

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
TUESDAY, JULY 1, 2003

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, July 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 F. Ruff, Secretary
Laurie Elliott
Dottie Geiger
Paul Schwartz

ABSENT: J.D. Krafczek
John W. Bittig, Vice Chairman

OTHERS IN ATTENDANCE: Craig Peifer, GVC Consulting Engineer
Cheryl Franckowiak, Zoning Officer
Linda Cusimano, Recording Secretary
Eric Gardecki,

1. MINUTES

MOTION BY Mrs. Geiger, seconded by Mr. Ruff, to approve the minutes of the June 3, 2003 Planning Commission Meeting as presented. The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Ruff, seconded by Mrs. Elliott, to approve the agenda of the July 1, 2003 Planning Commission meeting as submitted. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

1. **READING PEDIATRICS – PRELIMINARY LAND DEVELOPMENT PLAN: MOTION BY** Mr. Ruff, seconded by Mrs. Elliott, to accept the plan for review as presented. The motion carried unanimously.
2. **EXETER ARTESIAN WELL TREATMENT FACILITY–PRELIMINARY/FINAL LAND DEVELOPMENT PLAN: MOTION BY** Mr. Ruff, seconded by Mrs. Elliott, to accept the plan for review as presented. The motion carried unanimously.

The following business was discussed:

4. JACOBS – CONDITIONAL USE

Mrs. Jacobs was proposing a home occupation to operate a gift supply business at 106 W 46th St.

Mrs. Jacobs stated that she would be maintaining records and schedule home parties, where she would sell the merchandise. She would be ordering and receiving merchandise to distribute. The total amount of space for the home occupation would be 20%. She would be getting deliveries through UPS about once a week between 1:00 and 2:00 pm.

MOTION BY Mr. Ruff, seconded by Mrs. Geiger, to recommend the Board of Supervisors grant approval for the conditional use for Mrs. Jacobs. The motion carried unanimously.

5. HANEY – CONDITIONAL USE

Mr. Haney was proposing a home occupation to operate a guitar repair business at 460 Wegman Road.

Mr. Haney stated that he would be repairing guitars with 90% of the business being pick-up and delivery by him. He was proposing to use the garage on his property to do the business. Mrs. Franckowiak stated that for home occupation they must have the business in the dwelling unit. They were not allowed in residential accessory structures. It was very clear in the Ordinance. Mr. Haney could return with a revised application for another area of his dwelling. He asked if Mr. Haney had room in the dwelling to do the business. Mr. Haney stated they had a recreation room that his wife would not want to give up. That would be the only available space. Would there be any way to be able to do a home occupation in the garage? Mrs. Franckowiak stated that if they would go before the Zoning Hearing Board they would have to be able to show that not being able to have the Home Occupation was a hardship in order for approval.

Mr. Haney thanked the Planning Commission for their time.

6. LEINBACH – CONDITIONAL USE

Mrs. Leinbach was proposing a home occupation to operate internet sales of automotive accessories at 16 Kinsey Hill Drive.

Mrs. Leinbach stated that she would be taking orders for internet sales at this location with the merchandise being drop-shipped from the manufacturer. There would be no walk-in commerce conducted at this location.

Leinbach conditional use continued

MOTION BY Mr. Ruff, seconded by Mrs. Geiger, to recommend the Board of Supervisors grant approval for the conditional use for Mrs. Leinbach. The motion carried unanimously.

7. READING PEDIATRICS – PRELIMINARY LAND DEVELOPMENT PLAN

- Jana Eppihimer

GVC reviewed the Reading Pediatrics Land Development Preliminary Plan (reference letter dated June 25, 2003).

Ms. Eppihimer presented the Reading Pediatrics Preliminary Plan for a medical office building located on Lorane Road just behind the Commerce Bank. Mrs. Elliott asked if the plan had changed from the previous plan? Ms. Eppihimer stated that the building had been shifted two or three feet. Everything else remained the same. Ms. Eppihimer asked would they need landscaping buffer for residential only? To the front of the property was Commerce bank and at the rear of the property was a billboard. Mr. Ruff asked were they proposing landscaping buffer along the residential streets only? Ms. Eppihimer replied yes. Mrs. Elliott asked what type of landscaping buffer would they be proposing? Ms. Eppihimer replied with that they would be using evergreens and scrubs. Mr. Wilson stated that according to our ordinance they would need them where they adjoin residential properties. Where the billboard was located was still considered a residential property along with the brownstone house. They would need to cover those lots. Ms. Eppihimer replied that was fine.

