

**MINUTES
EXETER TOWNSHIP PLANNING COMMISSION MEETING
JUNE 16, 2014**

The Regular Meeting of the Exeter Township Planning Commission was held on Monday, June 16, 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
Greg T. Unger

ABSENT: Glen Powell

OTHERS IN ATTENDANCE: Scott Anderson, GVC Consulting Engineer

ABSENT: Cheryl Franckowiak, Zoning Officer
Linda Cusimano, Recording Secretary

1. MINUTES

MOTION BY Mr. Unger, seconded by Mr. Bittig to approve the minutes of the May 19, 2014 Planning Commission meeting. The motion carried unanimously.

2. AGENDA

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

3. AUTHORIZE SIGNATURE – SCFS PLANNING MODULE

Mr. Wilson stated there was a note on the Planning Module that indicated that we did not receive a response for the questions that were asked by the Planning Commission. The Planning Commission stated that they would table the Planning Module until we received the additional information.

4. ZONING REVISIONS FROM BOARD OF SUPERVISORS -OAK PARKWAY

Revision to Zoning Section 390-21 was prepared by Michael G. Crotty, Esquire of Siana, Bellwoar & McAndrew, LLP, Solicitor of Exeter Township, for the Planning Commission to review and comment.

The Planning Commission discussed the potential rezoning. Mr. Bittig presented a time line for discussion of rezoning this area starting in December of 2011 from Mr. Reigle. At that time the Planning Commission asked that Mr. Reigle come back when he acquired the properties. At the May 14, 2014 Steering Committee meeting,

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Mr. Bensinger gave a presentation on a potential three store retail center at 47th & Oak Parkway and asked about the possibility of rezoning. The Steering Committee asked Mr. Bensinger to present the potential of rezoning the entire block to the Planning Commission. Mr. Bensinger came to the May 19th Planning Commission meeting and the Planning Commission asked to have the Steering Committee look into this further. A memo was prepared by Troy Bingaman to the Steering Committee as requested by the Planning Commission. Mr. Bittig further stated that we now had the revision to look at, but we had no idea who created the zoning map as it was not the map presented to the Planning Commission previously. Mr. Unger replied that it said it was a potential map, to be discussed.

Mr. Bittig stated that the Board of Supervisors got a hold of this June 9th and it stated in the draft minutes the motion for potential rezoning: “Motion by Mr. Smith, seconded by Mr. Ziegler to recommend that the Planning Commission look at the potential rezoning of Oak Parkway from residential to Neighborhood Commercial and change the zoning language to allow for single family detached dwelling in the N.C. zone. The motion carried with Mr. Bukowski, Mr. Smith, Mr. Ziegler voting in favor and Mr. Lloyd voting opposed”. Mr. Bittig further stated that two days later on the 11th of June at the Planners meeting he felt it was like whatever the Board wanted, that was their position. On the 10th (same timeframe) the Township received from the Township Solicitors office amendments to the ordinance, which the email with the attached amendment states at the Board of Supervisors meeting the Board voted to send to the Planning Commission a proposed amendment for their consideration. That did not sound like the Planning Commission should “look” at the potential rezoning; it sounds like a “done deal”. Mr. Bittig then asked which MPC we were working with. Mr. Unger stated that we should talk about it, debate it and send our opinion, the Board is the deciding body. Mr. Bittig asked Mr. Bukowski what his opinion was. Mr. Bukowski replied that he did not know who generated the map, but it was the map the Planning Commission were looking at and felt the additional parcels should be added. Mr. Unger stated that we did talk about a potential of other parcels being added. Mr. Unger further stated that we had talked about the different zoning districts and which would work better and he wondered why it was determined to use the Neighborhood Commercial Zone. Mr. Otero, Stackhouse Bensinger, explained why Neighborhood Commercial worked best, along with allowing single family detached dwelling. Mr. Shane replied that it made sense to add that to the NC zone. Mr. Bittig stated that would make sense in that location, however this would be the third NC zone. Mr. Bittig further stated that making the change would cause nonconforming problems in the other two existing NC districts. Mr. Unger replied that it would make sense to have multiple locations. Mr. Bukowski stated that this change would also apply to the other locations. Mr. Bittig stated that there are some multi-family homes in these locations. Mr. Unger replied that in any zoning change you will have nonconforming uses. Mr. Bukowski stated that at some time, it may be best to combine the Restricted Office Commercial and Neighborhood Commercial districts. Mr. Unger asked if the Steering Committee endorsed the NC recommendation. Mr. Bukowski replied that they did. Mr. Unger further asked if we have “push back” from the neighbors that were not in favor of this. Mr. Bukowski replied yes.

