

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
TUESDAY, OCTOBER 7, 2003

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, October 7, 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
Laurie Elliott
Paul L. Schwartz

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

ABSENT: J.D. Krafczek
Dottie Geiger

1. MINUTES

MOTION BY Mr. Bittig, seconded by Mr. Ruff, to approve the minutes of the September 2, 2003 Planning Commission Meeting as presented. The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Ruff, seconded by Mr. Schwartz, to approve the agenda of the October 7, 2003 Planning Commission meeting as submitted. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

- A. COSTICA CIOCOIU – SKETCH PLAN OF RECORD: MOTION BY** Mr. Bittig, seconded by Mr. Ruff, to accept the plan for review as presented. The motion carried unanimously.
- B. KARPATI SUBDIVISION – SKETCH PLAN OF RECORD: MOTION BY** Mr. Bittig, seconded by Mr. Ruff, to accept the plan for review as presented. The motion carried unanimously.

Approve applications for review continued

- C. HAFER ANNEXATION SUBDIVISION – SKETCH PLAN OF RECORD: MOTION BY** Mr. Bittig, seconded by Mr. Ruff, to accept the plan for review as presented. The motion carried unanimously.
- D. PALECEK COMMERCIAL OFFICE LAND DEVELOPMENT PRELIMINARY/FINAL – PLAN: MOTION BY** Mr. Bittig, seconded by Mr. Ruff, to accept the plan for review as presented. The motion carried unanimously.
- E. MEDI-CAP PHARMACY – PRELIMINARY/FINAL 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. LIGHTCAP – CONDITIONAL USE

Mr. Wilson stated that Mr. Lightcap was proposing an upholstery and carpet cleaning service.

Mrs. Franckowiak stated that basically he would have an office in the home to take the calls for the business. He would be going to other peoples homes to clean their carpets and furniture. He would not be bringing furniture into his home to clean. The vehicle would be parked off street and would have no advertising on the vehicle.

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

5. EXETER ARTESIAN WELL TREATMENT FACILITY – PRELIMINARY/FINAL PLAN – Jim Pilkerton

GVC reviewed the Exeter Artesian Well Treatment Facility Preliminary/Final Land Development Plan (reference letter dated October 3, 2003).

Mr. Pilkerton returned with the Exeter Artesian Well Treatment Facility Final Plan. Mr. Pilkerton stated that they were ready to go. They had the plans signed, sealed and delivered. They also had the DEP Permit. Mr. Wilson stated that they had no other outstanding issues.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz, to recommend the Board of Supervisors approve the Exeter Artesian Well Treatment Facility Preliminary/Final Land Development Plan. The motion carried unanimously.

6. MILLER SUBDIVISION – SKETCH PLAN OF RECORD – John W. Hoffert, PLS

GVC reviewed the Miller Subdivision Sketch Plan of Record (reference letter dated October 3, 2003).

Mr. Hoffert stated that what was being proposed was an annexation of a parcel of approximately 9-1/3 acres to land already owned by Marvin Miller leaving a residual parcel of 3/4 acres directly along Rt. 422. The lot has public sewer and an on lot well. They had revised the plan and the lot now meets the depth to width ratio. The GVC review letter states that the issue had been resolved.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to recommend the Board of Supervisors approve the Miller Subdivision Sketch Plan of Record. The motion carried unanimously.

Mr. Hoffert thanked the Planning Commission.

7. COSTICA CIOCOIU – SKETCH PLAN OF RECORD – Andrew Kent

GVC reviewed the Costica Ciocoiu Sketch Plan of Record (reference letter dated October 3, 2003).

Mr. Kent presented the Costica Ciocoiu Sketch Plan of Record. The proposed subdivision is located between Harvey Avenue and Emerald Avenue from Butter Lane to Brighton Avenue in Lower Alsace Township. Mr. Kent stated that they were planning to annex parcels behind each property with as little expense as possible to the property owners. All the lots situated there were already non-conforming and with the annexation, the parcels would still remain non-conforming. Property owners there were already using the land, some with sheds and another with a pool. They were working with all the property owners to draw up agreements and to see which property owners were interested in acquiring the property. If people were not interested in the land, their piece would go with the neighboring property owners. There would be no parcel that was landlocked. The property would be sold so there would be no doubt that all the parcels would be assigned.

