

**MINUTES**  
**EXETER TOWNSHIP PLANNING COMMISSION MEETING**  
**AUGUST 7, 2007**

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, August 7, 2007 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  
Richard Littlehales, Vice Chairman  
John W. Bittig, Secretary  
Paul L. Schwartz  
Greg T. Unger

**ABSENT:** Gregory A. Shantz  
Gary L. Shane

**OTHERS IN ATTENDANCE:** Craig Peifer, GVC Consulting Engineer  
Anthony Maize, GVC Traffic Consultant  
Cheryl Franckowiak, Zoning Officer  
Linda Cusimano, Recording Secretary  
Eric Gardecki, GIS Administrator

**1. MINUTES**

**MOTION BY** Mr. Littlehales, seconded by Mr. Unger, to approve the minutes of the July 3, 2007 Planning Commission Meeting as presented. The motion carried with Mr. Wilson, Mr. Littlehales, Mr. Unger voting in favor, Mr. Schwartz and Mr. Bittig abstaining.

**2. AGENDA**

**MOTION BY** Mr. Bittig, seconded by Mr. Littlehales, to approve the agenda of the August 7, 2007 Planning Commission meeting. The motion carried unanimously.

**3. APPROVE APPLICATIONS FOR REVIEW**

- A. EXETER COMMONS – PRELIMINARY / FINAL: MOTION BY** Mr. Unger, seconded by Mr. Schwartz to accept the preceding plan for review. The motion carried unanimously. Mr. Schwartz stated that he wanted to go on record saying that a plan of this magnitude should not be handled as a combined Preliminary / Final Plan, but the Supervisors already Ok'd the plan to be submitted as preliminary / Final. Mr. Wilson concurred and said that this was probably the largest commercial development done in Exeter and that defeated the Planning Commission's purpose. Mr. Unger stated that he understood their points and they were absolutely correct; he had never seen plans of this magnitude submitted this way and could not see how it would save time as it would certainly not be approved on the first night, however he respected the Supervisors decision.

The following business was discussed:

4. **EXETER COMMONS – PRELIMINARY / FINAL PLAN** – Henry Koch, Jr. – Jeremy Fogel
- Kevin Trapper – Russ McFall
  - Don Jacobs

GVC reviewed the Exeter Commons Preliminary / Final land Development Plan (reference letters dated August 3, 2007 – Major Subdivision Plan; July 18, 2007 – Highway Occupancy Permit Application review; August 3, 2007 – Preliminary / Final LDP).

Mr. Koch introduced the plan and stated that it was a joint venture consisting of two seasoned and well-respected developers; The Goldenberg Group and Ironwood Property Group. He then stated that they would go through the three review letters with regard to the application. The traffic review that was done by Mr. Maize was on the previous PennDOT information. Mr. Koch further stated that this project has had a lot of publicity. They were proposing a 500,000 sq. ft. retail commercial center along 422. They believe the development could revitalize the 422 corridor. It included considerable traffic improvements and financing aspects. Mr. Koch suggested that tonight was not the forum for financial discussion; that would be subject matter for the TIF public hearing. He then requested the opportunity to perform the overall view of plans. The Planning Commission agreed and suggested brevity.

Mr. Trapper stated that he wanted to take a minute to talk about the applicants; the Goldenberg Real Estate Development Company had been faced with challenging sites that other developers walked away from. They had a great reputation with national tenants, as they trusted their skill and aptitude in finding the right site. They provided successful projects that were a benefit to the community. He further stated that they built to own and maintain and if all works well the tenants also do well. Goldenberg prided themselves in class “A” shopping centers, well maintained, professional, etc. that shoppers want to come to and the tenants want to stay. Their centers average 98% occupancy rate. He then showed the aerial with the outline of the site; a 50-acre assemblage including Mulligans, driving range, residential homes, gas station, and Dutch Colony. Reiders’ was not part of the assemblage. Mr. Trapper explained that it was a challenging site with various changes in topography and rock. They had done extensive geotech investigation, profiled rock, soil and depth in order to develop safe slopes. They would do extensive site work with rock to be removed and hopefully no importing or exporting soil. He then showed another exhibit of the proposed 500,000s.f. Retail Development. Part of project was to extend DeMoss Road and tie into 422 with the existing signal at Gibraltar Road being improved. The Boscov’s entrance would be a right in right out with a new signal. They had worked over a year with PennDOT and looked at a lot of options to mitigate current issues. They took into consideration the growth rates to 2019. They were looking to open the center in 2009 (summer). The layout of the center would be three main anchors along the back adjacent to country club property with the service areas in the rear with a buffer. It was challenging to do the configurations of getting good efficient parking fields meeting tenant needs, with accesses to buildings, etc. They were over-parked by over 100 parking spaces based on our ordinance requirements. With stormwater management, they were dealing with that in underground detention. They were dealing with not only current water; but also increased impervious areas. There was a large interest in national retailers as they saw Exeter as a good strong market. The shopping center should be very successful with national Wall Street tenants. Mr. Bittig made an observation regarding the plan with a question about the main access, as it was far different than what was shown about a year ago.

