

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
JUNE 6, 2006

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, June 6, 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

ABSENT: Gary L. Shane

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

1. MINUTES

MOTION BY Mr. Bittig, seconded by Mr. Ruff, to approve the minutes of the June 6, 2006 Planning Commission Meeting as presented. The motion carried unanimously.

2. AGENDA

MOTION BY Mr. Ruff, seconded by Mr. Schwartz, to approve the agenda of the June 6, 2006 Planning Commission meeting. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

READING CENTRAL CATHOLIC HIGH SCHOOL – PRELIMINARY PLAN; ASINO FARMS/LORANE RUN – FINAL PLAN: MOTION BY Mr. Ruff, seconded by Mr. Bittig to accept the preceding plans for review. The motion carried unanimously.

The following business was discussed:

4. READING CENTRAL CATHOLIC HIGH SCHOOL – PRELIMINARY PLAN

- Henry Koch, Jr. - Kevin Mohn
- Mike O'Rourke - Tom Unger
- Dr. Hanna - Tom Bush

GVC reviewed the Reading Central Catholic High School Preliminary Plan (reference letter dated June 5, 2006).

A bullet point presentation was presented to the Planning Commission after which Mr. Koch stated that they would discuss items in the review letter. He then stated that one item to be discussed was a condition that was imposed at the time the Conditional Use was granted on December 19th of last year. Mr. Peifers' comment was directed at clarification on what they were proposing was satisfactory for that condition. They were proposing a berm along the entire residential portion of the property. The berm was to be 5-foot high and on top of the berm there was proposed to be conifers of 10-feet in height. The berm would help in making the buffer effective. Mr. Bittig stated that he thought that the Board was looking for a sound barrier wall being built with vegetation between that and the residences. Mr. Koch replied that he did not think the residents in that area would really want to look out a sound proof wall. Mr. Bittig replied that he did not know what the Supervisors wanted. Mr. Koch stated that they might have to go to the Board of Supervisors for clarification on that. They felt that what they proposed was a reasonable alternative to a 10-foot high wall. The Planning Commission agreed that they should get clarification from the Board of Supervisors. Mr. Koch stated that with item #2, concerning lot coverage and paved area, they felt that they showed the percent of lot coverage and paved area. They question the utilization of the phrase, open space area; they were not aware of open space area as a defined term with respect with their application. Mr. Peifer stated that there was a regulation that stated that they needed 80% open space; open space area was simply stating how much area was open. It was not a term in three words put together. Mr. Koch stated that the Ordinance stated 80% open area, open space normally implied, by their definition, that it was open space available for use by a particular group of people or individuals. They did not have any intent to vacate any portion of the property for public use, it would be used with our permission and with the Supervisors blessing in accordance with their conditions. Mr. Peifer stated that it was talking about open area that was needed on the lot. Mr. Koch replied that they would comply with that. Mr. Bittig stated that on their plans it stated that the total coverage area was 20%, which was not what the Ordinance called for, it was 10% max for buildings, 10% max for paved areas. They appeared to be over that amount for the paved area. Mr. Koch replied that they intended to comply with the Ordinance and they felt that they did comply with the Ordinance. Mr. Bittig asked what their impervious coverage, excluding buildings, was? Mr. Koch replied that they would get that. Mr. Peifer stated that they should write in how they would satisfy that. Mr. Koch stated that they needed clarification from the Planning Commission as to the definition of paved; the Ordinance did not define the word paved. They used the definition from the dictionary and if they used that definition it would satisfy the requirement. Mr. Schwartz asked what would be questionable about that? Mr. Koch asked if paved included rolled compact surfaces, such as tracks, did it consist of tennis courts? Those were the types of questions that needed discussion. Mr. Bittig stated that the intent was impervious coverage, concrete, composition surfaces for tennis courts and all weather tracks. Mr. Schwartz stated that we have included crush stone parking lots as impervious coverage, because, in fact they were. Once stone was compacted it was impervious.

Central High School continued

Dr. Hanna replied that it was not paved area. Mr. Koch stated that they wanted to comply with the Ordinance. Mr. Peifer stated that they should put together a letter that stated what was being included as paved, what other surfaces were and how they were being classified and we could go from there.

