

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
JUNE 7, 2005

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, June 7, 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
Dottie Geiger
Paul L. Schwartz

ABSENT: J.D. Krafczek

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 May 3, 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 June 7, 2005 Planning Commission meeting. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

- A. PATHFINDER MEADOWS SECTION 2 – FINAL PLAN; RUBY TUESDAY – PRELIMINARY PLAN; HERITAGE MEWS – FINAL PLAN; CRESTWOOD SOUTH LOT 71 – PRELIMINARY PLAN; FAIRVIEW CORNER – PRELIMINARY PLAN: MOTION BY** Mr. Ruff, seconded by Mr. Schwartz to accept the preceding plans for review. The motion carried unanimously.

The following business was discussed:

4. HESS/ROCK ANNEXATION – SKETCH PLAN OF RECORD –

GVC reviewed the Hess/Rock Annexation Sketch Plan of Record (reference letter dated June 7, 2005).

Ms. Cusimano stated that Mr. Kent was unable to attend the meeting, but requested approval from the Planning Commission.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors approve the Hess/Rock Annexation Sketch Plan of Record. The motion carried unanimously.

5. PINEVIEW RIDGE – PRELIMINARY PLAN – Lon Seitz

GVC reviewed the Pineview Ridge Subdivision Preliminary Plan (reference letter dated May 31, 2005).

Mr. Seitz stated that they took care of the comments from the GVC review letter. The Post Office and 911 did not approve the street name of Pineview Ridge Court. They changed the street name to Princess Court and the Post Office and 911 approved that. The Board of Supervisors approved the sight distance waiver. They would add the note that the easement area would be maintained by lawn; no trees, shrubs or landscaping would be permitted. They were asking for Preliminary Plan approval.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors approve the Pineview Ridge Preliminary Plan. The motion carried unanimously.

6. PATHFINDER MEADOWS SECTION 2 – FINAL PLAN – Daniel Laudenslayer

GVC reviewed the Pathfinder Meadows Section 2 Final Plan (reference letter dated June 7, 2005).

Mr. Laudenslayer stated that they revised the E & S plan and submitted it to Berks County Conservation District. The water company requested the easement be placed on lot 16 to loop to the Walter Greth property to supply water there. The water company would be adding in ground booster pumps to accomplish that. Mrs. Geiger asked how many lots were there? Mr. Laudenslayer replied 90. Mr. Bittig asked if they read the Fire Marshal's review. They would need to add a fire hydrant in the cul-de-sac. Mr. Laudenslayer stated they had the review and would meet with the Fire Marshal to work on that. Berks Homes was working on the Homeowners Association details. Mr. Schwartz stated that the EAC was concerned with the wetlands especially on lot 50. Mr. Laudenslayer stated that they could put in a smaller building block and all wetlands would be under the jurisdiction of the Homeowners Association. Mr. Schwartz stated that the EAC was looking at using natural plants placed in detention areas, rather than being planted with grass. Mr. Laudenslayer stated that they could look into that.

Public Comment

Robert Nye, University Rifle Club, stated that he was concerned with the area where the creek crossed the boundary of the development into the Rifle Club. Some of the areas were termed open space and he asked what that meant. The reason for his concern was that previously that question was raised with the Board of

Pathfinder Meadows Section 2 continued

Supervisors on October 19, 1998. The Supervisors stated that they could not define open space or buffer zones and Mr. Hoffert, council for the Township, stated that the Township did not have to enforce buffer zones. Was the term open space defined in the Ordinance and who controlled that? Mr. Laudenslayer stated that they would convey the land along the sound wall to the Rifle Club. The Homeowners Association would control the wetlands and open space. Mr. Peifer stated that SALDO had a definition of public open space areas. It stated "Unoccupied areas of space, including land and/or a body or bodies of water, set aside for public open space preservation or recreation, provided, however, the same shall not refer to those unoccupied areas of space utilized for temporary storage of storm waters". Mr. Nye stated that water would be flowing from the Rifle Club onto the open space, what would happen if someone would erect a tool shed and block the flow? If any dispute arose, would they contact the Board of Supervisors to contact the homeowners association? Mr. Laudenslayer replied that it hopefully wouldn't come to that. Mr. Peifer stated that they would also have to answer to DEP.

