

**CHAMBER OF BOROUGH COUNCIL  
Shoemakersville Borough**

**February 8, 2023**

President Kline called the monthly meeting of the Shoemakersville Borough Council to order in the Shoemakersville Borough Office, 846 Main St. Shoemakersville, PA at 7:01 p.m.

**In attendance:** Chris Kline – President, Amy Botwright – Vice President, Michael Grim, Dana Randazzo, Dana Smith, Joseph Wertz, Jr., Dustin Remp – Mayor, Bradley Smith – Engineer – leaves at 8:19 p.m., Keith Mooney – Solicitor – leaves at 8:19 p.m., Paul Gruber – Manager, Chad Zimmerman – Zoning/Public Works and Melissa Wagner – Secretary/Treasurer.

Absent from the meeting: Tara Kennedy-Kline

**Code Enforcement – Mr. Zimmerman**

- **Permits & Notices:** In January, one permit was issued to UGI to install a new gas service. A Zoning Hearing Board meeting regarding Tractor Supply will take place at 7:00 p.m. in the borough building on February 21.
- **Shoey Pool Minor Subdivision & Supermarket Parcel Subdivision Plans:** Scott Homel and Robert Blue are present to discuss the plans. Tractor Supply is scheduled to open in June or July, while the Perry Township project will not begin until 2025 or 2026.

Mr. Homel presents a plan of the Perry Commercial Center project, which shows the new intersection of Mocerri Dr. and Route 61, Wawa, CVS, and two unnamed tenants, as well as the existing Shoemakersville Shopping Center. The smaller triangle piece between the municipal lines would merge from the Shoemakersville side into Perry Twp., as shown on the subdivision plan. Mr. Blue discusses the proposed subdivision, dividing off lot #2, leaving the balance of lot #1, which is the old grocery store and CVS. Mr. Homel states that Perry Township wanted the area cleaned up. The project in Shoemakersville is owned by two entities that is overseen by Mr. Homel and the project in Perry Township is also owned by two entities under Mr. Homel. A cross access easement is being recorded so that the Shoemakersville Shopping Center will always have access to Mocerri Dr.

Solicitor Mooney notes that Mr. Homel needs to annex the land in the Shoemakersville Shopping Center to complete the tract in the township, in order to meet Perry Township's lot & parking and SALDO requirements. A stormwater management agreement will be needed for the borough and for the township.

Mr. Blue discusses the Shoey Pool Subdivision and reports that the subdivision plan was approved by the Orphan's Court. Monuments will be set to indicate property lines. Vice President Botwright would like to see site screening between the site and the pool. President Kline and Mr. Homel discuss the sidewalks; up Mocerri Dr. to Main St., along Access Rd. A, and a toe path from Access Rd. A back to the park ballfield.

Vice President Botwright, Engineer Smith and Mr. Blue discuss the swale that floods the pool property, skate park, and Mr. Smith's yard.

Solicitor Mooney states that the subdivision of land from the borough being annexed to the township property will need approval by both entities. The borough could waive review of the annexation, subject to review by Perry Township. The developer would then need to submit a land development

plan for Tractor Supply. Mr. Homel discusses the borough's 2011 waiver of land development, condition upon the township's review and PennDOT and DEP approvals. Engineer Smith notes that the borough is an MS4 community, which would require a review by the borough.

Mr. Blue reviews the rain garden. Solicitor Mooney notes that even though the rain garden will not be constructed until the project in the township begins, it will still need to be noted on the Tractor Supply plan, as it will be located in the borough. Solicitor Mooney, Mr. Homel, and Mr. Blue discuss the stormwater agreement, easements and land development & plan recording requirements. Solicitor Mooney recommends a Quick Start agreement, which would allow the Tractor Supply project to begin while Council reviews the plans.

Solicitor Mooney recommends the borough waive review of the annexation plan, the minor subdivision plan, contingent upon the review and approval of Perry Twp. This note and approval date should then appear on the plan.

