**READING TOWNSHIP**

**PLANNING COMMMISSION MEETING**

March 4, 2024

The regular monthly meeting of the Reading Township Planning Commission was held at the Reading Township Municipal Building and called to order at 6:30pm by Chairman Bill Bowen. Planning Commission members in attendance were Vice Chairperson Alicia Wooters, Donald Godfrey, Dana Shuman and Gerald Shank with Chairman Bowen presiding.

Others in attendance included Susan J. Smith, Solicitor, Alvis Elrod, Township Engineer, Andrew Merkel, Adams County Office of Planning and Development, Vernon Greer, Art Becker, Gary Myers, Kim Weigand, Kevin & Benay Holtzinger, Andrew Herrold, as well as Supervisors, Wes Thomason, Mike Weigand and Jason Phillips.

Gerald Shank made a motion to approve the February 5, 2024 Planning Commission meeting minutes, Alicia Wooters seconded, the motion carried unanimously.

**SUBDIVISION & LAND DEVELOPMENT**

**Kevin S. & Benay V. Holtzinger**

**Final Subdivision Plan**

**SALD#2023-08**

**Parcel # 31J07-0045—000**

**2425 East Berlin Rd.**

**East Berlin, PA 17316**

**BOS action deadline: 4/15/24**

Kevin & Benay Holtzinger were present along with their attorney, Andrew Herrold.

Mr. Herrold made a case to show that Mr. Holtzinger has incurred quite a bit of cost, came back to the Planning Commission time and time again, went through the DEP waiver process, worked closely with the Township Engineer, etc. to show due diligence in the process to do everything possible to comply with the Township’s requests.

Mr. Herrold asked Trey Elrod, Township Engineer if he supports the waiver. Mr. Elrod stated that from a technical standpoint there is support for the waiver. There would be no benefit to install a dry system on the Holtzinger property due to the elevation. The sewer across the street from the point in question is 22 feet lower and would make more sense to hook into that system, rather than going higher onto Mr. Holtzinger’s property for sewer. If Mr. Holtzinger were to install a capped sewer system at a normal depth of 6 feet it would be too shallow. Mr. Herrold suggested to the Planning Commission that the fair thing to do would be to recommend approval of the waiver to the Board of Supervisors.

Chairman Bowen asked Vernon Greer if he had something to add, Mr. Greer was present with his attorney, Art Becker. Mr. Greer brought a map before the Planning Commission which showed sewer hook-ups near Mr. Holtzinger’s property and where the sewer line runs. A Planning Commission member asked a question to better understand & was asked by Mr. Greer’s attorney to be quiet and let Mr. Greer have the floor. Mr. Greer stated that he did research to show that there are many properties along the same roadway that are hooked in at a specific location along Stoney Point Rd., Mr. Holtzinger’s subdivision should be no different. The Township Engineer stated that there is no ordinance that states Mr. Holtzinger would need to connect to the sewer line, the waiver is to ask that he not be required to install a capped sewer system. Mr. Elrod reiterated that he believes it makes no technical sense to have the hook-up installed.

Mr. Greer stated that we have ordinances written for a reason. Mr. Greer’s attorney, Art Becker, stated that no matter how much expense Mr. Holtzinger has incurred, he should have thought the possibilities through prior to purchasing the property. Mr. Greer stated that when Mr. Holtzinger originally planned to put 6 homes in, there was no question that he would hook-up if needed. But now that there are fewer lots being subdivided he does not wish to do so.

Mr. Becker stated that there is concern with the residential lots not being hooked into sewer that it could impact neighboring home’s water supply and pressure. Solicitor Smith reminded Mr. Becker that the water study requirement had been acted upon by the Board of Supervisors and was not before the Planning Commission.

 Mr. Herrold and Mr. Becker disagreed as to whether or not decision on the waiver would set a precedent for future subdivision plans. Solicitor Smith counseled that the courts have made clear that there is no precedent setting because each case is decided on its specific facts.

Mr. Holtzinger reminded the Planning Commission that the evidence Mr. Greer provided to them at the last meeting was false, where he pointed out sewer lines which were actually property lines. Mr. Holtzinger stated that he was appalled that the PC would take a private citizen’s word over the Township Engineer, costing more time spent on the waiver/plan.

Mr. Greer mentioned the manhole with a sewer lid on it on the Moore property would be a possible hook-up for Mr. Holtzinger’s property. Township Engineer Elrod stated that he is confident that the manhole structure is not sanitary sewer. Jerry Shank stated that he had asked the property owner and was told that it was a well.

Township Engineer Elrod stated again that if the system were to be put into place, it should serve a purpose for future use. His technical opinion is that it does not serve a purpose for future use in this case because of the property’s elevation.

A motion was made by Donald Godfrey to approve the waiver, Alicia Wooters seconded. Motion failed two to three; Shank, Shuman and Bill Bowen were opposed.

**DISCUSSION**

Andrew Merkel was present to continue discussion of proposed district amendments to the Zoning Ordinance.

**ADJOURNMENT**

A motion to adjourn the meeting was made by Donald Godfrey at 8:30 pm, Alicia Wooters seconded, the motion carried unanimously.

Respectfully Submitted,

Tiana Mummert

Administrative Assistant