

**MINUTES**  
**EXETER TOWNSHIP PLANNING COMMISSION MEETING**  
**JULY 21, 2014**

The Regular Meeting of the Exeter Township Planning Commission was held on Monday, July 21, 2014 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:** Joseph Rogosky, GVC Consulting Engineer  
Linda Cusimano, Recording Secretary

**ABSENT:** Cheryl Franckowiak, Zoning Officer

**1. MINUTES**

**MOTION BY** Mr. Powell, seconded by Mr. Bittig to approve the minutes of the June 16, 2014 Planning Commission meeting. The motion carried unanimously.

**2. AGENDA**

**MOTION BY** Mr. Bittig, seconded by Mr. Powell, to approve the agenda of the July 21, 2014 Planning Commission meeting. The motion carried unanimously.

**3. APPROVE APPLICATION FOR REVIEW**

**A. SCHWARZWALD LUTHERAN CHURCH ANNEXATION – SKETCH PLAN FOR RECORD:**  
**MOTION BY** Mr. Bittig, seconded by Mr. Powell, to accept the preceding plan for review. The motion carried unanimously with Mr. Bittig, Mr. Shane, Mr. Wilson and Mr. Powell voting in favor.

**4. LETTERS TO RESIDENTS OF OAK PARKWAY / ZONING CHANGE**

Ms. Cusimano stated that a cover letter from Troy Bingaman stating the Board of Supervisors voted to amend the Zoning Ordinance Change and the Zoning Map, all of which were on the Planning Commission workshop space for review and recommendation to the Board of Supervisors. Mr. Wilson read the list of properties that received the letters to the Planning Commission. Mr. Shane stated that was the list of the properties directly affected and not the list we had asked for. Mr. Bittig stated that at our last meeting we asked that the letters go out to the affected property owners, the adjoiningers as well as those in the general community south of Oak Parkway; this did not appear to meet that intent. A gentleman in the audience stated the Supervisors decided to send the letters only to the affected property owners. Mr. Bittig replied that was their prerogative, we can only advise.

**Public comment**

**Lisa VanderLaan, 5560 Boyertown Pike**, stated that she was here in the capacity as the chair of the Business Friendly Subcommittee, which was a subcommittee of the Steering Committee for the Strategic Planning and zoning for the Township. Ms. VanderLaan further stated that Supervisor Bukowski wanted to attend this evening, but was unable to do so as he would be out of town for the next couple of days. This topic came up at the Business Friendly sub-committee meeting last Wednesday, and the sub-committee asked that the Supervisors not take any action until the neighbors had an opportunity to speak at the special meeting for this. The sub-committee absolutely feels that the neighbors have legitimate concerns that need to be looked at. The sub-committee's recommendation was to ask the Board of Supervisors to take a step back and reconsider this request as part of the larger planning process that the Strategic Planning Committee was doing. Ms. VanderLaan stated that she was here to relay that message.

Mr. Bittig noted that the Supervisors did incorporate several of the recommendations of the Planning Commission; the prohibition on drive-thrus and also eliminating the Jehovah Witness Church property from the zoning map revision. Mr. Wilson stated that when we discussed this at the Planning Commission one of the things we asked was how would it affect the residents and to not make a blanket change without knowing how it would affect not just this neighborhood but the other neighborhoods in the Neighborhood Commercial District. Mr. Wilson further stated that the Planning Commission wanted a wider selection of residents to receive the letter that was sent out. Mr. Wilson then asked if anyone else in the audience would like to speak. Mr. Rogoski stated that he wanted everyone know that the Board made a motion to have a public meeting for the reason of receiving or soliciting comments from residents.