Ms. Eppihimer asked, concerning item #4 under Zoning Ordinance-demonstrating conformance with Environmental Performance Standards, would a note be sufficient for this? Mr. Peifer stated that we usually ask for a paragraph covering those items.

Ms. Eppihimer stated that on item #5 for off-street loading, they would only be receiving deliveries from UPS for supplies. Could they provide a marked space for deliveries? Mr. Peifer stated that we have accepted something like that previously. Mr. Wilson stated that usually UPS stops and runs in with their deliveries. With the nature of the business, they would not need a loading dock. An assigned parking spot would be good.

Mr. Peifer stated that on the plan, with the certification of ownership, it appears they want to dedicate Hafer Place to the Township. Ms. Eppihimer stated that was a mistake. Mr. Peifer stated that with Hafer Place there was an official right-of-way on the plan. Mr. Wilson asked if Hafer place belonged to Eastwick of Exeter? Mr. Peifer replied that Eastwick had wanted to access their property along Hafer Place, but we allowed it only for emergency access. Mrs. Elliot asked if Hafer Place would be able to be dedicated to the Township the way it was? Mr. Wilson stated that Hafer Place currently had a 24-foot cartway. The Township requires a 27-foot cartway. Mr. Peifer stated that the right-of-way was currently shown as 25-feet, which may have been good back then.

Reading Pediatrics continued

Now it had to be 27-foot. Mr. Wilson asked if the Street was made into a 27-foot right-of-way, would their plan be able to meet the set back requirements. Ms. Eppihimer stated that the parking would have to be shifted to meet them. Mr. Wilson stated that we wanted to address the issue before the property was developed in order to possibly dedicate the road to the Township. Mrs. Elliott stated that currently the street was used to access the plumber, would they need to expand the street to that property? Mr. Peifer stated that their intent was to build a driveway. Everything else was already there. Mr. Ruff stated that they would not be expanding the road, just providing more right-of-way. Mr. Peifer stated that the current cartway width was fine. Mrs. Elliott asked what the benefits would be to dedicating the road to the Township? Mr. Wilson stated that the Township would maintain it after dedication. Mrs. Franckowiak stated that the jug handle on 422 would chop off part of the plumber's property in the back. Would the Township want to extend that road? Mr. Peifer stated the only reason to extend the road would be to provide a better access into Eastwick. Mr. Wilson stated that was what we did not want, so it would be best to leave it the way it was. Mr. Peifer stated it would be better to leave it like it was and to put notes on the plan that if they would want to dedicate it to the Township they would need to follow the procedures in the SALDO. Mr. Wilson asked if that would be acceptable? Ms. Eppihimer replied yes.

Mr. Wilson asked what the plans were for sidewalks and curbing. Ms. Eppihimer stated that at Commerce they currently do not have sidewalks or curbing past the point of the driveway entrance on Lorane Road. Mr. Ruff stated that we did allow for no sidewalks because there were no sidewalks at Eastwick. We felt it was unsafe to have a small strip of sidewalk and then the people would have to walk onto Lorane Road. Mr. Wilson stated we would have to pull out the approved plan to check for curbing and sidewalk. If Commerce had no curbing, then they would not have to provide curbing on their property. If there was curbing they must provide it. On Hafer Place if we waive curbing then shoulders must be provided. It all depends on what we find on the Commerce plan. We need to look at the plan and go from there. Mr. Thomas Howe stated that on Lorane Road there was a home that had curb and sidewalk, but at Eastwick they did not have either.

Ms. Eppihimer stated that for the water resource study they wanted to see if that could be waived because they were using public water supply. Also, for the Traffic Impact Study, could they get a waiver because they did not anticipate any adverse traffic impact as a result of the proposed development? Mr. Ruff stated that most of the people down there were on public water so recharging the aquifer was not as critical as other areas of the Township. Ms. Eppihimer stated that in the SALDO section 5.997 it states that a water resource study was not required on a non-residential development on tracts of less than one acre.

MOTION BY Mr. Ruff, seconded by Mrs. Elliott, to recommend the Board of Supervisors waive the requirement for Water Resources Study and Traffic Impact Study. The waiver for Water Resources Study being based on the fact the water resources were not a critical issue in the area because most of the people are on public water supply and the lot was exactly one acre. The

Reading Pediatrics continued

waiver for the Traffic Impact Study because there would be insignificant traffic generated by the development. The motion carried unanimously.

Mr. Wilson stated that they should see the engineering department to find out about the curbing. They could move on to the next stage.

Ms. Eppihimer thanked the Planning Commission.

