

The meeting of the Douglass Township Board of Supervisors was called to order at 7:02 P.M. Attending were Chairman Alan Keiser, Vice Chairman Joshua Stouch, Supervisor Tony Kuklinski, Solicitor Robert Brant, Pattie Guttenplan of MCPC, Chief Templin, Pete Hiryak, Andrew Duncan, Mike Heydt, and approximately 26 residents. A reporter from both Town & Country and Pottstown Mercury were present at this evenings meeting.

Mr. Keiser led in the Pledge of Allegiance. Mr. Keiser announced that Executive Sessions were held on April 20<sup>th</sup> & May 4<sup>th</sup> concerning Police Bargaining matters and personnel issues. Also this evening from 5:30pm to 6:40pm an Executive Session was held concerning police matters. No decisions or votes when taken.

Mr. Keiser asked if there were any additions, corrections, or comments to the minutes of the April 15<sup>th</sup>, 2019 Board of Supervisors Meeting, none were given.

A motion was made by Mr. Stouch, seconded by Mr. Keiser to approve the minutes of the April 15<sup>th</sup>, 2019 Board of Supervisors Meeting. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

Mr. Keiser asked if there were any questions, comments, or corrections to the May 6<sup>th</sup>, 2019 Board of Supervisors Agenda, none were given.

A motion was made by Mr. Stouch, seconded by Mr. Keiser to approve the May 6<sup>th</sup>, 2019 Board of Supervisors Agenda as presented. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

**ZHB Application** – Peiffer, 196 Schlegel Road, seasonal corn maze (P/A recommended), Tentative Hearing Date 5/21/19 for a Special Exception in the R-1 Zoning District. Mr. Picardi stated that the Peiffers would like to install a corn maze, kiddie play area, and pumpkin patch at 196 Schlegel Road. The Peiffers stated that they would be open 2<sup>nd</sup> week of September through the 2<sup>nd</sup> week of November (11 weeks). Hours: Friday-Sunday 11am – 10pm (with exception of private groups; i.e. school groups, church groups, business groups, special needs groups, seeing eye dog in training groups, daycare groups, birthday groups, sporting leagues). We have private party areas available inside the corn field. Projections: 2500 projected attendance for our first season, long term based upon highest attended season; 14,000 customers. September and November are slower months. The last two weekends in October are the busiest if the weather is nice. Traffic will be entering the parking area at 196 Schlegel Road. Employees: 2-10 at any given time; depending on weather, day of week and holidays. Exiting structures include a farm house, barn, block building, and three outbuildings. Two temporary garden sheds will be added for ticket sales and refreshments. The sound system will consist of small speakers scattered throughout the corn field so the volume does not need to be loud for customers to hear the music, we do not use generators anywhere for our operations. Lighting is projected downward illuminated all common areas including parking, ticket sales, port-potties, and kiddie play area. Parking will be available in the fields and along driveway there will be no parking in the street. A 4'x8' double sided road sign is proposed taking into consideration visibility. A 5 minute safety orientation is given for customers before entering the maze going over the rules and emergency exits. Anyone under 15 years of age must be accompanied by an adult. They propose traffic to take GPS coordinates from 210 Oberholtzer Road for access from Schlegel Road. Mr. Kuklinski asked if they ever did a traffic study, Mr. Peiffer replied, no this is based on his past operation sites. Both Mr. Kuklinski and Mr. Keiser are concerned that Schlegel Road cannot handle that kind of traffic without some sort of road improvement. Mr. Kuklinski asked Road master Heydt how much work he does on Schlegel Road, Mr. Heydt replied that he repairs Schlegel Road (dirt road) for washouts every time it rains hard. Mr. Stouch asked Mr. Heydt if Schlegel Road can handle this amount of traffic. The current condition of the road would not be able to handle that amount of traffic. The Board asked Mr. Peiffer why the access can't be from County Line Road, Mr. Peiffer stated that the proposed agreement of sale is for 70 acres and the 30 acres off County Line Road is to be for Mr. & Mrs. Schlegels son and daughter-in-law to live until the time when the parents pass and the son moves into that residence, then Mr. Peiffer will have the option for that 30 acres off of County Line Road. The majority of residents were in favor of continuing the farm use and also supports the sale of fresh produce at the farm. Mr. Brumwell asked what it would cost to beef up Schlegel Road,