Mr. Littlehales stated that we were also concerned as to what was underneath the tennis courts and tracks. Mr. Koch stated that item #3 concerned the demolition plan and that it did not show the intent with respect to the improvements located on the opposite side of Rt562. The demolition plan showed that buildings and the out buildings on the main portion were going to be demolished. With regard to the house, barn, the out buildings and the springhouse, they currently were not planning on demolishing those buildings. What would happen to those buildings would depend on what the Planning Commission felt about their historic value and what they could do to rehabilitate them. They did intend to use the barn for storage and they intended to use the existing house. He then stated that he remembered Mrs. Geiger's comment that the springhouse was older than the other buildings. Mr. Ruff asked how they planned to use the land towards Rt562? Mr. Koch stated that they currently could not answer that. They would be able to answer that as the plan process moved forward. Mrs. Geiger stated that the one area next to Rt562 on the east side was marshy and wet. Mr. Koch replied that was delineated as wetlands. Mr. Koch stated that they would comply with item #4. Mr. Bittig stated that Section 608.3 stated that no more than 15 contiguous parking spaces were allowed to be put in without placing buffered planting strips in. Mr. Koch stated that item #6 concerned the Environmental Performance Standards, that was submitted and with regard with the Noise Ordinance, they would be in compliance with that. Item #7 concerned the delivery schedule and they did a study and the trash would be removed from the premises twice a week, recycling would be removed once a week. Food services would be around two times a week and postal services would be daily Monday thru Saturday. UPS and Fed Express would be as needed. They would try to schedule that away from the typical busy times of the use of the facility. That should not cause a problem and if the Planning Commission would like that be placed on the plan, it could be a problem as times changed, they did not know if the trash would be changed to once a week pickup. Mr. Hartman asked if the Ordinance required that? Mr. Peifer replied that it required the submittal of the information, often that would be in the form of a letter. On the plan they would need to show the designated loading spaces for food service. Those items should be shown and labeled. Mr. Koch stated that the kids would arrive by buses and cars. There would be 15-16 buses in the morning and the afternoon. There would be approximately 600 students and 42 support staff, if you looked at the parking regulations that would be 42 spaces for the staff and one space for each three students. They had a disagreement with Mr. Peifers interpretation for off-street parking requirements. They believed that there would be a unity of use, which, they felt would require 242 spaces for our facility as a unified facility. Comment #10 stated "concurrent use" and they were prepared to show by means of school calendars and reports from their Superintendents that they would not have an overlap between the stadium and the school. When something was "going on" at the stadium, then nothing would be happening at the school. Their experts stated that 242 spaces would not be enough when they had a football game. The stadium would need one space for each employee and one space for each three in attendance. They have supplied the additional spaces to provide for the use of the stadium. They were short around 59 spaces, but they did not feel they needed those, as both would not be in use at the same time. They were aware that there was a previous application where they needed to provide for both uses, however, they hoped that we would be aware of the fact that the previous application and their application were different in as their parking would not spill over onto the public streets. Mr. Peifer asked if they would provide the calculations for the stadium, as that was not shown on the plan and as "concurrent" was not specified as the school being in session at the same time of the use.

Central High School continued

of the fields but could there be other sporting events happening at the same time. Mr. Koch replied that they could prove that would not be an issue. Mr. Ruff stated that they should provide the calculations to show that. Mr. Bittig stated that Section 611.15, called for a vegetative screening between the large parking lot and Ritters Road. Mr. Koch stated that they would comply with that and with items #11 & 12. With item #13, they needed some direction concerning the existing house and barn. Mr. Schwartz asked if they did an archeological study and had that come back from the state? Mr. Mohn stated that they just received the reply and in the states opinion that no archeological investigations were necessary. They did not comment on the buildings. Mrs. Geiger stated that the house was not the original farmhouse located there. Mr. Koch stated that in regard to the timber, they would like to discuss that with our experts and have concluded what trees need to be disturbed on the proposed plan. That might change. They were reluctant to put the note on the plan requiring further studies should the area of tree removal expand beyond that depicted now or in the future. They would not like to file an amendment to their plan. Mr. Hartman stated that he felt such a note would not require an amendment to the plan. The note would just require another report be submitted that would be satisfactory to the Township. Mr. Koch replied that would be fine. Mr. Peifer agreed. Mr. Bittig stated that there was a requirement that the replacement trees be the same species or related species as those being removed or an alternative species being approved by the Planning Commission. He further stated that the submission identified a lot of the replacement trees and none of those were the species that were being taken out. Mr. Peifer stated that their trees were from the street trees list. Mr. Bittig stated that they would also need a minimum of 2-½ inch caliper trees and the plans called for 2-inch trees. Mr. Koch replied that they would take care of that. He then stated that with Item #16, they would remove the sign. Mr. Hartman stated that the plan depicted a potential expansion area north of the structure. Were they seeking plan approval for that, or what was the purpose of showing that on the plan? Mr. Koch replied that they were not asking for any vested rights for approval of that and would be submitting revised land development for any expansion. Mr. Hartman replied that with their comment, he would take it that with regard to open area, paving, parking, they were not complying with any those regulations with that additional area being taken into account, was that correct? Mr. Koch replied yes, and if we would like to delete that from the plan they could do that. Dr. Hanna stated that it was not a part of the Subdivision and Land Development plan at this time. Mr. Peifer stated that he thought the parking calculations did include the number of spaces needed if the expansion was accomplished. Mr. Bittig asked who would be paying for the road improvements? Mr. Koch replied that they would hit that when we addressed the Traffic Impact Study. Mr. Hartman asked if the Planning Commission would take the position that the combined parking requirements for the school and the stadium would have to be met separately and they would need the additional 59 spaces, what would be the consequence for that? Would they be able to meet the other dimensional requirements if they added the 59 spaces? Was that a potential complication with regard to the paving limitations, did that take into account the land on the south side of Rt562 or was that paving calculation based exclusively on the area north of Rt562? He then stated that what he was looking for was to understand what the consequences would be in adding the 59 spaces, if the Township took the position that was required. Mr. Koch replied that they felt that they could comply, but it might not in a traditional manner, it might be spill over parking which could possibly have pavers, or parallel parking on their roads. They could pick up a substantial number of spaces that way. They felt that they could work that out with the Planning Commission if the Supervisors agreed with the interpretations of the parking requirements. Mr. Hartman stated that the bottom line was that they thought they could comply with all the other applicable regulations if the Township were to require that? Mr. Koch replied that they did not want to see a sea of macadam if they did not need that. Their concerns were with stormwater controls and if they needed the parking spaces, they would provide

