

Bern Township Planning Commission Meeting of November 12, 2024

Present: James Dailey, Michael Werley, James Colflesh, Jeff Piccioni and Steve Tricarico.

Also attending: Atty. Keith Mooney, Craig Momose, Spotts, Stevens & McCoy.

Mr. James Dailey called the meeting to order at 7:30 p.m.

Acceptance of Minutes

No motion was made.

Public Comment

Ms. Beth Burkovich, 1076 West Leesport Road asked if the comments that were made at the last meeting, by the residents attending, could be attached to the September 10, 2024, Meeting minutes.

Atty, Mooney stated that it can be given to the Chairman, and it can be added as an addendum to the November meeting minutes. Mr. Dailey asked if there are any objections to this and hearing none, this will be added as an addendum to the November 12, 2024 minutes.

After discussion, Mr. Werley made the motion to approve the September 10, 2024 meeting minutes, with the addendum as discussed, which will be added to the November 12, 2024, meeting minutes, seconded by Mr. Colflesh. Motion carried.

Kathy LaRue questioned the fiber optic cable that is being put in on Stinson Drive. Mr. Potts, Bern Township Manager, noted this was for UGI.

Ms. LaRue also questioned if there was an ordinance regarding retention or detention ponds being part of or included 40% of the open land.

Atty. Mooney stated that according to the definition in the ordinance that it does count as open space.

Beverly Miller, Stinson Drive – Ms. Miller questioned how you determine what isn't your property and asked why she was not informed about the Fibre Optic Cable Project. Mr. Dailey stated that there is a right of way and Mr. Potts stated that the right of way width on Stinson is thirty-three wide overall.

Atty. Mooney explained that you would go to the center of the road and measure over 16 ½ feet that is the edge of the right of way within that area. Atty. Mooney also stated that they are a Utility Company, and they do not have to notify anyone since it is within their right of way.

Subdivision and Land Development Plans

Noll Pallet and Lumber, Sketch Plan for Record – Mr. Brad Graul, OTM LLC representing Noll Pallet & Lumber, stated that this is just a lot line adjustment and briefly went over SSM's review letter dated November 8, 2024.

Mr. Tricarico made a motion to recommend approval of the Noll Pallet and Lumber Sketch Plan for Record as submitted and also recommended that the Board of Supervisors approve the plan as submitted, seconded by Jeff Piccioni. All in favor. Motion carried.

Penske Truck and Collision Light Industrial Preliminary Plan

Aristides I. Otero, Wilkinson Apex Engineering Group, LLC was present. Mr. Otero stated a revised Preliminary Land Development Plan was submitted and received a review letter from the engineer dated November 11, 2024. Mr. Otero stated that several of the items will be reviewed at Final Plan.

Mr. Momose stated that the review letter for this project, Item 5 which deals with buffer yards and screening, comments a & b. The Engineer recommended that they consider reviewing the site models noted in comment 7, before considering the adequacy of the proposed location.

Mr. Tricarico stated that he reviewed the landscaping plan and did not see anywhere that the existing trees would remain. It was noted that tree locations should be shown on the plan.

Item 11- Site element screening shall be required in all proposed land development around vehicle storage and detention basin areas when located partially or fully within 100 feet of a property line or right-of-way.

Mr. Tricarico questioned the relocation of Stinson Road. Mr. Potts explained how this was being done and was told that this will be explained on the plan.

Item 20 – The traffic study must evaluate the newly proposed 4-way intersection at West Leesport Road and Faller Lane since this is an on-site improvement. It must also establish the number of expected PM peak hour trips so that the required transportation impact fee can be calculated.

Item 21 – Was briefly discussed.

Item 23 – Widening/turn lanes on West Leesport Road. The applicant stated that the plan has been revised. According to the Engineer, the plans have not been revised. Sheet 4 does call for 11' lanes, but does not label the westbound lane as 12'

Taper lengths and turn lane storage bay lengths must be provided in writing and storage bay lengths will need to be based on projected traffic volumes.

The Engineer had concerns with the stormwater runoff from the project area currently discharged to a low area between the Raymond and Yourkawitch properties.

Item 31 – Basin 1 has been designed to provide the required volume control, and the Engineer concurs with the design procedure for Lot 2 only. There will be a note on the plans regarding Lot 1.

