

**ROCKLAND TOWNSHIP
PLANNING COMMISSION**

**MEETING MINUTES
January 30, 2018**

The monthly meeting of the Rockland Township Planning Commission was held on January 30, 2018 beginning at 7:30PM. The following members of the Planning Commission were present: Richard Mazich, Bill McFadden, Nancy Ogden, and Nathan Roush. Also in attendance were: Township Solicitor, Alfred W. Crump, Jr., Linda Cluck from LTL Consultants, Ltd., Township Supervisor Nathan Ohlinger, Township Supervisor Duane Bennetch, Jaclyn Hollenbach and Matthew Mack from Ludgate Engineering and interested citizens.

The meeting was called to order at 7:30PM by Chairman, Richard Mazich.

The minutes of the November 28, 2017 Planning Commission meeting were reviewed. On a motion by Bill McFadden, seconded by Nathan Roush, the minutes of the November 28, 2017 Planning Commission meeting were approved as presented. There was no public comment. All were in favor. Motion carried.

The meeting was turned over to the Township Solicitor. The Solicitor opened the nominations for Chairman. On a motion by Nathan Roush, seconded by Bill McFadden, Richard Mazich was nominated to serve as Chairman of the Planning Commission. There was no public comment, and there were no other nominations. There being no further nominations, the nominations were closed. All were in favor of Richard Mazich to serve as Chairman. Motion carried.

The Township Solicitor opened the nominations for Vice Chairman. On a motion by Nancy Ogden, seconded by Bill McFadden, Nathan Roush was nominated to serve as Vice Chairman of the Planning Commission. There was no public comment, and there were no other nominations. There being no further nominations, the nominations were closed. All were in favor of Nathan Roush to serve as Vice Chairman. Motion carried.

The Township Solicitor opened the nominations for Secretary. On a motion by Bill McFadden, seconded by Nancy Ogden, Karen Krall was nominated to serve as Secretary of the Planning Commission. There was no public comment, and there were no other nominations. There being no further nominations, the nominations were closed. All were in favor of Karen Krall to serve as Secretary. Motion carried.

The Township Solicitor turned the meeting back over to Chairman Richard Mazich.

OLD BUSINESS

Birdsboro Pipeline Project Land Development Plan – Rockland & Oley Townships – Rockland
Township received the following:

- Final plan review letter from Township Engineer (dated 1/30/2018)
- Public improvements cost estimate from Paul Wilson, Dawood Engineering (received 1/30/2018)
- Final plan review comment response from Paul Wilson, Dawood Engineering (received 1/16/2018)
- Letter of clarification – Routine maintenance obligations (received 1/16/2018)
- Revised Land Development Plans (received 1/16/2018)
- Berks County Planning Commission's review comments of the Environmental Assessment (dated 12/13/2017)
- Berks County Planning Commissions' review comments of the Determination of Effect Report prepared for the Birdsboro Pipeline Project (received 1/17/2018)

The Township Engineer summarized the outstanding items outlined in her January 30, 2018 review letter. A representative from Dawood Engineering was present to provide a time extension request until March 31, 2018 for the Birdsboro Pipeline Project Land Development Plan. On a motion by Bill McFadden, seconded by Nathan Roush, the time extension request until March 31, 2018 for the Birdsboro Pipeline Project Land Development Plan was approved. There was no public comment. All were in favor. Motion carried. On a motion by Bill McFadden, seconded by Nathan Roush, the Birdsboro Pipeline Project Land Development Plan was tabled until next month. There was no public comment. All were in favor. Motion carried.

NEW BUSINESS

Zoning Hearing Board Application – An application was received from Dwayne & Susan Scheidt, 94 Lyons Road requesting a variance from Sections 8.03 and 8.04.2 of the Rockland Township Zoning Ordinance. The applicants would like to build a 24' x 24' two-car garage and are requesting relief from the 20' side yard setback requirements (the setbacks for the proposed garage would be approximately 15' from the front corner of the proposed garage to the side yard property line and 14' from the rear corner of the proposed garage to the side yard property line). The Planning Commission may review the application and may provide comments to the Zoning Hearing Board. The hearing is scheduled for Wednesday, March 7, 2018 at 7:00PM at the Rockland Township Municipal Building. The Planning Commission briefly discussed the variance application. During the discussion, the Township Solicitor recalled a pipeline in the vicinity of 94 Lyons Road (possibly running through the property at one time). On a motion by Richard Mazich, seconded by Nancy Ogden, the Secretary was instructed to notify the Zoning Hearing Board of the inactive Sunoco Pipeline in the vicinity of the 94 Lyons Road property and to recommend the Zoning Hearing Board investigate the status of this inactive Sunoco Pipeline to determine whether there are any restrictions (possibly outlined in a right-of-way or easement agreement and/or amendments thereto) to the placement and construction of the proposed garage on the property. There was no public comment. All were in favor. Motion carried.