Central High School continued

them. Mr. Wilson asked how they would have access to the baseball fields and tennis courts? Was that going to be macadam access or would they just walk across grass or dirt trails? Mr. Mohn replied that there was a fire lane behind the building and from there they would go through the lawn. Mr. Koch stated that there were also ideas of trails made of material other than paving. He then stated that he had walked on a trail made of wood chips that was impervious. Mr. Wilson stated that if they considered using compacted trails to get to the sports fields, they would need to be added into the impervious area calculations. Mr. Koch stated that for item #1, they did not plan to build at Preliminary Plan stage. With item #2 the names and record book volume and page numbers would be found on page C-102. They had not put them on the front sheet, as it would become very littered. Mr. Peifer replied that they would need to be on the sheet. They have to be listed and they could letter and number to a list rather than have them on every lot. Mr. Koch replied that they would comply. They were unsure what plan sheets would need to be recorded. They would record what ever was required. Item #3, they would comply; item #4 they believe they did comply and would review that with Mr. Peifer. Item #5 and #6, they would comply. Item #7, the wetlands were shown and detailed on page C-102. Mr. Bittig stated that the definition of wetlands, he believed, included any area that met any one of three criteria: aquatic plants, hydric soils and standing water. Why did they not include the stream way in the northeast corner of the property in the wetlands list? Mr. Unger replied that they did not include the channel, as it did not meet all three of the criteria. Mr. Bittig replied that it only needed to meet one. Mr. Peifer stated that it would be better classified as Waters of the Commonwealth. Mr. Unger stated that they could do that. They were also doing a flood study of that. Mr. Koch stated that they would comply with #8, concerning item #9 they believed that was a statement only. For item #10, they would give us a copy of the letter and would discuss the historical significance at a later meeting. He then stated that with item #11 concerning Ritters Road, it was his understanding at the Conditional Use hearing they testified that they would correct the sharp curve on Ritters Road. The plan did indicate that. They were in the position to work on both sides of Ritters Road in that area, but they did not own both sides in other areas. They proposed that they would widen the road where shown on the plan. They did not believe that they should improve one side of the road and create an imbalance. They felt that what they have shown on the plan satisfies the Ordinance. Mr. Bittig stated that the road, in order to handle the Central Catholic traffic in addition to the other side, and to handle school bus traffic they needed to have a 24-ft wide cartway. He would certainly hope that they would do the 12-ft on their side of the centerline as well as the 24-ft through the improved arc. Mr. Koch stated that he understand Mr. Bittig's position, but their position was that they complied with what the Ordinance stated they needed to do. Mr. Bittig replied that we could require them to do road improvements on their side. His position was that they would need to do their half. Mr. Koch replied that further along with the process they might know what was happening on the other side. Mr. Peifer stated that there was right-of-way on the other side that could be worked with. Mr. Koch stated that he believed that there would be slope issues that would be outside of the right-of-way. They would comply with Item 11.E. He then stated that they would comply with items #12 and 13. With item #14 they had a letter from PA American Water Company and would give the Planning Commission a copy. Concerning item #16 they would be doing a Flood Study for the creek. Mr. Bittig questioned whether it would be needed and asked Mrs. Geiger if she had ever seen flooding of the creek. Mrs. Geiger replied maybe once. Mr. Bittig stated that they should check that for safety reasons. Mr. Koch stated that they would take care of item #16 and they would comply with #17. Mr. Bittig stated that with the Water Resource study, according to their study there would be an annual loss of ground water recharge for the site of 1.8 million cubic feet per year. He felt that was a lot of water, enough water to handle the annual use of 120 – 150 families.

