

**MINUTES  
EXETER TOWNSHIP PLANNING COMMISSION MEETING  
AUGUST 2, 2005**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, August 2, 2005 at the Exeter Township Junior High School, 151 E. 39<sup>th</sup> Street, 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  
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 Mr. Ruff, to approve the minutes of the July 5, 2005 Planning Commission Meeting as presented. The motion carried Mr. Wilson, Mr. Bittig, Mr. Littlehales, Mr. Ruff, Mrs. Geiger voting in favor and Mr. Schwartz abstaining as he was absent for the meeting.

**2. AGENDA**

**MOTION BY** Mrs. Geiger, seconded by Mr. Schwartz, to approve the agenda of the August 2, 2005 Planning Commission meeting. The motion carried unanimously.

**3. APPROVE APPLICATIONS FOR REVIEW**

**A. GODSHALL ANNEXATION – SKETCH PLAN OF RECORD; LITTLE VIEW HILL – FINAL PLAN; ZAJAC ANNEXATION – SKETCH PLAN OF RECORD; COMMONWEALTH NEW HOMES – SKETCH PLAN; HERITAGE HILLS – PRELIMINARY PLAN; RUBY TUESDAY – FINAL PLAN: MOTION BY** Mr. Ruff, seconded by Mr. Littlehales to accept the preceding plans for review. The motion carried unanimously.

The following business was discussed:

Mr. Wilson stated that before we started the agenda he wanted to bring to everyone's attention a letter received from J. D. Krafczek stating that he was no longer a resident of Exeter Township and regretfully must resign his position on the Exeter Township Planning Commission. Mr. Wilson stated that he was sorry to see him go and we would miss him.

Mr. Wilson stated that he received the letter from Ms. Cusimano listing the time extensions received for unapproved subdivisions and she had not received a time extension for the Kubovcsak Subdivision and would need a motion to reject the plan.

**MOTION BY** Mr. Bittig, seconded by Mr. Ruff to recommend the Board of Supervisors reject the Kubovcsak Subdivision Sketch Plan of Record, as a time extension was not granted, for the reasons listed in the GVC review letter dated April 2, 2004 and the GVC Floodplain Analysis review letter dated April 22, 2004. The motion carried unanimously.

**4. MAHLON & VERA KERSCHNER – SKETCH PLAN OF RECORD – Andy Kent**

GVC reviewed the Mahlon and Vera Kerschner Lot annexation plan (reference letter dated July 27, 2005).

Mr. Kent stated that they were annexing land to three of the neighbors who had sewage systems that were on the Kerschner property. They received the variance from the Zoning Hearing Board. There were two comments on the review letter. The first comment was that the Certification of Order from the Zoning Hearing Board was copied on the plan and due to legibility issues with the process of recording the plan and retrieving the image, it was recommended that the order be typed on the plan as noted. Mr. Kent stated that he talked to the Recorder of Deeds office and they stated that if they could not read the note they could record the order as a second sheet. The second comment was that the title block should indicate "Sketch Plan of Record". They also talked to the Recorders office about that and they told him that could be written on the plan.

**MOTION BY** Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors approve the Mahlon and Vera Kerschner Sketch Plan of Record. The motion carried unanimously.

**5. GODSHALL ANNEXATION – SKETCH PLAN OF RECORD – Andy Kent  
- Randall Reeser**

GVC reviewed the Timothy & Deanna Godshall Sketch Plan of Record (reference letter dated July 27, 2005).

Mr. Kent stated that they were looking for waivers of the following sections of SALDO: Section 4.118: Significant topographical and physical features on the tract since they were just annexing parcels and would not be doing any building; Section 4.122: A soils map of the site at the same scale as the Sketch Plan as they would not be disturbing any soil; Section 4.142: The note requiring that further subdivision from this tract within ten years of the date of final approval will require plans be prepared in full accordance with the Major Subdivision procedures, there were some neighbors in Lower Alsace that might be interested in annexing at a later date and they would like to be able to proceed with a Sketch Plan of Record instead of a

### **Godshall Annexation continued**

full Major Subdivision plan. Mr. Peifer stated that they would not need to come back to Exeter for that, they could just put a note on the plan that it applied to Exeter Township. Mr. Kent stated that the neighbors might decide that they want to annex that portion to their property and then they would need to go through the Major Subdivision procedures and they would not want to have to do that.