Bob Bower, Secretary-Treasurer, University Rifle Club, stated that they were concerned with the area across the creek. Initially there was a "kid barrier" to be placed across the creek. Then they stated they could not put anything across the creek. Would there be anything placed there to stop kids from coming onto the Rifle Club property? Mr. Laudenslayer replied there was nothing on the plan for that other than the natural vegetation. Mr. Bower stated that the Rifle Club was a magnet for kids and they were concerned for their safety. Mr. Nye stated that he had a letter dated December 20, 2001, written by the attorney for Berks Construction which stated "In the interest of both parties, Berks Construction at its cost and expense proposed to construct and install a 8-foot high concrete sound barrier wall within and along its entire southern boundary line excluding the area identified as in the agreement as premises C which would be conveyed to the Rifle Club. Originally the agreement provided that the Rifle Club would construct, maintain and repair a wire fence along the entire southern boundary of the property. The underlying reason that Berks Construction would prefer to install the concrete type of fence is that it would prevent individuals, particularly children from trespassing onto the property." Mr. Laudenslayer stated that the wall came up to a point and then stopped. Mr. Ruff asked if it stopped to prevent debris from clogging the opening of the stream? Mr. Laudenslayer replied yes. Mr. Schwartz stated that a condition we placed on the development was that a sound barrier be placed and to offer protection from kids going through the property. If they could not provide that then as far as he was concerned we could not approve the development. Mr. Laudenslayer stated that he would go to the developer and see if they could extend the wall along the embankment in order to honor their agreement with the Rifle Club.

7. RUBY TUESDAY – PRELIMINARY PLAN – Rick Longacre - Doug Plank

GVC reviewed the Ruby Tuesday Preliminary Plan (reference letter dated June 1, 2005).

Mr. Longacre stated that a lot of the comments in the review were a matter of housekeeping. For item #6, they would supply the photo matrix and there would be no glare from the lights. They would be within the Ordinance requirements. Item #12 concerned the clear site triangle at all of the intersections, specifically Perkiomen Ave and Neversink Road. That was an existing corner and they would not be building anything in that area. The sight triangle in that area called for 150-ft. The existing sight triangle, because of the grading and the grades that were within the right-of-way, was 120-ft. Their plan showed that they would

Ruby Tuesday continued

put in fill, but not greater than what was already existing. Typically what was important with sight triangles was in areas of through lanes or stop conditions. That was a signalized intersection and traffic was controlled by a light. Would the sight distance have application in that case? Could they get a waiver for that? Mr. Peifer stated that it was a pre-existing non-conforming condition.

Mr. Longacre stated that with item #7, the steep slope areas were created through earth moving activity from the quarrying done on the site. The ordinance stated that in order to do construction on those slopes the approval of the Board of Supervisors was required. That comment should answer itself when the Board approved the plan. Comments #8, 9 & 10 all tied into what the improvements would be to Romig Ave. Romig Ave had a severe vertical alignment change at the end of the road. There was a gravel cul-de-sac located there. Their improved driveway paving would end a little before the paved area that was currently on Romig Ave. Their question was what would happen to that section of Romig. Their proposal was to use it as an emergency/secondary access for the function of the office complex. They were relying on Circle Ave as their main access. The concern of the residents was that they did not want to see additional traffic on Romig. They could chain it to restrict access. They could not build to the full width of Romig Ave. Mr. Schwartz stated that if they would chain the end of Romig Ave it should be a breakaway chain. Mr. Longacre stated that they could clean up the cartway to the entrance of the Office building and if they found people were using it, then place the chain. Mrs. Geiger felt it should be chained from the beginning. Mr. Bittig stated that it would need to be paved up to existing paving. Mr. Longacre stated that they would look into that. Mr. Bittig stated that they should talk to the Fire Marshal to see what he would like there. Mr. Longacre stated that they would meet with the Township to discuss what they would want done with Romig Ave. Mrs. Geiger asked if there were signs stating that Romig Ave was a dead end street or no outlet? Mr. Longacre replied yes. Mrs. Geiger stated that the signs should be placed in a prominent area. Mr. Peifer asked if anyone used the turn around now? A resident replied that trash trucks and snowplows used that area. Mr. Peifer stated that a turnaround would need to be provided for. Mr. Longacre stated that the shape of the turnaround was on their plans and they could duplicate that shape further up the road and within the street right-of-way.

