

**MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
TUESDAY, DECEMBER 5, 2006**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, December 5, 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
Dottie Geiger
Paul L. Schwartz
Gary L. Shane

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

1. MINUTES

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to approve the minutes of the November 1, 2006 Planning Commission Meeting with the following correction:

Item # 7: Wal-Mart Supercenter #1777 – Final Plan – Page 11, eleven lines from the bottom, change to: a no right turn on red for westbound traffic.

The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Ruff, seconded by Mr. Bittig to approve the agenda of the December 5, 2006 Planning Commission meeting. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

A. **SFS INTEC – PRELIMINARY PLAN:** **MOTION BY** Mr. Ruff, seconded by Mr. Littlehales to accept the preceding plan for review. The motion carried unanimously.

The following business was discussed:

4. READING CENTRAL CATHOLIC HIGH SCHOOL – PRELIMINARY PLAN

- Henry Koch, Jr.
- Robert Hanna
- Mark Kitzmiller
- Daniel Altman

GVC reviewed the Reading Central Catholic High School Preliminary Land Development Plan (reference letter dated December 1, 2006).

Mr. Koch stated that they wanted to ask for recommendation for Preliminary Plan approval. They noticed two items in bold print; #1 dealing with the earthen berm and #2 dealing with the need for a certain 12-hour traffic study imposed by the Board. Mr. Koch suggested that these two items were to be addressed by the Board of Supervisors and they would address those items when they approached the Board for Preliminary Plan approval. They brought along the entire team just in case, but did not feel that there would be much discussion and then again asked for Preliminary Plan approval.

Mr. Wilson called for discussion from the Planning Commission. Mr. Littlehales stated that he believed Lisa Ciotti went out to look at the berm situation. Mr. Bittig stated that at last month's meeting there were 4 or 5 sticking points: 1st was the berm. Mr. Koch stated that he met with Lisa Ciotti and they had the plans to be presented to Board of Supervisors for their approval. Mr. Bittig suggested that approaching the Board was the way to go. Mr. Koch stated that for informational purposes, the berm varied in height from 8' to 10' of earth and there was a vegetation screen planned along the berm with trees of 10' of height planted on 15' centers. He also stated that the residential side of the berm would be planted with ivy and on the school side of the berm it would be planted with vegetation encouraged through the matting system. Mr. Koch stated that he was of the opinion that would be satisfactory to the Board. The Board delegated the responsibility to Lisa Ciotti and Dave Barbieri had also been involved. The Board would finalize the decision. Mr. Koch planned on going to the Board of Supervisors for Preliminary Plan approval. Mr. Schwartz stated that for Preliminary Plan approval what they were proposing was a berm and the details could be worked out at Final Plan stage. Mr. Hartman asked if what Mr. Koch was describing was the plan looked at by Lisa Ciotti and was that a change from the plan that Mr. Peifer reviewed? Mr. Koch stated that it was not the same plan submitted to GVC. Mr. Hartman asked if the new proposal of the berm caused any other features on the plan to be moved such as improvements; placement of improvements; stormwater pattern or anything that could be relevant and then explained that when things changed on a plan it could require other changes and also stated that the Planning Commission should be aware that it could cause potential changes. Mr. Koch stated that the berm shown does not require relocation of any facilities nor any changes to stormwater. Mr. Koch then stated that it could change, but agreed that the details, as suggested by Mr. Schwartz, could be worked out at Final Plan stage.

