

MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
FEBRUARY 4, 2013

The Regular Meeting of the Exeter Township Planning Commission was held on Monday, February 4, 2013 at the Township Hall, 4975 DeMoss Road, Berks County, Pennsylvania. Donald R. Wilson, Chairman, called the meeting to order at 7:00 p.m. followed by the Pledge to the Flag.

COMMISSION MEMBERS: Donald R. Wilson, Chairman
John W. Bittig, Vice Chairman
Gary L. Shane, Secretary
Glen Powell

ABSENT: Greg T. Unger

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

1. MINUTES

MOTION BY Mr. Bittig, seconded by Mr. Powell, to approve the minutes of the January 7, 2013 Planning Commission Meeting as presented. The motion carried with unanimously.

2. AGENDA

MOTION BY Mr. Shane, seconded by Mr. Bittig, to approve the agenda of the February 4, 2013 Planning Commission meeting as presented. The motion carried unanimously.

3. PANERA BREAD VARIANCE APPLICATION & PLANNING MODULE APPROVAL & SIGNATURE

- Gregg Bogia, PE, PTOE
- Madelyn Fudeman, Esq.

Mr. Bogia showed the Planning Commission the revised plans for Panera Bread where they took the Planning Commissions suggestions into consideration. The Planning Commission asked Mr. Bogia to go over the variances they were requesting.

1. The drive-thru had a small section in the front yard setback.
2. The loading area was situated in the front yard setback
3. The dumpster was located in the front yard setback as the Sunoco Gas line ran along the rear of the Panera site and structures were not allowed to be located in that area. They would be putting in a structural enclosure that would match the Panera Bread building.
4. Minimum pad size variance – Panera would be leasing the building, but wanted the owner to maintain the parking lot area and would be considered a no build zone.
5. The signage size would need a variance.
6. The Planning Module needed some corrections and would be submitted later.

MOTION BY Mr. Shane, seconded by Mr. Bittig to recommend the Zoning Hearing Board grant the Panera Bread variance requests as proposed. The motion carried unanimously.

4. HISTORICAL PRESERVATION & GUIDELINES – Lisa VanderLaan

Ms. VanderLaan presented a draft Historical Preservation overlay district & guidelines which would be incorporated into the Zoning Ordinance (see attached). The Planning Commission discussed this and agreed that it just needed some “fine tuning”. Ms. VanderLaan would work on that and bring it back to the Planning Commission.

5. AP ZONING CHANGES/JACK BITTIG/MRS. SWARTLEY

Mrs. Swartley was not in attendance so that submission was not discussed. The AP changes submitted by Mr. Bittig were discussed and some corrections were made. The Planning Commission will review the changes next month.

6. SCHEDULE JOINT MEETING WITH EDAC

The Planning Commission agreed to meet with the EDAC at one of their regularly scheduled meeting either February 18th or March 18th.

ADJOURNMENT

MOTION BY Mr. Shane, seconded by Mr. Powell, to adjourn the February 4, 2013 meeting of the Exeter Township Planning Commission at 9:20pm. The motion carried unanimously.

Respectfully Submitted,



Gary L. Shane,
Secretary

lrc

Historic Preservation Overlay District

Purpose:

A. It is hereby declared that the preservation and protection of historic resources are public necessities and are in the interest of the education, property values, and general welfare of the citizens of Exeter Township. The purposes of this article are:

1. To protect the integrity and promote general welfare of the historic resources of Exeter Township;
2. To establish a clear process by which proposed changes affecting historic resources are reviewed by the Exeter Historical Commission and the Board of Supervisors.
3. To encourage and promote the continued, viable use of historic resources in Exeter Township and to facilitate their appropriate reuse.
4. To encourage the preservation of historic settings and landscapes
5. To discourage the unnecessary demolition of historic resources in Exeter Township.
6. To mitigate the negative affects of proposed changes on historic resources once classified.
7. To promote the goals of the Pennsylvania constitution at Article I, Section 27, which establishes the state policy of encouraging the preservation of historic and aesthetic resources.
8. To maintain the property rights of Exeter Township residents.

Definitions.

As used in this article, the following terms shall have the meanings indicated:

CULTURAL STUDIO

A building to present cultural, scientific, or academic lectures or performances or art displays to the general public by a nonprofit entity.

