

Township of Greenwich
Board of Supervisors Meeting
Monday, August 7, 2023, 7:30 p.m.

Attending: Supervisors: Dean Spohn, Victor Berger, Steven Diehl, Professional Staff: Colin Macfarlane-Kozloff Stoudt P.C., Ryan Wessner – LTL Consultants and Diane Hollenbach-Administrator

Guests: Marc Sable, Dodie Sable, Linda Wood, Andrew Dietrich, Jane Rumsey, Aaron Navarro, Matt Brett

Mr. Spohn called the Greenwich Township regular meeting to order in the Greenwich Township Municipal Building at 7:30 p.m.

ANNOUNCEMENTS: Mr. Spohn asked the public to please state your name and address if addressing the Board. This meeting will be recorded for the accuracy of the minutes and deleted. Attending visitors may also be recording.

APPROVAL OF THE MINUTES:

A motion was made by Mr. Berger, seconded by Mr. Diehl, to approve the minutes of the July 3, 2023 regular meeting. All voted in favor. Motion carried.

PERSONAL APPEARANCES & PUBLIC COMMENT:

Marc Sable of 593 Old Route 22 – handed to the Administrator for the Board the Penn Future Model Logistics Use Zoning Ordinance and information on stream redesignation. Mr. Sable asked if the Board planned to talk to the PA DEP about redesignating the stream. He felt the discharge stream for the proposed warehouse sewage treatment plant is an intermittent stream, but it is classified as a perennial stream. Mr. Sable suggested an environmental expert should look at it.

Linda Wood of 142 Circle Road saved her comment until the Engineer's report.

PLANS TO REVIEW:

Plan Review Time Extensions

A motion was made by Mr. Diehl, seconded by Mr. Berger, to accept the developer's time extension until 11-13-2023 for the review of the Folino Estates East Side Final Land Development Plan. All voted in favor. Motion carried.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to accept the developer's time extension until 11-5-2023 for the review of the Leid Poultry Barn Land Development Plan. All voted in favor. Motion carried.

Harmike Final Land Development Plan - Mr. Berger pointed out that there were things in the review letter that the developer had completed like the agreement for the maintenance of the signs, pavement marking and storm water as well as the posting of an escrow. Mr. Macfarlane stated that some of the conditions have been satisfied but it is fine to condition the motion on the review letter. The developer will need to sign an Improvements Agreement and a Storm Water

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Agreement once the final escrow number has been reviewed by the township engineer and sent to the solicitor for inclusion in the agreement.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to reaffirm, confirm and grant conditional final plan approval based upon the same conditions presented in the November 2019 LTL Consultants review letter and outlined in the most recent LTL letter dated August 4, 2023, which is incorporated by reference. Hearing no further questions on the motion, all voted in favor. Motion carried.

A motion was made by Mr. Berger, seconded by Mr. Diehl, to authorize the Supervisors to sign the Harmike Agreements between meetings. All voted in favor. Motion carried.

OLD BUSINESS: None

NEW BUSINESS:

Termination of Service Letter - Kutztown Transport Service – Matt Brett, Director of Emergency Services, stated that the Board had done a review of the township ambulance service area about seven years ago and the township's run card is about fifteen ambulances deep. With Kutztown Transport going out of service, Topton is looking at a second station at the former Northeastern Berks Regional Police Department in Maxatawny Township. Once that is established, Greenwich Township will do a new time and distance study and redo the run cards.

Storm Water Agreement

A motion was made by Mr. Diehl, seconded by Mr. Berger, to authorize the Chairman to sign the Storm Water Agreement for 248 Rhoades Rd. All voted in favor. Motion carried.

108 Little Roundtop Road

A motion was made by Mr. Berger, seconded by Mr. Diehl, to ratify the Solicitor's mailing of correspondence dated August 2, 2023 informing the property owners at 108 Little Round Top Road of withholding of their zoning permit. All voted in favor. Motion carried.

A motion was made by Mr. Berger, seconded by Mr. Diehl, to ratify commencement of code enforcement actions through issuance of sewage, building code, and driveway ordinance notices of violation dated August 2, 2023. All voted in favor. Motion carried.

REPORTS:

Administrator

A motion was made by Mr. Berger, seconded by Mr. Diehl, to authorize the chairman to sign a letter informing PennDOT of a new directive on traffic control after incidents on state roads in Greenwich Township. All voted in favor. Motion carried.

