

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
December 1, 2014

PUBLIC HEARING

The Lower Pottsgrove Township Board of Commissioners held a public hearing to consider the following three ordinances for adoption and enactment on December 1, 2014 at 6:00 p.m. at Ringing Hill Fire Company, 815 White Pine Lane, Pottstown, PA.

ORDINANCE NO. 315— An Ordinance Amending The Code Of Ordinances, Article VI, R-1 Residential District And Repealing And Deleting Article XI, Planned Residential Development District Of The Lower Pottsgrove Township Zoning Ordinance

ORDINANCE NO. 316--An Ordinance Amending The Code Of Ordinances, To Include Article XI, Establishing The Preservation Subdivision District (PSD), And Adding Definitions To Sections 250-21 D.2., Section 250-8 And Section 250-9 Of The Lower Pottsgrove Township Zoning Ordinance.

ORDINANCE NO. 317—An Ordinance Amending The Code Of Ordinances, Article Iii, Section 250-10 To Amend The Lower Pottsgrove Township Zoning Map To Include The Preservation Subdivision District (PSD) And To Apply The PSD As An Overlay In The Township Zoning Map.

Commissioner President Bruce L. Foltz, Commissioner Vice President Stephen Klotz, Commissioner Shawn Watson and Commissioner James Kaiser were present. Commissioner James W. Vlahos was absent.

Commissioner Foltz opened the hearing and welcomed the public. The hearing was then turned over to Solicitor Robert Brant, who advised the Board would take input and evidence regarding three (3) proposed ordinances for its consideration this evening. He also advised a court reporter was present to keep a word-for-word record of the hearing, which will be transcribed at a future date.

Solicitor Brant marked the exhibit list, which was the same for all three ordinances.

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| T-1 | Legal Notice – advertised in The Mercury |
| T-2 | Proof of Publication – Publication dates: November 12 & 19, 2014 |
| T-3 | Motion to Advertise – Board of Commissioners Minutes of October 23, 2014 |
| T-4 | Ordinance No. 315 repealing the Planned Residential Development District

Ordinance No. 316 amendment to Zoning Code establishing the Preservation Subdivision District

Ordinance No. 317 - Amendment to Zoning Map to include the Preservation Subdivision District |
| T-5 | Notice to Lower Pottsgrove Planning Commission – October 30, 2014 |

- T-6 Notice to Montgomery County Planning Commission – October 10, 2014
- T-7 Minutes of Lower Pottsgrove Planning Commission – November 17, 2014
- T-8 Review letter of Montgomery County Planning Commission – November 10, 2014
- T-9 Letter to Montgomery County Law Library – October 29, 2014

Solicitor Brant summarized and explained each proposed ordinance. He advised the Lower Pottsgrove Township Planning Commission unanimously recommended adoption of the proposed ordinances by the Board of Commissioners.

The Solicitor further advised the Preservation Subdivision Ordinance was originally generated by the developer of the proposed tract and the Board of Commissioners felt it was important to have independent planning advice. They engaged the services of planner Adam Supplee to review this project. Mr. Supplee then provided a few key points to give the public a better understanding of the ordinances.

Attorney Carl Weiner represented 1934 Bleim Road Partners, the owner of certain property located on Bleim Road and Pleasantview Road. He stated the property has already been approved as a subdivision under the R-1 Zoning and it consists of 179 lots on 145 acres. He displayed an illustration of the plan that was approved under the R-1 cluster for this property. The plan showed lots throughout the entire property with certain open space preserved around the perimeter but no large block of open space would be preserved under this development.

Mr. Weiner then showed an illustration of what could happen on this property with the same number of lots (178) being developed while preserving a substantial amount of open space. According to this plan, 95 of the 145 acres would be preserved as open space. The proposed open space would be adjacent to a 20-acre parcel that already belongs to the Township to provide an overall block of 115 acres for use of the community. The tract meets the ordinance requirement of a minimum of 50 acres and proposes 74.5% of the property would be set aside as open space. There is an additional requirement that 50% of the open space has to be suitable for active recreation and the project meets that requirement as well.

As the Solicitor mentioned earlier, Mr. Weiner stated for anything to happen with this property, the plan would have to go through the Lower Pottsgrove Township Planning Commission and the Township's entire land development process.

