

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
MARCH 7, 2006

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, March 7, 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
Cheryl Franckowiak, Zoning Officer
Linda Cusimano, Recording Secretary
Eric Gardecki, GIS Administrator

1. MINUTES

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

2. AGENDA

MOTION BY Mr. Bittig, seconded by Mr. Schwartz, to approve the agenda of the March 7, 2006 Planning Commission meeting with the change of moving item #11, SALDO and Stormwater Ordinance Amendments to #1. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

A. 900 LORANE ROAD – SKETCH PLAN; 301 WEGMAN ROAD – SKETCH PLAN OF RECORD; AMBER HILL – REVISED PRELIMINARY PLAN: MOTION BY Mr. Ruff, seconded by Mr. Bittig to accept the preceding plans for review. The motion carried unanimously.

Mr. Wilson stated that he would like to read a brief statement "I believe as elected officials or appointed officials of this or any municipality that we need to watch out for undue influences on our decision making. This influence may come from friends, businesses, or groups. We should strive at all times to make the decisions according to the law and with regard to what we feel is best for the municipality. Officials often need to put personal feelings aside to make the best possible decisions. Likewise, friends, businesses, or groups need to respect the difficult job officials have and not burden them with undue influence. Thank you."

MOTION BY Mr. Littlehales, seconded by Mr. Ruff that the preceding statement be entered into the minutes. The motion carried unanimously.

The following business was discussed:

4. SALDO AND STORMWATER ORDINANCE AMENDMENTS AND SET WORKSHOP DATE

Mr. Bittig stated that the proposed amendments to SALDO have been distributed to all the members of the Planning Commission reflecting that which have been agreed to at our workshops. There was an additional item distributed last night to include a Well Withdrawal Impact Study under the Water Resources area, Section 5.9968, provided by GVC.

MOTION BY Mr. Bittig, seconded by Mr. Shane to forward the proposed SALDO amendments to the Board of Supervisors for their consideration and adoption. The motion carried unanimously.

*** Mrs. Geiger arrived**

Mr. Bittig stated that the proposed amendments to the Stormwater Management Ordinance were also distributed and reflected the items discussed at the workshops.

MOTION BY Mr. Bittig, seconded by Mr. Ruff to forward the proposed amendments of the Stormwater Management Ordinance to the Board of Supervisors for their consideration and adoption. The motion carried unanimously.

The Planning Commission agreed to meet on Thursday, April 6, 2006 at 7:00pm for a Zoning Workshop.

5. EXETER TOWNSHIP SCHOOL DISTRICT – CONDITIONAL USE – Jon Malsnee - Kenneth Levan

Mr. Malsnee stated that the School District was the equitable owner of the Bausher Property that was located along Ritters Lane and Boyertown Pike. Mr. Ruff asked if the property was on separate deeds as drawn on their application? Mr. Malsnee replied that there were three deeds, but he was not sure if the drawings depicted that. Mr. Bittig stated that he believed the Bausher property consisted of two large parcels.

Mr. Malsnee stated that there were two large parcels, one parcel from the McKelvey's and the other parcel that was acquired more recently. Mr. Ruff stated that his concern was that in order to do the Conditional Use legally they would need to do a subdivision. Mr. Malsnee stated that was correct, they would do that after obtaining the Conditional Use. Mr. Ruff asked how they could be the equitable owner and purchase something that required a subdivision without a subdivision having been done? Mr. Malsnee replied that the agreement was to purchase 110-acres leaving a residue of 40 acres. Mr. Bittig stated that they would need to go through subdivision and then asked if that were turned down, what was the point? Mr. Malsnee replied

