

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
APRIL 4, 2006

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, April 4, 2006 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
Paul L. Schwartz
Gary L. Shane

ABSENT: Dottie Geiger

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

1. MINUTES

MOTION BY Mr. Littlehales, seconded by Mr. Shane, to approve the minutes of the March 7, 2006 Planning Commission Meeting as presented. The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Bittig, seconded by Mr. Ruff, to approve the agenda of the April 4, 2006 Planning Commission meeting. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

- A. **G.A.S. ACCESS ENERGY PIONEER CROSSING – FINAL PLAN; FAIRVIEW PARK II – FINAL PLAN; DEMOSS STREET HEALTH CLUB – FINAL PLAN; 30 BEECHAM ROAD – PRELIMINARY PLAN; 900 LORANE ROAD – FINAL PLAN: MOTION BY** Mr. Ruff, seconded by Mr. Shane to accept the preceding plans for review. The motion carried unanimously.

Mr. Wilson stated that the deadline for any pertinent information concerning items on the agenda were due by 3:30 the Friday before the Planning Commission meeting and asked that everyone please try to cooperate and have those items available for the Planning Commission to be able to review them in plenty of time before the meeting.

The following business was discussed:

4. EXETER TOWNSHIP SCHOOL DISTRICT – CONDITIONAL USE APPLICATION

- Nick Corbo
- Jon Malsnee
- Kenneth Levan
- Grant Smith
- Gary Bannon
- J. Kenneth Hart
- Ken Arters

Dr. Corbo stated that the school was present not out of choice, but out of necessity. The growth of the student population was beyond their control forcing them from one construction project to another. The enrollment of students in each of the last five years had increased by approximately one hundred students in each of those years. The primary reason for that growth was residential development, which also eliminated the availability of suitable land for new school construction. They wanted to assure the Planning Commission that they gave serious consideration to the sites that were suggested at the joint meeting held several months ago. They did a comprehensive study of those sites. The Bausher property was the only logical choice in terms of location, suitability for school construction and most importantly, the cost to the local taxpayers. They were before the Planning Commission tonight because the Zoning Ordinance currently allowed for construction of schools in the AP Zone by Conditional Use. They also wanted to assure the Planning Commission that they would be good stewards of the property they planned to acquire. They endorsed the concept of open space and intended to allow for portions of the land, not dedicated for school use, to remain as farmland as long as possible. The School District ownership was the only guarantee that residential development would not occur on that property in the future. They were asking for fair and equitable treatment whether the Planning Commission agreed with the decision or not. Conditional Use approval had been granted for the construction of a private high school, which would serve a small percentage of the Township students. They were asking for similar consideration to build an elementary school that would be built exclusively for students that resided in our Township. Dr. Corbo then thanked the Planning Commission for giving them the opportunity and for putting them on the agenda.

Mr. Bannon stated that his firm, E. I. Associates, was hired by the School District to do a feasibility study of the District facilities and the short and long term plans for where the District was heading. The study included demographics as well as analyzing the buildings for capacity. The study showed that most of the schools were at capacity. The company specialized in Educational Facilities and 95% of their work was in the K-12 and higher Ed market. Mr. Malsnee asked if they, at the request of the District, looked at other sites for possible locations for future Schools? Mr. Bannon replied that they looked at three sites, the Bausher property, the Amber Hill property and a property located along Fairview Chapel Road. He presented a plan that showed the location of the sites. He then stated that they examined the sites for size, topography, access to utilities, access to the road system, and the general characteristics of the site and adjacent land uses. The site that was in the Lorane attendance area was the smallest of the sites and portions of the site were in the flood plain and near the railroad tracks. Mr. Bannon believed these factors made the Fairview Chapel site undesirable for school construction. It was also in a Zoning District that was Light Industrial and there was open space around that property, but what would be developed in the future was unknown. The size would restrict it to one, possibly two schools of small size. The second site was the Amber Hill site and was larger, but that site had extreme topographical changes. There was an elevation change of over 100-feet from the front to the back of the site. It was not desirable for school construction and would be costly to develop the site. The Bausher property was more suited for development for schools as the property was fairly flat and

Exeter Schools Conditional Use continued

economical to develop. Utilities were around the property and residential developments surrounded the property on two borders. There was a fair amount of open land so they would not need to destroy vegetation. It was between two major roads along Ritters Road. Mr. Bittig asked about the suitability of Ritters Road for school traffic? Mr. Bannon replied that they have not analyzed the road for what improvements would be needed. Mr. Bittig stated that Exeter School District presently occupied around 190 acres of land within the Township, with Lausch Elementary sitting on 40 acres. He then asked why that was not considered in lieu of a new location? Mr. Bannon replied that they did look at the site and there was a limited area for expansion. But looking long range, the District wanted to preserve that location for secondary facilities. Mr. Levan stated that he did not believe that St. Lawrence would allow another school to be built on that site unless the Cross Town Connector was built. If they decided to take down Lausch to put another school in its place, where would we locate the students while that was being completed? They needed another school.

Dr. Corbo stated that they were being criticized for things that did not happen 20 years ago and they were trying to look forward. They did not want to build a secondary school on the Bausher property because that would cause an increased need for outside facilities. If they reserve the Lausch property for the next secondary school, they could share the outside facilities. They did not want to put lighted facilities on the Bausher property. They wanted to reserve the Bausher property for K-8th. It was all a part of the 20-year plan. Mr. Bittig asked why they showed three schools on the Bausher property? Dr. Corbo replied that their projections showed that in three years they would have 360 students beyond capacity in K thru 4th. He then stated that they were looking at the years of 2013 & 14 and then grades 5 & 6 would be 310 students over capacity at the Reiffon building. They were looking at the next 3-5 years that they would need a new K-4 facility. At 5-8 years they needed a new 5-6 facility, beyond that they did not know. All of the south end use portion of the property would remain as farmland. Mr. Bittig asked what they were basing the growth projections upon? Mr. Bannon replied that they looked at the potential housing developments in the Township that were starting or in the process of starting. They felt their numbers were on the conservative side. Mr. Ruff asked why Amber Hill was considered because it would be expensive since Mr. Greth had an approved subdivision plan for that property? Mr. Malsnee replied that they thought that the development might not be done and the property could be for sale. It was considered because it was a large property under single ownership. Mr. Littlehales asked about the property located behind the Shelbourne Square Shopping Center, did they consider that location? Mr. Hart replied they had looked at that property but the cost of the property and preparation of the property would be prohibitive along with the fact that wetlands were located there.

