

**MINUTES**  
**EXETER TOWNSHIP PLANNING COMMISSION MEETING**  
**TUESDAY, APRIL 1, 2003**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, April 1, 2003 at the Township Hall, 4975 DeMoss Road, Berks County, Pennsylvania. Donald R. Wilson, Chairman called the meeting to order at 7:30 p.m. followed by the Pledge to the Flag.

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

**OTHERS IN ATTENDANCE:** Craig Peifer, GVC Consulting Engineer  
Cheryl Franckowiak, Zoning Officer  
Linda Cusimano, Planning Commission Secretary

**1. MINUTES**

**MOTION BY** Mr. Bittig, seconded by Mr. Schwartz, to approve the minutes of the March 13, 2003 Planning Commission Meeting as corrected:

Item 3. BRICKEY PROPERTY – SKETCH PLAN – Correct name Mr. McArchy to Mr. McCarthy.

**2. AGENDA**

**MOTION BY** Mr. Bittig, seconded by Mr. Ruff, to approve the agenda of the April 1, 2003 Planning Commission meeting as submitted.

The following business was discussed:

**3. HOLY CROSS UNITED METHODIST CHURCH – FINAL LAND DEVELOPMENT PLAN**

- Scott Miller

GVC reviewed the Holy Cross United Methodist Church Final Land Development Plan (reference letter dated March 28, 2003).

Holy Cross United Methodist Church continued

Mr. Miller presented the Holy Cross United Methodist Church Final Land Development Plan. Mr. Miller stated that the Township Planning Commission had approved their Preliminary Plan last month. The Holy Cross Plan is located on lot #42 in the Amber Hill Subdivision. The current owner and the Church wanted to make a change in the property lines around the existing pond. The former lot lines for lot #22 and #23 abutted the pond. The pond is located on the Church property and in order for them to maintain the area around the pond, the Church requested a change in the lot lines to give them access to that area. There was a lot line change on lots #22 and #23. The overall area of the lots have not changed, just the configuration. They still comply with the Township requirements for lot size. Mr. Bittig asked what the acreage of the two lots affected would be? Mr. Miller replied they both are 1.004 acres and one acre is the Township requirement. It will be treated as an annexation plan because the Amber Hill Plan has already been recorded. Mr. Miller stated that GVCs review letter pointed out a few things that have to be addressed due to the annexation. Of the remaining items in the review letter, most of them have been addressed. Most of them are correspondence, which did not reach them before the review, but he felt confident they would be able to address all those items. Mr. Miller asked if the Planning Commission had any questions concerning the annexation.

Mrs. Geiger stated that the gentlemen looking over the plans obviously had questions. Mr. Robert Nye stated that he wanted to bring up a subject that he had been discussing for the past two years from the inception of the Amber Hill project, mainly storm water runoff. Amber Hill was transferring water from the Amber Hill Development onto the Church property into a holding basin and exiting the water down into the wetlands and that water eventually goes onto the University Rifle Club property. They were greatly concerned about the prospect of being flooded, especially with heavy rainfall. Their concerns have not been addressed to their satisfaction. Mr. Nye asked what the Planning Commission could do for them? One of the original features of the Amber Hill Development was to have a holding basin in the lower area. Mr. Peifer stated that the holding basin was not placed in that area. The holding basin was shown in the upper area. In that area there was supposed to be a berm, not a holding pond. Mr. Bittig stated that this was not what was approved. Mr. Nye asked if it was feasible to place a holding basin there. Mr. Schwartz stated that it may be feasible, but why did they want it? Mr. Nye stated to protect their property from flooding. Mr. Peifer stated that this is what the existing pond was there for; the water was being piped into the pond. Mr. Nye stated that the water still comes down to their property. Mr. Peifer stated as it does today. Mr. Nye asked what a section of the minutes of the Feb 4<sup>th</sup> Planning Commission meeting meant, particularly where Mr. Bittig stated "Greth agreed to put a small berm on the northwest corner of the property. He was looking for no water running off the northeast corner". Mr. Nye wanted to know what this meant. Mr. Peifer stated that this was part of the Amber Hill Plan. Mr. Schwartz stated that the purpose of the berm was to keep water from running across Route 562. Mr. Nye asked why it was in the Planning Commission Minutes for January and February Mr. Bittig stated that it was reiterated for the purpose of developing lot 42