The only question they had was #3 on the GVC letter concerning the floodplain. Did they need a waiver or would they need to do a study because with the location of the stream they knew that a floodplain was located there. Mr. Peifer stated that they would need to show the floodplain on the plan. They would not need to do the study. Mr. Ruff stated that they would need to show that on the plan because some of the property owners would possibly need to get Flood Insurance if they annex these parcels to their property. Mr. Kent stated that they would place that on the plan.

Mr. Kent stated that they wanted to address #8 on the GVC letter. In regards to the Certificate of Ownership to be signed and notarized, could they have separate sheets for each property owner?

Costica Ciociou Sketch Plan of Record continued

They have so many names to be signed and notarized that it would be easier to do that way. Mr. Schwartz stated that they needed to follow whatever the Solicitor said.

Mrs. Elliott asked how they would determine who got the piece that one neighbor did not want? Mr. Kent stated that the property owner on the left would be offered the piece first. Mrs. Elliott asked what would happen to the shed on the property if that neighbor would not want to purchase it and would not remove the shed. Mr. Kent stated that the shed would then belong to whoever purchased the property.

Mr. Schwartz stated that the properties would need to be pinned.

Mr. Kent stated their concerns were with the floodplain study and in lieu of the study they would be sure to place that on the plan. Mr. Peifer stated they needed to submit a written waiver request for the Flood Plain Study. Mr. Kent stated they would do that.

Mr. Bittig stated that they needed to submit the written waiver request, see what the Solicitor feels they need to do for the signatures, show the flood plain on the plan and then they should be good to go.

Mr. Kent thanked the Planning Commission.

8. **KARPATI SUBDIVISION – SKETCH PLAN OF RECORD** – Stephen H. Bensinger, PLS

GVC reviewed the Karpati Subdivision Sketch Plan of Record (reference letter dated October 3, 2003).

Mr. Bensinger presented the Karpati subdivision located on the west side of Shelbourne Road and south of Kerr Road. The Plan proposes the subdivision of a single lot containing two dwellings into two lots and the annexation of land from a third lot to Lot 2 of the proposed subdivision.

Mr. Bensinger stated that the subdivision was located on Shelbourne Road, near the S turns. They had a revised plan where all the comments from the GVC review letter have been addressed. They were requesting waivers for Section 4.118 and 4.149, which require delineation of wetlands. They were requesting the waiver because there was no new construction proposed by the subdivision. The other waiver they were requesting was from Section 5.514, which requires the depth of residential lots not be less or more than three times their width. They were requesting the waiver because they tried to follow existing topographical features with the lot line, such as the stream, existing wooden bridge across the stream and the edge of woodland.

Karpati Subdivision continued

Mr. Bittig asked what the acreage was for lot 1? Mr. Bensinger stated that lot 1 was 1.68 acres, much larger than what the requirements were. Mr. Schwartz asked what the size was on lot 2? Mr. Bensinger stated that it was 3.8 acres and it was larger than the zoning requirements. Mr. Bittig asked what the Zoning District was at that location? Mr. Bensinger stated that it was MDR with on-site water. Mrs. Elliott asked what the size of the residue lot was? Mr. Bensinger stated that it was 1.5-acres.

Mr. Bensinger stated that they have submitted a letter requesting the waivers. Mr. Schwartz stated that his only comment was on Lot 2, 3.8-acres and it was large enough to subdivide. Right now they did not have plans for that, but, it was large enough to make 2 possibly 3 lots from that piece. Mr. Bensinger stated that possibly one other lot because there was a pond on that lot but no more. Mr. Schwartz stated that he would grant a waiver if there would be a note on the plan that if they further subdivide that lot then they would have to delineate the wetlands before doing so. Mr. Bensinger stated that they would place a note on the plan stating that.

Mrs. Elliott asked how they planned to access the residual lot. Comment #12 on the GVC letter states that they needed to obtain a Penn DOT Highway Occupancy Permit for the residual lot. Mr. Bensinger stated they would be applying for the permit. They would be sure to maintain the clear site triangle.

