

Phillip Kline, Chairperson of the Board, called the Joint Public Meeting of Alsace Township to order. This meeting included the Alsace Township Board of Supervisors, the Zoning Hearing Board and the Planning Commission.

Present were Phillip Kline, Michael Stump, Sam Mallatratt, representing the Board of Supervisors; Ned Brumbach, Kim Mallatratt, Zack Moore and Charlie Keller from the Planning Commission; and, Mike Moore representing the Zoning Hearing Board; Township Solicitor Gary Swavely Jr., and Mary Anne Fieux. The meeting was held at the Alsace Township Municipal Building and was called to order at 7:01 pm. Chairperson Kline led the Pledge of Allegiance.

**MINUTES:** Chairperson Kline presented the Minutes from the September 21, 2016 and October 5, 2016 Supervisors' meetings. Mike Stump made a motion to approve the Minutes, Sam Mallatratt seconded the motion, and the Minutes were unanimously approved.

**PAYMENT OF BILLS:** Chairperson Kline asked for a motion for payment of the Township bills. Vice-Chairperson Stump made a motion to approve payment of bills in the amount of \$132,017.56 from the General Fund, \$6,374.16 from the WWTP Operations and Maintenance Fund, \$2,108.47 from the Septic and Sewer Fund, and \$197,000.00 from the Liquid Fuels Fund, seconded by Sam Mallatratt, and the motion was unanimously approved.

**FINANCIAL REPORTS:** Phillip Kline directed the Supervisors to review the balance sheets. Chairperson Kline pointed out that the Office has been keeping good track of the budget and that the Township is actually slightly ahead of expectations at this point in the year.

Michael Stump made a motion to approve the financial reports, seconded by Sam Mallatratt, and the motion was unanimously approved

**PUBLIC COMMENTS:** Phil Kline explained that the BOS has decided to have this meeting as a Joint Public meeting as it is currently budgeting time for the Township. Due to this the BOS wanted input from the various Committees representing the Township as well as the public to discuss future plans for the Township.

Mike Moore of the ZHB discussed the lack of infrastructure compared to Muhlenburg Township and Exeter Township. This necessitates the need to look at Township planning in a different way. Other townships seem to have more small businesses that allow their residents to earn a living in the township. He believes we are too restrictive in our Township regarding zoning for this purpose and with large acre parcels. We have too many shortcomings in our zoning. Perhaps we should consider multiple uses on a property, specifically in the Commercial District. Phil believes that we do cover that in Commercial zoning, and feels we need to look at our wording more closely to cover these items appropriately. Mr. Swavely asked if Mr. Moore's recommendation would be to change items to become a Use by Right, or a Conditional Use. He brought up the difference between whether items should be considered a Conditional Use or need to go through the ZHB.

By having residents go through the ZHB it allows some additional flexibility in determining appropriate decisions, if these changes are listed as a Conditional Use all of the foreseeable conditions would need to be defined in advance.

Mike Moore posed a question regarding the R-2 District and whether it should be opened up to additional uses. He recommended considering allowing this flexibility especially when the use proposed is a compatible use with the land area or adjacent properties. This decision should be available to the ZHB, Planning Commission and BOS.

Mr. Kline noted that there appears to be a larger number of coming issues coming before the ZHB in the last year as opposed to previous years. Gary Kraft discussed, at the risk of delaying the Zoning Ordinance timetable, going back through the previous two years of Zoning Hearing Board requests to ascertain if there is a pattern to the requests which could be accommodated in the new document. Phil Kline believes that is a good idea. Mike Stump would like us to move forward and if there are items that need to be addressed of this nature that the Planning Commission make amendments following the publication of the document.

Gary Kraft mentioned discussing incorporating more liberal and expansive use of Home Occupation use with more variables that would need to be met, but would allow expansion of this opportunity.

Phil Kline then explained to the audience that the Zoning Ordinance is being re-written currently to address updated regulations and review all necessary changes to the document. The Planning Commission has been working on this document for several years and are finalizing the document for a review by the Berks County Planning Commission which will be followed by a Township Public Hearing.

Phil Kline also mentioned that the Township needs to solicit additional feedback from the residents of the Township into these matters. As a rural community, we actively need to solicit this feedback. He mentioned this is something that happens sometimes at polling locations during elections. Also discussed was that Alsace Township does not have a central gathering space. Our school district is not in the Township, it is in Oley, which makes us somewhat remote and the availability of a central Township location is challenging. We need to frequently discuss on-going changes that affect our community. The Township need to consider where our residents are living and that some are moving into the new apartment complexes available in the Township.

Phil Kline also discussed maintaining the Township Building and the need to keep the building maintained appropriately moving into the future.