Mr. Longacre stated that the parking that was currently allowed along their side of Circle Ave would not be allowed when they built the two access drives. Typically parking for visitors was along the curb in front of the residences. There were no homes on their side of the street so there would be no loss there. There were four homes on the other side of the street and scaling the available area along there using the parallel space of 22-feet, there were 11 spaces available for the four homes. That should not create a hardship there. They received the letter from the Conservation District and when they completed the revisions they would submit the new plan. Mr. Bittig stated that we would need their approval at Final Plan. Mr. Longacre stated that any curbing needed along Perkiomen would be a PennDOT issue. They would provide hydrants for the property. They would work on the Stormwater comments.

Mr. Plank stated that the Traffic Study was completed and they met with GVC at their office and the study would be revised. When they originally did the traffic study it was for a different plan. They now show 6,000-sf. of office space. For the impact at Neversink Road and Perkiomen Ave they could do traffic signal timing adjustments. They have a proposed left turn lane on Circle Ave. It would be constructed on the site side of the roadway. In doing that it would line up the two sides of Circle Ave. It currently was offset and had a split phase operation for the traffic signal. When the two sides were lined up it would give more time to allot to the other phases. With their proposed improvements it would help with the traffic flow.

Ruby Tuesday continued

They were adding capacity by adding the left turn lane on Circle Ave. Mr. Wilson stated that his concern for the property was the added traffic onto East Neversink at the busiest time of the day.

Public Comment

Stephen White, 3902 Circle Ave, stated that he had two children and the problem was the increased traffic on Circle Ave. He would like to see signage at the corner of 40th street and Circle Ave. Stop signs and signs that stated, “watch children” anything that would help slow people down. Currently the speed limit signs were 25mph and no one drove that speed. They drove at least 40mph. He asked why there was no access off of Perkiomen Ave? Mr. Longacre replied that it was due to the 30-ft elevation and there was not enough room for deceleration lanes. Circle Ave would be the only access for the development. Mr. White asked what the time frame was for completing the development? Mr. Longacre replied that the approval process could be 4 to 5 months. They were hoping for fall construction to allow Ruby Tuesday to open in the spring.

Robert O. Link, 4002 Circle Ave, stated that he wrote a letter to the Planning Commission and the Board of Supervisors with the concerns of the neighboring properties. When he did not hear anything concerning the letter, he worked on a drawing. He showed pictures of the backup of traffic from the by-pass on up E. Neversink. He felt there should be a right turn lane added at the light at Circle Ave. They should also put in a sign that said “no left turn from 4 to 7 pm. He then presented a plan that he envisioned for the site. The plan showed one entrance in from the eastbound lane of Perkiomen Ave and one exit onto East Neversink Road. They could also put in stairs from the offices to Ruby Tuesday. Mr. Longacre stated that they appreciated the thought it took to do the plan, however, they were unable to do the plan as presented. There was not enough length for the deceleration lane as needed by PennDOT standards. In order to do access off of Perkiomen Ave they would need to excavate the entire site. They did plan on adding the stairs from the offices to Ruby Tuesday.

Ron DeFrees, 4001 Circle Ave, asked if the traffic study included the peak traffic hour times? Mr. Plank replied that it did, from 7-9am and 4-6pm.

