

**MINUTES OF THE
EAST COVENTRY TOWNSHIP PLANNING COMMISSION
MEETING HELD OCTOBER 18, 2023**
(Approved December 20, 2023)

The Planning Commission held its regular meeting on Wednesday, October 18, 2023. Present for the meeting were Walter Woessner, Chair; Larry Tietjen, Vice Chair; Lance Parson; Paul Lacon; and Jason Stouch. Also present were Eugene Briggs, Township Manager; Amy Holland, Administrative Assistant to the Township Manager; Karen Cumens, Administrative Assistant; Mark Hosterman, Township Solicitor; Brady Flaharty, Township Engineer; Rick Tralies, Township Planner; and John Yurick, Transportation Engineer.

Mr. Woessner called the meeting to order at 6:59 p.m. and the pledge was recited.

1. MINUTES

A. Consideration of Approval of the September 20, 2023, Regular Meeting Minutes.

Mr. Tietjen made a motion to approve the Minutes. Mr. Parson seconded the motion. Mr. Woessner called for a vote and the motion passed 5-0-0.

2. PUBLIC COMMENT

Kristen Johnson – 66 Savage Road: Commented on the plan for traffic control at the new Fricks Lock offset road and increased traffic and traffic control on Route 724.

Susan Johnson – 114 Fricks Lock Road: Commented on the impact of increased traffic as it relates to her property.

3. PROJECT REVIEWS

A. Consideration of Preliminary Subdivision and Land Development Application (23-2000) for 2099 New Schuylkill Road; 200, 225, and 375 Fricks Lock; and 520 Sanatoga Road – Village at Fricks Lock.

Jaqueline Erixson, Applicant, advised that the changes and waivers discussed with the Planning Commission on September 20, 2023 had been incorporated into the new plan. Mr. Hosterman presented the following waivers for the Planning Commission's consideration:

Waiver of Subdivision and Land Development Ordinance Section 22-304.3.E.(17) – Driveways: Mr. Parson made a motion to recommend the Board of Supervisors approve the Applicant's request for a waiver from Subdivision and Land Development Ordinance Section 22-304.3.E.(17) to allow the provision of spot elevations and first floor elevation for all proposed driveways and units, where driveway profiles are required in a preliminary plan. Mr. Tietjen seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Section 22-306.3.D.(4) – Well Withdrawal Impact Study: Mr. Parson made a motion to recommend the Board of Supervisors approve the Applicant's request for a waiver from Subdivision and Land Development Ordinance Section 22-306.3.D.(4) to forgo submitting a well withdrawal impact study, where one is required to evaluate proposed subdivision or land