Mr. Bittig stated that the 2nd item on his checklist was stormwater management, BMPs, etc. and suggested that since there were no negative comments in the review letter that he thought it must be acceptable. He then stated that he had a letter from the County and he asked SDE to bring us up to speed concerning that item and suggested that the County hammered them pretty good. He further asked Mark Kitzmiller where they stood on that matter? Mr. Kitzmiller replied that the County had issued an administrative incomplete letter; he further explained that Mr. Ruhl was out of the office yesterday and he understood that the County would be issuing an administratively complete letter tomorrow. Mr. Kitzmiller then stated that on the word of Mr. Ravert and

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Mr. Ruhl, the County would be issuing the administratively complete letter this week and it would be sent to the Township. Mr. Bittig asked if the County was satisfied with alternate stormwater proposals? Mr. Koch stated that they were fully aware that they needed to get final clearance from the County. Mr. Schwartz stated that at the last meeting we sent them away to find answers to some questions, specifically the biological aspects of the pond. He then stated that he was concerned if the pond was deep enough to be a “living” pond and suggested that they were supposed to respond with some procedures on how they would keep the water clean. He asked them to convince him that the pond would thrive and would not have stagnant water and mosquito infestation. Mr. Kitzmiller showed a diagram and offered an explanation. The rendering on sheet 25 of the plan set showed the retention/detention basins and included pollutant abatement notes. They proposed three fountains to keep water moving with planting around the perimeter and included an aquatic bench. The basins ranged in depth from 0 to 18”; the first 5 to 10 feet of pond shore dropped off and in that area they could plan hydrophytic vegetation, which was good for cleaning and habitat; there was also a 4’ pool in accordance with the ordinance. He then stated that tied in with the mosquitoes; they had employed a snout device with a plastic poly PVC hood that fitted over the outlet of a strategically placed catch basin. As water rose in the basin, the outlet of the basin was above the bottom of the inlet structure; it was a sump, the water poured in and suspended solids settle on bottom; oils floated on top and they were prevented from flowing into the outgoing pipe; these things were on seven inlets where the parking lot runoff was captured and conveyed into the pond; they also had to develop a manual to be submitted and reviewed by DEP with the NPDES permit application. The operations and maintenance manual would list all the maintenance items along with mosquito dunks if mosquitoes become a problem. Fencing was also proposed as a waterfowl barrier; the fence was a mesh, almost invisible fencing, which would be installed to discourage geese. All of the vegetation took into consideration salt tolerances. Mr. Shane asked about the hardscaping feature listed on the plan. Mr. Kitzmiller explained they had added boulders spaced periodically throughout what was also a perimeter planting and buffer between the parking lot and pond at the end of each aisle.

Public Comment

Jordan Bausher, 391 Ritters Lane, showed some photos illustrating the problem that the Township had on Ritters Road and suggested that Central might also have the problem with runoff from storms. The pictures were of the 15th of November storm where about 1.5 inches of water fell and he stated that was a mild situation. Mr. Bausher explained that ice and snow really caused problems in that area and he wanted Central to be aware. He then offered a “win-win” situation for Central and the Township and stated that a lot of the runoff generated was made worse by development in that area. Mr. Bausher suggested that at the corner of Farming Ridge Blvd and Ritters Road there was an accumulation of water that ran down the road and his plan would be to install a catch basin into a detention pond thru which the Owatin Creek could run and suggested that it could be at least a half an acre and about 6’ deep. He then stated that if the water was intercepted and kept from flowing down Ritters Road it would help by alleviating the flooding/icing at Centrals driveway and suggested it could be a 50/50 project between the Township and Central. Mr. Bittig stated that it was an interesting concept but that would be DEP controlled, as Owatin Creek was a waterway of the Commonwealth.

Mr. Bittig had two other items, both of which were in the December review and they were: Traffic Impact Study #19, the 3rd bullet from the last called for widening Ritter Road and their plan showed widening of 2’ from 20’ to 22’. SALDO Section 5.235 required roads being built with 12’ wide travel lanes and it would be in their best interest for the school bus traffic, students and their staff to do so. Mr. Bittig then stated that they should widen it to Township standards. Mr. Koch stated that they would look at that Section but felt what they

