NOTICE OF PUBLIC HEARING

Please take Notice that the Board of Supervisors of the Township of Maidencreek, Berks County, PA, will hold a public hearing on Thursday, April 14, 2016 at 6:30 P.M. at the Maidencreek Township Municipal Building, One Quarry Road, Blandon, PA 19510, to consider the Application of Mohamad Farvardin of 1513 N. Line Street, Lansdale, PA 19446, for a Conditional Use pursuant to Article X, Section 220-34(B)(2) and Article XV, Section 220-79 of the Township of Maidencreek Code of Ordinances, for an assisted living facility on property owned by Mohamad R. Farvardin and Farideh Farvardin located at 384 Evansville Road, Maidencreek Township, Berks County, Pennsylvania, Tax Parcel #61541204803417. All interested parties are invited to attend and participate at the hearing.

Diane Hollenbach, Township Manager

MAIDENCREEK TWP. PLANNING COMMISSION

P.O. BOX 319, BLANDON, PA 19510

March 2, 2016

Mohamad Farvardin
1513 North Line Street
Lansdale, PA 19446

Dear Mr. Farvardin,

At their March 2, 2016 meeting, the Maidencreek Township Planning Commission made a motion of support for your Conditional Use application for an assisted living facility at 384 Evansville Road subject to compliance with the Great Valley Consultants review letter dated February 29, 2016. The letter is attached. I will be in contact when the conditional use hearing is scheduled. We are tentatively looking at April 14th at 7 p.m.

Sincerely,

Diane Hollenbach

Diane Hollenbach
Manager
Maidencreek Township

cc: File
Maidencreek Township Board of Supervisors

FILE

GREAT VALLEY CONSULTANTS
75 COMMERCE DRIVE ♦ WYOMISSING, PA 19610-3323

PHONE: (610) 375-8822
1-800-733-4821
FAX: (610) 375-8977

February 29, 2016

Mr. Mohamad Farvardin
1513 North Line Street
Lansdale, PA 19446

Re: Proposed "Assisted Living Home" Use at
384 Evansville Road
GVC File: 3026-007

Mr. Farvardin:

We have received the plans for the Conditional Use Application for the proposed Assisted Living Home Use located at 384 Evansville Road in the Township of Maidencreek, Berks County, PA. We note the following comments:

Plans prepared by Berks Surveying and Engineering, Inc. of Fleetwood, PA – Drawing Nos. Z101 and Z102, dated February 23, 2016.

Comments with regards to ORDINANCE NO. 136 of 1993 – THE TOWNSHIP OF MAIDENCREEK ZONING ORDINANCE OF 1993 (As amended):

1. The property is located on the northwest corner of the intersection of Maidencreek Road and Evansville Road. The two hundred (200') feet deep section of the property that is parallel to and adjacent to Maidencreek Road is in the "C-R" Commercial - Residential Zoning District. The remainder of the property is in the R-1 Zoning District.

2. The existing building where the assisted living facility would be housed is in the section of the property within the C-R Zoning District. The proposed parking lot would be partially in the C-R District and partially in the R-1 District.

3. The assisted living use is a "Conditional Use" in the C-R Zoning District. The applicant must acquire the approval of the Township's Board of Supervisors for this conditional use.

4. The plan shows the proposed parking lot to be between 11' – 14' from the right-of-way line of Evansville Road. Section 220-79.D(2)(d) requires that the setback of the parking lot to a property line to be a minimum of 15'. If the Conditional Use is granted, the plan would need to be revised or relief would need to be sought to address this issue as part of the Land Development Plan approval process.

5. The plan shows the new parking lot to contain 29 spaces. (26 normal parking spaces + 2 handicapped parking spaces + 1 space designated for emergency vehicles) Section 220-79.D(2) requires 29 spaces based on the following calculation:

One space for each resident (23 residents proposed)	=	23 spaces
One space for each staff (3 staff proposed)	=	3 spaces
One space for visitors per every 10 residents (23 / 10 = 2.3)	=	3 spaces
Total spaces required		29 spaces

The plan appears to comply with this requirement.

6. The plan shows the existing building to be located approximately 10' from the right-of-way line of Evansville Road and approximately 26' from the right-of way line of Maidencreek Road. If the plan receives the Conditional Use approval, and as part of the Land Development Plan approval process, the applicant needs to seek relief from the Township's Zoning Hearing Board from Section 220-79.C(3)(b) requiring assisted living buildings to have a minimum 50' setback from a street right-of-way line.

The following are Uniform Construction Code Comments which we noted in our previous letter, dated December 14, 2105. If the Conditional Use is granted, these items will need to be addressed as part of the building permit plan review:

7. The plan submitted indicates that the building was previously approved in 1997 by the PA Department of Labor & Industry as a "B" (business) Occupancy. The proposed use for assisted living would be an "I-1" Assisted Living Occupancy. This is a change of use under the Pennsylvania Uniform Construction Code as adopted by the Township.

8. The route from the accessible parking to the building must meet the accessibility requirements for width and slope.

9. There must be an accessible entrance to the building.

10. The routes within the facility must be accessible, including access to the upper floor levels.

11. A minimum of 4% of the sleeping units must be fully accessible.

12. Accessible toilet and bathing facilities must be provided.

13. The building must be fully sprinklered.

14. The building must have a fire alarm system which reports to a full-time monitoring service.

15. At least one window in each sleeping unit must meet the requirements for an emergency egress window.

16. Mechanical (HVAC) systems must comply with the PA Department of Health requirements as well as the 2009 International Mechanical Code requirements for ventilation, air changes and outside air.

17. Assisted living facilities must acquire approval from the PA Department of Health for their building plans prior to approval of any plans by the Township.