DEMOLITION or DEMOLISH

The razing or destruction, whether entirely or in significant part, of the exterior of a building, structure or site. Demolition includes the removal of a building or structure from its site or the removal, stripping, concealing or destruction of the facade or any significant interior or exterior architectural features which are integral to the historic character of the resource, for whatever purpose, including new construction or reconstruction.

DEMOLITION BY NEGLECT

A. The failure to provide ordinary and necessary maintenance and repair to a building or structure designated as an historic resource on the Township

Historic Resource Map, except for ruins existing at the time of adoption of this section, whether by ordinary negligence or willful neglect, purpose or design by the owner or any party in possession thereof, which results in the following conditions:

(1) The deterioration of exterior features so as to create or permit a hazardous or unsafe condition to exist.

(2) The deterioration of exterior walls, roofs, chimneys, or windows; the lack of adequate waterproofing; or deterioration of the structural system or foundations which will or could result in permanent damage or loss of exterior features.

B. Demolition by neglect includes having a building or structure open or vulnerable to vandalism or decay by the elements.

HISTORICAL COMMISSION

The Historical Commission of Exeter Township which advises the Township on matters concerning the preservation of historic resources, the members of which are appointed by the Board of Supervisors.

HISTORIC OVERLAY DISTRICT

An overlay zoning district as established and applied under this article, designating historic resources within the Township.

HISTORIC RESOURCE(S)

Within the context of this chapter, all buildings, sites, structures, and districts designated on the Historic Resources Map.

HISTORIC RESOURCES MAP

A map adopted as part of this chapter showing historic resources.

Participation, Compliance required; overlay concept; construal of provisions; revisions.

A. Participation. In order to encourage the preservation of historic resources, Exeter Township sets forth expanded reuse opportunities for owners of classified properties. (see _____)

1. Participation in the Exeter Township Preservation Overlay District is on a voluntary basis. No property owner shall be coerced into participating in the overlay district.
2. If the owner applies and is accepted to the inclusion of any property on the Historic Resources Map, the owner(s) of the property shall submit to the Township a declaration on a form prepared by the Township to be recorded in the Office of the Record of Deeds of Berks County against the property providing a record notice of the inclusion of the property on the

Historic Resources Map. The declaration shall be signed by all record owners of the property and in recordable form. Without such signed declaration, the property shall not be added to the Historic Resources Map.

3. Historical resources listed on the National Register of Historic Places or on any Pennsylvania state inventory programs prior to the codification of this act shall not be deemed automatic participants.

B. Compliance. Any change to an historic resource shown on the Historic Resources Map shall occur only in full compliance with the terms of this article and other applicable regulations

C. Historic overlay concept. The Historic Resources Map shall be deemed an overlay on any zoning districts now or hereafter enacted to regulate the use of land in Exeter Township.

1. For any property shown on the Historic Resources Map, the requirements and opportunities contained in this chapter shall supersede the otherwise applicable requirements of the underlying zoning district.
2. Should for any reason such as a result of legislative or administrative action or judicial decision, this overlay district be determined not to be applicable, the zoning requirements and other regulatory measures applicable to the property in question shall be those of the underlying zoning district without consideration of this article.

D. Preservation of other restrictions. It is not intended by this article to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this article imposes greater restrictions, the provisions of this article shall prevail. Should any portion of the overlay district be determined to be inapplicable, such portion shall be deemed severable and the remaining portions of this article shall remain in full force and effect. Should this overlay district be determined not to be applicable in whole for any reason, the zoning requirements and other regulatory measures applicable to the property in question shall be those of the underlying zoning district without consideration of this article.

E. Revisions. The Historic Resources Map may be revised from time to time by the Board of Supervisors.

1. In considering any revision, including additions, deletions, or changes of classification to the Historic Resources Map, the Board shall receive a written recommendation from the Historical Commission stating in detail the reason(s) for any revisions to the Historic Resources Map.

2. The owner(s) of any property within Exeter Township may propose the inclusion of his or her property on the Historic Resources Map and such property may be included upon recommendation of the Historical Commission and the approval of the Board of Supervisors.

Exeter Township Historical Commission.

A. Establishment and membership. There shall be an Historical Commission which shall consist of 3 to 7 members all of whom shall be residents of or persons who conduct business in Exeter Township. Members shall be appointed by the Board of Supervisors. The membership of the Commission shall include individuals who have an interest in history, archeology or historic preservation. Each Commission member shall serve for a term of 3 years, which shall be so fixed that no more than two terms shall expire each year. The Commission shall notify the Board of Supervisors of any vacancies in the Commission and the Board shall act within 90 days to fill those vacancies. Appointments to fill vacancies for unexpired terms shall be only for the unexpired portion of the term. The board of Supervisors may at their discretion remove a member for just cause such as missing 3 meetings in a calendar year. Members shall serve without pay, but shall be reimbursed for any personal expenditures in the conduct of Commission business when authorized by the Board of Supervisors.