**Irene Theodossiou, 4700 Oak Parkway**, stated that she lived across the street from this property and was totally against allowing this. They did not want to walk out of their house and see a pizza shop and storefronts. She further stated that she has a four year old son and there was already enough traffic as it was and she would not like to see additional traffic on their street. Ms. Theodossiou further stated that Exeter already has enough empty store spaces in shopping centers, why couldn't they just go there and fill those empty ones, why would they want to build a new one in front of her house. Ms. Theodossiou also stated that they bought their house because they liked the residential neighborhood and would not like to see it change. She was also informed that they would take 10 feet of their property to widen the street, was that true? Mr. Wilson replied no, the rule was that if the pizza shop would go in, they would need to reserve the ultimate right-of-way on their side of the street, it could not be taken from her side. Ms. Theodossiou stated that if the pizza shop would go in, her property value would decrease. Mr. Shane asked if she had received a letter. She replied that she did but was unable to attend the Board meeting where this was discussed.

**Gail Hesser, 100 W 47<sup>th</sup> St**, stated that she was located on the southwest corner of Oak Parkway. Ms. Hesser stated that we were talking about destroying a home and putting in a pizza shop. She has lived at this address since 1959 and has seen many changes in Exeter Township. She was not so old that she couldn't accept change, but there were some things that just didn't seem fair to her. This was already a busy intersection as many people exit 422 to access Gibraltar Road and the Gibraltar area. Even though there were signs up that said no truck traffic, she still saw trucks on this road. When their house was built in 1958, her Dad had to take the house plans to Mr. Huyett to approve and then Mr. Huyett said "Welcome to Green Tree Acres". And that was what they needed to get the building permit for their house. Ms. Hesser further stated that this was another thing that changed, these days you couldn't go by the shake of a hand, everything had to be in writing. Her letter from Troy Bingaman was dated July 1<sup>st</sup>, the mailing date was the 8<sup>th</sup>, and she did not get the letter until after the 14<sup>th</sup> which was the date of last Monday's meeting. So all this interaction was denied to her, she was greatly affected by this change. She wanted the Planning Commission to be aware that she was not notified properly of this change.

**Lisa VanderLaan, 5560 Boyertown Pike**, stated the Board of Supervisors voted last week to hold a public hearing and advertise the required thirty days. Ms. VanderLaan further stated that she forgot to mention that Mr. Bukowski asked her to advise the Planning Commission and the community members that were in attendance that he was considering asking the Board of Supervisors to hold off the public hearing and to take a step back so they could review this further.

**Robert Danner, 4805 Oak Parkway**, stated that he wanted to verify what he has heard at both the Planning Commission meeting and the Township meeting. It was discussed that as the property became commercialized that the street would have to be brought up to standard, which would mean widening the street. Mr. Danner asked if that was correct. Mr. Wilson replied that the developer would have to reserve additional right-of-way on their side of the street. Mr. Rogosky explained that, hypothetically, if they were allowed to apply for land development or subdivision plan, they would have to go through the full process and abide by our Land Development Ordinance and Zoning Ordinance. Mr. Rogosky further stated that this was the first step for them to move forward and after this they would need to provide traffic studies, drainage studies, and so forth. They would need to comply with all of the requirements of a full Land Development process before the Planning Commission could even consider recommending approval to the Board of Supervisors. Mr. Bittig stated that only the property doing the land development would need to provide additional right-of-way, not the adjoining properties. He further stated that the Planning Commission was now in a very awkward position, the only thing we have to go by, other than what Ms. VanderLaan told us through the Steering Committee and conversations with the Chairman of the Board of Supervisors, none of those constitute official action. The Board, by official action last Monday, said to “push it forward”, so we must vote on it, as much as he hated it. Ms. VanderLaan replied that she couldn’t speak for Mr. Bukowski but she would have to assume that he would be looking for a recommendation from the Planning Commission so they would have something to look at, at the next Board of Supervisors meeting. Mr. Shane stated that the last time we deferred making a recommendation until we heard what the neighborhood residents had to say. Ms. VanderLaan replied that the neighborhood came out at the last meeting and no one stood up to say they were in favor of the project. Mr. Rogosky stated that the consensus was opposed to the change. Mr. Shane asked how many residents spoke. Mr. Rogosky and Ms. VanderLaan agreed that approximately five residents spoke. Mr. Bittig read from the draft Board minutes “motion by Mr. Bukowski, seconded by Mr. Smith to authorize advertising the amended Zoning Ordinance as presented with the addition of prohibiting drive-thru usage and the removal of the Jehovah Witness parcels from the proposed map. Motion carried with Mr. Bukowski, Mr. Smith, Mr. Ziegler voting in favor and Mr. Lloyd voting opposed.” Mr. Bittig further stated that they have now kicked those changes to us. Ms. VanderLaan stated that why this was coming to bear was because there was an opportunity from a business owner to come to the Township to do business. Ms. VanderLaan further stated that the sub-committee would be recommending to the Board of Supervisors that instead of it being looked at as a piecemeal part they would ask them to step back and review this. Mr. Shane stated that the revisions to the Neighborhood Commercial District made sense.