Mr. Trapper replied that the primary access from 422 at 47<sup>th</sup> street. He then introduced Don Jacobs of Traffic Planning and Design. Mr. Jacobs reiterated that this was an intensive traffic planning process; they began reviewing concepts with PennDOT and the Township and stressed

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that they've gone to great lengths to keep the Township involved during PennDOT discussions. They worked with PennDOT through summer and fall of 2006. He was introducing the concept they arrived at since that time. Three traffic impact studies had been done and submitted for review. He further stated that the basic concept they specifically looked at was the eastbound flow because there was a merge point from bypass and business 422 that occurred today with the bypass being narrowed to one lane and the same with business 422. After the signal at Boscov's it necked down to one lane at the merge point. In order to address this first, eastbound 422 in advance of 47<sup>th</sup> was being converted from two basic lanes to five lanes; two left turn lanes to DeMoss Road; two thru lanes to east bound 422 and a separate right turn onto 47<sup>th</sup> street that would provide more capacity through the signal resulting in shorter queues. They would signalize the merge point also with the merge point being reconstructed; they would eradicate the striping to provide two lanes. By signalizing the merge point, people could get sorted out to go left, right, or straight by creating five lanes, which would create better capacity to get through the signal. There would be two left turn lanes into the shopping center and there would be a loop road into DeMoss Road, which would be signalized at Gibraltar and DeMoss Roads. That, in turn, would alleviate the traffic at the Gibraltar Road and 422 signal. The left turn onto Gibraltar Road would still be there. A signal would be added at the western end of site also, between Boscov's and the shopping center. Coming out of the site it would be a channelized right turn. There would be an interconnected signal system along 422; all of the signals would be incorporated into the closed loop system. Mr. Unger asked about trip generation.

Mr. Jacobs responded that peak info was provided in the executive summary. He then explained the peak hour new trips stating that "trip" was defined as a vehicle entering or exiting driveway so two trips equaled one vehicle visiting the site. Mr. Maize asked if they could clarify what they were looking for. Mr. Koch stated that the first three pages addressed the waiver request to PennDOT. Mr. Maize responded that it could all be reduced to brief concept / summary. He further stated that the request for waivers was not unreasonable but his concern was the documentation of the reasons as to why they were necessary. He then suggested that their waiver request could simply state what could not be met and then state what was a reasonable and prudent alternative. As they were asking the Township to support the waiver, for future reference, they should provide the documentation so if, years down the road, someone questions why the waiver was given someone could look back and be able to explain. He then added that he felt it could be reasonably explained and the Township would have that on file. Mr. Koch stated that they were asking for support and endorsement of the Township for their waiver requests. Mr. Jacobs stated that he did not disagree with Mr. Maize; but their wavier request talked about each lane group for each time period and for all three time periods studied, he felt that to provide mitigation for all those areas would be impossible to spell out. That was why they felt the twenty-eight-page waiver request summed it up sufficiently.

Mr. Maize stated that he attended three or four meetings with PennDOT to look at roadway geometries and he agreed with their consultant that the plans looked very good. He further stated that their improvements were innovative and much needed. They provided dual left turn lanes for people coming off the bypass and would like to get to Gibraltar Road. The Gibraltar Road intersection needed dual left turn lanes for years and we looked at providing that six years ago but because of right-of-way requirements, roadway geometry, and cost it was not feasible. Now the proposal provided that dual left turn lane and it was a very important piece. Mr. Koch stated that he would suggest that their engineer work with the Township engineer for documentation purposes so the Township could support the waiver requests. Mr. Maize replied yes, it could be brief and to the point but that it was important, given the litigious society in which we lived, that the record be documented. He felt that most things were improved, reduced lost time and reduced emissions. Mr. Littlehales stated that he was in favor of the design but he had to pass thru twice a day and his concerns were about what was not being thought of:

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the high density of traffic, pedestrian bridge or under pass. Those were some of the things he would like to see addressed. He further stated that the Brice Mobile Home Park would be completely surrounded by high-density traffic. He asked what was being done for them to protect their property values and quality of life? The DeMoss Road signal was great but all the traffic dumping into Gibraltar and also down at Shelbourne and Gibraltar was disgusting. He felt that no one considered the Shelbourne-Gibraltar intersection and something had to be done to solve all the problems. He then added that he liked the land development plan and liked the highway plan but did not like the results. Mr. Bittig stated that he also liked the plan because it represented major improvement in traffic flow through a nasty area that we already had, however, he was also concerned with the mobile home park. He then stated that he agreed with the project but noted it would impact nearby residents. Mr. Schwartz brought up the official map showing the extension of DeMoss Road to the cross-town connector and this project would end the chance of the connector. He further stated that he was disappointed they did not address the issue.