Mr. Bittig stated that several of the adjoining properties were not participating in the annexation. Mr. Kent stated that the neighbors were moving. Mr. Bittig stated that Adams would have a strip that runs down the stream behind Quillman and Spitler. Are Quillman and Spitler in agreement with that or would we have boundary wars? Mr. Reeser replied that the neighbor moved and the new owners were aware of the annexation.

Mr. Kent stated that they were looking for a waiver of Section 4.149: wetland delineation. Mr. Peifer stated that they could put a note on the plan that no wetland delineation was performed and prior to any further development on any of the tracts it would need to be done. Mr. Kent stated that they were also requesting a waiver of Section 6.209: Installation of boundary line monuments, most the neighbors have their lots pinned and adding monuments would be an added expense. They would take care of the other comments in the GVC review.

**MOTION BY** Mr. Bittig, seconded by Mr. Schwartz to recommend the Board of Supervisors waive the requirement of SALDO Section 4.118, significant topographical and physical features on the tract. The motion carried unanimously.

**MOTION BY** Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisor waive the requirement of SALDO Section 4.122, soils map of the site at the same scale as the Sketch Plan. The motion carried unanimously.

**MOTION BY** Mr. Littlehales, seconded by Mr. Schwartz to recommend the Board of Supervisors waive the requirement of SALDO Section 4.142, note requiring the further subdivision from this tract within ten years of the date of final approval will require plans prepared in full accordance with the Major Subdivision procedures. The motion carried unanimously.

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors waive the requirement of SALDO Section 4.150, location and elevation of boundary line monuments or markers. The motion carried unanimously.

**MOTION BY** Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors waive the requirement of SALDO Section 6.209, installation of boundary line monuments. The motion carried unanimously.

Mr. Kent stated they would return with the revised plan.

6. LITTLE VIEW HILL - FINAL PLAN – Andy Kent  
- Phillip Burkhart

GVC reviewed the Little View Hill Final Plan (reference letter dated July 28, 2005).

Mr. Kent stated that the plan was for three additional building lots. They were requesting a waiver for Erosion and Sediment Control and Stormwater Controls to be waived until building permits were submitted. That would all depend on the types of houses being built. Mr. Bittig asked if that would be a waiver of the SALDO? Mr. Peifer replied that it was of the Act 167 Schuylkill River Ordinance. They did the probes to determine the limiting zone and perk test to determine perk rate. That information was on the plans, it was also indicated that they could not construct the system that was shown on the plan in accordance with the Ordinance because there were isolation distances between the bottom of the system and the limiting zone that could not be met. The ordinance did allow for exemptions. There was a procedure to follow to demonstrate that they qualify for an exemption and we suggested that the calculations be submitted and the individual systems could go in at the time of house construction when more information was known about the house. The concern was that those systems may not be installed and another form of management might be required. Mr. Bittig stated that the subdivision did not qualify for the standard exemption criteria.

Mr. Peifer stated that would be true if they looked at the gross area, but if they looked at each individual lot they probably would qualify. They would need to provide more information to be able to make a determination concerning the waiver. Mr. Burkhart stated that they were unsure what the criteria were for the exemption. Mr. Peifer replied that the exemption was from presenting a full-blown plan and report; they would still need to deal with the excess runoff. Mr. Kent stated that they were unsure as to what kind of houses would be built, they would like to exempt it for the plan, but do it at time of building permit. Mr. Peifer stated that the issue was that at the time it was done for infiltration, it did not look as though infiltration would work.

Mr. Kent replied that they would look into that.