**MOTION BY** Mr. Shane, seconded by Mr. Powell, to recommend the Board of Supervisors change the Neighborhood Commercial District with the inclusion of single family detached dwellings as a use permitted by right and disallow drive-thru sales. The motion carried unanimously with Mr. Shane, Mr. Bittig, Mr. Wilson and Mr. Powell voting in favor.

Mr. Shane asked if they had the meeting for the public to speak. Ms. VanderLaan replied yes, the community came out last week and spoke. Mr. Bittig replied that they were also in attendance this evening. Mr. Shane asked if everyone in the audience was opposed. The answer was yes.

**Ben Heckman, 4801 Oak Parkway**, stated that he did not want to take a lot of time, but if the public hearing was advertised as proposed, the Board would vote at the end of the public hearing, correct. Mr. Bittig replied that was correct. Mr. Heckman stated that this other change with the ordinance might just change their vote. Mr. Heckman further stated that they have been watching for the ad and haven’t seen it and felt it was due to this change.

Ms. VanderLaan replied that she didn't think that not seeing the ad had anything to do with the subcommittee or things she relayed this evening. Ms. VanderLaan further stated that the Township has to do everything legally and within a certain time frame and this might be discussed at the next Board meeting. Mr. Powell asked Ms. VanderLaan if the group doing the long range planning had looked at this change. Ms. VanderLaan replied that they had at the last sub-committee meeting; that meeting was an hour and a half, and they were hoping to have another meeting next week. This wouldn't normally come before them, because it was a small change when looking at the Township as a whole. Ms. VanderLaan further stated that there were four subcommittees: Riverfront, Reading Country Club, Town Center and our subcommittee, Business Friendly, which includes herself, Jeff Bukowski, Bill Fox/ Pat Mascaro, Robert Quinter, and Pamela Shupp. The purpose of our committee was two-fold; to have the other committees report to us as to what they needed us to look at with the Zoning Ordinance, in order to do things like Riverfront development or to incorporate some kind of town center and zoning changes that might need to be done for the Reading Country Club. In addition we have been tasked with how to make the Township ordinances more business friendly both in a traditional or nontraditional sense. This change might not have come before us as quickly as it did. She would say that the majority of the sub-committee felt that this was not something that should be looked at now. There were a couple of ideas from the Town Center Committee, which she was also on, that this might be incorporated into the Town Center area and would come under review at that time. This should all be done this year, their goal was September. Ms. VanderLaan further stated that by 2018 the Township would be looking at a four million dollar deficit. We were looking at ways to expand the tax revenues. Oak Parkway was already a very busy street so the issue of traffic would need to be looked at and that was one of the things Supervisor Bukowski wanted to consider because he heard the neighbors concerns. She would say that she knew that there were empty storefronts, but you can't force people to occupy a building or a structure that was already there. The market dictates what was going to go where. The benefit to having a neighborhood type commercial business on this side was because it took the pressure off of 422. Ms. VanderLaan stated that Mr. Reigle had come in previously to ask if the Planning Commission would recommend changing the zoning of his property. At the time we all said that it made sense and we should take a look at it and that was what we wanted to do. Mr. Bittig replied that at the time Mr. Reigle was looking at purchasing additional properties on that street. Mr. Bittig further stated that neighborhood commercial / walkability along Oak Parkway had issues as the street was inadequate for traffic, and there were no sidewalks. Ms. VanderLaan replied the issue for the Steering Committee came down to a couple of things; in order to change zoning in a short turnaround like this we might be changing it for something we may not need. There was plenty of open shopping center space along 422. We wanted to look if there was a way to expand the commercial base into these areas and make them more community sensitive. Mr. Shane stated that was the intent of the Neighborhood Commercial District. Ms. VanderLaan added that it was for businesses the community could walk to.