Mr. Bittig stated that his primary concern with the Bausher site was the traffic. There were two major developments occurring in that area, with 160 residences, Amber Hill and Pathfinder Meadows Section 2. The Bausher property was located between two major roads, Rte 562 and Oley Turnpike Road and where the two roads came together at Shelbourne Road, that intersection was a disaster. He then stated that Senator O'Pake had stated, "not to worry", the state would make it good. The School District had to demonstrate that it would not cause a traffic problem as a part of the Conditional Use process.

Mr. Hartman asked if the School District was seeking Conditional Use approval for the entire tract?

Mr. Malsnee replied yes, for the entire property. They were under agreement to buy 110 of the 150 acres of the Bausher property. The goal was to use the property for development now and in the future. There was a move to change the Zoning in that district and they wanted the Conditional Use applied to the entire property before the change was made. Mr. Hartman stated that he wanted to raise that point before they addressed

Exeter Schools Conditional Use continued

the issues in the Conditional Use as that put the Planning Commission in a difficult position to evaluate the impacts of the development of the property by the School District when we did not have specific projects. They had some hypothetical projects but admittedly they might not be the projects that they would eventually construct because they did not know what the future needs would be. Mr. Malsnee stated that would be covered when they came in for Land Development. Mr. Hartman stated that it was a concern to him, in understanding what the duties of the Planning Commission were in providing recommendations to the Board of Supervisors. Mr. Malsnee stated that they were looking for approval for the entire 110 acres for the Conditional Use. Concerning Item A in the Conditional Use Section, the use was authorized as a Conditional Use. Mr. Smith stated that concerning Item C "the use would not generate traffic such that hazardous or unduly congested conditions will result", the School District recognized that the condition of the existing Ritters Road and the impact that any land use would put on the surrounding traffic network and on the intersections would need to be acceptable by the Township Subdivision and Land Development Ordinance in the future. A full-blown traffic study would be done and the condition of the existing Ritters Road was variable at best and they would be required to improve the portion that fronts their property. They would look at the physical situations located there; sharp curves, angles, insufficient width and dips.

Mr. Bittig asked who was financially obligated to make those improvements? Mr. Smith replied that the School District was responsible for their side of the road. Mr. Bittig stated that meant that the taxpayers would pick up the tab. Mr. Smith stated that they would work with the Township engineers to identify the intersections that might be impacted by the traffic. For elementary schools of approximately 450 students, they were looking at 6 to 8 buses for each of those and the pickups were early in the morning. The afternoon peak was between 3:30 and 4 o'clock. They would have approximately 60 employees. As the project moved along and the School Districts needs came into focus, they might need to be re-addressed as far as traffic studies were concerned for future projects. Mr. Bittig stated that his biggest concern was Oley Turnpike Road and Rte 562 as that was the big choke point in that part of the Township. Mr. Smith stated that they would need to rate that for the existing conditions and then analyze that for the length of the project. Mr. Bittig stated that they would need to show that the use would not generate traffic such that hazardous or unduly congested conditions would result. He then asked if they would be able to guarantee that putting even one school there would not further overburden that already critical intersection? Mr. Smith replied that was the standard they would meet. Mr. Bittig stated that no one could fix that. Mr. Arters stated that he lived in Farming Ridge and he was aware of the traffic patterns that existed there. Concerning the elementary school traffic, it would not be at rush hour. They start at 9am and have a 3 o'clock dismissal. Mr. Arters then stated that responsibility for the new elementary schools rested squarely on the Planning Commissions shoulders for the increase in people that they were dealing with. The School Board could bury their heads in the sand and allow more and more people in each classroom, but they were representing the community. In response to the comment that the responsibility rested on the Planning Commission

Mr. Bittig stated that in the last 6 years, the Planning Commission and the Board of Supervisors have approved fewer than 300 new dwelling units. Mr. Arters stated that they have had 100 new students per year. Mr. Bittig replied that he did not know where the students came from because the School District numbers showed .45 students per dwelling unit. Mr. Arters stated that if the Planning Commission had already made up their minds then they were wasting their time. They represented the best interest of the community and have been elected to do so. They have come up with what they thought was the best solution. He felt that the Planning Commissions attitude harmed the children. Mr. Littlehales stated that he resented the implication and because they were elected officials it did not put them in a better position as we were as appointed members. We also act in the best interest of the citizens of the Township. Mr. Bittig stated that we did not dispute that there was a need for a new elementary school; we were focusing on the site, not the need. He then stated that he felt the School District chose the site a year ago. The School

Exeter Schools Conditional Use continued

District Board members all replied that, no, they did not. Mr. Bittig asked Walter Greth (in attendance for the meeting) if he was approached by the School District to sell his property. Mr. Greth replied that, yes, they did and he was not interested in selling the property. Mr. Littlehales stated that we were not against the School, we were not against the purpose or need of Schools, we were simply trying to find the best site and create the best existence for whatever site it would be placed. Mr. Malsnee replied that they realized that. The Board of Supervisors had decided what locations were appropriate by virtue of the Zoning. They were looking at the Zoning Districts that allowed for schools. The Planning Commission might not agree with the location but they needed to review the application and make recommendations on the conditions. Mr. Ruff stated that they might be able to satisfy "C" for the one elementary School; however, we did not know what the traffic situation would be like in the future when the School District came back and said they needed another school there. There could be a change that would prevent additional traffic on Ritters Road, Rte. 562 and Oley Turnpike Road. If we would give them "Carte Blanc" what fall back would we have then?