B. Organization. The Commission shall annually elect, from its own membership, a Chairman who will direct the activities of the Commission and such other officers as may be required for the conduct of its business. A quorum shall be not less than a majority of the current membership. The Commission may make, alter and rescind rules and forms for its procedures consistent with the ordinances of the Township and laws and regulations of the Commonwealth. The Commission shall conduct business at regular public meetings. An agenda of each public meeting shall be available for inspection prior to the meeting. The Commission shall keep full public records of its business and shall submit a report of its activities to the Board of Supervisors by February of each year.

C. Expenditures for services. Within the limits of funds appropriated by the Board of Supervisors, the Commission may employ staff or contract for clerical, consulting, or other technical services.

D. Functions and duties. In accordance with the purposes of this article, the Commission shall have the following functions and duties:

1. Maintain a system for the survey and inventory and photographic documentation of historic buildings, sites, structures, objects and districts in Exeter Township.
2. Conduct research on and nominate significant resources to the National Register of Historic Places and any other appropriate lists or programs on a property owner volunteered basis.
3. Advise the Zoning Officer and Board of Supervisors on the issuance of demolition permits for historic resources, as set forth in § _____.
4. Review and comment on subdivision or land development applications which affect historic resources, in accordance with the requirements and

procedures of Chapter _____, Subdivision and Land Development, of the Code of the Township of Exeter Township.

5. Make recommendations to the Board of Supervisors concerning revisions, updates or corrections to the Historic Resources Map.
6. Maintain an updated list, which clearly identifies buildings, sites, structures, objects and districts and their respective classifications on the Historic Resources Map.
7. Advise the Board of Supervisors or Zoning Hearing Board on all requests for conditional uses or variances affecting Historic Resources.
8. Function as a Board of Historical Architectural Review Board (HARB) for historic districts in Exeter Township, which may be certified by the Pennsylvania Historical and Museum Commission in accordance with PA Act 167. *Editor's Note: See 53 P.S. § 8001 et seq.*
9. Review applications for the rehabilitation, enlargement or alteration of historic resources for compliance with the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings," as required by §§ _____ and _____ below.
10. Photographically document ongoing changes to the physical landscape throughout the Township.
11. Perform any other lawful activities that shall be deemed necessary to further the purposes of this article.

Historic Resources Map.

A. Classifications. The Historic Resources Map to delineate four classifications of historic resources in Exeter Township, which are defined as follows:

(1) Class I.

- (a) Certified historic structures listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior).
- (b) Contributing resources, i.e., buildings, sites, structures and objects filed as such with the National Register of Historic Places.
- (c) Buildings, sites, structures, objects and districts which have received a preliminary determination of eligibility (DOE) as meeting the requirements for individual listing on the National Register of Historic Places.

(2) Class II. Historic resources individually listed on a state inventory of historic places which have been approved by the Secretary of Interior.

(3) Class III. Buildings, sites, structures, objects and districts not meeting National Register criteria, but determined to be of historical or architectural significance to Exeter Township and appropriately documented to that effect by the Exeter Township Historical Commission.

(4) Class IV. Buildings, sites, structures, objects and districts included in the Historic Resources Inventory of the Exeter Township Historical Commission and not included in either Class I, Class II, or Class III above.

B. Revisions. The Historic Resources Map may be revised from time to time by legislative action of the Board of Supervisors.

(a) In considering any revision, including additions, deletions or changes of classification to the Historic Resources Map, the Board shall receive a written recommendation from the Exeter Township Historical Commission.

(b) The owner(s) of any property(ies) which are the subject of any such proposed administrative action shall be given written notice of the Exeter Township Historical Commission's recommendation to the Board of Supervisors at least 15 days prior to the public hearing.

C. Official list. The Commission shall maintain an updated list of resources shown on the Historic Resources Map and their respective classifications.

Demolition Of Historic Resources.