Mr. Schwartz asked if it would be beneficial obtaining some of the land to lop off the corner to help straighten out a portion of Shelbourne Road? Mrs. Franckowiak stated that it was a State Road. Mr. Schwartz stated that someday the Township might have to bite the bullet and take over that road, but that may not be the spot to help straighten it.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to recommend the Board of Supervisors waive the requirement of Section 4.118 and 4.149 for the delineation of wetlands provided that they place a note on the plan that upon further subdivision they would need to do the wetland delineation. The motion carried unanimously.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to recommend the Board of Supervisors waive Section 5.514, the minimum lot depth to width ratio for Lot 1 of the Karpati Subdivision being that the lot was larger than required in that zone and the lot line follows natural topographic boundaries. The motion carried unanimously.

Mr. Bensinger stated that they had one more question. On Item #9 on the GVC letter, for the inspection of the on-lot sewage disposal system located on Lot 2, do they need to contact the Township Sewage Enforcement Office? Mr. Peifer stated that they needed to do that.

Karpati Subdivision continued

Mr. Ruff asked if we need to address comment #18 on curbing and sidewalk? Mr. Bittig stated that they would not need curbing and sidewalk there. Mr. Bensinger stated that they did not realize they would need a waiver for that requirement. Mr. Schwartz stated that they did.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to recommend the Board of Supervisors waive the requirements for curbing and sidewalk for the Karpati Subdivision. The motion carried unanimously.

Mr. Bensinger asked concerning comment #16 in the GVC letter indicating there were three brick pillars and a rock pile located within the proposed street right-of-way, did they need to address that comment? Mr. Peifer stated that it was in Penn Dot's right-of-way. Mr. Schwartz stated they were pre-existing, for now they could leave them there.

Mr. Bensinger stated they would make their revisions and go for the Penn DOT permit and return with those items.

9. HAFER ANNEXATION SUBDIVISION – SKETCH PLAN OF RECORD

- John Hoffert, PLS

GVC reviewed the Hafer Annexation Subdivision Sketch Plan of Record (reference letter dated October 3, 2003).

Mr. Hoffert presented the Hafer Annexation Subdivision Sketch Plan of Record. The Subdivision is located on the east side of Bingaman Street, north of the Exeter Township/St. Lawrence Borough line. The plan proposes the annexation of approximately one acre of land to two adjoining property owners.

Mr. Hoffert stated that the plan was for Lawrence and Elaine Hafer to annex two approximately ½ acre tracts to their two sons, Scott L. and Greg D. Hafer. There were existing homes on both of these properties. In GVC's review letter it states that they should survey the entire tracts of Scott and Greg's properties. They are the recipients of the annexation parcel; it was the Lawrence and Elaine Hafer property that was being subdivided. The tract of land being subdivided has been field surveyed, however, the adjoining tracts of land owned by Scott L. Hafer and lands of Greg D. Hafer and Lynn M. Hafer will be shown by deed plot or as shown on the original subdivision plan to which they were a part, and not by field survey. Since all tracts were on the same horizontal datum, there appears to be no need to survey the adjoining tracts in their entirety. They were submitting waiver requests for these items.

The other waiver before the Planning Commission was the lot depth to width ratio. By the subdivision, the overall combined ratio's will be enlarged, however the additional area to each

Hafer Subdivision continued

existing lot will be significantly increased to allow the lots to be more conforming than they were presently. They were developed in a LDR Zone and have since been rezoned to RC. The minimum lot size requirement is currently 3-acres in that particular area. One tract is 1-1/3 and the other one is less than one acre. By the addition of the annexation parcel on to the two properties they will be more conforming than they are today. They still don't comply, as they were pre-existing, non-conforming, however they will be in better compliance. These were the only waivers before the Planning Commission. All other issues would be resolved.

Mr. Schwartz asked what the size of the residue tract would be? Mr. Bensinger stated it would be 21.5 acres. The residue tract was located around the Met-Ed Substation on Bingaman Street.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to recommend the Board of Supervisors waive SALDO Section 4.150 for the Hafer Annexation/Subdivision. They would not need to survey the two receiving parcels of the annexation. Section 4.150 only applies to the tract being subdivided. The motion carried with Mr. Schwartz, Mr. Ruff, Mr. Bittig and Mrs. Elliott voting in favor and Mr. Wilson Abstaining. Mr. Wilson abstained because the parcel was adjacent to his own property.