Mr. Malsnee replied that would be addressed at Land Development process. There would be conditions imposed at that time. Mr. Hartman stated that it was a Conditional Use and there were standards in the Zoning Ordinance that we were looking at tonight under Section 808. Once that was approved, if the Board of Supervisors granted it, we would not get another Conditional Use hearing. The Land Development planning process did not provide an opportunity to create conditions that were reasonable to mitigate the potential harms to the community from the project. He then stated that he did not think it was correct to say that the Land Development Planning process was sufficient to protect the interest of the community as a substitute for a Conditional Use hearing on a particular project presented by the School District.

Mr. Malsnee replied that they could not project 20 years into the future on what was needed. Mr. Hartman stated in regard to the traffic issues being discussed, was it in regards to an elementary school or was it with regards to the maximum potential build out of the site with up to three schools? Mr. Malsnee replied that it was in regards to one school. Mr. Hartman stated that it would be extremely speculative to talk about hypothetical impacts without a specific project. It was our duty to listen to what they have to say. Mr. Smith stated that the traffic study would be a baseline study on existing conditions and what was being proposed as part of the application. We would know what the projected traffic would be and would study the intersections to see what the improvements would be required. Programmatically, if the School District, in the future decided that the elementary schools were sufficient and the third school would be a Jr. High, the traffic studies would have to be updated. Traffic studies would be for the here and now and the standard projections were for 10 years. Mr. Malsnee stated that what they were confronted with was the potential change in Zoning, and they needed to make the application for the Conditional Use for the entire property. It did not mean that we would not come back to meet the four remaining criteria. Mr. Bittig asked if they would put that in writing? Mr. Malsnee replied they would. Mr. Hartman stated that would reserve discretion to the Township that we would not have by simply granting a blanket approval. Mr. Malsnee stated that the Township could say that they met Category A and would not have to revisit that Category, but when they came back with a second school they would need to meet the criteria in B, C, D and E.

Mr. Hartman stated that if the Zoning were not proposed to be amended, they would, most likely, be coming in for a Conditional Use approval for a single school and that would be a more logical application to present, but because of the risk of re-zoning, they were asking for blanket approval which protected their Zoning rights but did not, he thought, respect the process of allowing the Planning Commission and the Board of Supervisors to review each project as it was proposed by the School District for construction. If the School Board would be willing to concede B, C, D, and E as an ongoing obligation for compliance with the process that would bring them back before the Planning Commission and the Board of Supervisors, then we would vest Category A.

Exeter School Conditional Use continued

Mr. Shane asked if it was conceivable that they would need three different elementary schools? Dr. Corbo replied that it was possible, at some point they might need to demolish Lausch School to put in a secondary school and then all the elementary schools would be at the Bausher property. Mr. Shane asked if it wouldn't be better to enlarge one of the buildings rather than building a separate one? Dr. Corbo replied that if they would re-locate elementary to the Bausher property the third building could be grade 5-6.

Mr. Littlehales stated that he was not opposed to the site as much as he was concerned with traffic and the prohibitive costs for road improvements and traffic intersection improvements that would be absolutely necessary for the project. Both sides of Ritters Road would have to be taken care of at the same time and the cost would be passed on to the taxpayers. He then stated that he agreed with Mr. Hartman's suggestion to look at one school and see how that was handled, then handle the other schools in the future. Mr. Smith agreed that was a good angle to pursue. One point concerning the road improvements, the difference in the site cost improvements, and the land acquisition for other sites in the Township; the Bausher property would still cost less than the other options. Mr. Arters stated that they did not ignore the Planning Commission's recommendations, they actively investigated every one. He then stated that conditions were placed on Central for their Conditional Use and they would like the same consideration. Mr. Malsnee stated that they needed Category A to be granted for the entire 110+ acres, and then they could come back for B, C, D and E for each additional school. They could address all those items for the one school. Mr. Ruff stated that he had a problem with that; he felt that once we approved one school, what would stop the School Board from proceeding with the additional schools without our control. Mr. Hartman disagreed and stated that there was a procedural duty that the School Board would have to come back to the Township to seek Zoning approval for B, C, D and E and that the substance for those requirements was to go through the analysis and have those questions answered. He also agreed that there was a certain momentum that was acquired when the School District purchased the property, but the Township was preserving the authority to review the impact questions with each subsequent school and could result in meaningful consequences in regard to the end result to the addition of the second and third school. We would not have that if the Township gave blanket Conditional Use approval for the entire tract. Mr. Bittig stated that there was one Zoning issue that we addressed at the last meeting. The portion of the property that would be conveyed to Jordan Bausher would be land locked and would not have frontage on a public road. Mr. Malsnee replied that the Baushers had access through an easement and that was a Subdivision issue and it was not "illegal". There was a provision in the SALDO that provided for flag lots. Mr. Bittig replied that an easement was not a flag lot and that landlocked lots were not allowed. All new lots must front on a public road. Mr. Malsnee stated that they would address that. Mr. Littlehales reminded them of the road that existed on the Official Map that ran through the Bausher property. Mr. Malsnee stated that they would need to approach the Board of Supervisors and if they would be required to add the road, it would be addressed. He then stated that with Category B, services and utilities should be made available to adequately service the proposed use; over the last few weeks they received confirmation that the major utilities that would be necessary to service the facilities were available. Sewer was available west of the site; there was a manhole and an 8' line at Farming Ridge Road. They received a letter stating there was capacity at the plant for all three buildings. Mr. Bittig stated that they not only needed a letter for capacity, they would need to show that they had capacity for conveyance. Mr. Malsnee stated that they used 3.5 gallons per day per occupancy. Mr. Schwartz stated that his concern was extending sewer into the AP Zone and the effect of possible future development; however, the fact that sewer connection existed made it a moot point. Mr. Malsnee stated that water was available on Limestone Drive and the water company was in the process of providing them with flow tests to show that they would have capacity for fire suppression in the buildings. The electric service was close to the site and had the needed capacity. Communications were also close to the site and had capacity for all three buildings.