Exeter Schools Conditional Use continued

that they also had the ability to condemn the land if they needed to get the subdivision, but they wanted to take the approach to purchase the land and leave the residue of 40-acres as that was the minimum lot size allowed. They intended to leave the residue tract, which would contain the house, the outbuildings and most of the wetlands. That was the portion that Mr. Bausher wanted. Mr. Bittig stated that would be an illegal lot, as the lot did not have road frontage. Mr. Malsnee stated that it would have access through school property. Mr. Bittig stated that was no longer allowed under the Township Ordinances. Mr. Malsnee stated that they were in for the Conditional Use application and they would have to comply with the Zoning. Mr. Bittig stated that when Central Catholic was in they had a sketch plan so we could act on that. Exeter Schools had the application for a Conditional Use but did not have any plans for us to act on. We did not have any information to be able to offer any advice to the Board for the Conditional Use. Mr. Malsnee stated that they had just received a plan that showed the proposed use of the northern portion of the tract. Mr. Bittig stated that if they would have a plan, then we could review it and act on it. He did not feel comfortable recommending anything to the Board of Supervisors regarding the Conditional Use without more detail. Mr. Bittig then stated that he understood the potential need for new schools, the school district has been growing, and the body count was increasing. Mr. Bittig presented a map of the Township showing new developments. The total number of new dwelling units was around 750, which would support the School Boards case for needing new schools. The School District was looking to put a school out away from the area of new students and with the price of diesel fuel he could not understand the reasoning. Mr. Levan stated that the only other site that came close to what they would need was the Amber Hill development and that was not too far away from the Bausher property so the distance was not significant. Mr. Malsnee stated that they have looked at a number of sites as part of the due diligence, with Amber Hill being one of them. Mr. Greth was not inclined to sell and if he were the price would be extremely expensive. They had also looked at a site off of Fairview Chapel Road but the site was close to the landfill, a poultry farm, the river and the railroad. The public would not want their children going to school at that location. The Bausher property would allow for multiple schools. Mr. Bittig asked about the Lausch School, they had 40-acres there, what were they going to do with that? Mr. Levan replied that they did not know yet. They needed schools, but they also needed to provide athletic fields. They had to get the students from children to adulthood and providing a place for athletic fields was paramount to the School District. Mr. Bittig stated that Lausch was a 40-acre tract that was right in the middle of urban Exeter School District. Mr. Levan stated that Lausch made sense as a secondary school site because of the location of the fields. The Bausher property made sense as an elementary school site. Mr. Bittig asked why three schools would be needed on that site? Mr. Levan replied that, as in the case of the Reading Country Club, a large development could come in with over 500 houses and that would mean a total of 250 additional students. That would be one complete class of students. Mr. Bittig replied that fortunately the Board of Supervisors stepped up and put a stop to the development on the Country Club property. Mr. Ruff stated that his fear was that as water and sewer came out Route 562, the reality of a zoning change becomes more apparent, so that was why he was seriously opposed to the Conditional Use. If we want to keep a lid on development in the AP Zone, we should not be allowing schools there. That was our position from the very beginning. We submitted a letter to the Board of Supervisors before the public meeting for the Zoning Change to allow the Conditional Use. He was opposed to putting schools in the AP Zone. Mr. Levan stated that he understood that, wherever we put schools in Exeter, someone would fight them. Mr. Ruff asked why they did not put another school at the Lausch location? Mr. Levan replied that in order to do so, they would have to remove athletic fields. With an increase of students of 25%, cutting back on the fields did not make sense. Mr. Littlehailes asked if the fields could be shared? Mr. Levan replied that they could barely handle the use now. Mr. Littlehailes stated

Exeter Schools Conditional Use continued

that he was not against the schools, just against them tearing up the AP District and with the addition of the infrastructure what would stop developers from trying to build homes? Mr. Malsnee stated that they were trying to come within that authorization of what was allowed in Zoning. Mr. Levan stated that it was better to have it as open space as a school rather than a housing development. Mr. Ruff stated that was not the intent of the AP Zone, the specific intent was to preserve prime farmland of statewide importance.

Mr. Malsnee stated that the ordinance did provide for the allowance of schools in the district and they felt it was an appropriate location for a school. It would not have an adverse impact. With the development of two schools across the street from each other there would be a need for the improvement of Ritter lane and other roadways around that location. Mr. Bittig asked who would pay for that? Mr. Malsnee replied that would be accomplished by the developer. Mr. Bittig stated that the Diocese would not be paying for the road improvements and neither would Exeter School District. Mr. Schwartz stated that we heard, specifically, at hearings, a number of statements made that there would be no money forthcoming and that the county would make every effort to fight to assure that there would be no funding. With all due respect, the State Senator had no authority in terms of local funding and sewage facility planning. He heard the County Commissioner's and County Planning Commission testify that there would be no approval for expansion of sewer and water in that area. The Zoning Ordinance stated "Conditional Uses shall meet the specific standards established for each use by this Ordinance and all other applicable Zoning District requirements and general regulations established by this Ordinance. In Addition the following standards shall be met: B: Services and utilities shall be made available to adequately service the proposed use." He then stated that he heard Mark Scott and the Berks County Planning Commission representative specifically state that there would be no county approval of an Act 537 plan amendment and he had serious concerns that they would not be able to meet that condition. Our responsibility was to see that they met the first five criteria and our question was how they would plan to meet item B. Mr. Malsnee stated that the Authority had indicated that sewage would be available. Mr. Schwartz stated that they would need to amend their Act 537 plan.