Central High School continued

That was additional runoff that was being dumped into the streamway. He felt that was not good stewardship in not putting the water back into the ground. He then stated that he wanted them to be aware of his position. Mr. Koch stated that they had some issues with lighting, some pointed out by Mr. Peifer and others that they had. They had their lighting expert, Tom Bush, who would discuss with the Planning Commission why they were going to seek relief from the Lighting Ordinance with respect to the height of the lighting standards in the parking lots and also the height of the poles in the stadium. Mr. Bush stated that they wanted to start with item #1 pertaining to the average footcandle. They would do what was required for B. They would like to request a waiver on the 20-ft pole height and they were prepared to show why they would want that. He showed the parking lot with the 20-ft pole height and it showed 102 pole locations. Because of the 20-ft height they could not throw the light far enough and would have the cement standards in the lined areas. Mr. Bittig stated that the Zoning Ordinance called for a breakup with landscaped islands every 15 spaces to help that. Mr. Bush stated that with the 30-ft pole height they would only need 42 poles instead of the 102. The actual impact of viewing the site would be a lot less with the 42 poles. With that format it would improve the uniformity, seventeen to one. Mr. Bittig asked if they were proposing full cutoff fixtures? Mr. Bush replied yes and they also used reduced lamp size to limit the overall impact. Mr. Koch asked if, in their opinion, the 30-ft pole would provide a safer and energy efficient and less intrusive lighting installation viewed off site?

Mr. Bush replied absolutely, there would be approximately 8,000 watts less energy used with the 30-ft poles. Mr. Littlehales stated that he knew that we did not require it, but he would like to see a gray tone composition showing the lighting. Mr. Bush replied that they could do that. He then stated that the next item was the height of the stadium lighting and showed a diagram, which depicted a view of the stadium from the end zone. The Ordinance required a maximum pole height of 70-ft. They did not want to block the view of the spectators and would like to use a pole height of 90-ft. They showed the aiming angles on the 70-ft pole height and the 90-ft pole height. They were using a Hubbell SLS fixture with the internal spill guard lighting protection and that would block the view of the light bulb. When they were aiming the fixture at the high aiming angle, the light would be directed off site and would be opening the fixture to view off-site, which would be objectionable. The engineering society recommended that the fixture be aimed down towards the site at the minimum of 10 degrees. If they went to the 90-ft pole height, the top most beam of the lamp was directed down towards the site and closed off the view of that lamp off-site. If the poles were the 70-ft height their fear would be that the lamp would be aimed too high and would be objectionable. The 90-ft pole height improved that situation and brought that within the engineering society requirements and brought the light down onto the field where it belonged. That was the reason they were proposing the height increase.

Mr. Littlehales asked if they looked at any other linear lighting. Mr. Bush replied that they looked at other sources for energy consumption and the distance of throw that they would need for the stands.

Mr. Ruff asked if 70 or 90-ft heights were the only ones to use? Mr. Bush replied that they were the standard heights. Mr. Schwartz stated that the downsize of the higher poles was that you could see them during the day from a greater distance and even though the light itself would not be directed out, you would still see the "blob" of light from a greater distance. Mr. Bush replied that was possible.

Mr. Schwartz stated that they would not have the glare. Mr. Bush stated that they would comply with items #4, 5 & 6. Mr. Littlehales stated that when they requested a variance it would be good to show renderings for both. Mr. Koch stated that brought up a very important point, there were no provisions in the lighting Ordinance for a variance or waivers. If the Planning Commission would be inclined to support the request, how would that be handled? They did not believe that it was a matter for the Zoning Hearing Board. He then stated that he discussed that with the Township Solicitor and was told