- A. Permit requirements. No historic resources of any class shall be demolished by neglect. "Demolition by neglect" includes leaving a building or structure open or vulnerable to vandalism or decay by the elements. Unoccupied structures should be tightly sealed and fenced off to standards s
- B. Demolition permit. No Class I, II or III historic resource shall be demolished, in whole or in part, unless a permit is obtained from the Zoning Officer of West Whiteland Township in accordance with the procedures and requirements of this section and other applicable standards and procedures of the Township Building and Fire Codes.
- C. Proposed demolition of historic resources. All applications for demolitions received by the Zoning Officer will be reviewed against the Historic Resources Map. If the application concerns a Class I, II, or III Historic Resource, the Zoning Officer will advise the applicant that he must comply with the following procedures and requirements, as applicable.

Special use provisions

A. Additional use opportunities. In addition to the uses permitted by right, or conditional use in the various zoning districts of Exeter, buildings associated with Class I, II, or III historic resources in these districts shall be entitled to the additional use opportunities shown below. These use opportunities shall be available in addition to any use currently being made of the property, subject to the standards and procedures contained in applicable sections of this chapter and the additional requirements set forth below.

Zoning Districts

Uses	AP & R	SRO &	SR2&	UR	NC	HC	LI	GI
	& RC	SR1	SR3					
Dwelling, single-family	—	—	—	—	BR	BR	BR	BR
Home occupation, Subsection B below	—	—	—	—	BR	BR	BR	BR
Bed & Breakfast, Subsection C below	BR	BR	BR	BR	BR	BR	BR	BR
Professional or business offices	CU	CU	CU	CU	—	—	—	CU
Cultural studio	CU	CU	CU	CU	BR	BR	—	CU
Cultural facility	CU	CU	CU	CU	BR	—	BR	CU
Guesthouse, Subsection F below	BR	BR	BR	BR	BR	BR	BR	BR
Inn	CU	CU	CU	CU	BR	BR	BR	BR
Eating / drinking establishment, Subsection D Below	CU	CU	CU	CU	—	—	CU	CU
Neighborhood commercial, Subsection G below	CU	CU	CU	CU	—	—	CU	CU
Combination of permitted uses	CU	CU	CU	CU	CU	CU	CU	CU

KEY FOR CHART:

- BR By right
- CU Conditional use
- Already available in base district
- P Prohibited

B. Home occupations. In conjunction with the residential use of a property, a home occupation may be located in any Class I, II, or III historic resource on a particular property, but there shall be no more than one home occupation per structure.

C. Bed-and-breakfast, subject to the following conditions:

1. A bed-and-breakfast facility shall be considered a low-impact home-based business and shall be subject to all applicable standards of § _____ regarding low-impact home-based businesses. If there is a conflict between § _____ and this section, the regulations in this section shall prevail.

2. A lot size of not less than _____ square feet shall be required for the operation of a bed-and-breakfast facility, provided that:

a. Parking to meet the requirements of § _____ can be provided on the lot without substantially altering its residential character and shall not be located in any required front or side yard area.

b. An adequate sewage system exists to handle the anticipated sewage flows and the availability of sufficient backup area on the lot

has been certified by the Chester County Health Department on the basis of an on-site inspection.

3. The principal use of the property shall remain that of a single-family dwelling.
4. No more than four guest rooms may be offered for bed-and-breakfast purposes on any individual residential property in a residential zone without conditional use application.
5. There shall be provided one full bathroom (including one toilet, wash basin, bath and/or shower) for each two guest rooms.
6. Length of stay shall not exceed seven uninterrupted days for any guest.
7. Meals will be only for guests of the establishment. Owners shall comply with all federal, state, and local requirements for the preparation, handling, and serving of food.
8. Any amenities (swimming pool, tennis court, etc.) shall be for the sole use of the resident owner and the bed-and-breakfast guests.
9. There shall be no kitchen or cooking facilities in any guest suite.

D. Eating and/or drinking establishment. As specified in Subsection ____, eating and/or drinking establishments may be located in Class I, II, or III historic resources be conditional use, provided the following are adhered to.

1. In a residential district, Class I, II, or III historic resources must be located on a lot not less than ____ acres. In all other cases, the base zoning district lot size shall apply.
2. There shall be no paving within ____ feet of the side and rear lot lines.

E. Guest house. As specified in Subsection ____, Class I, II, or III historic resources may be used as guest houses. Utilization of this additional use opportunity shall be contingent upon compliance with the general design standards contained in § _____ and these additional requirements:

1. No guest, individual or family may stay longer than 30 consecutive nights at any one time.
 2. There shall be no separate kitchen or cooking facilities in any guest room. Meals shall be served to guests only.
- Any other amenities shall be for the benefit of guests only; no walk-in trade shall be permitted.

