

**MINUTES OF THE
EAST COVENTRY TOWNSHIP PLANNING COMMISSION MEETING
WEDNESDAY, APRIL 18, 2018 AT 7:00 P.M.**
(Approved June 20, 2018)

Call Meeting to Order and Pledge of Allegiance.

Chairman Walt Woessner called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited. The following Planning Commission members were in attendance: Kathryn Alexis, Paul Lacon, Lance Parson, and Lawrence Tietjen. Planning Commission Solicitor, Marj Brown; Township Consulting Engineer, Brady Flaharty; and Township Planning Consultant, Rick Tralies were also in attendance.

1. Minutes.

Chairman Woessner called for a motion to approve the minutes of the January 17, 2018 monthly meeting. Kathryn Alexis made a motion to approve the January 17, 2018 meeting minutes as written. Lawrence Tietjen seconded the motion. Chairman Woessner called for a vote and the motion carried 5-0-0.

2. Citizen Comments.

Chairman Woessner asked for citizen comments. Ms. Gail Brown, Chairwoman of the East Coventry Township Historical Committee, reported she has Historical Commission comments for each of the projects on tonight's agenda and could present them verbally as they are considered in agenda order. She stated she was unable to present them in a written format prior to the meeting due to a medical emergency at her horse farm. She stated she would provide written Historical Commission comments to the Planning Commission as soon as possible.

3. Subdivision and Land Development Project Review.

17-1084 2nd Submittal Preliminary/Final Minor Subdivision - 886 Vaughn Road

Chairman Woessner opened the floor to the project representative(s) of the minor subdivision of 886 Vaughn Road. Mr. Nick Feola, P.E. of Bursich Associates reported his client has acted upon the previous comments generated by the Planning Commission which included appearances before the North Coventry Planning Commission and the North Coventry Board of Supervisors. He noted the property owner, Mr. Eckhardt, is amenable to the draft resolution proposed by East Coventry Township. Mr. Woessner asked for clarification on the additional expansion of the lot and Mr. Feola stated they will add language on the final plat as required.

Marj Brown, Planning Commission Solicitor, stated on Page 4. of the plan there is a note that says use of the existing dirt track to be removed upon recording of plat. Mr. Feola stated Mr. Eckhardt understands the track will be discontinued once the subdivision is approved and recorded.

Gail Brown reported the Historical Commission review found the lot line setbacks are in accordance with requirements. She noted further subdivision plans that are proposed for the property would have to go through a major subdivision review. Mr. Rick Tralies, Township Planning Consultant, stated it was his understanding that if there is a disturbance within 100' of an historic resource it would trigger an historical impact study. Mr. Feola replied it appears they are in compliance with historic property setbacks requirements at this time.

Marj Brown stated the version of the Resolution included in tonight's meeting packet is up to date and read aloud the following:

MOTION to recommend the Board of Supervisors approve the Preliminary/Final Minor Subdivision Plan for 886 Vaughn Rd prepared by Bursich Associates, Inc. dated Nov 1, 2017

with sheet 1 last revised February 13, 2018 and submitted by David J. Eckhardt, in accordance with the draft resolution as presented to this Planning Commission.

Kathryn Alexis motioned to approve recommendation by the Board of Supervisors of the Preliminary/Final Minor Subdivision Plan for 886 Vaughn Road. The motion was seconded by Lance Parson. Chairman Woessner called for a vote and the motion carried 5-0-0.

17-1085 Sketch Plan Submittal - Minor Subdivision - 401 Ebelhare Road

Chairman Woessner opened the floor to the project representative(s) of the minor subdivision sketch plan at 401 Ebelhare Road. Mr. Keith Brand introduced himself as the property owner and stated he is to be represented by Tom Smith of Bercek and Smith Engineering who is running late.

Marj Brown noted this is a sketch plan submittal so there will need to be a preliminary/final plan submitted next. Marj Brown informed Mr. Brand she sent some follow up information regarding the ROW in front of the property to Mr. Smith and suggested they request a waiver from the requirement in the ordinance. She referred him to Section 704 which explains the waiver process. Mr. Brand, stated he was aware of a ROW issue which was waived in 2004 due to an existing historic stone wall.