Mr. Koch stated that he appreciated the comments and they would be discussed with PennDOT.

Mr. Koch then stated that he understood there was an outstanding order or directive that Mr. Maize was to attend any meeting they had with PennDOT and Mr. Maize would continue to be invited.

### **Public Comment**

**James Witman, 106 W 47<sup>th</sup> St.,** stated that there was already a problem going up Gibraltar to Shelbourne. We also have another problem, they were going to put curbs and sidewalks in on 47<sup>th</sup> St. but the Township changed their minds because they had a water flow problem at the end of Oak Parkway and Gibraltar that had not been corrected. The gentlemen stated that there would be a percent reduction in traffic at different intersections along 422, his question was the percent of reduction based on today's traffic flow or five years from now, because five years from now we would have more traffic going into that mall. He then stated that his third question was on 47<sup>th</sup> St they were changing that from three to four lanes, rather than take peoples property away from them why not leave it at three lanes? Where were they going to stop the widening of the lanes, was it as shown on the plan? Mr. Jacobs replied that they intended to provide two left turn lanes at the signal, because there are at least 300 cars trying to turn left and they were not given enough time to do so, therefore a queue of cars lined up along W 47<sup>th</sup> St so providing more lanes at the intersection, the goal was to minimize the stacked vehicles southward on W 47<sup>th</sup> street to impact those people less. They were doing everything possible to minimize the widening to add those lanes and that was required by PennDOT in order to mitigate the traffic impact. Mr. Schwartz asked how far back they were going with the widening, were they going beyond Oak Parkway?

Mr. Jacobs replied, just far enough to get the extra lane in. Their engineers were meeting with people on W 47<sup>th</sup> St as a part of the right-of-way process. Currently they were in the planning process, plans were submitted to PennDOT and the Township. Mr. Whitman asked if they were taking any of his property?

Mr. Fogel replied that any property owner that was being impacted had already been contacted to date, so if you have not been contacted the design did not include your property. Mr. Koch reiterated that everyone thought this plan was "etched in stone", however after PennDOT's reviews there could be changes made and then we would have to go back to additional people. They were doing everything they could to minimize the impact, but the decision was not theirs, it was PennDOT's. Mr. Maize replied that he wanted to add something to what Mr. Jacobs stated. The Township, two years ago, had an improvement project where we built that left turn lane for Gibraltar Road. It was identified, at that time, that a dual left out of W 47<sup>th</sup> St would be necessary to adequately handle all of the traffic that wanted to make that left turn. The reason it was not done at that time was that the receiving lanes on 422 were too narrow. In order to have two lanes making a left or right, you needed 28-ft of pavement to receive them

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and there was only 22-ft available at the time so PennDOT would not permit us to construct that. With the construction of this project the lanes were being widened and adequate receiving width was being provided so the dual left lanes out of W 47<sup>th</sup> St could be built.

**Thomas Howell, P.O. Box 4635**, stated that in the beginning of the meeting something was said about the Supervisors and he objected, as an American, with the interference of the Supervisors in this committee as it was supposed to be a democratic society and they were supposed to act democratically. Mr. Koch interjected and asked if that would be productive as it related to the traffic because it started out sounding like a political speech? Mr. Wilson replied that Mr. Howell had the right to make that comment. Mr. Howell then stated that it should be remembered that 422 and 222 were both state highways; 222 was going to be paid by the state and the improvements to 422 were going to be paid by the locals.

**Michelle Barrett, 120 W 47<sup>th</sup> St.**, asked for clarification that whatever was marked in yellow now, did that indicate that some widening, road improvements, construction in that area, was that correct?

Mr. Jacobs replied that was true for the plans that were submitted to PennDOT as of May 18, 2007.

**Michael Hart, 3404 Circle Ave**, stated that when you looked at all the improvements, and there certainly was some merit to several aspects of the improvements that were being proposed, had anyone looked at what portion of the \$18 million was directly related to the shopping center and being funded through the TIF? Mr. Littlehales replied that he had seen at least two plans from PennDOT for that corrective action and the State was not willing to give money to PennDOT to correct the problems we face in the Township. Mr. Hart then stated that it seemed ironic that we were relying on a major shopping center to relieve traffic problems, when you travel out to the Target area that was a congested area. He envisioned major traffic problems on Black Friday. His second question or comment was related to the roadway but it was a stormwater question. He heard the gentlemen state that they would address all existing and any new stormwater from the project and eliminate any stormwater runoff with an underground system but there would be runoff from the additional paving, no one was addressing that. His concern was there was a small drainage swale that was currently handling runoff behind

W 46<sup>th</sup> street that was terribly undersized. This project would greatly impact that area. Mr. Wilson stated that he was going to bring up that subject himself. We had a problem with the water going into Antietam Creek and it was more imperative now that the Township owned the Country Club, as we did not want the greens washed out.

