

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
TUESDAY, MAY 6, 2003

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, May 6, 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. Schwartz, seconded by Mr. Bittig, to approve the minutes of the April 1, 2003 Planning Commission Meeting as presented. The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Bittig, seconded by Mr. Ruff, to approve the agenda of the May 6, 2003 Planning Commission meeting as submitted. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

1. **EXETER HIGH SCHOOL-FINAL PLAN:** **MOTION BY** Mr. Bittig, seconded by Mr. Ruff, to accept the application for the plan. The plan would not be discussed at this time due to the fact that the plan was received on 4/23/2003, giving inadequate time for the consulting engineer to review the final plan and prepare a letter for discussion. The motion carried unanimously.
2. **YEAKLEY SUBDIVISION-FINAL PLAN:** **MOTION BY** Mr. Bittig, seconded by Mr. Ruff to accept the plan as a preliminary plan, the way that the consultant had reviewed it, not as a final plan as submitted. The motion carried unanimously.
3. **FIRST BAPTIST CHURCH-SKETCH PLAN:** **MOTION BY** Mr. Bittig, seconded by Mr. Ruff to accept the plan for review as presented. The motion carried unanimously.

The following business was discussed:

4. KAZIMIEROWICZ – CONDITIONAL USE

Mrs. Kazimierowicz is proposing a home occupation to operate a 1-person beauty studio at 123 Constitution Avenue.

Mrs. Franckowiak stated that Mrs. Kazimierowicz had submitted what was needed. She has addressed the neighbors and the items of the Zoning Ordinance, section 617 under Home Occupations. She will be applying for a building permit to renovate her garage into a beauty studio after she gets approval from the Planning Commission and the Board of Supervisors. Mr. Bittig asked if there was adequate off street parking and lavatory space. Mrs. Kazimierowicz stated there was parking for four cars and there was a powder room off of the proposed beauty studio area.

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

5. GODSHALL – CONDITIONAL USE

Mrs. Godshall is proposing a home occupation to operate a 1-person beauty salon at 360 Pomander Avenue.

Mrs. Franckowiak stated that the situation is the same as the previous applicant. They have addressed the neighbors. They will be converting the garage into a beauty salon. Everything meets the ordinance requirements and there is plenty of off street parking.

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

6. FRITZ – CONDITIONAL USE

Mr. Fritz is proposing a home occupation to operate a watch and clock service at 6106 Glen Road.

Mrs. Franckowiak stated that Mr. Fritz would be doing this business inside his home with virtually no additional traffic. He would be doing the pickups and taking them to his home for the service. He does have a driveway to accommodate off street parking if needed. He also noted what he would be putting into the sewer, so we contacted Dave Miller. Mr. Miller replied in writing that these items would be acceptable.

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

7. READING PEDIATRICS – INFORMAL SKETCH PLAN – Jana Eppihimer

Ms. Eppihimer presented the plan for a medical office building located on Lorane Road just behind the Commerce Bank. The proposed office is a 4,500 s.f. one story building. Mr. Schwartz stated that his concern was with Hafer Place, was it fit for additional traffic? Mr. Bittig asked if this was a township street or a private street? Mr. Schwartz stated that he thought it was an emergency access road for Eastwick. Mr. Peifer stated that an emergency access was granted through Hafer Place for Eastwick. There were also two commercial lots back there. Mr. Bittig asked where the front would be located? Ms. Eppihimer replied they haven't actually placed the front on the plan as of yet. Part of the lot is on Lorane Rd. so the current setback is 30 ft. from there. Mr. Ruff asked about the slope in two different directions in the middle of the parking lot. How are they proposing to do the storm water? Ms. Eppihimer replied they would be directing the water to the rear of the lot to the culvert crossing under the driveway. They did not want to cause any water to run onto Lorane Rd. There was some discussion concerning Hafer Place. Was it a dedicated road to the Township or was it a private street? Mr. Schwartz stated that this was an informal stage; they could resolve this at a later date, but he did not see any other showstoppers in the plan, the use on that site is fine. The question being, was Hafer Place improved at all? Ms. Eppihimer replied that the street had been improved. Mr. Wilson asked are there any other objections or comments about this plan? Mr. Schwartz had a comment concerning the amount of parking spaces provided, as they were showing quite a few for the size of this building. Ms. Eppihimer replied that the twenty-eight spaces they were showing complied with the zoning regulations for a medical office building, one per employee, plus four per Doctor, which there would be four Doctors, so that was how they determined the number of spaces needed. Mr. Wilson asked for any other comments. There were none.