Township Engineer, Brady Flaharty, suggested any land development components be removed from plan since it is a subdivision.

Gail Brown reported the Historical Commission reviewed the existing barn and walls and their setbacks and would provide written comments to the Planning Commission.

Tom Smith, with Bercek and Smith Engineering apologized for his late arrival. He stated they concur with all the Planning Commission recommendations to date. He stated the property was previously subdivided in 2004 and the property owner would be willing to stipulate that no further subdivision will occur. Marj Brown noted that any suggestions given tonight are not legally binding.

18-1086 SBA Cell Phone Tower - 92 Baptist Church Road

Chairman Woessner opened the floor to the representative(s) of the SBA, LLC cell phone tower land development project at 92 Baptist Church Road. Mr. Richard Lemanowicz, Esq., Lemanowicz, LLC reported they are in receipt of all review letters and his client will comply with all review comments. He also reported a development notice sign has been installed onsite and the applicable property owners have been notified.

He asked for guidance from the Planning Commission on zoning relief. Marj Brown replied a Zoning Ordinance Amendment is a lengthy process, but that it appears the land development review process may be equally as lengthy for the applicant. Mr. Lemanowicz stated they would instead seek a Special Exception for access to the interior lot. Also, regarding the paving of the access road and parking spaces, Mr. Lemanowicz stated they would most likely seek a Variance on that requirement. Mr. Lemanowicz stated he would prepare a written response to all comments received. He stated their engineers are presently looking over the NPDES requirements. Mr. Lemanowicz inquired as to whether or not additional notices are required to be sent to property owners. Marj Brown asked for additional time to review the matter and she also suggested Mr. Lemanowicz submit an unlimited time extension request on the project and provided him with the paperwork.

Ms. Gail Brown stated the Historical Commission review found the project to have no impact on historical resources.

Mr. Lemanowicz thanked the Commission members for their time.

18-1087 Preliminary/Final Minor Subdivision - 68 and 72 Christman Court

Chairman Woessner opened the floor to the representative(s) of the Preliminary/Final Minor Subdivision for 68 and 72 Christman Court. Mr. Tom Smith, with Bercek and Smith Engineering, stated they have received all review letters and will comply with all comments generated. He noted the subdivision is a lot line adjustment and the net lot areas will not change. Kathryn Alexis asked for an explanation on the lot sizes noted on the plan. She stated the Note regarding Parcel A and Parcel B and the Table numbers do not agree. Mr. Smith said he would double-check the numbers between the existing and proposed lot areas.

Marj Brown asked if the applicant plans to engage an attorney to submit a consolidation deed. Mr. Smith stated they would submit one for review. Marj Brown read aloud the following:

MOTION to recommend the Board of Supervisors approve the Preliminary/Final Minor Subdivision (Lot Line Adjustment) Plan for 68 and 72 Christman Court prepared by Bercek and Smith Engineering, Inc. dated March 19, 2018, in accordance with the draft Resolution as presented to this Planning Commission, with the following changes to the Plan:

- a. The gross and net lot area calculations shall be revised for consistency as determined acceptable by the Township Engineer; and
- b. The existing and proposed boundaries of Lot #1 and Lot #2 shall be labeled on the Plan.

Lawrence Tietjen made a motion to recommend approval by the Board of Supervisors of the Preliminary/Final Minor Subdivision (Lot Line Adjustment) Plan for 68 and 72 Christman Court as presented. The motion was seconded by Kathryn Alexis. Chairman Woessner called for a vote and the motion carried 5-0-0.

18-1088 JJ Kane Land Development – 200 Fricks Locks Road

Chairman Woessner opened the floor to the representative(s) of the JJ Kane land development project at 200 Fricks Lock Road. Mr. Paul Lepard, RLA with NaveNewell introduced himself to the Planning Commission. He acknowledged the following members of the JJ Kane Auction Facility project team in attendance tonight:

NaveNewell

Keith Marshall, PE Principal, Civil Engineering Department Manager
Robert Flinchbaugh, PE, Civil Engineering Project Manager

Traffic Planning and Design, Inc.

