

**MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
MAY 4, 2004**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, May 4, 2004 at the Township Hall, 4975 DeMoss Road, Berks County, Pennsylvania. Donald R. Wilson, Chairman called the meeting to order at 7:30p.m. followed by the Pledge to the Flag.

COMMISSION MEMBERS: Donald R. Wilson, Chairman
John W. Bittig, Vice Chairman
Richard Littlehales
J.D. Krafczek
Dottie Geiger
Paul L. Schwartz

ABSENT: John F. Ruff, Secretary

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

1. MINUTES

MOTION BY Mr. Bittig, seconded by Mr. Littlehales, to approve the minutes of the April 6, 2004 Planning Commission Meeting as presented. The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Littlehales, seconded by Mr. Bittig, to approve the agenda of the May 4, 2004 Planning Commission meeting. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

- A. **CHARLES E. & BRENDA L. CARE – SKETCH PLAN OF RECORD, MILLER COMMERCIAL – FINAL PLAN:** **MOTION BY** Mr. Schwartz, seconded by Mr. Bittig to accept the preceding plans for review. The motion carried unanimously.

The following business was discussed:

4. BURIG – CONDITIONAL USE

Mrs. Franckowiak stated that Mr. Burig wanted to establish an office in his home at 1342 Budd Street. He meets the requirements of the Zoning Ordinance. He contacted his neighbors and none of them have concerns with the proposed business. He would be taking phone calls at his home, then get his tools and go out to do handyman work.

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

5. MILLER COMMERCIAL SUBDIVISION – FINAL PLAN - John W. Hoffert

GVC reviewed the Miller Commercial Subdivision Final Plan (reference letter dated April 29, 2004).

Mr. Hoffert stated that the purpose of the plan was to create Lot 1 and 2 and a residue tract. Lot 2 was the Service Electric building and Lot 1 was a vacant lot that would be placed for sale. They received the GVC letter, which had three comments relative to SALDO. Concerning comment #1, they would not have any restrictions or covenants. The plans have been signed and notarized by the owner. They have hand delivered the electronic digital format file. All statements in the review letter have been met. Mrs. Geiger asked if Mr. Hoffert could point out the location of 422 and the Service Electric building on the plan. Was Lot 1 where they removed the trees? Mr. Hoffert stated that they have noted on the plan that there would be no further removal of trees.

Public Comment

Mr. Gumeniski, 130 Fairview Chapel Road, asked if the development would go down into the hollow in the back of the property? Mr. Hoffert replied that Service Electric would be purchasing Lot 2 where part of that hollow was located. Mr. Gumeniski asked if they would be expanding the business there? Mr. Hoffert stated that the owner of Service Electric wanted to own the building where the business was located.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to recommend the Board of Supervisors approve the Miller Commercial Subdivision Final Plan. The motion carried with Mr. Wilson, Mr. Bittig, Mr. Littlehales, Mr. Krafczek voting in favor and Mrs. Geiger voting opposed.

6. ROYAL VIEW ESTATES – PRELIMINARY PLAN - C. Wesley Seitzinger

GVC reviewed the Royal View Estates Preliminary Plan (reference letter dated April 29, 2004).

Mr. Seitzinger stated that they had the classification for the soils and they would change that on the plan. Concerning the comment on the shaded area for the 25% or greater slopes, they placed restriction notes on the plan. Mr. Peifer stated that the zone line and the conservation notes were on the plan. Mr. Schwartz stated that they had a legend that stated the shaded area denotes slopes of 25% or more, so they should shade it on the plan. Mr. Seitzinger stated they would do that.

Mr. Seitzinger stated that with item #9, they would contact the Wahl's and see if they wanted that piece of property. For item #10, all previous notes were on the plan.

Mr. Seitzinger stated that they would be meeting with the Fire Marshal concerning the location of the cistern. They would also show that on the plan.

Mr. Bittig asked if they did the perks and probes? Mr. Seitzinger stated they did and with the soil change they had to change the map. There would be a primary and secondary system on each lot. Mr. Schwartz stated that we have not had any spray irrigation systems in the Township before. Mr. Leazier stated that the SEO told him they did have three or four of them in Exeter.