developments. Mr. Lacon seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Section 22-406.1 – Right-of-Way Width: Mr. Lacon made a motion to recommend the Board of Supervisors approve the Applicant's request for a waiver from Subdivision and Land Development Ordinance Section 22-406.1 to allow for a 46-foot-wide street right of way with a 28-foot-wide paved cartway, with curb and sidewalk, where a 52-foot-wide street right of way with a 28-foot-wide paved cartway is required. Mr. Stouch seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Section 22-406.7 – Street Right-of-Way Widths: Mr. Parson made a motion to recommend the Board of Supervisors approve the Applicant's request for a partial waiver from Subdivision and Land Development Ordinance Section 22-406.7 to forgo providing any improvements or escrow of funds in relationship to the existing Sanatoga Road Improvements for widening, paving, and sidewalk/curb installation, as well as requesting to not provide improvements along Fricks Lock Road, where the installation of improvements and/or the escrow of money is deemed necessary to improve the existing streets abutting a subdivision or land development, among other requirements. Provided that the right-of-way area necessary to install such improvements be offered for dedication to the Township to allow the Township to install such improvements in the future. Mr. Tietjen seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Sections 22-409.1 and 22-409.2 – Street Alignment (Internal Streets): Mr. Parson made the motion to recommend the Board of Supervisors approve the Applicant's request for a waiver from Subdivision and Land Development Ordinance Sections 22-409.1 and 22-409.2 to allow the minimum center-line radii for horizontal curve for the streets internal to the proposed community to be 150 feet, where the minimum center-line radii for horizontal curves shall be provided per American Association of State Highway and Transportation Officials, "A Policy on Geometric Design of Highways and Streets," as amended. Provided that that the speed limit on the internal streets a posted speed limit of 15 miles per hour. Mr. Lacon seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Sections 22-409.1 and 22-409.2 – Street Alignment (Fricks Lock Road): Mr. Lacon made the motion to recommend the Board of Supervisors deny the Applicant's request for a waiver from Subdivision and Land Development Ordinance Sections 22-409.1 and 22-409.2 to allow a minimum curve radius less than 510 feet for the curves along realigned Fricks Lock Road, where the minimum center-line radii for horizontal curves shall be provided per American Association of State Highway and Transportation Officials, "A Policy on Geometric Design of Highways and Streets," as amended. Mr. Stouch seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Section 22-428.8.C.(2) – Street Trees: Mr. Parson made a motion to recommend the Board of Supervisors approve the Applicant’s request for a waiver from Subdivision and Land Development Ordinance Section 22-428.8.C.(2) to plant trees spaced at different intervals, where street trees shall be spaced not less than forty (40) feet nor more than sixty (60) feet apart, staggered along both sides of all streets. Provided that the trees in the Development shall be inspected, maintained, and replaced by a Planned Community Association and not individual lot owners, the Declaration of which shall be acceptable to the Township Solicitor, and which shall be recorded with the Office of the Recorder of Deeds. Mr. Lacon seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Stormwater Management Ordinance Section 9-131.2 – Other Conveyance and System Design Standards: Mr. Lacon made a motion to recommend the Board of Supervisors approve the Applicant’s request for a partial waiver from Stormwater Management Ordinance Section 9-131.2 to forgo providing fences and gates for basins with depths of three (3) feet or less, where fences and gates are to be provided for all stormwater management basins. Mr. Tietjen seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Stormwater Management Ordinance Sections 9-142.1.B.(18)(c)(5) and 9-174.1.B – Stormwater Management Site Plan Contents: Mr. Tietjen made a motion to recommend the Board of Supervisors approve the Applicant’s request for a waiver from Stormwater Management Ordinance Sections 9-142.1.B.(18)(c)(5) and 9-174.1.B to forgo twenty (20) foot wide border easement around all BMPs and conveyances, where a twenty (20) foot wide easement is required. Provided that a blanket stormwater BMP operation and maintenance easement is provided to the Township, using language satisfactory to the Township Solicitor. Mr. Stouch seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Stormwater Management Ordinance Section 9-152.7 – Final Occupancy Permit: Mr. Tietjen made a motion to recommend the Board of Supervisors defer the Applicant’s request for a waiver from Stormwater Management Ordinance Section 9-152.7 to allow issuance of a final certificate of occupancy prior to approval of the stormwater as-built plan, where a final certificate of occupancy is issued after the final as-built plans have been accepted by the Municipal Engineer is required. Provided that certificates of occupancy shall only be issued: (i) where the Township Engineer certifies that the continued construction of the Development will not interfere with the health, safety, use and enjoyment of such dwelling units by residents; (ii) when the required improvements supporting such dwelling units are certified as complete by the Township Engineer and sufficient, in the sole opinion of the Township Fire Marshal, to enable emergency services to access such units; and (iii) when provisions satisfactory to the Borough Engineer have been made (including but not limited to seeding or sodding, if appropriate) to prevent erosion, and the runoff of rain water, melting snow, etc., from being discharged onto adjacent tracts or onto the street or pavement and to prevent such runoff from coming onto said lot, from other lots or other portions of the Development including streets and pavement. Mr. Stouch seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Driveway Ordinance Section 21-106.8.B – Corner Lot Driveway Requirements: Mr. Tietjen made a motion to recommend the Board of Supervisors approve the Applicant’s request for a partial waiver from Driveway Ordinance §21-106.8.B to allow driveways on corner lots and on lots facing “T” intersections with a minimum separation distance of forty-eight (48) feet, where all driveways on corner lots and on lots facing a “T” intersection shall maintain a minimum distance of one-hundred (100) feet. Provided that the speed limit on the internal streets a posted speed limit of 15 miles per hour. Mr. Lacon seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Mr. Hosterman explained that the following waivers were not properly requested but were identified in response letters and/or consultant review letters and presented them for the Planning Commission’s consideration:

