

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
NOVEMBER 1, 2005

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, November 1, 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
Paul L. Schwartz
Dottie Geiger
Richard Littlehales
Gary L. Shane

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 October 4, 2005 Planning Commission Meeting as presented. The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Ruff, seconded by Mr. Bittig, to approve the agenda of the November 1, 2005 Planning Commission meeting. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

- A. **CRESTWOOD SOUTH LOT 71 – FINAL PLAN; RESIDUE OF ROYAL VIEW ESTATES - SKETCH PLAN:** **MOTION BY** Mr. Schwartz, seconded by Mr. Ruff to accept the preceding plans for review. The motion carried unanimously.

The following business was discussed:

4. RUBY TUESDAY – FINAL PLAN – Rick Longacre

GVC reviewed the Ruby Tuesday Final Plan (reference letter dated October 26, 2005).

Mr. Longacre stated that they received the approval from the water company for service. They would be bringing the water line across 422.

Public Comment

Judy Magee, 3913 Romig Ave, asked about the water hook-up, could they go under 422 for that? She understood that pipes for water could not be placed under a road. Mr. Longacre replied that they would be allowed to do that by the water company. It had already been done about a mile up the road.

Mr. Longacre replied that they received the permits for E & SC and NPDES from the County Conservation District. They were still waiting for the PennDOT permits. They received two letters from PennDOT; one concerned stormwater where they were tying into Penn Dots' stormwater system and the pipe needed to be 18" instead of 15". They would be changing that. The second letter concerned the improvements at Circle Ave with the split phasing. PennDOT did not agree with removing the split phasing. They have a meeting set up with PennDOT to discuss that. PennDOT was not requiring curbs along Perkiomen Ave and E. Neversink. The easement agreements were sent to the Solicitor for review. They were looking for Conditional Approval. Mr. Schwartz asked if they had to move the curb back on Circle Ave, would they lose parking spaces? Mr. Longacre replied that they could possibly lose 5 spaces and they were already over the amount of spaces required by zoning. The Planning Commission agreed to give Conditional Approval when they get the issues resolved by PennDOT. They could return on November 10th for the Planning Commission workshop if the issues were resolved.

5. CRESTWOOD SOUTH LOT 71 – FINAL PLAN – Steve Bensinger

GVC reviewed the Crestwood South Lot 71 Final Plan (reference letter dated October 27, 2005).

Mr. Bensinger stated that they were waiting for a decision from the Board of Supervisors on whether they would want the open space. Once they received the decision then they would do the corrections for item #18. They would attend the next Board meeting to find out the decision. The developer would provide the deed restrictions. Item #23 concerned Colin Court extension, which would be a private street. Mr. Peifer stated that there should be a note placed on the plan stating that the street would remain private.

Mr. Bensinger replied that they would put that note on the plan and resolve any outstanding issues and return for plan approval.

6. COMMONWEALTH NEW HOMES – REVISED SKETCH PLAN - John Mahoney

GVC reviewed the Commonwealth New Homes revised Sketch Plan (reference letter dated October 27, 2005).

Commonwealth New Homes continued

Mr. Mahoney stated that the previous plan showed two cul-de-sacs. They changed the plan to have two accesses, one off of Rugby Road and the other off of Stonetown Road. They would have public water and be extending the sewer line about an 8th of a mile to provide public sewer. Mr. Weiler, the owner of the tract, would be retaining 1.92 acres. They were preparing the Environmental Assessment Statement and a Traffic Impact Study. The Traffic Impact Study would determine if shoulders would be required to be built along the existing streets where the proposed entrances would be located. Comment #9 concerned providing access to adjoining properties to accommodate future developments, now that they had two access points was that really needed? They were providing buffer strips along the Brok and Yoder properties. They would be doing a land swap in order to do that. Mr. Bittig stated that they could provide a stub street at lot 6 or 11 to the Brok property as that property was a developable property. Mr. Mahoney stated that the Homeowners Association would be responsible for maintaining the stormwater areas and the strip of land along Rugby Road and Stonetown Road. With Comment #34, requiring sidewalks to be built on both sides of the street, they would request sidewalks on one side of the street and for minimum street width for a paved cartway width of 24' at the access point of Rugby Road to the first residential lot (#20) and from Stonetown Road to the first residential lot (#1), especially along Stonetown because of the wetlands. Mr. Ruff asked if there would be a note on the plan that no further subdivision of the Weiler property would be allowed? That would have a bearing on not putting in sidewalks along the access to Rugby Road. Mr. Mahoney replied that he believed Mr. Weiler would join in the subdivision application to add the note. They would be putting sidewalks on one side of the street at Stonetown Road in the wetland area. Mrs. Geiger suggested having a note on the homeowner's deeds making them aware that there was a horse farm adjacent to their property. Mr. Mahoney stated that would be in the declaration of sale, which would be better than placing that in their deeds.