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were proposing was necessary to correct a dangerous situation. Mr. Bittig stated that the last issue, and the biggest of all, were in comment #19 under traffic, the first, second and fifth bullets concerning TPD's study for the intersection of Shelbourne Road & Rt562 and the recommended improvements; without those improvements they were creating a situation that their own traffic study showed that the intersection would go from marginal to unacceptable and showed that it was being made worse by their project. He found that unacceptable and counter to Central's own expert testimony at the Conditional Use Hearing where they stated they would not create unduly congested or hazardous conditions. He then stated it was a problem for Central as well as the residents and if it could not be resolved, his vote would be no. Mr. Koch stated that at the last meeting they were advised to get their butts in gear with PennDOT; at that time they contacted PennDOT for a meeting to show them a conceptual plan. Then, yesterday at 5 pm PennDOT called and told them to be in Allentown today at 10 am. Mr. Koch called Tony Maize from GVC, because they were told they needed to have a representative from the Township. He then stated they had the meeting with PennDOT and the first three bullet points they acknowledged that they existed today; whether or not Central was built, the others resulted from Central. Mr. Koch stated that Rt562 and Shelbourne Road had issues with the one room schoolhouse which was of historic value and any improvements would result in lanes coming close to that schoolhouse and stated that PennDOT was not interested in taking traffic any closer to that structure because of physical damage and vibration caused by traffic. They had been foreclosed on those two bullet points. Concerning the third bullet point, there was a traffic signal designed for that intersection (Shelbourne & Gibraltar) and their information was that it was presented to the Township and the Township said no. They found out further that type of signal was available thru Community Revitalization Grants and were easy to obtain, however, it must come from the Township, not the developer. Mr. Bittig stated that Mr. Wilson's point from the last meeting regarding turning lanes was a good point and should be addressed. Mr. Altman stated that he looked at that briefly, the signal improved the situation but the existence of the culvert created a problem so left turn lanes might be an issue. Mr. Bittig asked if their position relative to the one intersection most critical to their project (Rt562 and Shelbourne Road) was that nothing could be done? Mr. Koch replied that he was simply reporting the issues that came up. Dr. Hannah stated that was what they heard directly from PennDOT; the building with historical value was the problem. Mr. Bittig stated that, back to the Conditional Use, they said no problem for traffic and now it was a problem. Mr. Koch acknowledged that their project would increase traffic issues.

Mr. Koch stated that there had been a follow through on Senator O'Pake's commitment and said that Senator O'Pake wrote a letter in July to Dr. Ganas concerning allocations in the state fiscal budget for these issues. He then stated that the Senator actually got bills introduced for improvements to intersections in Exeter Township. One intersection was Oley Turnpike Road & Ritters Road; the bill passed on July 7, 2006 where \$4.5 million was allocated for realignment, improvement and signalization; another \$4.5 million for Ritters Road & Rt562 for road improvement and signalization. Senate Bill 874, which was enacted on July 29, 2006 included allocation of one million for a bridge replacement and base construction allocation over the Owatin Creek. Those bills had been passed and were in the pipeline to go through the planning process, signed by Governor Rendell into law with ten million dollars available for improvements. The most important part was that there had to be teamwork; the money was available but now we had to work together as a team to bring it home to Exeter Township. We need to work as a team and get Preliminary Plan approval to get the money. Mr. Bittig stated that was very nice but they were not the most critical intersections. Dr. Hannah stated that the Senator was committed to allocate funds in next year for the other intersections in question, but as stated earlier PennDOT was opposed to those improvements.

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Public Comment

Louise Swartley, 31 Troxel Road, asked if the Township received any of those letters from Senator O’Pake? Mr. Bittig replied that there was a letter in the summer time from O’Pake stating that he had made a request for funds. Mr. Koch gave the Planning Commission a copy of the July 11, 2006 letter with the two bills attached, both of which were signed into law. Mr. Koch again stated that Preliminary Plan approval should not be held up

