

Township of Greenwich  
Board of Supervisors Meeting  
Monday, October 2, 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, Kay Brendlinger, Andrew Dietrich, Fred Germann, Jim Vozar, Brian Kobularchik, Rob Hain, Marlin Snyder, Charles Walsh, Elliot Leompena, Greg Dimovitz

Mr. Spohn called the Greenwich Township regular meeting to order in the Greenwich Township Municipal Building at 7:30 p.m. and announced that there was an executive session held from 6:45 to 7:15 p.m. for personnel matters.

**ANNOUNCEMENTS:** Mr. Spohn asked the public to please state your name and address when 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. Diehl, seconded by Mr. Spohn, to approve the minutes of the September 5, 2023 regular meeting. Mr. Diehl and Mr. Spohn voted in favor. Mr. Berger abstained. Motion carried.

A motion was made by Mr. Berger, seconded by Mr. Diehl, to approve the minutes of the September 11, 2023 special meeting. All voted in favor. Motion carried.

**PERSONAL APPEARANCES & PUBLIC COMMENT:**

**Greg Dimovitz** from C2C Design asked the Supervisors to consider a plan to adjust the location of a lot line at 176 Fenstermaker Road be allowed to proceed as a Sketch Plan of Record. The homeowner owns both lots and intends to construct a pavilion. The zoning officer has determined that the location does not meet the side yard setbacks. Mr. Macfarlane confirmed that the Subdivision Ordinance provides for an abbreviated process when a plan meets certain criteria. Allowing a Sketch Plan for the Record is at the discretion of the Supervisors. Mr. Berger asked if the lot line change affects the perks and probes. Mr. Dimovitz agreed to look at that.

A motion was made by Mr. Berger, seconded by Mr. Diehl, to waive the requirements of section 312 of the Greenwich Township Subdivision and Land Development Ordinance and permit 176 Fenstermaker Road to submit a Sketch Plan of Record for a lot line adjustment contingent on the perks and sewage probes not being impacted. All voted in favor. Motion carried.

**Brian Kobularchik** stated that Goodman, the company he represents, is out of Australia with a North American Headquarters in California. There are offices in New York City, Fogelsville and New Jersey. Application has been made for two warehouses on three parcels that Goodman has under agreement. The size of the proposed warehouses are 714,000 square feet and 579,000 square feet. Mr. Macfarlane stated that the special exception hearing is scheduled for November 13<sup>th</sup> at 7 p.m. and that in the interest of transparency, Mr. Kobularchik had been asked to attend to introduce the project and answer questions. Mr. Spohn asked about the location of the

Township of Greenwich  
Board of Supervisors Meeting  
Monday, October 2, 2023, 7:30 p.m.

driveways. Mr. Kobularchik stated they could be shifted based on grading. Mark Sable of 593 Old Rte 22 raised concerns about Route 737 and Old Route 22 and asked if Mr. Kobularchik was aware of the proposed JVI warehouse. Mr. Kobularchik responded that the plan would need PennDOT approval and that would involve turning lanes and widening at that intersection. The majority of the widening would be on the North heading East and Penn DOT is requiring the traffic study to include traffic from the JVI warehouse and the convenience store.

Fred Germann of 1273 Krumsville Road questioned the credibility of the traffic impact study and raised concerns over horizontal versus vertical infiltration. Mr. Kobularchik responded that developers must use the traffic regulations that are in the Penn DOT manual and storm water is regulated by the PA DEP. Mr. Germann asked if Mr. Kobularchik was an engineer. Mr. Kobularchik stated that he is a civil engineer, but they have a traffic engineer who works on the traffic impact study. Mr. Sable asked if the Board of Supervisors would be directly involved in the traffic scoping meeting. He also was concerned about residents' driveway access. Dodie Sable asked if the Board would have a public meeting about the impact on the intersection. Mr. Kobularchik stated Penn DOT will dictate the improvements to the intersection.

Mr. Germann asked if the plans could be put online, and Mr. Macfarlane reminded Mr. Germann that the township's position is the plans are subject to Federal copywrite laws. Mr. Germann stated that the Office of Open Records disagrees with that.

