

**MINUTES**  
**EXETER TOWNSHIP PLANNING COMMISSION MEETING**  
**TUESDAY, MAY 7, 2002**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, May 7, 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 Elliot

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

**ABSENT:** Dottie Geiger

**1. MINUTES**

**MOTION** by Mr. Schwartz, seconded by Mr. Bittig, to approve the Minutes of the April 2, 2002 Planning Commission Meeting as corrected.

Item #3 – Fleetwood Industries Preliminary Land Development Plan  
by replacing the words “R. M. Palmer Parking” with “Fleetwood Industries”.

Item #6 – Egan Automotive Specialists – Preliminary Land Development Plan  
Mr. Bensinger stated that the storage units would be graded to 285-289-ft. elevations and will cut into the embankment,

Item #7 – St. Catharine’s of Sienna Religious Education Center Sketch Plan for Record  
Mr. Bittig stated to Mr. Dolan that St. Catharine’s go before the Zoning Hearing Board for additional ground coverage and proposed use.

Item # 8-Hecker Subdivision – Final Plan  
Mrs. Hecker stated that any damages done during construction to the private street would be the responsibility of her son.  
Mr. Peifer stated that the infiltration trench be placed on the plan.

## **2. VALLEY RIDGE FARMS SUBDIVISION**

The representative for Valley Ridge Farms was not present.

## **3. SAGEBROOK – FINAL PLAN**

**- Walter Greth**

GVC reviewed the Sagebrook Final Plan (reference letter dated May 3, 2002).

Walter Greth asked the Commission to approve the final plan. Mr. Peifer stated he had concerns about the three parcels being taken by the adjourners and not left over with any ownership assigned. He stated the street names were okay with 911, the Zoning Officer; but the Postmaster had not yet responded. Mr. Greth stated he had spoken with the Postmaster and she stated the approval was in the mail.

Mr. Peifer stated the Board of Supervisors had to confirm the storm water management program, the Deeds of Dedication didn't affect the recording of the Plan, and he commented on items #13 & #15.

Mr. Greth stated he had talked to Fred Reigle from the Sewer Authority and everything was okay. He stated the Plan was on the Agenda for the Monday BOS Meeting.

Robert Nye, Executive Director of the University Rifle Club (URC) asked for a note to be placed on the Sagebrook Plan that acknowledge the existence of the acceptance of the Club and its grandfathered activity due to its close proximity to the Club. He stated this was done through the recommendation of John Hoffert, Jr. for the Pathfinder Subdivision Plan. Mr. Schwartz stated the URC was not near Sagebrook. Mr. Bittig stated Sagebrook did not adjoin the Club and was separated by hills ravines and roads. Mr. Nye stated the noise might be a problem. Mr. Ruff stated if Mr. Greth wanted to have it on the plan to move it forward he could; but he did not want it. Mr. Peifer stated there was already a policy in the Township that covered this issue and felt it was not the Planning Commissions' responsibility to encumber plans with it. Mr. Wilson suggested the Commission not recommend it and leave it to the BOS Meeting.

Mr. Bittig asked Mr. Greth what he was proposing for Lots #59 on Kerr Road and #60 on Schoffers Road. Mr. Greth replied they were buildable lots; and Lot #64 was dedicated to the Township and was a pond area; and Lots #55, #56 & #57 were historical lots.

In answer to Mr. Schwartz's question about the intersections at Route 562 and Shelbourne and Kerr Roads, Mr. Greth stated a dollar amount had been committed to the issue and he was not ready to discuss the plans for the intersection.

Sagebrook continued

**MOTION** by Mr. Schwartz, seconded by Mr. Ruff, to recommend final approval, subject to items #3,6,10,11,13, & 15 of the above referenced letter being resolved. Motion carried with Mr. Bittig, Mr. Ruff, Mr. Schwartz and Ms. Elliot voting in favor, and Mr. Wilson opposed.

#### **4. BARRY AND BARBARA PEASE – VARIANCE REQUEST**

Mr. Pease spoke about the application for a variance of an additional 250' of a property now zoned Agricultural Preservation; because Perry Street, which adjoins the proposed subdivision, is a private road through which he does not have a right of way from the Pineland Subdivision. In addition, there is a severe S-turn, and Perry Street intersects right in the S-turn and in order to get any entrance to Pineland with appropriate site distances, a variance would be required.