Public comment

Ben Heckman, 4801 Oak Parkway, stated that he purchased his home last November. He wanted to apologize to Mr. Distefano about a comment he made at the last meeting for those that were involved with regard to their effort to contact people. There was a card left at his home before he even knew that changes were being made.

Mr. Heckman further stated that he may have offended the man inadvertently. The reason he came to the meeting was 1) The realtors who sold him his home told him that should the Township make it a commercial only zone it would make it hard to resell his home. There are other instances in Exeter Township where doing this has severely degraded residential property value. If he had someone to purchase his home, he would have to come to the Township and apply for a nonconforming use for that new owner and would drag things out for months. He believed that adding the single family detached dwelling in the zone addressed that concern for him. 2) Another concern was the amount of traffic that currently exists on the corner of 47th and Oak Parkway. A wide open parking lot in that location would be a safety hazard and he was told that it would be addressed. Mr. Heckman further stated that he could sit at the stop sign on Oak Parkway and 47th Street for over 10 minutes before he would be able to get out onto 47th street.

Robert Danner, 4805 Oak Parkway, stated that he moved in almost a year ago today. He grew up in Green Tree Acres and he moved back because it was a quiet community. When he lived in Green Tree acres as a kid the building next to him was the police station and the Township building. He played football in the grass next to the parking lot so he has been around here for a while. His concern was when Mr. Distefano spoke to him one Sunday afternoon, he told him that he had no opinion. Then when he watched the video of the Township meeting, it was said that one of the people said they had no opinion, but they didn't have any objections. Mr. Danner further explained that having no opinion did not mean he had no objections. It just meant that he had no opinion. He did not know we were this close to making amendment changes. He stated that his concerns were the intersection of 47th and Oak Parkway as it was a "nuthouse" at times. Mr. Danner asked if the pizza shop would have a liquor license. Mr. Distefano replied no it would not. Mr. Danner stated that pizza shops have a tendency to acquire a liquor license. He was a police officer for 11 years and dealt with a lot of alcohol, he was an ambulance driver attendant in Exeter for a long time back when we were still driving Cadillac's and he was a fireman for Reiffon. So he scraped up a lot of accidents on 422 and was not interested in having that problem move over to Oak Parkway. A pizza shop, he could deal with that. He heard on the video about the pizza shop and three or four store fronts. The additional store fronts were never mentioned. Other concerns that he has was if it does become a NC zone, as Mr. Heckman said it does become difficult to sell your home. He also was concerned if a turkey hill would come in there, they could buy a couple properties on Perkiomen Ave and that could leave homes stranded like an island. He understood this had to be advertised and public hearing held and felt that there would be a full house because the people across the street would not be too fond of the change. He felt that everyone's concerns should be discussed and addressed. Mr. Heckman further stated that he and Mr. Heckman planned to retire there; they did not want to move again. He thought it would be a shame to push residents out of the Township just so the Township could increase the tax base. The tax base in the Township was "not bad" as it was good enough to buy a Country Club. Also there were stores all over the Township that are empty, why would we need four more empty stores.

Rosemary Buchanan, 4805 Oak Parkway, stated that she wanted to say that this was all quite a surprise for her. She worked for the Realtor that was involved with the purchase of their home from Mr. Reigle. They planned on staying in their home forever. There was no mention that there was a possible rezoning involved since 2010 or 2011 and she wanted to have all consideration taken for the street itself as right now the traffic on it is bad, speeding all hours of the day and used as a short cut. The people taking the short cut were the speeders, not the residents. Having a pizza shop would increase the traffic and if they could arrange getting in and out of the parking lot safely, then fine. But she was disappointed to see that after buying the home just one year ago that the future was uncertain for us. She had felt it would be her last move. Ms. Buchanan further stated that she wanted to come to the meeting and find out what was happening and voice her opinion.