Nancy Harrigle of 74 Skyview Drive asked where the warehouse would be located; why here and why not build it somewhere else where there would be less negative impact. Mr. Kobularchik explained the property is zoned Industrial and Penn DOT has just spent 168 million dollars improving Interstate 78. From New Smithville, Krumsville and the Lehigh Valley, a truck driver can drive 11 hours and reach a large portion of the population of the United States and Canada. Mr. Sable asked if the road improvements would be completed before the construction of the warehouse. Mr. Kobularchik stated they would be done simultaneously. Mr. Sable asked if Goodman would own the building or if it was rented. There is no tenant, but the warehouse will be owned and managed by Goodman.

Rebecca Williams of 25 Sunrise Court asked for an explanation of what a special exception is. Mr. Macfarlane stated that the township zoning ordinance specifies that in the Industrial Zoning District a warehouse is permitted by special exception which is heard by the zoning hearing board. It is a use permitted by right subject to reasonable regulation. Mr. Sable added that two of the criteria were it must be on at least twenty-five (25) acres and have direct access to a state highway. The question was asked by an audience member how the intersection in Krumsville would be improved. Mr. Kobularchik state through acquisition. Mrs. Sable stated that the buildings at the intersection are historical. Mr. Kobularchik did not believe that any of them were on the National Historical Register. Mr. Macfarlane stated that ultimately PennDOT has the authority and will have the final say on what the intersection will look like. Mrs. Harrigle asked if the warehouses were a done deal. Mr. Macfarlane explained that the developer had the properties under an agreement of sale and would have to go through the special exception hearing and the land development review process. If they can achieve approval, they will be able to build the warehouses.

Township of Greenwich  
Board of Supervisors Meeting  
Monday, October 2, 2023, 7:30 p.m.

**PLANS TO REVIEW:**

Dollar General/Greenwich Commons Time Extension.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to accept the developer's offer of a time extension to the review periods for the Dollar General Final Land Development Plan and the Greenwich Commons Final Subdivision Plan until December 6, 2023. All voted in favor. Motion carried.

Folino Estates Final Plan – Mr. Hain of Berks Surveying and Engineering stated all third-party approvals have been obtained for the plan. He asked for final plan approval and asked if the Board would consider alternatives to the improvements agreement and posting of financial security. The Supervisors declined and asked that the developer enter into an improvements agreement and post financial security before the plan is released for recording.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to grant conditional final plan approval to the Folino Estates Final Plan contingent on completion of the items in the May 10, 2023, LTL Consultants review letter which includes the execution of improvements agreement, storm water agreement and posting of financial security. All voted in favor. Motion carried.

**OLD BUSINESS:** None

**NEW BUSINESS:**

87 Snowdrift Road waiver of real estate tax penalty

A motion was made by Mr. Diehl, seconded by Mr. Berger, to approve a one-time waiver of the penalty amount of \$18.67 for the 2023 Municipal Real Estate Taxes for 87 Snowdrift Road. All voted in favor. Motion carried.

Lehigh Valley West Warehouse Special Exception

A motion was made by Mr. Berger, seconded by Mr. Diehl, authorizing the Township Engineer to review the special exception submittal for two warehouses at 685 Old Rte 22, 753 Old Rte 22 and 773 Old Rte 22 for compliance with the zoning ordinance. All voted in favor. Motion carried.

2024 Budget – The Board members will send dates they are available for a budget meeting to the administrator.

**REPORTS:**

**Administrator** - Mrs. Hollenbach updated the Board on numerous escrow releases that will be ready to approve in November. The Dollar General Planning Module is on hold for additional testing. The JVI Warehouse Planning Module is on hold for an additional PNDI search for an endangered bat. JVI Warehouse has received their PennDOT Highway Occupancy Permit. Fred Germann asked if the Township had ever received a copy of a letter that State Representative Jamie Barton letter to PennDOT. Mrs. Hollenbach stated she had not and will follow up to see if it was sent.

Township of Greenwich  
Board of Supervisors Meeting  
Monday, October 2, 2023, 7:30 p.m.

**Road Master** – None.

**Engineering and Zoning Reports** – Mr. Wessner received a complaint about the light at Pottles. The heads are adjustable on the lights. He will verify the lighting is still in compliance with the ordinances.

**Solicitor** - Nothing additional to report.

**FINANCIAL MATTERS:**

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

Hearing no further business, Dean Spohn adjourned the October 2, 2023 Board of Supervisors meeting at 8:29 p.m.

Respectfully submitted,

Diane Hollenbach  
Administrator/Secretary/Treasurer