8. YEAKLEY SUBDIVISION – PRELIMINARY PLAN - Jana Eppihimer

GVC reviewed the Yeakley Subdivision Preliminary Plan (reference letter dated May 6, 2003).

Ms. Eppihimer presented the Yeakley Subdivision Preliminary Plan. Mr. Peifer asked if they requested a waiver for the scale of the plan. Ms. Eppihimer replied that there was not, and they would be presenting future plans with the required scale.

Mr. Wilson stated that as a reminder the Planning Commission would be reviewing this plan as a Preliminary, not a Final plan. Mr. Peifer stated that he reviewed it as a Preliminary. The ordinance allows the Planning Commission and the Board of Supervisors to let a Plan go from Sketch to Final, with action that they must take to do so. Also, at the last months meeting there was some concern about streetlights and curbs and it was stated that they would treat this the same as Pathfinder Meadows Section II. At this point there has been no resolution to what would be happening along their frontage, so they did not have any answers for this. The application was being reviewed under the new SALDO, which does give some guidance on street widths and pavements. Ms. Eppihimer stated that they did receive a copy.

Yeakley Subdivision continued

Mr. Peifer stated that currently they are showing the street width as 15 ft from the center until the decision is made for the width of the street at Pathfinder Meadows II. If they would end up doing no curbs, they would ask them to do shoulders. He also suggested they get the new Street Ordinance. Ms. Eppihimer stated that if they were required to widen the street, they might lose the Sycamore tree on the front of the property.

Mr. Bittig asked if they planned to extend the sewer to Schoffers Road? Ms. Eppihimer stated yes.

Questions were raised concerning the shared driveway. Mrs. Elliott stated that on the review by the Berks County Planning Commission, in regards to the shared driveway it stated, "the proposed common driveway easement is required to be a separate deeded parcel". What did they mean by "required"? Mr. Bittig stated that in this case the county couldn't create for the municipality when they have their own zoning and SALDO. Mr. Peifer stated that he could see their point because of maintenance on them. Currently on the plan the driveway is owned by two people, but all four-property owners will share in the responsibility of maintaining it. It should also be suggested that it be shown on the easement for the day-to-day maintenance and access. Mr. Schwartz stated he was concerned with the comment stating, "Any questions can be directed to the Recorder of Deeds Office". That sounded as though there was a legal question that they had missed. Mr. Peifer stated they could contact the Berks County Planning Commission to see what their position is on the shared driveway; they are saying to make it a separate parcel. Currently it is an easement over the flags. Mr. Ruff asked who would own it? Mr. Peifer stated that all four lots would own it jointly. It would not eliminate problems with maintenance by having the separately deeded tract. Mr. Wilson asked about the front two properties, would they access their properties with the same driveway, also. Ms. Eppihimer replied, yes, all four properties would access this way. Mr. Wilson asked why it would not be a street like any other development has? Could it be a four-property development? Instead of a shared driveway, make it a street, bring it up to Exeter Township standards. Mr. Bittig stated that they would need a cul-de-sac. Mr. Wilson stated they are not always required. Mr. Bittig stated that the township would have to maintain it, and plow it. The Highway Superintendent would not like it if he could not run his plow in there. Mr. Wilson stated that since they could not be in agreement with the shared driveway, then it should become a street. Mr. Schwartz asked if they had looked at two or three different sketches of this. Mr. Peifer stated they had been shown something similar to this plan showing four driveways and they also had an 8 ½ by 11 where they showed a cul-de-sac with seven lots. But there was a zoning issue and wells were not allowed with the size lots submitted on that plan. Mr. Bittig asked with a cul-de-sac, would the Township want to pick up another street? Mrs. Geiger asked what the problem is with a shared driveway? Mr. Wilson stated that the neighbors do not usually agree with maintaining it and it causes all sorts of problems and issues. Mr. Schwartz asked if this was a "gimmick" to get around the township ordinance? They do not allow a private road for four houses. They had just changed the ordinance to allow only three houses on a private road. This one has four. If they

