

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
TUESDAY, DECEMBER 3, 2002

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, December 3, 2002 at the Township Hall, 4975 DeMoss Road, Berks County, Pennsylvania. Donald R. Wilson, Chairman called the meeting to order at 7:30 p.m.

COMMISSION MEMBERS: Donald R. Wilson, Chairman
John W. Bittig, Vice Chairman
John F. Ruff, Secretary
Paul L. Schwartz
J. D. Krafczek
* Laurie Elliott

OTHERS IN ATTENDANCE: Craig Peifer, GVC Consulting Engineer
Cheryl Franckowiak, Zoning Officer
Pattie Geise, PC Secretary

ABSENT: Dottie Geiger

1. MINUTES

MOTION BY Mr. Ruff, seconded by Mr. Schwartz, to approve the minutes of the November 5, 2002 Planning Commission Meeting as corrected:

Item 3. DOSKUS CONDITIONAL USE - (Spelling) The motion carried unanimously.

Item 4. ROLAND ANNEXATION – INFORMAL DISCUSSION– The motion carried unanimously.

Item 5. LAKIN ANNEXATION – SKETCH PLAN OF RECORD – Mr. Kent explained that Edwin and Alma Lakin are proposing to subdivide and annex approximately 10-acres from the existing property to avert further development.

The following business was discussed:

2. JENNIFER HALLIGAN – CONDITIONAL USE

Mrs. Franckowiak stated that Mrs. Halligna is proposing to conduct a CPA firm from her residence at 6111 Long Pond Drive.

Mrs. Halligan stated parking would be provided off street on their paved two-car driveway and that no more than one client would be meeting at a time during the hours of 8 a.m. to 8 p.m.

Jennifer Halligan Condition Use continued

Mrs. Franckowiak stated that Mrs. Halligan had enclosed a petition with the neighbors giving their consent.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors grant the conditional use as the applicant meets all requirements. The motion carried unanimously.

3. SPRINT SPECTRUM – CONDITIONAL USE

- Kate Durso

Ms. Durso explained that Sprint Spectrum, L.P. is proposing to encase a communication tower within the church steeple and place equipment cabinets on the ground adjacent to the church building located at 250 Church Lane. She elucidated that the current steeple (108 ft. above ground) was not wide enough and it was going to be replaced by a 109ft.-6in. steeple. Ms. Durso said the antenna would be at a 90-ft. elevation and large evergreen and several other trees would be placed around the base as a buffer to cover the equipment cabinets.

Mrs. Franckowiak suggested that Sprint continue with conditional use procedures as stated in the tower ordinance.

Mr. Schwartz asked if they would be using electric service of the existing Met-Ed utility pole to which Ms. Durso responded that the cables to the cabinets underground would feed off the existing utility lines.

Mr. Schwartz inquired about previous communication tower and Land Development requirements. Ms. Durso stated that it was not a tower as defined in the Township ordinance due to it not being a stand-alone tower. Ms. Durso requested a waiver from Subdivision and Land Development review from the Planning Commission and Board of Supervisors.

MOTION BY Mr. Krafczek, seconded by Mr. Ruff to recommend the Board of Supervisors waive Subdivision and Land Development requirements for this tower site. The motion carried unanimously.

MOTION BY Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors approve the conditional use for this communication tower. The motion carried unanimously.

4. WILLIAM GARCEAU – EASTVIEW INFORMAL DISCUSSION

- William Garceau

Mr. Garceau described his land on Hartman Road totaling over 21-acres that is currently two 10+-acre lots in a Rural Conservation District. He is proposing to subdivide the parcels into 6 lots with two private roads.

The 2 private roads would access three of the lots. Mr. Krafczek asked if they would need to cross properties to which Mr. Garceau responded, “No, there is 120 feet of frontage on Hartman Road.

Mr. Krafczek stated that Mr. Garceau was basically looking for two cul-de-sacs for that road which he agreed. Mr. Wilson stated that the Township frowned upon cul-de-sacs and that any given lot would have to stay 40% wooded.

Mr. Krafczek recommended that Mr. Garceau lean toward public roads.

Mr. Peifer stated that he might want to first look into on-site septic (perks and probes) systems.

5. CIOCOIU – INFORMAL DISCUSSION

- Andrew Kent

Mr. Kent stated that Mr. Ciocoiu purchased a piece of land with 42 property owners abutting the parcel and he is proposing one big annexation plan. 20 of the parcels are in Exeter Township and 22 are in Lower Alsace. Mr. Kent stated that the original plan of Pennside was approved by the city.