Mr. Pease stated the 26-acres they own is zoned both Low Density Residential and Agricultural Preservation; but the entire property was wooded when they bought it in 1982 and can't be farmed. His residence is next to this proposed development and their property would be in compliance with the AP Zone as it is at least 10-acres. He stated the plan was to build that cul-de-sac with sewer in it and have sewer available for all 18 lots with one connection. Mr. Bittig asked why Mr. Pease just didn't develop the area only zoned LDR. Mr. Pease replied there was no access to it. Mr. Bittig felt a street on the back side of those lots would give him access to 9 or 10 lots, and stated to go for a variance, a hardship had to be demonstrated. He asked Mr. Pease what the hardship was. Mr. Pease responded the hardship was it was not feasible to do it and the land is wooded. He stated he built his residence after the zoning change in 1986 and was not notified of the zoning change. He stated to pay to put the street in and run the sewer would make it not feasible to do the development. Mr. Bittig stated this was a case of Caveat Emptor, or buyers beware.

Mr. Ruff stated Mr. Pease had not proved the land was not farmable because the woods could be cleared for farming. He stated after the land is proved unfarmable, the code allows for the land to be subdivided into 10-acre lots. Mr. Bittig suggested there was a possibility for the development of the back of the property for 10 lots with a road to access it and the section for the cul-de-sac would be turn around. Mr. Schwartz stated Perry Street is a hazard and asked if there was a safe access to that subdivision. Mr. Peifer suggested rerouting the existing Pineland Road. Mr. Pease felt his development would greatly enhance the area. Mr. Pease stated the one problem he sees is that no speed limit was posted for Pineland Road and technically it is 55 MPH. coming out of the S-turn, a driver could do more than 30 MPH and not far from proposed subdivision is the Pineland Park entrance.

Pease Variance Request continued

Mr. Schwartz felt hesitant to allow any other development in an AP Zone. He stated every time we give in on preservation, we jeopardize the whole area. He said Mr. Pease had a valid argument regarding the lots in the LDR zone, as they are unusable because of the road alignment. Mr. Bittig stated this would make it more non-conforming; but the development of the back of the property in the LDR zone could work. The Planning Commission was not in favor of granting a zoning variance for the land zoned AP; but was in favor of changing the road as it related to the portion of Mr. Pease's land in the LDR Zone. Mrs. Franckowiak and the Commission suggested Mr. Pease would not need a variance if the zoning line would be moved 50-feet.

**5. KELLY HUFF SUBDIVISION – SKETCH PLAN OF RECORD - Jeffrey Biehn**

GVC reviewed the Kelley Huff Subdivision Sketch Plan of Record (reference letter dated May 3, 2002).

A representative of Watkins Architect Co. stated he wanted to subdivide the land and separate a 2-acre parcel off Walnut Road. Mr. Biehn stated to Mr. Bittig this was not part of the formal request. Mr. Peifer stated the only condition this application was not meeting under that criteria was that Lot #1 is intended to be used for commercial use and not residential use and in order to be submitted as a minor subdivision, a variance would be needed. Mr. Wilson stated if the two-acre lot would be changed to a commercial lot, he was concerned that someone in the future may come back and say they had a house that they wanted to use as a business.

**MOTION** by Mr. Ruff, seconded by Mr. Schwartz, to grant the waiver and have the Kelly Huff Subdivision be considered a minor subdivision. Motion carried unanimously.

**MOTION** by Mr. Ruff, seconded by Mr. Krafczek to grant a waiver of the plan scale. Motion carried unanimously.

**6. HUFF LAND DEVELOPMENT PLAN – SKETCH PLAN - Jeffrey Biehn**

GVC reviewed the Huff Land Development Plan (reference letter dated May 3, 2002).

Mr. Biehn stated that this plan portrays a parking expansion to the front of the property.

Mr. Biehn requested a waiver from land development due to the storm water calculations not have an effect on any other properties; it would be dispersed to the surrounding 9-acres. They are proposing to pave the existing gravel and add an additional 9-paved spaces.

Huff continued

Mr. Biehn stated that the intent of outdoor recreational use is the reason for requesting a waiver. Mrs. Franckowiak stated that it was a substantial change of use and there are paving requirements. Mr. Schwartz stated that it would be a substantial change of use from residential to commercial.

Mr. Ruff asked if they would need erosion and sedimentation approval to which Mr. Beihn responded that they are exempt due to the area only being 4,600 s.f.

Mr. Peifer stated that the Land Development Plan was just for the parking lot; there were no issues regarding zoning.

Motion by Mr. Schwartz, seconded by Mr. Ruff to recommend the BOS allow the Huff Land Development Plan be amended with the Huff Subdivision Plan due to the limited site improvements.