Yeakley subdivision continued

allow this, then everyone will want to do a plan like this. He believed they would be opening the Township up to more problems down the road. Mr. Krafczek asked if they just changed that with the new SALDO? Mr. Schwartz stated they changed it to eliminate this problem. This was worse than what they had before. Mrs. Franckowiak stated that in fairness to Jana, she did not have the new Ordinance when she was working on it. The plan came in under the new ordinance review, but she did not have it. It was adopted on April 28th. Mr. Ruff stated it was not grandfathered. Mrs. Franckowiak agreed but stated that in Ms. Eppihimers defense now she would have the correct information to continue with the plan. Mrs. Franckowiak stated that private roads must be built to public road standards in order for the road to be dedicated to the Township. Mr. Wilson asked how long a street must be in order for the Township to take it over? Mr. Peifer replied that it must be 250' in order for the Township to receive liquid fuels. Mr. Wilson asked how long was the street? Mr. Peifer stated that the length of the easement is 200'. They would need 50 more feet in order for it to become a street. Mr. Wilson stated that a cul-de-sac in the middle of the lots would give it the 50 ft. Mr. Peifer replied yes, it is a 60 ft radius in a cul-de-sac. Mr. Schwartz stated he thought that they could make a nice development, with four houses sharing the cul-de-sac and each having a driveway, with low traffic. But he was concerned about setting precedence for the future. Mr. Wilson asked what the concerns were with three lots versus four? Mr. Schwartz replied they just changed the ordinance to read that if they had more than three lots they must build a street to township standards. They got tired of playing around with numbers so they cut it off at three. They said if they wanted to build four they must build a street. Now they had this plan with four and a shared driveway. Mr. Wilson and Mr. Ruff both agreed that this plan should include a public street. Mr. Bittig stated with a cul-de-sac at the end. Mr. Schwartz stated he was open to other options besides a cul-de-sac, possibly a turn around at the end of it. Mr. Bittig stated that the important thing being, Clarence Hamm needs to be able to get a snowplow in there to plow it out. Mr. Schwartz stated the point being they just changed the ordinance. They cut it off at three, and this plan has four. They should not be allowing it. Ms. Eppihimer stated that with that type of plan they would need to look at storm water and a pond. Mr. Peifer stated that it would be a 15ft driveway and public street would be have to be a minimum of 20ft with a turn around. The other option would be to go back to four driveways. Mr. Schwartz asked what the problem would be with four driveways. Mr. Peifer stated that it is close to a hard bend. Mr. Ruff stated they could go with two driveways. Three accessing a common and one with it's own driveway. Mr. Wilson stated that in our ordinance if they had more than X number of properties the driveways all had to turn into the development. If they would do that, it would not be in compliance with the ordinance. Mr. Ruff stated that they recommend the developer make it into a public street and come back to tell us what they plan to do. It is up to the Developer to make the design work, not for the Planning Commission to do so. It is up to the Planning Commission to make sure they meet the ordinance, which they do not with this plan. Mr. Peifer asked if it was possible to do two flags with having two driveways there. Ms. Eppihimer stated that it would not work due to site distance. Mr. Wilson asked what the slope was where they show the shared driveway on the plan. Ms. Eppihimer stated that it is a 2% grade. Mr. Wilson stated that if he were developing this land,

Yeakley subdivision continued

he would design a cul-de-sac in the center with each property owner having a driveway off of it. That would give them all a sense of community. They needed to take their plan and design it to meet the new ordinance taking into consideration the new streets ordinance. Mr. Wilson asked for any other questions or comments? There were none.

9. 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 May 5, 2003).

Mr. Miller presented the Holy Cross United Methodist Church Final Land Development Plan. Mr. Peifer asked if they had obtained a letter showing adequate water capacity, flow and pressure? Mr. Miller stated the design is based on criteria and if the flow is not adequate they planned on providing a booster.