3. For each room, a minimum of one off-street parking space, in addition to those required for dwelling units, shall be provided.

F. Cultural studio, subject to the following conditions if located in a residential zoning district:

1. The use shall be limited to one instructional class at a time with not more than 10 students in the class and not more than two instructors.

2. One off-street parking space shall be provided in the amount equal to half of the permitted occupancy rate, with a minimum of four off-street parking spaces.

G. Gallery or museum, subject to the following conditions if located in a residential zoning district:

1. The area devoted to the use shall be limited to 4,500 square feet.
2. One off-street parking space shall be provided in the amount equal to half of the permitted occupancy rate, with a minimum of four off-street parking spaces.

Integrity of historic setting.

A. The subdivision or land development of a lot which contains a Class I, II, or III Historic Resource shall be accomplished in such a manner that the resulting lot that will contain the resource is large enough to preserve the integrity of historic setting of the resource. A goal of the Township shall be to preserve outbuildings, significant site features and immediate yard areas significant to the resources on the lot with the resource.

B. The size and configuration of the subdivided lot shall depend upon the class of the Historic Resource and the natural characteristics and the landscaping of the subdivided lot and adjacent lots. Lot boundaries shall, in general, conform to the lines of identifiable natural features including landscaping, topography, geology, lot configuration, etc., on the site. Site development shall be based, in general, upon

§ ____ of this chapter. Review and recommendations regarding the resource, its subdivided lot, and the proposed land developments shall be made by the Exeter Township Historical Commission to the Planning Commission and the Board of Supervisors. The Board may require that a lot size be increased above the minimum lot size for the zoning district in which the resource is located.

Cluster development provisions.

A. Cluster development. In developments proposing to use the cluster development option in accordance with § _____, one additional lot may be created in excess of the maximum number of lots otherwise permissible under the terms of this chapter where such lot will contain an historic resource to be preserved as part of the development plan.

Class III Historical Resource Guidelines

Historical Significance,

In which the broad cultural, political, economic, or social history of the nation, state, or community is reflected or exemplified or which are identified with historic personages or with important events in the main currents of national, state, or local history. Is the site or structure associated with important historic events or historic personages that shaped the growth, development, or evolution of Exeter Township?

1. Who originally occupied the building?
 - a. Did the original occupants make notable or significant contributions to the community (economic, political, cultural, social) and were they leaders in this endeavor?
2. Who occupied the building later?
 - a. Did these occupant make notable or significant contributions to the community (economical, political, cultural, social)
3. Did an important historical event take place in the building?
 - a. Important historical meeting.
 - b. Meeting with historical significance by famous or important people.
 - c. Document signing, (declarations, treaties, ect.)
 - d. Famous trials or political events
4. Does the building illustrate an important historical issue?
 - a. The first town fathers, mayors, leaders?
 - b. Agriculture, barns, mills, forges,
 - c. Industry, inventions, important contributing production.

Architecture,

Which embodies the distinguishing characteristics of an architectural-type specimen, inherently valuable for a study of a period, style, or method of construction or which are a notable work of a master builder, designer, or architect whose individual genius influenced his or her age.

1. When was the building built? Is the site or structure an outstanding example of past architectural styles or craftsmanship?
 - a. Oldest building, first building.
 - b. Built during an important movement in an identifiable style. (Victorian, Art Nouveau, Arts & Crafts, Art Deco, Futurist, Modernist)
2. Who designed the building?

- a. Was the site or structure created by a “master” architect, builder, or designer?
 - b. Did the architect, engineer, or owner have historical associations that either influenced architecture in the area or had a role in the development or history.
3. Who constructed the building?
- a. Were the craftspeople skilled?
 - b. Does the quality of the work stand out against other structures in the vicinity?
 - c. Materials, does the use of the material used make the building unusual against others of the same style?

Integrity,

Has the building retained “integrity”? Does it still convey its historic significance through the retention of its original design and materials?

1. How intact is the original architecture/ features of the structure.
2. Have changes altered the original character of the building.
 - a. Roof lines
 - b. Windows
 - c. Removal or altering of original details
3. What was the original function versus the use over the years?
 - a. Has the change in function altered the ability to identify the original use not withstanding the actual footprint?

Environment,

1. Does the building stand out from others in the community?
 - a. Churches
 - b. Town Hall
 - c. Schools
 - d. Large or ornate houses
2. Is the building a landmark?