

**MINUTES  
EXETER TOWNSHIP PLANNING COMMISSION MEETING  
DECEMBER 6, 2005**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, December 6, 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  
Richard Littlehales  
Paul L. Schwartz  
Gary L. Shane

**ABSENT:** John F. Ruff, Secretary  
Dottie Geiger

**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. Schwartz, to approve the minutes of the November 1, 2005 Planning Commission Meeting as presented. The motion carried unanimously.

**2. AGENDA**

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig, to approve the agenda of the December 6, 2005 Planning Commission meeting with the addition of the scope of Traffic Study for Weiler Tract/Commonwealth Homes. The motion carried unanimously.

**3. APPROVE APPLICATIONS FOR REVIEW**

- A. **ZACH'S AUTO SALES – PRELIMINARY PLAN, G.A.S. ACCESS PIONEER CROSSING ENERGY – PRELIMINARY PLAN:** **MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to accept the preceding plans for review. The motion carried unanimously.

The following business was discussed:

**4. LIGHTING ORDINANCE – C. STANLEY STUBBE**

The Lighting Ordinance was discussed and only a few corrections were made. Mr. Stubbe stated that he would make the corrections and get the Ordinance back to us.

**5. CONDITIONAL USE - KOBRYN**

Mrs. Franckowiak stated that Jennifer Kobryn was proposing to use her home kitchen located at 541 Rugby Road, for a home based baking business as a home occupation. All of the work would be done in the kitchen, which represented 15% of the dwelling. She would be the sole employee and would deliver the baked goods to coffee shops, offices, restaurants, etc. There would be no signage. After approval for the conditional use Ms. Kobryn would obtain the permits from the Dept. of Agriculture.

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors grant a conditional use for Jennifer Kobryn with the understanding there would be no signs, no deliveries and that the Dept. of Agriculture issued their permits. The motion carried unanimously.

**6. CONDITIONAL USE – HUNTINGTON & KATZIN**

Mrs. Franckowiak stated that Heather Huntington and Mark Katzin were proposing to use their residence located at 5550 Fairway Drive South to have an office for a cleaning business as a home occupation. There would be no outside storage of supplies, no signage and no one would come to the home. They met all the provision of the Zoning Ordinance.

**MOTION BY** Mr. Bittig, seconded by Mr. Littlehales to recommend the Board of Supervisors grant a conditional use for Heather Huntington and Mark Katzin with the understanding that there would be no signs, no deliveries and no one coming to the home. The motion carried unanimously.

**7. CONDITIONAL USE - DAVIDHEISER**

Mrs. Franckowiak stated that Donna Davidheiser was proposing to do seamstress work in her home located at 131 Stonetown Road as a home occupation. There would be customers coming to the home by appointment only between the hours of 10 am. and 6 pm. with no more than two customers at a time.

Mrs. Davidheiser would like to erect a small sign, as allowed in the ordinance (6 square feet maximum) as she was located in a rural setting. There were no objections by the neighbors. She met the requirements of the Zoning Ordinance.

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors grant a conditional use for Donna Davidheiser including a sign. The motion carried unanimously.

**8. WOODGATE III A & B – REVISED LAND DEVELOPMENT PLAN - Brian Focht  
Keith Bergman**

GVC reviewed the Woodgate III A & B Revised Land Development Plan (reference letter dated December 2, 2005).

