

Incorporated April 3, 1837

Council Organized May 8, 1837

**BOROUGH OF HAMBURG**  
61 North 3rd Street  
Hamburg, PA 19526  
Phone - 610-562-7821      Fax - 610-562-8461  
E-mail - [utilities@hamburgboro.com](mailto:utilities@hamburgboro.com)  
Website - [www.hamburgboro.com](http://www.hamburgboro.com)

From the Office of: PLANNING COMMISSION

February 17, 2023

TO: HAMBURG PLANNING COMMISSION

FROM: Toni A. Ruppert - Recording Secretary

Please be advised that the Planning Commission meeting for Tuesday, February 21, 2023 will be held at 7:00 in the Council Chamber of the Municipal Building.

If you have any question or can't make the meeting, please give me a call.

cc: Building Inspector/Zoning Officer

**HAMBURG PLANNING COMMISSION  
AGENDA**

-----  
**February 21, 2023**

**At 7:00 p.m. the meeting will be called to order.**

1. Roll Call
2. Approval of Minutes – July 19, 2022
3. Visitors –
4. New Business – Annual Planning Commission Report submitted by Bryce Zohner
5. Engineer's Report – January 2023 from Great Valley Consultants
6. Old Business – \*\*\*Planning Commission recommends that the Borough Council reapprove the Land Development plan for the Our Town Foundation Pavilion Project at 235 Washington Street in light of the consideration of the recently received Berks County Planning Commission Review Letter.
7. Correspondence- Berks County Planning Commission letter dated 01/13/2023 Re: Our Town Foundation

The Hamburg Planning Commission met this evening in the Council Chambers of the Hamburg Municipal Building with Vice Chairman Michael Kershner presiding. The meeting was called into session at 7:00 p.m.

**MEMBERS PRESENT:** Michael Kershner, Penny Hummel & Jason Nichols

**MEMBERS ABSENT:** Steve Levan and George Holmes

**ALSO PRESENT:** Ken Fulmer -Great Valley Consultants, Michael Gombar – Borough Solicitor, Amy Burkhart - Borough Manager and Toni A. Ruppert – Recording Secretary

**Penny Hummel made a motion and second by Jason Nichols to approve the minutes from May 17, 2022 as written.**

**ROLL CALL:** Ayes J. Nichols, P. Hummel, and M. Kershner  
Nays - None

**VISITORS:** Jeremy Hoagland, P.E., Crossroads Group LLC  
Luke Kamp – Crossroads Group LLC  
David & Kim Shefter  
Denna Kershner – OTF

**NEW BUSINESS** None

### **ENGINEER'S REPORT**

**May 2022 Engineer's Report  
GVC File: 3028-000**

The following is a brief summary of services provided by Great Valley Consultants (GVC) to Hamburg Borough within the last month.

#### **Subdivision and Land Development**

1. **Pine Street LD:** A final plan for the project was submitted to the Borough on February 28, 2022. GVC issued a review letter on April 5, 2022 which will be discussed at the June Planning Commission (PC) meeting as the applicant was not in attendance at the May PC meeting. The PC voted to recommend a 90-day extension on the plan review period.
2. **Hamburg Area Historical Society Museum:** A final plan for the project was submitted to this office on March 3, 2022. GVC issued a review letter on April 6, 2022 which was discussed at the May Planning Commission (PC) meeting. The PC voted to recommend conditional approval of the plan.
3. **Our Town Foundation Pavilion:** This plan was conditionally approved in May 2021, but construction has not yet commenced. The applicant is intending to start construction in the near future but still needs to address a number of minor conditions including execution of

the improvement's agreement and stormwater agreement. The applicant is in the process of addressing the remaining conditions.

### **Construction**

1. State Street (Hamburg School) Apartments: Construction on the site is complete. The applicant has requested an escrow release which is currently being processed. It is noted that the NPDES Permit will need to be terminated prior to closing out the improvement's agreement.

### **Miscellaneous**

1. 2022 Street Work: It is our understanding that the Borough staff is managing this project. GVC has provided no services relative to this project in the past month.

STEVEN K. HOFFMAN, P.E.  
Borough Engineer

**June, 2022 Engineer's Report**  
**GVC File: 3028-000**

The following is a brief summary of services provided by Great Valley Consultants (GVC) to Hamburg Borough within the last month.