Items 32 through 35 will all be addressed at Final Plan.

Item 36 – The drainage easements for the proposed diversion swale on Lot 1 and the swale below the Endwall was discussed. A copy of the recorded easement on Lot 1 will be provided.

Under General Comments - #63 - The design for the relocation of Stinson Drive and Faller Lane/Stinson Drive that is proposed is not feasible within the right-of-way created by the Stinson LLC Subdivision and must be redesigned.

Number 19 – The solid waste management plan shown on the plan was discussed. The Developer's Engineer will discuss with Mr. Morey.

Number 27 – Stormwater Management Ordinance – Mr. Potts stated this may be a moot point, due to reconstruction of West Leesport Road. Mr. Potts explained what the township would be doing with the 2025 Road Project & Stormwater Piping Replacement.

Number 31 – Basin 1 is currently proposed to provide both rate control and volume control for the combined post-construction stormwater runoff from Lots 1 & 2. If the soils are found suitable for infiltration, the required volume control for development of Lot 1 shall be provided on Lot 1.

Ralph Poore – Mr. Poore asked who determines which way the water is diverted coming out of the swale. Mr. Momose explained there is an existing drainage area easement that runs through two properties. The Engineer for the project and Atty. Mooney gave an explanation.

Beth Burkovitch – Ms. Burkovitch asked if the landowners whose property the water runs through have been notified as to what could take place. Mr. Tricarico stated that there should be less flow coming off the property.

Kathy Larue – Ms. Larue questioned how this is a permitted use. It is zoned GI and LI. Atty. Mooney did explain this in detail several meetings ago. After discussion, Atty. Mooney read what is allowed in these two districts and if the residents would like to, they could dispute his explanation.

Beth Burkovitch - Ms. Burkovitch stated on the plans there is expansion. If this plan is approved, can they just expand the building? Mr. Otero explained the future expansion is an additional 10,790 sq. ft. and it is shown on the proposed plan. This is permitted by ordinance for a certain square footage, that this expansion would fall under, so that it is compliant. Since it is shown on the plan and approved, they would not have to come back to the Planning Commission or the Supervisors. Atty. Mooney agreed but they most likely would have to do stormwater analysis. There was also discussion as to what the building would look like.

Mr. Otero asked whether the Planning Commission would consider preliminary conditional approval of the plan since most of the items on the Engineer's review letter have been addressed.

Atty. Mooney stated that they need to address the zoning comments or they need to get a variance.

Ms. Burkovitch questioned where the new Faller Lane would tie into West Leesport, would there be curb cuts at that intersection to allow for easy hookup to get to the municipal land and for Lot 1 to connect with a crosswalk. Then the sidewalk for Lot 1, would be an even flow. Mr. Yentsch stated that they would take a look at this. Mr. Otero will talk to Mr. Yentsch about this and also the Township.

Ms. Larue also questioned the intersection at Stinson and Old Bernville if is very difficult to turn left. Could mirrors be put there so that you can see the traffic coming up Leiscz's Bridge Road.

Mr. Potts stated that Greater Berks Development was asked about a purchase of a small piece of land to put in a round-about, but did not receive a response.

Adjournment

Mr. Tricarico moved that the meeting be adjourned, seconded by Mr. Colflesh. All in favor. Motion carried.

NOTE: Attached to the minutes, is an addendum to the September 10, 2024 Planning Commission Meeting that was approved by the Planning Commission members at the beginning of the meeting.

Request to Include the following as an addendum or some other format to the September 10, 2024 Bern Township Planning Commission Meeting Minutes.

Reason for the request- The recorder used to record the minutes has not successfully recorded the meeting minutes multiple times for Planning Commission meetings that included the Penske Land Development Plans. The other reason is because residents are taking time to attend the meetings and participate and their comments are not accurately reflected in the minutes.