Update – Marcy Tocker, 57A Kutz Road

Planning Commission member Nancy Ogden provided an update to the Planning Commission (per discussion at the November 28, 2017 Planning Commission meeting). The Township Secretary informed Nancy Ogden that Ms. Tocker requested to be added to the upcoming February 13, 2018 Board of Supervisors meeting agenda to provide an update on this matter to the Township.

Zoning Ordinance Review/Amendment Project – Matthew Mack and Jackie Hollenbach from Ludgate Engineering led the review/discussion of Article 7 (Environmental Protection Overlay District Regulations). The following revisions were discussed:

- Section 7.04.1 – Remove “unsatisfactory on-lot sewage disposal”.
- Section 7.04.2 – Add: “ (E) Existing lots of record containing sufficient areas with less than 15% slopes if they have either: 1) Existed prior to the date of this ordinance, 2) Received Township approval. Evidence of the above must be submitted to the satisfaction of the Township Zoning Officer.”
- Section 7.04.3 – Add to title: “Creation of New Lots Containing Slopes of Fifteen Percent (15%) or Greater”.
- Begin “7.04.4 All Lots” at Section 7.04.3(C).
- Section 7.04.3 (E) – Change section number referenced in this paragraph.
- Section 7.04.4 (A) – Delete. (NRCS Web Soil, in cooperation with the Berks County Conservation District, shall serve as a guideline only in determining the presence of steep slopes on a property.)
- Section 7.04.4 (C) – Add the following text: “If it is determined the site contains steep slopes, the Zoning Officer will not issue a zoning permit until a plan is submitted...”
- Section 7.05.2 (A)(i)(a)(1) – Replace “Soil Survey of Berks County” with “NRCS Web Soil”.
- Section 7.05.2 (A)(i)(b) – Replace “Soil Survey of Berks County” with “NRCS Web Soil”.
- Section 7.05.2 (A)(i)(d)(2) – Replace “Soil Survey of Berks County” with “NRCS Web Soil”.
- Section 7.05.2 (B)(i) – Add “(as shown on Table in Section 7.05.2(A))”.

- Section 7.05.2 (B)(ii)(b) - Change to read: “The 100-year flood plain shall be determined by the FEMA Flood Insurance Study for Rockland Township. An additional 25’ for Zone 2 shall be required for streams not mapped by FEMA.”
- Section 7.05.2 (C) – Delete.
- Section 7.05.2 (D) – Delete.
- Section 7.05.3 (A)(ii)(a) – Shall read: “Crossings by recreational trails, roads, railroads, private and centralized sewer and/or water lines, and public and private utility lines...”
- Section 7.05.3 (A)(ii)(b) – Shall read: “Sustained timber harvesting of trees when removal is consistent with a woodland management plan and approval from the Berks County Conservation District.”
- Section 7.05.3 (B)(ii)(a) – Shall read: “Private and centralized sewer and/or water lines and private and public utility lines running along the buffer...”
- Section 7.05.3 (B)(ii)(b) – Shall read: “Crossings by recreational trails, roads, railroads, private and centralized sewer and/or water lines, and public and private utility lines...”
- Section 7.05.3 (B)(ii)(e) – Shall read: “Sustained timber harvesting of trees when removal is consistent with a woodland management plan and approval from the Berks County Conservation District.”
- Section 7.05.4 – Condense to read: “Any use or activity not authorized, as noted above, within the EP-4 Riparian Buffer Overlay District shall be prohibited.”
- Section 7.05.5 (B) – Shall read: “Any alterations to nonconforming uses or structures within Zones One and/or Two is permitted and shall be further regulated by Article 12 of this Ordinance.”
- Section 7.05.9 (D) – Add “or as determined by PA DEP”.

Township officials agreed to review and discuss Article 8 (General Regulations) at the February 27, 2018 Planning Commission meeting.

PUBLIC COMMENT

There was no public comment. There being no further business, the meeting was adjourned at 8:40PM on a motion by Bill McFadden, seconded by Nancy Ogden.

Respectfully submitted,

Karen Krall
Secretary