Mr. Bensinger stated that they were also asking for a waiver of the lot depth to width ratio. Mr. Schwartz stated that it shouldn't be an issue. Mr. Ruff stated that the lots already do not meet the lot depth to width ratio.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to recommend the Board of Supervisors waive SALDO Section 5.514 depth to width ratio for the Hafer Annexation, Subdivision. The motion carried with Mr. Schwartz, Mr. Ruff, Mr. Bittig and Mrs. Elliott voting in favor and Mr. Wilson abstaining.

Mr. Bensinger thanked the Planning Commission.

10. EXETER GOLF CLUB ESTATES PHASE V – PRELIMINARY PLAN –

- Stephen Bensinger
- Henry Filippini

GVC reviewed the Exeter Golf Club Estates Phase V-Preliminary Plan (reference letter dated October 7, 2003).

Mr. Bensinger presented the Exeter Golf Club Estates Phase V – Preliminary Plan which is surrounded by Exeter Golf Club Estates Phase 4 and the Daniel and Diane Resh property on the

Exeter Golf Club Estates Phase V continued

north, by Schoffers Road and Pathfinder Meadows on the east, by Pathfinder Meadows, Pathfinder Valley Section 3, and Exeter Village Phase 1 on the south, and by Exeter Golf Club Estates Phase 4 on the west. Mr. Bensinger stated that with respect to identifying all mature trees (6" diameter or larger) proposed for destruction by construction activities, they were requesting a waiver of Sections 4.242 and 5.913 to allow them to show only a conservation easement on the plans. They were requesting the waiver since existing condition of the site was fully wooded. Field surveying all of the trees meeting these criteria causes undue hardship with respect to time and surveying expense. The proposed tree removal would be done because of the grading of the streets and building the houses. They would keep as many of the trees, at that location, as they possibly could. They plan to plant additional street trees to replace the removal of the trees. Mr. Bittig stated that he had walked the property and that may be the proper approach for the west segment of the plan. On the east side of the property there were a lot of mature hardwood trees in that area. He did not feel that they should remove all the trees just to make it easier to put houses there. Mr. Bensinger stated that it was not so much to make it easier, it was a matter of being able to place the streets there and the expense of meeting the ordinance. There were some trees that were 24" to 30" and they did not plan to take them all. In order to get the proper drainage they needed to do a lot of grading. They need to do that to meet the Stormwater Ordinance. The driveway grade would make them take away trees. Wherever they could they would save the trees. Mr. Bittig stated they needed to identify the trees they plan to cut. Mr. Bensinger stated they wanted to get the waiver for that. Mr. Filippini stated that they would not touch the trees in the wetlands. Mr. Wilson stated we were not trying to punish Mr. Filippini. The problem was caused by other developers who said they were not going to remove trees and they went in and did a timber harvest. We were trying to prevent that from happening again. Mr. Filippini stated that they would be willing to place on the plan a 100-foot easement where no one could touch that area.

A lengthy discussion ensued concerning the trees. Mr. Greg Bogia asked if the Planning Commission would be willing to meet in the field to see where they would need to save the trees. Mr. Bittig stated that it might be an item for the EAC as they were well versed in that issue. Mr. Schwartz stated that he could not speak for the rest of the EAC, but he could take the request to them at the next meeting in two weeks. Mrs. Franckowiak stated that she could contact the EAC members to co-ordinate a time to meet there. Mr. Bittig stated that he would be willing to meet along with the EAC members. Mr. Ruff stated that he would also be available. Mr. Bensinger stated that a Saturday or Sunday would be OK with them, just give them a call and they would meet whenever we were available.

Public Comment

Cynthia Nesbitt, Linree Avenue, stated that she contacted Mr. Koontz with her concerns for erosion effect that has already occurred on their lot. Her issue was the buffer of the cluster of trees between them and the Development. Mr. Bittig stated that it was scrub brush located there.