Mr. Malsnee stated that they would need to meet that as one of the conditions. Mr. Wilson asked for clarification about the .45 students per new dwelling, how do they figure in the old dwellings? Mr. Levan replied that they figured on .44 students for all dwelling units. Mr. Bittig stated that they would need to demonstrate all five items in order to obtain Conditional Use approval. They had demonstrated none of them. He could not vote either way with having nothing to vote on. Mr. Schwartz stated that our responsibility was to impose other conditions. They met the criteria for item A. Item B they would have a hard time demonstrating. Item C concerned traffic and that would be a hard one to demonstrate compliance. Item D was subjective. Item E stated that the use shall not adversely affect the character of the general neighborhood and it certainly would by changing it radically from a farm to a school. Mr. Malsnee replied that across the street would be a school so it would be in keeping with the area. Mr. Wilson stated that when he was on the Planning Commission in 1995 they wanted to give the School Board land in the Dunn Farm for a school if we condemned that as a park. The School Board stated that there was no need for another school. Less than a month and ½ after the Dunn Development was approved the School District bought the Herbein farm for a school. How long would it be before they want to obtain another property because they need a new high school? If he were on the School Board he would question accountability as to where it would stop when people ask when their taxes were going to stop getting higher. We would be responsible for taxes going higher for allowing schools to be built in the AP Zone. Mr. Levan replied that was a valid statement and he was not on the board in 1995 and could not speak for that. His first year on the Board they had a study from the Pennsylvania Economy League that stated there would be some growth, but by 2006 it would be finished growing. That was what they used for most of the 90's. In 2000 we were told we

Exeter Schools Conditional Use continued

had a serious problem. If the total of 1,700 potential home sites was the saturation point then we would be looking at a need for two schools, if Mr. Bittig's figure of 1,400 were correct then we might get away with one. But if they would wait another seven or eight years to buy property it would be too expensive. Mr. Schwartz stated that whenever we address the Conditional Use, we have to adhere to our Official Map, which showed a road going through the property.

Public Comment

Dorothy Reilly, 13 Craig Drive, stated that she would like to differ with the remark that there were no other options than building big "Taj Mahal" schools. Citizens were in a great deal of trouble right now, the economy was unbelievable and taxes kept going up. Planners and School Board Members needed to start thinking "outside the box" and think of other ways to do things. Building huge new buildings on fancy campuses was not the only way to go. Lots of communities had done other things such as using empty storefronts. All the literature stated that smaller schools were better for students. They just wanted to build bigger and more impersonal and less productive schools. There were other options, charter schools that don't build, they rent or they were given property. She found it offensive that the School Board did not think about these things, they just wanted to build big fancy buildings. The citizens cannot afford it anymore.

Thomas Howell, 820 Lorane Road, stated that he was not present for the presentation for the Reiffon School, but he could remember that the Lausch School was going to be empty and they would renovate it. They now say it was full. He also remembered that Reiffon School was to be K to 6 and it was not. Due diligence and credibility was lacking and he felt that Mr. Wilson was correct, what was the final tally? And when would we stop building schools? When the kids leave and there would be no more development, then what would we do with the empty schools?

Rick Littlehales, 6217 Pond View Drive, stated that he was taking off his "PC" hat and talking as a Township resident. He wanted to know why the School District was forfeiting available State funds by building in the AP District? Why would they do that? We need money and yet, by the Governors proclamation they would not be allowed to have state funds if they build in the AP District. Mr. Malsnee stated that they have pursued that and checked with the state and they have indicated that if the school was approved to be built in the AP District it would not have an impact on their reimbursement rate. Mr. Bittig stated that the land that they were taking was not just farmland; it was prime remaining agricultural land in our municipality. The executive order from the Governors' office and Plan Con C stated that "thou shalt not" give up prime Ag land for schools. Mr. Levan stated that if the Planning Commission would like to say that the School would not get the Conditional Use, then please say that and let us know. Mr. Bittig stated that we make recommendations to the Board and the Board had the final say.