**Jeremy Slonaker, 4375 Prestwick Dr.**, stated that he wondered if any study was done as far as the noise ordinance was concerned, how much the noise would increase with the increased traffic, would they construct barriers to prevent or lower the noise?

**Gail Hesser, 100 W 47<sup>th</sup> St.**, stated that her concern was the big empty space that was Fegely's property. Something would go in there at some point and they would either go into that place on 422 or W 47<sup>th</sup> street and were we just ignoring that possibility in the future. We had to look to the future as to what would happen to that property and how cars would get in and out of there. When Fegely's was located there, it was frequented by elderly people and there was a sign that said "no left turn" and they just ignored that. Her concern was what would be done with that property and how the cars would access that. Mr. Wilson stated that we were presented with the possibility of the circle disappearing as presented by the Supervisors. Mr. Koch responded that was not their project.

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**Michael Meschter, 108 W 46<sup>th</sup> St.**, stated that what they had done with the 257 homes located behind him, 500 cars were all going out in the same direction at Oak Parkway and W 47<sup>th</sup> street and that would continue to add more traffic there. Would there be any consideration to direct the traffic out up on the higher end of W 47<sup>th</sup>? Mr. Wilson replied that he was on the Board at the time of that development and we tried to get PennDOT to allow traffic to be directed onto Neversink Road and PennDOT stated that the bridge was too narrow.

**Ann Meschter, 46<sup>th</sup> St.**, stated that they had a screwed up situation that existed today. They were going to bring in all these stores and all these business and have thousands more cars and they projected up to the year 2019 and were adding traffic lights, but they were ignoring what was in existence and they were ignoring the concerns of the residents and the people who lived there and that was just absolutely wrong and disgusting. She loved the development behind her and the library, but as Mr. Littlehales pointed out, we have all those kids trying to get to the movie theater and cross the highway, now there would be the mall that would attract them. They already had the problem of trying to get people to drive 25 in residential areas. She had a little boy who would like to play out front, but they already had a car drive off the road and take out mailboxes on her street. They were not addressing the problems. The whole picture was not being looked at and that was disheartening for people who have lived here for twelve years or more. Mr. Wilson replied that those were concerns that they should bring up to the Supervisors. The next Board meeting was Monday, August 13, 2007.

**Mrs. Gaul's son-in-law**, stated that they were planning to widen the roadway, why would they have to widen them and what traffic was going to turn there, that doesn't already turn there now? Why not just have triple lanes? Mr. Wilson replied that it was not the developer of the project that determines what needed to be done, that it would be determined by PennDOT. Mr. Whitman stated that the Township would have a say as to what the Township would like to see done there. He felt the Planning Commission should tell the Board of Supervisors that this development was not good for the Township. Mr. Wilson stated that he had one small comment; at some point they gave the traffic counts understanding that if there were 1406 trips it was actually only 703 vehicles. He further stated that meant 703 more vehicles than we had today going into the shopping center. What happens to the traffic one block away from the intersection that was widened, those vehicles had to go someplace and it would go back to two lanes and traffic would be backed up at Lorane Road, Shelbourne Road and Lincoln Road. When Wal-Mart came in we tried to get PennDOT to allow us to put in another entrance onto 422 with a light and they turned us down. Now they were allowing the developer to put in another light close to an existing light. He was concerned about that. Mr. Jacobs replied that the difference in the situation was that the one on Lincoln Road was on the combined 422; this light was on business 422. Mr. Wilson stated that he was still concerned with the additional 703 vehicles traveling there, that was the reason he did not want to see it developed, he felt we could not handle the additional traffic. He had seen how they handled the Berkshire Mall traffic. Mr. Schwartz stated that because we had not dealt with something of this magnitude at an intersection that was this busy, he was wondering what the plan would be for how traffic would maneuver during construction phase? Mr. Jacobs replied that was a part of the entire component of the PennDOT design process, the maintenance and protection of traffic during construction. Mr. Maize stated that, as a part of their highway occupancy permit application, they had to develop what was called a "maintenance and protection of traffic plans through the construction area" that was an entirely separate set of plans developed and reviewed by the safety unit at PennDOT. That was a separate approval process. Mr. Schwartz asked if that was being worked on? Mr. Jacobs replied that was included with the plans that were submitted to PennDOT and the Township. Mr. Schwartz asked how bad that would be

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during construction? Mr. Jacobs replied that typically the goal was not to take away lanes so they would move the traffic from one side to another. Those concerns would be addressed. Mr. Maize added that it was an extremely rigorous review and those were legitimate concerns. Mr. Koch thanked everyone for their comments; their engineer would look at their concerns.