Eric Ostimuck, PE, PTOE,

JJ Kane

John Kane, Sr. Operations Manager
Beth O’Neil, General Counsel
Butch Barron, Fleet Manager
Michael Whitebread, Sr. Operations Manager
Richard Emher, Facilities Manager

Mr. Lepard stated JJ Kane looks forward to becoming a vital member of the Township’s business community.

Referencing the project plans displayed on easels, Mr. Lepard presented an overview of the three lots included in the project. He reported the project went to the Zoning Hearing Board and was approved

for auction use sales. He stated they sought parking on Lot 3 to support activities on Lot 1, and the Zoning Hearing Board ruled the Board of Supervisors were to make that decision. He then offered some background on JJ Kane Auctioneers and their business operations.

Again, referencing the plans on display, Mr. Lepard pointed out the proposed vehicular and pedestrian traffic access points. He noted the location of the building housing the sales office and waiting and garage area (approximately 4,800 square feet). He pointed out the ADA parking immediately adjacent to the building. He noted no repairs are performed on site, equipment is sold “as is.”

He pointed out Lot 1 contains 376 parking spaces, south of the lot are 156 parking spaces with 82 in reserve. He stated parking is provided for over 700 patrons which is more than enough for their auction needs. He pointed out the proposed stormwater retention sites.

He then invited Mr. John Kane to speak on the specifics of the auction sale. Mr. John Kane stated they hold auctions five (5) times a year with up to 700 attending in person. Mr. Kane reported there could be more than one auction taking place in one general area of the equipment parking lot using an amplified audio system.

Walt Woessner asked about the noise level and if it would comply with the Township’s noise ordinance. Mr. Kane stated he felt it would. Marj Brown asked for confirmation on the number of auctions held per year. Mr. Kane responded the number is five (5) per year. Lawrence Tietjen asked if that number would ever be increased due to projected growth. Mr. Kane replied not under their business model. Four weeks are allotted before the sale coming in; two weeks are allotted for after sale inventory moving out.

Mr. Lepard next addressed the Township review letters. He reported they contacted Planning Consultant, Rick Tralies to survey existing trees at the site. He reported Lot 2 is not proposed for any improvements and additional buffering may be deferred to a later date. Walt Woessner asked if the lot would continue to be farmed. Mr. Lepard stated it would probably be kept in meadow. Mr. Tralies stated it is a zoning matter. Mr. Lepard also noted there are three separate lots on one deed. Marj Brown suggested some deed cleanup is in order.

Mr. Lepard questioned if the Historical Commission Impact Study is required. Ms. Gail Brown, Chairwoman of the East Coventry Township Historical Commission noted there are two National Historic Register properties in close proximity to the property as well as the Schuylkill River greenway. She reported that Fricks Locks Village is a proposed trail head on the Schuylkill River greenway system and is adjacent to the parking lot. Ms. Brown noted that multi-million dollars are already earmarked for future development plans for Fricks Locks Village and business along the Schuylkill River Trail. Therefore, she felt an Historical Impact study is needed. She related viewsheds are of considerable concern, as is the vehicular and pedestrian traffic along with auction sale noise that would impact historic tours. She also noted her concerns with the gravel lots creating dust and the designated wet areas causing a proliferation of mosquitos.

Mr. Lepard thanked Ms. Brown for her feedback and stated he looks forward to further discussions on becoming a good neighbor. In response to her concerns regarding traffic, Mr. Lepard stated he will defer to the Traffic Engineer for his report. He acknowledged traffic will be heavy on auction sale days but otherwise the traffic will be minimal. He noted the Stormwater plans will comply with standards and should not contain standing water. Mr. Lepard stated there is very limited tree removal and hedgerows will remain intact to help in mitigating views. Mr. Lepard will work with Rick Tralies

on the site walk-through proposed in the near future. Mr. Lepard also noted he spoke with Township Code Specialist, Harry Weaver regarding ADA requirements. Mr. Lepard stated they are required to provide access to the auction yard office only. He noted JJ Kane will provide golf cart access to view auction items in the lot for the disabled; also, the auction is held online and JJ Kane will provide staff to assist those in need.