Mr. Brant did not want Mr. Heydt put on the spot and asked for him to have the opportunity to look into possible solutions. Mr. Kuklinski stated that this would take taxpayer money to fix a road for a private venue. Chief Smith asked where the cars will be parked, Mr. Peiffer stated that cars will be parked on low cut green grass, there is emergency access from County Line Road. A resident commented that the Township is exiting Zern Tract traffic all on Jackson Road and that road can't handle it, Mr. Kuklinski stated that there was a traffic study and an engineering study prepared for that development. Mr. Brant stated that many questions have been raised and the Board would like to hear Mr. Heydt's opinion on the road, the problems, corrective work needed, and the costs involved. Mr. Brant stated that the Board has a "no position" stance on this right now, we will take this under advisement for the next Board meeting on May 20<sup>th</sup>, 2019. Mr. Hiryak advised that we may have to push back the zoning hearing to May 28<sup>th</sup> or June 4<sup>th</sup> because of the Primary being on May 21<sup>st</sup>. Mr. Link suggested that a shuttle bus be used to transport people to and from the corn maze to reduce the traffic on Schlegel Road. No other comments were given. The Board takes "no position" on this proposal at this time.

***Landscape Ordinance*** – Pattie Guttenplan from MCPC gave a brief overview. Ms. Guttenplan stated that Ms. Dobbs had previously given a presentation on this in October of 2018. This ordinance is amending sections 200 and 420 of the Subdivision and Land Development Ordinance revising the landscaping requirements for development within the Township by adding new defined terms in Section 201 of Planting Island, Planting Strips, and Vehicular Use Area. And repealing and replacing in their entirety Sections 420, 420-1, 420-2, 420-3, 420-4, 420-5, 420-6, 420-7, 420-8, and 420-9, commonly known as the Landscape Ordinance to read: 420 Legislative Intent, 420-1 Plan Requirements, 420-2 Preservation and Protection of Existing Vegetation, 420-3 Street Trees, 420-4 Buffer Plantings, 420-5 Parking Lot Landscaping, 420-6 Additional Plantings, 420-7 Storm water Basins and Associated Facilities, 420-8 Landscape Design Criteria, 420-9 Plant Materials Specifications, Maintenance, and Guarantee. The next step is for authorization for Mr. Brant to advertise, Manager Hiryak asked for this proposal to be reviewed by the County before authorization to advertise. No questions were given.

**Engineer's Report – Josh Hagadorn, Gilmore & Associates**

Mr. Hagadorn was not available for the meeting, he will go over his written report at the May 20<sup>th</sup> meeting.

**Solicitor's Report – Robert Brant**

***Mixed Use Overlay Amendment (public hearing)*** – Mr. Brant opened the public hearing and stated that this proposal is amending the Douglass Township Code, Chapter 27, Zoning, Part 27, Neighborhood Mixed Use Overlay District to provide for an Active Adult Community as a permitted use and to establish certain standards and criteria for an Active Adult Community Mixed Use Development within certain areas of Douglass Township. Ordinance #2019-01. On April 8<sup>th</sup> this was submitted to the Law Library, on April 16<sup>th</sup> and 23<sup>rd</sup> Advertised for Public Hearing, received recommendation from MCPC today, and recommended to the BOS by the P/A. Mr. Brant opened the floor for comments, Ms. Lewandowski asked if this was another Walnut Woods. Mr. Brant said that he would not describe it as that, I encourage you to come out to the P/A meetings as they go through any plan process, the property owners do not have a plan yet. A resident commented that the common people that live here can't afford to live Country Club Style. No other questions were given. Mr. Brant closed the hearing at 7:50pm and announced that this would be the time for the Board to vote if they so desire.

A motion was made by Mr. Kuklinski, seconded by Mr. Keiser to approve the Mixed Use Overlay Amendment providing for Active Adult Community Provisions, Ordinance #2019-01. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

***538 Congo Road – O&M Agreement for new on-site septic system*** – Mr. Brant stated that this property has a failing septic system. Plans & the Sewer Module have been received.