### **Subdivision and Land Development**

1. Pine Street LD: A final plan for the project was submitted to the Borough on February 28, 2022. GVC issued a review letter on April 5, 2022. The applicant was not in attendance at the May PC meeting, but the PC voted to recommend a 90-day extension on the plan review period which was subsequently accepted by Council. It is our understanding that the applicant intends to attend the July PC meeting.
2. Hamburg Area Historical Society Museum: A final plan for the project was submitted to this office on March 3, 2022. GVC issued a review letter on April 6, 2022 which was discussed at the May Planning Commission (PC) meeting. The PC voted to recommend conditional approval of the plan. It is our understanding that Council subsequently conditionally approved the plan at the May Council meeting, and that the applicant is currently in the process of addressing the outstanding conditions.

### **Construction**

1. State Street (Hamburg School) Apartments: Construction on the site is complete. The applicant has requested an escrow release which is currently being processed. It is noted that the NPDES Permit will need to be terminated prior to closing out the improvements agreement.

- 2. Our Town Foundation Pavilion: The developer has posted a cash escrow for the developer's agreement. It is our understanding that construction has begun or will commence in the very near future.

**Miscellaneous**

- 1. 2022 Street Work: It is our understanding that the Borough staff is managing this project. GVC has provided no services relative to this project in the past month.
- 2. LVHN 700 Hawk Ridge Road: On June 8, 2022, a representative of Lehigh Valley Health Network (LVHN) emailed concept plans to the Borough for review. LVHN is proposing to expand their existing parking lot at their facility located at 700 Hawk Ridge Road. The proposed project will result in the addition of 28 off-street parking spaces.

The previous zoning officer determined that the project would not be subject to land development approval; however, a paving permit and stormwater management plan would have to be prepared and submitted for review. All of the requisite items were provided with the June 8<sup>th</sup> submission.

On June 23, 2022, GVC issued a stormwater management plan review letter outlined a number of minor items that will need to be addressed prior to the paving permit being issued.

STEVEN K. HOFFMAN, P.E.  
Borough Engineer

**OLD BUSINESS**

The following letter was reviewed.

July 14, 2022

Borough of Hamburg  
Planning Commission  
61 North Third Street  
Hamburg, PA 19526

Re: Pine Streett  
Final Plan Review  
GVC File 4008-081

Dear Commission Members:

As requested, we have reviewed the final plan titled, "Pine Street LD." The proposed development is located at the northeast corner of the intersection of Second Street and Pine Street. The applicant is proposing to repurpose the existing building into a catering/restaurant hall. The total existing building floor area to be renovated is 13,832 ft<sup>2</sup>, with the event space portion of the area to be 7,507 ft<sup>2</sup>.

Please note that comments that appear in bold typeface requires action by or consideration of the Planning Commission. The remaining comments should be addressed by the applicant or his consultant directly with the Borough or our office.

We have reviewed the Plans for conformance with the Borough Ordinances and Standards and offer the following comments for your consideration.

### **SUBMISSION INFORMATION**

Project Name: Pine Street LD  
Location: Northeast corner of the intersection of Second Street and Pine Street  
Type of Project: Non-Residential Land Development  
Number of Lots: One (1)  
Plan Status: Final Plan  
Plan Preparer: The Crossroads Group, LLC  
Project No.: 4096  
Plan Date: December 23, 2021, revised July 5, 2022  
Number of Sheets: Twelve (12)  
Other Information Submitted: Transmittal/response letter, prepared by The Crossroads Group, LLC, dated July 5, 2022; Stormwater Management Narrative, prepared by The Crossroads Group, LLC, dated July 5, 2022; Application for Review of Final Plan, dated June 27, 2022

### **ZONING ORDINANCE**

All zoning issues raised in the review of the preliminary plan have been adequately addressed.

### **SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

1. The Certificate of Accuracy will need to be sealed and executed prior to plan approval, Section 404.1.P. The applicant has acknowledged this requirement.
2. The Certificate of Ownership will need to be executed prior to plan approval, Section 22-404.1. CC. The applicant has acknowledged this requirement.
3. The applicant will need to demonstrate that the proposed development can be adequately served by public sewer. All review comments raised by the Authority's engineer will need to be adequately addressed prior to plan approval, Section 505. The applicant has acknowledged this requirement and is in the process of addressing the Authority's review comments.
4. The applicant will need to demonstrate that the proposed development can be adequately served by public water for the purposes of both domestic use and fire protection. All review comments raised by the Authority's Engineer and Fire Code Official will need to be adequately addressed prior to plan approval Section 507. The applicant has

acknowledged this requirement and is in the process of addressing the Authority's review comments.