**Ben Heckman, 4801 Oak Parkway**, stated that at the Supervisors meeting there was one Supervisor that stated that this was only the beginning of the plan, when this was done then it would move to 47<sup>th</sup> street, 48<sup>th</sup> Street, and Green Tree Acres would be gone. Mr. Heckman did not see where good planning eliminates a community that would appear to be mostly sound homes and maybe that did not pay. But the Supervisors view was that this area would be Exeter Commons II. If that was what you were talking about, why don't you talk about it instead of this changing one block at a time? Ms. VanderLaan asked if that was the impression he got from the last Supervisors meeting? Mr. Heckman replied that Mr. Bukowski himself said that this would be Exeter Commons II, he believed that it was how Mr. Smith described these streets in a bit of a fit of anger and several of his fellow Supervisors agreed with that thought. Mr. Heckman further stated that if the committee was studying this for the long range, then do it all. Ms. VanderLaan replied that she could tell him that unequivocally that concept has not been brought before the Steering Committee or the sub-committees dealing with this. Mr. Bittig stated that the Steering Committee was tasked with looking at the entire picture. Mr. Heckman stated that if you took 20 feet off of his property you would be at his front door, but maybe if you put them all together or if what you just said about bringing business on his street to take traffic off of 422, then this was all just piece meal. Ms. VanderLaan stated that zoning can be changed at any time; if the Supervisors changed tomorrow they could come in and change everything we have done. Mr. Heckman replied that he realized that but he invested in a home in Exeter Township. The real estate community highly advised us that Exeter Township was a good community to live in, but if you were going to start taking whole

neighborhoods out to make them commercial, he wasn't sure that was good. Ms. VanderLaan stated that she could tell him unequivocally, and Mr. Wilson could speak to this as he was a Supervisor for many years, that the majority of the income in this Township was from earned income tax from residents. Ms. VanderLaan stated that she thought the business privilege tax was between 400 to 500,000 dollars. So the Township was not looking to break up any communities, it was our intent to do the opposite, to stabilize our communities. We were facing major tax hikes, and we were the third highest taxed municipality in Berks County and Berks County was the fourth highest taxed county in the state of Pennsylvania. Ms. VanderLaan stated that the Supervisors were listening, that was the reason she was here tonight, and she believed Supervisor Bukowski made a change based on the residents' concerns.

Mr. Wilson stated that when he was on the Board he wanted the Planners to come in mainly because we could see the debt that we needed to cover in the future. Mr. Wilson also stated that when we started this the "buzz word" was business friendly, he hated that term ever since it started as he hated to be business friendly to the detriment of the residents and the quality of life that residents were enjoying now. He would not like to see their neighborhood rezoned and turned into Exeter Commons II, unless this was what the residents wanted. He objected to the pizza shop and three stores, as it wasn't a pizza shop opening up in a house. The developer was saying that the house was deteriorating and falling apart. Ms. VanderLaan replied that if it wasn't a wreck now, it would be soon.

**Dennis Till, 100 W 46<sup>th</sup> Street**, stated that he was against the pizza shop. He could see the realtor's problem with that house, either to sell it or rent it because of its location, but he would rather see it as a residence than a business for that intersection.

**MOTION BY** Mr. Powell, seconded by Mr. Bittig to recommend the Board of Supervisors delay any further action on the zoning map change until they receive recommendations from the long term Planning Committee so we would not make any abrupt decisions or set something up that would not be in the best interest of the Township and its residents. The motion carried with Mr. Shane, Mr. Bittig, Mr. Powell voting in favor and Mr. Wilson voting opposed.

Mr. Shane stated that we have deferred it several times and the last motion was for the same reason. At the last meeting we said that we wanted to know what the neighborhood thought and now we knew what they thought.