Phil Kline asked if the Minutes of the BOS Meetings are currently emailed to the Planning Commission and ZHB. MaryAnne mentioned that all approved Minutes are posted online on the Township's website. Mr. Kline asked if it was appropriate to send Draft Minutes out for review, Mr. Swavely suggested that Draft Minutes not be made available publically as they have not been approved at that point.

Mike Stump has requested that a liaison from the Planning Commission be at the BOS meetings in order to keep the Supervisors informed of progress and issues they are working

on. This is not currently a requirement of the Planning Commission Chairman, however Phil expressed an example of the need to keep communication flowing citing the expansion of the WWTP project. The BOS had a meeting with the engineer for the WWTP project and were made aware of a grant opportunity. This is an example of a meeting that happened where there was not clear communication between the BOS and the PC.

A question was asked about the possibility of video taping the meeting and putting it on-line for viewing. This may be a possibility in the future.

Darlene Bartsch asked about the necessity of getting permits for various types of buildings and MS4 requirements. Joe Niedert stated that these regulations are implemented for projects over 5,000 ft. Mike also mentioned that the Township is addressing these issue and the PC understands the MS4 issues. We need to understand where the water falls on a site and where it is discharged.

A specific discussion ensued regarding a swale off of Seidle Road. The stormwater retention area has water that is being retained longer than it should. The mud-catchers have been removed on this site. Gary Kraft stated this matter should be addressed by the Conservation District as opposed to the Township as they are responsible for NPDES situations.

Mike discussed the stringent requirements of the MS4 requirements. Some are very difficult, but they need to be addressed.

Jamie Lucas then discussed his observations of business use in Lehigh County and the adjacencies of business and agricultural properties. This can help promote income for residents in the Township. He feels there is a need to encourage more business in the Township. Phil responded by saying that the Township is primarily Rural and not Industrial and it is difficult to expand in these areas. One of the challenges is the lack of infrastructure in the Township to support additional industrial uses. Phil said we will work with the Commercial area of the Township to assist in providing resources to those areas move forward.

Ned Brumbach discussed that the topography and sewer situation is much different than other counties. Housing density is a challenge without adequate water and sewer.

Phil discussed the examples of both Beacon Hill and Jessica Ranch developments and how they fit into the character of Alsace Township. Mike Stump mentioned the sewer system for Wedgewood Heights cost \$27K and what that would cost today.

Kim Mallatratt then discussed the original issue which was discussed regarding the expansion of the definition of Home Based businesses and Small Businesses for the Township. This is the way that a far larger percentage of the population is earning a living. She further discussed taking a look at whether these expansions should be considered a Conditional Use or brought before the ZHB. There are pros and cons to each which should be explored. Mike Stump asked if this should be looked at prior to the finalization of the Zoning Ordinance. She said not to hold up the finalization of the new document, but that these items should be discussed as future amendments to the document.

Zack Moore asked a question regarding whether the intent of the Township is to keep the rural nature of the Township as Ned Brumbach expressed previously, or to have a progressive thought process that maintains the rural atmosphere but attracts contractors and those that need extra space to park vehicles, etc. We could still have setback requirements, signage requirements, etc. Many millennials want to have rental properties rather than own homes. They want to be able to move quickly without the burden of home ownership. West Reading was noted as an example of this type of approach. Zack Moore provided the example of the Farmers Market in West Reading where the street is shut down for the market as a community draw. Alsace Township does not have a space like this. Is there a possibility of creating a space like this? It would take time and money, but may create a better sense of community.

Phil believes there is a happy medium to all of these ideas. He used the Playground Program as an example of a very good program with 80+ children daily. However, this has added a great deal of traffic to the small local road. We need, through the Planning Commission, to think through these issues. If we change the Home Occupation, what are the ramifications, pro and con and how/if do we handle those issue.

Phil Kline would like feedback on these different ideas from the Planning Commission in the next six months to be presented to the BOS.

Jamie Lucas then discussed the increase of traffic through Alsace Manor and Pricetown Road. Phil explained that the Township has tried to anticipate these issues and why we need to have feedback from various people that have business in the Township and what those impact are moving forward.

Bruce Rader suggested changing the zoning so that variances are not needed. It costs a great deal of money to apply for a variance that many people, especially those with home-based businesses may not have. Again, Phil reiterated the need for the Planning Commission to come to the BOS with suggestions for improvement.

Gary Kraft is encouraging the BOS to keep the pressure on PennDOT and Judy Schwank's Office on specific intersections in Township, mainly on Pricetown Road – Elizabeth Avenue in particular, for improvement and safety. Mike stated that the Township stays involved yearly. Phil also stated that there is a PennDOT 10-year plan. The Township has not seen that plan at this point. The State has, at times, ignored the Alsace Township BOS and have had roads at connection points that were not in alignment with the Township recommendations.