Mr. Kent stated that the would be requesting 4 waivers:

- 1) Signatures – 45 signature blocks placed on the plan
- 2) Topographical features
- 3) Soils map
- 4) Monuments

Mr. Krafczek asked if the parcel was part of the storm sewer system. Mr. Kent responded “No”.

Mr. Peifer asked if there were any sheds in the area to which Mr. Kent said that there were sheds, swing sets, patios, sand boxes, etc.

Ciocioiu – Informal Discussion continued

Mr. Krafczek asked Mr. Kent if the property owners wanted the land to be annexed to them? Mr. Kent stated that several owners were in favor of the additional land being annexed to their parcel; if they don't want it, then it will go to the neighbor. Mr. Krafczek stated that it was already theirs after 21 years. Mr. Kent said it would solve title problems. Mr. Krafczek stated they might not want the liability of the bank and the stream.

Mr. Krafczek asked what the assessment of the property was and Mr. Kent did not know. Mr. Kent explained that everyone they talked to wants the land.

Mr. Schwartz stated that to decide the rights on the waivers, it would depend on the reactions from the property owners. Mr. Wilson had concerns with persons who didn't want it; he felt it should be all or none. Mr. Wilson suggested he run the proposed plan by the Board of Supervisors for they may want the property for a right-of-way for the stream; they should have the land instead of the homeowners.

6. HUBERT BRICKEY – INFORMAL DISCUSSION (WALK-IN) - Hubert Brickey

Mr. Brickey resides at 351 Rugby Road on a 10+-acre lot in a Medium Density Residential District. He asked if he could subdivide the property into three different lots.

Mrs. Franckowiak stated that in the Medium Density Residential District the minimum regulations for lots with on-site water are 18,000 s.f. for a single family detached dwelling; the lot width is 40 ft. at street line and 80 ft. at building setback line.

Mr. Peifer explained that Mr. Brickey would need to do an annexation plan to the abutting property owners that wanted to take possession of portions of the land.

Mr. Schwartz stated that it would depend on how the parcel was going to be subdivided to dictate where the road should be placed. Mr. Ruff explained that a paper street would be needed and that a deed restriction could be placed for no further subdivision to occur.

7. EXETER GOLF CLUB ESTATES PHASE VI – PRELIMINARY PLAN

- Greg Bogia

GVC reviewed the Exeter Golf Club Estates Phase VI Preliminary Land Development Plan (reference letter dated November 26, 2002).

Exeter Golf Club Estates Phase VI continued

Mr. Bogia stated that a 75-foot clear sight triangle at the intersection of Linkside Court and Scotland Drive does meet PennDOT standards.

Mr. Bittig felt that it would not be possible for vehicles to see thru the 5-ft. cut on the 60-ft. embankment to which Mr. Bogia stated that it would and that they do meet the grades of the road.

Mr. Peifer recommended that they go before the Zoning Hearing Board for the 75-ft. clear sight triangle to be established at the intersection of Linkside Court and Scotland Drive to demonstrate no visual obstructions will exist; the retaining wall could be a visual obstruction.

Mr. Peifer recommended that due to the access strip to Scotland Drive not having frontage along the entire 60-ft. width, a sliver of land might need to be annexed to the tract currently being developed to resolve the frontage issue.

Mr. Bittig stated that the ownership and acreage was different than the plans he had looked at and Mr. Bogia agreed to look into it.

Mr. Bittig stated that at the Planning Commission meeting in July there was discussion to indicate displeasure of the small lot size (compared to the existing lots) and reduce the number of building lots so as not to adversely affect other homes in Exeter Golf Club Estates. Mr. Krafczek stated that the ratio would work as long as they have the frontage due to the large lot size.

MOTION BY Mr. Schwartz, seconded by Mr. Krafczek to recommend the Board of Supervisors grant waivers to the lot depth to width on lots 5, 8, 9 and 10 due to their large size. The motion carried unanimously.

Mr. Schwartz recommended streetlights at the intersection to which Mr. Ruff agreed and if the new section of the development has streetlights then lights would be needed.

Mr. Bogia agreed that Linkside Court would require Planning Commission and Board of Supervisors approval being proposed as a minor street with a 50-ft. right-of-way and 24-ft. cartway width.

Mr. Bittig commented again that there should be more flexibility and reduce the 4 smaller lots to 3 lots. Mr. Schwartz stated that parking is more difficult with smaller lots and no on-street parking.

8. AMBER HILL SUBDIVISION – FINAL PLAN

- Walter Greth
- Greg Bogia

GVC reviewed the Amber Hill Subdivision Final Plan (reference letter dated November 27, 2002).