Patricia Pieja, 2 Executive Circle, stated that she was very much against agricultural land being used for anything other than agricultural purposes. She understood the need because of more students, but perhaps the Planning Commission should not allow all these people to build the developments. The Planning Commission should look beyond the schools needs. The children need to be educated. She was against the Supervisors agreeing to allow Central Catholic to build their school in the AP District. Yes, we do need schools but should not to allow Central. That was the biggest mistake the Township has ever made. Without food we cannot live. Mr. Wilson stated that in answer to her statement about stopping development,

Exeter Schools Conditional Use continued

the State Government wanted development, they recommend it. According to the MPC there was nothing we could do to stop a legitimate development. You must have every zone and use represented and if a developer came in with a plan to put in homes, like the Reading Country Club, and it was zoned for those houses, there was little we could do to stop them. Mrs. Pieja asked if the Supervisors changed allowing schools in the AP District? Mr. Wilson replied that the Supervisors have recommended revising the Ordinance to remove allowing schools in the AP District as a Conditional Use. These gentlemen came in with their application before they had advertised that. We have to consider it as the present Ordinance allowed for that.

Mr. Wilson stated that he wanted to publicly state that, although he understands the need for schools, he was never in favor of using either of the farms for schools. Mr. Schwartz stated that we needed to apply conditions that we felt appropriate beyond what the Ordinance already required. Mr. Bittig stated that was difficult without seeing a real plan. With Central Catholic we saw the layout and there were items that we requested as conditions. Mr. Schwartz stated that with the limited amount of information there were two conditions that should be added: (1) They have to meet the conditions imposed by the Official map, which include a through street and (2) The residue lot (Bausher property) must be a conforming lot. Mr. Wilson stated that he was concerned with the funding for the road accesses to the property. We had been told that we would foot the bill for the improvements to Ritter Lane and Oley Turnpike Road for Central Catholic's school. We cannot afford to pay that. He would like to see where the funding would be coming from for the road improvements. Mr. Bittig stated that was why we needed to see a sketch plan to determine what conditions we would need to impose. Mr. Wilson asked when they would be taking it to the Board?

Mr. Bittig stated that it was on the clock. Mr. Peifer stated that they had 60-days to hold the hearing.

Mr. Wilson stated that he was also waiting for a legal opinion concerning the Conditional Use and the proposed amendment to our Zoning Ordinance. Mr. Schwartz asked if they could come back next month with a sketch plan to review? Mr. Malsnee replied that they could do that, but they might want to do three schools at that location. They were planning to build one school on the property, for now.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to table the Conditional Use for Exeter Township School District until next month when they could provide more information. The motion carried with Mrs. Geiger, Mr. Littlehales, Mr. Bittig, Mr. Ruff, Mr. Schwartz, Mr. Shane voting in favor and Mr. Wilson voting opposed.

6. ZACH'S AUTO SALES – PRELIMINARY PLAN – Barry Weaver

GVC reviewed the Zach's Auto Sales Preliminary Land Development Plan (reference letter dated December 1, 2005).

Mr. Weaver stated that there was an existing building and an existing concrete apron, and that they were proposing to build an addition over the concrete, plus a 400 sq. ft. office. Mr. Bittig stated that they wanted to expand by double the size of the current building. Mr. Weaver stated that they wanted to put in a lift and a 20 x 20 addition. Mr. Bittig stated that they also wanted to expand the parking area. Mr. Weaver stated that they would just be adding stone to clean up the area. Mr. Wilson stated that item #4 in the review letter stated "The plan indicated that 31 parking spaces were to be provided. The Ordinance required that eight spaces be provided for the office area and that one of those spaces was to be a handicapped accessible space. The five spaces located along Perkiomen Avenue did not comply with the requirements of the Ordinance

Zach's Auto Sales continued

since they could only be accessed from and exited onto Perkiomen Ave". Mr. Peifer stated that they were also located in the right-of-way. Mr. Weaver replied that they would be moved back. Mr. Ruff asked if there was a difference with the fact that they were there for display purposes for a car dealership and not parking spaces? Mr. Peifer replied that it was not different and they were parked in the right-of-way.

Mr. Weaver stated that they would comply with the parking spaces. He then stated that they would be doing an Environmental Assessment Statement. Mr. Weaver stated that with item #1 under Zoning, they would be adding stone, instead of the shale that was currently being used, to clean the area up. They were not adding new stone areas, just cleaning up what was already existing. They provided the Stormwater control for the new addition. Mr. Peifer stated that he would take a look at the site to see what was grass and what was not. We just did not want a down stream property saying that they were getting water that they did not have before. Mr. Peifer then stated that they would need to pave the handicapped parking space. Mr. Wilson asked if they would need to have a bathroom. Mr. Bittig asked if they had a restroom there? Mr. Weaver replied no, there was not. They would be adding a holding tank. Mr. Bittig asked if that would be needed under L & I? Mr. Peifer stated that it would need to be checked out by the Building Inspector, Greg Koontz.