Mr. Peifer stated that the Fire Marshal has signed off on the project showing they have met the specifications required.

Mr. Schwartz asked if they read the review from the EAC. Mr. Miller stated they had and unfortunately the building would need to be removed because the sewer line goes through it. The Historical Commission has signed off on this property. Mrs. Geiger stated that the building is in very bad shape.

Mr. Miller stated concerning comment #4; they will be using hydric soils from the Amber Hill project. It will be shown on the plan. They needed the fill from the Amber Hill project in order for the work to start at the church.

Mr. Miller stated concerning comment 8 and monumentation, they believed that was handled under the Amber Hill project. Mr. Peifer stated he believed there might have been a waiver. Mr. Bittig stated that they gave relief inside the development. Mr. Schwartz asked if it went through the Planning Commission. Mr. Miller stated that it was covered by the improvements agreement.

Mr. Wilson asked if there were any other comments or questions. Mr. Robert Nye of the University Rifle Club referred to the April 1st Planning Commission minutes where it stated that Mr. Miller was asked if there were a problem with flooding at the University property, would they be willing to work with them in figuring out a solution, to help in good neighbor relations. Mr. Nye asked if they had discussed what they planned to do in this event? Mr. Miller stated that this was discussed with the Church and they had done everything needed for storm water runoff.

Holy Cross United Methodist Church continued

Mr. Miller stated that the Township had reviewed the plan and thru the process they met the criteria responsibly. Mr. Schwartz stated that the storm water provisions have been met as shown on the plan. With this design he believed this was a good solution to help with the current flooding on the Rifle Club property and informed Mr. Nye that if the Rifle Club is currently receiving storm water prior to any development, they should expect to continue to receive storm water but not any worse. Mr. Nye stated he was concerned because the water flows through the Church property and Pathfinder. Mr. Peifer stated they could check the flood plane analyzes.

Mr. Miller asked for conditional approval for the Holy Cross United Methodist Church Final Plan.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend conditional approval for the Holy Cross United Methodist Church Final Land Development Plan contingent upon issues listed in GVC letter dated May 6, 2003, which are: #1. All seals, signatures, certifications be placed on the Plan, #4 Drainage easement placement on the plan, #5 The proposed lot grading for Lots 22 and 23 be shown and #7 Improvement Agreement between the Developer and the Township be worked out. The motion carried with Mr. Wilson, Mr. Bittig, Mr. Ruff, Mr. Schwartz, Mr. Krafczek, Mrs. Elliot voting in favor and Mrs. Geiger voting opposed.

10. FIRST BAPTIST CHURCH – SKETCH PLAN – William Steimer

GVC reviewed the First Baptist Church Sketch Plan (reference letter dated May 6, 2003)

Mr. William Steimer presented the First Baptist Church Sketch Plan. Mr. Steimer explained that they would be looking for a Special Exception to be able to build the Church in a Highway Commercial Zone. Mrs. Franckowiak stated they would need to go before the Zoning Hearing Board to request the Special Exception.

Mr. Wilson asked if the property was located on Rt. 82? Mr. Steimer replied yes.

Mr. Steimer stated that the area being subdivided was 10.2 acres and inquired if they could submit a Subdivision and a Land Development Plan at the same time or did they need to be submitted separately? Mr. Peifer replied they could submit them at the same time.

Mr. Howell asked if the entrance for the driveway for the Church would be off of Rt. 82? Mr. Steimer replied, yes. Mr. Howell stated that Mr. Hoover owns the right-of-way from his property out to Rt. 82. Mr. Steimer stated that it was shown on the plan.