Wendy Becker discussed that many developments throughout the Township do not have good water supplies. She asked what types of regulations does the Township have in place to require developers to have adequate water supply. The buildings are built like barns and burn like barns. Phil mentioned the he believes the number of houses in a development is five houses and that requires a sistern system to be installed. Phil has asked the Planning Commission to review this issue. Phil has further asked Wendy to provide direction and input into this process to evaluate potential water options are in the Township.

Wendy Becker further discussed the need for centralized alarm systems in the Township especially if we are considering additional apartment complexes. Having the alarm only in the complex does not help if no one is there to hear the alarm. Mike mentioned that sprinkler are

now required in all commercial and multi-family properties. Phil agrees that having a monitored system is a good idea but is concerned about the administrative issues that this may cause.

Zack Moore does not believe that there is currently a code enforcement inspection in place for multi-family units. He believes that many surrounding townships have this regulation. It has been discussed previously in the Township but was not enacted. Phil suggested looking into what other local townships are doing. Mike Stump asked if these were under a unit minimum as many of the units throughout Alsace Township would be facilities that have two units. A discussion ensued regarding whether this should be triggered when a property changes ownership. Zack Moore cited this as another example of where the Township could become more forward-thinking on this issue.

Phil Kline asked to get some feedback from the Fire Department and asked them to reach out to other local Departments to see if additional regulations and/or inspections are making a difference in their Townships.

Darlene Bartsch mentioned that our Township saves considerable amounts of money because our Fire Department is volunteer-based. Phil noted also that many of our new residents do not realize this is the case and is supported financially by fundraising in the community.

Phil encouraged everyone to stay in contact with any member of the BOS, PC or ZHB with any questions and comments moving forward.

**SOLICITOR'S REPORT:** Township Solicitor Gary Swavely there is a proposed Resolution #2016-7 for a small sewer-expansion project along the northern end of Pricetown Road. Mike Stump made a motion to approve moving forward with the grant application for this Resolution, Sam Mallatratt seconded the motion and the motion carried.

**SEWER & SEPTIC REPORT:** Sam Mallatratt reported there is nothing extraordinary to report this month on these reports. Mike Stump made a motion to accept the reports, seconded by Phil Kline and the motion carried.

RuthAnn Moyer noted an area of the report which is highlighted in orange regarding a specific payment received in the amount of \$3,244.00.

A discussion ensued regarding how often a lien should be added to a property. The current threshold is \$300 which RuthAnn Moyer pointed out was only a 3-month timeframe. She suggested a lien be added to a property only one-time per year as the Township incurs a cost for each lien. Phil Kline pointed out that all residents that pay in a timely manner are paying for the residents that do not. A discussion ensued about what the correct dollar amount or timeframe should be. Phil Kline proposed a four-month timeframe or \$340.00 as the threshold for filing a lien. The BOS agreed that if a resident is having a particular hardship to discuss those issues and a potential payment plan could be established.

**SEO REPORT** – Sam Mallatratt reported that one septic system is currently being permitted at 3084 Pricetown Road. There are two currently being installed one at 181 Apple Lane and one at 249 Spies Church Road. There is also completed soil testing at 127 Wanner Road.

There is one last holding tank inspection scheduled for early November.

Postcard reminders have been sent to the appropriate property owners for the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2017.

**ADMINISTRATION:** Budget information is required from various parties including the Road Crew and Fire Department.

**CRIME REPORT** – Phil Kline has received several calls about incidents of reported crimes in the Township on Kutz Road. Phil mentioned this is a bad time of the year for this and all have been daytime incidents. Phil reminded all residents to be vigilant for their neighbors and any suspicious activity. Phil has spoken with the PA State Police and they believe there may be a connection between the Kutz Road and Oley Road incidents. There have only been five incidents reported in the last year, however, three have been reported in the last week.

It has been suggested that there could be additional ways to alert the Township about these incidents and a possible way would be to use Facebook as an additional notification vehicle. Kim Mallatratt mentioned that this may be a good way to disseminate this and other important Township information. The Township Office was directed to look into this option moving forward.

**ALSACE TOWNSHIP HERITAGE SOCIETY** – Phil reminded all that on Sunday, October 23<sup>rd</sup> at 3:00 p.m. there will be a presentation of the Heritage Society entitled “A Walk Through Time”. This event will take place at the Alsace Township Building.

The next meeting of the Heritage Society will be November 15<sup>th</sup> at 1:30 p.m. It was noted that there have been about 15 people that have been regularly attending these meetings.