Exeter Schools Conditional Use continued

They spoke with the Fire Marshal and the Stonersville Fire Company and they had no problems in providing services to the site. The Fire Marshal asked them to have plenty of room for access to the buildings in an emergency. The gas company stated that they would have the capacity from the Boyertown Pike line to service the property. The police would provide needed services to the school. Concerning Category D, "the use was appropriate to the site in question". When they looked at sites, they looked at topography, size of the property and access to the site by road system. They would have 4.8% of land coverage and paving would be 8%, so they would be well below the 20% threshold. A large portion would remain green space. With Category E, "the use shall not adversely affect the character of the general neighborhood, nor the health and safety of residents or workers on adjacent properties and in the general neighborhood", the school use was conducive to the property with the amount of open space they would be providing and they would be a good neighbor and also, there was already a school approved across Ritters Road. Mr. Bittig stated that they would not be proposing stadium lighting, which would be an issue for the Central School project. He then asked if the School Board had the new Lighting Ordinance? Mr. Smith replied that they did. Mr. Wilson asked if they took into consideration the high impact of housing that might be located on the old Central Stadium site and the impact on the schools? Dr. Corbo replied that those numbers were not included in their projections. Mr. Wilson asked if they would have any problems obtaining funding since they were taking Ag Preservation land for the schools? Mr. Smith replied that, no, they did not feel that would be an issue as they have talked to the Chief of the Department of Education and the Department of Agriculture and as long as we meet the requirements of the Zoning, they would approve it and we would get reimbursement.

Mr. Wilson stated that we could impose conditions, as we have with Central and now he understood that we were in some litigation process because after they were granted the Conditional Use, Central did not like the conditions that the Township imposed on them. He was concerned that we would end up in the same situation with Exeter Schools. Mr. Malsnee stated that with what was addressed as conditions earlier, and so long as surprise conditions were not imposed, that would not be an issue. Mr. Hartman stated that although it was not addressed in prior discussion, he hoped that the School District would be willing to accept, as an additional condition, that the standards for Conditional Use not only include A, B, C, D, and E, but also a sentence that was essential "The Township Supervisors may impose such additional safeguards as were necessary to protect the public health, safety and welfare". He then stated that he would like the School District to agree that would also be a duty that they would have to comply with in respect to each school site on the property. It was one of the core requirements for Conditional Use. Mr. Malsnee replied that would not be a problem, it tied into the four categories. Mr. Wilson asked if Mr. Hartman could provide the Planning Commission with a motion that we could make because we agreed with what he was stating?

Mr. Hartman asked if there were any other conditions that the Planning Commission would like to add?

Mr. Schwartz stated that they would need to get direction from the Board of Supervisors concerning the road through the property that showed on the Official Map. Mr. Bittig stated that it would need to be looked at to see if there was a reserved space for the road in the Glen Oley Development. He then stated that he would like to see that the Bausher property that would be divided off from the school would be fully compliant with the Zoning Ordinance, that they did not create an illegal lot.

Public Comment

John Connelly, Township Resident, stated that obviously the pressure cooker was created by new construction, and then asked what happened when all the kids grew up and the pressure was off? What would we do with all the schools that we would not need? Had anyone investigated other Municipalities that had experienced growth spurts over the years? He then stated that he could speak for one where he grew up

Exeter Schools Conditional Use continued

that now had an 180,000 sq. ft. Jr. High School that stood empty in Delaware County. They now had three schools that stood empty and he, for one, as a taxpayer had no desire to pay for empty schools in 15 years. His children might grow up and move, but he would not. The burden and demand on schools would settle down. They were reacting to the influx of new families and the demand associated with that. As it matured, it would calm down. He felt that they were over-reacting and they should be looking at other alternatives with the existing sites that they have in order to temporarily get over the hurdle. There would be extra traffic for any ball fields that would be located there. They would be used on the weekends, as there were not enough ball fields in the Township. They should get with other Municipalities and plan appropriately. He then thanked the Planning Commission for listening. Mr. Schwartz stated that he took issue with what was said, he felt that the School Districts figures proved that the opposite was happening. We approved 300 houses in the last five years and they saw an increase in 100 students per year. The mature housing was being re-sold to younger families. The contention that, as the population matures and the demand drops off was proven false by what was actually happening. Mr. Connelly asked what would happen with the buildings if they were no longer being used as schools. Mr. Schwartz replied that the numbers stated that was not a concern. Mr. Wilson stated that our neighboring municipality, Mt. Penn, sold their old high school, built a new one and now they had to buy back the old building because they needed it within five years of selling, for four times the amount it was sold. Mr. Wilson then stated that Mr. Connelly's concerns with building the schools could not be addressed by this Board; they needed to go to the School Board for that.

Mr. Bittig stated that he would like to offer one other condition, that the applicant demonstrate compliance with 808.3.C prior to granting Conditional Use approval for the one school by the Board of Supervisors.

Mr. Schwartz stated that was one of the categories that needed to be complied with. Mr. Hartman stated, that, correct him if he was wrong, Mr. Bittig wanted the Board of Supervisors to really make sure there was adequate evidence of compliance with 808.3.C with regard to the Elementary School prior to granting approval for the site and basically wanted that one spotlighted.

Mr. Hartman stated that he would like to offer the following:

The Planning Commission recommend that the Board of Supervisors grant the Conditional Use application for the Exeter Township School District with respect to the 110-acre, plus or minus, Bausher tract along Ritter Road subject to the following conditions:

- (1) The School District shall be required to make a new Conditional Use application under Section 808 of the Zoning Ordinance or it's equivalent under any future Zoning Ordinance, for any school proposed to be constructed on the Bausher tract after the construction of one elementary school. With the School District being required to comply with all of the standards for Conditional Use under Section 808, other than Section 808.3.A.
- (2) The Subdivision plan for the Bausher tract shall fully comply with the Zoning Ordinance with regard to lot frontage for the proposed Bausher homestead lot.
- (3) The Board of Supervisors shall determine that the School District had submitted sufficient evidence to meet 808.3.C for the initial elementary school project.
- (4) The Board of Supervisors shall consider whether the road, connecting Farming Ridge Blvd. to Glen Oley Farms, shown on the Official Map should be constructed as part of the school project.