Waiver of Subdivision and Land Development Ordinance Section 22-406.7 – Dedication of Right of Way: Mr. Tietjen made a motion to recommend the Board of Supervisors defer the Applicant’s request for a partial waiver from Subdivision and Land Development Ordinance Section 22-406.7 to allow the Applicant to not offer for dedication the right-of-way on the northern side of Fricks Lock Road east of station 17+50, where the offer of dedication the land sufficient to widen an existing street of improper width or alignment thereof is required. Provided that the Applicant revises the waiver request letter and waiver request matrix included on the Plans to reflect the specific subsection(s) from which deviations are being requested, the specific minimum deviation provided, the justifications therefor, and any conditional thereof, as required by Subdivision and Land Development Ordinance Sections 22-304.2.D.(5), 22-305.2.D.(5) and 22-704.5 and Appendix 22-A. Mr. Parson seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Sections 22-403.5 and 22-418 – Pedestrian Improvements: Mr. Tietjen made the motion to recommend the Board of Supervisors defer the Applicant’s request for a waiver from Subdivision and Land Development Ordinance Sections 22-403.5 and 22-418 to not offer install pedestrian improvements along Sanatoga Road, where the installation of pedestrian improvements is required along existing streets. Provided that the Applicant revises the waiver request letter and waiver request matrix included on the Plans to reflect the specific subsection(s) from which deviations are being requested, the specific minimum deviation provided, the justifications therefor, and any conditional thereof, as required by Subdivision and Land Development Ordinance Sections 22-304.2.D.(5), 22-305.2.D.(5) and 22-704.5 and Appendix 22-A. Mr. Stouch seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Waiver of Subdivision and Land Development Ordinance Sections 22-403.5 and 22-418 – Sidewalk Easements: Mr. Tietjen made a motion to recommend the Board of Supervisors defer the Applicant’s request for a waiver from Subdivision and Land Development Ordinance Sections 22-403.5 and 22-418 to provide sidewalks located outside of the public rights of way and not provide easements thereover, where the installation of sidewalks in rights of way is required. Provided that the Applicant revises the waiver request letter and waiver request matrix included on the Plans to reflect the specific subsection(s) from which deviations are being requested, the specific minimum deviation provided, the justifications therefor, and any conditional thereof, as required by

Subdivision and Land Development Ordinance Sections 22-304.2.D.(5), 22-305.2.D.(5) and 22-704.5 and Appendix 22-A and provided that the language of the blanket easement is amended to be satisfactory to the Township Solicitor in order to provide of Township inspection, access and correction as well as public access thereto and provided that no sidewalks shall be installed on private lots and all encroachments shall be limited to open spaces and that a pedestrian connection be made from the internal road network to Sanatoga Road. Mr. Stouch seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

Mr. Hosterman presented a draft motion for the Planning Commission's consideration.

Mr. Tietjen made a motion to recommend the Board of Supervisors grant Artisan Land Company conditional approval of the Preliminary Subdivision and Land Development Plans dated March 27, 2023, last revised September 21, 2023, relating to the property located at the addresses of 200, 225 and 375 Fricks Lock Road, 2099 New Schuylkill Road, and 520 Sanatoga, in the form of the Resolution presented to this Planning Commission, subject to the following changes to be made by the Planning Commission Solicitor: the resolution contains all additional conditions for waivers, denials and deferrals and Artisan revises the landscape plan per Mr. Tralies' memorandum dated October 18, 2023 as it relates to the property line shared with Larry and Gail Brown. Mr. Parson seconded the motion. Mr. Woessner called for a vote and the motion was passed 5-0-0.

4. ADDITIONAL ITEMS

None brought before the Planning Commission.

5. HISTORICAL COMMISSION UPDATE

None brought before the Planning Commission.


6. POTTSTOWN METROPOLITAN REGIONAL PLANNING COMMITTEE UPDATE

Mr. Tietjen provided an update on the last Pottstown Metropolitan Regional Planning Committee meeting regarding its review of the Villages of Fricks Lock proposal. Mr. Parson asked if the Township had met its Fair Share requirements under the Pottstown Metropolitan Regional Comprehensive Plan. Mr. Hosterman requested a copy of the prior analysis for review prior to engaging in discussion on this issue. Mr. Briggs offered to inquire about this item with the Pottstown Metropolitan Regional Planning Committee and will report back.

7. ADJOURNMENT

Mr. Woessner motioned to adjourn the meeting at 8:50 p.m. Mr. Tietjen seconded the motion. Mr. Woessner called for a vote and the motion passed 5-0-0.

Respectfully submitted,


Karen E. Cumens,
Administrative Assistant