

MINUTES
EXETER TOWNSHIP BOARD OF SUPERVISORS PUBLIC HEARING
OCTOBER 9, 2017

Public Hearing

A Public Hearing of the Exeter Township Board of Supervisors was called to order on Monday, October 9, 2017, at 7:15 P.M. in the Township Building by Lisa A. VanderLaan, Chairperson.

Supervisors Present: Lisa A. VanderLaan, Chairperson
Gary E. Lloyd, Vice Chair
Jeff Bukowski
John Cusatis
William "Chip" White

Absent:

Others in Attendance: John Granger, Township Manager
Sam Cortes, Fox Rothschild, Solicitor
Joe P. Rogosky, P.E., Great Valley Consultants, Township Engineer
Steven Schaeffer, Lieutenant
Clarence Hamm, Highway Superintendent

Amendment to Zoning Ordinance for Revisions to the Rural Conservation District

Mr. Cortes stated that the proposed ordinance has been advertised for the Board's consideration later in the meeting. The Public Hearing has been advertised as well. He reviewed the proposed amendment to the Zoning Ordinance.

Sherri Greene, 1001 Vista Lane, stated she has lived across the street from a 30 acre parcel of land for a considerable number of years. This parcel of land is up for sale through an auction process. Ms. Greene would like the land to remain farmland.

Ms. VanderLaan stated that in 2012, the Board amended the Agricultural Preservation Zoning District. Because of the changes in the Agricultural Preservation Zoning District, the language in the Rural Conservation Zoning District needs to be modified to coincide with the Agricultural Preservation Zoning District.

Ms. Greene expressed her concerns about intensive agriculture within the district, and specifically the parcel of land across the street from her house.

Ms. VanderLaan indicated that intensive agriculture is regulated by the state and township regulations cannot supersede the state requirements. The proposed regulations are designed to preserve farming as a business and to provide current farmers and subsequent farmers a greater range of business opportunities in order to keep farmland in place.

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Robert Reiter, 1000 Vista Lane, questioned why the Board was considering this matter at the present time. Ms. VanderLaan again stated that the ordinance is designed to encourage farming. Ms. VanderLaan stated that it's a pure coincidence that the Board is considering this ordinance and a parcel of land, which is adjacent to Mr. Reiter's parcel is coming on the market for sale.

Mr. Reiter expressed his concerns and reservations about intensive agriculture.

Ms. VanderLaan stated that the township has a separate ordinance that does address intensive agriculture activities however the state has primacy in this matter.

Mr. Reiter asked what other permitted uses in the Rural Conservation District.

Ms. VanderLaan read from the Zoning Ordinance the uses by right, by conditional use, and by special exception. Mr. Reiter indicated that the property across the street that is for sale has a power line running through it. Mr. Reiter asked about setbacks from the power line.

Todd Hummel, 1230 Church Lane Road, asked what the benefits of the proposed changes were to the land, to the owner, to other property owners. Ms. VanderLaan stated that the benefits would be identical to all three parties in that the land would be kept in active farming.

Mr. Lloyd stated his concurrence of the Board's policy and attention to have farming remain as the primary activity in this zoning district.

Jonathon Stein, 7450 Valley View Road, expressed his concerns about the proposed changes.

Mr. Bukowski stated that it is a coincidence that the Board is considering this ordinance at the present time and that this property is currently available for sale. The Board had discussed these proposed amendments more than a year ago however it has taken a fair amount of time to have the matter placed on the Board's agenda for consideration.

Ms. VanderLaan indicated that she was not aware of the property being for sale until Friday of last week.

Vanessa Doatui, 1150 Church Lane Road, stated most of her questions were answered. Ms. Doatui was concerned about the impact that development would have on wells and sewer systems in the zoning district.

Ms. VanderLaan indicated that any future development in the district would require a water resources plan which would address issues of public water and sewer.

Ms. Doatui stated that several wells have gone dry in the district over years. She asked why the building height was changed.

Ms. VanderLaan indicated that residents have been acquiring and renovating barns for residential purposes. The height of a barn in the Zoning Ordinance is different than height for house. In order to accommodate the reuse of barns as residential structures, the height of a residential structure would need to be the same height as existing barns.

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Scott Blatt, 1101 Church Lane Road, wanted to know what could be done on the property that is for sale if plans are submitted to construct houses on it. Mr. Blatt stated that run off from the parcel impacts his house.

Mr. Rogosky stated that a plan would be prepared by the applicant for water resources and its potential impact on the aquifer. The township also has an Act 167 Stormwater Management Program therefore stormwater management would need to be rigorously managed.

Michael Klatt, 841 Church Road, stated that a development affects many properties due to the varying locations of water table. Mr. Klatt indicated potential traffic could also be impacted on Gilbratar Road and Shelbourne Road.

Ms. VanderLaan stated that the township is required to allow all uses in the township. If a plan meets the township zoning ordinance in all respects the Board is required by law to approve the plan. Doing otherwise would be exclusionary zoning.

Mr. Bukowski stated that different zoning districts have different defined uses with different densities. This is the best defense that the township would have against exclusionary zoning.

Duane Kulp, 321 Church Lane Road, stated that the land that is for sale is the result of a decision made by the property owner. Mr. Kulp supports the proposed changes which would strengthen the agricultural opportunities in the township.

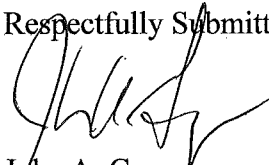
Terry Lorah, 1082 Church Lane Road, stated that a nursery and a winery uses a considerable amount ground water. It has already been established that there are water issues in this zoning district.

Vincent Biancone, 3609 Perkiomen Avenue, stated that if you want to keep farmland open, residents should ban together to buy it. Mr. Biancone stated that property owners have rights and the ability to meet those rights under zoning.

Donita Peifer, 1457 Clair Drive, Birdsboro, stated that she lived across the street from a vacant parcel of land for a considerable number of years, you gain sense of ownership. Unfortunately, the land owner needs money to pay taxes.

MOTION of Mr. White, seconded by Mr. Cusatis, the Public Hearing was adjourned at 8:07 P.M.

Respectfully Submitted,



John A. Granger
Township Secretary