### **SCHUYLKILL RIVER WATERSHED STORMWATER MANAGEMENT ORDINANCE**

1. The applicant will need to demonstrate that the Erosion and Sediment Control Plan has been approved, Section 303. The applicant has acknowledged this requirement.
2. The applicant must prepare and execute an Operations and Maintenance Agreement with the Borough for the privately owned stormwater controls and BMPs, Section 703. The applicant has acknowledged this requirement.
3. The applicant will be required to contribute to the Borough's Stormwater Control and BMP Operation and Maintenance Fund. The recommended contribution amount is \$500.00, Section 706. The applicant has acknowledged this requirement.

### **FLOORPLAIN MANAGEMENT ORDINANCE**

1. A DEP Permit may be required to permit the proposed development within the followday, Section 4.02.A & 5.01.D. It is our understanding that the applicant is in the process of formally removing the project site from the floodway through a letter of Map Revision (LORM). Once the LOMR is approved, this issue will be considered addressed.

### **GENERAL COMMENTS**

1. It is recommended that the Borough Fire Chief provide a review of the plan to determine if there are any significant safety concerns related to the proposed layout. The applicant has indicated that he is awaiting review comments from the Fire Chief.
2. **Considering that northbound South Second Street is essentially unusable as a public street due to the bridge closure, it is recommended that the existing right -of-way associated with the street that abuts the applicant's property be vacated. It is our understanding that the applicant is current in discussions with the Borough regarding this matter.**

Should you have any questions, feel free to contact this office.

Sincerely,  
STEVEN K. HOFFMAN, P.E.  
Borough Engineer

**Jason Nichols made a motion and seconded by Penny Hummel to recommend conditional final plan approval conditioned upon (i) compliance with all outstanding items contained in the GVC review letter dated July 14, 2022, (ii) execution of a Municipal Improvements Agreement in form and substance satisfactory to the Borough Solicitor and posting of financial security in an amount satisfactory to the Borough Engineer, (iii) the developer**

**providing, at its sole cost and expense, a legal description and plot plan in form and content satisfactory to the Borough Engineer for the portion of South 2<sup>nd</sup> Street to be vacated by the Borough, and (iv) inclusion of the preliminary plan approval condition regarding the reservation of rights to the Borough to require the installation of a pedestrian walking path on the property connection the S. 2<sup>nd</sup> Street bridge to the Pine Street sidewalk as a note on the Final Plan for recording.**

**ROLL CALL:           Ayes P. Hummel J. Nichols, and M. Kershner  
                              Nays - None**

**CORRESPONDENCE**

-Letter from Great Valley Consultants dated 7/14/2022 regarding Pine Street LD, Final Plan Review.

There being no further business, Jason Nichols made a motion and seconded by Penny Hummel to adjourn the meeting at 7:20 p.m.

Attest:

Toni A. Ruppert  
Recording Secretary



**BOROUGH OF HAMBURG**

61 North 3<sup>rd</sup> Street  
Hamburg, PA 19526

Telephone: 610-562-7821 Fax: 610-562-8461

Email: [buildingdept@hamburgboro.com](mailto:buildingdept@hamburgboro.com)

Website: [www.hamburgboro.com](http://www.hamburgboro.com)

**Annual Planning Commission Report**

**2022 Planning Commission Meetings**

- February 15, 2022
- May 17, 2022

**Projects Approved in 2022**

- 215 Pine Street, Shefter Pine Street Land Development Project
- 417 Franklin Street, Hamburg Area Historical Society Land Development Project

**Projects Completed in 2022**

- 235 Washington Street, Our Town Foundation Land Development Project

**Other Planning Commission Business**

- February 15, 2022 the Planning Commission voted to recommend to Borough Council the approval of the Northern Berks Comprehensive Plan.

**Zoning Hearings**

- 296 Spruce Street- Variance hearing to request relief from the rear property accessory structure setback. MDR-1 rear yard setback is 25 feet, property owner requested a setback of 8 feet. The variance request was granted by the zoning hearing board.