Mr. Bittig asked about items 4 & 5, did the Supervisors grant a waiver for PNDI and Historical resources? Mr. Kent replied no, that they would provide them. Mr. Bittig stated that they would be running sewer lines up Hafer Road and stopped short of the property line. Would that be the proper thing to do, as there were other properties further up that had on-site sewer and if their system would fail, they would need to tie into the public sewer? Mr. Kent stated that they ran the line to service their property and the other side ran down hill and would need to tie in to the sewer on Gibraltar Road. Mr. Wilson asked about the previous plan note stating that a 35-foot yard was required as a deed restriction. Mr. Kent stated they would look into it and if that deed restriction was there they would put it back on the plan. Mr. Wilson stated that they would need to see if the Sewer Planning Module was approved. Mr. Kent stated that they were waiting for that and wanted to get that done and in before they paved Lorane and Hafer. Mr. Wilson asked if they needed to put in curbs and sidewalks? Mr. Kent replied that they had the standard note on the plan, as was required at Exeter Car Care across the street. Mr. Wilson stated that if they were paving the street, it might be the time to put those in. Mr. Bittig asked if the Board of Supervisors granted relief for curbs and sidewalks. Mrs. Franckowiak stated that there was discussion about the plan and then it was decided that they put the note on the plan that when the Township would desire, they would put in the curb and sidewalks. Mr. Kent stated that the note on the plan was exactly the same as the one on Exeter Car Care. Mr. Schwartz stated that since they were paving those streets now they should approach the Board of Supervisors and ask if they would want the subdivision to have curbs and sidewalks put in. The Planning Commission agreed to send a letter to the Board.

**7. ZAJAC ANNEXATION – SKETCH PLAN OF RECORD – Robert Hayes**

GVC reviewed the Zajac Annexation Sketch Plan of Record (reference letter dated July 27, 2005).

Mr. Hayes stated that the Zajacs had previously constructed a fence on the property and needed to move the property line so the fence was entirely on their property. Item #2 under Zoning concerned the non-conformity of the lots. They were looking for clarification if a Zoning Variance would be required for the annexation. Mr. Bittig stated that, at the present time, lot 2 was a conforming lot, area wise. They would be taking a lot that was conforming and then make both lots non-conforming. They would need to go to the Zoning Hearing Board for a variance. Mr. Hayes asked about the existing site distance for the driveways, did they need an easement to keep the area clear? Mr. Peifer stated that they would need to do that with bearings and distances. Mr. Wilson stated they would need to go for a variance. Mr. Schwartz stated that we would review the application and comment on it. We would give a favorable letter to the Zoning Hearing Board.

**8. COMMONWEALTH NEW HOMES (WEILER TRACT) – SKETCH PLAN – John Mahoney**

GVC reviewed the Commonwealth New Homes Sketch Plan (reference letter dated July 18, 2005).

Mr. Mahoney stated that they were proposing to build 26 single family detached homes. The new Zoning Ordinance required 12,000 sq. ft. lots and the lots were at least that size. Mr. Bittig stated that was with public water. Where were they getting the public water supply? Mr. Mahoney replied that the public water was on Rugby Road. Mr. Bittig asked if Pa American has given them a written guarantee that they would run the water line to the development? Mr. Mahoney replied no, they would submit that with Preliminary Plan. Mr. Bittig stated that if they did not have public water then the lots would need to be one acre in size.

Mr. Mahoney stated that for comment #1 under Zoning, they did not have any non-residential use being proposed. Mr. Mahoney asked if they would need to provide the Environmental Assessment Statement? Mr. Bittig replied yes. Mr. Mahoney asked about tree removal, was that 20% for each lot or the total tract? Mr. Ruff replied that it was 20% of existing tree coverage of the entire tract. Mr. Peifer stated that they needed to see the outline of tree removal for the streets and that becomes the basis for the actual home construction. Mr. Mahoney stated that they planned to do the two cul-de-sacs as depicted. Mr. Bittig asked why the two cul-de-sacs did not meet? Mr. Mahoney replied that the property was steep in that area. Mr. Ruff stated that he felt that at least one of the cul-de-sacs should extend to the adjoining property line in case the adjoining property owner wished to develop. Mr. Mahoney asked if the bulb of the cul-de-sac went to the property line? Mr. Peifer replied yes with a right-of-way the full width extending to the property line. Mr. Wilson asked if the main entrance came off of Rugby Road? Mr. Mahoney replied yes, they would have a right-of-way through Mr. Weiler's tract. Mr. Bittig stated that they would need to annex that area to their tract. Mr. Wilson stated that he did not like that they did not have a through street and they had two entrances onto narrow country roads. He felt they would need to have sidewalks and curbs. Mr. Littlehales asked if they had the needed sight distance at both entrances? Mr. Mahoney replied that they had an engineer doing the studies.