Ms. VanderLaan replied that the long term strategic planning process has completed Phase I, which was the visioning. We were moving into Phase II which was implementation. It appeared that a great part of our monthly steering meetings would be getting the reports from the sub-committees. The sub-committee would look at this proposal and make a recommendation to the Steering Committee, and then the Steering Committee would vote on it. The sub-committees were doing the work, the Steering Committee as a whole entity was not really doing anything except possibly voting on recommendations. Mr. Shane asked if it was possible that the Steering Committee could come up with recommendations on how this particular block could be upgraded and present that vision to the residents as it could make a difference at the public hearing. Ms. VanderLaan replied that she felt there was a missed opportunity by the Supervisors, they should ask the community if there were any changes that would be acceptable to them; a village type concept and the house would stay or a structure like that with a low impact business, would that be more amendable and was there anything that would make the residents happy?

**Robert Danner, 4805 Oak Parkway**, stated that he had no plans to sell his house for the rest of his life, he moved back into that house to stay there. He felt that most of the neighbors felt the same way and those houses wouldn't become businesses unless someone came in with a lot of money to make him want to move. Everyone had a price, and he liked corvettes. Mr. Danner further stated that four years from now, you would get the same amount of income from his house as you were getting today, it wouldn't change the budget and they would have to sell a heck of a lot of pizzas to make up a four million dollar budget deficit.

**James Witman, 106 W 47<sup>th</sup> Street**, stated that if they would be allowed to have that property rezoned, they would be asphaltting or cementing over all the grass. At the other end of the block there was a drain and when we got heavy rains the water got "jammed" up, and if there would be more water flowing off of this property, to correct that problem versus what they would receive in tax revenues, would it even benefit the Township financially after they would have to do the construction to alleviate the problem. Mr. Wilson replied that we would not be responsible for the construction, that would be part of the improvements agreement and they would not be allowed to do any

construction that allowed additional flow of stormwater off of their site. Mr. Rogosky replied that they would have to do some sort of underground stormwater system. Mr. Witman stated that if he understood correctly, if the zoning changed and they would not be allowed drive-thru service, would that change the plan for the pizza shop?

Mr. Wilson replied that they didn't plan on any drive-thru service. Ms. VanderLaan stated that there were all kinds of businesses that could go in, not just pizza shops. She asked the residents if they would have any objection to say, an attorney's office. Was there any kind of business they would like to see in Neighborhood Commercial that would not affect their private life? One of the residents stated that we could not control what type of business that would go in. Ms. VanderLaan replied absolutely you could, she lived in the village of Stonersville and there were only certain kinds of businesses you could have there, by right, by special condition, or by special exception and some you could not have there at all. We could control what type of business was allowed. Mr. Wilson asked if there were any more comments by the public or the Board. There weren't any.

**5. BURKHART SUBDIVISION – PRELIMINARY/FINAL PLAN – John Hoffert**

GVC reviewed the Burkhart Subdivision Preliminary/Final Plan (see GVC review dated July 11, 2014).

Mr. Hoffert gave a brief overview of the subdivision. Mr. Rogosky stated that they received the variances, as requested, by the Zoning Hearing Board and they were correctly listed on the plans.

- They submitted copies of the common deed.
- The certificate of Ownership and Accuracy were signed and notarized.
- The planning module non building waiver was completed and submitted for signature.

**MOTION BY** Mr. Bittig, seconded by Mr. Shane, to recommend the Board of Supervisors approve the Burkhart Subdivision Preliminary/Final Plan and to authorize the Secretary to sign the Planning Module. The motion carried unanimously with Mr. Wilson, Mr. Powell, Mr. Bittig and Mr. Shane voting in favor.

**6. SCHWARZWALD LUTHERAN CHURCH ANNEXATION – SKETCH PLAN OF RECORD**

John Hoffert

GVC reviewed the Schwarzwald Lutheran Church Annexation Sketch Plan of Record (see GVC review letter dated July 11, 2014).