Eleanor L. DeFrees, 3916 Romig Ave, stated that she lived at the dead end of Romig Ave and her concern was what was going to happen to Romig Ave. She was concerned that the Township and trash trucks would turn around in her driveway. Mr. Longacre stated that they would look at where the paving ended and make a transition to the proposed driveway. They would replace the turn-around. Mrs. DeFrees asked who would finish Romig Ave? Mr. Longacre replied that would be discussed when they met with the Township.

Bruce Seiz, 4000 Circle Ave, stated that most of his concerns were discussed, primarily the traffic. There was not much room from the exit onto Circle Ave up to the light. Mr. Plank stated that it was 91-ft and there would be two traffic lanes.

Judy Magee, 3913 Romig Ave, stated that they relied on well water and they were concerned about their water. She asked where they planned to connect to water. Mr. Longacre replied that the mains were on Neversink Road. Mrs. Magee asked when they blast on-site would that affect her well? And with putting paving on the site would that effect the groundwater into her well? Mr. Longacre replied that from his experience doing blasting on other sites, they monitor the blast shocks and were only allowed a certain amount of shock. By his experience they had not encountered any problems with wells. Before they did any

Ruby Tuesday continued

construction, they did pre-blast surveys of neighboring properties and document existing conditions so that if anything showed after blasting they had a basis for claims. For the Stormwater, they would have underground storage of the rainwater. All of the water would be retained under Ruby's parking lot and it would be released into the ground so the impact on the aquifer would be minimal. Mrs. Magee asked if they knew what kind of offices they would be? Mr. Longacre replied that the offices could be real estate, medical but there would be no retail. Mrs. Magee asked if Ruby Tuesday would have a liquor license and would there be people waiting outside and would they pipe music outside? Down at O' Malley's when they have their car shows she could hear it at her house and O' Malley's was further down than Ruby Tuesday would be. Mrs. Franckowiak stated that if they have a problem with noise they should contact the police. Mr. Longacre replied that Ruby Tuesday was a national chain and they were all alike. Also, the sound would project towards the Commercial District.

Jody Haag, 141 W 39th St., stated that he could tell that the Planning Commission tried to take care of people in the planning process. Was there a way to slow down the traffic on Circle Ave because they fly through there, well over the speed limit? Mr. White stated that was his main concern also. It was an old neighborhood, but had been changing to a younger neighborhood. Could they add stop signs? Mrs. Magee stated that they used to have a 4-way stop sign at the intersection of 39th and Circle Ave., but they removed that. Mr. Ruff asked if they approached the Board of Supervisors to request the police to monitor the area? Mr. Bittig stated that they should approach the Board of Supervisor to discuss the safety issues. Mr. Schwartz stated that they could not just put in stop signs; they have to follow rules and regulations in order to put them in.

8. HERITAGE MEWS – FINAL PLAN & PLANNING MODULE

GVC reviewed the Heritage Mews Final Plan (reference letter dated June 3, 2005).

No one was present to discuss the Plan. Mr. Ruff signed the Planning Module.

9. EXETER GOLF CLUB ESTATES PHASE V – REVISION TO GRADING PLAN – C.J. Levan

Mr. Levan stated that they were there to discuss and obtain direction from the Planning Commission on how it would be best for them to revise the grading plan. They were not changing the lot layout or numbers. Because of a change in builders they have received a request from their new client, Berks Homes Construction, to raise the road grades approximately 2-ft and change the height of elevation of the basement floors. It would alleviate the amount of truck traffic onto Township roads. They would like to be able to re-record the grading plans rather than go thru another official revision to plan of record to make the changes. They have given a copy to Mr. Peifer to review. They would like to expedite the process by not going through the entire official process. Mr. Wilson asked if the increased height in the road would cause more water run-off? Mr. Levan replied no, they were not changing any impervious cover. Along with raising the grade of the road they were raising the utilities. Mr. Bittig asked if that applied to the entire road network? Mr. Levan replied no. They would not change the grade on Scotland drive and in the area where they received the NPDES permit. They would not impact the wetland area. The conservation easement would remain the same. Mr. Bittig stated that there were a lot of concerns from the neighbors on Linree Ave for water runoff. Mr. Levan stated they were not making major changes there. Mr. Bittig stated that the project was approved with a waiver of the Stormwater. They might need to do another Stormwater Plan. Mr. Ruff

Exeter Golf Club Estates Phase V continued

stated that was in the conservation easement area. They were not changing that area. Mr. Peifer stated that was correct. Mr. Levan asked if they could re-record the grading plan and not go through entire planning process.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to permit the revision to the grading plan for Exeter Golf Club Estates Phase V pending favorable review by GVC. The motion carried unanimously.