Mr. Mahoney stated that they planned to dedicate the streets to the Township. Did the Township accept stormwater basins? Mr. Ruff replied that the Supervisors did not accept the basins. Mr. Wilson stated that with item #12, it stated that the 20 homes on the cul-de-sac was the maximum number allowed with one

### **Commonwealth New Homes continued**

entrance. They would not be allowed to add any more homes on the remaining parcel. Mr. Mahoney stated that they were planning to have 54-ft right-of-way with off street parking. Mr. Peifer stated that when the development was of medium or high density then on street parking became an issue. Mr. Bittig stated that with smaller lots there should be on street parking. Mr. Mahoney asked if 60-ft would be required?

Mr. Peifer replied that with two 12' travel lanes and two 8' on street parking the additional right-of-way would be 10' on both sides bringing it up to 60'. Mr. Wilson stated that with item #19, we felt that a through street would be better than two cul-de-sacs, better traffic circulation, better emergency access and better lot layout. Mr. Mahoney stated that they were concerned with getting Met-Eds permission to cross their right-of-way but they would try. Mr. Bittig stated that with item #21, they had too many non-conforming lots. Mr. Wilson stated that we can grant waivers, but they would need to justify the need for the waiver. Poor design layout was not an excuse; sometimes with larger lots that would not be needed.

Mr. Mahoney asked if trees that were taken down would need to be replaced on the same lot? Mr. Schwartz replied that sometimes that would not be feasible, so they could replace them elsewhere on the tract.

Mr. Bittig stated that concerning wetlands, he felt that they did exist as there were cat-o-nine tails 8' high off of Stonetown road in the area of the proposed detention basin and DEP would not allow that. Mr. Wilson stated that with item #3 under general comments, they should add a note to the plan that further subdivision was prohibited. Mr. Bittig stated that if they did not have public water they would need to provide cisterns that met the Fire Marshal code requirements.

#### **Public Comment**

**Stef Brok**, 250 Stonetown Road, asked what property were they using to come out onto Stonetown Road? Mr. Mahoney replied that it belonged to Mr. Weiler. They had discussed a swap of an acre of land from Mrs. Brok for an acre of Mr. Weiler's land. Would the Board have a problem with that? Mr. Bittig stated that it might resolve the access issue.

### **9. FAIRVIEW PARK II – PRELIMINARY PLAN – Stephen Bensing**

GVC reviewed the Fairview Park II Preliminary Plan (reference letter dated July 29, 2005).

Mr. Bensing stated that item #5 concerned the conservation easement areas; they would add the additional easements to the plan. With item #7 concerning the two access points, at the October 5, 2005 meeting the Planning Commission approved the two accesses. One was a main access point and the other was for emergency only. The Fire Marshal issued a memo concerning the two access points. Mr. Bensing felt the issue was handled previously. Mr. Wilson stated that there was a new Fire Marshal and they needed to address his memo. Mr. Bensing replied that they would have a problem addressing that issue. Mr. Schwartz stated that we should ask for a memo from the Fire Marshal explaining why that was important.

Mr. Bensing stated that they were looking for waivers for lot depth to width ratio for lots # 12, 18, 26, 33, 39, 50 & 51.

**MOTION BY** Mr. Schwartz, seconded by Mr. Ruff to table the motion concerning the lot depth to width ratio for lots #12, 18, 26, 33, 39, 50 & 51 until they addressed other issues that might change the design. The motion carried unanimously.

## **Fairview Park II continued**

Mr. Bensinger stated that with item #1 under stormwater, they would resolve that by adding on-lot detention. Item #4 would be resolved by requiring RCP thru out the development. They provided the wetland delineation report. Mr. Wilson stated that he felt they had too many requests for waivers for lot depth to width ratio and was concerned with the traffic from the development being able to access 422. Mr. Bittig asked about note #25 on the plan concerning parking on one side of the street? Mr. Bensinger stated that was discussed early on. Mr. Bittig asked if they got a waiver for that? Mr. Bensinger replied that he could not recall. Mr. Bittig asked if the minutes could be reviewed to see if they that was discussed and if they received a waiver for that.

- 10. FAUST TRACT – SKETCH PLAN**
- Mike Sodl
  - Brian Kobularcik
  - Michael Bercek

GVC reviewed the Faust Tract Sketch Plan (reference letter dated July 27, 2005).

Mr. Sodl stated that they were developing a 47-acre tract of land that was located in three Townships. They brought in the initial Sketch Plan and with the feedback revised the plan to address the comments. They located the boundary of the separate Townships and determined that there was an equal amount in Alsace and Exeter. They used the original municipal boundaries located by tax assessments.

