

**The Township of Greenwich
Board of Supervisors Meeting
Monday, December 4, 2017**

Minutes

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: Chairman Victor Berger called the meeting to order at 7:30 pm. Members present: Harry Hoppes and Alice Flyte. Professionals present: Solicitor, Dan Becker and Alex Elliker; KCE Zoning & Engineer Chris Noll; LTL Code Enforcement Officer John Weber; Secretary/Treasurer, Jane Werley; Berks Court Reporting Service.

ANNOUNCEMENTS:

1. Chairman Victor Berger informed the audience to state their name and address if addressing the Board.
2. Chairman Victor Berger informed the audience that the meeting will be recorded and deleted once the meeting minutes are typed.

APPROVAL OF THE MINUTES:

1. Motion to approve the Minutes of the November 4, 2017 Board of Supervisors Meeting. Motion made by AF and seconded by HH. Motion Carried 3-0.

HEARING OF THE VISITORS:

1. Don Sechler, Optimist Club of Kutztown Race Director. Request to use Greenwich Township roads for the 2018 Kutztown Fools Run Scheduled for March 24, 2018. Limited access to roads would be required from 8:30 a.m. to 12:00 noon. Motion made by HH and seconded by AF to approve the road restrictions for the race.
2. Lindsay Allen – Keystone Acquisition Services Corp. Did not attend the meeting but spoke to Dan Becker by telephone regarding the offer letter for a right-of-way. Board will take under review.
3. Linda Wood, 142 Circle Rd. Request Zoning Hearing Board meetings be posted on the website calendar in addition to being advertised in the newspaper. The Secretary will post all meeting dates on the website calendar as of the date of the newspaper advertisement.

PLANS TO REVIEW: No new plans to review.

OLD BUSINESS:

1. EMS- No action was taken at tonight's meeting. There are still unresolved run card issues. The Board will be having a special meeting on December 28, 2017 at 8:30 a.m. All concerned parties will be asked to attend and it will be a public meeting.
2. Crossroads X – Kate Durso provided the Board with 4 exhibits on the concerns brought up at the November board meeting.
 - a. 1. Letter from Carlyle Gray Associates consulting geologists stating that the additional wells were tested and are in compliance with ordinance 2016-02.
 - b. 2. Drawing showing required PennDOT road access being moved any further to the North of the property would be in violation of PennDOT sight requirements for any/all driveways.
 - c. 3. Letter from Geo-Technology Associates, Inc. stating that the design of the retaining walls can be constructed without negatively affecting any adjoining properties. No off site easements will be required.
 - d. 4. Letter from KCE, dated November 15, 2017.

Discussion ensued on all of the above issues. The emergency access driveway remains a large concern with the Board. Dan Becker questioned that PennDOT does not require emergency access and was told by Crossroads that although an emergency access driveway is not required by PennDOT when such access is to be part of the plan it still falls under all PennDOT requirements. Unless a waiver is given by PennDOT for sight distance their minimum sight distance requirements are to be enforced for all driveways. Mr. Vozar read from a letter he received from PennDOT stating the sight distance requirement. Dan requested a copy of that letter. It was questioned if a stream crossing is considered a structure and decided that the Zoning Hearing Board would have to determine the interpretation of the ordinance on the difference between bridges and structures or if they are the same. The Rhoades Road intersection was also discussed and remains a concern with the Board. Kate Durso reviewed the suggestions written up by KCE and agrees that the second alternative recommended would be their choice but would still need PennDOT approval. The developer would be willing to go to PennDOT to get approval on that recommendation even though the Township cannot require it because it is an offsite issue.

Kate Durso requested a short recess to speak privately with her client on how they would like to proceed with the preliminary plan. After a five minute recess she and her Client were in agreement and requested a vote from the BOS on the preliminary plan approval.

At this time the Board asked for any further public comment.