First Baptist Church continued

Mr. Bittig asked about the configuration of the lot. It did not appear to have the required 100 ft frontage; it could be made conforming and offered that Mr. Mascaro owns both tracts and it could be done. Mr. Steimer stated they would go back to Mr. Mascaro and see what they could do. Mr. Bittig stated that the biggest concern being the irregular shape. Mr. Wilson stated that Mr. Mascaro, making an agreement with the church, did not bind the Township in any way. The Planning Commission would not be backed into a corner because a promise was made. Mr. Steimer stated they understood that. Mr. Bittig stated if they could get more footage on Rt. 82 so the lot would go straight back, getting away from the crazy angles, it would make the lot conforming. Mr. Wilson stated the plan is a sketch plan and that one of the Planning Commissions comments would be to make the lot conforming. Mr. Bittig stated they did not care for irregular shaped lots. Mr. Schwartz stated especially irregular shaped lots that do not meet the requirements of the Township. Mr. Wilson stated they received the review letter from Mr. Peifer to help them work the plan properly. In the Township, we require a 100-ft road frontage and the plan shows 76-ft road frontage, which makes it a flag lot. If they are dividing these properties, why not give the extra 24-ft to make the lot conforming. Mr. Schwartz stated that there may be a good reason why they cannot get the extra 24-ft to make it conforming, but the Planning Commission did not have the explanation why. Mr. Wilson stated if they could come in and present a reason that it would have to be that way, they would listen, but from what they see presently, they could not see why it was done that way.

Mr. Wilson asked if there were any other questions or comments.

Mr. Bittig stated they would have to go to the Zoning Hearing Board to get a special exception. Mr. Steimer asked how to proceed with the process; did they do this after they were through with the Planning Commission? Mr. Peifer stated they would refer to the Planning Commission for comment, and then it goes to the Zoning Hearing Board. They would hold a hearing and upon approval they would return to the Planning Commission with the Subdivision and Land Development combination. Mr. Ruff stated they would need to put the application in for the Special Exception for the Zoning Hearing Board.

Mr. Steimer thanked the Planning Commission for their time.

11. EXETER HIGH SCHOOL – FINAL LAND DEVELOPMENT PLAN - Matt Davenport

Mr. Wilson stated the application for the Exeter High School Final Plan was accepted, however the plan would not be discussed at this time and was taken off of the agenda, due to the fact that the plan was received on 4/23/2003, giving inadequate time for the Consulting Engineer to review the Final plan and prepare a letter for discussion. The ordinance states the plan must be received 21-days before the Planning Commission meeting in order for a review to be completed.

Exeter High School continued

Mr. Bittig asked where they were in getting approval from the County Conservation District. Mr. Davenport stated they were currently at the 35-day period where the County Conservation District should send the comments to them. They were anticipating some revisions being necessary to that plan, looking at another 30 days for E & S approval. Mr. Bittig stated that for the Planning Commission to act favorably they must have their approval of the E & S plan.

Mr. Davenport asked realistically, could that be a condition of Final Plan approval? Mr. Wilson stated that the Board of Supervisors asked that the Planning Commission do not approve any plans with conditions. How long could they apply the condition? The Board of Supervisors does not want conditional approval on Final plans. Mr. Davenport stated that they would not be able to record a plan without approval. Mr. Wilson stated they could go to the next Supervisors meeting and argue that with them, but unless they come back and tell the Planning Commission different that was the guideline they go by. Mr. Davenport asked if anyone on the Planning Commission had any questions regarding the plan. They were aware they did not have a review from the Engineer on the plan, but it would be helpful to have some feedback from the Commission and it would certainly be valuable to them.

Mr. Krafczek asked about the seating in the stadium. Whether or not they would have the required amount of seating to meet the requirements of the ordinance? Did they take care of that problem? Mr. Davenport stated that they had. An exhibit was provided that indicated 24 inch seating on the proposed home grandstand. Their position is that with the Junior High parking there would be sufficient parking to cover events at the High School. They feel they met the requirements for parking.