***Fire Company*** – Inside Equipment Resolution Pending

***Zern Tract*** – Phasing Schedule Resolution #050619-01, Mr. Brant stated that this will be a 3 Phase completion project. Phase 1 shall consist of 74 units and construction of the required improvements shall commence no later than July 1, 2019; Phase 2 shall consist of 80 units and construction of the required improvements shall

commence no later than August 1, 2023; and Phase 3 shall consist of 82 units and construction of the required improvements shall commence no later than April 1, 2023. Mr. Link asked what happens if this Phase Schedule is violated, Mr. Brant responded that there are enforcement mechanisms in place if that should happen.

A motion was made by Mr. Keiser, seconded by Mr. Kuklinski to adopt Resolution #050619-01 for the Phasing Schedule for the Zern Tract. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

No other questions were given.

Applications which are pending but inactive:

Danny Jake – Hallowell - inactive 2 years

A motion was made by Mr. Stouch, seconded by Mr. Kuklinski to accept the Solicitor Report as given. Kuklinski-Aye, Keiser-Aye, Stouch. Motion passed.

### **Manager's Report - Pete Hiryak**

1. The Manager reviewed the upcoming meetings as follows: Thursday, May 9<sup>th</sup>, 2019 P/A Workshop @ 6pm, P/A Meeting @ 7pm. Monday, May 20<sup>th</sup>, 2019 open/Space/Rec @ 6pm, BOS Agenda Meeting @ 6:30pm, BOS Meeting @ 7pm, Tuesday May 21<sup>st</sup> ZHB @ 6pm. This date may be changed due to the Primary Election.
2. Boyertown Soccer Club – Extend agreement to use fields at park for two years at \$5,000 per year for the Township to mow the soccer fields.

A motion was made by Mr. Kuklinski, seconded by Mr. Stouch to extend the Boyertown Soccer Club Agreement for two years at \$5,000 per year for the Township to mow the soccer fields.

3. Avante Apartments Zoning Staff Meeting – TBA
4. Bellevou ZHB – Deed Restriction Language Pending – Mr. Brant is in the process of finalizing the Deed Restriction language.

No questions were given.

A motion was made by Mr. Stouch, seconded by Mr. Kuklinski to accept the Manager's Report as given. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

### **Public Comment**

Mr. Stouch asked Reporter Evan Brant if he could inform his readers of the difference between the Zern Tract Development and the Zern's Farmers Market. Ms. Lewandowski stated that she saw something mentioned in meeting minutes about making a through street out of Diehl Drive, there is enough drainage issues with Diehl Drive that it takes 3 swales. The manager stated that it was a suggestion from the public at a P/A Meeting and there are no plans for through street on Diehl Drive. She also stated that Minister Creek will be filled by these developments. Darlene Eisenhart on 110 Aspen Lane, she is bordering New Hanover Township and she met with David Leh from G&A for New Hanover and he has not gotten back to her yet. Her shed is rotted, water keeps backing up into her yard, kids are Kayaking in the water behind her and nothing gets done. Mr. Kuklinski stated that the Creek needs to be cut through in New Hanover Township, swales are the property owners' responsibility to maintain. The manager stated that some of the land is environmentally protected and excavation is limited in those areas. Mr. Keiser proposes to have Mr. Hagadorn and Mr. Leh, engineers for G&A, look at the situation. Mr. Allen from Diehl Drive stated that we waited a long time to have Diehl Drive paved and two years ago it was finally paved, now the road is cracking from the water. The manager stated that the Township worked with Mr. Hagadorn on the Diehl Drive drainage system. A resident commented that the drainage on Yoder Avenue doesn't work either, and that Mr. Hagadorn has a plan that does not function properly. Mr. Allen asked what happened to Douglass Park, it is unusable. The Manager stated that natural water retention basins were added to the park to hold back water from other Township properties.

### **Old Business/New Business**

No old business or new business was given.

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A motion was made by Mr. Stouch, seconded by Mr. Keiser to adjourn the meeting at 8:22pm. Kuklinski-Aye, Keiser-Aye, Stouch-Aye. Motion passed.

**The next Board of Supervisor's Meeting will be held on Monday, May 20<sup>th</sup>, 2019 @ 7 pm.**

Respectfully submitted by,  
Marcy Meitzler