Public Comment

Stef Brok, 250 Stonetown Road, stated that anyone purchasing the property should know that not only did she have a horse farm, but there was another horse farm on the other side.

Mr. Wilson stated that he was concerned with the intersection of Rugby Road and Stonetown Road. Mr. Schwartz asked about the Met-Ed right-of-way on the plan, on an adjacent property that was not a right-of-way, but actually land owned by Met-Ed. Were they sure that it was an easement and not owned by Met-Ed? Mr. Mahoney replied that they would check into that. Mr. Littlehales stated that he was not comfortable with the wetlands being on individual lots. Mr. Schwartz stated he agreed; Pathfinder initially had the same problem and they redesigned the plan. With placing wetlands at the rear of the property, they would be out of public view and virtually unprotected. Mr. Mahoney asked if they should be placed within view? Mr. Bittig replied that they should also be placed in Homeowners Association Ownership and not part of an individual lot. Mr. Mahoney stated they would try to do that with the Preliminary Plan. Mr. Bittig asked if they received written confirmation from the water company that they could provide water to the site? Mr. Mahoney replied yes. Mr. Schwartz stated that they also had too many pie-shaped lots that would need waivers for lot depth to width ratio. Mr. Mahoney stated that they could deed the land along the Met-Ed easement to the Homeowners Association to correct that. Mr. Wilson asked if they were aware that they would need to do a tree count? Mr. Peifer stated that in the Preliminary Plan Section of the SALDO, it was required to inventory trees that were over 6". Typically a member of the Planning Commission and the EAC would meet with the developer at the site and mark the trees that we would like to see saved. Mr. Bittig stated that they should mark off where the streets would be located and the improvements before we would walk the site. Mr. Mahoney replied that they would do that.

7. RESIDUE OF ROYAL VIEW ESTATES – SKETCH PLAN – Brian Boyer

GVC reviewed the Residue of Royal View Estates Sketch Plan (reference letter dated October 28, 2005).

Mr. Boyer asked what the right-of-way width would be for the 250-foot section on Hartman Road? Mr. Bittig replied 30-feet from centerline. Mr. Boyer stated that they would do shoulder construction as was done for Royal View. As for item #10, extending the cul-de-sac would not be feasible because of the steep slopes in that location. For the shape of lot #1, they needed to do that because of the septic and water radius. Could they get lot depth to width waiver for that lot? Mr. Bittig stated that they should see if they could straighten out the road and that would help them with that lot. Mr. Boyer stated that it depended on the soils and perks. Mr. Schwartz stated that with the large size of the lots he didn't have a problem with the waiver. Mr. Ruff agreed. Mr. Boyer asked if a Water Resource Study was needed. Mr. Wilson stated that a Water Resource Study would be required with 10 lots total. Mr. Boyer stated that once they do septic testing and know that they would have a total of 10 lots, then they would have the study done. Mr. Bittig stated that they would need to mark off the permanent conservation easement in the steep slope areas.

**8. WINDY WILLOWS- TRAFFIC STUDY – WALK TRACT – INFORMAL – Mike Sodl
- Brian Kobularcik**

GVC reviewed the Windy Willows scope of Traffic Study (reference letter dated October 24th, 2005).

MOTION BY Mr. Littlehales, seconded by Mr. Ruff to recommend the Board of Supervisors add the intersection of Butter Lane and Old Friedensburg Road to the intersections proposed in the October 24th GVC letter. The motion carried unanimously.

Mr. Sodl stated that they have changed the plan to have a cul-de-sac instead of two access points on Old Friedensburg Road. Mr. Kobularcik stated that they would be putting in cisterns as required by the Fire Marshal. They submitted their plans too late for a review to be done by GVC, so they would be coming in to address any concerns in the review letter at the December meeting. Mr. Schwartz asked how the designs of the streets were decided? Mr. Kobularcik stated that they did the configuration of the streets so they would not wind back and forth between the municipalities. Mr. Schwartz stated that he would prefer to see all the lots for the development be the same larger size.

Mr. Wilson and Mr. Bittig agreed to meet with the developers on Wednesday, November 9th at 10a.m. to walk the property.

**9. ROMAN CATHOLIC DIOCESE OF ALLENTOWN – CONDITIONAL USE – Henry Koch
- Madelyn Fudeman**

The Roman Catholic Diocese of Allentown was requesting permission to construct and operate, as a Conditional Use, a parochial school in an AP-Agricultural Preservation Zoning district as provided for by Section 401.4.D of the Zoning Ordinance.