Mr. Bergman stated that they were requesting a waiver of SALDO Section 5.558, the requirement that all driveways be 40 feet from intersecting cartways. Mr. Focht stated that the driveway locations were at intersections internal to the site. There were 8 to 9 units that were affected. They were mainly on the thru side of an intersection. They originally did not feel waivers were needed, as there were no intersecting cartway lines on that side of the street. Mr. Peifer had responded that was not the Townships position, and waivers were needed. Mr. Bergman stated that they were privately owned roadways and the previously approved plans had off- street parking backing onto those streets and were within 40-ft of the intersections. Mr. Bittig stated that private streets must meet the standards of public streets and a few of the units did not have 20-foot driveways. Mr. Focht replied that it would be corrected. Mr. Focht then stated that they have added 19 spaces as requested by the Planning Commission. Mr. Schwartz stated that the streets would be low volume streets. Mr. Wilson stated that he was concerned with headlight glare onto the units sitting directly across from intersections. Mr. Littlehales stated that the area appeared to be low speed, low volume areas with high visibility. Mr. Bittig asked if it was different than the original approved plan. Mr. Focht replied that previously it was a bay of parking that was supposed to be located there. The cars would have been backing out into an intersection from a parking space instead of a driveway. Mr. Wilson stated that if we grant relief here, then other people would come in and want relief also. He did not want to set a precedent. Mr. Focht stated that it previously was a parking area with cars backing out, so that would be a reason relief could be granted. Mr. Peifer stated that they were still waiting for the letters from the water company and the Sewer Authority.

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors grant the waiver of SALDO Section 5.558; the requirement that driveways be 40 feet from intersecting streets, to allow 9 units be permitted even though they do not meet the requirements of 40 feet. The motion carried with Mr. Shane, Mr. Schwartz, Mr. Littlehales voting in favor and Mr. Wilson, Mr. Bittig voting opposed.

**9. ASINO FARMS (F/K/A LORANE RUN) – PRELIMINARY PLAN – SuSanne Creveling**

GVC reviewed the Asino Farms Subdivision (reference letter dated December 1, 2005).

Mrs. Creveling stated that the surveyors could not find any benchmarks in the area of the subdivision and were requesting a waiver to allow the use of a sanitary manhole as the benchmark. Mr. Bittig asked if there weren't any benchmarks in that area? Mr. Gardecki checked the GIS system and could not find anything. Mr. Peifer stated that he would check for that information at his office and get back to them. Mrs. Creveling stated that they would check out the trees on the property and include that information. They had plans submitted to the water company for review and comment. Mrs. Creveling was given the Fire Marshal review letter. Mrs. Creveling stated that the Water Resource Study was being finalized. They were looking for a waiver to allow a paved width of 32-feet and parking on one side of the street. Mr. Bittig stated that it was in our best interest to allow a minimum cartway with the changes in Stormwater Management.

**Asino Farms continued**

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors grant a waiver of SALDO Section 5.2352; paved cartway width and Section 5.2373; parking on both sides of the street and allow a cartway width of 32-feet and parking on one side of the street. The motion carried with Mr. Shane, Mr. Littlehales, Mr. Bittig, Mr. Schwartz voting in favor and Mr. Wilson voting opposed.

Mr. Wilson asked about item #25, curbing along Lorane Road outside the development, was there any curbing in that area? Mr. Schwartz replied that there was not. The Planning Commission agreed to ask the Highway Superintendent, Clarence Hamm, to see if that was needed there. If not, they could place a note on the plan that curbing be added in the future if the Township deemed it necessary. Mr. Peifer stated that item #29 was not an issue, however it was in the letter because they submitted a waiver request from the previous plan, which had a loop street. The cul-de-sac was long enough to get liquid fuels from the State. They could withdraw that request. Mr. Bittig felt that a waiver was needed.

**MOTION BY** Mr. Bittig, seconded by Mr. Schwartz to recommend the Board of Supervisors waive the requirement of SALDO Section 5.421 allowing a block length of 330'. The motion carried unanimously.

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors waive the requirement of SALDO Section 5.431 and allow the single tier of lots. The motion carried unanimously.

Mrs. Creveling stated that they were requesting a waiver for minimum rear yard depth of 75' of lots 9, 10 and 11. Lot 12 would be a corner lot. Mr. Schwartz stated that he would support a waiver if they could provide a buffer from Lorane Road. He wanted to see what the buffer would be and felt that a berm would be a good idea and would like to see what they would provide in that area before granting a waiver.

Mr. Wilson stated that he did not agree with providing a waiver of the rear yard setback.