### **\* Mr. Maize left the meeting**

Mr. Koch stated the EAC review comments should be addressed when they discussed the GVC review letter. Mr. Koch then stated that they wanted to proceed with the review letter and that they submitted land development and annexation plans, but would do away with the annexation plan and make that a part of the land development. That would eliminate GVC's concerns with deficiencies in the annexation plan. Mr. Peifer suggested a single sheet annexation plan. Mr. Koch stated that item #15 would go away when they consolidated the plans. He then stated that item #3 concerned the landscaping plan and that the Planning Commission should offer comment / approval of the proposed buffer yard landscaping.

Mr. Bittig stated that the Planning Commission had not seen the landscaping sheet and we did like to look at that. Mr. Koch requested that, prior to the next Planning Commission meeting, the Planning Commission members review that sheet and get their comments to GVC so that he could get them into the review letter to be addressed at the next submission. Mr. Unger asked what GVC's concern was with the plan? Mr. Peifer stated that the concern was that there was no landscaping behind anchor A, but there was a retaining wall. At the top of the wall was 2:1 or 1.5:1 slope to the existing grade. Mr. McFall stated that Mr. Peifer's concern was the heavily wooded area behind anchor A. They needed to cut into the mountain 40 to 50-ft. The retaining wall would be a tiered wall with a fence on the top. They felt that plantings were not needed because someone up there would be looking over the top of the development and it was heavily wooded. Mr. Unger asked about fencing? Mr. McFall replied that they were proposing fencing along the entire top portion of the wall. Mr. Schwartz asked if we could see elevations at the next meeting. Mr. Koch replied yes, they could do that. Mr. Bittig suggested that GVC missed bolding item #4b concerning drive thru service. Mr. Koch replied that they would comply. Mr. Koch then stated that concerning item #7 on page 10, they would ask the Planning Commission to try to be innovative.

Mr. Peifer was 100% correct that they did not go out and count 4,450 trees. Nor did they inventory all of the trees on the 50+ acres. They took a statistical sampling of three one-acre tracts and extrapolated what they found there. They felt that was a reasonable approach to this issue. Mr. Bittig asked if they submitted that to the Township? Mr. McFall replied that they submitted that on the plan. Mr. Bittig asked if we got the report for that? Mr. McFall replied that they did not submit the report. Mr. Bittig stated that was what we needed. Mr. McFall stated that they could show what they found for each one-acre tract. Mr. Peifer stated that would be helpful as the scale of the plan made the reading difficult.

Mr. McFall replied that they could do that. Mr. Koch stated that they were proposing over 600 new trees on the site as part of compliance with the Township regulations. There was no way they could put in 4,450 more trees on that lot and still fit the development. They would like to suggest that the developer and the Township come up with a plan to provide either planting them somewhere else or make a cash contribution in lieu of trees. Mrs. Franckowiak replied that we had another instance where Berkshire Bank could not put in all the replacement trees and they worked out a deal with the Township. That would be something to work out with the Board of Supervisors. Mr. Littlehales stated that in lieu of the trees, with the sea of asphalt being built, he would consider a trade-off of some green building options to take care of the heat islands that the trees would no longer take care of. Mr. Koch replied that they had looked at that, but it would be controlled by the tenants. They could not commit to that. Mr. Littlehales responded with the idea of rainwater collectors to water the garden center. Mr. Koch stated that they

