

**MINUTES  
EXETER TOWNSHIP PLANNING COMMISSION MEETING  
APRIL 5, 2005**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, April 5, 2005 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  
Richard Littlehales  
J.D. Krafczek  
Dottie Geiger  
Paul L. Schwartz

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

**1. MINUTES**

**MOTION BY** Mr. Bittig, seconded by Mrs. Geiger to approve the minutes of the April 5, 2005 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 April 5, 2005 Planning Commission meeting, with the removal of AAA Exeter informal discussion. The motion carried unanimously.

The following business was discussed:

**3. SCHAEFFER – CONDITIONAL USE**

Melissa Schaeffer was proposing a home occupation to make crafts in her home to sell at craft shows.

Mrs. Franckowiak stated that there would be no customers coming to the home, no signage and there were no objections from the neighbors.

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

4. **LORANE RUN – PRELIMINARY PLAN** - Susanne Creveling  
Joseph Tarrantino

Mrs. Creveling stated that the proposed subdivision was located along Lorane Road. It was 4.5 acres and they were planning a loop road with 12 lots. They would have on site Stormwater Management with public water and sewer. The wetlands were delineated. The streets would be dedicated and notes would be placed on the plan. They were not proposing streetlights; the premise of the subdivision was to keep it rural. They were proposing individual pole lights. Mr. Peifer stated they would need to put in streetlights at the intersection of the existing road. Mr. Schwartz stated that the Township Ordinance permits the Township to charge a street light assessment; they could only assess a property that was within 250-ft of a streetlight. They could have a problem when some people in a development were assessed and not others. For that reason we generally require them throughout the development. They would need to put in enough for it to be equitable. Mr. Littlehales stated they could put in cut-off decorative style that would not have any intrusion in the homes. Mrs. Creveling stated that they would look into that.

Mrs. Creveling stated that item #23 concerned parking on both sides of the street. They would like to have the parking on just one side of the street. Mr. Bittig stated that if they had larger size lots we might consider that, but they had the minimum size lots, which would give the people just enough room to park in the driveway. Then when they would have visitors, parking would become a problem. Mr. Ruff stated that there has been a past history in the Township where there was parking on only one side and the residents would come to the Board of Supervisors to complain about the lack of parking. We would prefer parking on both sides.

Mr. Bittig asked if they had discussed stubbing the street into the adjoining property? Mr. Peifer replied that they did. Mr. Bittig stated that if they ran the street on the west side of the property into a stub and then ran a T off that into the east portion of the property, then they would not have so many non-conforming lots.

Mr. Tarrantino stated that they heard that the property in the back was deed restricted against any building. Mr. Ruff stated that if it were not deed restricted then Mr. Bittig's idea would be a great one. Mr. Tarrantino stated that they would check into that. Mr. Wilson stated that with item #25, would we want sidewalks or curbing along Lorane Road? Mr. Bittig stated that there was nothing in that area. Mr. Schwartz stated that down the road it was discussed to be a possible school site. They could put a note on the plan that if the Township would need it in the future, they would construct it. Mr. Tarrantino asked if it would need to be escrowed? Mr. Peifer replied that they just would need the note on the plan. Mrs. Creveling stated that they would have a survey done to add the site distance to the plan. With item #29, they did not know how to handle that other than asking for a waiver. Mr. Bittig stated that if they could do the stub street with the cul-de-sac that comment would go away. Mrs. Creveling asked if a cul-de-sac design would be ok without a secondary access? Mr. Peifer replied that would come into play if they had more than 20 homes.

Mrs. Creveling asked how they could handle item #30, SALDO Section 5.431? Mr. Ruff stated that would probably warrant a waiver. Mrs. Creveling stated that with item #31 for the required depth to width ratio, they were trying to reconfigure the lots and if needed they would request waivers. Mr. Schwartz stated that just for their information, the street name of Emerald Drive would not be accepted because we already have a street with the name of Emerald. Mrs. Creveling stated that with item #32, lots 9 and 11 have frontage. Lot 10 was in the middle and would fall under the category of a reverse frontage lot. They have proposed heavy buffering along the rear of the lot, not blocking any site distance. Mr. Littlehales stated that he would prefer if they could put heavy buffering in that area. Mrs. Creveling stated that they plan to ask for waiver relief for Lot 10. If they reconfigure the streets, they might have more reverse frontage lots.