Royal View continued

Mr. Wilson stated that he was told there was an old farm dump at the back of the one lot. They should look for that. Mr. Leazier asked to be shown where that might be located. They would look for that. Mr. Schwartz stated that if they found one, they would need to do a Phase 1 Environmental Assessment Statement.

Mr. Seitzinger stated that they would shade the slope areas, show the soils, show the location of the cistern and for the shoulder detail they would make them to PennDOT specifications. Mr. Bittig asked if they checked the site distance for the location of the driveways. Mr. Seitzinger stated they would show that on the plan.

7. HUBERT A. BRICKEY PROPERTY - SKETCH PLAN OF RECORD – Roger Fry

GVC reviewed the Hubert A. Brickey Property Sketch Plan of Record (reference letter dated April 2, 2004).

Mr. Fry stated they had a response letter for the Planning Commission. For the tree removal on lot 1, it was mainly brush. The mature trees were in the conservation easement and the builder would comply with the ordinance. The Environmental Assessment Statement was waived by the Board of Supervisors. They were still waiting for the letter from the Sewer Authority. They did talk to Paul Herb and he would sign the module, they were requesting an exemption. The stormwater items had been completed, but they were waiting for the report. For the three to one slope for the proposed driveway, they moved the driveway in order to get that. The Water Resource Study was waived by the Board of Supervisors. The improvements agreement would be done. For the transfer of the watershed, that was also approved by the Board. Most of the remaining items were minor and they were looking for conditional approval.

Mr. Schwartz stated that we were hesitant to do conditional approval with the two outstanding items. First was the Planning Module approval and the second being the approved Conservation District letter. Because there were a lot of little details and Craig would need to review it, we should just hold off on a conditional approval. Mr. Fry asked for one request, if all the issues were resolved before the next meeting could the client come in to represent the plan? Mr. Bittig stated that with all the items being completed before the meeting that would be fine.

8. R. M. PALMER – PRELIMINARY LAND DEVELOPMENT PLAN - Barry Weaver

GVC reviewed the R. M. Palmer Warehouse 2004 Preliminary Land Development Plan (reference letter dated April 30, 2004).

Mr. Weaver stated that they would have the missing reports submitted with the next package. Under Zoning, they would provide the truckload data. For the radius of the edge of the driveway, the Zoning Officer stated that 55-ft radius would be fine. Mrs. Franckowiak stated that she would generate a letter offering the opinion that the highway frontage did not apply there.

Mr. Weaver stated that the Environmental Assessment Statement was in the works. For item #5, they have not started the architectural design drawings. Would they need the exact plan? They usually submit that at building permit stage. Mr. Peifer stated that they could ask how much information needed to be provided now. Mr. Wilson asked if there would be any offices in the warehouse? Mr. Weaver replied yes.

R. M. Palmer continued

Mr. Wilson stated they should show the floor plan, offices and the elevations. Mr. Weaver stated they would do that. For item #6, they would show the 30-ft. right-of-way. The Traffic Study was in the works. The threatened and endangered species and the historical resource would be taken care of. Mr. Wilson asked if they had done any grading on that lot? Mr. Weaver replied not to their knowledge. Mr. Wilson stated the reason he asked was there was a building at the corner of Vanguard and Lincoln Road that had a cemetery under their parking lot. That was the reason we now ask for a Historical report.

Mr. Weaver stated that the Water Resource Study was in the works. Item #7 would be taken care of. Item #8 would not be a problem. The PA DEP Sewage Facilities Planning Module Exemption form was in the works. They were waiting for the letters from the Water Company and the Sewer Authority. Item #1 under Stormwater Management would be taken care of. For item #2 that was a drafting item and would be taken care of. Mr. Wilson stated that when they get their letters and reports and they could move ahead.

**9. CHARLES E. & BRENDA L. CARE – SKETCH PLAN FOR RECORD – Andy Kent
- Charles Care**

GVC reviewed the Charles & Brenda Care Sketch Plan for Record (reference letter dated April 30, 2004).

Mr. Kent stated that the plan proposed to adjust the property line between two existing lots. The lots were located on the northeast corner of the intersection of Heister Boulevard and Laurel Avenue. Mr. Care wanted to move the lot line and remove the mobile home on the adjoining lot. Heister Boulevard and Laurel Avenue were unopened streets. Mr. Care stated that Laurel Avenue was a dead end in front of their property.