**Below you will find some housing data for properties within the Borough.**

Location	Median Household Income	Median Home Values
*Hamburg Census Tract 1	\$60,298	\$184,600
**Hamburg Census Tract 2	\$61,250	\$151,100
***Hamburg Census Tract 3	\$55,474	\$122,900
Tilden Township	\$83,828	\$217,300
Windsor Township	\$82,250	\$213,600

Building Permits			
	2022	2021	2020
Hamburg Census Tract 1	16	22	20
Hamburg Census Tract 2	30	31	40
Hamburg Census Tract 3	15	30	43

<b>Property Transfer Inspections</b>		
<b>2022</b>	<b>2021</b>	<b>2020</b>
89	98	111

- \*Hamburg Census Tract 1- North Ward
- \*\*Hamburg Census Tract 2- East Ward
- \*\*\*Hamburg Census Tract 3- West Ward

If you have any questions regarding the information within this report, please feel free to contact me.

Respectfully,  
 Bryce Zohner  
 Building Code Official

January 20, 2023

Borough Council  
Hamburg Borough  
Municipal Center  
61 N. Third Street  
Hamburg, PA 19526

Re: January Borough Council Meeting  
Engineer's Report  
GVC File: 3028-000

Dear Council Members:

The following is a brief summary of services provided by Great Valley Consultants (GVC) to Hamburg Borough within the last month.

**Subdivision and Land Development**

N/A

**Construction**

1. **State Street (Hamburg School) Apartments:** Construction on the site is complete. The applicant has requested an escrow release which is currently being processed. It is noted that the NPDES Permit will need to be terminated prior to closing out the improvements agreement.
2. **Our Town Foundation Pavilion:** Construction is complete. GVC issued a letter dated January 4, 2023 recommending full release of the improvements agreement financial security; however, it has since come to the attention of the Borough that the land development plan was never recorded due to the Berks County Planning Commission (BCPC) not having reviewed the plan. The BCPC has since reviewed the plan and raised no significant issues in that review. Therefore it is recommended that Council reaffirm the plan approval so that the developer can proceed with recording the plan. It is further recommended that the escrow release be processed immediately after the plan has been recorded.

**Miscellaneous**

1. **LVHN 700 Hawk Ridge Road:** Revised stormwater management plans were submitted to the Borough on September 30, 2022. GVC reviewed the revised plans and issued a review letter dated October 5, 2022. The applicant is in the process of addressing the remaining review comments.

2. Rutter's Farm Store #69: Construction on the project has been complete for several years but the developer just recently terminated their NPDES Permit. The developer has requested release of the remaining funds in the improvements agreement. On January 20, 2023, GVC issued a letter to the Borough recommending release of the remaining funds from the improvements agreement.

Please contact me should you have any questions regarding these items.

Sincerely,

*Steven K. Hoffman*

STEVEN K. HOFFMAN, P.E.  
Borough Engineer

SKH



**BERKS COUNTY  
Planning Commission**

---

Berks County Services Center | 633 Court Street, 14<sup>th</sup> Floor Reading, PA 19601- 4309  
Phone: 610.478.6300 | Fax: 610.478.6316 | Email: [planning@countyofberks.com](mailto:planning@countyofberks.com)

Jodi L. Gauker, Chairwoman | Christopher J. Spohn, Vice-Chair | Lisa Weaver, Secretary  
Miguel Herrera | Glenn R. Knoblauch | James C. McCarthy, P.E.  
Thomas C. McKeon, AICP, CEcD | Lee C. Olsen, AIA, NCARB | David H. Turner  
David N. Hunter, Sr., AICP, Executive Director | David N. Peris, Assistant County Solicitor

January 13, 2023

Hamburg Borough  
Amy Burkhart  
Municipal Center  
61 N. 3<sup>rd</sup> Street  
Hamburg, PA 19526

Re: Our Town Foundation LD  
File #: 24-13715  
Plan #: 3040 (10 Sheets; Cover and 9 of 9)  
Dated: 10-25-22  
Prop ID #: 46 4494-05-09-2520

Dear Ms. Burkhart,

The Berks County Planning Commission staff has reviewed the Final Plan as submitted for the above captioned land development. The tract is located along the north side of Washington Street approximately 200-feet east of S. 2<sup>nd</sup> Street.