Lorane Run continued

Mrs. Creveling stated that they planned to place sidewalks on one side of the street to try to keep the rural feel of the area. Mr. Schwartz stated that would minimize impervious surface. Mr. Wilson stated that he felt the sidewalks should be on both sides. Mrs. Geiger, Mr. Ruff and Mr. Littlehales agreed with Mr. Wilson.

Mrs. Creveling stated that the stormwater had been designed to control the runoff to pre-existing conditions. Mr. Bittig asked if they were doing infiltration? Mrs. Creveling replied that they were trying their best with the soil in that area. Mr. Littlehales stated that there was an area along Lorane Road that the water pools. Mr. Bittig stated that the west end of the property was 800-ft from the nearest fire hydrant. Mrs. Creveling stated that they would work on that. Mr. Schwartz stated that the EAC had concerns about wetlands that were behind homes. When wetlands were hidden behind homes they were easily encroached upon. We would prefer to see the wetlands in a public place, not in the back yard. We would at least want the information concerning the wetlands on the deeds for the property owners. Mr. Tarrantino stated that they would do that. Mr. Bittig stated that if they reconfigure the streets it might not be a problem. He then asked if they would be submitting the required reports? Mr. Tarrantino replied that they would.

Mr. Wilson stated that they would need to address the site distance, the stub street to Hall Ave, streetlights, fire hydrants, sidewalks and street width. Those were the major issues with the development.

##### **5. DEER RUN – WAIVER REQUESTS – Andy Kent**

Mr. Kent stated that they would be changing the name of the plan. Mr. Wilson stated that the condemnation of the Bybel property precipitated the memo. Mr. Kent stated that the waivers had not been formally submitted to the Township until March 24<sup>th</sup>.

Mr. Wilson stated that in the GVC review letter #1 Environmental Impact Study, “a waiver is requested to defer the submission until Final Plan submission”. Mr. Wilson asked if we normally do that? Mr. Bittig replied no. Mr. Ruff stated that we need to know where the hard environmental impact would be so we could make a decision with Preliminary Plan, just as stated in the GVC letter.

**MOTION BY** Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors deny the deferral of SALDO Section 4.283: Environmental Assessment Statement, based on the comments in the GVC review letter dated March 31<sup>st</sup> and due to the environmental sensitivity of the site. The motion carried unanimously.

Mr. Wilson stated that #2 stated “a waiver is requested from the required street width for the section of Steph Drive through the tunnel below the railroad. There will be a 23-foot cartway containing two traffic lanes. Immediately adjacent to the northbound lane, on the east side of the road will be a 4-foot wide sidewalk, separated from the cartway by a railing”. GVC response stated, “Any crossing of a railroad right-of way by another carrier requires approval by the Public Utility Commission (PUC) in addition to design approval by Norfolk Southern, the owner of the right-of-way”. Mr. Ruff stated that another problem with the proposal was that PennDOT required a 14-foot 6-inch minimum vertical clearance over all lanes and shoulders, which that bridge did not provide. Copies of the PennDOT design manual for bridges were handed out. Mr. Kent stated that there were bridges along the by-pass that do not have that.

Deer Run waivers continued

Mr. Ruff stated that when those bridges would be rehabbed that would be changed. Mr. Bittig stated that there was also an issue with International Fire Code that stated, "Fire apparatus access road should have an unobstructed width of not less than 20-feet and an unobstructed vertical clearance of not less than 13-feet 6-inches". The width was fine, but they did not meet the vertical clearance. Mr. Kent asked if that was from the Fire Marshal review letter? Mr. Bittig replied no, it was in the International Fire Code. Mr. Kent stated they were just asking for a waiver from the width, not the height. Mr. Schwartz stated that we do not have a Section in the SALDO that covers height, just for the width. We could grant a waiver on width and still turn down the project because it does not meet the height requirements. Mr. Ruff stated that based on the criteria for the vertical clearance, we know it would not work, so we could deny the waiver for horizontal width. Mr. Peifer asked if they knew what width they had that met the height requirement? Mr. Kent replied that he did not. Mr. Bittig stated that he checked and they were short by 5-feet. Mr. Peifer stated that SALDO did not address height, but it did provide for review by the Fire Marshal and the Planning Commissions consideration of his comments under Section 3.331. He also stated that right now it was designed up against the wall on one side of the bridge, which we doubt would be permitted by Norfolk Southern. Mr. Ruff stated that they might want to add a barrier. If they looked at the PennDOT width, they would need a barrier for clear zone issues so people do not crash into the side of the bridge. They could just put in a highway guide rail. Mr. Kent stated that they would probably want to put in a poured concrete barrier and walkway.

