where they plan to have open space and they are trying not to disturb those areas. Commissioner Watson asked what type of commercial development – would there be office buildings? Mr. Goldthorp said they would look to put it up for sale and see what type of users they get. He was not sure if they would get users for retail or office space so they would look to market it.

Commissioner Klotz noted that 7.29 acres of retail or commercial space would not allow for much building with parking. Mr. Goldthorp advised it was laid out as more of a 20,000 square foot strip center for retail along 422 with associated parking. This would be about a half-acre of actual building footprint. The rest would be parking and additional open space or green space that would be associated with a retail center.

Mr. Wagner asked if the open space would be tied to a Homeowners Association. Mr. Goldthorp said absolutely and the same would be true for the internal roads in the community.

Commissioner Foltz asked if there would only be one way in and one way out of the development on Pleasantview Road. Mr. Goldthorp said there are two accesses. The Commissioners noted both accesses are on Pleasantview Road. Township resident Tom Troutman pointed out that the accesses are on a steep slope. Mr. Goldthorp said both

points they chose to have access wouldn't necessarily be considered steep slopes according to the Township's ordinance perspective. Mr. Wagner said they haven't done site distances yet so those entrances could possibly change. He advised it is a PennDOT road and PennDOT will dictate what has to be done.

Commissioner Vlahos said if you market the building on the commercial side as retail, you can't really get to the site and you would go in circles forever. Mr. Goldthorp said that was their concern and that is why they looked at it being all residential. Commissioner Vlahos said it might make a decent commercial site if it is an office-type environment; for example, if the employee goes in, works, then goes home. He asked Mr. Goldthorp if he felt this was the way for you to go. Mr. Goldthorp answered their preference would be all residential but with hearing some of the other concerns, they are considering other options.

Mr. Wagner advised he asked the developer to look at some type of commercial use, such as an office park, and not retail. He agreed the roads are very narrow and winding but there is exposure along Route 422.

Commissioner Watson asked if it was discussed during the staff level meeting that the majority on Route 422 would be office. Mr. Wagner said yes, that is what we would like for that entire strip. Commissioner Watson pointed out there is a cul de sac shown on the plan with approximately 12 houses. Mr. Goldthorp said they can certainly take a look at that, as these plans are only sketches.

Commissioner Klotz said one of the obvious concerns is all the residential homes. He agreed with Commissioners Vlahos and Watson and would like to see the commercial space made bigger, facing Route 422, with some type of office park or medical buildings. He would like improved access so you would be able to get in and out of the complex and again noted the 7.29 acres (for commercial) is little short.

Mr. Goldthorp asked what the Board would recommend as a next step. Solicitor Brant said what the Township has been doing is having developers come in and meet with staff, then staff provides them with some input on the project. He said it is always better to have the developer present in a public context. If there is something they don't like, the Commissioners will need to think about it and communicate their feelings back to the developer. Since this is the first time the Board is looking at the Reading Materials plan(s), they will need to discuss and get back to Mr. Goldthorp.

**Traffic Signal Maintenance Agreement**—Mr. Wagner reported the Township sent out Requests for Proposals for the traffic signal maintenance contract. Telco submitted the only proposal and it was the same as last year: \$4,294.00 for routine maintenance and an overtime rate of \$82.50 per hour. The current contract expires on September 30, 2014.

Commissioner Klotz made a motion to award the Traffic Signal Maintenance contract to Telco Inc. for routine maintenance in the amount of \$4,294.00 and an overtime rate of

\$82.50 per hour. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Snow Plow Bids**—Commissioner Klotz made a motion to authorize staff to secure snow plow bids. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Advertisement of Public Hearing**—Mr. Wagner requested authorization to schedule and advertise a public hearing to receive public comment on proposed Ordinances No. 315 and 316.

Mr. Wagner explained Ordinance No. 315 establishes a Preservation Subdivision District in the Northern portion of the Township from Pleasantview Road to Upper Pottsgrove. It is an overlay of the R-1 District. He advised the minimum tract area of land is 50 acres and the developer would need to dedicate at least 60% to the Township to preserve as open space. The proposed ordinance was reviewed by the Fire Marshal (for road widths) and Special Planner Adam Supplee.

Commissioner Vlahos made a motion to schedule and advertise a public hearing to be held on November 20, 2014, at the Lower Pottsgrove Township Municipal Building, to receive public comment on proposed Ordinance No. 315, establishing a Preservation Subdivision District (PSD) and Ordinance No. 316, amending the Zoning Map to apply the PSD. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

#### **RESOLUTIONS AND ORDINANCES:**

**Resolution No. 1032-14**—Commissioner Kaiser made a motion to reappointment Chuck Bleakley as an alternate member on the Lower Pottsgrove Township Civil Service Commission. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Deeds of Dedication for Sukonik Brookside Estates**—Commissioner Klotz made a motion to approve the following Deeds of Dedication:

- **Resolution No. 1033-14**—Right of Way of North Keim Street as Right of Way in Brookside Estates;
- **Resolution No. 1034-14**—Ivy Lane as Right of Way in Brookside Estates;
- **Resolution No. 1035-14**—Emergency Access Easement.

Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Warrant #828**—Commissioner Watson made a motion to approve Warrant #828 for the month of August 2014. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Acceptance of Treasurer's Report**—Commissioner Kaiser made a motion to accept the Treasurer's Report for the month of August 2014, as submitted by Jennifer Marsteller. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**COMMISSIONERS' COMMENTS:**

**Commissioner Vlahos** -- all good.

**Commissioner Kaiser** wished Officer Kenney a speedy recovery.

**Commissioner Watson** also wished Officer Kenney a speedy recovery and welcomed Katie Smith.

On behalf of the Board, **Commissioner Klotz** offered his best to Officer Kenney. He said one of the most dangerous things a police officer does is drive around the Township, protecting the residents. Commissioner Klotz saw the condition of the car and said, luckily, Officer Kenney came out the way he did. He gave credit to Chief Foltz for the professional way he handled the situation. Commissioner Klotz also welcomed Katie Smith and said it was good to have her as part of the team.

**Commissioner Foltz** wished Officer Kenney the best. He said he saw the automobile and it was amazing how Officer Kenney came out of it.

**MANAGER'S COMMENTS:**

Mr. Wagner provided additional information to the Board on Zoning Hearing Application No. 2014-10 for the pole barn at 2233 Welsh Drive. The applicant requested an indefinite continuance and is looking for feedback from the Board. The matter will be on the Board of Commissioners' meeting agenda for discussion on October 6, 2014.

Mr. Wagner is looking forward to seeing Officer Kenney at a retirement party on September 26 for long-time police secretary Sandy Stepaniak, who is retiring on September 30 after 28+ years.

There being no further business, the public meeting adjourned 7:40 p.m.

Respectfully submitted,



Michele M. Cappelletti  
Township Secretary