Mr. Wilson stated that he would like to point out that if we do rezone it to Neighborhood Commercial District we would add residential uses so you could live there as long as you want to live there. Contrary to what the realtor has said, if we were just zoning it for a commercial use then possibly the value of your home may go down. But if you have the option of selling it as residential or selling it as commercial, then you would have a better option just like the Restricted Office Zone, where the residents have better options for their properties. Mr. Bittig stated he had his own concerns; 1) was the map – no attribution to the proposed map for the zoning change. 2) Serious concern about extending the NC zone over to south side of Oak Parkway, especially since one of the properties is the Jehovah Witness Kingdom Hall Church which is allowed in the current zoning district as a special exception. There was nothing in the proposed revisions about adding in a special exception for churches. 3) The old Zeswitz where they have the existing nonconforming. He would have a problem extending the NC zone over to the south side of Oak Parkway. 3) Oak Parkway was another issue, Mr. Bittig stated that he went down there with his tape measure and the cartway is 27 ½ feet wide and people who live there do not park on that street. Mr. Bittig stated that SALDO called for ultimate right of ways, the developer would lose frontage on their properties. Mr. Bittig also felt the proposal should have that drive-thru windows are not allowed. Mr. Bittig further stated that there may be more issues as they work through their plans that may or may not be insurmountable to the developer. We really need more time to assess this, as it impacts Mr. Distefano and Mr. Bittig did not like to see that. Mr. Unger stated that he was very much against liquor being served in a residential area. Mr. Shane asked about the alley way that runs between the properties on Perkiomen and Oak Parkway, what would an upgrade to that alley mean to residents that

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live there, would that be a good thing or a bad thing? Then Mr. Shane stated that it could go either way. Mr. Bittig stated that the alley ends about half way down the block and then there was a sewer easement that runs back there. Mr. Wilson replied that they could pave over a sewer easement as roads are paved over sewer easements. Mr. Wilson's concerns were in the NC zone they were only proposing to add #12 single family detached dwelling and he has no problem with that, but it affects all the NC zones. Section 2 was about rezoning the properties. This was a two step procedure. 1) You could agree to change NC to include single family dwelling 2) the rezoning of this area would be a separate issue. Mr. Unger felt that at the Township public hearing there would be a huge showing against the change. He can understand expanding districts to create more opportunities; this zone was being changed for Mamas' pizza. He didn't necessarily have a problem with that, but there are so many more areas in this township that were already vacant. Mr. Unger further stated that he was concerned about infringing into the neighborhood. Mr. Wilson stated that even if we agreed with the zoning change, he was not necessarily in agreement for the zoning map change. Mr. Bittig stated that there was no on-street parking and that should be written into the ordinance along with no drive through service to provide less impact on the neighborhood. Mr. Shane didn't like the reduction in open space in the Neighborhood Commercial District. Mr. Bukowski stated that the Steering Committee was in Phase 2 and has formed a subcommittee to look at ordinances to create a business friendly environment in the Township which included the Zoning Ordinance. One of the projects we could take on first at our meeting scheduled next week would be to try and resolve some of these issues in the Restricted Office Commercial and the Neighborhood Commercial Districts and come back to the Planning Commission and Board of Supervisors with a revised proposal if the Planning Commission did not vote to approve it. Mr. Shane asked about combining the two zones, wouldn't that be easier? Mr. Bukowski stated that we would take all of the issues along with the neighbor's issues and work on the Ordinance to address everyone's concerns. Mr. Unger asked how many waivers they would need for their plan. Mr. Distefano replied that there would be two variances, one for open space and one for paved area if the property was zoned ROC. Mr. Shane replied so with the NC zone you would not need either of those. Mr. Distefano replied that with NC they would not need the variances, wasn't sure if any waivers would be needed. Mr. Bittig was concerned with the church being included on other zoning map change and if it would remain on the map then special exception for church should be added in the NC zone. Mr. Wilson was concerned that if this would be rezoned to NC then no drive-thru should be added along with no on street parking for businesses and further stated that we thought the church would not be placed in that zone.

MOTION BY Mr. Wilson, seconded by Mr. Unger, to pass the Neighborhood Commercial Zone revisions back to the Solicitor asking him to also include no drive – thru, no on street parking for business along with the proposed addition of single family detached dwellings. The motion carried unanimously with Mr. Bittig, Mr. Shane, Mr. Unger and Mr. Wilson voting in favor.

MOTION BY Mr. Unger, seconded by Mr. Bittig, to propose the Township write an official letter to all of the affected properties within the proposed zoning map revision and all the adjoining property owners to ask them if they were in favor of these changes as proposed so that the Board of Supervisors may take that into official consideration when they look at the zoning map revision. The motion carried unanimously with Mr. Bittig, Mr. Shane, Mr. Unger and Mr. Wilson voting in favor.

ADJOURNMENT

MOTION BY Mr. Unger, seconded by Mr. Shane, to adjourn the June 16, 2014 meeting of the Exeter Township Planning Commission at 8:11pm. Motion carried unanimously.

Respectfully Submitted,



Gary L. Shane,
Secretary