**MOTION BY** Mr. Littlehales, seconded by Mr. Shane to agree on recommending a waiver from the requirement of SALDO Section 5.523; 75-foot rear yard setback if they would provide a buffer area acceptable to the Planning Commission. The motion carried with Mr. Shane, Mr. Bittig, Mr. Littlehales voting in favor and Mr. Wilson and Mr. Schwartz voting opposed.

Mrs. Franckowiak stated that for item #42 concerning the placement of signs, we would show the plans to Clarence Hamm and get his approval for the location of the signs. Mr. Wilson stated that under general comments it stated that there were no handicapped curb cuts for the southwest corner of the intersection of Asino Court with South Meadow Way. Mrs. Creveling replied that they would correct that.

**10. WINDY WILLOWS – PRELIMINARY PLAN** – Mike Sodl  
- Brian Kobularcik

GVC reviewed the Windy Willows Preliminary Plan (reference letter dated November 21, 2005).

Mr. Sodl stated that Alsace and Lower Alsace were generally in favor of the design of the subdivision. Alsace was in favor of the configuration of the roadway design and they would provide the review letter that stated that. They would submit a revised plan to comply with the comments in the review letter.

### **Windy Willows continued**

Mr. Kobularcik stated that with the comment concerning the curb reveal, Alsace required 6 ½ inches, Exeter required 7 or 8. They would probably go with the higher number and ask for relief from Alsace. They did not have an answer for the sidewalks. Mr. Kobularcik then stated that they had a Phase I Environmental done on the project. The traffic study and the hydrogeological study had been completed. They provided a written waiver request for the Environmental Assessment Statement. Mr. Schwartz asked why they felt they did not need one? Mr. Kobularcik replied that they had already addressed the environmental issues on the site. They did the wetland delineation, walked the site for trees, and there were no bog turtles. What else would be needed? Mr. Schwartz stated that the statement just took the information in the reports and puts it together. Mr. Bittig stated that then we would have a documented record of everything. Mr. Kobularcik stated that they could do that. With item #12, the municipal boundary line, they have a verbal from Lower Alsace' attorney and were waiting for a letter. They were also waiting for a letter from Alsace. They would provide them to the Township when they were received. They were looking for a waiver of lot depth to width ratio for lots 12, 14 & 15. Mr. Peifer stated that Lot 13 did not need a waiver, as it was over 3 times the minimum lot area. Mr. Wilson stated that he did not like to waive that requirement, but considering the fact that the subdivision was in three municipalities he would agree.

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors waive the requirement of SALDO Section 5.514; lot depth to width ratio for lots # 12, 14 and 15 due to the size of the lots and unique configuration of the property. The motion carried unanimously.

Mr. Kobularcik stated that they have completed the Water Resource Study. They had requested a waiver of sidewalks being provided on road "A" only. That would be conditioned on what Alsace wanted. They would like a waiver that stated that. They would tell Alsace that Exeter wanted what they wanted.

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig to recommend the minutes reflect that we would agree to whatever Alsace Township required regarding sidewalks and curbing along road "A". The motion carried unanimously.

Mr. Kobularcik stated that they would be providing two 6,000-gallon cisterns. They would comply with all the requirements of the Fire Marshal. There was only one tree that was pointed out to be saved, next to the house and also the tree line. They would check that out and show it on the plan. The Traffic Impact Study was completed and submitted. They were requesting a waiver for the cartway width of 20-ft for road "A" and also a waiver of the requirement for on street parking for road "A".

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig to permit the portion of road "A" that is located in Exeter Township to be consistent with what Alsace Township required for the cartway width of that road. The motion carried unanimously.

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales that we require on street parking only if Alsace Township required on street parking on road "A". The motion carried unanimously.