Exeter Golf Club Estates Phase V public comment continued

Mrs. Nesbitt asked if there was any way the erosion could be controlled, between her property and the steep lots? She liked the trees there and would appreciate that being addressed. The other problem that would need to be addressed was the water pressure. The third issue was, would there be an alternate road into this development? Mr. Bittig stated that there would be a second access to Scotland and Constitution into the Development. Mrs. Nesbitt thanked the Planning Commission.

Mr. Robert Nye, Officer of the University Rifle Club, stated that the proposed development was in close proximity to the Rifle Club, which was situated directly across the street on Schoffers Road. In past similar situations where a proposed development was to be in close proximity to the Rifle Club both the Planning Commission and the Board of Supervisors stipulated that a notation be placed on the plan and also on each individual deed of each individual property of the proposed development. He did not have a copy of the notation that night, but he would reference the Pathfinder Development, Amber Hill Development and the Holy Cross Methodist Church Development. Those were three references he could give for those notations. He was requesting they consider adding that notation on the Exeter Golf Club Estates Development Plan. He wanted to express concern about possible water runoff onto Schoffers Road. Mr. Bittig stated that in the last week's storm there was none. Mr. Bensinger stated they would be working on that. They had talked about an infiltration system. Mr. Bensinger stated that the E & S would be in accordance with the plan. Mr. Nye thanked the Planning Commission.

John Burkhardt, lot 56 Linree Avenue, was concerned with the cutting of trees. They were in the western slope side, if they would cut the trees down it would cause further erosion. With his property and his neighbors at least two to three days after a storm the drainage was still running. They were hoping they would leave enough trees to block some of the runoff. They live behind lot 19 and their concern was with the size of the property, there was a drainage easement located there and a 25-foot set back. Looking at that property itself, it was 1.4 acres. On their property they had a deed restriction where they had to build a home of a certain size. They came to that development because of the size of the homes built there. They wondered if there would be deed restrictions on the size of the homes built in this development. Mr. Filippini replied that they would continue with what was in place for the size as in Phase 4. Mr. Burkhardt stated that he also did not want to be looking at someone's patio.

Joseph Gaffney, Linree Avenue, asked what kind of side yard clearance they would have? Mr. Filippini stated they would continue with the same as they have now. Mr. Gaffney asked how high the retaining wall would be? That would be something he would be looking at from his backyard. Mr. Filippini replied 10 or 11 feet high. Phase 3 & 4 also have retaining walls.

Exeter Golf Club Estates Phase V continued

Mr. Schwartz stated that concerning comment #6 on the GVC review letter he wanted to see it stated on the plan that they are not performing a timber stand improvement prior to the development of the tract.

Mr. Bensinger stated there would be no parks or playgrounds in the development.

Mr. Schwartz asked about the open space at the development, what did they plan to do with that? Mr. Bensinger stated that the Homeowners Association would control it.

Mr. Peifer stated that concerning comment #9 in the GVC letter, they have some recommendations for that. In reference to the 25% slopes, instead of boxing in all the small areas, they should do a wide sweep across the back. Then have a general easement instead of hodgepodge as they show now. Mr. Bittig stated they should show a conservation easement on the plan. Mr. Schwartz asked who gives permission to do anything on there, was it the Township? Mr. Peifer stated yes, the Township. Anything beyond the plan approval, the Homeowner or the Builder would need to get the permission. Mr. Schwartz wondered if it would be of any value to have a covenant placed in there that they get approval from the Homeowners Association also. Mr. Filippini stated that he wanted to place an easement on the plan that the buffer would need to remain; they could not touch that area. Mr. Peifer stated that would be even better.

Mr. Wilson stated that concerning item #19 on the GVC review letter, the document for the right-of-way, we have received a copy of that document to pass to the Solicitor.

Mr. Bensinger stated that item #20 in the GVC review letter concerns the intersection of Madison Drive to Constitution Boulevard that it does not have the required 50-foot straight leveling area from the intersection of the right-of-way lines of Constitution Boulevard. It was pre-existing non-conforming and they would not be able to straighten it out. They were asking for a waiver, but were unsure if a waiver was actually needed.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to recommend the Board of Supervisors waive SALDO Section 5.284 for the requirements for the road design at the intersection of Madison Drive and Constitution Boulevard. The motion carried with Mr. Schwartz, Mr. Ruff, Mr. Bittig, voting in favor and Mr. Wilson, Mrs. Elliott voting opposed.