Mr. Kent stated that in the GVC review letter, under zoning, it stated “it should be determined if an Environmental Assessment Statement should be prepared. Considering the minor nature of the project we recommend waiving the requirement as permitted under SALDO section 4.283”.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to recommend the Board of Supervisors waive the requirement of SALDO Section 4.283 for an Environmental Assessment Statement due to the fact they were just changing the lot lines. The motion carried unanimously.

Mr. Kent stated that for item #4 concerning the mobile home, they felt they could remove the mobile home within 60 to 90 days max. Mr. Care would not mind having the plan approved and then be sure the home was removed before the plan was released for recording. How did the planning Commission want to handle that? Mr. Bittig asked what the procedure was to having the sewer line capped. Mrs. Franckowiak stated it was through a licensed plumber. Mr. Peifer stated that once the Board approved the plan, they have 90 days to record it. Mrs. Franckowiak stated that she liked the idea of not releasing the plans until the mobile home was removed. We could go down to see that it was completed and then release the plans. Mr. Kent stated they could do that.

Mr. Kent asked about the additional right-of-way for the unopened streets, would that be required for streets that were unopened and may never be opened? Mr. Wilson asked if they show on the street map? Mrs. Franckowiak stated that they show on tax maps, we have to acknowledge them. Mr. Schwartz asked what would be the value of the additional right-of-way, what were the odds that the streets would be opened?

Care Lot Line Change continued

Mr. Peifer stated that it was in his letter because it was in the SALDO. Mr. Schwartz stated that they would probably never open those streets.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales, to recommend to the Board of Supervisors that the Charles & Brenda Care Subdivision not be required to provide the additional right-of-way of 30-ft from the centerline for Laurel Avenue (dead end), Heister Boulevard (unopened) and Perch Street (unopened). The motion carried unanimously

Mr. Kent stated that with item #4 & #5 it states that the Zoning Officer should comment on the applicability of the reverse frontage regulations for the lots. Mrs. Franckowiak stated that it would not apply with that situation. Mr. Wilson asked if that included lot 1 and 2. Mrs. Franckowiak replied, yes.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to recommend the Board of Supervisors not view the lots as reverse frontage lots because Perch Street was not opened, unlikely it would ever be opened and therefore waive the 75-ft rear yard requirement for Lot 1 & 2 of the Charles & Brenda Care Subdivision. The motion carried unanimously.

Mr. Kent stated they would add the required monuments for the lot corners. How should they note the plan for the streets, were they private or were they public streets? Mr. Peifer stated that we did not know if there would be an offer of dedication for the streets. Mr. Kent asked if they could note on the plan that the streets would not be dedicated for public use? Mr. Peifer stated that would be fine. They needed the waiver request letters and the waivers should also be placed on the plan.

Mr. Kent asked if they could get conditional approval for the plan?

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to recommend the Board of Supervisors grant approval for the Charles & Brenda Care Sketch Plan of Record subject to the waiver approval, adding the waivers to the plan, modifying the certificate of ownership to strike the dedication clause and the electronic file being submitted. The motion carried unanimously.

10. FAIRVIEW PARK SUBDIVISION – TRAFFIC STUDY LIMITS

GVC made recommendation for the scope of the Traffic Impact Study for the Fairview Park Subdivision (reference letter dated April 30, 2004).

Mr. Bittig stated that he agreed with the five intersections but they should also add the intersections of Fairview Chapel Road & SR0422 and Lincoln Road & SR0422.

Public Comment

Mr. Gumeniski, 130 Fairview Chapel Road, asked about the traffic study, where was the subdivision located? Mr. Wilson stated that there was an old subdivision plan with 82 lots, whose engineer asked for the scope needed for the traffic study. Mr. Gumeniski asked if the study was for the traffic that would happen when the place was developed? Mr. Wilson stated yes, those were the intersections that they would have to include in

Fairview Park Traffic Study

the study. Mr. Gumeniski voiced his concerns with increased traffic in the area of Lincoln Road. The traffic studies always seem to come back in favor of the developer. Mr. Schwartz stated that the developer pays for the study and then the traffic study gets reviewed by Great Valley Consultants, we don't take the developers word. Mr. Peifer stated that the study gives recommendations on how to alleviate problems that may be caused by the development. Mr. Gumeniski asked who pays to fix the problem? Mr. Bittig stated the developer pays for it. You cannot stop development as long as they meet all the terms and conditions of the ordinance. The developer pays for the study and the review by Great Valley.

