

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
SEPTEMBER 2, 2008

The Regular Meeting of the Exeter Township Planning Commission was held on Tuesday, September 2, 2008 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
Gary L. Shane
Greg T. Unger

ABSENT: Gregory A. Shantz

OTHERS IN ATTENDANCE: Craig Peifer, GVC Consulting Engineer
Cheryl Franckowiak, Zoning Officer
Linda Cusimano, Recording Secretary

1. MINUTES

MOTION BY Mr. Unger, seconded by Mr. Shane, to approve the minutes of the August 5, 2008 Planning Commission Meeting with the spelling correction for Mr. Nerino and Mr. Schwartz's names. The motion carried with Mr. Wilson, Mr. Schwartz, Mr. Shane, Mr. Unger voting in favor and Mr. Littlehales and Mr. Bittig abstaining

2. AGENDA

MOTION BY Mr. Littlehales, seconded by Mr. Bittig, to approve the agenda of the September 2, 2008 Planning Commission meeting. The motion carried unanimously.

3. APPROVE APPLICATIONS FOR REVIEW

A. CUSTOM PROCESSING RESUBDIVISION & LAND DEVELOPMENT – PRELIMINARY PLAN:
MOTION BY Mr. Unger, seconded by Mr. Schwartz to accept the preceding plan for review. The motion carried unanimously. The following business was discussed:

4. EXETER REALTY MANAGEMENT – PRELIMINARY LD PLAN – John Hoffert

GVC reviewed the Exeter Realty Management Preliminary Plan (reference letter dated August 29, 2008).

Mr. Hoffert stated the plan was an expansion of 4,000sf to an existing medical/professional building. The existing parking would be expanded to accommodate the 4-5 staff members. The off street parking requirements had been met. He further stated that in the GVC review letter item #5 under zoning concerned the location of the neighbor's existing shed that encroached over the line and his client was not going to force the issue and planned to allow its continued use. Mr. Hoffert stated that he would like to leave that as a non-issue. Mr. Unger asked about the shed, was there a problem with setbacks just with his client or was it a problem with the other neighbors? Mr. Hoffert replied that it was with his client only, in the rear. Mr. Unger asked if they were all right with the side yard setbacks? Mr. Hoffert replied that he thought it was fine in regards to the side yard setbacks but would need to check with Cheryl. Mr. Unger asked how close it

Exeter Realty Management continued

was to the side property line. Mr. Hoffert replied around 4 to 5 feet. Ms. Cusimano asked what was the size of the shed? Mr. Hoffert replied that he thought it was 8' x 10'. Ms. Cusimano stated that an 8' x 10' shed could be two feet from the property line on a non-permanent foundation. Mr. Unger stated that they should check to be sure that they were not in violation to the other properties. Mr. Hoffert replied that they could dimension the distance to the side property lines. The Planning Commission agreed. Mr. Hoffert stated that under SALDO, item #5 concerned the agreement and they were in the process of getting that agreement from the owner of Apollo Pools because a small portion of existing parking encroached on their property and would need to be removed. They would have that completed before Final plan. Mr. Hoffert stated that they had a letter from the Authority stating that they would supply sewer service. They also have a verbal commitment from the Water Company, but have not yet received the letter. Mr. Peifer asked if the building would be sprinklered? Mr. Hoffert replied yes, the existing building has domestic water and was not sprinklered; his client would be adding a line to service the sprinkler system. He then stated that under Stormwater all certifications have been added to the plan and all other appropriate items will be executed at final. PennDOT permits have been applied for. They would need to get three permits, one by the Water Company, one by the Sewer Authority and one by his client for the storm sewer. Mr. Hoffert stated that the lighting plan has been prepared and submitted but has not been reviewed. The work was subcontracted to Fromm Electric and the plan was on the appropriate grid and he felt that would address all the lighting issues. He then asked for Preliminary Plan approval subject to any outstanding items in the GVC review letter being addressed at Final plan stage.