Mr. Bensinger asked if they could have a waiver for the grade of Madison Drive, which was currently 7 percent instead of 5 percent? Mr. Wilson stated they should fix it and do it right.

Mr. Bensinger stated that they were also asking for a waiver of the depth to width ratio for lots 16, 17, 31, 34, 45, 46 & 47. Mr. Filippini stated that he would be taking 46 & 47 off of the plan and leaves the trees there.

Exeter Golf Club Estates Phase V continued

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors waive SALDO Section 5.514 depth to width ratio for the Exeter Golf Club Estates Phase V lots 16, 17, 31, 34 & 45. The motion carried unanimously.

Mr. Bensinger stated they were waiting for the letter from the Water Company indicating there was adequate water capacity, flow and pressure. Mr. Bittig stated there was a remark in the Fire Marshal review letter and they also heard from Mrs. Nesbitt on the matter. They may need to add a booster pump to help out with the problem.

Mr. Bensinger stated that item #28 would be the Supervisors decision. Item #29 concerning the sidewalks, they were not showing sidewalk along the open space, they would have sidewalk in front of the houses and across the street for the pedestrians. Mr. Bittig stated it was good as long as they have sidewalks provided for pedestrians. Mr. Schwartz stated that his biggest concern with sidewalks was that they were provided where they had connecting developments.

Mr. Bensinger stated that the stormwater items would be addressed.

Mr. Peifer stated that with the traffic impact study it shows a need to reset the time of the lights at Shelbourne and 422. The developer will bear the cost of the timing.

Mr. Bensinger asked if they could get Preliminary Plan approval? Mr. Wilson stated that they needed to address the stormwater issues before they could get that.

Mr. Bensinger thanked the Planning Commission.

**11. PALECEK COMMERCIAL OFFICE LAND DEVELOPMENT PLAN –
PRELIMINARY/FINAL** - Greg Bogia

GVC reviewed the Palecek Commercial Office Land Development Plan (reference letter dated October 3, 2003).

Mr. Greg Bogia presented the Palecek Commercial Office Land Development Plan located on the southern side of SR 422 adjacent to the Jiffy Lube Station. The Plan proposes to convert an existing residential structure into office space and the construction of the necessary parking facilities. Mr. Bogia stated that it was a right in, right out access. Mr. Bittig asked what the existing use was for the property. Mr. Bogia stated that it was apartments.

Palecek Commercial Office continued

Mr. Bogia stated that they have received a clean letter from the Fire Marshall and the Berks County Planning Commission review letter. They would comply with the comments in the GVC review letter. They weren't there with a big developer and they were trying to keep the costs down for the Paleceks. Under the Zoning comments, they would provide the proper amount of parking spaces. Mr. Bittig stated that the tree in the front, the roots were cut, so they would need to remove that tree before it fell down.

Mr. Bittig stated that in the recent heavy storm there was surface flow down thru the access aisle. They would need an infiltration system to put the water back into the ground. Mr. Bogia stated they would follow the best management practice for stormwater.

Mr. Bogia stated that with the driveway to connect the properties, they wanted to provide a better flow thru the two businesses. Mr. Bittig asked what the proposed traffic flow would be? Mr. Bogia stated they would provide a one way out. Mr. Bittig stated that with removing the tree in the front it would give them more room for the access drive. They should mark the tree to come down. Mr. Bogia stated that they were trying not to go back and survey the properties on the other side. It was a very logical connection point. Mr. Ruff stated that they should show that on the plan. Mr. Ruff asked how the new driveway would interact with the car wash traffic. Mr. Bogia stated that it would make it easier for the car wash traffic. Mr. Peifer stated they should make a cross access agreement for both properties. Mr. Wilson stated that they would need that in the event they would sell one of the properties. Mr. Bogia stated they would do that.

Mr. Bittig asked if they received the Penn Dot highway occupancy permit? Mr. Bogia stated they did not. They did not believe they needed to get one because the driveway was already in place. Mr. Wilson stated that there was now a change in use and there would be more traffic for that driveway. They would probably need a review on it because of the change in the amount of traffic.

Mr. Bogia asked if they would be required to do sidewalks there?