Mr. Peifer stated that the Board of Supervisors needs an E & S approval letter from the Berks County Conservation District prior to plan approval.

Mr. Bogia stated that they had not yet received any comments from the Sewer Authority.

Mr. Peifer stated that a note be placed on the plan who is clearly responsible for maintenance of the detention basins and the details of the Improvements Agreement should be worked out between the Township and the Developer.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors approve the Amber Hill Subdivision Final Plan subject to receipt of approval from the Sewer Authority and a note being placed on the plan stating lot owners will be responsible for the maintenance of the detention basins. The motion carried unanimously.

Mr. Wilson stated that a general note also be placed on the plan regarding the University Rifle Club.

9. DUTCH COLONY PRELIMINARY LAND DEVELOPMENT PLAN

- Ken Wagner
- Tom Tran

GVC reviewed the Dutch Colony Preliminary Land Development Plan Final Plan (reference letter dated November 27, 2002).

Mr. Tran (Ludgate Engineering) stated that they were here tonight seeking preliminary approval. Mr. Bittig stated that there were several issues (lighting proposed, air waste, Environmental Assessment Statements, etc.) to be submitted and approved at preliminary plan before proceeding to final. Mr. Wagner stated he didn't think there would be a problem due to an already existing business and they also had a timed contract that they had to move on.

Mr. Peifer will be reviewing the revised storm water management report and will issue comments upon completion of his review.

Dutch Colony Preliminary Land Development Plan continued

Mr. Krafczek asked about the Traffic Impact Study and Mr. Wagner responded that the traffic has been discussed for right in/right out only and that PennDOT's requirements supercede the Townships. They will be reducing the curb cuts from 4 to 2. Mr. Bittig had concerns about getting into the west shore by-pass. Mr. Schwartz had concerns with cars from West 47th Street drifting into the right hand lane. Mr. Peifer stated that the traffic study would determine this. The Consultant did the design and it will be built into the new time proposal.

Mr. Bittig asked Mr. Tran why Ludgate Engineering did not make any corrections to the plan?

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisor grant conditional approval of the Dutch Colony Preliminary Land Development Plan contingent upon all outstanding issues being resolved at final plan stage. The clear sight triangle must meet all Penn DOT requirements. The motion carried with Mr. Schwartz, Mr. Krafczek and Mr. Ruff voting in favor and Mr. Wilson and Mr. Bittig Voting opposed.

Mr. Wilson didn't like the road situation and felt the Planning Commission did not cause the delay; we try to set a precedent.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors grant a waiver of plan scale. The motion carried unanimously.

10. PIONEER CROSSING DISTRIBUTED GENERATING FACILITY

- Joe Catina

Mr. Catina stated that they were present at the September 3, 2002 Planning Commission meeting with their Preliminary Land Development Plan and were awaiting comments pending a resolution from the Township Solicitor. Mr. Hoffert's letter of November 11, 2002 stated that they would no longer have to comply with the majority of the issues addresses in Great Valley Consultant's review letter.

* Laurie Elliot arrived at this time - 9:47 p.m.

Pioneer Crossing Distributed Generating Facility continued

Mr. Bittig commented on several issues:

- 1) Landfill's conditional use – no provision under landfill for accessory uses.
- 2) Power generation use allowed in Light Industrial District - Federal/State require environmental standards i.e.: air management, noise/vibration, etc.
- 3) PA Solid Waste Management – gas recovery is optional but without, it will create danger problems.
- 4) DEP Permit:
 - a. Completion of litigation-hazard harms benefits: if they don't proceed their license will be revoked.
 - b. Ingenco – Using 6 mega watts, landfill gases not in the proposal.

Mr. Catina responded that they proposed a diesel system and are not committed to landfill gases.

Mr. Schwartz stated that these are DEP issues and they will issue the permit.

Mr. Catina explained that they are not a spark-united process. They will not be dependant on the landfill.

Mr. Krafczek asked if they anticipated using 100% gas with no flare. Mr. Catina responded that they wouldn't with a plant this size; they are targeting for 50/50 but will probably be more like 35-40%. Mr. Ruff asked about the difference on the Environmental Impact with landfill gas/oil and Mr. Catina responded that it would be less than 100 tons because the number of hours of operation are limited and they won't exceed that. Mr. Catina continued that their environment is making use of wasted resources, which is beneficial to the environment (approved by the Government and DEP and regulated by the state).

Mr. Ruff and Mr. Bittig had concerns with people around the landfill and Mr. Catina responded that DEP would address that issue.