Solicitor Brant then asked for comments and/or questions from the public. The following individuals presented testimony:

1. Joanne Kölsch, 1694 Kepler Road.
2. Richard Kölsch, 1694 Kepler Road
3. William Lowry, 17 Doe Run Lane
4. Richard Romig, 1434 Bleim Road
5. Al Sanft, Ivy Lane
6. Dave Bieleski, Corner of Bleim Road and Charlotte Streets
7. Jim Lennon, 1545 Briarwood Lane

8. Judy Wagner, 740 Bleim Road
9. Sandra Camomile, 1791 N. Adams Street

Solicitor Brant answered questions and addressed the issues that were raised by the public.

The public hearing was adjourned at 6:58 p.m. Solicitor Brant announced the Board would recess into executive session at this time to discuss a real estate matter.

The Board of Commissioners of Lower Pottsgrove Township returned to public session and held its duly advertised public meeting on Monday, December 1, 2014 at the at Ringing Hill Fire Company, 815 White Pine Lane, Pottstown, PA. Meeting was called to order at 7:19 p.m. and the Pledge of Allegiance was recited. The following attended:

Board of Commissioners: Bruce L. Foltz, President; Stephen Klotz, Vice President; Shawn Watson and James Kaiser were present.

Robert L. Brant, Solicitor; Edward C. Wagner, Manager; Michael A. Foltz, Chief of Police; Lew Babel, Fire Marshal; Scott Exley, Township Engineer, Chad Camburn, Township Engineer and Michele Cappelletti, Secretary.

Commissioner James W. Vlahos and Jennifer V. Marsteller, Treasurer/Tax Collector were absent.

Commissioner Foltz announced the meeting was being recorded.

COMMENTS FROM VISITORS:

None.

REPORTS:

Police

Chief Foltz reported on November 21, 2014, Scott Burnick was conditionally offered appointment as a police officer of Lower Pottsgrove Township. Mr. Burnick accepted the position and must now successfully pass both a physical and psychological examination as a condition to the appointment.

There were 1,038 calls for service in November 2014. There were 38 traffic violations and 74 criminal investigations (20 adults arrested and 9 juveniles handled). He highlighted the following from his report:

1. Criminal Investigations/Arrests:

- a. On November 25, 2014, police responded to a shooting that occurred in Rolling Hills. Investigation is on-going.
- b. While conducting the Rolling Hills shooting investigation, police received a report of a pedestrian struck at Armand Hammer Blvd. and Medical Drive.
- c. Investigation of the above two incidents put a strain on the Department's resources that evening, which impacted the overtime budget significantly.

- d. Detectives are investigating a series of residential burglaries in the neighborhoods of Crestwood Drive, Ivy Lane, Timber Lane and Brooke Road. This is an ongoing investigation in cooperation with other area departments that have had similar break-ins.
- e. Officer Jim Kenney is still recovering from his injuries from an accident on September 23, 2014.

2. Fleet:

- a. A vehicle was ordered to replace the unit that was totaled on September 23. Chief Foltz is waiting for a ship date.

All statistics and information are included in Chief Foltz's written report.

Emergency Management

Chief Foltz delivered the Emergency Management report for November 2014:

1. There were no EOC activations.
2. No formal training took place.
3. Chris Wilcox resigned from the position of Emergency Management Coordinator. As Deputy EMC, Chief Foltz will take over those duties until a new EMC is appointed by the Board of Commissioners.
4. Montgomery County Department of Public Safety has provided the Township with a portable light trailer. The trailer will be available to all emergency services and public works departments throughout Montgomery County for deployment where needed in emergencies and routine events.
5. Montgomery County Department of Public Safety secured Act 147 grant funding and provided the Township with a mobile laptop computer system for EOC purposes.

Fire Marshal

Fire Marshal Lew Babel reported there were two serious house fires this month and he recognized our firefighters for doing a good job. He highlighted the following statistics from the Fire Marshal's written report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	32	28	226	385	Not provided
Ringing Hill (Station 59)	32	37	191	Not provided	Not provided

(Hours are approximate)

Highway—Public Works Department: Commissioner Foltz read the Public Works Report for the Month of November 2014. Report will be posted on the bulletin board.

C.O.G.—Commissioner Foltz reported there was a C.O.G. meeting in November. At the meeting, Commissioner Foltz asked that each C.O.G. member municipality consider donating \$1,000 to help paint the CMERT emergency response unit. This expenditure is included in Lower Pottsgrove Township's 2015 budget but to date there has been no response from the other member municipalities. Goal is to raise \$5,000.