## **7. EGAN AUTOMOTIVE LAND DEVELOPMENT PLAN - Steve Bensinger**

GVC reviewed the Egan Automotive Land Development Plan (reference letter dated May 3, 2002).

Mr. Bensinger stated that the proposed storage units were eliminated due to the Zoning Officer not granting the 50-ft. extension to the Highway Commercial Zoning District boundary. Mr. Bensinger stated that the Highway Occupancy plan would be sent back to PennDOT because of the elimination of the storage units.

Mr. Bensinger stated that an Environmental Assessment Statement would be submitted to Craig Peifer and that PA DEP Sewage Facilities Planning Modules were submitted along with the plans. He stated that there is no public water but two existing wells for the facility. The car wash recycles water 100%.

Mr. Bensinger stated that they would try to get the proposed project under 5,000 s.f. so they don't have to sprinkler it.

Mr. Bittig explained to Mr. Bensinger that there were too many outstanding issues and changes to the plan to recommend approval:

1. Highway Occupancy Permit
2. Traffic Impact Study
3. Building size

Mr. Bittig asked about the volume of the detention basin to which Mr. Bensinger responded that he did not know; however, it did meet SALDO requirements and that the storage units were eliminated but they did not reduce the size of the detention basin.

## **8. COMMERCE BANK PRELIMINARY LAND DEVELOPMENT PLAN**

- **Judd Dayton**

GVC reviewed the Commerce Bank Preliminary Land Development Plan (reference letter dated May 7, 2002).

Mr. Dayton stated that the comments from GVC's letter were all addressable issues. The air quality issues will be included in the Environmental Assessment Statement. Mr. Schwartz stated that this is a significant issue; the problem must be mitigated. He explained that by eliminating the problem it would be an overall contribution to Exeter Township. Mr. Schwartz suggested that Commerce Bank post signs for drive thru customers to "Turn Engine Off" and for the lobby to be open early, not just the drive thru. He stated that it seems Exeter Township will soon have a bank on every corner and he wants to end this crusade.

Mr. Peifer stated that there were spot elevations given with the plans; however, he was not sure if the area would drain properly.

**MOTION** by Mr. Bittig, seconded by Mr. Schwartz, to recommend the Board of Supervisors approve the Commerce Bank Preliminary Plan contingent upon PennDOT Highway Occupancy Permit approval. The motion carried with Mr. Schwartz, Mr. Ruff, Mr. Krafczek, Mrs. Elliot and Mr. Bittig voting in favor and Mr. Wilson abstaining.

## **9. ANTIETAM CREEK VALLEY EMERGENCY ASSESS DRIVE**

- **Todd Babcock**

Mr. Babcock stated that Forino Co. L.P. would like the Township to make a determination whether or not there is still a need for the construction of an emergency access drive from Calkins Drive to Hayden Circle since Dunham Drive will now be a through street to the Exeter Schools. Mrs. Franckowiak stated that the status of Dunham Drive is a private street to which Mr. Wilson responded if any public funds are used to maintain the street, the road must be public. Mr. Peifer recalled that the emergency access had also been used for Grist Mill Farms development.

Mr. Wilson stated that the emergency access drive should be constructed. Mr. Peifer stated that a revision to the plan would be needed if the access drive would be eliminated.

**MOTION** by Mr. Bittig, seconded by Mr. Wilson to recommend the Board of Supervisors require the emergency access drive be constructed.

**10. DUTCH COLONY - INFORMAL DISCUSSION**

**- Ken Wagner**  
**- Bob Ludgate**

Mr. Wagner stated that they are proposing a new hotel (3-stories high), additional retail and a restaurant. The hotel will consist of bar, restaurant and banquet room.

Mr. Wagner stated that the project would be demolished in two different phases; they will be utilizing the Arco station parcel. Mr. Wagner stated that they would be eliminating the driveway cut on Rt. 422 from 4 to 2.

Mr. Wagner stated that the building height (40') would exceed the current zoning (35'). They propose 69 guest rooms and to expand the seating to 175 (possible All-suite Hotel).

Mr. Wilson stated that on the first plan DeMoss Road was shown for emergency access. Mr. Wagner responded that it might be designated in the future; however, he was confident that there would be ample circulation to the property.

**11. FLEETWOOD INDUSTRIES – FINAL LAND DEVELOPMENT PLAN**

**- Lorretta Lisky**

Mr. Ludgate asked if Fleetwood Industries plan could be reviewed for Final approval so they could go before the Board of Supervisors due to their busy season (July – October).