MOTION BY Mr. Schwartz, seconded by Mr. Bittig to recommend the Board of Supervisors grant Preliminary Plan approval for Exeter Realty Management Land Development Plan subject to all outstanding items in the August 29, 2008 review letter being addressed at Final Plan stage. The motion carried with Mr. Shane, Mr. Unger, Mr. Wilson, Mr. Bittig, Mr. Schwartz voting in favor and Mr. Littlehales recusing himself.

5. CUSTOM PROCESSING RESUBDIVISION & LAND DEVELOPMENT PLAN – Pat Dolan - Gregory Shemanski

GVC reviewed the Custom Processing Preliminary Plan (reference letter dated August 29, 2008).

Mr. Dolan stated that they redesigned the plan from what was on the Sketch Plan. They moved the building back so they addressed the previous concerns. There were two bold items under Zoning, the Environmental Assessment Statement and the Tree Inventory Report and both were being performed and would be submitted when completed. They were requesting waivers: Traffic Impact Study, Water Resource Study, and Environmental Hazard Report. Mr. Bittig stated that he was confused on the request for the waiver of a Traffic Study, it says that the additional traffic would not be excessive; he could not quantify that. Under Zoning #7 “the applicant will need to provide supporting data on the number, frequency and schedules and size of vehicles that will serve the facility”. How would they meet that? Mr. Dolan replied that was based on our conversation from last months meeting. Mr. Bittig apologized and stated that he was not here last month and if it were two trucks a day, no one cared. It should be quantified somewhere that it would not be excessive. Mr. Peifer stated that we could table the waiver request until we get that information. Mr. Dolan stated that as was discussed last month, the new building would be providing relief as they actually stored materials off-site and that would not be needed with the new building and would reduce traffic into the area. Mr. Bittig replied that was good, but he needed to see it quantified and then we could act on the waiver

request. Mr. Shane stated that if they looked at the minutes from last meeting, the same question was asked about truck traffic, Mr. Dolan replied that he did not know the exact count and he needed to check on that.

Planning Commission meeting

September 2, 2008

Page 3 of 8

Custom Processing continued

Mr. Shemanski asked if we were looking at traffic on or off of Birchmont drive only. Mr. Schwartz replied that they should look at both. Mr. Shemanski stated that on Neversink it would decrease as they would have their materials onsite and would not need to have them trucked in.

Mr. Dolan then asked about the Water Resource Study and Environmental Hazard Report waiver. Mr. Peifer stated that we typically did not act on the Water Resource Study Waiver until we had the Stormwater Report and would see what they planned to do with infiltration. Mr. Unger asked Mr. Peifer what was needed for the Environmental Hazard Report? Mr. Peifer replied that the section of the Ordinance just asked if there were any hazards on the site. Mr. Bittig stated any old industrial waste, raging creek water, it wasn't anything extensive. Mr. Schwartz asked if they would be bringing anything hazardous on site? Mr. Peifer replied that it was only what was there today, was there an issue on the site that would prevent it from being developed? Mr. Dolan replied that they would do that. Mr. Littlehales stated that he missed the last meeting and wondered what Custom Processing processed? Mr. Shemanski replied that they take powders, grind them up real fine and send them back to the customers: original virgin goods, pharmaceutical products, plastics, etc. Mr. Bittig asked if they were working on their Stormwater? Mr. Peifer replied that they were testing for infiltration. Mr. Bittig stated that he hoped they found infiltration areas as they were in the watershed that floods out. Mr. Dolan stated that they have one other issue that they wanted to ask about. They owned a lot next to another parcel and they would acquire the small parcel that contained steep slopes. It was basically an undeveloped property, but would give them some relief in the dock loading area with an extra 10-feet for the truck drivers. The question was, did they need to go through a full planning process or could they do a simple annexation to the property? Mrs. Franckowiak felt that a simple annexation would be ok, but felt they should ask the Planning Commission. Mr. Peifer asked if they meant go through the annexation process or just buy the property? Mr. Dolan replied just buy the property. Mr. Peifer stated that the discussion he had with Bruce Rader was if they planned on encroaching on the new line, it would create a non-conformity as far as Zoning. Then they should go through the annexation process to avoid that. Mr. Dolan asked if they would need to do full-blown Land Development plans? Mr. Bittig replied that if they were only annexing the properties a simple annexation would suffice. Mr. Peifer stated that if they were planning on counting on the other lot to be considered open space they would need to annex the two.