Exeter Schools Conditional Use continued

MOTION BY Mr. Littlehales, seconded by Mr. Shane to accept the proposed motion provided by Mr. Hartman for the Conditional Use application for the Exeter Township School District. The motion carried with Mr. Schwartz, Mr. Littlehales, Mr. Bittig, Mr. Shane voting in favor and Mr. Wilson, Mr. Ruff voting opposed.

Mr. Wilson stated that he understood the need for new schools, and that a school would be better than a housing development, but he was always opposed to taking AP land for any use other than farming. He had asked Central if they would preserve the old farmhouse to use as an educational facility to show kids what farms used to be before we built schools on them. Mr. Ruff stated that he did not feel the school campus that they presented was appropriate for the site, given its agricultural value. He then stated that he could not vote yes for additional schools on the site with due regard to what the momentum of one school would cause in the future. Mr. Schwartz stated that he understood that the Bausher site was the only potential school site, at some time in the future he would like to propose that we, the Planning Commission and the School Board, meet again to look over the Township map and possibly sketch out potential future school sites to add to our Official Map and keep them reserved and give us the right for first refusal. The Official Map could be used for more than roads and he would like to use that to reserve future land for School district use. Mr. Levan asked if that would be this year? Mr. Schwartz replied that yes, and they would receive the letter from the Planning Commission hopefully in the next few months.

**5. G.A.S. ACCESS ENERGY PIONEER CROSSING – FINAL PLAN – Stephen Bensinger
- Kai Voorhees**

GVC reviewed the G.A.S. Access Energy Pioneer Crossing Final Plan (reference letter dated April 4, 2006).

Mr. Bensinger stated that the first bolded item under Zoning dealt with the emissions and with the SCS letter it showed that the emissions were well below the limits set by the E.P.A. He then asked if that satisfied the request? Mr. Bittig replied that the requirement was for them to demonstrate that the emissions would be lower than E.P.A. standards and they had done that. He then thanked them for that information.

Mr. Bensinger stated that item #16 concerned the necessary permits and they were working on acquiring those. They were expecting one in around 45 days and it took time. Item #8 concerned the recreation plan. Mr. Bittig asked if we had copies of that? Mr. Peifer replied yes and it showed that they moved the tennis courts away from the parking lot. Mr. Bensinger stated that they were requesting a waiver of the Stormwater Ordinance. They had an increase of 0.2 cfs greater than the allowable flows for Stormwater, but that would discharge into the wetland basin. Mr. Bittig noted that it was not flowing offsite, but into the on-site wetland basin.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors waive the requirement of SALDO Appendix V Section II Table 2 drainage area release rates for the G.A.S. Access Energy Pioneer Crossing Final Plan as the flow was less than the current discharge and it discharged into the wetland basin on their own property. The motion carried unanimously.

Mr. Bensinger stated that they had received E & S approval. Mr. Peifer stated that we needed four copies of the stamped approved E & S plans. Mr. Bensinger stated that the rest of the items in the review letter were minor in nature along with the permits that they were awaiting approval for, so they were asking for Conditional Final Plan approval. Mr. Bittig asked about the water line, the Fire Marshal wanted to see the water line continue to be 8" all the way in. Mr. Bensinger stated that they were going to extend the 8" line.

G.A.S. ACCESS continued

Mr. Schwartz stated that the EAC reviewed the emissions report and had no comments for that. Mr. Bittig stated that he was concerned with granting approval without having the permits in place. Mr. Bensinger stated that could be part of the conditions. Mr. Schwartz stated that if they did not get the permits, the project was off, period. Mr. Bensinger asked what items needed to be put into the improvements agreement? Mr. Peifer replied the stormwater, E & S, the fire hydrant, handicapped parking signs, and the landscaping that was required.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors grant conditional approval for the G.A.S. Access Energy Pioneer Crossing Final Plan upon all permits being approved that were pending and any other items outstanding in the April 4, 2006 GVC review letter. The motion carried unanimously.

6. FAIRVIEW PARK II – FINAL PLAN – Stephen Bensinger

GVC reviewed the Fairview Park II Final Plan (reference letter dated March 31, 2006).

Mr. Bensinger stated that they eliminated the two lots along Fairview Chapel Road. Mr. Ruff asked if they added the notes that restricted future subdivision of those lots? Mr. Bensinger replied yes, note #48 addressed that. They had no bold comments in the review letter. They did not yet have E & S approval. The letter from the water company stated that they needed an improvements agreement with them. Mr. Peifer asked if they received an approval letter from the Fire Marshal? Mr. Bensinger stated that they had a letter from the Fire Marshal approving the location of the fire hydrants dated March 1st. Mr. Bittig stated that they needed to have the emergency access macadamed. Mr. Bensinger replied that they changed that on the plan. All the other items concerned improvements agreements and they were looking for final plan approval. Mr. Wilson asked if they were in receipt of the letter from Greg Koontz concerning the retaining walls? Mr. Bensinger replied yes, and they added notes on the plan to address that.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors grant approval for the Fairview Park II Final Plan subject to resolution to all outstanding items in the March 31, 2006 GVC review letter. The motion carried unanimously.

Mr. Wilson stated that he was having a problem getting his point across to the Board of Supervisors that he was concerned with the traffic situation and how the traffic would travel to get to Rt.422 from the development.