Mr. Kobularcik stated that they were requesting a waiver to the improvements along Old Friedensburg Road. They were showing additional right-of-way along that road. Mr. Peifer stated that he looked at that and talked to Clarence Hamm, who felt that improvements were not necessary because there weren't any current

### **Windy Willows continued**

water problems in that area. Mr. Schwartz stated that no waivers were needed since we felt we did not need improvements in that area. Mr. Kobularcik stated that they would place a note on the plan that stated no driveways would come out onto Old Friedensburg Road in the Exeter Township portion of the subdivision. Mr. Kobularcik then asked Mr. Peifer to explain #32. Mr. Peifer stated that was the Section of the Ordinance that stated that you should not have maximum grades and minimum curve radii occurring at the same time, which was the case on the bend in road "B" coming in off of Old Friedensburg Road. Mr. Kobularcik stated that they had it at 9 percent instead of 10. They were not at the maximum grade. The big issue was the sight distance. They felt that it was a safe road. Mr. Schwartz asked if the road was a safety problem? Mr. Peifer stated that he did not think it was a safety issue with the cul-de-sac. Mr. Schwartz stated that since Mr. Peifer didn't have a problem with that and due to the low speeds of the street, he did not have a problem with that. Mr. Kobularcik stated that they were thinking of names for the streets as possibly Gust and Breeze. Mr. Schwartz stated that we did not get involved with that. Mr. Kobularcik stated they were requesting a waiver of SALDO Section 5.558 for the driveway location of the Haas driveway. They shifted the road by 20-ft so it was better. Mr. Peifer stated that we did not have the new revised plan. They might not need a waiver. Mr. Sodl stated that there was a driveway within the intersection of the two streets. Mr. Wilson stated that they would need to redesign the lots so the driveway would not be within 40 feet of the intersection. They could take one lot out and that house would not be located so close to the intersection. Mr. Kobularcik asked where they measured from? Mr. Peifer replied from the edge of cartway to the edge of the driveway. Mr. Kobularcik asked if we had anything we wanted to add concerning the streetlights? Mr. Schwartz replied that the minimum distance had to be met in regards to the street light tax and they had to meet the utilities requirements. Mr. Kobularcik stated the last item was item #46 concerning lot #1 and 26 being considered reverse frontage lots. They showed a 75-foot rear yard setback all the way down to those two lots. Those lots would be elevated. Also lot 26 was now numbered #25. Mr. Shane asked how high they would be elevated? Mr. Sodl replied about 6-ft. Mr. Kobularcik stated that there would be screening in that area. Mr. Littlehales stated that they could remove the one lot and it would also help the lot at the intersection. Mr. Kobularcik stated that they already lost a lot when they created the cul-de-sac. Mr. Littlehales asked what type of buffer they would propose? Mr. Sodl stated that they would put staggered rows of trees. There also was a tree line in that area. Mr. Schwartz stated that we needed a written request. Mr. Bittig asked what the distance was off of Old Friedensburg Road. Mr. Kobularcik replied that they were 40-ft.

**MOTION BY** Mr. Schwartz, seconded by Mr. Shane to recommend the Board of Supervisors grant the waiver of SALDO Section for 75-ft rear yard setback for lots #1 and 25. The motion failed to carry with all members voting opposed.

Mr. Littlehales stated that they could turn lots 1, 2 3 & 4 into 1, 2 & 3. Mr. Kobularcik replied that he could not do that. They would come up with another way to make it work.

### **11. ZACH'S AUTO SALES – PRELIMINARY PLAN – Rick Stankiewicz**

GVC reviewed the Zach's Auto Sales Preliminary Land Development Plan (reference letter dated December 1, 2005).

Mr. Stankiewicz stated that he was contracted to build a 20 x 30 two-bay garage addition for Zach's Auto Sales. They would return next month with the surveyor to discuss the review letter.

**12. G.A.S. ACCESS PIONEER CROSSING ENERGY – PRELIMINARY PLAN** – Stephen Bensinger  
- Kai Vorholz  
- William Behling

GVC reviewed the G.A.S. Access Pioneer Crossing Energy Preliminary Land Development Plan (reference letter dated December 6, 2005).

