

**Minutes of the Albany Township Planning Commission
September 11, 2023**

Minutes of the meeting of the Albany Township Planning Commission held on Monday, September 11, 2023, at 8:00 p.m. in the Kempton Fire Company social hall, Kempton, Pa.

The following members were present:

P. Bauscher	B. Hamm	A. Zawada
D. Dietrich	J. Robertson	

J. Body, Township Engineer, was also present

The meeting was called to order by J. Robertson, chairman, and A. Zawada, secretary, took the minutes of the proceedings.

Approval of Minutes

The minutes of the meeting of August 7, 2023, were distributed to the members for their review and comment. After discussion, a motion to approve the minutes was made by P. Bauscher and seconded by B. Hamm. The motion was unanimously carried and the minutes of the meeting of August 7, 2023, were approved.

Barry Webb – Blue Mountain Eagle Climbing Club

B. Webb addressed the Planning Commission and the public, informing them that the Club maintains 64 miles of the Appalachian Trail in Berks County. He noted that the Pinnacle is the most visited spot on the Trail in Berks County and that the location and size of the proposed duck building would adversely affect the quality of the view from the trail, as well as negatively affecting water quality and the migration of birds along the Kittatinny Ridge. He suggested that the proposed building be moved to lower lying land. The Appalachian Trail Conservancy will follow up with a letter to the Planning Commission.

Bond-Riemke Subdivision

Quaker City Road – No one was present at the meeting to present this plan.

Sebastian Stelmach – Possible Subdivision

No one was present at the meeting.

Delbert Burkholder Ag Building Update

Proposed Duck Barn – 156 Kunkel Rd

J. Body addressed the audience of approximately 90 to 100 residents, and gave them a brief overview of the proposed project to date. He said that no Conditional Use or variance application has been submitted by the Burkholders. He informed the residents that the Supervisors have been contacted by the Burkholder's attorney, and that because of existing Right to Farm Laws the township is limited in what they can tell them to do. Joe encouraged the residents to reach out to their elected officials for assistance.

Public Comment

There was much public interest and comment on the proposed project. Concerns were expressed regarding air quality and water quality impacts to the Pine Creek, the Maiden Creek and the community. Concerns were expressed about odor management and adverse health conditions due to air quality. Also, concerning to the residents was the location of the proposed facility on top of the hill on Gun Club Road. Because of its size and hilltop location, it would be visible from various important promontories in the township.

Some specific concerns of the residents were, as follows:

Penn Cooper was concerned about the pollution of his son's pond and asked if we can have the Burkholders be accountable for water quality issues.

D. Sicher suggested that the township should pursue an appeal to the County Conservation District. She also asked if we have an Emergency Response Plan for the proposed facility, and who will be responsible for the safety of our firefighters and other responders.

Zanna Robertson had concerns about the negative effects on the view shed and suggested that we emphasize that issue.

Ronald Bogert, an adjoining property owner, expressed his concern about the waste being spread and its effect on his water quality. He also asked if a permit was needed to distribute waste in our township and if it is within the law for a township resident to spread waste imported from other areas.

Tom Kerr asked about what would be the next step in this process.

Don Meyers spoke about Albany Township being a farm community and should be welcoming to all farms, but hoped we could have some influence in getting the building moved from the top of the hill.

Dave Rice asked if the NRCS was involved.

Bill Kunkel told us about other Jurgielewicz duck facilities in Upper Bern Township and the problems the township is having with flies as a result.

Adjournment

There being no further business to come before the Commission, a motion to adjourn was made by P. Bauscher and seconded by B. Hamm. The motion was unanimously carried and the meeting adjourned at 9:30 pm.