Central High School continued

to start discussion with the Planning Commission. Also the new Lighting Ordinance stated that a stadium could not be located within 1,200 feet of a residential area. They did not agree that they were subject to that provision of the Ordinance. They believed that their application for the Conditional Use included the stadium and therefore was granted as a school with a stadium prior to the date of the Ordinance, therefore the 1,200-foot rule did not apply and were trying to be co-operative with respect to the lighting. Mr. Bittig stated that if they were not in compliance within three years they would need to make changes to be in compliance. Mrs. Franckowiak replied that recently the Exeter Library took a waiver request to the Board for lighting and they received a waiver and at that point one of the Supervisors brought up the issue that because that plan was before the lighting ordinance that was why they granted the waiver. So they would be entertaining waivers and they could get in front of the Board. The Supervisors have opted to remove that section of the Ordinance concerning the three years. She further stated that if there was a true issue and we received a complaint we would then need to address that. They could get a recommendation from the Planning Commission concerning the lighting to take to the Board. Mr. Hartman stated that he wanted to comment on the non-compliability. He was not swayed by their argument for that. They previously stated that it was not a zoning matter and then they were asking for protection under the Conditional Use approval. If it was not a Zoning issue then they were not protected by their Conditional Use approval. Mr. Bittig stated that it would fall under the MPC terms, which was the date the Preliminary Plan was submitted. Mr. Koch replied that they did need to discuss the matter, but tonight's meeting was not the forum to do so. Mr. Hartman stated that the reason he made that statement was if the Planning Commission were inclined to consider the suggestion of making a recommendation regarding a waiver, then he would want the applicant to know that some action under the Ordinance was necessary and therefore a consideration of a waiver would be necessary to get the relief they were looking for. Mr. Bittig stated that our practice was that the applicant submitted a written waiver request in order for us to address it. We had our own lighting expert in residence whose judgment he trusted implicitly and to please give him a chance to review the presentation and then we could act. Mr. Koch asked if it would be inappropriate for their expert to talk to Mr. Littlehales and Mr. Schwartz before the next meeting to discuss the issue? Mr. Schwartz stated that they would need to discuss the placement of the poles. Mr. Ruff asked how far the stadium was from the residences? Mr. Koch replied 600 feet. Mr. Koch then stated that the Stormwater Management Report was not reviewed and we would discuss that at a later date. Mr. Bittig stated that he had looked at the report and the response concerning putting the water back into the ground was that they were concerned with limestone and sinkholes. He had not seen the hydrogeologist report, but he looked at the other submittals, (Environmental Hazard Report) which stated that there were no obvious subsidence areas identified there. His biggest concern was that they were in the Owatin Creek Watershed and the Owatin Creek had a number of restrictive places, culverts, etc. Their property was less than 7% of the Watershed above the most restrictive point. The capacity of that restriction was 120 cubic-ft per second max, under flood conditions. The report stated that they would reduce the offsite flow from today's levels, but they were still looking at flows of 40 to 50-ft per second for a 50-year storm. That was not good stewardship and not neighborly to the folks downstream. He would like to ask them to infiltrate as much as they could.

Mr. Koch stated that the next discussion was for the traffic. The Planning Commission recommended to the Board to add two intersections to the scope of the Traffic Impact Study, the Supervisors added a third intersection and added a requirement for them to do a 12 hour study at those intersections. They took exception to doing a 12-hour study and they sent a letter to the Township Solicitor advising him as

Central High School continued

to their position to doing the 12-hour study. They have studied the three intersections and were continuing to study those three intersections. They did not believe the 12-hour study was required and they understood that they needed to address their concerns not only to Attorney Hoffert, but also to Tony Maize, GVC. They have discussed that with Mr. Maize. Mr. Hartman asked them to share the letter to Mr. Hoffert with him. Mr. Koch replied absolutely, and with regards to item #2 they would comply. With regards to #3, they would comply with Amber Hill and Pathfinder Meadows Section 2, but would not comply with regards to Exeter High School, when their Traffic Study was done that was not a consideration and they had not included that. Mr. Bittig stated that he would like to thank the applicant and traffic engineer for a very detailed study as they have honestly identified the disaster. Mr. Koch stated that with regard to item #4 they felt that they were in compliance and would discuss that with Mr. Maize. Concerning item #6 they would evaluate the existing conditions at those intersections and would report back as to what those conditions were. Mr. Bittig stated that previously Senator O'Pake stated that the State would take care of those problems. Certain intersections were going from C to F levels of service. That was unacceptable and the Senator made a commitment to take care of that. If those intersections were not improved he would vote no for the land development. Mr. Schwartz stated that the Senator stood at a public hearing and promised improvements and that swayed the Board to vote to change zoning to allow the project. If that improvement did not come through he would not vote in favor either. Mr. Koch stated that the conditions exist today and they should not be penalized for the existing conditions. Dr. Hanna stated that none of those intersections provide a level of service other than F, they all failed. Mr. Koch stated that Item #7 & 8 were statements. Concerning item #9, they would not do that. Mr. Bittig stated that was interesting as they showed it on the plan. Mr. Koch stated that under general comments they were waiting for the Berks County Planning Commission comments, and he welcomed any comments from the EAC and the Fire Marshal. Mr. Bittig stated that he had another observation for our Engineering Department; he noticed that Gannet Fleming stated that they have sewer capacity, but there might be a problem for conveyance and they did not have Act 537 approval. Mrs. Franckowiak replied that Paul Herb was working on that with Gannett Fleming. Mr. Mohn replied that could be addressed with the Planning Module.

5. AMBER HILL - REVISED FINAL PLAN - Ric Longacre - Walter Greth

GVC reviewed the Amber Hill Subdivision Final Plan (reference letter dated June 2, 2006).

Mr. Peifer stated that they responded to the GVC letter and did adjustments and we just have comments 6,m 10, 13, 14, 15 and 19 under zoning, but most of them are dealing with the Homeowner Association and the lighting plans. Mr. Longacre stated that they added the sheet that showed the buffering on the plans. As for the photometrics they made adjustments to that according to what was in the review.