18. The electrical system, including emergency lighting and power, will need to comply with the requirements of the PA Dept. of Health and the 2008 National Electric Code.

The comments generated within this letter are from a preliminary review of the site and building plans. This is not meant to be a full building code review, but is meant to point out a number of issues which will need to be addressed by the applicant and their design team. There may be other issues which arise during the approval process which would need to be addressed by the applicant and their design professionals.

Please contact our office if you have any questions.

Sincerely,

TERRENCE J. NAUGLE, R.A.
Zoning Officer / Building Code Official

TJN:emm

HVM&L
Hartman, Valeriano, Magovern & Lutz, P.C.

Elizabeth A. Magovern, Esquire
Direct Extension: x3018
Email: emagovern@hvmllaw.com

February 3, 2016

VIA EMAIL eorlando@orlandolawoffices.com
AND REGULAR MAIL

Eugene Orlando, Jr., Esquire
2901 St. Lawrence Avenue
Suite 202
Reading, PA 19606

Re: Conditional Use Application for Assisted Living Home
384 Evansville Road

Dear Attorney Orlando:

Kindly accept this correspondence as confirmation of our representation of Moe Farvardin in his application for a Conditional Use to utilize existing structure at 384 Evansville Road for an Assisted Living Facility.

This letter shall further serve as a waiver of the time frames provided in the Municipalities Planning Code for commencement of the hearing on the Conditional Use Application ("Application").

Notwithstanding, it is our anticipation that the Application will be presented to the Maidencreek Township Planning Commission at its March 2, 2016 meeting with the anticipation that the hearing on the Application will be conducted as part of the Board of Supervisors April 14, 2016 meeting.

Should you have any questions or require additional information regarding our representation of Mr. Farvardin or this time extension, please contact me. Thank you.

Very truly yours,

Elizabeth A. Magovern

EAM:MRM:cab
cc. Diane Hollenbach, Manager Township of Maidencreek
Moe Farvardin
Cindy Hogan, Berks Surveying

resubmitted

RECEIVED
JAN 25 2016
BY:

withdrawn

RECEIVED
DEC 03 2015
BY:

MAIDENCREEK TOWNSHIP ZONING HEARING BOARD

NOTICE OF APPEAL OR APPLICATION
(To be filed in triplicate with plot plan attached.)

APPEAL NO. 12-3-15

DATE 12-3-15

Appeal is hereby made by the undersigned (check one)

( ) from the action of the Zoning Officer in refusing my application for a Zoning Permit on _____, 20 .

( ) for a Variance from the terms of the Zoning Ordinance of Maidencreek Township.

( ) for a Special Exception from the terms of the Zoning Ordinance of Maidencreek Township.

(X) for a Conditional Use from the terms of the Zoning Ordinance of Maidencreek Township.

( ) for a Rezoning from the terms of the Zoning Ordinance of Maidencreek Township.

( ) from the action of the Building Inspector in refusing my application for a Building Permit on _____, 20 .

Name of Property Owner Moe and Farideh Farvardin

Name of Applicant Moe Farvardin

Location of Property 384 (Formerly 2149) Evansville Rd., Fleetwood Maidencreek Twp.

Address of Applicant 1513 N. Line St. Lansdale, PA 19446

Interest of Applicant in property if not owner (agent, lessee, equitable, etc.) _____

Attorney (if any) _____

1. Application relates to:
Use (X) Lot Area ( ) Yards ( ) Height ( ) Existing Building ( )
Proposed Building ( ) Area Classification ( )
Other ( ) _____

2. Description of Real Property and Location: Land (about 15 Acres) Located on the Corner of Evansville Rd and Maidencreek Rd. The building is a 4-story stone building that has been built and used for years as a hotel.

(a) Lot Size about 500 ft by 1300 ft
(b) Present Use only one family lives there
(c) Present Zoning Classification ← First 200-ft along Maidencreek Rd is Commercial the rest is classified as residential.
(d) Present Existing Improvements d: all internal components have been brought to L & I Codes

3. Date Building Inspector or Zoning Officer made his determination _____

Statement of alleged error or Building or Zoning Officer _____

4. Action desired by applicant grant cond. use for 23 bed assisted living facility

5. Reasons applicant believes the Board should approve the desired action (ei. To section or sections of the ordinance under which you believe the desired action may be allowed, and note specifically whether or not a hardship is being claimed) _____

6. Has a previous appeal been filed in connection with these premises? _____

7. List names and addresses of all adjoining property owners and all property owners and/or residents within 1000 feet of the location of applicant's property.

8. Attach 3 scale copies of a plot plan of the real estate affected and in question here, indicating its location, North point, scale, adjoining owners, distances, lot size, size and location of improvements now existing and the size and location of proposed improvements, show site location insert, and indicate any other changes desired or information required by the Zoning Hearing Board.

9. The undersigned being the legal or equitable owner of certain real estate, which is the subject of a zoning application which is being submitted to the Township of Maidencreek simultaneously herewith, in consideration of the Township of Maidencreek processing the aforesaid plan, agree to pay to the aforesaid Township, within thirty (30) days from the date of the Township invoice, all costs that the Township has incurred, in processing the said zoning application.

I hereby depose and say that all of the above statements and the statements contained in any papers or plans submitted herewith are true and correct to the best of my ~~knowledge, information and belief.~~

Date 12-3-15 Mae R. Lamardo

Applicant

Witness:

Diane E. Dallenbach

THIS APPLICATION MUST BE ACCOMPANIED WITH A CHECK IN THE AMOUNT OF $ _____
MADE PAYABLE TO: MAIDENCREEK TOWNSHIP BOARD OF SUPERVISORS.