Mr. Vorholz stated that the project would use the methane in the Landfill Gas generated by anaerobic digestion in the Pioneer Crossing Landfill to produce environmentally friendly base load electricity. The plant would operate 24 hour a day, 7 days a week. No fuel source other than landfill gas would be used in the energy production. The initial output would be 6,400 kW; as the landfill continues to generate waste, they expected in the future to expand the project. They had a power purchase agreement with mid Atlantic utility. The local benefits would be the use of methane generated by the landfill instead of fossil fuels. The project was supported by Pennsylvania DEP. They had submitted the applications to DEP for the permits that were needed. Mr. Vorholz showed a rendering of how the project would look and also one that was in use in Barcelona, Spain. Mr. Bittig asked what type of technology they were using? Mr. Vorholz replied that they would be using diesel caterpillar engines. They would be using the landfill gas; no other fuel source would be used. It would be running 24 hours, 7 days a week. Mr. Bittig asked about the noise that would be generated from the engines, what would the levels be? Mr. Vorholz replied that noise level would be below 60 DBA. Compare that to the level inside of a car of about 75 to 78 DBA. Noise should not be a big issue. Mr. Bittig asked about the emissions, currently the landfill was burning off the gas with flares. How would the emissions from the project compare to what was currently in use? Mr. Vorholz replied that they were in the same range as the flare, the nitrogen oxide was a little higher, as the combustion temperature in the engines were higher than the flare, but in the same ballpark. If you compared them to a fossil fuel power plant the emissions were much more cleaner. Mr. Bittig stated that one of the concerns with the previous proposal for the site was the use of diesel fuel. The prior applicant would not provide the emissions profile. They need to get the permits from DEP and we want to see the emissions profile of the project. Mr. Vorholz stated that they would not be using diesel or any other source of fuel, only the fuel that was currently being flared. Mr. Bittig asked what was the projected life expectancy of the project? The landfill would close and would continue to generate gas and the power plant would continue to operate. Mr. Vorholz replied that it depended on how they capped and closed the landfill. Typically the life span after the landfill had closed was 15-25 years of gas production. As the gas production reduced they would remove some of the skid-mounted generators. Mr. Littlehales asked how they maintained the engines and what type of safety devices they had for leaks or build up of gas? Mr. Vorholz replied that in each modular generator, they have a back-up system so if there were a leak detected that generator would shut down and the gas would be diverted to the other engines or in the event of a major problem it would go back to burning the flares. Mr. Littlehales asked if there was vibration from the engines? Mr. Vorholz replied that each engine was isolated to help prevent vibration.

### **Public Comment**

**Dona Starr, 53 W. 33rd**, asked how much water would be used for the project? Mr. Vorholz replied that they did not use water, all the cooling systems were closed systems and they were filled one time.

Mr. Shane asked how long ago the technology was developed? Mr. Vorholz replied that it was around 20 years ago that they built the first plant. It was a proven technology and they could look at the EPA website.

### **GAS Access Energy continued**

Mr. Bensinger stated it was a permitted use in accordance with Section 642, however Section 642 was not adopted at the time the plans were done. They did have a draft copy to follow for that section. Item #3 concerned the amount of acreage with the minimum lot area being 5 acres. They were proposing to use an acre of the landfill, which was over 200 acres total. They did not want to create a 5-acre lot. Mr. Bittig asked if GAS Access Energy was a subsidiary of Mascaro? Mr. Vorholz replied that it was a separate company and they would lease the land. Mr. Bittig stated that they would need to lease 5-acres.

Mrs. Franckowiak stated that it was accessory to the Landfill. Mr. Bittig stated that was a legal issue, the Township Solicitor would need to rule on that one. Mrs. Franckowiak stated that was done with the previous plan.