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would comply with #5, and they would submit a better aerial view photo. Mr. Peifer suggested one like they used for the display was great. Mr. Koch replied that they could provide that. He then stated that next bold item on page 11 #35, dealt with stormwater. They were back to the issue of the underlying geology of the site. They had submitted a technical report that indicated that the site was not suitable for infiltration. They were aware of the regulations regarding infiltration and best management practices. They already met with the Berks County Conservation District and also were working with DEP to come up with a plan that was feasible taking into consideration the existing conditions. They did not have the endorsement of the Conservation District at this time nor did they have DEP's endorsement. By the next meeting they felt they would have that. Mr. Trapper asked if they could have Mr. McFall and Mr. Peifer sit in on the meetings for stormwater management issues. Mr. Bittig stated that in the review it stated that we did not have onsite soils or boring investigation data but he heard them say that they did over 150 boring holes. Mr. Trapper replied that we would provide that and also have our Geotech Engineer sit in on the meetings. Mr. Koch stated the next bold comment was #11, they acknowledged that there were discrepancies with the HOP plan and they would correct that. Mr. Bittig asked about two items in the GVC review letter that were not bolded, #10 and #21. He stated that there was a provision in the Stormwater Ordinance that seemed to be ignored. They must comply with 308.A.2 and that dealt with the existing stormwater conveyance system. What happened when you push the water into a pipe and the water goes beyond the capacity of the pipe? Mr. Mc Fall replied it would back up. Mr. Bittig replied that this site today delivered water off-site at three different locations. At W 46<sup>th</sup> street there was a storm drain, a pipe that went under 422, down through a swale parallel to W 46<sup>th</sup> St where it entered a 15" pipe. What was the absolute capacity of a 15" pipe? Mr. McFall replied that he could not give a number off the top of his head. Mr. Bittig stated approximately 4 cubic feet per second and they did not have sole use of that. They would get their fair share and the same applied to the DeMoss Road line that they would go into. There was also a problem with the conveyance going down through the Golf Course. There was not a lot of flow capacity through those pipes under the driveway. He further stated that they had monster volumes of water that they would have coming off site and they had to address that. He would like to see how they planned to comply the next time they came in. Mr. McFall replied that they would certainly work on those issues as they had the requirements to work onsite to address the stormwater. Would they be able to solve every drainage problem down to the Schuylkill? They would not be able to. Mr. Bittig stated that they were required by ordinance and limited to their fair share. The people that lived down on W 46<sup>th</sup> and Green Tree Road had problems and the Supervisors said "we want this project and give them relief from everything", as far as he was concerned that would not happen if it caused flooding. That would impact many residents. Mr. McFall stated that they would work on that.

Mr. Koch stated they would correct item #14. Item #15 they would comply. They were aware of the elimination of the detention area next to Turkey Hill and they would address that. Mr. Wilson stated that he was concerned with the setback for the pharmacy. At the time of Land Development for them the Planning Commission was concerned with headlights for the drive-thru lane. Mr. McFall stated that he would check into that. Mr. Koch stated that for item #19, they would comply and use the rational method. Item #20, they would comply. With item #30 they would interpret that as a comment. Mr. Littlehales asked about the problem with the lighting plan. Mr. McFall stated that they would put that on two pages with a larger scale to make it easier to read. Mr. Littlehales asked that the contour lines be clearly delineated. Also for the DeMoss Road streetlights, they should be provided. Mr. Schwartz stated that they had some lights at the beginning of DeMoss, so they should be continued. He then suggested that they look into green roofs as that would help with infiltration and would save a lot of money in the long run. The EAC had a workshop back in June that had examples of commercial buildings with green roofs

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that solved infiltration problems. The city of Philadelphia had a very active program. It was better for the environment and better for the developer. Mr. Koch stated that with the Fire Marshal comments, they would comply. Mr. Koch stated that they wanted to look at the GVC review letter for the consolidation plan. The first comment dealt with Mr. Peifer's interpretation of what was done by the Township with respect to the fiscal subdivision issue. While he respected Mr. Peifer's interpretation, he felt that was not what the Supervisors did. They had a draft of the Supervisors minutes that he wanted to read from "the Solicitor stated that this was an issue of ownership vs. the leasing of the properties at the proposed Exeter Commons Shopping Center. He stated the Planning Commission at the present time had no problem with it, however there might be a different feeling should different people sit on the Planning Commission in the future. He felt the problem would be if one or more tenants decided to sell their store independent of the shopping center management. He felt corrective language was needed in the Ordinance to protect future shopping centers to have them do what everyone believes shopping centers can do. He stated he would prepare the language for the next meeting. The Township Solicitor stated what was needed now was a Resolution so the current shopping center owner would not have to worry about our changing our thought process on this matter. Motion by Mr. Barbieri, seconded by Ms. Ciotti, that the Board has no issue with the fiscal subdivision proposed for the Exeter Commons Project and that although changes to the ordinance will be made for future submissions, the developer of Exeter Commons can proceed, as the intent of the current ordinance is understood by both the Planning Commission and the Board of Supervisors. Motion carried with Dr. Ganas, Mrs. Starr, Ms. Ciotti, and Mr. Barbieri voting in favor". Mr. Koch stated that what they had on the plan was a fiscal subdivision and they were in compliance with the Board. Mr. Peifer replied that his understanding was that it would be invisible to us, not with a separate plan sheet showing that. An example was the fiscal subdivision at Broadcasting Square with the Target located there, when he looked up the property at the Berks County tax maps for that subdivision. There were no property lines shown there other than the out boundaries. Mr. Koch replied that he believed there were separate tax bills for the site. Mr. Peifer stated that was his only comment about that was, weren't we looking at something that was being recorded. Mr. Koch stated that the tenants were requesting them to get their parcel assessed separately. Mr. Peifer asked if that would be a fee simple? Mr. Koch replied yes, so comments # 2 and #3 would go away. Mr. Peifer asked if parcel three would belong to other lots? Mr. Trapper replied that the developer would own that. Mr. Wilson was concerned about that separate lot. Mr. Koch stated that they could put on the plan that lot #3, as it exists today, was not a buildable lot. Mr. Trapper stated that they were planning on possibly placing stormwater facilities, not structures there. There would be an operation and easement agreement which was a recorded document that would outline buildable areas, minimum parking setbacks, lighting requirements, use restrictions, etc. so even if we sold off a parcel, that document outlines where the parking areas were, where the building area were, etc. Mr. Koch stated that the next comment was #5, Mr. Peifer was correct; the property was currently encumbered by a Sunoco right-of-way. That would be relocated. Mr. Peifer stated that #5 was dealing with the Sunoco gas station and their lot line went through what they were proposing as DeMoss Road. Mr. Koch replied that they would take care of that. He believed #2 would go away when they combined the two plans. The vacating of DeMoss Road had been started with the Board of Supervisors.

