

# Zoning overlay sent to county for review

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**News Writer**



The Amity Township Board of Supervisors has forwarded to the Berks County Planning Commission for review a new overlay zoning district ordinance proposed by Joseph F. Tornetta, vice president and development director for the Tornetta Realty Corp., Plymouth Meeting, Montgomery County.

If approved by the board as currently drafted, the ordinance would allow for 50 acre parcels along Route 422 that are in the shopping center and highway commercial zones to contain 40 percent residential townhouse or apartment units and 60 percent commercial development of parcels that have a minimum 50 gross acres, 300 feet of frontage, and which are under single ownership.

The motion to send the draft ordinance to the county for review was approved 3-1 with Supervisor Scott Stepp opposing it.

Tornetta proposed the overlay ordinance to the board in 2008 as a means to develop his 100 acres on Township Line Road.

Supervisor Terry L. Jones didn't receive board support of his recommendation to reduce the gross acreage from 40 percent to 30 percent, or to change the ability to build on 40 percent of gross acreage to 40 percent gross developable acreage.

When asked by the board on June 15 how many build-able acres he has, Tornetta said a planner studied the 100-acre parcel a year ago and determined there were 80 to 85 build-able acres.

"Tornetta said at the last meeting (May 18) that developable acres was 60 acres," said former Planning Commission member Majid Alsayegh.

"The township should encourage incentives to build commercial," said Alsayegh. "It's a mistake to not link residential to commercial in that zone. Forty percent out of 60 acres going to commercial is like two-thirds and it is too much of a burden going to the taxpayers."

Township Solicitor Brian F. Boland said the ordinance draft limits the number of residential units to 200, regardless of whether there are eight, age-targeted units per acre or six per acre for non-targeted.

Supervisor Scott Stepp said there currently isn't a link between residential and commercial development on the same site.

A further recommendation was made to either lower the percentage of allowable, build-able acres or to link the residential to the commercial.

“It’s going to be extremely difficult [for developers] to get both ducks lined up at the same time,” said Board Chairman Robert R. Yanos. “We sat here at the last meeting and this was okay. The attorneys and Tornetta went over the overlay, a draft agreement was presented with minor changes, and all conditions of the agreement were met, and now we have a new condition.”

Jones said he made a comment May 18 about his concern of the ordinance containing gross acreage instead of gross developable acreage.

“If no one else has a problem with it, I’ll shut up and we can move on,” said Jones, adding, “but if it’s going to be age-targeted, let’s give them 12. There’s a ton of kids in our townhouse community.”

Yanos said it may not be a negative impact to the Daniel Boone School District, depending on the type of units built; owners of units with one or two bedrooms and units with a master suite on the first floor tend to produce fewer children.

“It’s a big deficit to the township that land sitting there vacant for more than 52 years,” said Yanos. “We realize there is an element of risk, but there is a positive element that could come out of this. I don’t want people condemning me 70 years from now at Redner’s Market [for a bad decision].”