Mr. Schwartz stated that we would need a plan “B” if something could not be done with S.R. 0562 and Shelbourne Road because that would aggravate an existing bottleneck. Mr. Altman stated that an alternative analysis hadn’t been done yet. Mr. Schwartz replied that they could not move forward without knowing what was going to take place, as we needed to see something that worked. Mr. Koch stated that he understood the concern but again offered that these issues relied exclusively with PennDOT. He then stated that they should not be denied the Preliminary Plan approval, as the H.O.P. was a Final Plan issue. He then suggested that after they got approval there should be an adhoc committee to work together on the traffic issues. Mr. Ruff stated that the school district owned the historic building and they were also going to be adding other schools. He added that we were going to be facing the same problems with Exeter School District. He then asked if anyone had thought about relocating the schoolhouse to another parcel? Mr. Koch replied that it was something to be considered, however, the school district refused to talk with Central. Mr. Schwartz suggested that since we could not answer the question we needed to involve everyone, if the Planning Commission turned down their plan, the school would also get turned down and they were the ones holding all the cards. Mr. Schwartz then suggested that Planning Commission recommend, at the earliest convenience, for a meeting between the School Board, Board of Supervisors and representatives from Central to address the issue because it’s going to be the limiting factor for all the schools to determine if any of the projects could move forward.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to send a letter recommending the Board of Supervisors, Exeter School District Board and the Arch Diocese meet jointly at their earliest convenience and collectively decide how to address the problem at the Oley Turnpike/S.R. 0562/Shelbourne Road intersection in the interest of all parties. The Planning Commission and the developer agreed that neither Central Catholic nor Exeter School projects could go forward without resolution. It appeared that the limiting factor was the historic structure (one room schoolhouse), which belonged to Exeter School District. All parties’ involved needed to meet to resolve the issue. The motion carried unanimously.

Mr. Koch asked for Conditional Preliminary Plan approval.

Mr. Hartman asked if Conditional Preliminary Plan approval could be structured to the effect that would preserve the issue for further discussion at Final Plan stage as he was thinking that Preliminary Plan approval could be conditioned upon mutual satisfactory resolution of the traffic issues listed in item #19 of the GVC review letter dated December 1, 2006 without indicating what the outcome of the discussion might be but rather to simply preserve the issue.

Mr. Hartman then stated that he was trying to find a vehicle for them to see progress.

Mr. Littlehales stated that Dave Barbieri's motion to approve the Conditional Use, if they were not met, then the project was done and traffic was part of the conditions put in place. Mr. Ruff asked Mr. Hartman if we recommend preliminary plan approval now, would we have any recourse for that at a later date? Mr. Hartman looked at the conditions. He then suggested that a reasonable interpretation was that the recommendations of the

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Traffic Study should be implemented and stated that the Conditional Use decision had some authority for a legal obligation to the developer with regard to the issues raised in their own traffic study. Mr. Koch asked if it would be possible to consider a motion recommending the Board consider Preliminary Plan approval with conditions? Mr. Hartman stated that there should be a condition attached to Preliminary Plan approval so the Planning Commission was not implying that all the conditions have been met by what was on the presented Preliminary Plan and in order to preserve any issues for the future. He also stated that the motion should specifically mention an ongoing review to the satisfaction of the conditions in the Conditional Use. Mr. Koch replied that they would accept such conditions.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors grant Conditional Preliminary Plan approval subject to satisfying all outstanding issues in GVC December 1, 2006 review letter, in particular item #19 under traffic as an ongoing review issue that must be addressed at Final Plan stage to the satisfaction of the Board of Supervisors as per the Conditional Use granted for the project. The motion carried with Mrs. Geiger, Mr. Littlehales, Mr. Ruff, Mr. Schwartz, Mr. Shane voting in favor and Mr. Bittig and Mr. Wilson voting opposed.

Mr. Wilson stated that he was still concerned about last month's lengthy discussion concerning sinkhole possibilities. The disturbance of the property to such an extent with buildings, lots, fields, etc. alarmed him. He was very concerned about that along with drainage issues. Mr. Wilson also stated that he was not sure if he could say stormwater was adequately handled and was concerned with the traffic issues not yet handled. He also was concerned with the tenth of a percent margin for the impervious coverage. He was still unsure and he hated conditional approvals.