7. DEMOSS STREET HEALTH CLUB – PRELIMINARY PLAN – Bruce Rader
- Pat Dolan
- Erik Nordhoy

GVC reviewed the DeMoss Street Health Club Preliminary Land Development Plan (reference letter dated March 3, 2006).

Mr. Rader stated that they had a concept plan of the Health Club to pass out. He then stated that item #7 stated "the plan proposed to shift the existing access drive along the eastern property boundary 8 ft. to the east. Although the plan indicated that the required 2-foot setback along the property boundary would be maintained, it was likely that construction operations and grading were going to encroach onto the adjacent property". The adjacent property owner was Exeter Township and they would like to get a construction easement with the Township. He then asked whom he would need to discuss that with? Mr. Peifer replied that they would need to talk to the Board of Supervisors. Mr. Rader stated that item #8 concerned an easement with the bank and Pat Dolan was working on that. Mr. Dolan stated that they had Liberty Environmental working on the Environmental Assessment Statement. Mr. Rader stated that they were looking for a waiver for plan scale.

MOTION BY Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors grant a waiver of the requirement of SALDO Section 4.21 and allow the plan scale of 1" = 30'. The motion carried unanimously.

Mr. Rader stated that items #15 & 16 concerned curbing and sidewalks. Mrs. Franckowiak stated that after the meeting with Chief Neidert, it was decided to find another place to hold the truck detail. Mr. Dolan stated that the plan showed curbing to be extended from Gibraltar Road to define the intersection with DeMoss Road and then to mark the entrances into the health club along with a portion of sidewalk.

DeMoss Street Health Club continued

Mrs. Franckowiak stated that was as Clarence Hamm suggested. Mr. Bittig stated that he was concerned with needing parking spaces for meetings. Mr. Schwartz stated that there was plenty of parking available at the District Justice building, which was owned by the Township.

*** Chief of Police, Chris Neidert arrived**

Mr. Wilson asked if parking would still be allowed on DeMoss Street, or would we need to put up no parking signs? Mr. Peifer stated that there could be one or two spaces available. Mr. Bittig asked why they wouldn't need to put curb and sidewalk along the entire portion of DeMoss Street? Chief of Police, Chris Neidert replied that having the additional parking along DeMoss Street was an asset, especially for meetings and if they extended the curb, then the cars backing out from the Township building would have problems.

Mr. Rader asked if the plan showing curbing and sidewalk was acceptable to the Planning Commission. The Planning Commission agreed that they should go ahead with the curbing and sidewalk as shown on the plan. Mr. Rader stated that under Stormwater, item #3 they would take care of that. Item #19 stated that they were looking for a waiver to allow flat bottom ponds. Mr. Peifer stated that we should wait to address that until after they do the infiltration testing; if they could not infiltrate, then there was no reason to do flat bottoms. Mr. Rader stated that all the items in the review letter could be complied with and they were looking for Preliminary Plan Approval. They were hoping to start building in the spring. Mr. Bittig stated that there were too many open issues; landscaping, lighting, and others listed in the review letter.

Mr. Schwartz asked Mr. Dolan to place the concept plan of the building up on the board for everyone to view. Mr. Littlehales stated that it looked better. Mr. Dolan asked if they were going in the right direction? The Planning Commission agreed that they were.

Mr. Dolan stated that previously they were planning a "juice bar" but now they were in discussion with Starbucks. Mr. Wilson asked what the proposed hours of operation would be? Mr. Nordhoy replied that it would be typically from 6am to 10pm. Mr. Bittig asked if Starbucks would be open to the public?

Mr. Nordhoy replied that it would not have a drive-thru, but it would be open to the public. Mr. Peifer stated that the plan should be revised to list all the uses of the building and that they would also need to add that into the Sewage Facilities Planning Module to address the sewage flow. Mr. Wilson stated that we have previously granted conditional Preliminary Plan approval for other plans with the same amount of open issues to be addressed at Final and did not understand why anyone was objecting to the plan and that he had always voted opposed. Mr. Bittig stated that he disagreed that we did not have as many open issues on other plans as they have on this one.

MOTION BY Mr. Schwartz, seconded by Mr. Ruff to recommend the Board of Supervisors grant Preliminary Plan approval for the DeMoss Street Health Club subject to all items in the GVC March 3, 2006 review letter being addressed at Final Plan stage and that they continue to soften the appearance of the building and make it harmonious with the neighborhood. The motion carried with Mr. Schwartz, Mr. Littlehales, Mrs. Geiger, Mr. Shane, Mr. Ruff voting in favor and Mr. Wilson, Mr. Bittig voting opposed.