1. Fred Germann – Still concerned with the safety of the retaining walls.
2. Leroy Kerschner – Asked Mr. Vozar specifically how his project would benefit the community. Mr. Vozar explained that he has a potential tenant for the property who would employ approximately 100. \$515,000.00 in tax would go to the schools as well as \$135,000.00 to county, \$84,000.00 to Township.
3. Carl Zimmerman – Topton, PA had a comment about his own Township having problems with tractor trailer traffic.
4. Dodie Sable – Asked Mr. Vozar in he could reveal the name of the potential tenant he is in contact with for the property. He replied that it was a manufacturer. Dodie asked if he could specify the company or what they would manufacture and Mr. Vozar could not reply specifically at this time.
5. Robert Pinel, Attorney, representing Dodie Sable. Had the following five comments as to why he felt the Board should reject Crossroads preliminary plan.
 - a. Changes that were agreed upon were not received in a new plan, therefore he feels there is no preliminary plan at all.
 - b. Zoning for the stream crossing is still in question.
 - c. No plan for retaining walls.
 - d. No plan for Rhoades Rd.
 - e. Emergency access road has been discussed at the four meetings he has attended and he feels it went from a discussion about safety to being a PennDot issue.
6. Mr. Bujack - Commented on his concerns for health, safety, noise and traffic.
7. Larry Schrawder, Albany Township - Commented on Mr. Vozar's statement that a prospective tenant could be a manufacturer and felt that a manufacturing tenant would benefit the community and would lessen some of the traffic issues. Requested that the Board encourage Mr. Vozar to seek a tenant in manufacturing. Mr. Vozar also commented that a manufacturer would always be his first choice.
8. Fred Germann – Commenting on previously done traffic studies. Dan reminded him that it is a PennDOT issue and he should pursue it with them.

9. Kate Durso – verified the Townships definition of SALDO for a preliminary plan and stated that the Crossroads preliminary plan submitted meets the Townships SALDO requirements.

Developer requested a decision on the preliminary plan submission and will not be submitting any further documentation.

Before the Board made a decision they had further discussion on the issues that were still a concern.

1. Zoning and stream crossing.
2. Retaining Walls
3. Emergency access
4. Off-site issues, notes on the plan, easements and Rhoades Road.

Motion was made to reject the Crossroads preliminary plan for outstanding issues made by AF and seconded by HH. Roll call vote was Alice Flyte, aye, Harry Hoppes, aye, and Victor Berger, aye. Motion Carried 3-0.

NEW BUSINESS:

1. Fire Mills. Chairman Victor Berger explained that the fire mills originally changed from .2 to .4 to cover the required truck radios. The expense has now been paid in full. At the time of the change it was discussed that when the expense was paid the Fire Tax would go to .3 mills and the General Tax would go to .7 mills or the Township could take back the full .2 mills. Chairman Victor Berger asked for a motion specifying which of the two options be decided. Motion to leave the Fire Tax .1 mill and take back .1 mill for the General Tax was made by AF and seconded by HH. Motion carried 3-0. Secretary will notify Berks County of the tax change.
2. Board reviewed the tentative budget. Motion was made to approve the tentative budget by HH and seconded by AF. Motion Carried 3-0. Motion to advertise the tentative budget was made by AF and seconded by HH. Motion Carried 3-0.
3. Motion to accept the 2018 MMO was made by AF and seconded by HH. Motion carried 3-0.
4. Motion to adopt Resolution No. 2017-05 prohibiting Category 4 Casinos made by AF and seconded by HH. Motion Carried 3-0.
5. Motion to adopt Resolution No. 2017-06 for the UCC upcharge of .50 made by HH and seconded by AF. Motion Carried 3-0.
6. Motion to advertise year end meeting dates and tentative budget made by AF and seconded by HH. Motion Carried 3-0.
7. Dodie Sable requested that the Board adopt the amendment to the PA Fire Code. She also asked what happens now that the Board has rejected the Crossroads preliminary plan. Dan Becker explained that Crossroads will receive a denial letter and that they will have 30 days to appeal. Defendants will be the Township and possibly the individual supervisors. He advised Dodie to speak with her personal attorney for more information about the appeals process.

REPORTS:

1. EMC – Cheri Keim – Nothing new to report
2. Roadmaster – Bobby Follweiler – Could not be in attendance.
3. Zoning Officer/Engineer Report – Chris Noll
 - a. Motion made by HH and seconded by AF to accept report. Motion Passed 3-0.
4. UCC Building Permit Report – LTL Consultants
 - a. Motion made by AF and seconded by HH to accept report. Motion passed 3-0.
5. Zoning/Building Report – Technicon – Nothing new to report.
6. Solicitor – Dan Becker

- a. Update on the Zettlemyer Bridge. Berks County plans to open bidding April 1, 2018. Plan to start construction work May 1, 2018 and plan to have bridge open by December 1, 2018.

FINANCIAL MATTERS:

1. Motion made by HH and seconded by AF to approve the bills as presented. Motion passed 3-0.
2. Motion made by HH and seconded by AF to approve the Treasurer's Report as presented. Motion passed 3-0.

ADJOURNMENT: Motion made by AF and seconded by HH to adjourn the meeting at 9:37 pm.
Motion passed 3-0.

Respectfully Submitted,

Jane Werley
Secretary/Treasurer