

UNOFFICIAL

BOARD OF SUPERVISORS
PERRY TOWNSHIP
November 7, 2022

The regular monthly meeting of the Board of Supervisors of Perry Township was called to order by Chairman Lance N. Adam at 7:00 p.m. on November 7, 2022 from the Perry Township Municipal Building, 680 Moselem Springs Road, Shoemakersville, PA. The meeting was also being held via zoom conferencing. The format for tonight's meeting is in compliance with PSATS. The meeting was also being recorded.

Pledge of Allegiance

Roll call was held and the following Supervisors were present:

Lance N. Adam- PRESENT

Patrick J. Daly- PRESENT

Joseph Dalton- PRESENT

Also present at the board meeting were:

Allen Shollenberger, Esq. – PRESENT

Rochelle Dreibelbis, Administrator – PRESENT

Public Comment:

Jeff Shaffer- Questioned the status of his neighbor's property. Jeff Fiant explained the NOV has been issued and they are moving through the NOV process. Mr Shaffer stated the water is collecting in his yard. Chairman Adam confirmed the resident was in the township office on 11/4/22, questioning how to fix the situation. Mr Shaffer feels the process is too slow. Mr Shaffer said "when a pothole opens up from me cutting the asphalt, then the township must repair it. I bet it will move a little faster then." Jeff will follow up with her this week. Mr Shaffer thanked the township for paving Main Street and asked about the risers. Chairman Adam and Ryan Rhode explained the situation. The Met-Ed pole was hit again, however, a group of Met-Ed employees were out to look at the pole.

Chuck DeCarlo- Chuck questioned how did the Perry Commercial Center developers "circumvent the ordinance with the wetlands being protected to get this done?" Scott Homel provided they are still working with DEP and the Army Corps of Engineers for the permitting. If approved, they would purchase wetland credits at a wetland bank that is approved for this particular area. Chuck asked what the purpose is of having something protecting the wetlands if they can get around it? Mark Koch responded they are following every rule, regulation, and process DEP has set forth. Chuck feels they don't care what property is destroyed, just to make money. Robert Blue interjected most of the disturbance is from the connection of Mocerri Drive, which was mandated by the board to connect Main Street to the proposed signalized intersection at Route 61. PCC is on the agenda for tonight.

Approval of Minutes: Motion was made by Chairman Adam to approve the Committee meeting minutes of October 4, 2022 and Supervisor meeting minutes of October 11, 2022. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

Treasurers Report: Motion was made by Chairman Adam to approve the Treasurer's report dated October 31, 2022. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

Bills for Payment: Bills for Payment includes guiderail replacements, 300 tons of road salt, and tree removal. Motion was made by Chairman Adam to approve the Bills for Payment dated November 7, 2022. Motion was seconded by Supervisor Dalton. Motion carried with all Supervisors voting yes.

2023 Meeting Date and Time Advertisement- The quarterly Supervisor-PTMA joint meetings have been removed. Chairman Adam made a motion to advertise the 2023 meeting dates and times. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

2023 Budget Advertisement- Supervisor Daly made a motion to approve the advertisement of the 2023 Preliminary Budget. Chairman Adam seconded the motion. Motion carried with all Supervisors voting yes.

Schuylkill Valley Library Donation- Previous year donation was \$2,500.00. Chairman Adam made a motion to donate \$2,500.00 to the Schuylkill Valley Library for 2022. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

Reports:

The following reports were given to the Board of Supervisors:

Rusty Wagner, Fire Chief- Not present.

Kraft Code Services/ Kraft Codes Zoning- Discussed property maintenance issues throughout the township. Zoning inquiry for 151 Stone Hill Rd concerning number of chickens permitted. Compliance has been achieved at 1170 Moselem Springs Rd, 1677 Windsor Castle Rd, and 384 Moselem Springs Rd. NOV sent to 1184 Main Street. 18 building inspections were performed this period. 2 CO's issued: Ludwig Court and 1510 Main Street. 11 building permits were issued for the period, with an improvement value of \$281,361.00. Deane Hamm mentioned a tractor trailer sitting in the township's turn-around at 6 Kerr Lane. Jeff is aware and will address it.

Gene Buck, Planning Commission – The Planning Commission held a meeting on November 2, 2022: Ray Hepner was absent. Planning Commission unanimously voted to keep their 7:30pm starting time. John Hoffert was in attendance representing Houck Homes Subdivision. Houck Homes requested a waiver for section 502.9 of SALDO concerning monuments: PC carried the motion to except the waiver. Discussed in depth the proposed Perry Commercial Center sign amendment and plan review. PCC also requested waivers; PC approved. The final plans were signed for HCP Lot 4 and 6. Meeting adjourned at 9:20 pm.