Mr. Eric Ostimuck, PE, with Traffic Planning and Design, Inc. offered a brief overview of his report. He noted that the 600 traffic projections cited in his report will not be arriving or leaving at the same time on auction days, rather the traffic numbers will fluctuate throughout the day. He noted by midday traffic fell to about 50 vehicles entering with the majority of vehicles arriving in the early morning. He also noted on the weekdays traffic would be minimal. He suggested developing an event traffic plan with the Township's Traffic Engineer to efficiently move traffic in and out of the site.

Lance Parson asked if traffic control personnel are still being considered. Mr. Ostimuck stated it is still under consideration and again recommended the Township develop an event traffic plan.

Lawrence Tietjen asked if JJ Kane has done any studies reflecting growth projections. Paul Lacon asked if additional equipment is able to be stored at this site as compared to their location in Plymouth Meeting would that not increase sales. Mr. Kane replied they could potentially store more at this site but that would not necessarily correlate with a greater amount of vehicular traffic. He stated their business model is designed to hold five auctions per year.

Marj Brown asked if purchasers can come before the sale to inspect items. Mr. Kane replied they can view items the Friday before the sale. Mr. Kane further related sold items are supposed to be moved by Wednesday at 4:00 p.m. following the sale and typically 90% of the inventory is gone by then.

Mr. Lepard noted they intend to meet with the Township's Traffic Engineer Consultant and Pennsylvania Department of Transportation personnel to discuss traffic safety and the creation of an event plan.

He also noted they plan to further discuss road widening issues with the Township's Traffic Engineer to determine what is appropriate for the Township and JJ Kane, along with realignment of the roadway; he stated they are open to exploring options with the Township.

Chairman Woessner stated he feels the intersection at 724 and Fricks Lock Road needs to be fixed; he noted his personal concerns with the sight line on 724. Mr. Lepard acknowledged there is a geometry concern at the intersection and they will be looking at solutions.

Mr. Lepard reported in regard to the ARRO review, they will comply with the Township Engineer's comments and have revised plans to comply with the review comments. Mr. Lepard referenced the site plan on display; and he pointed out the stormwater management flow on the property. Mr. Woessner asked if there was a Stormwater Executive Summary. Mr. Lepard replied it was contained within the Stormwater Management Plan and would be separated out.

Mr. Lepard stated at this time he wishes to inform the Planning Commission of their waiver requests, which he noted are subject to change upon further review and discussion with Township consultants. He noted the majority of their waiver requests are for landscaping. He also noted this is their first meeting before the Commission and they will be presenting further details in the near future; he stated they are committed to keeping their site looking good.

Mr. Lepard asked if the Planning Commission would consider a waiver request of 24 feet for a portion of the roadway; and he asked the Commission to consider their waiver requests on curbing, sidewalk installation and lot paving. Walt Woessner asked about the “jog” in the roadway. Mr. Lepard stated they are exploring options in regard to ROW dedication to the Township. He stated the ROW in the curves of the roadway were modified to comply with the Township’s ordinance requirements. Mr. Lepard thanked the Commission members for their time. Marj Brown suggested the applicant request an unlimited extension of time and provided Mr. Lepard with the paperwork for an extension of the project review period.

Chairman Woessner noted a typographical error in the traffic summary; he noted Table 15 should be labelled 14. Chairman Woessner then opened the floor to questions/comments from those in attendance.

Lance Parson questioned how the gravel lots are maintained during dry spells. JJ Kane employees in attendance responded they have never experienced dust ups during drought conditions. If it should occur they stated they would obtain a water truck to wet down the lots.

Mike Oshel, 92 Savage Road, stated he has concerns with the intersection at 724 and Fricks Lock Road; he felt a traffic light would need to be installed. He also stated he has concerns with the noise generated from auction sales. He mentioned that other neighbors have expressed concerns as well.