## **Public Comment**

**Gentlemen in the audience, who did not identify himself**, stated that he wanted to thank the Planning Commission for allowing them to interrupt the flow of the meeting with their concerns. Also he wanted to thank us for being concerned on how it would impact the quality of their lives.

## **Exeter Commons continued**

**Louise Swartley, 31 Troxel Road**, stated that she wanted to thank Mr. Peifer, Mr. Schwartz and Mr. Unger for addressing the comments or concerns that she had. She still was not clear on the tree issue, with the count and the types of trees that were located there. It could be also bushes. She further stated that Mr. Schwartz brought up what she was planning on recommending; the green building. She wanted to thank Paul for bringing up the meeting where more information was provided concerning the parking lots and the buildings to utilize and take care of the water runoff.

**Another Gentlemen**, stated that stormwater was touched on a little concerning the property, but he wanted to know who was responsible for the additional storm runoff that would come down by W 46<sup>th</sup> St by adding lanes to 422? Would that be a Township responsibility? Mr. Peifer replied that they were working on that. Mr. Littlehales stated that was part of what Mr. Bittig was touching on earlier. Mr. Schwartz stated that there were a lot of issues and concerns by the citizens that we needed to digest along with reading the review letter.

Mr. Koch stated that they had just received the Berks County Planning Commission review letter, but they did not see anything startling in the letter. Mr. Peifer replied that the only comment in there that was strong was the pedestrian access to the site. Mr. Wilson read “bicycle racks, safe sidewalks, etc.”. Mr. Schwartz stated that if PennDOT would allow safe pedestrians crossing on 422 that would be wonderful if it were feasible.

## **5. READING CENTRAL CATHOLIC HIGH SCHOOL – VARIANCE REQUEST – Henry Koch, Jr.**

Mr. Unger recused himself as he worked for the firm that engineered the Central plan. Mr. Koch stated that Central Catholic High School filed an application with the Zoning Hearing Board requesting a variance for building height. The Zoning district permitted a height of 35-ft. The building height for the auditorium, in order to accommodate the acoustical system was around 3.5 feet over the permitted height. Mr. Bittig asked about the fly loft. Mr. Littlehales explained that the fly loft was located above the stage and that was where the sets were raised and stored. Mr. Koch stated that they felt that the location of the school would have no impact on the neighbors. Mr. Bittig stated that he was going to read from the conditional use order granted by the Township, Conclusions of Law #5: “The Township Supervisors approved the application of the diocese conditioned upon the following: Applicant shall comply with any and all other ordinance and regulations of Exeter Township including, but not limited to those regarding development of the tract specifically testified to by applicant’s witnesses at the hearing on November 7, 2005, including but not limited to the Land Development Ordinance and requirements more particularly set forth therein”. The order stated that the applicant shall comply, not that they could come back later and apply for variances. Fact was fact. Mr. Koch replied that the distinction was that a conditional use was granted for the use. Nothing to do with the design of the building and we did not get any deviation from the SALDO, we were not asking for a deviation from the SALDO. They were only dealing with the issue of the height. Mr. Schwartz stated that we had two reasons for the height restrictions, first was the visual impact on the neighboring properties. The second was fire protection and the ability of our fire equipment to handle that. We now have fire equipment to handle the higher building heights. He further stated he would not have any objection to seeing the variance granted. Mr. Wilson asked if the fly loft would be sprinklered like the rest of the building. Mr. Koch replied that he would have to look into that.