**8. EXETER ARTESIAN WELL TREATMENT FACILITY – PRELIMINARY/FINAL
LAND DEVELOPMENT PLAN**

- Jim Pilkerton

- Donald Kuser-Kuser, Inc.

GVC reviewed the Exeter Artesian Well Treatment Facility Preliminary/Final Land Development Plan (reference letter dated June 18, 2003).

Mr. Pilkerton presented the Exeter Artesian Well Treatment Facility Preliminary/Final Land Development Plan. Mr. Pilkerton stated that they were basically proposing to build a Water Treatment Facility for PA American Water Company for the water shed on Church Lane Road. Since last month they have gotten approval from DEP and Berks County Conservation District. They lack the General Permit BDWM-GP 5, but should be receiving it soon. They received Mr. Peifer's review; they complied with most of the comments in that letter. They have already gotten the waiver for wetland delineation; however, there was another waiver they were looking for. The other item was for monumentation. They had submitted a request for a waiver of monumentation and last month got sidetracked and didn't go forth with the request to the Planning Commission. Mr. Wilson asked if most of the monuments were missing on the plan? Mr. Pilkerton replied that was correct. Mr. Wilson stated that his concern was with Homeland Security and it was a big crime for someone to step on their land by mistake. We should have monuments in place so people would know where their boundaries are because they don't have it fenced. Mr. Kuser stated that the critical areas there currently were fenced. The new structures being built would be fenced. They know from experience that having monuments would not keep people out. Mr. Wilson stated he understood that, but was looking for some delineation of the property itself, so they would need some monumentation to show that. Mr. Pilkerton stated that it was pretty rugged woodland there. Mr. Wilson stated that they could ask for the waivers and we could vote on it. Mr. Ruff stated that most of the proposed construction, according to the plan, was pretty far away from the boundary lines of the property. Mr. Pilkerton stated that was correct. They hadn't gotten a full survey of the property for simple economic reasons. Mr. Pilkerton asked for a waiver for monumentation.

MOTION BY Mr. Ruff, seconded by Mrs. Elliott, to waive the requirement for a complete survey, based on type of property, the location in the woods and the type of terrain does not lend itself to

Exeter Artesian Well Water Treatment Facility continued

monumentation. The motion carried with Mr. Ruff, Mrs. Elliott, and Mrs. Geiger voting in favor and Mr. Wilson voting opposed.

Mr. Peifer asked if they had requested that previously? Mr. Pilkerton replied yes, in the initial package. Mr. Peifer stated that the township should look to see if it was in their files.

Mr. Wilson asked if there were any other outstanding items. Mr. Pilkerton stated they addressed all the outstanding items and were looking for conditional approval. Mr. Peifer stated that he was unable to review the items submitted today. Mrs. Elliott stated we could not grant conditional approval without the complete package being submitted and reviewed. Mr. Wilson stated we did not have a complete review on that plan. Mr. Wilson asked if they had the DEP permit approval? Mr. Pilkerton stated they were waiting for that; it was in the process of being reviewed. Mr. Wilson stated without the permit and without the GVC review, we cannot give conditional approval.

Mrs. Donna Star asked exactly what they were doing at that location? Mr. Kuser stated that they would reconstruct and revitalize the existing infrastructure. The wells would stay in place. They would replace the pumps for the four wells they have there. They would be replacing the pipes to the two reservoirs and to the treatment facility at that location. On average, they do that every five years. The Treatment Facility was an aeration type facility. Mrs. Star asked if the wells were in use right now? Mr. Kuser replied yes, two of the wells run for twenty-four hours a day each for 365 days of the year, unless one of them breaks down. The other two wells run for twelve hours a day. We would be tying them into the new treatment facility. It was a fully automated system. Mrs. Star asked if it was 35 acres? Mr. Kuser replied yes. Mr. Wilson stated the facility sits along Church Lane Road. Mrs. Geiger asked how many customers they serve? Mr. Kuser stated being an outside contractor they didn't actually know.

Mr. Wilson stated that now we will wait for the DEP letter and GVC's review.

Mrs. Elliott asked about their security at that location? Mr. Kuser stated they were fenced in with barbed wire fences. They would also be putting in an alarm system manned 24 hours a day to show the location of any break ins and what time. Mrs. Elliott asked when that would be? Mr. Kuser replied depending when they would start the construction of this project.

Mr. Pilkerton thanked the Planning Commission for their time.