Mr. Bercek stated that he did a survey to determine the boundary line based on tax assessments. Mr. Peifer mentioned that the County had a disclaimer on their website that the lines were not surveyed. They surveyed the tract of land and did a field survey of the adjoining tracts. They checked the recorded deeds to see what Township they were located in. Mr. Peifer stated that the three Municipalities would need to agree to the boundary line. Everything else was irrelevant until that was resolved. That was a Board of Supervisors issue, not a Planning Commission issue. Mr. Peifer asked Mr. Gardecki if he found any information that was useful regarding the boundaries? Mr. Gardecki replied that he could not find anything other than the possibility that the deed for Exeter would be on record in Philadelphia. There was a deed description for Lower Alsace that was in the Clerk of Courts. The County told him that it would be hard to have the three Municipalities agree with the boundaries. Mr. Peifer stated that he would suggest that they reduce this to writing and submit it to the three Municipalities to get their blessing. Mr. Bercek stated that they could put a disclaimer, by note, on the plan that stated the municipal line was shown based on deeds of record and a field survey. Mr. Kobularcik stated that they would get the information together and give it to their solicitor who in turn would present it to the solicitors from the three Municipalities. Mr. Schwartz stated that would be good and then we could move forward.

Mr. Bittig asked how much of the tract was located in Exeter? Mr. Bercek replied that he was unsure of the acreage, but the subject parcel was 80% in Exeter, about 20 acres. Mr. Bittig stated that he knew there was public sewer located there, where were they getting public water? In the absence of public water they would need to have 1-acre lots. Mr. Wilson asked what the price of the homes would be? Mr. Kobularcik replied that they would be between \$225,000 to \$250,000. Mr. Wilson stated that he felt the old farmhouse should be renovated, not torn down. He felt the cost to renovate would be less than the cost to build another house. Mr. Kobularcik stated that the farmhouse was not structurally sound and the roof was leaking. They did not see a feasibility to renovate unless the property had some historical value. Mr. Wilson stated that the

## **Faust Tract continued**

farmhouse was over 100 years old. Mr. Kobularcik stated that it did not meet the current building codes. Mr. Wilson stated that he would prefer to see the farmhouse renovated. He would also like to see internal sidewalks. Also, when they go to the Board of Supervisors concerning the boundary of the Township line, they should also discuss if they want the open space or the fee-in-lieu of.

## **11. GENERAL DISCUSSION**

Mr. Wilson stated that there were quite a few people attending the meeting with concerns about the development of the Reading Country Club and if they wished to express their concerns they could do so.

### **Public Comment**

**Pela Naffin**, Exeter Golf Course, stated that if there was ever a time to draw the line and say “enough was enough” it was now. She had lived in Exeter for 25 years and during that time Exeter had gone through tremendous changes. Cornfields and beautiful fields became housing. Animals were disappearing and that was very sad. She was also concerned with water supply. They already had water pressure problems where she lived. It was in the Planning Commission hands to help them. She wished the Township good luck and she believed that we would do what was best for the residents. She loved the Township and wanted the Township to love them too.

**David Wentling**, Reiffon, stated that he was a member of the Reading Country Club for 45 years and he knew no one in favor of the plan. He was concerned with the amount of traffic that would be produced from the development, the amount of children that would put a strain on the Schools and the environmental problems that would be caused by the development. There currently was a problem with water runoff into Antietam creek, imagine how bad it would be after they build? He was concerned with the amount of trees that would be cut down. Could the sewer system handle the additional building? He also was concerned that the developer wanted to “give” the Township property that was in the flood plain.

**Stef Brok**, 250 Stonetown Road, stated that she would like to discuss the development next to her property where they planned to build 26 homes. She had previously sent a letter to the Planning Commission with her concerns. That development would add at least 50 cars daily in that area. She and her neighbors were concerned with the ever-increasing amount of traffic on the quiet back roads, the abuse of the existing wetlands, displacement of the flourishing wildlife that had lived on the unspoiled property for many years, senseless deforestation of the woodland, water drainage and run-off into already designated wetlands and, on a personal note, drainage into the pastures of her horse farm. She understood they were living in a pro-growth area and ideally they would like to prohibit all growth around them, but they had some suggestions: require more open space for the development or require larger lots per house to reduce the number of houses and preserve the wooded area. A more appropriate and humane suggestion would be to claim the twenty acres as a wildlife preserve and allow the many deer, fox and other animals to live in their home environment free from human interference. Remember that these animals have enjoyed a range of territory that included the Reading Country Club. If the Country Club were developed, the animals would need the 20+ acres for their habitat. Please respect the wishes of your residents. Be vigilant and require a detailed engineering study to deal with stormwater run-off, have a comprehensive traffic study done. Please do not allow our