Mr. Peifer asked if they should come back before the Planning Commission? The Planning Commission agreed that they should come back.

10. CRESTWOOD SOUTH LOT 71 – PRELIMINARY PLAN – Steve Bensinger

GVC reviewed the Crestwood South Lot 71 Preliminary Plan (reference letter dated June 6, 2005).

Mr. Bensinger stated that the size of the buildings were larger and would have garages. The end units would have two car garages and the rest would have a one-car garage. They would have off street parking. They eliminated the cul-de-sac as instructed by the Roadmaster. Would they need a right-of-way line, as they would be purchasing the units not the ground? Everyone would share in the expense of the road and the grounds. Mr. Peifer stated that they should show an easement line 10-ft from the edge of cartway for the benefit of water and sewer. Mr. Bensinger stated that they shortened the road because of the rock outcropping. They would dedicate the lower portion to the Township if they would accept it. They kept that open as requested by the Planning Commission. Mr. Wilson stated they asked for that so it would be open to connect the two open space areas already located there. Mr. Bensinger stated that the only problem would be that with the new DEP regulations they needed to put the infiltration basin there. They could make the two ends flatter in order to drive through there. Mr. Wilson stated that we were looking to make it easier to do the mowing there. Mr. Schwartz asked where the endangered plants were located? Mr. Bensinger stated that there were three different plants that they received clearance for. The one plant could only be found when they flowered in May. Dave Graeff from Liberty Environmental did an inspection in May and did not find any located there. There were no issues and they would receive a letter stating that. Concerning the tree issue, could he meet with some Planning Commission and EAC members' onsite to discuss that?

Mr. Schwartz stated he could call him to set up a meeting. Mr. Wilson stated that he would also be available. Mr. Bensinger stated that they requested a waiver of the Water Resource Study. It was an existing lot of a subdivision and they would be doing the infiltration as required by DEP and there were only 20 units.

Mr. Bittig stated that the purpose of the Water Resource Study was to show the balance. Mr. Ruff stated it could be a one-page letter. Mr. Bensinger stated that they would need a geologist to do the study. Mr. Levan stated that DEP required that they do an evaluation of pre-development versus post-development analysis of the site for the amount of stormwater that would come off of the site. Would the Township entertain those numbers for the Water Resource Study? Mr. Peifer stated that the water quality issue to a certain degree addressed the water balance issue with the new Stormwater Ordinance. Mr. Schwartz asked if the calculations of the Stormwater Report would cover the issues for the Water Resource Study. Mr. Peifer stated that with public water and public sewer it should be enough. Mr. Bensinger stated that they would provide extra parking for visitors. Mr. Bittig asked if they received the Fire Marshal review letter?

Mr. Bensinger replied yes. They questioned the comment that the width of the street was to be 26-ft.

Mr. Bittig stated that the ordinance required 24-ft. Mr. Bensinger asked about comment #18 concerning the open island, what should they do? Mr. Peifer stated that another development had a similar situation and

Crestwood South Lot 71 continued

they had to run a template. Mr. Bensinger stated that they would do that. With item #20 for the driveways they did not know how to interpret that comment. Mr. Schwartz stated they could submit a waiver request. Mr. Bensinger stated that they would discuss the open space with the Board of Supervisors.

11. FAIRVIEW CORNER – PRELIMINARY PLAN

No one was present to discuss the plan.