8. 900 LORANE ROAD – SKETCH PLAN – Thomas Ludgate

GVC reviewed the 900 Lorane Road Sketch Plan (reference letter dated March 3, 2006).

Mr. Ludgate stated that the plan had a total of four lots, one large flag that contained the existing house, one lot with the existing barn and two standard lots. There were only a few items in the review letter; the first one was could they be considered a brief subdivision and would they be able to move on to Final Plan stage? The Planning Commission replied that would be fine. Mr. Ludgate asked if they would need to do an Environmental Assessment Statement?

MOTION BY Mr. Ruff, seconded by Mr. Bittig to recommend the Board of Supervisors waive the requirement of SALDO Section for an Environmental Assessment statement as there were only two new structures being proposed. The motion carried unanimously.

Mr. Ludgate stated that they ran the PNDI on the property. He then asked if they would need to do a Historic report on the property? Mr. Schwartz asked if the buildings had any historic value? Mr. Ludgate replied that he did not think so. Mr. Littlehales stated that the barn was typical of a 19th century style, maybe 1830-1850's. Mr. Ruff stated that would qualify as historic, they should just check with the Historic and Museum Commission. Mr. Ludgate stated that the existing driveways were pre-existing, non-conforming. Mr. Ludgate asked if they should do improvements of Circle Road? Would they need to do curbing and sidewalks? The existing cartway was 15-ft. He then stated that they showed a right-of-way of 60-ft. Mr. Wilson stated that it was what it was.

*** Mr. Bittig left**

9. 301 WEGMAN ROAD – SKETCH PLAN OF RECORD – Thomas Ludgate

GVC reviewed the 301 Wegman Road Sketch Plan of Record (reference letter dated March 3, 2006).

Mr. Ludgate stated that they took the plan for the flag lot to the Board of Supervisors for their blessing and they allowed that. There were just a few comments in the review letter. Item #9 concerned timber harvesting and they wanted to address that issue. They had two areas of woods that were remnants of a Christmas tree farm that was planted years ago. Mr. Ludgate felt that they could do an inventory of the trees that would be over 8 inches and not a Christmas tree. They would only be impacting a portion of that for a driveway. They would show the inventory on the plan. Mr. Schwartz asked why they would treat a Christmas tree different from any other? Mr. Ludgate replied that the trees initially were planted for harvesting. Mr. Schwartz stated that then they were considered as crops. Mr. Ludgate stated that the Planning Commission could do a site visit. Mr. Schwartz stated that a tree inventory would be good. Mr. Ludgate asked what improvements would be needed for Wegman Road. Mr. Wilson stated that they should ask the Highway Superintendent, Clarence Hamm for his opinion. Mr. Ludgate stated that monuments would be set. He then stated that they would submit a waiver request letter for the lot width to depth ratio. Mr. Wilson stated that we could address all the waivers next month.

10. CRESTWOOD SOUTH LOT 71 – FINAL PLAN – Stephen Bensinger

GVC reviewed the Crestwood South Lot 71 Final Land Development Plan (reference letter dated February 27, 2006).

Mr. Bensinger stated that they had the DEP Sewage Planning Module approval letter, the E & S approval and the improvements agreement was being worked on. The only bolded comment concerned the Homeowners Agreement that had been submitted for review. They were looking for Final Plan approval.

MOTION BY Mr. Ruff, seconded by Mr. Schwartz to recommend the Board of Supervisors grant Final Plan approval for the Crestwood South Lot 71 subject to completion of the minor items listed in the February 27, 2006 GVC review letter. The motion carried unanimously.

11. FAIRVIEW PARK II – PRELIMINARY PLAN – Stephen Bensinger

GVC reviewed the Fairview Park II Subdivision Preliminary Plan (reference letter dated February 27, 2006).

Mr. Bensinger stated that they would provide the details for the retaining wall at Final Plan stage.