### **General Discussion continued**

Township to be inundated with more problems caused by over development of what was once a peaceful country area. Save our woodland and preserve the area for the future.

**Pamela Clark**, Shelbourne Road, stated that she had lived on Shelbourne road since 1978 and was concerned with the increased traffic with the development of the Country Club. Another concern she had was with water. She had seen the Country Club totally flooded four times since 1978. The worse time was in 1979 as they watched trees and telephone poles wash by. She asked that there be a bog turtle study done on the property.

**Bill Clark**, Shelbourne Road, asked how we would deal with water problems in that area? The plan showed open space to be given to the Township in the flood zone. Would the Township accept the liability of having a park area that, in heavy rain, flooded? Five hundred homes with eight or nine hundred kids, if one of them drowned in a park area that flooded, the Township would be responsible. The Township should accept open space that was not in the flood plain. Mr. Wilson replied that open space in a flood zone was not acceptable open space. It would not happen.

**Gerald Weinstein**, Sagebrook, stated that the zoning for the Country Club was currently zoned residential. Could there not have been another classification given to the Country Club that was not residential? That was something that should have been changed years ago. Mr. Schwartz stated that we were approached by the Country Club a few years ago requesting it to be zoned as a convention center. We worked with them for months and when everything was in place two people from the Country club stood up and said that the person we were dealing with previously was no longer working for the Country Club and they were not interested in the change. Mr. Wilson stated that the Joint Planning Commission was approached by the Country Club for the possibility to change to shopping and continue having wedding receptions in the clubhouse, but they withdrew that idea also. Mr. Weinstein asked if there was something in the Ordinances that would prohibit a change to a zoning area just because someone wants to develop it? Mr. Wilson stated that zoning was governed by the MPC. Mr. Schwartz stated that once a developer submits preliminary plans the plans would be reviewed by the zoning at the date of the application. Sketch Plans would not fall under those rules.

An unidentified Township resident asked if it was too late for the Township to do a public condemnation to bring in another entity to develop the tract that would not put a burden on the School District and would be in the best interest of the Township. The Supreme Court just ruled on that. Mr. Schwartz stated that the problem with that would be that we would have to pay fair market value for whatever it was assessed. Possibly 50 to 60 million dollars compensation and he did not believe the Township could pay that amount. Mr. Bittig stated that a number of the residents had valid concerns with the development. We, as an advisory body, were bound to follow the law. Stormwater was a concern; we have a stringent Ordinance that went recently into effect. The Developer had to follow that Ordinance. That Ordinance was pushed by the State and there would be no relief granted. They need to deal with PennDOT for highway access and deceleration lanes. They would have a problem with the current access to the Country Club for a decel lane, as there was private property located there. Along the north side of 422 there was a drop off and it would be hard to put in a decel lane for the second entrance. DEP and the Corps of Engineers would be dealing with the waterway, Antietam Creek, and the flood plain. He felt the current plan would not survive under the Ordinance without relief and the Township would not be in favor of granting relief.

### **General Discussion continued**

Another unidentified resident asked if the sewer system could handle the development? Mr. Schwartz stated that our sewer plant had the capacity. Mr. Wilson stated that although we had the capacity there was a problem getting the sewage from the property to the plant. The size of the trunk line would not handle the flow. Mr. Bittig stated that DEP would need to be involved as the trunk line runs down Antietam Creek. Mr. Wilson stated that if he could stop all the building in Exeter he would be first in line to do so. The Planning Commission all agreed with that statement, but they were bound by the law. The resident asked if the plan would change to single-family homes? Mr. Bittig replied that the 523 town homes could shrink down to 300, but we could not stop the development. Mr. Littlehales stated that the Planning Commission was strictly an advisory board and that we make recommendations to the Board of Supervisors. The Township had an excellent website, [www.exetertownship.com](http://www.exetertownship.com), with our agendas and meeting minutes. If anyone had any experience in planning or engineering and would like to apply for the opening on the Planning Commission, do so. Mrs. Geiger stated that if you care about the Township, as she did, please apply.