\*A motion is made by Mr. Wertz to approve the Minor Subdivision Plan 1750-30X, dated November 20, 2022. Council and Solicitor Mooney discuss a waiver vs. an approval.

\*Mr. Wertz amends his previous motion to include the waiver of Shoemakersville review to any land development plans for the Perry Commercial Center. Engineer Smith discusses the plan. Mr. Wertz clarifies the motion for approval of the Minor Subdivision Plan 1750-30X, dated November 20, 2022 and to waive any further review of land development for the Perry Commercial Center, for land within Perry Twp. Seconded by Vice President Botwright. Solicitor Mooney notes that signature blocks are incorrect on the plan. Engineer Smith states the triangle is incorrectly being referenced to the Shoemakersville Swimming Pool.

\*Mr. Wertz amends the motion to all being contingent upon Engineer Smith's acceptable review of the subdivision plans. Seconded by Vice President Botwright. President Kline restates the motion to approve the Minor Subdivision Plan 1750-30X, dated November 20, 2022 and to waive any further review of the land development for the Perry Commercial Center, for the property within Perry Twp., contingent upon satisfactory review of the borough engineer of pending changes to the title blocks. Motion carried by a vote of 5 yes to 1 no, with Mr. Smith voting opposed.

The pool property subdivision is discussed. Mr. Wertz notes of screening on the property. Solicitor Mooney states any additional screening could be shown on the land development plan. Mr. Homel and Mr. Wertz discuss the bleachers and baseball scoreboard that are on the land in the township. Mr. Zimmerman notes that Mr. Berg had previously given the baseball association verbal permission to store the items on the property. Mr. Homel and Council discuss a 15-year agreement between the property owner and the borough, to allow for the items to remain.

Mr. Homel reports that the RV company will be vacating the property by March 12. He will then mill, repave, and fill the potholes in the parking lot. He discusses the 10'8" mainly grassy area, between the proposed garden center and Mr. Rumbel's property. Vice President Botwright discusses the increased traffic flow around the building and the need for a road behind the Tractor Supply building. Mr. Homel does not feel there would be enough room for a roadway behind the building.

Mr. Homel, Solicitor Mooney, and Engineer Smith discuss the pool subdivision plan, which should include the borough as owner.

A meeting between Solicitor Mooney, Engineer Smith, Solicitor Koch, and Mr. Blue will take place to discuss the Quick Start agreement, the land development plans, and any other business pertaining to the projects.

### **Solicitor's Report – Solicitor Mooney**

- **Small Cell Wireless Ordinance:** The ordinance is ready for adoption.

\*A motion is made by Mr. Wertz to adopt Ordinance 462-2022, regulating small wireless facilities. Seconded by Vice President Botwright. Motion carried unanimously.

\*A motion is made by Mr. Wertz to adopt Resolution 156-2022, establishing application fees for small wireless facilities. Seconded by Vice President Botwright. Motion carried unanimously.

### **Engineer's Report – Engineer Smith**

- **Headworks & Solids Handling Construction:** ARRO recommends payment of application #7 for \$128,821.50.

\*A motion is made by Mr. Wertz to approve EECI payment application #7 for \$128,821.50. Seconded by Vice President Botwright. Motion carried unanimously.

- **NPDES Permit for Wastewater Treatment Plant:** The permit application remains under technical review by PADEP.

### **Secretary's Report/Correspondence – Ms. Wagner**

The borough office will be closed on February 20.

### **Mayor's Report – Mayor Remp**

Six Hometown Heroes applications have been received. Mayor Remp would like to receive at least 10 applications to hold a ceremony.

Mayor Remp and Mr. Grim will be meeting with Commander Mengel on February 20 at 3:00 p.m. There were approximately 100 calls in the borough for January.

Gary Billman is present to report that on several occasions, he has heard gunshots in the evening, in the area of 500-600 block of Main St. Vice President Botwright has also heard the noise. While it is difficult to pinpoint the origin, the fields are one possible location.

Dennis Seaman is drafting the minutes for the January 28 Neighborhood Watch meeting. The next meeting will be held on March 11.