Mr. Richard Delp, 880 Lincoln Road, stated that the traffic was already bad on Lincoln Road. They have a hard time getting out of their driveway. **Mrs. Shirley Delp** stated that when she crosses the street to get the mail she has to wait sometimes up to 10 minutes to be able to get back across Lincoln Road.

The recommendations from the Planning Commission along with the recommendations from Great Valley Consultants would be passed along to the Board of Supervisors.

11. MARK SPEECE – INFORMAL DISCUSSION – Mark Speece

Mr. Speece, 240 Rugby Road, stated that they were interested in possibly subdividing their property and wanted to get the views of the Planning Commission before they would take their idea to an Engineer. Their property abuts Fairway Drive, Devon Green. All of the improvements: water, gas and sewer runs back there. On the back corner there was a small piece that they would annex to lot #50. The neighbors' house sits 8-ft from the property line and they were interested in more of a side yard. The only way they could do that and meet the 9,000 sq. ft lot requirements was to give them 25-ft. What would your suggestions be?

Mr. Bittig asked if it was SR 1 zoning? Mr. Speece replied, yes. The other side of Fairway was already fully developed. They wanted to subdivide 3 lots and annex a portion to the neighbor. If the neighbors did not want the 25-ft strip then that would be put back into the 3rd lot. Mr. Krafczek asked if there was sewer and water there? Mr. Speece replied yes, the existing home had its own well. Mrs. Franckowiak asked if they couldn't bring the lot lines down to make a clean line? Mr. Speece stated they would rather not, in case they wanted to put in a swimming pool. With the actual development, to build on those lots, that was for a future date. They were not looking to sell those lots now. The annexation part would go over to the neighbors immediately. Mr. Wilson stated they could go to two larger lots and give the neighbors more. Mr. Speece stated that the lots would match with what was already developed there. They were looking to maximize the amount of lots they could subdivide off of their property.

Mr. Schwartz stated that currently we were looking at the proposed changes in the Zoning Ordinance and one of those changes was to change the lot frontage minimum from 75 to 100 feet. We were also changing the setback requirements. Even if we would approve the lots, but they were not built on, then they become non-conforming lots. They would still be subject to the new setback requirements. When the zoning changes were made the lots would only be good for a very small home and they might be difficult to sell. To be able to build a larger home they would need to get a variance. With the changes for the setbacks in zoning the house would only be allowed to be 35-ft wide. Mrs. Franckowiak stated that we understand what they were saying about the development across the street, but when the ordinance was adopted the setbacks to the lots would change.

Speece informal continued

Mr. Speece stated that the only problem with that was people would not pay a lot more for the larger lot. They could not get as much out of two lots than what they could get with three. The other lots across the street were only 8,000-sq. ft. Mr. Schwartz stated it would not be the only larger lots in the neighborhood. They just wanted to let them know about the upcoming changes in the setback requirements. Mr. Krafczek stated that if they wanted to subdivide and build now, then that would not be a problem. Mr. Speece stated that the engineering firm would take care of all of the aspects of the subdivision and thanked the Planning Commission.

12. ZONING WORKSHOP

The Planning Commission agreed to hold the next Zoning Workshop on Thursday, May 13th at 7:00pm.

ADJOURNMENT

MOTION BY Mr. Schwartz, seconded by Mr. Bittig, to adjourn the May 4, 2004 meeting of the Exeter Township Planning Commission at 9:30pm. The motion carried unanimously.

Respectfully Submitted,

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

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Correspondence to:

BOS: Burig Conditional Use
BOS: Miller Commercial Subdivision Final Plan Approval
BOS: Cleon W. Kemp, Jr. & Cindy Kemp Subdivision Plan Approval
BOS: Fairview Park Subdivision Traffic Study
BOS: Charles E. & Brenda L. Care Waiver Requests
BOS: Charles E. & Brenda L. Care Sketch Plan of Record Approval