Public Comment

Joseph Gumeniski, 130 Fairview Chapel Road stated that he couldn't understand worrying about sidewalks and impervious surface when everything around on the Township property was covered with impervious surface.

5. ZONING ORDINANCE CHANGES

Zoning Ordinance items were discussed and the changes would be made to the Ordinance to be presented to the Board of Supervisors on the 19th.

6. APPLEBEE'S - DRAINAGE PLAN AMENDMENT - Nick McAndrew

GVC reviewed the Applebee's Land Development drainage plan amendment (reference letter dated December 5, 2006).

Mr. McAndrew stated that excess fill was being generated and they wanted to use it to build a swale. Their client was looking to place excess fill in a final resting place and be done with it. He then stated that the revision was to stormwater only. Mr. Peifer stated that the calculations themselves could be resolved and GVC suggested that Mr. McAndrew came before the Planning Commission because it was a substantial change from the approved plan. Mr. McAndrew stated that they were not proposing a new building, as it was conceptual only as it related to placing the fill.

Applebee's continued

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors approve the amended Applebee's Land Development Plan subject to meeting the outstanding comments in the December 5, 2006 GVC review letter. The motion carried unanimously.

6. BERKSHIRE BANK – FINAL PLAN – Lon Seitz

GVC reviewed the Berkshire Bank Final Land Development Plan (reference letter dated December 1, 2006).

Mr. Seitz stated that there were no bold items listed in the GVC review letter and they would provide four copies of the approved and stamped E & S control plans. He then asked for Final Plan Approval.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of supervisors approve the Berkshire Bank Final Land Development Plan. The motion carried unanimously.

**7. EXETER GOLF CLUB ESTATES ANNEXATION PLAN – SKETCH PLAN OF RECORD
- Greg Kilpatrick**

GVC reviewed the Exeter Golf Club Estates Annexation Sketch Plan of Record (reference letter dated October 27, 2006)

Mr. Kilpatrick stated that the plan was a simple annexation of property from one neighbor to another because a retaining wall was built over the property line. He then provided plans with the changes listed in the GVC review letter.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors approve the Exeter Golf Club Estates Annexation Sketch Plan of Record subject to the outstanding items in the October 27, 2006 review letter being satisfied. The motion carried unanimously.

**8. SFS INTEC – PRELIMINARY PLAN - Stephen Bensinger
- Eric Murray**

GVC reviewed the SFS Intec Preliminary Plan (reference letter dated December 1, 2006).

Mr. Bensinger stated that this was formerly known as Construction Fasteners in the Lincoln Corporate Center. They were proposing to immediately put on a 26,400 square foot addition and in the future two other additions. They were looking for approval for all additions so within the next couple of years building permits could be obtained. He then stated that the GVC review letter had a couple of bolded comments. Under Zoning, they would submit the lighting design with the next submission. They were not increasing the parking lot and the site was heavily landscaped. Concerning item #3, parking spaces, they currently had 56 spaces and their largest shift was 42 employees on first shift, the second shift had 12 employees and third shift had 16 employees. Mr. Murray stated that there would be no increase of employees as they currently were transferred to the Wyomissing location while renovations were taking place. Mr. Bittig asked that with a change from 55,000 square feet to over 80,000 square feet, there would be no increase in employees? Mr. Murray replied yes – no increase. Mr. Bittig asked about the future additions? Mr. Murray replied that if people would be added, then parking spaces would be added. Mr. Wilson stated that they should show the spaces now just to cover themselves. Mr. Bensinger

SFS Intec continued

stated that there would be no worries about stormwater as the detention was large and could handle that. The Planning Commission agreed that they should show them on the plan now rather than having to come back later. Mr. Bensinger stated that, in the review letter it stated that the need for the Historical and Archaeological report should be decided by the Township, they have sent the request in but have not yet received a letter. Mr. Schwartz asked if developer did it way back when? Mr. Bensinger replied yes they did. Mr. Schwartz stated that it was not necessary, but when the letter came back we would put it in the file.