Mrs. Franckowiak stated that it was suggested to have a separate meeting next month for the Heritage Hills development. What was the consensus of the Planning Commission? They agreed to have a separate meeting at the Junior High School for Heritage Hills. The date was to be announced later.

### **Public Comment**

**Eleanor L. DeFrees**, 3916 Romig Ave, stated that she was the “dead end kid” and was wondering what was happening with the Ruby Tuesday Plan? Mr. Wilson replied that Ruby Tuesday submitted Final Plan and we were waiting for the GVC review. It might be on the agenda for the next meeting.

**Judy Magee**, 3913 Romig Ave, asked if we would know when they plan to do blasting at the Ruby Tuesday site? Mr. Bittig stated that they could not do that until Final Plan approval and permits were required.

Mr. Wilson thanked the residents for coming out to the meeting and voicing their concerns.

Mrs. Franckowiak asked the Planning Commission to decide on a date for a Zoning Workshop. The Planning Commission agreed to meet on Tuesday, August 23, 2005 at 7pm. with the exception of Mrs. Geiger who could not attend.

Mr. Schwartz stated that at the last Board of Supervisors meeting the Board made substantial changes with the proposed new Zoning Ordinance. Mr. Bittig and he looked at the Municipalities Planning Code and found that the Board of Supervisors acted outside of the law and felt it was our duty as a Planning Commission advisory council to make the Supervisors aware that they have overstepped their authority. They should have the changes come back to the Planning Commission. Mr. Bittig stated that specifically Section 609 (c) which stated that in the case of an amendment other than that prepared by the planning agency, the governing body shall submit each such amendment to the planning agency at least 30 days prior to the hearing on such proposed amendment to provide the planning agency an opportunity to submit recommendations. And Section 610 (b) which stated that in the event substantial amendments were made in the proposed ordinance or amendment, before voting upon enactment, the governing body shall, at least ten days prior to enactment, re-advertise, in one newspaper of general circulation in the municipality, a brief

### **General Discussion continued**

summary setting forth all the provisions in reasonable detail together with a summary of the amendments. The allowance of schools in the AP Zone constitutes a substantial change to the original amendments recommended by the Planning Commission, and accordingly, should have been re-advertised.

**MOTION BY** Mr. Bittig, seconded by Mr. Schwartz, to recommend the Board of Supervisors rescind the amendment that allowed schools as a conditional use in the AP Zone. The motion carried unanimously.

Mr. Peifer stated that GVC received a request from the Developers of Heritage Hills for a meeting between GVC and their engineer to discuss the technical issues of the plan and typically that was not done until after the Planning Commission had reviewed the plan. As in other cases where we have reviewed things with an engineer the review letter stays intact until the Planning Commission had evaluated that at a public meeting. He was asking for permission/non-permission from the Planning Commission to meet with them. The Planning Commission agreed to have Mr. Peifer, along with the Engineering Department of Exeter, meet with the developers.

Mr. Wilson stated that we received a pamphlet for the Planning Commission from Mr. Bingaman with a note asking which Planning Commission members wished to attend the workshop "Blue Mountain Watershed Summit". Mr. Bittig, Mr. Wilson and Mr. Ruff expressed interest in attending.

### **12. OFFICIAL MAP – Eric Gardecki**

Mr. Gardecki stated that he completed the revision to the Official Map and asked the Planning commission if it was ready to send to the Board of Supervisors for review?

**MOTION BY** Mr. Schwartz, seconded Mr. Ruff to recommend the Board of Supervisors approve the revisions to the Official Map.

### **ADJOURNMENT**

**MOTION BY** Mr. Schwartz, seconded by Mr. Ruff, to adjourn the August 2, 2005 meeting of the Exeter Township Planning Commission at 11:00pm. The motion carried unanimously.

Respectfully Submitted,

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

Correspondence to:  
BOS: Kubovcsak Subdivision Sketch Plan of Record  
BOS: Zoning Ordinance changes  
BOS: Kerschner Sketch Plan of Record  
BOS: Godshall Annexation Waiver requests  
BOS: Official Map