Roman Catholic Diocese of Allentown continued

In the absence of definitive responses to questions, issues and concerns the Planning Commission discussed the following:

- (1) Subdivision: What was the applicant's plan for the "orphan" 10+-acre portion south of PA 562? That parcel could be subdivided for an additional 8-10 home sites per current zoning. The Planning Commission felt that the applicant should provide written assurance that would not occur. The same concern regarding subdivision was raised relative to the stone farmhouse and the barn along the north side of PA 562.
- (2) Historic structures: What was the applicant's plan for the stone farmhouse, stone bank barn and spring house? Do any of these structures have historic value? Mrs. Geiger observed that the springhouse far outdated the farmhouse. The Planning Commission felt that a historical assessment was required to determine if any of these structures should be protected under Section 629 of the Zoning Ordinance.
- (3) Zoning relief: Mr. Bittig observed that the submitted Sketch Plan seemed to indicate that the proposed building and paved areas would be in compliance with the 10%/10% zoning limitations, but that there was no guarantee that the official submittal or some future development (i.e., additional buildings, etc.) would not exceed the zoning requirements. He felt that the Township should request a written guarantee that the applicant would not request zoning relief in the future.
- (4) Access from Farming Ridge: The Planning Commission discussed potential access(es) to the school from the Farming Ridge development. It was determined that pedestrian access (i.e., sidewalks) should be provided from the Farming Ridge Blvd. (at tennis courts) and from Foxglove Lane so that students from Farming Ridge could walk to school. It was also felt that vehicular access to the proposed west parking lot should be provided via the existing stub street off Foxglove Lane.
- (5) Ritter's Road: The need to widen and to realign Ritter's Road to accommodate the school traffic, particularly busses, was discussed. Mr. Bittig observed that one mile of the roadway would need to be improved to safely handle the school traffic and that the Exeter taxpayers, not the school, would have to pay for all improvements per the PA MPC. He suggested that the Township solicit a voluntary contribution from the school to cover the portion of the cost of improvements fronting or traversing their property. The need for major improvements, and perhaps a traffic light, at the Ritter's Road/PA 562 intersection was discussed.
- (6) Traffic: the Planning Commission expressed concern about additional traffic and added congestion on the roadways. Of special concern was the impact on the already sub-standard intersection of PA 562 and Shelbourne Road. It was observed that the applicant had done nothing to demonstrate compliance with Section 808.3(c) of the Zoning Ordinance, and that compliance should be a condition of Conditional Use approval.
- (7) Neighborhood Impact: The Planning Commission discussed concerns about the potential of stadium noise and lights adversely impacting the adjoining residential neighborhood. The Planning Commission felt that the applicant should be required to demonstrate compliance with Section 808.3(e) prior to granting Conditional Use approval.

Roman Catholic Diocese of Allentown continued

The Planning Commission moved to recommend the Board of Supervisors grant approval for the conditional use for the Roman Catholic Diocese of Allentown subject to the following conditions: (1) No subdivision of the site; (2) Opening the stub street to provide access off of Foxglove Lane into the development; (3) Perform due diligence to determine whether Historical Controls are appropriate for the stone farmhouse and barn and, if so, designate that area as historic; subject to Section 629 of the Zoning Ordinance; (4) Section 808.3.C: show that the use will not generate traffic such that hazardous or unduly congested conditions will result and perform required Traffic Studies and demonstrate how they intend to mitigate any traffic problems and make the necessary road improvements; (5) Section 808.3.B: Demonstrate that services and utilities shall be made available to adequately service the proposed use; (6) Section 808.3.E: Demonstrate that the use will not adversely affect the character of the general neighborhood, nor the health and safety of the residents or workers on the adjacent properties and in the general neighborhood. The motion carried with Mr. Ruff, Mr. Schwartz, Mr. Bittig, Mrs. Geiger, Mr. Littlehales, Mr. Shane voting in favor and Mr. Wilson voting opposed.

11. GENERAL DISCUSSION

Mr. Wilson reminded everyone that the Planning Commission would meet for a workshop on Thursday, November 10th at 7pm.

ADJOURNMENT

MOTION BY Mr. Schwartz, seconded by Mr. Ruff, to adjourn the November 1, 2005 meeting of the Exeter Township Planning Commission at 10:10pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

BOS: Roman Catholic Diocese of Allentown – Conditional Use
BOS: Windy Willows Scope of Traffic Study and Waivers
BOS: Ruby Tuesday Final Plan