6. FAIRVIEW CORNER – FINAL PLAN – Madelyn Fudeman, Esq.

Ms. Fudeman stated that they finally received the HOP for their plan and were looking for Final Plan approval subject to all the outstanding issues listed in the GVC review letter being addressed. The outstanding issues were all housekeeping issues.

MOTION BY Mr. Littlehales, seconded by Mr. Shane to recommend the Board of Supervisors approve the Fairview Corner Final Land Development Plan subject to addressing any outstanding issues in the October 1, 2007 GVC review letter. The motion carried unanimously.

- 7. RITE AID PHARMACY – PRELIMINARY LAND DEVELOPMENT PLAN –**
- Bill Colby
 - Mike Swider
 - Darryl Kirsch
 - Pete Spisszak

GVC reviewed the Rite Aid Pharmacy Preliminary Land Development Plan (reference letter dated August 1, 2008).

Planning Commission meeting
September 2, 2008
Page 4 of 8

Rite Aid continued

Mr. Colby stated that they wanted to give everyone a brief overview of the Rite Aid Pharmacy, which would be located at the old Fegely's property. They have provided a response to the review letter. They were working on a revised plan now to handle the Stormwater issues. Mr. Swider stated that they currently had a store at the Boscov's Plaza East that opened back in the 70's. The store was 35 years old and it was time to do something new and better for the community. Their intent was to open a free standing state of the art, 14,673 sq. ft. store with a double drive thru and a by-pass lane. What the drug store industry typically did was they would have a drug store in a shopping center with a supermarket, now they wanted to move away from that. Supermarkets have gotten much bigger and further apart in convenience and they wanted to fill in the gap between them by offering more convenience. They would offer convenience food, one-hour photo, etc in the pharmacy. They wanted to have parking extremely convenient to the front door. They would also offer a drive thru. They considered that an amenity, it wasn't like a drive thru at a fast food, you rarely see customers lined up at their drive thru. It was typically used by mothers who have sick kids. When people get prescriptions filled they like to meet with the Pharmacist face to face. It would not get a lot of use, but was there for the customer if they wanted to use it. Mr. Swider then asked if anyone had seen their new store in Kenhorst? It looked exactly like the one they planned to build in Exeter with a great contemporary look façade. He then stated that was a brief overview of what they wanted to accomplish. Mr. Schwartz asked about what they planned for access on 422? Mr. Swider replied there would be a right in – right out.

Mr. Unger asked if they anticipated the major redesign for Exeter Commons when they planned their project? Mr. Kirsch asked what he meant? Mr. Unger replied was that corner property taken into account for the traffic flow for a high volume use or were they trying to tie that in. Mr. Kirsch replied that they did plan for the right in, right-out. Mr. Littlehales stated that it might not be the case because that was located in the decel "right turn only" lane. Mr. Unger stated that he was concerned that the traffic would get backed up and that no one could get out in that location. Mr. Swider replied that if that was backed up there; the customers would use the exit onto Oak Circle. Mr. Littlehales replied that the problem with the access on Oak Circle was that it took the traffic out into a residential area. The people that live there did not like that idea at all. Mr. Unger asked if that was originally several lots? Mr. Kirsch replied that it was three lots being consolidated into one. Mr. Bittig stated that with the decel lane becoming a right turn only lane at 47th, he could see a conflict with cars trying to cross over lanes of traffic. Mr. Unger asked what they would do at 47th Street? Mr. Colby replied that it would be a right-in and right-out only. Mr. Littlehales stated that they should be sure to put in a good concrete island to eliminate cars trying to make a left hand turn. Mr. Bittig stated that he could not see PennDOT approving the access on 422. Mr. Kirsch replied that they had a plan in with PennDOT and were waiting for a response. Mr. Swider stated that they had the same scenario at the Wawa further down the street. He agreed that there would be a problem during peak times. Mr. Shane stated that this would be a much more congested intersection that the one down at Wawa. Mr. Spisszak stated that anyone wanting to travel east on 422 would want to use the 47th street or the Oak Circle exit. Mr. Littlehales stated that they should be sure that signs would show that they would travel down Oak Parkway to Gibraltar to drive eastbound on 422. Mr. Swider stated that the new traffic signal down at the ramp for the bypass would slow some of the traffic. Mr. Unger stated that he mostly had a problem with traffic coming out onto Oak Parkway; if he were a resident there he would not want that. Mr. Littlehales agreed. Mr. Wilson stated that when he comes out from the library and takes a left onto 47th he has a hard time pulling out there already.