Mr. Schwartz stated that he was speaking for himself, but based on last month's meeting with the retaining walls of another developer, would they please come up with walls that were not monolithic. There were some nice block patterns that did not look like industrial walls. Mr. Bensinger stated that at the last meeting they requested a waiver to allow driveways onto Fairview Chapel Road. The Planning Commission and the Board of Supervisors did not grant that so they took the two lots and combined them into lot #47. Mr. Ruff asked if they could put a note on the plan that would limit further subdivision of lot #47? Mr. Bensinger replied that they would check with the client. Mr. Ruff stated that obviously we could not put driveways out onto Fairview Chapel Road with this plan, but in the future, if the note was not on the plan someone could want to come back in and subdivide. The note would be appropriate in this case. Mr. Bensinger stated that he felt his client would agree. He then stated that they were looking for Preliminary Plan approval and they could make that a condition. Mr. Bensinger then asked about item #28 on page three concerning the 75-ft rear yard and that the screening requirements needed to be met. Currently the lot was heavily wooded and it did not make sense to tear down the trees to plant other trees. He then asked if they would need a waiver? Mr. Peifer stated that they would just need to restrict removing what was currently located there.

Mr. Schwartz stated that the owner might want to go in and remove brush and poison ivy and we would not have a problem with that.

MOTION BY Mr. Ruff, seconded by Mr. Littlehales to recommend the Board of Supervisors grant approval for the Fairview Park II Preliminary Plan contingent on cleaning up the minor items listed in the February 27, 2006 GVC review letter and that a note was placed on the plan to restrict further subdivision of lot #47. The motion carried unanimously.

**12. AMBER HILL – REVISED PRELIMINARY PLAN – Ric Longacre
- Walter Greth**

GVC reviewed the Amber Hill Subdivision Preliminary Plan (reference letter dated March 7, 2006).

Amber Hill continued

Mr. Longacre stated that they had submitted a revision to the Amber Hill Subdivision. They had been at the December 2005 Planning Commission meeting with a sketch plan and submitted the revised plan using open space development. There were thirteen comments in the letter that were handled and approved previously; street names, Environmental Assessment Statement, Environmental Hazard Report, P.N.D.I research, P.H.M.C., and the Water Resource Study. Concerning the H.O.P. permits, the location of the driveways were exactly the same as they were previously approved. For the utilities, sewer and water, they would submit the letters of serviceability. Mr. Longacre asked if, since it was a re-do of the previous submission, would they need to submit new reports? Mr. Peifer replied that we would check the files and if we had copies of those reports, then they would not need to submit new ones if the Planning Commission agreed. The Planning Commission agreed that they would not need to submit new ones if they were in the files.

Mr. Longacre asked if the Township wanted to acquire the open space in the development? Mr. Schwartz replied that we discussed that at last night's meeting and the Board stated that they would look at that on a case-by-case basis. Mr. Longacre stated that the open space would remain, for the most part, in its natural state. They would use a brush-hog in the areas that were not wooded to keep them as open meadows. They were proposing a trail system in that area and there would be maintenance associated for that. Would the Township want to add that to the Park system or would they want them to be put into the Homeowners Association for maintenance? Mr. Littlehales stated that with Homeowners Associations there was the problem that when the original owners moved out, the Association no longer held up. Mr. Greth replied that they had an Association that was in service for 15-16 years and the documents that were in the codes for them were extensive and covered just about everything. Mrs. Franckowiak stated that Clarence and Joe would take a look at the property and see if there would be any interest for it to be taken by the Township. Mr. Wilson stated that it could be a combination of the two. Mrs. Geiger asked if they would have a note about the close proximity to the Gun Club? Mr. Greth replied that there would be notes on the plan and on the deeds as they were with the previous plan.

Mr. Longacre stated that lot #21 was intended to be the estate lot. They would comply with the three criteria in the review letter and the additional criteria in the Ordinance. Item #4 concerned the steep slopes and in lot #21 they would encroach in the steep slope area. Lots 22, 53 have small slivers that they could adjust out of the lots. Their interpretation of the Ordinance was that they were allowed to have those environmentally sensitive areas within the open space and part of the open space can be the estate lot. Mr. Littlehales stated that if they planned to build the house at the top of that lot, they would need to traverse through a large portion of the steep slope area to have access. Mr. Longacre replied that it looked as though they would traverse them along the edge of those areas. Mr. Peifer asked what the grades would be for the driveway? Mr. Greth replied that they would have to go out to check it. Mr. Peifer stated that item 6.A stated that a maximum of one acre can be used to establish the residence and he was not sure but it would appear that it included the driveway. It could be the width of the grade of the driveway of the disturbed area to get to the top as part of that one acre. Mr. Longacre replied that he did a quick calculation with the length of the driveway to the building pad and it was 100 by 140 which equaled 1.3 acres assuming that they were using a thirty-foot wide swath. Mr. Peifer stated that they might not need a thirty-foot swath. Mr. Longacre stated that they might have to locate the house closer to the cul-de-sac. Mr. Longacre stated that with item #8 it concerned utility easements and stormwater facilities being calculated and subtracted from the gross tract area. He then asked if easements must be provided for the proposed detention basins? Mr. Peifer stated that stormwater was lumped into utility easements. Mr. Schwartz stated that he remembered that with water line and sewer line easements we wanted to include that in the calculations, stormwater facilities were usable.