**BUILDING AND ZONING REPORT:** Sam Mallatratt presented the report from Kraft Code Services for September 2016. Mr. Mallatratt stated 224 Spies Church Road property has been purchased. All permit applications have been received for the renovation of the property.

The sprinkler permits for the Reserve at Spring Point have not all been issued. The sprinklers have all been inspected but the paperwork has not all been issued. Kraft Codes has received an application for the sign to be placed on the property.

Joe Niedert asked the BOS to approve the application for a well to be moved at 165 Old State Road. The motion is to waive the 50 ft. distance requirement for this well. The existing stream would prohibit any additional development at this area. The setback requirements cannot be met on this property and the existing holding tank cannot be moved. The matter was discussed regarding future consideration of adjoining properties. Mike Stump made a motion to waive the distance requirement and was seconded by Sam Mallatratt. All were in favor and the motion carried.

**PUBLIC WORKS REPORT:** Vice-Chairperson Stump reported the paving on the Seidel Road walking trail will be finished next week. The hot patching has been completed and is better than it was last year and anticipates that it will last longer than previous cold patching.

The drainage easement project on Elm Ave. in the Manor has been started. The pipe was installed and a ditch and with stone will be completed next week. The road crew is also finalizing all additional items following the recently completed paving project in Alsace Manor.

Leaf collection throughout the Township will begin when 80% of the leaves are down.

**PLANNING COMMISSION REPORT:** Ned Brumbach reported that the property owners at the recycling center on Hartz Road have asked for a waiver of the survey requirement for the construction of a new building on the property. The Planning Commission is recommending that the BOS approve this waiver. The BOS reviewed the plans. The ZHB has already approved this variance. Mr. Brumbach explained that the new facility is very well defined, will be sited within the setback requirements and is consistent with the current property use. Mike Stump made a motion to approve this waiver request. Sam Mallatratt seconded the motion and the waiver request was approved.

Chairman Ned Brumbach asked the BOS regarding moving the new Zoning Ordinance forward to the Berks County Planning Commission. He mentioned that the new Pennsylvania law regarding the legalization of medical marijuana has come to the Planning Board's attention and a discussion ensued regarding the necessity of including language at this time addressing this issue. He believes that this should be considered as a separate issue and address as an amendment. Following a brief discussion, Mr. Swavely stated that the Planning Commission should address the medical marijuana prior to the Zoning Ordinance being finalized and sent to the Berks County Planning Commission. He believes that not addressing this immediately would leave the Township open to interpretation by an interested party.

There is a requirement that the Planning Commission hold at least one public meeting following the review by the Berks County Planning Commission. It was noted that the Berks County Planning Commission has already reviewed this document once, the Planning Commission would now send for a second review.

Joe Niedert mentioned the requirement for electronic notifications of Zoning Changes which he did not feel comfortable addressing previously. Gary Swavely was unaware that this had not been addressed previously and stated that this information needs to be completed. The Planning Commission needs to discuss the various ways that notifications of Zoning changes be made to residents. Electronic notifications need to be available to those residents that request it. Mr. Swavely agreed to find appropriate language for the Planning Commission to consider.

It was agreed that both the Electronic Notification and the Medical Marijuana issues should be addressed during the November Planning Commission meeting.

Ned Brumbach asked a question regarding the sewer extension project and the possible grant and if there was information that could be shared with the Planning Commission on this project. Mr. Kline explained that the BOS had discussions with the engineer but noted that communication did not happen well between the Planning Commission and the BOS. This is an item to improve in the future.

**RECREATION BOARD REPORT:** It was discussed that this item be removed from the regular BOS agenda. This item will only be a part of the agenda during times of active operation only. Phil Kline noted that the Township needs dollar amounts for the 2017 budget.

**ALSACE MANOR FIRE COMPANY REPORT:** Fire Chief Wendy Becker said she had was working on budget numbers to provide to the Township.

**EMERGENCY MANAGEMENT:** Darlene Bartsch asked a question regarding forest fire reimbursement. The reimbursement is currently coming out of the general fund on an emergency basis.

**SUPERVISOR'S REPORT** – Nothing from the Supervisors

**ADDITIONAL COMMENTS:**

Chairperson Kline asked if there were any other comments from the public. Jamie Lucas asked if the design for the expanded sewer system would be the same as the previous area. Mr. Kline said that the design would be the same.

Mr. Kline then asked for a motion to adjourn the meeting. Michael Stump made the motion to adjourn the meeting, seconded by Sam Mallatratt, and the motion was unanimously approved. Adjournment was at 9:02 pm.

Respectfully Submitted,

Kimberly Mallatratt  
Acting Secretary – Treasurer