*** Mrs. Franckowiak arrived**

Mr. Swider stated that a lot of consideration went into developing this property, some properties were difficult to develop and you try to make the best of the situation. Mr. Littlehales asked what the increase
Planning Commission meeting
September 2, 2008
Page 5 of 8

Rite Aid continued

would be in traffic on Oak Circle? Mr. Spisszak replied that during peak hours it would be 64 new trips coming into the site and 1/3 showed coming out onto Oak Circle. Mr. Swider stated that most of the people who would use that access were the residents that lived directly behind it. They would find they would be able to access the property without needing to access 422 to get there. Mr. Littlehales stated that he was concerned that people would use the access as a “short cut” to go through the property out to 422.

Mr. Swider replied that they anticipated that and would add speed bumps to stop that from happening.

Mr. Unger asked if PennDOT would allow the access onto 422, could they then eliminate the access onto Oak Circle? Mr. Swider replied that was located there in lieu of having the left turn on 47th. If someone wanted to head westbound on 422 they would use that access onto Oak Circle. Mr. Wilson asked if the original alley would still remain to serve the properties to the left? Mr. Colby replied yes. Mr. Unger asked if there would be a buffer area in the rear? Mr. Swider replied yes. Mr. Littlehales stated that they had a lot of difficulties to overcome with this site. Mr. Swider replied that they understood that and the next party interested in the property after Rite Aid was a fast food restaurant. Mr. Wilson asked if they would close the store at Antietam Shopping Center. Mr. Swider replied no, they served another community at that location. Mr. Wilson asked if there would be sidewalks along the access on Oak Circle? Mr. Swider replied no.

Mr. Wilson stated that if that access would be approved he would like to see sidewalks into their property and even if we did not allow the access. Mr. Swider agreed. Mr. Spisszak stated that they could also add a crosswalk to the building.

Public comment

Jerry Slonaker, 4375 Prestwick Drive, stated he sporadically encountered a traffic safety problem at 47th and Oak Parkway at Oak Circle; cars go around the circle and forget that there was traffic coming in that direction and almost had accidents. The cars that would come out of the rear access onto Oak Circle could have a problem coming out there. Mr. Wilson stated that he agreed; with the circle located there they would almost have to go to the right to go around. Mr. Peifer stated that they might need a directional sign.

Mr. Shane asked if that access would serve their service vehicles? Mr. Swider replied yes. Mr. Wilson asked how often they received deliveries? Mr. Swider replied that they had one truck a week; one large and then the smaller delivery trucks at other times. Mr. Shane asked if the three spaces meant that they would have three dumpsters on the property? Mr. Swider replied that two were dumpsters and another would be the box where they store their totes so they would be hidden. Mr. Schwartz stated that he could see two sides to the access; if he lived there he wouldn't want the traffic, however, it would also make it more convenient to go there. Mr. Littlehales asked if the amount of traffic on Oak Parkway would warrant putting in a traffic light at that intersection. Mr. Spisszak replied that they could not put one there as it would be too close to the traffic light at 422. Mr. Unger stated that we should wait for PennDOT before we decide about the rear access.