Mr. Ludgate stated that they had sent stormwater calculation over to Criag Peifer (GVC) for review of the detention pond, the landscaping and the erosion and sedimentation control.

The Fire Marshal reviewed the plans for the emergency access to the rear of the property but they were waiting on St. Lawrence Borough Council for approval.

Mr. Krafczek inquired about the retaining wall and the wooded area behind the property. Mr. Ludgate stated that they would be eliminating the retaining wall and keeping the existing sloop, the wooded bank will remain undisturbed and they will be landscaping along the bank. Mr. Wilson asked if the rain pond would fill up would the barrier be enough to keep the water off Prospect Street. Mr. Ludgate explained that the pond is set off the right-of-way on Prospect Street is 18' away from the retaining bank.

**MOTION** by Mr. Krafczek, seconded by Mr. Bittig to recommend the Board of Supervisors approve the final plan contingent upon E & S approval and a revised letter from GVC finding the storm water issues in compliance. The motion carried unanimously.

## GENERAL PUBLIC

Michelle Chew wanted to address the proposed Exeter Golf Club Estates Phase V Subdivision. She expressed, as the community in whole, and wanted to go on record with her concerns. The plan proposes links put thru to connect Pathfinder Valley to Exeter Golf Club Estates and she felt that would turn Scotland Drive into a thoroughfare. She wanted to make sure the Planning Commission is aware of the water run off and wetland concerns.

### **2. VALLEY RIDGE FARMS SUBDIVISION–ROCKHAVEN COURT REVISION - Todd Babcock**

GVC reviewed the Valley Ridge Farms – Rock Haven Court Revision (reference letter dated May 3, 2002).

Mr. Babcock stated that due to large boulders (15-20'H) found in the excavation of Phase 7 - Valley Ridge Farms they need to extend the grading. He stated that they are submitting a revision to the profile of the road, but not increasing the grade. Mr. Peifer stated that the profile meets with the Township Ordinance being that it would only affect the location of the easement on 2 lots and the open space. He suggested Forino go back to the Water Co. and Sewer Authority because it would be affecting their lines.

Mr. Schwartz asked that they replace the trees along the detention pond as he requested many time before. Mr. Babcock responded that he would look into it.

### **12. GLEN OLEY FARMS ANNEXATION - Steve Bensinger**

Mr. Bensinger stated that the proposed plan would eliminate Gladwyn Drive and be annexed to the adjoining lots and a revised deed for all tracts were given to the Township Solicitor for his approval. All owners signed the plan.

**MOTION** by Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors approve the Glen Oley Farms Annexation Plan.

### **13. SUBDIVISION AND LAND DEVELOPMENT ORDINANCE CHANGES**

Mr. Bittig submitted changed to be review by the PlanningCommission and Mr. Peifer.

Mrs. Elliot suggested that open land regulations be more specific to the clarification of the wetlands.

Subdivision and Land Development Ordinance Changes continued

Mr. Schwartz stated that section 421 (plan scale size) be set at a minimum size so that waivers would not be required all the time.

Mr. Wilson asked that the definition of driveway be revised.

Mr. Peifer suggested that private streets (how many lots allowed) and changes to the storm water management be made.

**14. ZONING MAP CHANGES**

Mr. Bittig said that it would take a few members of the Commission to work on it. Mr. Wilson stated that the Joint Planning Commission is recommending changes to the zoning map.

Mr. Peifer suggested that the property lines be used as boundary lines.

Mr. Bittig stated that Eric Gardecki (GIS) did a good job.

Mr. Schwartz stated that the Planning Commission write a letter to the Board of Supervisors advising that it is allowable for the Planning Commission to be paid and they should consider paying them; the Commission agreed.

**15. ADJOURNMENT**

**MOTION** by Mr. Bittig seconded by Mr. Ruff, to adjourn the May 7, 2002 meeting of the Exeter Township Planning Commission at 10:45 p.m. The motion carried unanimously.

Respectfully submitted,

John F. Ruff, PE  
Planning Commission Secretary

PAG

Correspondence to:

**BOS:** Glen Oley Farms Annexation, Commerce Bank, Sagebrook Sub., Huff Sub., Commerce Bank LDP, Antietam Creek Valley Emergency Access Drive, Fleetwood Industries, Valley Ridge Farms – Rockhaven Court and Glen Oley Farms Annexation

**ZHB:** Pease Variance Request