**MOTION BY** Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors deny the waiver of SALDO Section 5.2352: for the 23-foot street width through the tunnel unless the developer can demonstrate that they meet the vertical height requirements of both the International Fire Code and PennDOT. The motion carried unanimously.

Mr. Wilson stated that #3 stated "a waiver is requested from the requirement that the Coral Drive cul-de-sac be extended to the property line". Mr. Peifer stated that if we asked them to extend the cul-de-sac to the property line with the intent of extending it into the adjoining property to the east, it was not practical because of the topography. They would need to place 15-feet of fill. Mr. Ruff asked how large was the stream that flowed through the neighboring property. Wouldn't that make it hard for them to cross the property and to subdivide? Mr. Schwartz asked if there was any other area they could extend the street to the neighboring property? Mr. Kent replied that it would be hard because of the topography. Mr. Bittig stated that the neighboring property was terrain limited.

**MOTION BY** Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors grant the waiver of SALDO Section 5.304 for extending Coral Drive cul-de-sac to the property line based on the fact that the topography of the adjoining property did not make it practical to extend a road in the future. The motion carried unanimously.

Mr. Wilson stated the #4 stated "a waiver is requested for the proposed cul-de-sac design for Peter Drive". Mr. Bittig asked Mr. Peifer if they received a revised drawing? Mr. Kent showed a plan where they made the street wider so emergency and delivery vehicles would be able to negotiate the loop. Mr. Bittig asked if it would be one way? Mr. Kent replied yes. Mr. Schwartz stated that the body of the fire truck would extend over the curb and possibly knock down mailboxes. They should show on the plan the areas where trees or mailboxes should not be placed.

Deer Run waivers continued

Mr. Ruff asked what the cartway width would be? Mr. Kent stated that originally it was 20-ft, one way with parking on only one side. Mr. Ruff stated that we had a memo from the Fire Marshal that stated the width of the street should be 26-feet with parking allowed on only one side. Mr. Kent stated that if they needed it to be 26-feet wide they would do that.

**MOTION BY** Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors deny a waiver of SALDO Section 5.305 for the design of Peter Drive in that the design does not meet the requirements of the Fire Marshal based on his review letter dated April 5<sup>th</sup>. The motion carried unanimously.

Mr. Wilson stated that #5 stated, "A waiver is requested for lot width to depth ratio; some of the larger lots (Lots 33, 34, 36 and 38) exceed the depth allowed. All of the referenced lots front on the one-way portion of Peter Drive. This request may be resolved if request No. 4 is not granted".

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors grant a waiver of SALDO Section 5.514 lot width to depth ratio for lots 33, 34, 36 and 38 for the reasons stated in the GVC review letter dated March 31<sup>st</sup>. The motion carried unanimously.

Mr. Bittig asked if Mr. Kent forgot to include lots 8, 9, 26 and 32. Mr. Kent replied that they were bigger than three times the width. Mr. Bittig stated that they were not. Lot 32 and 26 had a wide front and 8 & 9 were narrow in the front.

Mr. Wilson stated that #6 stated "a waiver is requested of SALDO Sections 5.964, 5.965, 5.966 and 5.967 for open space requirements, allowing instead the dedication of all of the land south of the railroad right-of-way, as proposed by the Owner, to satisfy the requirements for open space dedication. The developer will retain an easement across said lands for a sanitary sewer connection by gravity to the existing sewer line and an easement for storm water by pipe or swale to the existing channel leading to the Schuylkill River". Mr. Wilson then stated that one of the problems is that no roadway shall traverse the site; if you have open space no roads should go across it. Mr. Bittig stated that the proposed Bybel Lane would be an illegal road if that area were dedicated to the Township. Virtually all of that property was a special flood hazard area, swamplands with mosquitoes. Mr. Schwartz stated that 90% of that area was covered by the 100-year flood plain. Ordinance permits 25%. Mr. Bittig stated that their proposed roads would have to encroach into that area. The Army Corps of Engineers would have something to say about that. Mr. Kent stated that the trail down along the river, which was in litigation, would be dedicated to the Township and would meet the open space requirements. Their proposal was to give all of that area to the Township. Mr. Schwartz stated that we generally do not address open space issues. The Board of Supervisors would determine if they want the open space. Mr. Bittig stated that we were court ordered to do so. It was unusable property.