Thomas Howell, no address given, asked if this wasn't the same problem with the restaurant next to the motel, that PennDOT would allow them to come out onto 422, they could only come out at the traffic light?

Mr. Wilson replied that they did not have enough area to have a right out onto 422, as it was too close to the traffic light. Mr. Howell asked if the alley on the property would still be able to be accessed from 422?

Mr. Kirsch replied yes. Mrs. Franckowiak stated that you would still be able to access the alley at Laura's Head Turners.

Mr. Nguyen, no address given, asked if the two houses next to the Fegely's property would be affected? Mr. Swider replied that they would not as they already had some frontage of their properties taken for the improvements on 47th street.

Planning Commission meeting

September 2, 2008

Page 6 of 8

Rite Aid continued

Mr. Bittig asked how they would be allowed to put their parking in a residential zone? Mrs. Franckowiak replied that it was a preexisting use as Fegely's used that area for parking. Mr. Wilson stated that we should get to the bold items to see if there were any other "flags" raised. Under item #3, what deed restrictions did they have? Mr. Kirsch replied that the deed restriction was that no garage could be built and only so many feet from the road. Mrs. Franckowiak stated that the Township did not enforce deed restrictions. Mr. Bittig stated that there were encroachments listed in the review letter. Mr. Colby stated that they wanted to meet with Mrs. Franckowiak and Mr. Bellwoar to discuss the interpretation on some of the zoning issues to determine what areas they would need to apply for variances. They would schedule a meeting to discuss those items. Mr. Bittig stated that if there were any items that required relief, they would go to the Zoning Hearing Board. Mr. Wilson asked about #7 concerning the 20-ft buffer strip. Mr. Colby replied that once they received an interpretation that they would need a variance, then it would be requested. Some of the zoning questions that had come up were due to losing some of the property to 422 R-O-W. Mr. Wilson stated that item #12, "Public parking spaces shall not require pedestrian crossing of a public street if the alley considered a public street". Mr. Wilson further stated that the alley wasn't a public street, but if they used that for an access, then would it be considered such? Mrs. Franckowiak replied that it would still not be a public street. Mr. Kirsch stated concerning the trees, he talked to the owner of the property and he was told that they removed three hardwoods and fifteen arborvitae. Mr. Bittig asked if that was recorded? Mr. Kirsch replied that the stumps still remained. They would add those to the report. Mr. Kirsch then asked if they would need to do a Phase 1 report for Environmental Performance Standards? Mrs. Franckowiak replied that they would just need to go through the items listed in the Ordinance and provide answers in a narrative. Mr. Peifer stated it would just be what use you were proposing for the property, the Environmental Assessment Statement would be for what was on the lot today. Mr. Wilson stated that took care of the bold items.

Mrs. Franckowiak asked if anyone approached the property owners back on Oak Circle? Mr. Colby replied that they have talked to Mr. Kaufman whose house was directly next to the new access and he was generally agreeable. When they come up with the revised Stormwater Plan they would meet with him again.

Mr. Bittig asked if they started work on their Stormwater Management? Mr. Kirsch stated that they would come down the street to Greentree and connect to the storm system. Mr. Peifer stated that they should set up a meeting with the Roadmaster to discuss that. Mr. Wilson stated that they should get their zoning issues taken care of before we discuss the plan further.

8. CONTINUATION OF SIDEWALKS

Mrs. Franckowiak stated that because of the efforts of Walk Bike Berks, the idea was that we should at least look at the areas that do have sidewalks and look for the missing link pieces and develop a plan. We should prioritize areas that would be best served with the continuation of sidewalks. Mr. Littlehales asked who would the financial burden fall on? Mrs. Franckowiak replied that was the problem, first look where sidewalk could be continued, then the group that Michelle Barrett was working with thought they could get grant money. If not then we would need to knock on the doors of those property owners and say, "how would you feel about this"? If they were receptive to paying for, installing and shoveling the snow off of the sidewalks and maintain it then we would move forward. The Board of Supervisors has not made a final commitment, but they did have interest. Michelle has gotten a lot of support behind her. Mrs. Franckowiak further stated that she explained to Michelle that the main concern would be the added expense and maintenance to the homeowners. Mr. Bittig stated that he would like to see the kids walk to school.