Mayor Remp will be forwarding Council an e-mail regarding National Night Out.

### **Operator/Manager's Report - Mr. Gruber**

There are no questions on the report.

**Property/Streets/Sanitation – Mr. Smith** – nothing to report

**Sewer – Mr. Wertz** – nothing to report

**Water – President Kline**

The valve project must be completed by June 30, 2023.

**Parks & Recreation – Ms. Kennedy-Kline**

\*A motion is made by Vice President Botwright to appoint Stacy Adam to fill the remainder of Josh Krick’s term on the Shoe Rec. Board. Seconded by Mr. Wertz. Motion carried unanimously.

Mayor Remp reports that a future Neighborhood Watch Program meeting will take place on Earth Day, April 22, and notes that the team members would like to take part in any Earth Day activities that may be planned.

**Law/Planning/Zoning – Mr. Wertz**

\*A motion is made by Mr. Wertz to appoint Tiffany Gruber as an alternate to the Zoning Hearing Board. Seconded by Mr. Smith. Motion carried unanimously.

**Employee Relations – President Kline** – nothing to report

**Approvals/Finance/Pension – Vice President Botwright**

\*A motion is made by Vice President Botwright to approve the minutes for January 17, 2023. Seconded by Mr. Wertz. Motion carried unanimously.

\*A motion is made by Vice President Botwright to approve the bills payable for February 7, 2023. Seconded by Mr. Wertz. Motion carried unanimously.

**Community Outreach – Ms. Randazzo**

Ms. Randazzo is incorporating Council’s comments on the Community Welcome packets and will have an updated draft for the workshop.

**New Business**

**Public Comment**

**Mark Paine (25 Main St.):** Discusses a manhole near his home that rattles and creates noise when driven over. He and Mr. Gruber will meet on site to discuss the manhole.

Mr. Paine asks for details on the Small Wireless Facilities ordinance that was passed. Mr. Wertz reports that the state is permitting municipalities to charge fees for the use of the telephone poles and air space, and to regulate who may use those poles for small wireless units. President Kline notes that this would expand cellular coverage and that the ordinance allows the borough to regulate the number of units on the poles.

President Kline has no issue with the borough completing paperwork to allow residents to apply for the Pennsylvania Homeowner Assistance Fund, which aids residents in paying delinquent mortgage payments and utility bills.

\*A motion is made by Vice President Botwright to add the review of a letter from Council to the Zoning Hearing Board, regarding Tractor Supply, to the agenda. Seconded by Mr. Smith. Motion carried unanimously.

Mr. Wertz and Council discuss a letter Mr. Wertz drafted to the Zoning Hearing Board, regarding Tractor Supply. Items include:

1. Having no issue with TSC request for waiver of strict buffering requirements to the south side, as there are existing trees on site, provided such tree buffering would be located on their property.
2. Two areas of proposed fenced outside storage are within the 15' setback line. A 15' setback is adequate; storage should be outside of the 15' setback.
3. The proposed garden center blocks traffic flow around the building. Chief Wagner is present and notes that the fire company requires a 10' width around the building. He spoke with Mark Koch, stating that the accessway by Reber St. will be stone with Agri-Fab underneath.
4. There is no issue with the reduction of parking spaces from 152 to 124.
5. Maintaining the pre-existing non-conforming sign as pre-existing and non-conforming.
6. No issue with moving from 14" to 12" projection off the surface of the wall.
7. No issue with the three signs on the wall up to 36 sq. ft.

\*A motion is made by Vice President Botwright to submit the presented letter to the Zoning Hearing Board, regarding the zoning relief requested by Home Elite and Shoemakersville Plaza. Seconded by Mr. Wertz. Motion carried unanimously.

A motion is made by Mr. Grim to adjourn the meeting. Seconded by Mr. Wertz. Motion carried by a vote of 5 yes to 1 no, with Mr. Wertz voting opposed. Meeting adjourned at 8:52 p.m.

Respectfully Submitted,

Melissa Wagner - Secretary/Treasurer