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to recommend the Board of Supervisors waive SALDO Section 6.204, the requirement for sidewalks at the Palecek Commercial Office Land Development. The motion carried unanimously.

Mr. Bogia stated that going back to the Zoning requirements, when the Paleceks figured the total square footage of the building they also added in the porch area and the upper area of the third floor, which was not usable space. Taking that into consideration they would need only 19 spaces for the business. Mr. Ruff stated that would be correct.

Palecek Commercial Office continued

Mr. Bogia asked if they would need an Environmental Assessment Statement since the building was already there. Mr. Schwartz stated that he normally did not go with waivers for the Environmental Assessment Statement, but for the removal of the heating oil tank, they should get a closure report for that and they should be covered as far as the Environmental Assessment Statement. Mr. Bogia stated they would get that.

Mr. Bogia asked if they would be able to get waivers for comments #4 & #5 in the GVC letter.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz, to recommend the Board of Supervisors waive the requirement for Section 4.285 for the Palecek Commercial Office Plan, determining whether the site contains any habitats of threatened or endangered species of special concern in Pennsylvania. The motion carried unanimously.

MOTION BY Mr. Ruff, seconded by Mr. Bittig, to recommend the Board of Supervisors waive the requirement for Section 4.286 for the Palecek Commercial Office Plan, determining whether any historic and archeological resources exist on the site since they would not be excavating at the site. The motion carried unanimously.

Mr. Bogia asked about comments #6 & #7 on the GVC letter, would they need to address those? Mr. Bittig stated they would not need any action on those items.

Mr. Bogia thanked the Planning Commission for their time.

12. MEDI-CAP PHARMACY – PRELIMINARY/FINAL PLAN

- Bruce Radar
- John Lutz, II

GVC reviewed the Medi-Cap Pharmacy Preliminary/Final Land Development Plan (reference letter dated October 3, 2003).

Mr. Radar presented the Medi-Cap Pharmacy Preliminary/Final Land Development Plan located on the northwest corner of SR 422 and Gibraltar Road.

Mr. Radar stated that on the previously approved plan a restaurant was to be located there. It was never built. Now they were proposing a drive-thru Medi-Cap Pharmacy. The proposed building would be 2000 sq-ft, 25% smaller than the previous approved use. They were a National chain store, which would be run by Ray Bortz and his wife. There would be less traffic generated with that type of business than the restaurant.

Medi-Cap Pharmacy continued

Mr. Radar stated they were looking for a waiver for the Zoning Section 609 for the Environmental Performance Standards.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to recommend the Board of Supervisors waive the requirement for documentation demonstrating conformance with Section 609, Environmental Performance Standards. The motion carried unanimously.

Mr. Radar stated that concerning the sewer planning module, they talked to Rene Woods from the DEP and she said that they received a planning module in 1995 and asked if they could get a letter from the Township to the DEP about the estimated sewage flows from the Medi-Cap Pharmacy, that they would not exceed flows for the previously approved use. Mr. Schwartz stated they would get a letter from the Township for that.

Mr. Radar stated they received a letter from the PA American Water Company saying that they can provide water to the location. Mr. Schwartz stated that the letter was not sufficient for the township. Mr. Peifer stated that they would need a letter from the water company showing that they would have enough flow and pressure to accommodate the sprinkler system, if needed, at the location.

Mr. Radar stated that with comment #6 on the detention pond, they were asking for a waiver request for that. Mr. Peifer stated that they would just need to show that the detention pond was built to handle both businesses there. Mr. Wilson stated that they would need to have Mr. Peifer review that to see if the pond was built to the proper specs.

Mr. Radar stated that they were asking for a waiver to survey the other side of Gibraltar Road and 422. Mr. Peifer stated that they would just need to show the cartway width & right-of-way for the two streets on the plan. They did not need to survey them.

Mr. Radar stated that they had Erosion and Sediment Control Plans approved by the PA DEP in 1995, however when they tried to get copies of those reports they were told that they were destroyed. Mr. Peifer stated that they are null and void at this point; approval letters have a two-year time limit. They needed to get new Erosion and Sediment Control Plan approval.