Jerry Slonaker, 4375 Prestwick Drive, stated that he was on board with the Walk Bike Berks project and if the Planning Commission had any questions he would be glad to offer assistance. Mr. Littlehales asked how Planning Commission meeting
September 2, 2008
Page 7 of 8

Sidewalks continued

people felt about that? Mr. Slonaker replied that they had just been looking at the big picture, but would like to work with the Board and the Planning Commission to look at the areas where it was needed.

Mrs. Franckowiak stated that we would not just send out letters like we used to, especially given the financial situations that people were finding themselves in. If there were grants provided that would be one thing, but if they bought their properties because they had no sidewalks, then it would be harder.

Mrs. Franckowiak stated that Michelle initially got involved because she felt that kids should walk to school. Mr. Bittig asked if someone from the Township could get their hands on PDE's walk to schools requirements? Mrs. Franckowiak replied that she didn't know if that was in our scope of work. Mr. Bittig stated that with this type of discussion it would be. Mrs. Franckowiak replied that certainly Mr. Wegman would have that information; we were just looking at the continuation of sidewalks, not necessarily just for walking to school.

Mrs. Franckowiak stated that the Planning Commission was asked to get involved to see if they could locate the need for sidewalks, what areas and if support would be offered. Mrs. Franckowiak stated that there was a workshop scheduled October 20th so anyone interested was invited to come. There were speakers scheduled for that workshop. The Planning Commission was invited to attend. Mrs. Franckowiak stated that again the Board was interested but it wasn't committed to anything. They would be in attendance at the workshop. She would send out an email to confirm the date and time.

9. ALTERNATIVE ENERGY ORDINANCES

Mrs. Franckowiak stated that we have been getting questions concerning the outdoor furnaces and we did not have anything by way of ordinance to govern these items. We also need to look at windmills and other forms of alternative energy. She then asked if the Planning Commission would agree to a workshop to discuss this. The Planning Commission agreed to meet on Tuesday, September 16th at 7:00pm.

10. GENERAL DISCUSSION

Mr. Schwartz stated that he put tree buffers on the EAC agenda and then was unable to attend, so he apologized and said that they would discuss that at the next meeting. Mrs. Franckowiak stated that when a subdivision comes in and they have street trees on the plan they get planted. Then she had a resident ask if he could take out that tree and plant it with something else, was that allowed? Mr. Bittig asked if it was in the R-O-W? Mrs. Franckowiak replied no, it was in their front yard; would they need to use the approved tree list? Mr. Unger stated that once the developer did what they needed then it would not matter. Mr. Peifer stated that it would only make a difference if they were planted in the R-O-W. The Planning Commission agreed.

Ms. Cusimano stated that Deer Run Subdivision plan due date was coming up. Would the Planning Commission like to make a motion?

MOTION BY Mr. Bittig, seconded by Mr. Schwartz to recommend the Board of Supervisors, in the absence of any new submittals, disapprove the Deer Run Subdivision Preliminary Plan. The motion carried unanimously.

Planning Commission meeting
September 2, 2008
Page 8 of 8

ADJOURNMENT

MOTION BY Mr. Unger, seconded by Mr. Schwartz, to adjourn the September 2, 2008 meeting of the Exeter Township Planning Commission at 9:38pm. The motion carried unanimously.

Respectfully Submitted,

John W. Bittig
Planning Commission Secretary

lrc

Correspondence to:

BOS: Deer Run rejection
BOS: Exeter Realty Management Preliminary Plan
BOS: Fairview Corner Final Plan