Mrs. Hollenbach reported that the old copier would be disposed of by Edwards Business Machines. She did not advise selling it as it has begun making a grinding noise. A response had been received from Steve Hoffman who does not recommend taking over H & K's NPDES

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permit for the fill site. The Board agreed that grant funding for planning a recreation area should be pursued. The Joint Comprehensive Plan cost split will be by population and the Board will consider a contribution resolution next month.

Mrs. Hollenbach received prior to the meeting communication that Penn DOT has begun plans for the bridge over the Maiden Creek on Old Route 22 and the I78 bridge over Route 143 and the Maiden Creek. The I78 bridge project engineer has sent a request for the township to review and comment on the plan and determine if it meets the requirements of the floodplain ordinance. The Board agreed for the engineer and zoning officer to review the request and spend an hour to determine the amount of time and cost of such a review.

Road Master – None

Engineering and Zoning Reports

Linda Wood of 142 Circle Road asked if LTL was still reviewing the ordinances and the information on the historical structure ordinance. She asked the Board to consider an ordinance amendment requiring buildings over a certain size to generate solar power. Mr. Macfarlane did not believe that the Board could require something that was a benefit to the developer. The Board may regulate things that impact the health, safety and welfare of the public. Mr. Brett commented that solar panels on a roof makes it difficult to vent a building and the panels remain energized even when the disconnect is thrown between the panels and the building. The Board is looking to do a codification of ordinances in 2024. During this process a professional attorney identifies issues in the ordinances and this should be an efficient way of doing an ordinance review. Mr. Wessner commented that he has been reviewing certain aspects such as short term rentals.

Solicitor

Sittler Valley Road Easements – The Township is having difficulty obtaining the easements needed for the project. The property is under agreement of sale. Should the legal owner and equitable owner not agree to sign the easement agreement, the Board needs to take action to allow for the project to proceed within the grant timeframe. The solicitor can always withdraw any legal action if the easements are obtained voluntarily.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to adopt Resolution 2023-11 authorizing the solicitor to proceed with the taking of Sittler Valley Road temporary easements. All voted in favor. Motion carried.

A motion was made by Mr. Berger, seconded by Mr. Diehl, authorize the hiring of an appraiser to determine fair market value of Sittler Valley Road temporary easements with the cost not to exceed \$900. All voted in favor. Motion carried.

Amendment to the Subdivision and Land Development Ordinance – This ordinance amendment mandates large scale development provide a secondary access for emergency service. Because

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the next Supervisors' meeting is less than thirty days away and the ordinance must have a thirty day review, a special meeting will be held for the ordinance adoption.

A motion was made by Mr. Diehl, seconded by Mr. Berger, authorizing the solicitor to send to the Berks County Planning Commission and Greenwich Township Planning Commission for review, the draft ordinance 2023-01 amending Section 515 Emergency Access of the Subdivision and Land Development Ordinance. All voted in favor. Motion carried.

A motion was made by Mr. Diehl, seconded by Mr. Berger, authorizing the solicitor to advertise ordinance 2023-01 for enactment. All voted in favor. Motion carried.

A motion was made by Mr. Diehl, seconded by Mr. Berger, authorizing the administrator to advertise a special meeting on Monday, September 11, 2023 at 7:30 p.m. for the enactment of ordinance 2023-01. All voted in favor. Motion carried.

FINANCIAL MATTERS:

A motion was made by Mr. Berger, seconded by Mr. Diehl, to approve the bills and accept the Treasurer's Report as presented. All present voted in favor. Motion carried.

COMMENTS FROM THE BOARD

Mr. Berger cautioned that the township does not have a 537 Plan for sewage facilities and we don't want to open a hornet's nest. Ten to twelve years ago, the DEP suggested the township develop a 537 Plan and if require now, it will affect everyone. It is costly to develop and implement and the taxpayers of the township are the ones who ultimately pay for it. Mrs. Hollenbach gave the example of how installation of public sewage in Maidencreek Township led to a population growth of 93% from 1990 to 1997. Mr. Macfarlane gave an example of a municipality under DEP consent order who must implement a 537 Plan at a cost of 15 million dollars. Mrs. Sable commented that her main concern with the warehouse planning module is groundwater recharge and her well and the ten other neighbors' wells in Krumsville going dry.

Hearing no further business, Dean Spohn adjourned the August 7, 2023 Board of Supervisors meeting at 8:20 p.m.

Respectfully submitted,

Diane Hollenbach
Administrator/Secretary/Treasurer