Mr. Radar stated that item #15 in the comment letter concerning the hedgerow to buffer the headlights. They were planning on extending the hedges and also place a fence at the spot that would be the worse area for the headlights. Mr. Peifer stated they needed to show that on the plan. Mr. Schwartz stated they wanted to see that it would not be an issue. Plus they would need to show it was not in the street right-of-way or the clear site triangle. Mr. Radar stated they would show that.

Medi-Cap Pharmacy continued

Mr. Radar stated they had a list of waivers they were looking for. Mr. Schwartz stated they already did the Historical and Archaeological Resource waivers. They just need to show the clear site triangle on the plan.

Mr. Lutz asked if they just needed to do the stormwater for the detention basin and the Erosion and Sediment Control Plan, show the clear site triangle and then they should be good to go? Mr. Schwartz stated that after they receive those items they should be able to come back next month. Mr. Peifer stated they should come back with the Preliminary/Final and hopefully they would be able to move forward.

Mr. Lutz and Mr. Radar thanked the Planning Commission.

13. LAKEVIEW AT GLEN OLEY FARMS – REVISION TO PLAN OF RECORD

Mrs. Franckowiak stated that Lakeview at Glen Oley Farms had to come back for a revision to their plan. Mr. Peifer stated that along the property line with the adjoining property was a heavily wooded area, approximately 30-feet in width and extremely dense at that location. That was in the area where they were to place a swale. They do not want to wipe out that wooded area. They want to place it on the other side of the woods and since the swale was only one foot wide, put it in between the trees and they will come back with revision for several of the lots with relocating the swale. Since they would be changing the recorded plan they should come back with the revisions and record it again. We suggested that they relocate the swale, wait until they get the swale in so they would know exactly where to place it on the plan. We felt that the Planning Commission would not have a problem with that because with that plan they were saving trees.

14. PEASE – VARIANCE/SPECIAL EXCEPTION

Mrs. Franckowiak stated that the Pease–Variance/Special Exception was concerning the land swap deal that they had presented to the Planning Commission previously. Mr. Ruff stated that they thought they were going to the Board of Supervisors. Mrs. Franckowiak stated that the Board of Supervisors recommended that they go to the Zoning Hearing Board. They have a hearing coming up this month.

MOTION BY Mr. Ruff, seconded by Mr. Bittig to recommend the Zoning Hearing Board grant approval for the Variance/Special Exception for the “Land Swap” of the Barrie Pease property. The motion carried unanimously.

15. STORMWATER MANAGEMENT ORDINANCE

Mr. Craig Peifer stated that he did not have the Stormwater Management Ordinance with him to distribute that evening, but would be able to distribute them by the end of the week.

16. DISCUSS DATES FOR WORKSHOP ON ZONING

Mrs. Franckowiak stated that the Planning Commission should decide on a date to meet to have a workshop on the new Zoning Ordinance. The Planning Commission decided to have the meeting Thursday, November 13, 2003 at 7:30 pm.

17. DISCUSS DATES FOR THE NOVEMBER PLANNING COMMISSION MEETING

The Planning Commission was unable to have the regularly scheduled meeting the first Tuesday of the month in November due to the fact that it was Election Day and the meeting room was a location for voting. It was decided to hold the November meeting on Monday, November 3, 2003 at 7:30pm.

18. JOINT PLANNING COMMISSION MEETING

Mr. Wilson stated that the Joint Planning Commission wanted to meet with all the members of the Exeter Township Planning Commission. The meeting will be held Thursday, October 30, 2003 at 7:00pm.

ADJOURNMENT

MOTION BY Mrs. Elliott, seconded by Mr. Schwartz, to adjourn the October 7, 2003 meeting of the Exeter Township Planning Commission at 10:50 pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

BOS: Lightcap Conditional Use

BOS: Exeter Artesian Well Treatment Facility Final Plan Approval

BOS: Miller Subdivision Sketch Plan of Record Approval

BOS: Karpati Subdivision Waiver Requests

BOS: Hafer Annexation/Subdivision Waiver Requests

BOS: Exeter Golf Club Estates Phase V Waiver Requests

BOS: Palecek Commercial Office LDP Waiver Requests

BOS: Medi-Cap Pharmacy Waiver Request

ZHB: Pease Variance/Special Exception