### **Public Comment**

**Dona Starr, 53 W. 33rd St,** stated that she had to disagree that it was an accessory use; an energy plant was not a customary part of a landfill. Mrs. Franckowiak replied that it was accessory in that it was only being operated because the landfill was generating the methane. Without the landfill generating the methane the power plant could not exist. Mrs. Starr stated that the generating plants were not seen at all the landfills in the United States, so she did not believe it was an accessory use. Mr. Bensinger stated that they would check with Mr. Hoffert on that. Mrs. Starr stated that special consul, Hartman, Hartman, Howell and Allerton, should review it and determine if that was an accessory use. Mrs. Franckowiak asked if we should get direction from the Board that we were using them again? Mrs. Starr replied that we could discuss that at the next Board meeting. She also had a question concerning item #9, during the time that the first four units would be operating; someone at the landfill told her, that during the operation, the flares would be operating at the same time. Mr. Vorholz stated that the flares would be used as a backup. Mr. Behling stated that at any given point there was a certain amount of gas that had to be extracted from the landfill, it produced gas and it was not the same amount every day. If there were not enough engines to pull the gas then it would revert to the flares. Mrs. Starr stated that they had added flares to the landfill. Mr. Vorholz stated that the landfill would be there until 2013, so the public had to deal with the smell, flares and the gas for at least another 25 years. The question was did they want to use the gas to generate power. They would provide all the information about the emissions, etc., as they did not have anything to hide. They believed the project was a benefit to the environment. There had permits in place from DEP for the next 20 years for the flares. They would try to use the gas to generate power.

Mr. Bensinger stated that the landfill hours were restricted to certain times. They were concerned if they were subject to the hours of operation that the landfill followed. Mr. Bittig replied that depended on the operating permit from DEP. Mr. Peifer stated that item #4 stated, "It should be determined to what extent the Landfill Ordinance applied to the application". That should go to Mr. Hoffert or special consul to determine. Mr. Bensinger stated that the Environmental Performance Standard covered item #9. Mr. Schwartz asked if the plant would be manned? Mr. Bensinger replied that it was remote control, but there would be a maintenance man changing the oil in the engines. Item #11 concerned the Environmental Hazard report and they felt that was covered with the EPS. Mr. Schwartz stated that they should check if that site was formerly landfill and address it. Mr. Bensinger stated that they would check with the landfill for that information. Item #14 concerned the Water Resource Study, they were not using any water or sewer and they were reducing the amount of paving that was currently located there. Would they need a waiver? Mr. Wilson replied no it was not needed. Item 17 & 18 concerned curbs and sidewalks, they did not have access

### **GAS Access Energy continued**

to Red Lane Road and they were more than 150-ft wide and did not think they were needed. Mr. Wilson agreed. Mr. Bittig stated that the Ida Mascaro Park was in conflict with the area that they planned to place the power plant. That was part of the landfill expansion permit. Mr. Bensinger stated that was proposed for when the landfill was closed. Mrs. Franckowiak asked if that wouldn't be an issue for DEP as they issued the landfill permit. Mr. Schwartz replied that was a planning issue. They were showing a park on that site and now they were planning another use. Mr. Bensinger stated that with the gas being generated then the landfill would not be closed. Mr. Wilson asked what the projected closing date was for the landfill? Mr. Bittig replied that he believed it was 2013 and stated that the power plant was 15-20 years beyond that. They needed to resolve the issue. Mr. Bensinger asked if it was possible revise the plan to relocate the park? Mrs. Franckowiak replied that was up to DEP and they should approach DEP to resolve that. Mr. Bensinger asked to get a copy of the plan.

Mr. Bensinger stated that for item #6, it stated that all existing utilities on the site should be shown. They felt they only needed to show the utilities in the area of the development, as the landfill was over 200 acres. Mrs. Franckowiak stated that we allowed for that with the Water Company plan on Church Lane. It just complied with the area they were developing. Mr. Bensinger stated that they wanted to submit a waiver request for that and asked the Planning Commission if they would agree to the waiver? The general consensus of the Planning Commission was that they would support the waiver. Mr. Bensinger stated that for item #5 under Stormwater, they would change the pipe to 15 inch. Mr. Vorholz stated that they would talk to DEP concerning the park and DEP was very supportive of the project. Mrs. Starr stated that as a part of the permit they had to put in a landfill gas project. Mr. Vorholz stated that if that was a part of the permit, than wouldn't the project be considered an accessory use? Mrs. Starr replied that was DEP, not a part of our Zoning Ordinance. Mr. Wilson stated that DEP would supercede our Zoning Ordinance. Mrs. Starr stated that DEP would not go against anything in our Zoning Ordinance; every project must be done according to our zoning.