Mr. Hoffert stated that the plan contained three parcels of land all of which were owned by the church: #1 contained the existing church, #2 contained an accessory tract that they purchased which contained a parking area and #3 contained a 2 ½ story stone dwelling with several out buildings and a pavilion. All of these properties have been used by the church as a whole.

- Under Zoning - item #2 the pavilion and two (2) garages were pre-existing accessory church use structures.
- Item #3 – the driveway would be removed.
- Item #5 – the dwelling was a pre-existing nonconforming structure.
- Under Subdivision and Land Development – Item #3 - they would add easements and right-of-ways to the plan.
- Item # 5 – the deed of consolidation would be provided.
- Item #8 – asked that existing trees, landscaping and contours be added to the plan. The Planning Commission agreed that there was no point in doing that.
- Item #9 – wetland delineated on the plans – a note would be added to the plan that states: based on the national wetland inventory map there does not appear to be any floodplain or wetlands.
- Item #10 – all corners would be marked and a monument would be placed up front between Lot 1 and parcel A.
- Under General Comments Item #1 – the status of the access along Hillside road would remain as it exists.

- Item # 2 – Oley Township Road would be noted as a Township road (T-631).
- Item #3 – the existing stone wall which extended beyond Lot No. 1 and onto Parcel A – each parcel owner would be responsible for the stone wall on their property and a note was added to the plan to address that.

Mr. Hoffert stated that they would make corrections/additions to the plans and return next month to ask for plan approval.

**7. SPECIAL EXCEPTION – 20 SHELBOURNE ROAD**

Ms. Cusimano stated that the special exception package was on the Planning Commission workspace, and the applicant would like to put in a Senior Daycare Center where the Bottom Dollar was previously located at 20 Shelbourne Road. Mr. Rogosky stated that they would be doing renovations to the Bottom Dollar building and possibly busing people in, according to the application. Mr. Wilson asked if they were taking the whole building. Mr. Rogosky replied that the Sherwin Williams store would remain but the rest of the building would be used for the daycare. Mr. Wilson asked if the jughandle would be a problem. Mr. Rogosky replied that it would not. The Planning Commission was asked to provide a recommendation to the Zoning Hearing Board. Mr. Rogosky informed the Planning Commission that daycare was only permitted in this Zoning District by special exception. Ms. Cusimano informed the Planning Commission that the approval from the State was included with the package.

**MOTION BY** Mr. Wilson, seconded by Mr. Bittig to inform the Zoning Hearing Board that they had no opposition to the special exception request to allow for an adult daycare center to be located at 20 Shelbourne Road. The motion carried unanimously with Mr. Shane, Mr. Powell, Mr. Wilson, and Mr. Bittig voting in favor.

**8. AUTHORIZE & SIGN SCFS PLANNING MODULE**

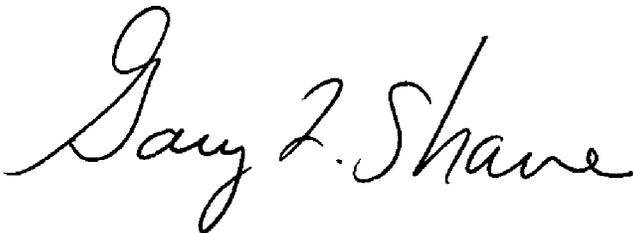
Ms. Cusimano stated that the Planning Commission had looked at this one previously and raised questions concerning the planning module. The response to the questions was provided on the workspace. Mr. Bittig stated that as long as they did not go over 16 beds plus staff they should be good. Mr. Powell responded that if the Township SEO had any problems he would get involved. Mr. Rogosky offered that they were also regulated by the state.

**MOTION BY** Mr. Wilson, seconded by Mr. Bittig to authorize signature of the SCFS Planning Module. The motion carried unanimously with Mr. Powell, Mr. Shane, Mr. Wilson, and Mr. Bittig voting in favor.

**ADJOURNMENT**

**MOTION BY** Mr. Shane, seconded by Mr. Powell, to adjourn the July 21, 2014 meeting of the Exeter Township Planning Commission at 8:30 pm. Motion carried unanimously.

Respectfully Submitted,



Gary L. Shane,  
Secretary