9. ST. CATHARINE OF SIENA RC CHURCH – SPECIAL EXCEPTION & VARIANCE

Mr. Wilson stated that St. Catharine of Siena was applying for a special exception to establish a religious education and parish office building as an accessory use to the principal church on the property. They were also applying for a variance to reduce the open area to 77% from 78%. Mr. Ruff stated that on their description on what they intended to do, they want to construct a religious education and parish office building including four classrooms for pre-school and kindergarten children. They say that it was an accessory use, but was this to be used everyday as a school? Wasn't that the same issue we had with them the first time they came in to us? Mr. Wilson stated that the first time they came in they were trying to put it through before we caught it. They showed a multi-purpose room. We questioned what those rooms were for? They admitted that they were going to use them as classrooms. In a Rural Conservation District no schools were allowed. Mr. Ruff stated that in his opinion if they were used everyday as a preschool, it was not an accessory use. If they were used on occasion for religious classes, then it would be considered as an accessory use. Mrs. Franckowiak stated that she agreed, based on the definition of Church in our Zoning Ordinance. Mr. Wilson stated that this was not something just created in our Ordinance; this was in our Ordinance when they purchased the property. Mr. Ruff asked whether the Zoning Hearing Board placed any other conditions that no further development would occur on the property when they received the special exception to build the Church. Mrs. Geiger stated that the other concern would be that the Township would have to provide busing for the kindergarten students. Mr. Wilson stated that they had wanted to change the zoning so that all Rural Conservation Districts would allow schools, but that failed. Mrs. Geiger asked if the neighbors would have to be notified about that? Mr. Wilson stated they would be notified before the Zoning Hearing Board would have the hearing. Mrs. Elliott stated that she didn't see where that was different from what they wanted before and it was declined. Mr. Wilson stated that before they didn't come asking for that, they just had it on the plans. They came in with the classrooms on the plan. We rejected those plans. We granted them an exception to build the church at that location. We also allowed them to build the pavilion and put in ball fields. They already have rainwater problems there and now they want to put more under roof and it could cause more of a problem.

MOTION BY Mr. Ruff, seconded by Mrs. Elliott, to recommend that the Zoning Hearing Board not grant relief for St. Catharine of Siena Church because in our opinion it was not an accessory use to the church, it was a separate classroom building and schools were not allowed by special exception. Based on Section 401.3 of the Zoning Ordinance: uses permitted by special exception do not include schools and Section 401.2: uses permitted by right do not include schools. Also in the Zoning Ordinance, the Definition of Church states: a building used for public worship by a congregation, excluding buildings used primarily for residential, educational, burial, recreational or other uses not normally associated with worship. The motion carried unanimously.

10. FIRST BAPTIST CHURCH OF BIRDSBORO – SPECIAL EXCEPTION

Mr. Wilson stated that First Baptist Church of Birdsboro was looking for a special exception to construct and operate a Church facility. Special Exception is provided for under the Section 501.3A and Section 403.3A in the Zoning Ordinance. The land they were looking to build the church on was in the Highway Commercial Zoning District and Low Density Residential District. Mrs. Franckowiak stated that both zones allow for that as a special exception.

MOTION BY Mr. Ruff, seconded by Mrs. Geiger, to recommend that the Zoning Hearing Board approve relief for the First Baptist Church of Birdsboro based on the fact that both zones allow churches as a special exception. The motion carried unanimously.

* Eric Gardecki arrived at this time.

11. COMMERCIAL ZONING MAP CHANGES – ERIC GARDECKI

Mr. Gardecki stated that Mr. Bittig, Mr. Wilson and he drove around Exeter Township to address the Commercial Zoning map change proposal. Looking over the maps Mr. Gardecki prepared, there was extensive conversation and ideas were shared. Mr. Gardecki will make some revisions and attend a future Planning Commission meeting.

* Paul Schwartz arrived at this time.

12. ROYAL VIEW ESTATES – SKETCH PLAN – INFORMAL DISCUSSION

- C. Wesley Seitzinger
- Charlie Leazier

Mr. Seitzinger presented the Royal View Estates Sketch Plan. Mr. Seitzinger stated that they reduced the number of lots to six. All of them meet the requirements of the ordinance. All of them were greater than three acres. They have placed a building restriction line through some of the lots so as not to disturb the Met Ed right-of-way or the woodlands in the rear. We also had a wetland study done and there were no wetlands. There was a spring between lots four and five in the rear and we would be getting a report on that from the Engineer. They had a well test done. Mr. Leazier stated that at 240 feet there were two to three gallons per minute on lot # 5. Mr. Wilson stated that the Berks County Planning Commission also asked for a reduction in lots. Mr. Seitzinger stated that they had done that and they also addressed the issue concerning the woodlands.