### **13. INFORMAL DISCUSSION – AMBER HILL - Rick Longacre - Walter Greth**

Mr. Longacre stated that they wanted to re-look at the Amber Hill site. The plan was approved for a 41 lot, one-acre minimum residential development, as well as the church plan. They understood that there was a pending Ordinance that included Open Space/Conservation Development regulations. They revisited the plan, which was shown to the Planning Commission. The church property was under agreement of sale so they joined the church property together with the remaining property. The cluster development, as shown, followed the regulations for open space. Mr. Schwartz stated that the Zoning Ordinance hearing needed to be rescheduled so that portion of the zoning had not yet been adopted. Mr. Longacre stated that they needed to figure out what amount of land would be developable land. They figured about 75 acres, which would yield 75 lots. The benefit of the development would be to preserve more land to remain in open space. There was a section that stated that every lot line must touch on open space. Mr. Bittig stated that was probably a typo. Mr. Schwartz stated that he and Mr. Bittig met with the developer a few weeks ago and questions were discussed in general terms. There were two items in the Ordinance, as drafted, one was a typo and the other was two different definitions of common open space being contiguous. The third problem was determining the net developable land.

### **Informal Discussion continued**

The Open Space/Conservation Development regulations needed to be worked on to make it easier to calculate developable land. He felt that we should follow the County Comprehensive Plan to calculate that. They took out the environmentally sensitive areas and they applied a 20% fudge factor for infrastructure. That would make it easier to calculate. He would be making that recommendation tonight when the Zoning Ordinance was discussed. Mr. Longacre stated that they wanted to see how the Planning Commission accepted the plan so they could move into the Preliminary Plan stage for the site. Mr. Wilson stated that since they had a net gain of 17 houses, was that what we really envisioned for open space development? Mr. Longacre stated that around the world there was a need for more housing so there was the developing concept of getting people to live closer to together to get a higher yield for housing and to preserve more open space. Mr. Wilson stated that he felt that sidewalks would be needed. He then asked if it would have a homeowners association? Mr. Greth replied that the streets were planned to be dedicated and the open space would be under homeowners association.

#### **14. INFORMAL DISCUSSION – WALNUT ROAD – Stephen Bensinger**

Mr. Bensinger stated that Nancy Sherker had 15 acres that they would like to subdivide into three lots, one containing the current house and one to be sold to her brother and the other one to her son. They were proposing a cul-de-sac with three lots, 3 acres, 6 ½ acres and 3.9 acres. They would like to go under the private streets Section in SALDO and use the existing driveway. The driveway does not meet the required driveway grades of the current Ordinance. They believed the driveway was 14 to 15%, but there had been no surveying done. Would they be permitted to use the driveway and not require them to do the design of the road and stormwater calculations as though the road would be built in the future? They would like to get waivers for grades of the driveway. Mrs. Franckowiak stated that she believed they would have a hard time with the Board concerning driveway grades. Mr. Bensinger asked even though it was an existing driveway? Mrs. Franckowiak replied that it was an existing driveway, but it was for one family. Mr. Bittig stated that they would also have a problem with the fire codes for access. Mr. Schwartz stated that they would need to demonstrate that a Township street could be built to Township standards. He did not believe we ever waived that requirement. Mr. Bensinger stated that they doubted that they could get the 12% driveway grade. Mr. Bittig stated that there were steep slopes on the property. Mrs. Franckowiak stated that they should come in to the Board and get their ideas on it.

#### **15. CRESTWOOD SOUTH LOT 71 – FINAL PLAN – Stephen Bensinger**

GVC reviewed the Crestwood South Lot 71 Final Plan (reference letter dated November 30, 2005).