Mr. Bensinger asked for a waiver from requirement of the Water Resource Study as it already existed and they would not be using any more water. He also stated that they would infiltrate and meet the Act 167 Ordinance. Mr. Schwartz asked if that would be adequate without doing a study? Mr. Bittig stated that, before granting relief, the infiltration results should be known. Mr. Bensinger stated that the last bold item concerned a Traffic Impact Study and that they had submitted a waiver request for that as the original Land Development Plan had done a Traffic Study and nothing would be increased.

MOTION BY Mr. Schwartz, seconded by Mr. Shane to recommend the Board of Supervisors waive the requirement of SALDO Section 5.981; Traffic impact study for the SFS Intec Land Development Plan as it had been submitted with the original Land Development Plan. The motion carried unanimously.

Mr. Bensinger asked for Preliminary Plan approval as their client had an aggressive schedule and the steel needed to be ordered, but they would need Preliminary Plan approval in order to move forward with the project. Mr. Peifer stated that he had not received the Stormwater report to review and they would need to have that in order to give Preliminary Plan approval. He then stated that they could come back for the January meeting with a Preliminary/Final Land Development Plan.

9. INFORMAL DISCUSSION – 422 & PINELAND ROAD – Stephen Bensinger

Mr. Bensinger showed the Planning Commission several concept plans for the property located at the corner of SR422 and Pineland Road. The Planning Commission agreed that they would have a tough time getting PennDOT to approve a HOP for an entrance/exit along S.R. 0422. They might be able to get an entrance, but not an exit.

10. INFORMAL DISCUSSION – 422 SPLIT – Lisa Ramsey

Mrs. Franckowiak stated that Mrs. Ramsey wanted to put in a kiosk to sell coffee (drive through only) at the abandoned Mobil station at the 422 split in Baumstown. She felt that it would not require Land Development, as the use would be similar in that people would drive in, get the product and drive out. Mrs. Ramsey stated that she would be replacing the existing kiosk and put the new one under the canopy to protect the customers from the elements. Mr. Peifer felt that they should contact PennDOT to be sure that the HOP stands for that location. Mrs. Ramsey stated that she would call them.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to put it into record that the Planning Commission was in agreement that Land Development was not needed for Lisa Ramsey's drive through coffee shop located at the S.R. 0422 split in Baumstown. The motion carried unanimously.

11. SCOPE OF TRAFFIC STUDY – FAIRVIEW CORNER

Mr. Wilson suggested that Fairview Corner should be renamed, as the name was unacceptable.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors approve the Scope of Traffic Study as listed in the December 1, 2006 GVC letter. The motion carried unanimously.

12. LIGHTING ORDINANCE

Information was missing from the proposed changes so the discussion was postponed until the next meeting.

10. RE-SCHEDULE JANUARY MEETING

The Planning Commission agreed to re-schedule the January Planning Commission meeting to Thursday, January 4, 2007 at 7:30pm

11. REMINDER – JOINT MEETING – PLANNING COMMISSION/BOARD OF SUPERVISORS

Mrs. Franckowiak stated that for the joint meeting the Board of Supervisors was asking the Planning Commission to draft a letter to them wherein the proposed changes to the Zoning Ordinance were to be summarized and rationalization for the changes be provided prior to the meeting. Mr. Wilson reminded the Planning Commission that the meeting was scheduled for December 19th at 6:30pm. No further discussion or action was taken.

ADJOURNMENT

MOTION BY Mrs. Geiger, seconded by Mr. Littlehales to adjourn the December 5, 2006 meeting of the Exeter Township Planning Commission at 10:45pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

- BOS: Request joint meeting – Central Catholic
- BOS: Central Catholic Preliminary Plan approval
- BOS: Applebee’s Drainage Plan amendment
- BOS: Berkshire Bank Final Plan approval
- BOS: Exeter Golf Club Estates Annexation Sketch Plan of Record approval
- BOS: SFS Intec waiver request
- BOS: Fairview Corner Scope of Traffic Study