

ROCKLAND TOWNSHIP PLANNING COMMISSION

MEETING MINUTES September 25, 2024

The monthly meeting of the Rockland Township Planning Commission was held on September 25, 2024 beginning at 7:30PM. The following members of the Planning Commission were present: William Fredericks, William McFadden, Richard Mazich, Nathan Roush, and Nancy Ogden. Also in attendance were Attorney Michelle Mayfield from Hartman Valeriano, Magovern & Lutz and interested citizens.

The meeting was called to order at 7:30PM by Chairman William Fredericks.

The minutes from the July 31, 2024 Planning Commission meeting were reviewed. On a motion by William McFadden, seconded by Nancy Ogden, the minutes from the July 31, 2024 Planning Commission meeting were approved as presented. There was no public comment. All were in favor. Motion carried.

NEW BUSINESS

Ferry/Weisner Minor Subdivision/Annexation Plan – Bick Road

- On 8/12/2024, the Board of Supervisors approved granting of waivers from SALDO Section 4:204M (features within 100 ft of property), Section 6:208 (monuments along street right-of-way), and Section 6:209 (monuments on lot corners) – *per recommendation by PC.*
- On 9/3/2024, Rockland Township received a variance application from William Ferry, Jr. and Thomas & Joy Weisner requesting zoning relief to annex a small portion of land from 21 Bick Road - Lot 2 (owned by Thomas & Joy Weisner) to 31 Bick Road - Lot 1 (owned by William Ferry, Jr.) – which would reduce the size of Lot 2 to 1.2374 acres making it more non-conforming. Per the PC's discussion at their 7/31/2024 meeting, the Township Secretary provided a letter to the Zoning Hearing Board confirming that the PC would be in favor of granting the requested variance. The public hearing is scheduled for Wednesday, October 16, 2024 at 7:00PM at the Rockland Township Building.
- On 9/3/2024, Rockland Township received a revised final plan submittal for the Ferry/Weisner Minor Subdivision/Annexation, a response letter to LTL Consultants' 1st final plan review letter dated 7/18/2024, lot geometry reports and legals for annex area and post-annex Lots 1 & 2.
- The Township Engineer's 2nd review letter for the Ferry/Weisner Minor Subdivision/Annexation Plan was received on 9/19/2024.
- The 90-day plan review period will expire on 10/29/2024.

Rob Hain from Berks Surveying & Engineering informed Township officials that the majority of the items in the Township Engineer's review letter have been addressed. The public hearing for required zoning relief to increase the nonconforming net lot area on Lot 2 is scheduled for October 16, 2024 at 7:00PM, and Mr. Hain requested the Planning Commission consider recommendation of conditional final plan approval to the Board of Supervisors pending the granting of the required zoning relief from the Zoning Hearing Board. The Planning Commission briefly discussed the ultimate right-of-way shown on the plan. At the conclusion of the discussion, the Planning Commission determined that the ultimate right-of-way could be shown on the plan; however, Township officials confirmed that ultimate right-of-way dedication is not required at this time. The Planning Commission offered no additional comments on the special exception application to the Zoning Hearing Board. On a motion by Nathan Roush, seconded by William McFadden, the Planning Commission recommended to the Board of Supervisors conditional approval of the Ferry/Weisner Minor Subdivision/Annexation Plan, pending granting of the requested variance from the Zoning Hearing Board for the required zoning relief and pending receipt of a final plan which addressed all items in the Township Engineer's review letter (with the understanding that if zoning relief is not granted, the plan would be denied). There was no public comment. All were in favor. Motion carried. Since the 90-day plan review period expires on 10/29/2024 and the next meeting of the Board of Supervisors is scheduled for October 14, 2024 (and the Township Solicitor does not recommend the Board of Supervisors consider approval of the Ferry/Weisner Minor Subdivision/Annexation Plan until the Zoning Hearing Board's written decision is received), it was recommended that Berks Surveying & Engineering submit a plan review extension request form. Mr. Hain provided the Planning Commission with an extension form requesting an extension of the plan review process until December 9, 2024. On a motion by Nathan Roush, seconded by William McFadden, the Planning Commission recommended the Board of Supervisors approve the plan review extension request until December 9, 2024 for the Ferry/Weisner Minor Subdivision/Annexation Plan. There was no public comment. All were in favor. Motion carried.

Zoning Hearing Board Decision – 18 Essig Drive - A written decision from the Zoning Hearing Board was received for 18 Essig Drive (Aviad Giat & Cristele Lartigue). The applicants' request for a special exception to operate a bed and breakfast at 18 Essig Drive was denied.

Eastern Berks Joint Comprehensive Plan (EBJCP) Advisory Committee Meeting – Update - A summary of discussion items from the 8/13/2024 EBJCP Advisory Committee Meeting #2 held at Tipton Borough and the 9/10/2024 EBJCP Advisory Committee Meeting #3 held at District Township was provided to Planning Commission members for informational purposes. The next meeting of the EBJCP Advisory Committee is scheduled for Tuesday, October 8, 2024 at 6:30PM at Rockland Township.

Act 537 Plan Update - Received notification on 8/13/2024 from PA DEP that their review of Rockland Township's Act 537 Plan Update will not be completed within the normal time period. Rockland Township can expect to receive comments/decision from PA DEP on or before October 11, 2024.

NEW BUSINESS

Review of Township Burning Ordinance **Referral from Board of Supervisors*

The Rockland Township Board of Supervisors requested the Planning Commission review the current Township Burning Ordinance and discuss/consider suggested changes submitted to the Township by a Township resident, including a request to add language to address nuisance burning (similar to Longswamp Township's ordinance). At the beginning of the discussion, the Planning Commission requested some background information on recent burning complaints and possible violations of the Township Burning Ordinance. A lengthy discussion followed. The Planning Commission reviewed and discussed the suggested changes from the Township resident and ultimately recommended no amendments to the existing burning ordinance. It was determined that the inclusion of additional language to the burning ordinance does not appear to be necessary, as the main issue seems to be difficulty with enforcement particularly without a local police force. However, Township officials have confirmed that burning complaints will continue to be investigated and any burning which the Township Code Enforcement Officer confirms is a violation will be enforced as outlined in the ordinance. During the discussion, the Township Solicitor suggested changes to the penalties section(s) of the existing Township Burning Ordinance in order to make provisions less confusing and to comply with the Second Class Township Code.

PUBLIC COMMENT

There was no public comment. There being no further business, the meeting was adjourned at 8:52PM on a motion by William McFadden, seconded by William Fredericks.

Respectfully submitted,

Karen Krall
Secretary