Mr. Bensinger stated that they received the letter from PHMC and they found no historical structures. They would be paying fee-in-lieu of land, as the Board did not want the land along the by-pass. They would provide the auto cad disk. The developer was working on the deed restrictions and a copy would be provided to the Township when it was completed. They were still waiting for Conservation District approval and approval from the Sewer Authority. They would return when all the items were complete.

**16. FAIRVIEW PARK II – PRELIMINARY PLAN – Stephen Bensinger**

GVC reviewed the Fairview Park II Subdivision (reference letter dated November 30, 2005).

Mr. Bensinger stated that concerning item #7 the Board of Supervisors approved the two accesses. They granted the lot depth to width waivers on September 12<sup>th</sup> for lots 12, 33, 34, 39, and 51. For the Pa American Water Company approval, they were waiting for resolution of the cul-de-sac. The Board approved the 34-ft cartway. Mr. Bittig asked about lots 48 and 47, were they going to ask for waivers for the two driveways on those lots? According to our SALDO all driveways must go on the internal road.

Mr. Bensinger stated that item was never brought up before in the entire time that the plan was before the Planning Commission. He felt the intent of the ordinance for that item was for the lots on the other side of the street. It should have been brought up previously. Mr. Bittig felt that they should get the permits from DEP to run the cul-de-sac down to Fairview Chapel Road. Mr. Peifer stated that what was brought up previously was the fact that the ravines located on those lots causing problems. Mr. Bensinger stated the item concerning the amount of homes on the cul-de-sac was not brought up previously. Mr. Schwartz stated that the issue of over 20 homes on the cul-de-sac was not apparent on the plan. Mr. Bensinger stated that he felt that the cul-de-sac began where their street for the cul-de-sac started. Mr. Wilson stated that on Monday night the Board of Supervisors would be addressing the cul-de-sac so it was out of our hands. Mr. Bittig stated that even if the Board approved the cul-de-sac they would still have the issue of the two driveways. Mr. Schwartz stated that if the Board did not approve it, then they would need to extend the road out onto Fairview Chapel road and the driveways would become a moot issue. Mr. Bensinger stated that there was a proposed road to go out onto 422 and his client could wait until that was completed. They would wait until the decision from the Board of Supervisors on Monday before making any changes.

**17. WEILER/COMMONWEALTH NEW HOMES – SCOPE OF TRAFFIC STUDY**

GVC reviewed the Weiler/Commonwealth New Homes Scope of Traffic Study (reference letter dated November 17, 2005).

The Scope of Traffic Study for Weiler/Commonwealth New Homes was discussed and the Planning Commission agreed that in addition to the recommended areas listed in the GVC letter, the following intersections should be included: Schoffers Road and Rugby Road and Rugby Road and Valley Drive and also to change the intersection of Rugby Road and Hartline Avenue to Rugby Road and Shelbourne Road.

**18. ZONING AMENDMENTS**

Mr. Bittig passed out a sheet with corrections for the proposed Zoning Ordinance to the Planning Commission.

**MOTION BY** Mr. Bittig, seconded by Mr. Schwartz to make the corrections as noted in the letter and present the Zoning Ordinance to the Board of Supervisors for adoption. The motion carried unanimously.

**19. SET JANUARY MEETING DATE**

The Planning Commission agreed to meet on Thursday, January 5<sup>th</sup> at 7:30 pm.

**20. SET DATE FOR SALDO WORKSHOP**

The Planning Commission agreed to meet on Tuesday December 27<sup>th</sup> at 7 pm. for a SALDO workshop.

**ADJOURNMENT**

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig, to adjourn the December 6, 2005 meeting of the Exeter Township Planning Commission at 12:50 am. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

- BOS: Conditional use - Kobryn
- BOS: Conditional use – Huntington & Katzin
- BOS: Conditional use – Davidheiser
- BOS: Woodgate III A & B – waiver request
- BOS: Asino Farms – waiver request
- BOS: Windy Willows – waiver request
- BOS: Weiler/Commonwealth New Homes - scope of Traffic Study