Mr. Greth asked if the Township provided the locations or Met Ed? Mr. Schwartz replied that Met-Ed provided the locations of the transformers and where they would like the streetlights. Mr. Littlehales stated that he knew that they did not like zigzagging and he did not see that on their plans.

Mr. Longacre stated that they would submit the Homeowners Association documents when they were completed. He then passed out a bench detail and they provided dollars in the escrow for that.

Mr. Peifer stated that items #13, 14 and 15 were just comments concerning the Homeowners Association documents. Item #19 concerned the timber harvesting, the response said that the list was on sheets 7.1 regarding the study and there was no list regarding that. There was a list of trees that were to be planted, but nothing concerning the existing trees that would be removed.

Amber Hill continued

Mr. Longacre replied that he did the list and that was what he used to do the replacement trees.

Mr. Peifer stated that they did receive the letter from the Conservation District for E & S approval. He then asked if they would have any private deed restrictions? Mr. Greth replied that they were in the Homeowners Association Documents that were submitted. Mr. Peifer stated that the Homeowners Association documents would have to be tailored after some of the provisions in the open space development section of the Ordinance. It called out specific requirements that would need to be put into the document. Mr. Greth stated that they would do that. Mr. Peifer stated that they would give us the four copies of the E & S approved plans and the disk. They needed to get the numbers for the escrow. Under Stormwater, they needed the agreements. We have the letter of serviceability from the Sewer Authority.

MOTION BY Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors grant Final Plan approval for the Amber Hill revised Final Plan subject to outstanding issues in the GVC review letter dated June 2, 2006 being resolved. The motion carried with Mr. Littlehales, Mr. Schwartz, Mr. Ruff, Mr. Bittig, Mrs. Geiger voting in favor and Mr. Wilson voting opposed.

6. FAIRVIEW CORNER – PRELIMINARY PLAN

GVC reviewed the Fairview Corner Preliminary Plan (reference letter dated June 2, 2006).

No one was present to discuss the plan.

7. ASINO FARMS/LORANE RUN – FINAL PLAN – Susanne Creveling

GVC reviewed the Asino Farms Final Plan (reference letter dated June 1, 2006).

Mrs. Creveling stated that they were in receipt of the GVC review letter and would comply with all the comments and return with the revised plans to be approved.

8. RESIDUE OF ROYAL VIEW ESTATES – CONDITIONAL USE

MOTION BY Mr. Bittig, seconded by Mr. Ruff to recommend the Board of Supervisors grant approval for the Conditional Use for Leazier Homes, Residue of Royal View Estates in accordance with Section 400.4.D with the provision that all conditions of that paragraph be met. The motion carried unanimously.

Mr. Schwartz stated that as those provisions were listed in the Zoning Ordinance, no flexibility to those items would be allowed.

9. ZACH'S AUTO SALES – PRELIMINARY PLAN

No one was present to discuss the plan.

10. MRS. CATHERINE BEAVER – INFORMAL DISCUSSION

No one was present for discussion.

11. DECARLO'S PRODUCE – INFORMAL DISCUSSION – Stephen Bensinger
- Ed Kopetz
- Diane DeCarlo

Mr. Bensinger stated that currently located at DeCarlo's market was an existing frame building, which housed a frame shop, and the existing building where the Market was located. What they were proposing was an 1,800sf addition. The problem they had was the existing parking that was in the front of the building did not meet the current Ordinances. The parking lot was built many years ago and they were hoping it would be considered as pre-existing non-conforming and would never conform. When they added the 1,800sf addition to meet the parking requirements they needed to add 11 parking spaces. They would like to add them to the west side of the proposed addition. The employee parking would be behind the building. There would be five employees total for the whole facility. He then asked if the Planning Commission would agree that it was a pre-existing nonconformity and they would not need to worry about the parking out front? One other item they wanted to bring up was that they did have a PennDOT permit for the existing driveways and they have been in correspondence with PennDOT. PennDOT wanted to take a look at the permit and they might require some changes. Mr. Wilson asked what was located where they would be putting in the new addition? Mr. Bensinger replied that it currently was macadam so there would be no increase in impervious surface. They might need to add some macadam to provide access to the rear. He then stated that the rear portion of the property was grass, which was around 35 to 40% so they exceed the open area requirement. Mr. Bittig stated that they should be careful of any additional impervious that might be added and stay within the stormwater exemption criteria. He then asked how big the lot was? Mr. Bensinger replied about 1-½ acres. Mr. Bittig asked if they have access rights to Reading Ave? Mrs. DeCarlo replied that they used that and it was partially on their property. Mr. Littlehales asked if that access would be used and would it be improved? Mr. Bensinger replied that he thought Penn Dot would require that. Mr. Schwartz stated that when they first came in with the concept, he raised the issue of getting the parking spaces along the highway out of there and landscaping that area. He wanted to raise that issue again, he understood that it was a pre-existing non-conforming use, but today we would not approve that and it was an opportunity to clean up a bad situation along there. How feasible would that be? Mr. Kopetz replied that the economics of that would stop the project. That would mean taking the grass area, which was 40% of the property and relocating the parking. It was only a small 1800 sq. ft. addition and would not generate a lot of traffic. It was a \$70,000 project which would then make it over \$500,000 and that was not feasible. They would be improving the overall look of the building and improving the parking lot. Mrs. Franckowiak replied that everyone understood that. She then stated that because it was a pre-existing situation the minute someone would do any type of improvements we looked for those improvements to meet the Ordinances. We understood what they were saying, but, what would happen when Jim and Diane retire? What would go into the building then? Mr. Kopetz replied that their concern was if they would address the 20-ft green area, they were only dealing with 54-feet in the front of the building. They could not physically remove the building. They were not a major developer and that was financially was out of the question. The property was zoned for 750 cars per day and three business combined would generate around 100 cars per day. Mr. Schwartz stated that the issue was not the amount of traffic that would be generated per day; the issue was if they would bring in a Land Development Plan such as what was currently located there, it would not be approved. Since they were doing improvements to the site it was our opportunity to bring the site up to conformity. Mr. Kopetz replied that he understood that and the reason he was before the Planning Commission was to find out, could they go forward without providing the 20-ft grass area? Mr. Peifer asked if the parking was on their property or was it in the Penn Dot right-of-way? Mr. Bensinger replied that they were on the property, although he had not yet surveyed the property.