Mr. Schwartz asked about Brumbach Street? Mr. Davenport stated they have been in close conversation with Mr. Adams and the actual property owner was his daughter. Mr. Adams was the intermediary with the School District, and Mr. Adam had been agreeable to what they have shown them to this point. They have shown on the final land development submission that they would make full improvements extending the curb line along the School District frontage, but they would like to hold the edge of Mr. Adams driveway. The width of the pavement is just less than 30-ft. Mr. Schwartz stated the biggest question would be, who had legal rights to decide what they could do there, and would they allow them to do what they needed to do? Mr. Davenport stated that they would be getting a deed of easement created between the School District and the owner of the property. Mr. Bittig stated they would certainly need to have that in hand, along with the county approval for the E & S. Mr. Krafczek stated that other than those issues they didn't think there would be any other major issues. Mr. Bittig stated that they would also need to address the storm water issues. Mr. Davenport stated they needed to address the bio-retention areas in the proposed parking areas. Mr. Peifer stated that would need to be addressed with the revised plan.

Exeter High School continued

Mr. Davenport stated they would be submitting a plan by the 13th in order to be in time for a review for the next Planning Commission meeting. Mr. Bittig stated that would be in four weeks. Mr. Davenport stated they hoped to have the County approval by then.

Mr. Wilson asked if there were any other comments?

Mr. Davenport thanked the Planning Commission.

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

GVC reviewed the Dutch Colony Final Land Development Plan (reference letter dated May 6, 2003).

Mr. Ludgate presented the Dutch Colony Final Land Development Plan. Mr. Peifer asked if they had an E & S plan. Mr. Ludgate stated they didn't expect any changes on the E & S plan. It was a fairly simple E & S Plan. Mr. Peifer stated they had become very big on bio-retention areas around parking lots. Mr. Ludgate stated they were able to meet that two different ways. Not so much as bio-retention, they changed the pipes to perforated and they met the calculations that way. They raised the outlet of the underground retention.

Mr. Peifer asked where they were with the Penn DOT Highway Occupancy Permit. Mr. Ludgate stated they did have a meeting with Penn Dot when the project first started. The Plan and the driveway locations and driveway alignments follow what was discussed at that meeting. Since then they haven't heard anything, Mr. Wagner stated that Traffic Planning has done the Traffic Planning and the Highway Occupancy Permit application. They spoke with them Friday; they have had conversations with Penn DOT, but have not received any formal written review as of yet. They are anticipating a very favorable response, hopefully very soon. Mrs. Geiger asked if they might get a turn arrow. Mr. Wagner stated that this might be on the Penn DOT plan when they upgrade that intersection. Mr. Ludgate stated that after Ken spends money doing this work, they could see that a year later when Penn DOT does their work, that could be when that might show up. Mr. Wagner stated they would be doing improvements on their side of the intersection such as realigning the light standards. Mr. Ludgate stated they did not have the right to put in the left turn arrow at the intersection; Penn DOT would have to do that. It may be a part of the intersection improvement for next year.

Mr. Bittig stated that these two items are most important in the granting of approval of the Plan. The Planning Commission cannot grant approval until Dutch Colony received the Penn DOT Highway Occupancy Permit and the County Conservation District E & S approval. Mr. Ludgate

Dutch Colony continued

stated that have received conditional approval upon receipt of the Highway Occupancy Permit and E & S approval at other times. Mr. Schwartz stated that they have had problems with Penn DOT where Penn DOT will not issue permits until the Planning Commission gave final Plan approval and the Planning Commission told Penn Dot that they could not issue final plan approval until Penn DOT issued the Permit. The Planning Commission won that argument, no final plan approval without permits. For the last eight or ten years they have been firm with that. The problem would be if Penn DOT came back with something that would radically change everything. Mr. Ludgate stated that so far indications are that they won't. Mr. Schwartz stated they don't often come back with changes, but they could, then the Planning Commission would be stuck. Mr. Ludgate stated then they would need to submit plan changes to their Final Plan. The township would see the major change on the Penn DOT Plan and would say to them, they need to submit a new plan. Mr. Krafczek stated that they could approve the plan and if changes needed to be made then they would not sign the plan until the proper changes would be completed. Mr. Ludgate stated that they understood it was not the Planning Commission's problem, but they wanted to throw it out to them anyway. Mr. Wagner does not have Five Million dollars in the bank to have this work completed and the bank would like to see these improvements and if they could go to the Bank stating that the Planning Commission has approved the plan with conditions, this helps with the financing. It always helps to have positive action to move forward. That would be a request.