September 10, 2024 Bern PC Meeting Notes for agenda item "Penske Truck and Collision Light Industrial (P)"

- Multiple residents stated they were concerned about their property values decreasing due to this development being in close proximity to their homes.
- Multiple residents that live along Leisczs Bridge Road addressed concerns with the stormwater drainage coming onto their properties. There was a long discussion about this issue.
- Out of the 90 comments the Bern Township engineer provided in their review letter to Penske, 47 were related to stormwater.
- Multiple residents that live on Leisczs Bridge Road were concerned about the tree line that separates Penske from residential homes. Residents that live along Leisczs Bridge Road stated that the tree line includes 60ft trees. Penske representatives stated that some trees will need to be cut down and then more trees will be planted later to provide the required screening. Multiple residents stated it made no sense to cut down 60ft trees to replant 5-6ft tall trees. Residents also stated 5-6ft tall trees would not provide adequate screening for their homes. Penske stated they would look into the matter for their next plan update.
- Multiple residents were concerned about the residents' tax dollars being spent to maintain the new road Penske plans to construct that no one will use except Penske.
- A resident stressed concern over no sidewalk access at the intersection of the new road and West Leesport Road. The resident explained that if the proper improvements were made by Penske at the intersection of the new road/West Leesport Road such as a crosswalk and curb cut/ramp, it would allow for the development of Lot 1 to easily connect and create a sidewalk network to the only municipal recreation land in the Township. Penske representative Sean Yentsch stated he would look into this.
- Residents are concerned about the increased truck traffic and accidents at the new intersection at the new road and West Leesport Road.
- Residents and a member of the Bern PC were concerned about the ventilation of the building. Penske representative Sean Yentsch stated that there would be filters in the building that require changing of the air 4 times an hour. There are also very large fans that are on the ceiling to help with ventilation.
- A resident was concerned about the bay doors being opened while work was being conducted after reviewing photos provided by a resident at a previous PC meeting. The previous photos contained dated screenshots of all 21 Penske facilities in North America showing almost 100% of the buildings with open bays regardless of the time of year or location. The resident explained the Bern Township zoning ordinance states that all work must be conducted in a completely enclosed building. Penske representative Sean Yentsch stated that he would ask that the residents keep an eye out and report those matters so Penske "can do better". He also stated that Penske gets fined for leaving the doors open in other locations and they continue to pay the fines. No solution was given by Penske.
- A Bern PC member recommended automatic doors that close once the vehicle enters the bay. A resident addressed the PC and stated that Penske admitting that they would not follow the zoning ordinance could be grounds to NOT support this land development plan and that the Bern PC should be proactive and not reactive.
- Residents stated concerns about smells from the facility as well as sound and light pollution. Penske representative Sean Yentsch stated that the lighting is a soft light that measures 3-5 foot candles. He stated that the Big Show Sports Complex on County Welfare Road/Van Reed Road/Rebers Bridge Road is about 155 foot candles. Mr. Yentsch did not state how many lighting units would be installed on the building or parking areas. Mr. Yentsch did not address the concern for smells or sounds.

Below are questions asked during the September 10, 2024 Bern Township PC meeting related to the "Penske Truck and Collision Light Industrial (P)" item on the agenda. The question underlined below conflicts with the draft minutes.

- **How tall is the building?** No one from Penske could answer the question with certainty. Penske's engineer stated it will be less than 35ft tall because that is the maximum height in this zoning district.
- **How is the required 40% of open area on the property calculated because the majority of the land appears to be asphalt with a large building?** Penske stated they meet the 40% open area because of the stormwater basin and the grass area/perimeter that surrounds the building and large parking lots.
- **What is the route for road testing of vehicles?** Penske representative Sean Yentsch stated he was unsure and would look into it.
- **How many drive-thru bays will be in the building?** Penske stated 10 bays (this allows for 2 trucks in each bay), a wash bay, and another type of bay which was not thoroughly explained.
- **What are the hours of operation for this building?** Penske representative Sean Yentsch stated that the hours for Reading are 24hrs a day, 5 days a week. He gave the hours for the Reading 3 shifts, but did not answer the question regarding hours of operation for the Bern Township facility. In past Bern PC meetings, the residents were told by Penske Representatives that the Bern Township facility would be open 24hrs a day, 7 days a week. More clarification is needed.
- **Do you have any photos of the building?** Penske stated they did, but did not supply them at the meeting. The Bern Township engineer stated that Penske needs to supply a viewshed from all different angles of the property.
- **What type of fencing will be used?** Penske stated black vinyl fencing and it would not be barbed wire and chain-link fencing like other Penske facilities. The fencing would go completely around the property.
- **Why is fencing necessary? The Reading facility does not have fencing entirely around the property.** Penske stated that they want a secure facility because of the large amount of catalytic converter thefts at their Reading facility.