**MOTION BY** Mr. Krafczek, seconded by Mr. Schwartz to recommend the Board of Supervisors deny the waiver of SALDO Sections 5.964, 5.965, 5.966 and 5.967: Open Space Requirements on the basis that it was an issue for the Board Supervisors to decide and refers the Board to the GVC review letter dated March 31<sup>st</sup>. The motion carried with Mr. Bittig, Mr. Ruff, Mr. Littlehales, Mrs. Geiger, Mr. Schwartz voting in favor and Mr. Wilson voting opposed.

Mr. Wilson stated that he believed the land they offered for open space was not acceptable.

## **6. LAMAR ADVERTISING – VARIANCE, SPECIAL EXCEPTION**

Mrs. Franckowiak stated that Lamar Advertising had submitted additional applications for billboard locations and the hearing had been rescheduled. She was not sure if it was a Planning Commission issue. What they were looking at was it a Zoning issue or a separate stand-alone ordinance? The hearing was set for May 2<sup>nd</sup>. Mr. Schwartz stated that they had some conflicting information. Mr. Krafczek stated that the application showed one location. They did not belong in front of the Zoning Hearing Board, but they were being forced to do so. Mrs. Franckowiak stated that the court suggested that they go in front of the Zoning Hearing Board and then go back to the courts. Mr. Bittig stated that he did a survey of the number of billboards. In Montgomery and Chester County, 23½ miles of U.S. 422 highway, there were a total of 13 billboards. In Douglas Township there were zero. In Amity Township there were 11 boards on a 4-mile stretch. In Exeter, we have 29 billboards in 6 miles. We have the highest density and they were taking us to court.

## **7. LAND DISPLAY – APPEAL PETITION**

Mrs. Franckowiak stated that Land Display was following the lead from Lamar Advertising and going in front of the Zoning Hearing Board. Mr. Wilson stated that one of the statements they had was that the Sign Ordinance was invalid because the Township Planning Commission had not reviewed it.

Mrs. Franckowiak stated that was true. Mr. Krafczek stated that we do not consider that a land use. It was a separate ordinance. Mrs. Franckowiak stated that it was extracted from the Zoning Ordinance back in the 80's. Mr. Krafczek stated that the question was whether or not our Sign Ordinance falls within the jurisdiction of the M.P.C. Mr. Schwartz stated that the courts should decide that.

**MOTION BY** Mr. Schwartz, seconded by Mr. Krafczek to recommend the Planning Commission not take any action on Lamar Advertising Variance and Land Display Appeal Petition. The motion carried unanimously.

## **8. KERSCHNER - VARIANCE**

Mrs. Franckowiak stated that the Planning Commission previously reviewed the Kerschner Plan. Mr. Peifer stated that it was situated in the A. P. District and they planned the annexation so each septic system was on the property of the persons using them.

**MOTION BY** Mr. Ruff, seconded by Mr. Schwartz to recommend the Zoning Hearing Board approve the request for variance based on the fact that the Planning Commission was in favor of the plan as presented. The motion carried unanimously.

## **9. GENERAL DISCUSSION**

Mr. Wilson stated that as a reminder, the Zoning Workshop was scheduled for Tuesday April 26, 2005. We had a request from Mr. Pease asking the Planning Commission to discuss the Traffic Study for Pineview Ridge at the Zoning Workshop. Even though we might have the review letter from GVC, he would prefer to discuss it at the regularly scheduled meeting so Mr. Peifer would be here if we had any questions. The Planning Commission agreed with Mr. Wilson.

General Discussion continued

Mrs. Franckowiak stated that Ruby Tuesday requested that the Doskus property be rezoned to Commercial. The property had been changed as a part of the Planning Commission tour and Supervisors' action last year. She asked the Planning Commission to authorize a change via the letter to the Board of Supervisors to state that because it was previously completely zoned Highway Commercial; you would support reverting it back to that zone.

**MOTION BY** Mr. Littlehales, seconded by Mr. Bittig to recommend the Board of Supervisors revert the Doskus property back to the original Zoning classification of Highway Commercial. The motion carried unanimously.

**ADJOURNMENT**

**MOTION BY** Mr. Ruff, seconded by Mr. Schwartz, to adjourn the April 5, 2005 meeting of the Exeter Township Planning Commission at 9:00pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

BOS: Deer Run Waiver Request  
BOS: Schaeffer Conditional Use  
BOS: Doskus rezoning  
ZHB: Kerschner Variance