Mr. Bittig asked if they had the review letter dated May 6? Mr. Ludgate replied they had. Mr. Bittig asked if they had looked at page four? The situation with the underground storage tanks. The Township did not receive the storage tank closure report for that site from the DEP. Mr. Wagner stated that the Township is in receipt of the DEP closure letter, which was included with the Geotech report early on. He offered a copy of the letter to the Planning Commission. Mr. Ludgate stated that item came up with the Preliminary Plan. Mr. Bittig stated the letter is dated November of 2002. That was another thing to take off of the list.

Mr. Bittig asked how long it usually takes for the Highway Occupancy Permit? Mr. Ludgate stated there was no rhyme or reason. They did not see a T P & D Permit application hang around for a while; they usually have their ducks in a row. They had a pre-submittal meeting with Penn DOT where they worked out where they should locate the driveways. They pretty much gave them a verbal ok at that meeting, if they followed what they were submitting at that time. Of course, that did not take the place of the permit. Hank Lieberman of Applebee's' stated that he spoke to the Traffic Planning and Design people who were handling that and they stated it they should receive approval in no more than six weeks and they felt it was a "slam dunk".

Mr. Schwartz stated he was looking through the review letter; there weren't any zoning issues. Under SALDO #2 and #3 are just signatures, #4 and #5 are Board of Supervisors issues, #6 is ok. Mr. Bittig stated something came in from the PA Water Co. He wasn't a waterman, so he couldn't tell if the pressure is adequate for fire protection or not. Mr. Wagner stated he had a meeting with

Dutch Colony continued

the Fire Marshal on Thursday and he felt that was adequate. Mr. Schwartz asked if that was not an issue now. Mr. Peifer stated if it was not an issue for the Fire Marshal then it would not be an issue for the Planning Commission.

Mr. Schwartz stated #7 and #8 are still open. Under storm water item #1 is open. Under general comments we have addressed comment #1, #2 has gone away. Mr. Wagner stated regarding the Geotech issue, they had a Geotech study done at length. They have done a limited report on the borings and they had that report with them. That area is a heavy area. They felt what they have done there is quite adequate. They do know that some areas have rock. The Contractor stated they would do the footer evaluations after they do the excavating and blasting in the area. They would be doing some additional borings. Mr. Schwartz stated that they would need submission from the rest of the site.

Mr. Schwartz stated that the outstanding issues are signatures, E & S control, Highway Occupancy Permit, and Storm Water Management review and the Geotech review.

Mr. Bittig stated that they had received the delivery schedule from Applebee's'. Twice a week at breakfast time an 18-wheeler comes in there, will he be able to come through at that time. Mr. Ludgate stated that the truck has two options, either come in at the light or come in the secondary driveway. However, Applebee's is not open at breakfast, so they do not have to be concerned about customer's cars in the lot. Mr. Bittig stated he was unaware they did not open before eleven am and asked where they would be feeding people in the morning. Mr. Wagner stated at the Dutch Colony, of course.

Mr. Wilson commented that he felt there would be a problem with the driveway situation at that site. There would be confusion for people heading to the by-pass and people heading the other direction and wanted it to be shown how he felt about that.

MOTION BY Mr. Schwartz, seconded by Mrs. Geiger to recommend conditional approval for the Dutch Colony Final Land Development Plan contingent upon issues listed in the GVC letter dated May 6, 2003 which are: #1 all seals, signatures, certifications be placed on the plan #2 certificate of accuracy, #3 certificate of ownership, #4 offers of Dedication, #5 Improvement agreement between the Developer and the Township be worked out, #7 Erosion and Sediment Pollution Control Plan must be submitted, #8 Penn DOT Highway Occupancy Permit must be obtained and submitted to the Township, Satisfactory review and resolution of any problem from the Storm Water Management report, and review of the Geotech Plan. The motion carried with Mr. Bittig, Mr. Schwartz, Mr. Krafczek, Mrs. Elliot, Mrs. Geiger voting in favor and Mr. Wilson, Mr. Ruff voting opposed.

Mr. Ludgate and Mr. Wagner thanked the Planning Commission.