The Supervisor Board addressed the Houck Homes waiver request from section 502.9 of SALDO regarding monuments. Ryan Rhode elaborated on the request. Chairman Adam made a motion to grant the waiver from Section 502.9 of SALDO for Houck Homes Subdivision. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

Donald Mast, Municipal Authority- Received the DEP permit for Well #3. PTMA's solicitor and engineer meet with HLP to address water overages and billing. JLL is willing to handle all the water and sewer bills for the warehouses they manage vs relying on the tenants to pay the bills.

Ryan Rhode, Kraft Engineering- Mark Koch, Perry Commercial Center representation, gave a recap on what was discussed at the planning commission meeting. A revised text amendment to the sign ordinance was provided. Ryan and Mark elaborated on the revisions. Chairman Adam asked if the township has anything regulating electronic signs? No. Supervisor Daly asked if there is anything restricting the number of lumens? Jeff Fiant replied that approach can be taken, it becomes very technical. The goal is to keep the language easy to understand and enforceable. Supervisor Daly is concerned for the residents on Main Street and the neighboring businesses; looking out for "unintended consequences". Robert Blue presented visual aids for the PCC site plan and CVS signage. Jeff Shaffer expressed his concerns of the bright lighting. Robert Blue ensured special shields are used to keep the light on site. Supervisor Dalton's concern is the headlights shining on the houses on Main Street. Mary Reinhart questioned where the wetlands would be transferred too and how many acres? Scott Homel responded they would be transferred to where the wetlands bank chooses and would be monitored by DEP, and the amount is 0.47 acres. Mary asked if the Wawa would sell diesel? Answer was no. Mary asked if there would be an exit onto Main Street? Proper and abundant signage will hopefully deter traffic from Main Street. Mary is very concerned for the children in Shoemakersville. Chairman Adam questioned if wetland relocation could be approved for a sidewalk? Still waiting for DEP approval on this project. Kathy DeCarlo questioned who determines what businesses go in? The land owner and the zoning board. Donna Long commented on how poorly the old grocery store parking lot has been maintained all this time. Deane Hamm questioned the possibility of making the Mocerri Drive entrance difficult for a tractor trailer to enter? That is up to PennDot. Donnie Mast commented the truck traffic on Main Street now is the result of DOT sitting on Route 61. PCC requested 2 waivers: Section 502.9 Monumentation and Section 402.6C center line radius of Mocerri Drive. Chairman Adam made a motion to grant the waiver on monumentation for PCC. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes. Chairman Adam made a motion to grant the waiver regarding the center line radius of Mocerri Drive. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes. Scott Homel presented options for pedestrian pathways, and is open to other suggestions. Chuck DeCarlo asked who has the final say in whether or not this project moves forward? Allen Shollenberger replied "a plan that complies with all the provisions of the ordinance should be approved. If the board does not approve a compliant plan, the township would be subject to litigation."

HCP Lot 5 is at the end of their 18-month maintenance period. Ryan provided a review letter authorizing the full security release in the amount of \$87,074.96. Chairman Adam made a motion to release HCP Lot 5 security in the amount of \$87,074.96. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

*Chairman Adam made a motion to amend the agenda to add the BCCD application and fee for the river access ramp. Supervisor Day seconded the motion. Motion carried with all Supervisors voting yes.

The permit application for the river access ramp is ready to be approved and signed. A check in the amount of \$750.00, made out to Berks County Conservation District, is required as

the application fee. Chairman Adam made a motion to approve the signing of the river access ramp permit application, along with the payment of the permit application fee in the amount of \$750.00. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

LTAP provided additional speed studies. A few more roads are to be completed before a resolution can be drafted.

HCP Lots 4 and 6 final plans were signed.

Allen Shollenberger, Solicitor – November 4, 2022, Perry Township took over ownership of Logistics Drive and Ludwig Court. The solar ordinance will be ready for enactment next month. The Stark Ag Security application has been advertised and reviewed by the Planning Commission. The application is for a total of 70.32 acres. With the adoption of this parcel into ag security, Perry Township will have a total of 6,322 acres in Ag Security. Chairman Adam made a motion to adopt Resolution 11-7-22 for the addition of the Stark parcel into Ag Security. Supervisor Dalton seconded the motion. Motion carried with all Supervisors voting yes.