7. AMBER HILL – WAIVER REQUEST – Rik Longacre

Mr. Longacre stated that they were in to discuss the waiver request for the width of the streets for the Amber Hill development. Previously, they did not have a written waiver request, so they were returning with that so the Planning Commission could make their recommendation to the Board of Supervisors. Mr. Bittig asked in support of the waiver request, if they could add a note to the plan that a minimum of three on-site parking spaces be provided per dwelling unit. Mr. Longacre replied that they could do that. Mr. Bittig stated that he wanted to inform Mr. Greth and his engineer that last Monday we had sent our revised SALDO to the Board of Supervisors for consideration and the Board stated that they wanted 40-foot wide streets. He just wanted to make them aware of that.

Amber Hill waiver request continued

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors waive the requirement of SALDO Section 5.2352 and 5.2372 and allow a 34-ft paved cartway with parking on both sides. The motion carried unanimously.

Mr. Schwartz also recommended that the Planning Commission request that the Board of Supervisors make the 34-ft cartway a permanent part of the Township Ordinance.

8. RUBY TUESDAY REVISED FINAL PLAN - Rik Longacre

GVC reviewed the Ruby Tuesday Revised Final Plan (reference letter dated March 30, 2006).

Mr. Longacre stated that they received approval for a previous plan with two office buildings. They now planned to consolidate the two buildings into one for economic reasons. The parking area was revised from the plan that was submitted. They realized that the ends of the buildings were critical for access and they added parking in that area and now provide for three entrances to the building. They had also changed the layout where previously they were leaving the rock face between Ruby and the office building, but now they were going to provide a 2 to 1 slope that would run from behind the curb up to the office building and would be landscaped. Mr. Schwartz asked what stage they were at? Mr. Longacre replied revised final. They received the H.O.P permit. They had E & S approval and wanted to make a field change for that with the Conservation District. They were looking for revised Final Plan approval. Mr. Ruff asked about the two handicapped spaces on the northwest area, why not put them close to the entranceway, rather than making the person cross the lot? Mr. Longacre replied that was the most level area where they located the spaces. Mr. Littlehales stated that it looked as though some of the spaces looked short. Mr. Longacre replied that they would correct that. One of the comments stated that the slope of the parking area exceeded the allowed grade, that was a mistake on their part and was corrected on the plans they had with them. Item 3 concerned the fire flows and they had a summary letter from the Fire Marshal. Mr. Peifer stated that he had some questions for the Fire Marshal concerning that letter, there seemed to be some disparity of terms and conclusions. He would get clarification from the Fire Marshal on that. Mr. Longacre stated that originally they were going to connect to a line on Circle Ave, but that did not have the flow that was needed, so the water company was extending the line across Perkiomen Ave. Mr. Longacre stated that they would submit revisions to the Stormwater report to address the comments in the GVC letter. Mr. Bittig asked if they were still waiting for PennDOT approval? Mr. Longacre replied that the permits were all in place. Item #4 under general comments was picked up by them and would be corrected. Mr. Schwartz stated that they had too many spaces (22) in a row without a break. Mr. Peifer stated that they had two extra spaces (by ordinance). Mr. Longacre replied that they would remove those and add landscaped islands.

Public Comment

Judy McGee, Romig Ave, asked if Circle Ave would be widened at the bottom? Mr. Longacre replied that there would be no change from the original plan. Mrs. McGee asked if Romig Ave would still be opened? Mr. Longacre replied that it would remain the same as before, it would be opened until such time the Board of Supervisors would want that changed. Mrs. McGee asked if they would still be blasting there? Mr. Longacre replied that yes, they would soon start the pre-inspections of the houses located nearby and they would be contacted for that. Mrs. McGee then asked if they had problems with their wells, would they come to him? Mr. Longacre replied that they would follow all the regulations required for the blasting and

Ruby Tuesday continued

if there were issues they would address them. Mr. Bittig stated that the McGee's should show the pre-existing conditions of their water supply by opening the taps when they came in for the pre-inspection.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors approve the Ruby Tuesday revised Final Land Development Plan subject to meeting all the comments of the GVC review letter dated March 30, 2006 and adding the planting strips on the top parking lot. The motion carried unanimously.

Mr. Wilson stated that there were a lot of loose ends for the plan and wondered how Mr. Peifer felt about the issues. Mr. Peifer stated that what he reviewed with the cursory Stormwater Report did not look out of line. Mr. Wilson then stated that his pet peeve, which was traffic, and creating a bottle neck along Neversink and more of a mess at the by-pass.

9. DEMOSS STREET HEALTH CLUB – FINAL PLAN & PLANNING MODULE – Bruce Rader - Pat Dolan

GVC reviewed the DeMoss Street Health Club Final Plan (reference letter dated March 31, 2006).

Mr. Rader stated that they had some renderings of the building to show the Planning Commission and they were hoping to receive conditional Final approval. They have completed a Traffic Study and it would be submitted for review. Mr. Peifer stated that first GVC would provide a letter for the scope of the Traffic Study, then it would go before the Planning Commission, who might add intersections, then passed on to the Board of Supervisors to approve the Scope of the Study. GVC issued a letter for the scope of the traffic study dated April 4, 2006. Mr. Dolan replied that they had the traffic study completed, what did they need to do with that? Mr. Wilson stated that he was concerned with the amount of traffic that would be generated by having a Starbucks located in the health club. Mr. Dolan replied that that was no longer an issue as the Starbucks would not be located there and it would be a standard juice bar. The Planning Commission discussed various intersections that might need to be studied for the development. Mr. Peifer asked if the study showed only 10 cars going to 422 during peak hours would they want 422 to be studied? The Planning Commission agreed that they would.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend that we accept the criteria established in the April 4th GVC letter and add the 422/Gibraltar intersection contingent on GVC review of the Traffic Study that had already been completed. The motion carried unanimously.

Mr. Wilson stated that he wanted to make one comment that we were formally told that, if it was commercial development, we should not worry about the traffic.