Holy Cross United Methodist Church continued

for the Church. Mr. Greth put it in the original Amber Hill Plan. There had already been a severe problem on the north side of Route 562 and the Planning Commission was looking not to aggravate that situation. Mr. Miller stated that they took the grading from the Amber Hill property and incorporated it into their plan. There was no change in the plan, just that it was brought up in the January Planning Commission meeting by Mr. Nye to be sure it was included in the plan. Mr. Nye asked if this was a change after the approval of the original Amber Hill Plan. Mr. Bittig stated that it was in the original Amber Hill Plan and it was brought up again with the construction of the Church and the grading so it would not be forgotten. Mr. Wilson asked about the pond Mr. Nye was talking about; was it a detention or retention pond? Should it be designed to hold water longer and release it slower? Mr. Miller stated that it was designed to handle the impervious runoff that comes from Amber Hill Property. The release rates are based on the Township criteria. Instead of having the water discharge directly onto their property, we have a natural area, the wetlands, that the water goes into. DEP has been pushing for this lately, they want to get the groundwater into the ground as quickly as possible. The wetlands are the best way for that. Mr. Wilson asked if Mr. Peifer was satisfied with the calculations, and that it would keep the University property from being flooded. Mr. Peifer stated that they redid the calculations from Amber Hill when they presented the Church plats. Mr. Wilson stated that the Planning Commission wanted to be sure that was covered. Mr. Peifer stated that there were no grading changes to the pond. Mr. Miller stated that the only change was that they took the sediment basin, which had a higher elevation, and they kept that as their permanent elevation with no real change. There were flood modifications in the structure, all within Township parameters. Mrs. Geiger asked if there would be a problem with flooding with the Gun Club; would they be willing to work with them in figuring out a solution after the fact? Mr. Miller stated he would have to talk to the owner about that. If every thing works the way it had been designed, there should not be a problem. He would talk to the Church concerning this. Mr. Bittig stated that we have an unfortunate situation on the north side of Route 562 with flooding impacting the neighbors and we would like to avoid that here. We would like to see good neighbor relations. Mrs. Geiger asked Mr. Nye how long the Gun Club was located there? Mr. Nye stated that they were at the present site since 1955. They were in Exeter Township since 1917. This was our second location being that where they were located originally; the Corp of Engineers came in and took their property for a silt basin. Mrs. Geiger stated that they would like to recommend being a good neighbor. Mr. Miller asked about the Environmental Assessment Statement? Mr. Schwartz stated that they did not receive it to review it prior to the EAC meeting. Mrs. Franckowiak stated that there was a memo to the EAC asking them to review the plan. If everything was not submitted to the EAC, they would work on getting this set up properly. Mr. Nye stated that he wanted to say he appreciated the fact that Holy Cross has installed the notation #13, which memorializes the existence of the grandfathered activities on the University Rifle Club Property. Mr. Miller stated that this was something that had been requested and they were glad to act on it.

Holy Cross United Methodist Church continued

Mr. Miller stated they wanted to ask for conditional approval for the Plan. He felt that most of the items could be cleaned up as administrative issues. Their only concern was the EAC review of the Environmental Assessment Statement. Some of their work and some of the letters from Mr. Peifer got crossed. He had the letter from the Water Co. and from the Sewer Authority. Most of the comments from 6 to 10 in the GVC review dealt with the issue of the annexation plan. The outstanding storm water had been addressed. Holy Cross received the letter from the Fire Marshall and they have agreed to the lock box on the gate.

Mr. Bittig asked if the monuments were addressed. Mr. Miller stated that he believed that was handled with the Amber Hill Plan, because we have a driveway and not a street that comes out onto the road. He didn't believe the Planning Commission would want monumentation for that. Mr. Peifer stated that he believed it was to be left to the developer of this lot concerning monuments. Mr. Miller stated he would look into this. Mr. Bittig stated Holy Cross needed to have the monuments placed on the plan.

Mr. Miller stated the letter from the Fire Marshal asked for a letter verifying that the emergency access will be completed. The Sewer Authority letter dated February 11<sup>th</sup> 2002 states "the Authority approves such a request contingent upon the owner, Authority and Township entering an agreement which provides that if it ever becomes necessary to excavate a portion of the parking lot affected in order to do repairs, replacement or other work with the Authority's sanitary sewer line the owner of the property will be responsible for the repairs to that portion of the parking lot affected as such."

Mr. Peifer stated his concerns with issues 5,6,7 and 8. There has not been a new plan since the GVC letter has been sent. Mr. Bittig stated #12 needed to be completed. Mr. Peifer stated that it would be addressed in the developers' agreement. Holy Cross also needed to address the staging of activities concerning grading. Mr. Miller stated that the Conservation District was looking at the overall Erosion and Sediment Control Plan of the Amber Hill and Holy Cross Land Development Plan. Mr. Peifer stated that this was also an issue for the developers' agreement as to when they would stage the work.