EMC- No report

Road Master- Report provided.

J B Environmental- No activity.

Recreation Park- The 2nd playset will be installed at the Recreation Park on November 16 with the help of the roadcrew, DZ Miller Contracting, Supervisor Daly, and Administrator Dreibelbis.

Public Comments:

Jeff Shaffer- Jeff feels we are ruining that area with Perry Commercial Center. The residents will be dealing with lights and truck traffic. Chairman Adam stated this project pre-dates the current supervisor board. Allen interjected, as long as he has been with the township (which is 30 years), that land has been zoned for this use. Supervisor Daly added “if the board tries to stop something they are legally allowed to do, we would not be good stewards of the tax payer dollar at that point” Allen added even government projects are required to relocate wetlands.

Chuck DeCarlo- Chuck feels “there should have been more forethought for land and property so stuff like this can’t happen.” Chuck described the evolution of their neighboring property. Chuck feels the township should make sure everything is zoned properly. Allen confirmed any area currently zoned CLI was previously zoned for residential, not rural agricultural. Supervisor Daly takes Chuck’s point seriously. Supervisor Daly said he is not looking to change the zoning map to makes things worse for the residents, however, the township cannot change the zoning of an area when something is already in motion, or the township would be subject to litigation.

Donnie Mast- Donnie is happy to see a potential Tractor Supply and CVS staying here. Donnie would rather see restaurants and stores vs warehouses.

Mary Reinhart- Mary is frustrated as a local business owner for 63 years, and feels things are very unfair. Mary states exit points and signage requests for her business were denied many times in the past. Mary is not against development, but feels some changes can be made to the PCC plan to comfort the residents. Mary feels the board must learn to say “no” sometimes and consider the

needs of the residents. Mary was unsure if Shoemakersville Borough residents were allowed to come to Perry Township meetings. Mary commented on the amount of signage being requested. Supervisor Daly confirmed the signage square footage is an aggregate of all the signs combined.

Deane Hamm- Deane asked why does Mocer Drive have to connect to Main Street? Allen confirmed that is in accordance with the Act 209 study. Allen elaborated on the Act 209 Study. The last update of the Act 209 Study was in 2010, and is due for an update. Supervisor Daly asked if Mocer Drive was a done deal or is there anything the board could do to stop the connection to Main Street? Kraft Engineering will take a closer look at the Act 209 Study. Deane questioned if Schaeffer RV has to dim their lights at a certain time, why can't the shopping center? Chairman Adam would like to research what guidelines Shoemakersville Borough has in place for Sheetz.

Donna Long- Donna asked if Mocer Drive would be maintained by the township? Chairman Adam replied yes, but not the sidewalks. Donna also questioned the maintenance of the parking lots. The property maintenance ordinance will need to be looked at for incorporation of parking lots. Allen also commented, large cooperation tenants will also require a higher standard of parking lot maintenance.

Donnie Mast- Donnie questioned if PennDot required Mocer Drive or the Board of Supervisors? Allen replied it was a recommendation from the traffic engineer who performed the Act 209 Study. Kraft will look into the Act 209 Study.

Deane Hamm- Questioned where the Stark Ag Security property is located? 130 Farview Road.

Nancy James- Nancy agrees if Mocer Drive is not mandatory, do not connect it to Main Street. Nancy informed Mary these meetings are public; Shoemakersville Borough residents are welcome to come. Nancy asked how the Tractor Supply trucks going to enter their property? Chairman Adam replied there are connecting roads between the parking lots, leading back to Mocer Drive. Nancy feels a lot of concerns would be alleviated if Mocer Drive did not connect to Main Street.

Gene Buck- Gene sat in on both of the Act 209 Study's. Gene and Allen are the only ones who have "seen it all". Gene wants the public to know how hard it is to sit down and plan for 10 years down the road. Gene said "you can sit here now and say it was all wrong, but when you are making that decision for 10 years down the road, how do you know you are making the right decision?" Gene is frustrated and wishes people took into consideration how much time and effort went into these studies.

Adjourn:

Chairman Adam made a motion to adjourn the meeting at 8:30 pm. Supervisor Daly seconded the motion. Motion carried with all Supervisors voting yes.

MINUTES APPROVED ON:
December 13, 2022

RECORDED BY:

Lance N. Adam, Chairman

Rochelle Dreibelbis, Administrator