DeCarlo's continued

Mr. Wilson asked if there was curbing located there? Mr. Bensinger replied that there were curb stops. Penn Dot stated that they might require curbing be put in place. Mr. Kopetz stated that they would like to move forward with the Planning Commissions blessing with the current parking that was located there. Mr. Schwartz stated that was a zoning issue, but they were not expanding the non-conformance. Mr. Bittig stated that looking at the addition as a stand alone, how many employees would there be? Mr. Kopetz replied that there would be two employees. Mr. Bittig stated that by zoning they would need 11 parking spaces. Mrs. Franckowiak stated that was for just the addition. Mr. Bensinger stated that 38 parking spaces were needed for the entire property and they had 40. Mr. Bittig stated that other than Paul's concern about the parking along the highway the parking would meet the current Ordinance. Mr. Schwartz felt that it was a Zoning Hearing Board issue. Mrs. Franckowiak stated that she felt that it was a pre-existing situation and as long as they went through the Land Development and addressed all the other issues that might be raised it should not be a problem. Mr. Peifer stated that if it were a building that was not behind the setback line it would be considered a non-conforming use. The Planning Commission agreed that the pre-existing parking would be allowed to remain as long as they met all the other requirements of the Ordinance and that it was not approved for the economic reasons.

**12. WAL-MART SCOPE OF TRAFFIC STUDY - Eric Ostimchuk
- Todd Stager**

GVC reviewed and provided intersections for the scope of traffic study for Wal-Mart Super Center #1777 (reference letters dated May 19 and June 5, 2006).

Mr. Ostimchuk stated that they needed direction on evaluating weekday/weekend and time of day. Mr. Stager asked if the Sunday midday was the worse case scenario? Mr. Bittig stated that Saturday or Sunday midday would have to be the worse. Mr. Littlehales stated that he felt Sunday midday was the worse. Mr. Ostimchuk stated that item #7 referred to the methodology used for the Traffic Study and stated that they needed permission from the Board with a recommendation from the Planning Commission. What they did with the Traffic Study was obtained from transportation engineers that published data for developing traffic generation for all types of uses. They counted an existing Wal-Mart Super Store in Ephrata during the same time we would do the counts at the site. They took those counts and compared that to the published data and used the higher of the two to develop their traffic forecasting for the expansion. They used the worse case scenario. He then stated that not using the published data would require the permission of the Township Board with recommendation from the Planning Commission. Mr. Peifer stated that Tony Maize had comments concerning that data in his original letter. Mr. Stager replied that the original letter stated that using just one store needed permission from the Board. Mr. Peifer stated that he just remembered that it was a negative comment. Mr. Ostimchuk stated it was noted that typically when a trip generation study was done you would utilize more than one data point and they felt that since they were 47% more than the published data then they did not feel it was needed to do more than one location. Mr. Bittig asked if the Ephrata store was the same size Super Center with food service? Mr. Ostimchuk replied yes. Mr. Bittig stated that Rt222 would match Rt422. Mr. Schwartz asked why they did not use the Rt222 store? Mr. Ostimchuk replied that they used the Ephrata store because they did not have a mixed use there.

MOTION by Mr. Schwartz seconded by Mr. Bittig to recommend the Board of Supervisors accept the methodology used because their proposal was more conservative the Ordinance required. The motion carried unanimously.