Mr. Wilson asked for any other comments. There were none.

**MOTION BY** Mr. Schwartz, seconded by Mrs. Geiger to recommend the Board of Supervisors grant Final Land Development approval for Holy Cross United Methodist Church contingent on Items in the March 28, 2003 GVC letter being resolved to the satisfaction of our Engineer. None in favor. The motion failed to carry with Mr. Wilson, Mr. Bittig, Mr. Ruff, Mr. Schwartz, Mr. Krafczek, Mrs. Elliott, and Mrs. Geiger voting opposed.

**4. DUTCH COLONY – FINAL LAND DEVELOPMENT PLAN** – Ken Wagner  
- Tom Ludgate

GVC reviewed the Dutch Colony Final Land Development Plan (reference letter dated March 28, 2003)

Mr. Ludgate presented the Dutch Colony Final Land Development Plan. Mr. Ludgate stated that three months previously, they presented the Preliminary Plan to the Planning Commission. They had a very complicated construction sequence to prepare in the past three months. Mr. Wagner needs to keep part of his hotel open while building the rest of the new hotel. It was not an easy task trying to figure out which section stays open while building the new hotel and also the construction of the Applebee's Restaurant and arranging all these components. They felt they have addressed these issues and were there to present the Final Plan. They have a review letter from GVC and would like to go over some of the items in the letter. Concerning Items 1 and 4, they did show lights on the plan with an illumination grid. On Item # 2 they have prepared an Environmental Assessment Statement. There was not much to it because they were not a manufacturing plant, or a warehousing plant and there should not be any volatile smells. Mr. Bittig asked if this covered both locations. Mr. Ludgate stated they believed it did.

Mr. Wagner stated concerning item 3, loading areas and frequency of deliveries; they had a letter to submit to the Planning Commission regarding the frequency of their deliveries for the property. They will average the same amount of deliveries to the property, which are approximately 22 a week. When they put together this delivery list, they realized that most deliveries come in on the off hours; particularly food and perishables, which come in around 2 am to 6 am. They do not receive deliveries on Sunday. They do have Tractor Trailer (size 30 to 45 feet) deliveries two times a week. They have a better flow with the proposed plan than they do at this time. They don't anticipate a change in the amount of deliveries. Mr. Bittig asked if this covered both the hotel and Applebee's? Mr. Wagner stated that Applebee's received deliveries around two times per week. The other site was hard to establish a delivery schedule, it is a small site and it will have a loading dock. At this time the hotel does not have loading docks. In the new plan, they will be providing loading docks for each facility. Mr. Ludgate stated with item #5 and the clear site triangle, they wanted to know if the Planning Commission wanted Penn DOT's clear site triangle on the plan. Mr. Peifer stated that this was what they were looking for. Mr. Ludgate stated they have letters from the Water Company saying they had adequate water and flow for their project.

Mr. Wagner stated that they met with the Fire Marshal two weeks ago regarding the issue of the hydrants and to go over his review letter. At that meeting they were informed that Applebee's restaurant would be required to have a sprinkling system. They have a copy of this letter also. On the Final Plan they have included the extra fire hydrant.

Mr. Ludgate stated the biggest comment under the SALDO comments is #9. They did show trees, which will be disturbed in the demolition of the old buildings, but they will be adding more trees

Dutch Colony Final Plan continued

than they currently have at this location. Mr. Ludgate asked if there were any comments or discussion concerning this.

Mr. Bittig asked if there was a lot of rock in the back area? Mr. Ludgate stated that they had borings down in the back area. The rock is not exactly at surface level throughout the whole back corner. There were areas where it is 5, 7 or 10-feet deep and also some areas that were 2-inches deep. It was not all rock. Mr. Bittig asked what the current vegetation was at the back of the property. Mr. Ludgate stated it was woodland, but not a well-kept woodland. That area will be cleared out.