Mr. Rader stated that they provided sidewalks and curbing as suggested by the Planning Commission. He then asked if they would need a waiver of those items? Mr. Peifer replied that since they would not be providing them for the entire property, they would need the waiver. Mr. Wilson stated that he would like to see the curbing provided along the entire portion of DeMoss Road, since they could no longer do the truck weight detail there. They could add the curbs along the edge of the cartway between the two entrances were located and still allow for extra parking. Mr. Rader stated that they followed the direction of the Police

DeMoss Street Health Club continued

Chief. The Planning Commission agreed that they should add the curbing between the two entrances and put in pipes to provide relief for the Stormwater.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors grant a waiver of the requirement of SALDO Section 6.204; sidewalks, and allow the sidewalk as shown on the plan. The motion carried unanimously.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors not grant the waiver of the requirement of SALDO Section 6.203; and require curbing between the two access drives along with relief in the curb to permit water to go through. The motion carried unanimously.

Mr. Rader stated that they were proposing 16 trees on the site. Mr. Dolan provided a rendering of the property showing the building and the trees. Mr. Rader stated that there were some "scrub" trees located on the property and they would be planting some nice street trees along the property. Mr. Bittig stated that he wanted to point them to the Zoning Ordinance Section 630.2.A, which called for them to do a tree inventory and B, which called for a replacement of ½ per one inch of destroyed trees. Mr. Rader stated that they were requesting a waiver of that. Mr. Bittig stated that without the inventory, we would not know how that would match up to what was being removed. Mr. Rader stated that they did have an inventory, but it was not with them. Mr. Bittig stated that they would need to at least provide for what was in the Ordinance. They might need to go with a smaller building and parking lot. Mr. Schwartz stated that the street trees met the landscaping requirement, not tree replacement. We needed to know what trees were over 8". Mr. Rader stated that it might detract from the site if they had to add a bunch of trees; it would look nicer if the trees were nicely spaced. Mr. Schwartz stated they would just need to come back with the count and we would work with that. Mr. Rader asked what the chances would be on obtaining a waiver? The Planning Commission agreed that they had never faced that before, so they could not give them an answer. Mr. Rader stated that the Planning Module was handed in to the Township and they were waiting for signatures.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales to direct the Secretary of the Planning Commission to sign the Planning Module for the DeMoss Street Health Club. The motion carried unanimously.

Mr. Rader stated that their soil tests results were good and they would submit them to Mr. Peifer for review. Mr. Peifer stated that they would need to incorporate that into the Stormwater report. Mr. Rader stated that they were looking for a waiver for pipe size from 15" to 12". Mr. Schwartz asked why 12" instead of 15"? Mr. Rader replied that they would not need the larger pipes as they were using infiltration and there would be very little flow. Mr. Peifer stated that they would need to do a Stormwater Management Plan that would spell out responsibilities concerning the stormwater controls and their responsibility to maintain those.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors waive the requirement of SALDO Section 5.8276 and allow the use of 12" RCP storm pipes instead of the required 15" pipe size as the ponds will be used for infiltration and the 12" size would work better. The motion carried unanimously.

Mr. Rader stated that they were still waiting for the waiver request for flat bottom ponds. Mr. Peifer stated that GVC needed to review the infiltration numbers to be sure that infiltration would work on the site.

DeMoss Street Health Club continued

Mr. Schwartz stated that the Planning Commission would not have a problem granting the waiver after that was reviewed by GVC. Mr. Dolan stated that they took the comments from the Planning Commission last month and re-did the design of the building. They softened the look, added wood panels and split-faced block. The Planning Commission agreed that it looked better.

Public Comment

Sam Scales asked what the maximum capacity of the building was in relation to the number of parking spaces? Mr. Dolan replied that it met the Ordinance for the number of parking spaces. What would the Fire Marshal say about the maximum number of people allowed in the building? He had a fitness center in the Township before and that only had 8,000 sq. ft. and he had to have 75 parking spaces for that and their project was larger with only 100 spaces. Why was the plan reviewed under retail and service and not indoor recreation? With a building of that size it would have a higher occupancy than parking spaces. Mr. Dolan replied that he did not have the numbers available, but it was not that high. Mrs. Franckowiak stated that they met the requirements of the Zoning Ordinance for the amount of parking spaces; as for the Fire Marshal occupancy they would have to meet that. Mr. Scales asked why it was not like an indoor pool or indoor recreation? Mrs. Franckowiak stated that it was a personal service establishment and that was what we were working on. Mr. Scales asked what would happen if they had so many people come in that they would be parking along the street? Mrs. Franckowiak replied that there was no parking allowed on Gibraltar Road and if there was not sufficient parking then it would hurt their clientele. She then stated that he was welcome to come to the Township during the day to have any other questions answered.

10. ZAJAC ANNEXATION – SKETCH PLAN OF RECORD – Bruce Rader

GVC reviewed the Zajac Annexation Sketch Plan of Record (reference letter dated March 31, 2006).

Mr. Rader stated that they were granted a variance for the lot size of the annexation and were looking for a waiver to allow two steel rebars to set the new property corners instead of monuments.

MOTION BY Mr. Bittig, seconded by Mr. Littlehales to recommend the Board of Supervisors waive the requirement of SALDO Section 6.209 and allow the use of two steel rebars to be used to set the new property corners instead of monuments. The motion carried unanimously.

Mr. Rader stated that they were looking for plan approval.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors grant approval for the Zajac Annexation Sketch Plan of Record subject to meeting all the requirements in the March 31, 2006 GVC review letter. The motion carried unanimously.

11. 30 BEECHAM ROAD – PRELIMINARY PLAN – Thomas Ludgate

GVC reviewed the 30 Beecham Road Preliminary Plan (reference letter dated March 31, 2006).

Mr. Ludgate stated that they would be providing a sanitary sewer easement for Lot 1. Lots 2 & 3 have existing systems, but would have a backup of the public sewer. Mr. Bittig stated that according to SALDO Section 5.62 they would be required to connect Lot 3 because they were within 150-ft of the sewer.

Mr. Ludgate replied that they would do that. Mr. Bittig asked if they would be building anything new?

Mr. Ludgate replied no. Mr. Bittig asked about Lot #2 and #3 under Zoning, what would they need to do?