This plan is reviewed by the Berks County Planning Commission pursuant to Section 502 of the Pennsylvania Municipalities Planning Code. The Commission staff has not evaluated the plan for compliance with local ordinances, unless so noted. The municipality must ensure that the plan meets local zoning, subdivision and land development requirements, and any other regulations. The following comments are added for consideration:

A. Conformity of the plan with the Berks County Comprehensive Plan:

The site is in a Designated Growth area and an Environmental Hazard area. The Environmental Hazard area is identified within the area of the 100-year floodplain associated with Mill Creek, as identified on the 2012 FEMA FIRM panels. The Environmental Hazard areas designation in the Future Land Use section of the Berks County Comprehensive Plan states that: *'The primary purpose of this designation is to encourage their proper management and sustain their natural functions and values. In most cases, these areas should not be disturbed, nor developed, because of their natural environmental importance, the associated environmental constraints, and the substantial public interest in preventing damage due to floods, minimizing sedimentation and erosion, and enhancing water quality. The exception would be for the development of properly elevated/floodproofed buildings within redevelopment areas that are part of an economic revitalization initiative. Such redevelopment should be designed, located and constructed to have a minimal effect upon the flow and height of flood waters and does not increase the flood hazard to properties located upstream or downstream of the redevelopment site.* The proposed parking area is in the identified floodplain/floodway. Therefore, the proposed development within the site's Environmental

Hazard area is not consistent with the Berks County Comprehensive Plan 2030 unless the development of the site will have minimal effect upon the flow and height of flood waters and does not increase the flood hazard to properties located upstream or downstream of the site.

B. General Planning Comments:


1. The Berks County Planning Commission recommends that you call ahead for subdivision/land development plan endorsements. Please review the Plan Endorsement Checklist at <http://www.co.berks.pa.us/dept/Planning/Pages/default.aspx> under Planning Topics and the Subdivision/Land Development heading prior to coming to the office. If you have any questions, please contact the office at (610) 478-6300.
2. Development within the floodplain, though not encouraged by the County, should be in accordance with the requirements set forth in the applicable section of the Hamburg Borough's zoning and/or floodplain management ordinance(s).
3. The appropriate permitting agency should review the proposal relative to the floodplain/floodway encroachment.
4. As identified on the plan, an Environmental Covenant that subjects the property to the activity and/or use limitations is located on the project site. The recorded Environmental Covenant document (recoded instrument #2012012285) is attached for review.
5. The developer should make sure that water quality controls are in place to meet applicable state and federal MS4 (Municipal Separate Storm Sewer Systems) requirements and applicable regulations of the borough's Stormwater Management Ordinance
6. The borough should be satisfied with the proposal's stormwater management system prior to plan approval.
7. Erosion and sediment control measures where required under Title 25, Pennsylvania Code, Chapter 102, Rules and Regulations of the Pennsylvania Department of Environmental Protection, shall meet standards and specifications of the Berks County Conservation District. The Berks County Conservation District should approve the erosion and sediment control plan prior to final plan approval.
8. The local fire official(s) and EMS should review the plan relative to fire protection/emergency issues.
9. The local sewer authority and water authority should review the proposal relative to public service needs associated with the project.
10. The developer should be sure that applicable Americans with Disabilities Act (ADA) requirements are met.
11. The site is in the Shoemakersville Borough Water System's ground water source water protection area. The developer should contact Shoemakersville Borough Water department for additional information and/or further direction
12. Consideration should be given to providing safe pedestrian access to the boiling in lieu of access over the parking area.
13. If a freestanding sign is to be associated with the proposed use at the driveway, the plan should provide its location. Consideration should be given to providing details of the sign(s).
14. Items concerning solid waste generated by normal daily activities should be specified on plan. These should include location of storage area(s), screening type and frequency of pick-up.

The Berks County Planning Commission will review any additional submission of this plan at the request of the municipality. After municipal approval of the plan for recording, **a minimum of one print should be delivered to the Berks County Planning Commission for signature.** Any additional copies for the municipality and the Subdivider or Developer will be stamped. The Berks County Recorder of Deeds Office should be contacted at (610) 478-3380 relative to any questions regarding recording requirements. The applicant has 90 days to record the plan after the governing body approves the plan at a public meeting.

PennDEP should consider this review as the Berks County Planning Commission's review of the Planning Module required under Act 537. Those persons responsible for preparing the Planning Module submission for PennDEP should include a copy of this review with the module submission. Municipalities are advised that subdivision and/or land development plans must be consistent with a DEP-approved planning module or official plan revisions or have been granted an exemption from planning by DEP prior to plan recording.

If there are any questions regarding this review, please contact me at (610) 478-6300 ext. 6305.

Sincerely,



Michelle D. Franklin  
Planner III

Berks County Planning Commission

Attachment

cc: Hamburg Borough Planning Commission  
Hamburg Borough Engineer  
Our Town Foundation Inc.  
The Crossroads Group, LLC  
PennDEP