Royal View Estates informal discussion continued

Mr. Ruff asked if they would have adequate site distance for the driveways. Mr. Seitzinger stated that they would. Mr. Leazier stated that they would be cutting down the bank for the lots and that would provide better site distance for them.

Mr. Wilson asked for any other comments. Mr. Michael O'Brien stated that he did not have a chance to look at the plan. Was this zoned Rural Conservation? Mr. Wilson stated yes. Mr. O'Brien asked if that meant a minimum of three acres per lot? Mr. Wilson stated that the minimum lot size was three acres. Lot width was 100 feet and the setback was 200 feet. Open area had to remain 90%. Mr. Leazier stated that the first three lots would have open basements. That would not exceed any regulations for building. Mrs. Geiger asked if the people in the audience could look at the plan. Mr. Wilson stated they could. Mrs. O'Brien stated that the concern was 10 driveways would be coming out onto Hartman Road.

Mr. Schwartz stated that he wanted to make a general comment on the plan. That was why we wrote the Zoning Ordinance to not allow that type of plan. We had an Ordinance written here to help them plan an area better than that. Mr. Seitzinger stated that they have followed the Ordinance. They put in a building restriction line to work with the land. Mr. Schwartz stated that they were squeezing in houses. Mr. Seitzinger stated that they followed the Ordinance for lot size. Mr. Schwartz asked if they read the Zoning Ordinance specifically Section 638? If they read it they would not be presenting the plan the way it was. They could have put six houses up on the usable land and they could have preserved 90% of the land as written in the Zoning Ordinance. Mr. Seitzinger asked how would he propose building six houses better than the plan they submitted? Mr. Schwartz stated that they could do Cluster Zoning and make it look much nicer. Mr. Ruff stated that they might be able to make Cluster Housing there for a better appearance. Mrs. Franckowiak stated that Cluster Zoning was not allowed in a RC District. Mr. Schwartz stated that he apologized. We may need to change the ordinance to allow that in a RC District. Mr. Ruff stated that maybe they could look at their plans and make something nicer to come back with. Mr. Wilson stated that lot #6 would be hard to sell with the high-tension lines. Mr. Leazier stated that they had a lot with poles going through and 90% of the lot was useless and it sold in three days. Mr. Seitzinger stated that they would look at it and see what they could do. Mr. Schwartz stated if they could make something fit in there and look nicer it would be better. Mr. Wilson stated that we had questioned the number of driveways onto Hartman Road when they came in with the Sketch Plan. Mr. Schwartz stated that they might be able to do a loop in there to reduce the number of driveways. Mr. Seitzinger stated that it would be hard to do with reverse frontage. Mrs. Leazier stated that when they were up there possibly four cars drove by; it was in the country. Mr. Wilson stated that would be for now, not for always.

Mr. Wilson asked if there were any other comments? There were none.

Mr. Seitzinger thanked the Planning Commission for their time.

13. GENERAL DISCUSSION

Mr. Wilson stated that the Yeakley Subdivision on Schoffers road was running out on the due date. Mr. Schwartz asked when the last review was on it? Mrs. Franckowiak stated it was in May. The Planning Commission told them they needed to submit it under the new Ordinance. Mr. Hoffert stated that they came in under the old Ordinance. They have not returned with another submission. Mrs. Franckowiak asked if the plan was rejected would they need to return under the new Ordinance? Mr. Wilson stated that it would be considered a new plan and they must follow the new Ordinance.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to recommend that the Board of Supervisors reject the Yeakley Subdivision Preliminary Plan if an extension was not granted for them by August 1, 2003. The motion carried unanimously.

Mr. Wilson stated that the next meeting date was August 5, 2003. Were there any problems with that? There were none.

Mr. Wilson stated they needed two other Planning Commission members to sign the Exeter High School Plan in the Engineering Department.

Mr. Wilson asked if there was anything else to be discussed? There was none.

ADJOURNMENT

MOTION BY Mr. Ruff, seconded by Mrs. Elliott to adjourn the July 1, 2003 meeting of the Exeter Township Planning Commission at 10:14 p.m. The motion carried unanimously.

Respectfully Submitted,

John F. Ruff, Jr., PE
Planning Commission Secretary

lrc

Correspondence to:

BOS: Jacobs – Conditional Use
BOS: Leinbach – Conditional Use

Correspondence continued

BOS: Reading Pediatrics Waiver request

BOS: Exeter Artesian Well Water Treatment Facility Waiver request

ZHB: First Baptist Church of Birdsboro – Special Exception

ZHB: St. Catharine of Siena RC Church – Special Exception & Variance

BOS: Yeakley Subdivision Preliminary Plan