Wal-Mart continued

Mr. Ostimchuk asked the Planning Commission to recommend the scope of the Traffic Study to take to the Board of Supervisors. Mr. Stager asked if they would include all of the items listed in the May 19th letter. Mr. Ostimchuk stated that the items were the time period and inclusion of other projects in the area.

Public Comment

Matt Doll and Scott McMackin, representatives for Scott's Car Wash, asked to be heard before the Planning Commission made their motion. Mr. Dahl stated that Scott's Car Wash had their primary exit on Lincoln Road and had a great interest in the outcome of the traffic study. He then stated that Mr. Littlehales had already mentioned that there was a significant traffic problem in that location. Mr. Maize sent a letter that recommended additional areas to be studied. Mr. McMackin stated that Scott's Car Wash had an access on Rt422 and another access onto Lincoln Road. The only way out of the site was onto Lincoln Road on a shared access with Dairy Queen. There were significant problems at that intersection. Their clients concern was to not make the situation worse. It currently was very hard to get out onto Lincoln Road. Per the traffic engineering study, that intersection was rated an E and by 2017 with or without further development and improvements that intersection would be rated an F. The Township Engineers letter stated that was unacceptable and they agreed with that. They also pointed out that the queue length was 300-ft. to 400-ft. and they had concerns about that. When you do improvements to an intersection for a development the size of the Wal-Mart Super Center, they needed to design it to not make the situation worse. They would like to have more studies done and find out what could be improved for that approach. Rt.422 was a major corridor through there and that would include major improvements to the design. Lincoln Road was a minor approach to Rt. 422, but there were several driveways located there that would be affected. The study did not look at that. In the study they proposed stop signs on Lincoln Road at the Wal-Mart driveway, and that would cause a queuing problem. They believed that the study was unacceptable and would like a recommendation from the Planning Commission to do some further studies. They did not know if it was feasible, but they would like to see the access onto 422 be a major/full access and get the traffic off of Lincoln Road. The alternative would be to put a light at the Lincoln Road Access. Mr. Bittig stated that PennDOT controlled all traffic lights and would need to have the warrants to do so. He then stated that last month we discussed the stop signs and they were no longer in play. Mrs. Geiger asked if they couldn't have all of Scott's Car Wash exit onto Rt. 422. Mr. Schwartz replied that it would not be feasible, as not everyone wanted to head in the eastbound direction. He then stated that we are not looking at solutions to the problem, we were looking for recommendations for the scope of the Traffic Study, and any solutions would come from the study. Mr. Ostimchuk stated that they would be revising the study to include the access issues. They were in discussions with PennDOT for the feasibility of constructing the right in/right out entrance into a full access entrance. They haven't received anything in writing yet. In addition, they have evaluated a traffic signal at the Lincoln Road driveway. Those two items would be included in the Traffic Study. Mr. Littlehales stated that if PennDOT felt that their access was too close to the existing light at Lincoln Road, the undeveloped property next to the Weis Markets was available and could help them in locating a traffic light further down Rt422. Mr. McMackin stated that they would like to be included with any conversations that they had with PennDOT.

Wal-Mart continued

MOTION by Mr. Bittig, seconded by Mr. Ruff to recommend the Board of Supervisors approve the GVC letter dated May 19, 2006 to include the three intersections listed, that the applicant be permitted to use the conservative 33% increase in traffic volume instead of factoring in any future developments in the area, traffic engineers analyze the midweek peak am/peak pm hours and Saturday/Sunday midday, and that any study results be coordinated and shared with the representatives of Scott's Car Wash, Dairy Queen and Taco Bell. The motion carried unanimously.

Mr. Ostimchuk stated that their concern was what they would do if PennDOT did not approve their improvements to the intersections. They were looking for direction for remedies to the traffic situation. Mr. Peifer stated that they should ask the Township to accompany them to PennDOT in support of the second access. Mrs. Franckowiak stated that typically Tony Maize, along with one of our Supervisors, would accompany them. Mr. Ostimchuk replied that they could do that. He then asked what would happen if PennDOT would not allow the second access? Mr. Schwartz stated that as long as they would be able to improve the situation and not cause a problem for the residents then we could approve the plan. If they would come back with a situation that was worse than it was today, then we would need to say no.

GENERAL DISCUSSION

Mr. Schwartz stated that the Center for Community Leadership was looking for program ideas for next year. The meeting was Thursday at 7pm and if there were any ideas he could present to them they would be greatly appreciated.

ADJOURNMENT

MOTION BY Mr. Bittig, seconded by Mr. Littlehales, to adjourn the June 6, 2006 meeting of the Exeter Township Planning Commission at 11:00 pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

BOS: Wal-Mart Scope of Traffic Study
BOS: Residue of Royal View Estates – Conditional Use
BOS: Amber Hill – Revised Final Plan