Mrs. Franckowiak stated that with the tennis court, if they could not move the property line then they would need to remove the court. Mr. Ludgate stated that the owner said that they could do that if needed.

Mrs. Franckowiak stated that concerning the setbacks for the existing barn, it was a pre-existing non-conforming structure and if it was renovated it would be fine. Mr. Ludgate asked if an Environmental Assessment Statement was needed?

MOTION BY Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors waive the requirement of SALDO Section 6.29 as there was no construction, just drawing property lines. The motion carried unanimously.

Mr. Ludgate stated that they were also looking for waivers listed under 4, 5, 6 and 7.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors waive the requirement of SALDO Sections 4.26 E&SC plan, Section 4.273, Stormwater Management Report; Section 4.287, 5.99 and 6.207 Water Resources Study; Section 5.238, curbs; and Section 5.239, sidewalks for 30 Beecham Road as there was to be no new construction. The motion carried unanimously.

Mr. Ludgate stated that under #8 they would have the SEO check lot 2. He then asked for a waiver of wetlands delineation. Mr. Peifer stated that they could put a note on the plan that before any lot disturbance took place wetland delineation would need to be done. Mr. Ludgate asked for a waiver of the Traffic Impact Study, Environmental Hazard Report, designs of bridges and culverts, and a Historic and Archaeological Resources Report.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors waive the requirement of SALDO Section 4.274, Preliminary designs of bridges or culverts; Section 4.282, Traffic Impact Study; Section 4.284, Environmental Hazard Report; Section 4.286, Historic and Archaeological Resources Report as there was to be no new construction. The motion carried unanimously.

Mr. Ludgate would like to get preliminary plan approval.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors approve the 30 Beecham Road Preliminary Plan subject to the GVC March 31, 2006 comments being addressed at Final plan stage. The motion carried unanimously.

12. 900 LORANE ROAD - Thomas Ludgate

GVC reviewed the 900 Lorane Road Final Plan (reference letter dated March 31, 2006).

Mr. Ludgate stated that there were no bold comments in the review letter, just some clean up items.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors approve the 900 Lorane Road Final Plan subject to all items in the March 31, 2006 review letter being addressed. The motion carried unanimously.

13. 301 WEGMAN ROAD – SKETCH PLAN FOR RECORD – Thomas Ludgate

GVC reviewed the 301 Wegman Road Sketch Plan for Record (reference letter dated March 31, 2006).

Mr. Ludgate stated that item #6 concerned whether they should do an Environmental Assessment Statement and at the last meeting it was decided that after they received the PNDI it would be discussed. They had a hit for a bog turtle, but they received clearance from US Fish and Wildlife and were waiting for clearance from PA Fish and Boat Commission. He then stated that they had a forester go out to the property and did not have him check the trees that fell into the conservation area. There was an area of Christmas trees that were worth saving and they would re-route the driveway around those. Item #7 concerned if the Township wanted improvements to Wegman Road. Ms. Cusimano stated that Clarence Hamm, Highway Superintendent, was not planning any improvements to Wegman Road. Mr. Ludgate stated that they were looking to waive lot width to depth ratio for Lot 2. Mr. Wilson stated that his “pet peeve” that was happening in the Township, everyone wants to split their lots and make non-conforming lots. People were complaining about “big” developments, but he felt these lots were going to cause as much problems as those.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors waive the requirement of SALDO Section 5.514, lot width-to-depth ratio. The motion carried with Mr. Littlehales, Mr. Bittig, Mr. Shane, Mr. Schwartz voting in favor and Mr. Ruff, Mr. Wilson voting opposed.

Mr. Bittig asked if they addressed the comments in the Fire Marshals memo? Mr. Ludgate stated that the owner had some issues and they did not ask for approval as those issues needed to be deal with. The Fire Marshal was looking for a 20-ft wide paved driveway for emergency services. The owner was considering adding sprinklers to the house, and also would use the existing pond for water supply, but the Fire Marshal wanted a 20 x 30 concrete pad for the fire truck to sit on. Mr. Peifer stated that he knew that the Fire Marshal was looking for cisterns at every rural lot that came in for subdivision. Mr. Ludgate replied that the Fire Marshal wanted a 30,000-gallon cistern. Mr. Peifer stated that the current cistern ordinance only kicked in at five lots. Mr. Ludgate asked if they could get a waiver of that? Mrs. Franckowiak replied that we could set up a meeting with the Fire Marshal to get that resolved. Mr. Ruff stated that our Fire Companies were used to fighting fires in rural areas with tank trucks. Mr. Ludgate asked if they would come up with a less than 20’ wide drive, would the Planning Commission support that? Mr. Schwartz stated that he would not want to see that much impervious surface. Mr. Peifer stated that they would have all the water from the driveway running down the slope. Mr. Ludgate stated that originally they were planning a 10’ driveway. Mr. Bittig stated that he could see a 12’ driveway. Mr. Ludgate stated that he would agree to a 12’ gravel driveway and the applicant even offered a waiver of liability to the Township. Mr. Peifer stated that he could see part of it paved, at the entrance. The Planning Commission agreed that they would support the smaller driveway.

14. GENERAL DISCUSSION

Mr. Wilson reminded everyone that Thursday, April 6, 2006 at 7pm was a Planning Commission workshop.

ADJOURNMENT

MOTION BY Mr. Bittig, seconded by Mr. Littlehales, to adjourn the April 4, 2006 meeting of the Exeter Township Planning Commission at 11:36 pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

- BOS: Exeter School District - Conditional Use
- BOS: G.A.S. Access Energy Pioneer Crossing waiver & Final plan
- BOS: Fairview Park II Final plan
- BOS: Amber Hill waiver request
- BOS: Ruby Tuesday revised Final plan
- BOS: DeMoss Street Health Club waiver request
- BOS: Zajac Annexation waiver request and Sketch Plan of Record
- BOS: 30 Beecham Road waiver request and Preliminary plan
- BOS: 900 Lorane Road Final plan
- BOS: 301 Wegman Road waiver request