Amber Hill continued

We wanted to interpret that so it would not include detention ponds, but to include any concrete structures, standpipes etc. There should be a percentage/formula to use that allowed for underground utilities since the land generally remaining open, but was restricted for building. Mr. Schwartz suggested that we let it ride for now. Mr. Peifer replied that ponds were out, but inlet structures were in. Mr. Peifer asked how bad it would be if they included the storm sewer pipes to the ponds? Mr. Longacre replied that would not be an issue.

Mr. Longacre stated that item #11 concerned the street width with parking. What they intended was to have a 34-ft wide street with parking on both sides. Each of the lots has a three-car garage, so there would be a total of six parking spaces. For the street width, even if there were random cars parked on both sides there would be a pattern of yielding. It was being advocated to reduce street widths. Mr. Peifer stated that the bigger issue was emergency service and they might have other ideas for the street widths. Mr. Longacre replied that the review letter did not address street widths, just the location of hydrants. Mr. Littlehales stated that the letter also mentioned that the estate lot appeared to be a probable problem regarding access to water supply. Mr. Schwartz stated that he would support the waiver of street widths, but they would need to submit a written waiver request. Mr. Longacre asked for Preliminary Plan Approval.

MOTION BY Mr. Schwartz, seconded by Mr. Littlehales to recommend the Board of Supervisors grant Preliminary Plan approval for Amber Hill Subdivision pending receipt of Stormwater Comments and any outstanding issues in the GVC review letter dated March 7, 2006 being addressed at Final Plan stage. The motion carried unanimously.

13. INFORMAL DISCUSSION – CHURCH LANE – Lon Seitz

Mr. Seitz stated that they had an open space development plan for a 37-acre tract located along Church Lane Road with 27 building lots. The Planning Commission agreed that the plan had far too many lots because, by ordinance, they would only be allowed to have 12 building lots.

14. APPLEBEE’S - SIGN VARIANCE REQUEST

Mrs. Franckowiak stated that Applebee’s submitted a sign variance request for their new location at Shelbourne Square. They previously were granted relief by the Board of Supervisors when they were going to be located at Dutch Colony. Now that they were in a different location and since the sign requirements were in the Zoning Ordinance they needed to go to the Zoning Hearing Board for relief.

MOTION BY Mr. Schwartz, seconded by Mr. Shane to recommend the Zoning Hearing Board not grant a variance for Applebee’s because the applicant was unable to demonstrate an actual hardship, the building itself was instantly recognizable by its design and therefore the size of signs currently permitted by the Ordinance was more than adequate to identify the structure. The motion carried with Mr. Schwartz, Mr. Shane, Mr. Wilson, Mr. Ruff, Mrs. Geiger voting in favor and Mr. Littlehales voting opposed.

15. GENERAL DISCUSSION

Mr. Schwartz passed around a picture of a new Wal-Mart Store design that looked much nicer than the original Wal-Mart design.

Mr. Littlehales stated that in light of all the diamond vision signs going up along the by-pass, he and Mr. Stubbe were looking to see if that would be a lighting issue or a sign issue. Mr. Schwartz asked if that was not covered in the Ordinance? Mr. Littlehales replied no, we covered L.E.D.'s but the fixed letter L.E.D.'s could be a problem.

Mr. Wilson stated that the next Planning Commission meeting would be Tuesday, April 4th at 7:30. Mrs. Geiger stated that she would be unable to attend April's meeting.

ADJOURNMENT

MOTION BY Mr. Ruff, seconded by Mr. Littlehales, to adjourn the March 7, 2006 meeting of the Exeter Township Planning Commission at 11:20 pm. The motion carried unanimously.

Respectfully Submitted,

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

lrc

Correspondence to:

BOS: SALDO & Stormwater Management Ordinance
BOS: Fairview Park II Preliminary Plan Approval
BOS: DeMoss Street Health Club waivers and Preliminary Plan Approval
BOS: Crestwood South Lot 71 Final Plan Approval
BOS: Amber Hill Preliminary Plan Approval
BOS: 900 Lorane Road waiver request
ZHB: Applebee's sign variance request