Engineering—Bursich Associates provided an Engineers' Report updating the Board on various projects and activities going on in the Township. Chad Camburn reported on the following projects:

1. **Sanatoga Marketplace**—Township staff met with the developer on November 5 to discuss primarily the sanitary sewer requirements. The developer will set up a meeting with DEP and Township representatives to discuss the DEP's permitting requirements and the capital improvements that will be necessary. The big ticket items for that project remain the sanitary sewer and bringing water to the site
2. **Buchert Ridge Phase II**—Bursich continues to work with the developer's engineer to resolve the engineering issues. The big ticket item with this development is PennDOT and the developer is trying to meet PennDOT's requirements.

Solicitor

Solicitor Brant previously mentioned there was an executive session immediately prior to this public meeting on a real estate matter. No decisions were made by the Board of Commissioners.

Planned Residential Development (PRD) Repeal Ordinance and Preservation Subdivision District (PSD) Ordinances—Solicitor Brant said before the Board for consideration are the three (3) ordinances, as advertised, that were the subject of the public hearing. The following action was taken:

ORDINANCE NO. 315—Commissioner Klotz made a motion to approve Ordinance No. 315, an Ordinance Amending the Code of Ordinances, Article VI, R-1 Residential District and Repealing and Deleting Article XI, Planned Residential Development District of the Lower Pottsgrove Township Zoning Ordinance. Commissioner Watson seconded the motion. Commissioner Kaiser recused himself from the vote due to a conflict. Motion carried by a vote of 3-0 in favor.

ORDINANCE NO. 316—Commissioner Klotz made a motion to approve Ordinance No. 316, an Ordinance Amending the Code of Ordinances, to Include Article XI, Establishing the Preservation Subdivision District (PSD), and Adding Definitions to Sections 250-21 D.2., Section 250-8 and Section 250-9 of the Lower Pottsgrove Township Zoning Ordinance. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

ORDINANCE NO. 317—Commissioner Klotz made a motion to approve Ordinance No. 317 Amending the Code of Ordinances, Article III, Section 250-10 to Amend the Lower Pottsgrove Township Zoning Map to Include the Preservation Subdivision District (PSD) and to Apply the PSD as an Overlay in the Township Zoning Map. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Treasurer—No report.

Parks and Recreation

Mr. Wagner reported the Parks and Recreation team is currently working on Santa letters. Bag distribution for the food drive will be the weeks of December 8 and December 15 in anticipation of the fire companies' Santa Runs. Sanatoga Fire Company's Santa Run will be held on December 20 and Ringing Hill Fire Company's will be on December 21, 2014.

Pottstown Metropolitan Regional Planning Committee

Mr. Wagner reported the next Regional Planning meeting will be December 4, 2014.

Lower Pottsgrove Township Authority

Mr. Wagner reported on Monday, November 10 2014, the Authority passed its 2015 Operation and Capital Budget with no rate increase. The EDUs will stay at \$136.00 per quarter.

CORRESPONDENCE AND INFORMATION:

None.

OLD BUSINESS:

None.

SUBDIVISION AND LAND DEVELOPMENT:

Resolution No. 1040-14, HEB LLC, 2169 E. High Street—Tabled. No action was taken.

NEW BUSINESS:

Resolution No. 1043-14—Commissioner Klotz made a motion to approve Resolution No. 1043-14 appointing Raymond Lopez to the position of Emergency Management Coordinator of Lower Pottsgrove Township. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1044-14—Commissioner Klotz made a motion to approve Resolution No. 1044-14 appointing Joseph Groff to the position of Assistant Fire Marshal. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

RESOLUTIONS AND ORDINANCES:

See New Business.

Warrant—Warrant No. 831 for November 2014 will be distributed via email for the Commissioners' review.

COMMISSIONERS COMMENTS:

Commissioner Kaiser, Commissioner Watson and Commissioner Klotz had no comments.

Commissioner Foltz thanked Ringing Hill Fire Company for the use of its facility.

Mr. Wagner announced the Board of Commissioners close-out meeting for the budget will be held on Thursday, December 18, 2014 at 7:00 p.m. Also, Joe Platt from Traffic Planning and Design will deliver a presentation on improvements to the Sanatoga Exit on Route 422 between Limerick and Lower Pottsgrove Townships.

Solicitor Brant had no comments.

There being no further business, the public meeting was adjourned at 7:35 p.m. Next regularly scheduled meeting will be held on Thursday, December 18, 2014 at 7:00 p.m.

Respectfully submitted,



Michele M. Cappelletti
Secretary