Dutch Colony continued

13. ZONING MAP CHANGES

Discussion concerning when it would be feasible for Planning Commission members accompany Eric Gardecki to plan the Zoning Map Changes for the Township. Mr. Wilson stated they could make it in June. June 12th was acceptable for Mr. Bittig, Mr. Wilson and Mrs. Elliott.

14. GENERAL DISCUSSION

Mr. Wilson asked if there was anything else to be discussed? Mr. Schwartz stated that he felt there should be a letter sent to the Board of Supervisors about the security issue. With the new system, it would be a problem for him to be able to get into the Township Building to sign plans. They installed a new security system with magnetic locks on the doors. That only open when they are programmed to open, for instance tonight the doors remained locked until 7 pm when the system released the lock. Even if you had a key you cannot get into the building. He frequently would come in on off hours to sign and review plans because his schedule with work did not allow him the luxury of coming in during regular business hours. Mrs. Elliott stated they may be able to come in on nights of the Board of Supervisors meetings. Mr. Schwartz stated that he felt they needed to be made aware that they created a problem that needs to be addressed. Mr. Bittig asked who should convey the message. Mr. Schwartz stated that a letter should be sent from the Planning Commission to the Board of Supervisors explaining that they have created a problem asking them how they plan to solve it. Mr. Wilson asked how many people have access to the building now. The building closes at 4:30 how many people here at this meeting can access the building when it is locked? Mr. Wilson stated he had a key and Mr. Schwartz had a key. So that is not a concern for the rest of the Planning Commission just for the two of them. Mr. Schwartz also has a concern for opening for the EAC. Mrs. Franckowiak stated that the doors are supposed to open ½ hour prior to all meetings in the Township Building. Mr. Bingaman programs the doors to open for any meetings. If they run into a problem with getting in to sign plans, they could contact someone in the Engineering Department to meet them to let them into the building at the designated time of their choice. It seemed ludicrous that they would spend that money on a building that houses the Police Department.

Mr. Bittig asked if they are any plans that the clock is running on and would expire before the next meeting? Ms. Cusimano stated The Exeter Golf Club Estates Phase VI due date is June 3, 2003.

Mr. Bittig stated that someone else owned the land they wanted to use to access their property. They could not meet the requirements needed. Unless they made an illegal annexation. Mr. Peifer stated that they could not meet the clear site triangle. Mr. Bittig stated they do not own the 60-foot wide strip. If they own that strip now, then they made an illegal annexation. It did not go through the Planning Commission or the Board of Supervisors. Mr. Peifer stated they may come back with a two or three lot subdivision. Mr. Schwartz stated they need to act on it this evening.

General Discussion continued

Mr. Peifer stated it was not the Township responsibility to get the time extension; it was their responsibility to act on the plan so it would not get deemed approval.

Mr. Wilson asked who has the responsibility to get the time extension? Mrs. Franckowiak asked do they ask the developer for the time extension? Mr. Schwartz stated that based on the last review they could reject the plan, but if they would walk in here by May 19th and say we are granting a 90 day extension then we can accept the extension and continue from there. If they don't, to prevent having deemed acceptance we need a motion on record that if they do not receive it by May 19th, which is when the Supervisors meeting falls before the due date, they should reject it. So we have taken action in 90 days. They may not realize the clock is running out and it will be rejected and they will lose all their rights and they have to start all over under the new ordinance. That is their problem, not ours.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors reject The Exeter Golf Club Estates Phase VI Preliminary Plan if an extension is not granted for them by May 19, 2003. The motion carried unanimously.

ADJOURNMENT

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to adjourn the May 6, 2003 meeting of the Exeter Township Planning Commission at 9:58 p.m. The Motion Carried unanimously.

Respectfully Submitted,

John F. Ruff, PE
Planning Commission Secretary

LRC

Correspondence to:

BOS: Kazimierowicz – Conditional Use
BOS: Godshall – Conditional Use
BOS: Fritz – Conditional Use
BOS: Holy Cross United Methodist Church Final Plan
BOS: Dutch Colony Final Plan
BOS: Exeter Golf Club Estates Phase VI Preliminary Plan