12. LITTLE VIEW HILL – INFORMAL DISCUSSION – Phillip Burkhart

Mr. Burkhart stated that they were in previously with a Sketch Plan for Little View Hill and wanted to ask the Planning Commission if they could move on to Final Plan as allowed in SALDO for a Brief Subdivision.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to allow Little View Hill to be reviewed as a Brief Subdivision and to move on to Final Plan stage. The motion carried unanimously.

**13. ASINO FARMS/LORANE RUN – INFORMAL DISCUSSION – Susanne Creveling
- Joseph Tarrantino**

Mr. Tarrantino stated that they had a new plan to discuss with the Planning Commission, which showed a connecting road to the parcel in the back. Mrs. Creveling stated that they connected to the rear parcel because it was not deed restricted. They changed the plan to address the comments for the sidewalks and curb, off street parking and the stub street. The wetlands would be viewable from between the two lots. They added 6 spaces for parking in the cul-de-sac and 5 spaces along the stub. Mr. Schwartz asked what happened to the detention ponds? Mrs. Creveling replied they would be on lot 12 & 1. Mr. Ruff asked why they showed the driveway for lot 1 going out onto Lorane Road instead of the new street? Mrs. Creveling replied that it helped with the Stormwater. They needed to swing the driveway over to meet the 80-ft setback. Mr. Wilson stated that all driveways must be interior. Would the driveways be wide enough for two cars? Mrs. Creveling replied yes. Mr. Wilson stated that the lot layout looks much better. Mr. Peifer asked what the width of the street would be? Mrs. Creveling replied 54-ft wide right-of-way. Mr. Peifer asked how long the cul-de-sac was? Mrs. Creveling replied that she knew it was long enough for liquid fuels. They also took the suggestion and renamed the development keeping in mind that it was a donkey farm. The Planning Commission agreed that they liked the changes that were made with the plan. Mr. Tarrantino asked if they could move onto Preliminary Plan? Mr. Wilson replied yes.

14. RANDALL REESER/MICHAEL GREEN – INFORMAL DISCUSSION

Mr. Green stated that he was there on behalf of himself and his neighbors who were interested in annexing land. They wanted to see if they could waive some of the studies required. The first one was Section 4.118, for significant topographical and physical features, there were no changes or construction contemplated. They were just annexing land that they were already using. The second one was Section 4.149 for wetland delineation. The third one was Section 4.150 for perimeter monuments and pins with elevations. They would set the pins for the corners, but without elevations. The land was in Lower Alsace and Exeter Township. They went to the Lower Alsace Planning Commission last week and asked Lower Alsace to waive the right to review the plans until Exeter Township had gotten an opportunity to do so. They

Randall Reeser/Michael Green informal continued

understood that they could not get waivers until official submission was made, but they wanted to see if the Planning Commission would be amenable to that. Mr. Ruff stated that they should modify the deeds and put in the pins and that would be good. The elevations were not needed. Mr. Bittig asked if all the neighbors wanted the land? Mr. Green replied yes.

15. ZONING ORDINANCE – PUBLIC HEARING DATE JULY 18TH

The Planning Commission agreed to go forward with the changes in the Zoning Ordinance and do any additional changes at a later date.

16. GENERAL DISCUSSION

Mr. Bensinger stated that he wanted to bring the Planning Commission up to date on Fairview Park II. DEP and Army Corp of Engineers finished their assessment on the property. They had concerns with certain crossing areas. They eliminated the loop street and added some flag lots. They moved the stormwater detention pond. They lost 6 building lots. With moving the streets they would not need any special permits. They were going to continue revising the plans and wanted to know if the Planning Commission had any concerns. Mr. Ruff stated that they would be reviewed by the new Fire Marshal. Mrs. Geiger stated that the Board of Supervisors did approve of flag lots.

ADJOURNMENT

MOTION BY Mr. Ruff, seconded by Mr. Littlehales, to adjourn the June 7, 2005 meeting of the Exeter Township Planning Commission at 11:05 pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

BOS: Pineview Ridge Subdivision Preliminary Plan approval
BOS: Hess/Rock Annexation Sketch Plan of Record approval
BOS: Exeter Golf Club Estates Phase V revised grading plan