Lawrence Brown, 500 Sanatoga Road, provided Commission members with a copy of his written comments and concerns. He referenced item #10 in his handout and asked what equitable ownership means. Mr. Lepard stated JJ Kane is under contract to purchase the property. Mr. Brown asked if there is an option to purchase the adjoining 30 acres. Beth O’Neil, General Counsel for JJ Kane responded there are no other properties under contract.

Mr. Brown asked if a Traffic Impact Study was given to the Planning Commission. Chairman Woessner replied in the affirmative.

Mr. Brown questioned if there is anything that restricts JJ Kane from the number of auctions they will hold. Mr. Kane replied their business model supports five (5) auctions per year; that is the number they can manage.

Mr. Brown asked if large, oversized equipment would be transported to the site for sale. Mr. Kane replied it would be a rare occurrence for that to happen. He stated it is usually sold from its current location and not transported to the auction lot.

Mr. Brown asked if JJ Kane has an environmental officer. Mr. Kane replied in the affirmative. Mr. Brown noted there are several sensitive streams in the area. Mr. Lepard reported they have had the site evaluated and they will comply with all state requirements. Mr. Lepard noted they will have to obtain an NPDES permit addressing water quality.

Mr. Brown asked if a wetlands evaluation report has been done. Mr. Lepard stated their environmental scientist has determined there are no wetlands on the site.

Mr. Brown stated there are identified endangered species in the area. Mr. Lepard responded they were not aware of endangered species in the area, but this issue would be further addressed in the NPDES permit.

Mr. Brown commented there are some R2 and FR property owners that need to go by this site and all the other industrial uses in the area. He noted it was rezoned from light industrial to C-1 and he feels this proposed development reverts back to industrial use.

Mr. Brown expressed concern with sound and dust emanating from the site. He also expressed concern with the basins onsite. He noted some of the basins about existing residential lots with well and septic systems and wondered if these percolating basins would impact existing well and septic systems. Keith Marshall, PE with NaveNewell responded to Mr. Brown's question; he noted the basins are designed to both infiltrate and percolate.

Mr. Brown asked if there are provisions for well sampling. Township Engineer, Brady Flaharty stated he would look into it.

Mr. Brown asked about the onsite lighting. Mr. Lepard stated they are a daytime operation and JJ Kane plans to ask the Township for reduced lighting requirements.

Anna Kenney stated she is greatly concerned about the traffic impact and the noise generated by this project. She is also concerned about a negative impact on her property values. Mike Kenny stated he too has concerns with the angle at the 724 and Fricks Lock Road intersection and feels a traffic light would be warranted at the intersection. Mr. Kenny acknowledged JJ Kane's concern over light pollution; he stated he hoped they will take "sight" pollution under consideration as well. Mr. and Mrs. Kenny asked the Township to consider other ways to notify residents of large scale development projects coming to the area.

Gail Brown, 500 Sanatoga Road, related that she heard back in 2003 that the Township regrets the turn radius wasn't addressed at Anderson Road. She noted the conditions of the roadways in the area have changed considerably since then due to the Exelon worksite and noted heavier vehicular traffic on 724.

David Gauger, 315 Sanatoga Road, asked about the sewer system onsite. Mr. Kane reported it would be a septic system and on the day of the sale there would be porta-potties facilities onsite. Mr. Gauger stated he attends the JJ Kane auction sales and he would prefer to see this type of development rather than a multi-family residential development. Mr. Gauger suggested ingress and egress to the site be made off 724.

There were no further public comments generated.

4. Additional Items to be Brought before the Commission.

There were no additional items brought before the Commission.

5. Northern Federation Update.

There was no update provided to the Commission.

6. Historical Commission Update.

There was no update provided to the Commission.

7. Pottstown Metropolitan Regional Planning Committee Update.

There was no update provided to the Commission.

Adjournment.

Chairman Woessner called for a motion to adjourn at 9:49 p.m. Kathryn Alexis made a motion to adjourn; Lance Parson seconded the motion. Chairman Woessner called for a vote and the motion to adjourn carried 5-0-0.

Respectfully Submitted,

Mary M. Goheen
Planning Commission Secretary