Mr. Wilson asked if the flare was at full capacity; is the emissions greater than the flare is now? Mr. Catina responded that DEP approves the plan and what it emits.

Pioneer Crossing Distributed Generating Facility continued

Mr. Peifer stated that there were 2 issues:

- 1) Zoning district line
- 2) Accessory use or principal use

Mr. Catina stated that according to Mr. Hoffert's letter they can operate with liquid fuels (not landfill gas) and the zoning line can be moved 200-ft., also Mr. Hoffert is aware of DEP approval.

Mrs. Elliott stated the fuel generation from the plant should be more than 35-40% fuel generation; a minimal of 85-90% should be expected. Mr. Bittig stated that primary use should be over 50% fuel generation.

Mr. Krafczek suggested that a copy of DEP's permit be required to determine the percentage of the fuel generation's beneficial use.

Mr. Wilson stated that the whole plan be in one zoning district. Mr. Ruff asked Mrs. Franckowiak if it was feasible for the zoning line to be moved and she responded "Yes, no problem".

MOTION BY Mr. Schwartz, seconded by Mr. Krafczek to allow parking in the General Industrial Zoning District. The motion carried unanimously.

Mr. Catina stated he would make sure all 5-acres are in the Light Industrial District to alleviate any issues on the principal use.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors waive the requirements to show existing utilities and other landmarks of the whole parcel, simply to show the area of the proposed facility.

Mr. Peifer requested information from the landfill that it is getting adequate storm water runoff to which Mr. Catina agreed stating that they are not causing any other runoff. Mr. Peifer asked that the proposed pipes and inlets be shown on the plan. Mr. Catina will verify that they already exist.

Mrs. Kircher stated that she was very upset with the actions of Ingenco; they did not come up with many answers. Mrs. Kircher stated that it is the resident's health we are talking about; permits for air quality should be available for review. Mr. Howell stated that Ingenco only applies to what's in the DEP permit and noone knows what that is.

Pioneer Crossing Distributed Generating Facility continued

Mr. Douglass asked what the life expectancy of the plant was and Mr. Catina did not have an answer. Mr. Douglass stated that they should have projections for the Township. Mr. Catina commented that he gets support from DEP and the neighbors from all other plants.

Mr. Glen Hoover asked if any of the other 5 plants ran off landfill to which Mr. Catina responded 2 others did and Virginia's plant range was 35-40% fuel generation.

Mr. Ken Robert asked if they were asked to produce electricity for a certain buyer (i.e. Met-Ed) and Mr. Catina stated it was some outside buyer.

Mrs. Elliot stated that the community had concerns and that Ingenco should have answers or reports/permits available for review with solutions.

Mr. Peifer suggested that the following comments be addressed:

No. 5 Zoning – Conformance with the requirements of section 609 Performance Standards shall be demonstrated.

No. 3 Zoning - Setbacks from the right-of-way of Red Lane Road/Lincoln Road.

No. 4 Zoning – The minimum permitted lot size in the LI and GI District is 5-acres.

No. 6 Zoning – A lighting plan needs to be submitted.

No. 8 Zoning- The number of parking spaces justified.

No. 9 Zoning – The accessible parking sign detail be corrected to conform with the requirements regarding handicapped parking signage.

No. 11 Zoning – All necessary permits and approvals be acquired and submitted before final plan approval.

No. 10 SALDO – A letter from PA American Water stating there is adequate capacity.

11. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AMENDMENTS

Mr. Peifer presented the Planning Commission with proposed modifications (revised December 3, 2002) to the Exeter Township Subdivision and Land Development Ordinance No. 411.

Mr. Bittig commented that the water resources and storm water comments and the list of trees are needed. Mr. Schwartz said to take out the trees list. Ms. Laura Hopkins, EAC member, stated that the EAC wanted those trees in for diversity. Mr. Schwartz stated that he would like to see bigger trees.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors approve the changes to the Subdivision and Land Development Ordinance with the exception of the water resources and the storm water management and Ordinance 515. The motion carried unanimously.

12. ADJOURNMENT

MOTION by Mr. Bittig seconded by Mr. Ruff, to adjourn the December 3, 2002 meeting of the Exeter Township Planning Commission at 11:45 p.m. The motion carried unanimously.

Respectfully submitted,
EXETER TOWNSHIP

John F. Ruff, PE
Planning Commission Secretary

PAG

Correspondence to:

BOS: Jennifer Halligan – Conditional Use
BOS: Sprint Spectrum – Conditional Use
BOS: Amber Hill – Final Plan
BOS: Dutch Colony – Preliminary Land Development Plan