## **Public Comment**

**Andrew Yawger, 17 Foxglove Lane**, stated that, as an adjoining property owner to the land designated for the proposed construction of a new Central High School, he had not been contacted by anyone

### **Exeter Commons continued**

representing the developers for Central High or anyone from the Township with an official notice of a variance or waiver request for the project. In discussion with other adjoining property owners, he had found that none of those with whom he spoke had been contacted either. Second, and to the point, he was voicing his strong opposition to any changes in the recently approved plans for the construction of the new Central High. Many of his neighbors and other adjoining property owners felt the same and they believed that the Township has been more than accommodating already to the Central High developers by changing (and weakening) our Zoning Ordinance to allow the destruction of yet another parcel of land for the benefit of a special interest that would not benefit the majority of the Township. His plea to the Planning Commission was to hold the developers of the Central High School project to the conditions and plans that were recently and thoughtfully approved by our elected officials. Please pass along your recommendations to the Zoning Hearing Board to deny any variances and to the Supervisors to also deny any waivers concerning the project. Thank you. Mr. Schwartz replied that he did not disagree with his comments, but the variance was minor. Mr. Wilson stated that we did not know what the building would look like as we just got the land development plans. Then the engineer forgot something, how can we, as a Board look at something and have confidence that there would not be something coming back in the future. That has been happening more and more. He was not in favor of it because it could open a can of worms and they could come back with something else. Mr. Schwartz stated that was why we had these processes for resolving the issues that someone forgot. Mr. Littlehales stated that he did not feel that putting the fly loft in the center of the building would cause any aesthetic problems. If the variance was not granted they would not be able to put on any performances.

**Thomas Howell**, asked if this was the only time they would come for a variance? Mr. Wilson replied who knows? Mr. Howell stated that the comment was made about opening a can of worms, if they continue to come for more variances for relief, then a signal needed to be sent.

**Louise Swartley** stated that she wanted to address the comment that Mr. Yawger stated that they were not notified of the variance. Did they not have to send out notification? Mrs. Franckowiak replied that yes, they were supposed to be notified, Mr. Yawger and his neighbors were listed as adjoining neighbors in the application. The Zoning Hearing Board Solicitor's office sends the notices out. She would check into that.

**Chris Bausher** stated that no one asked Mr. Koch if there was any alternative where they could lower the stage so they would not need the variance for the height. Even if that would cost Central more money they should explore the alternatives so they would not have to go outside the Conditional Use and ask for the waiver.

Mr. Littlehales stated that lowering the stage by that much would mean a total redesign of the central core of the building.

**Jordan Bausher, 391 Ritters Road**, stated that they were looking at building three schools across the street. How wide would the doors be opened by granting the variance? Mrs. Franckowiak replied that was not really opening the doors, that conditional use was different. The schools would not go through because it was appealed. They would need to come for their own Conditional Use and the Board would be very careful what they would say for that. Mr. Bausher stated that he felt it was interesting that the Conditional Use only applied to the Use of the Property, not the buildings they put on it. Mr. Wilson replied that was probably true for the Central High School Conditional Use.

**Central Variance continued**

**MOTION BY** Mr. Schwartz, seconded by Mr. Littlehales to recommend the Zoning Hearing Board grant the variance request for the Central Catholic High School Plan and take into consideration any comments by the Fire Marshal in granting that. And also request that the developer had looked at other options for the building. The motion failed to carry with Mr. Schwartz, Mr. Littlehales voting in favor and Mr. Bittig, Mr. Wilson voting opposed.

Mr. Wilson stated that no recommendation would be sent to the Zoning Hearing Board, they would decide the issue.

**6. PENN STERLING BANK – VARIANCE REQUEST**

The Planning Commission did not discuss the variance request as the hearing was on hold due to the curative amendment.

**7. LIGHTING ORDINANCE**

The Planning Commission agreed to make changes to the proposed Lighting Ordinance as listed in the reviews by Mr. Littlehales and Mr. C. Stanley Stubbe.

**8. REMINDER – HISTORICAL COMMISSION MEETING – AUGUST 15<sup>TH</sup> 7PM**

The Planning Commission was reminded of the joint meeting with the Historical Commission as they had a special speaker coming in to discuss historical controls.

Ms. Cusimano stated that she would like to have a workshop set up as the Planning Commission needed to work on the Zoning Ordinance. The Planning Commission agreed to meet August 30<sup>th</sup> at 7pm.

Mr. Bittig asked about the letter concerning Country Club Estates II, specifically when would that be discussed by the Board of Supervisors. Mrs. Franckowiak replied that the letter was distributed to the Board and might be discussed at the August 13<sup>th</sup> meeting.

**ADJOURNMENT**

**MOTION BY** Mr. Schwartz, seconded by Mr. Bittig, to adjourn the August 7, 2007 meeting of the Exeter Township Planning Commission at 10:35pm. The motion carried unanimously.

Respectfully Submitted,

John W. Bittig  
Planning Commission Secretary

lrc