Mr. Schwartz asked if there were any specimen trees there that they would be able to keep. Mr. Wagner stated they would like to address that issue. They were pretty sensitive to that issue themselves. The existing canopy there is nice, unfortunately the existing canopy was in the area that needs to be developed. With the movement on the site, the canopy in the front would need to be removed. They had a run on Dutch Elm disease a few years ago that thinned out that area. At that time they planted heavy caliper trees there. They plan on moving the larger trees and relocating them to other areas on the site. The existing canopy in the back will not be disturbed; most of the changes are in the front parking area. They will plant heavy caliper trees and also be relocating some of the shrubbery. Mr. Bittig stated that it sounds as though they are approaching this in a responsible manner. The Planning Commission would like to see this on the plan. Mr. Wagner stated that they felt that this development would enhance the area, especially the site where the gas station was located. They would be maintaining both locations, the hotel and the Applebee's site. Their personnel will be maintaining the entire site to ensure quality maintenance and landscaping. Mr. Ludgate stated that they didn't know how many trees would be saved but they wanted to say that they would be planting 79 new trees. There is a landscaping plan in our package. Mr. Bittig asked if this was noted on the landscaping plans. Mr. Ludgate stated that it is not noted on the plan concerning the 8 or 9 trees Ken was talking of saving. They do note that the developer is responsible for the 79 new trees and 23 new Evergreen trees. They could probably take the 2½-inch caliper trees and make them 3 ½ inch caliper trees especially along the front to make them a "beefier" tree to begin with instead of it taking a year and a half.

Mr. Ludgate stated he wanted to address some things listed under the Stormwater Management heading. He questioned the use of asphalt coated corrugated metal pipe. Could they use aluminized CMP? They would like to ask for a technical waiver in order to use aluminized CMP due to the fact the manufacturers would give a 100 year warranty on it; the rest of the comments in the letter they plan to comply with. Mr. Bittig asked what have they done to comply with comment #5 and the off-site easements. Mr. Ludgate stated that they are beginning to prepare those documents. According to Plans it appears that DeMoss is an 80-foot wide easement.

Dutch Colony Final Plan continued

Mr. Ruff asked where they stood on the Highway Occupancy Permit. Mr. Ludgate stated they were treating it as a straightforward application, but they were still waiting to hear on it.

Mrs. Geiger asked what part of the existing building would be staying and what part would not? Mr. Wagner stated that none of the existing building would remain, ultimately. Mr. Ludgate stated that the old building in the back would be demolished in stages so they could remain open during the entire project. Mr. Wagner stated that the restaurant must remain open when the hotel is in operation.

Mr. Ludgate asked if they would need a waiver to use the aluminized pipe?

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors grant a waiver on Section 5.8276 and allow the aluminized Corrugated metal pipe in place of the asphalt coated CMP. The motion carried unanimously.

Mr. Wilson asked if there were any other comments.

Mr. Bittig asked if there were any traffic studies? Mr. Ludgate stated that they would have that for the Planning Commission. Mr. Peifer stated that one concern is the new signals that would be placed at that location. Their facility may need a requirement for a timing change. Mr. Wagner stated that the proposed timing change is in the report. They are also working on updating it to work with the new synchronization. Mrs. Geiger asked if they would be able to get a left turn arrow into Dutch Colony. It would be better for traffic if they could get a left turn arrow at that location. Mr. Wagner stated they are making a study on the highway now. He was told by the state that the reason they couldn't get one there is because there weren't enough traffic fatalities at that location to constitute a need for one.

Mr. Ludgate stated he would ask for conditional approval, however seeing how the previous Plan did not receive it, he felt it wise not to. Mr. Ludgate asked what things they need to address before returning next month with their Final Plan. Mr. Wilson stated they should not come back without the Penn DOT Highway Occupancy Permit.

**5. GENERAL DISCUSSION**

Mr. Wilson asked if there were any other comments or any other business for discussion from the members?

Mr. Schwartz stated he would give an EAC report but there wasn't much. Mr. Wilson stated the Planning Commission received a report on that meeting.

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General Discussion continued

Mr. Bittig asked about Ordinance 515 update on the street openings, construction and street trees. He wanted to know if the Board of Supervisors put it out for public notice. Mrs. Franckowiak stated they approved it at the last Board of Supervisors meeting and they would have to advertise it.

Mr. Peifer asked when they would act on SALDO? Mr. Bittig believed it would be two weeks from the Board of Supervisors March 31, 2003 meeting. Mr. Wilson stated that SALDO went through by the Board of Supervisors at the public hearing.

Mr. Schwartz stated that he noticed Ingenco was coming up on the 90 days. Mrs. Geiger stated that the Planning Commission rejected that plan. Mrs. Franckowiak stated that Ingenco asked for an extension so they could review the letter from the Environmental Counsel. They were placed on the Agenda for the April 14<sup>th</sup> meeting, to approve or reject.

## **6. ADJOURNMENT**

**MOTION** by Mr. Schwartz seconded by Mr. Ruff to adjourn the April 1, 2003 meeting of the Exeter Township Planning Commission at 8:35 p.m. The motion carried unanimously.

Respectfully submitted,

John F. Ruff, PE  
Planning Commission Secretary

LRC

Correspondence to:

BOS – Dutch Colony waiver

