

**MINUTES  
EXETER TOWNSHIP PLANNING COMMISSION MEETING  
SEPTEMBER 21, 2015**

The Regular Meeting of the Exeter Township Planning Commission was held on Monday, September 21, 2015 at the Township Hall, 4975 DeMoss Road, Berks County, Pennsylvania. John W. Bittig, Vice Chairman, called the meeting to order at 7:00 p.m. followed by the Pledge to the Flag.

**COMMISSION MEMBERS:** John W. Bittig, Vice Chairman  
Gary Shane, Secretary  
Glen Powell

**OTHERS IN ATTENDANCE:** Joseph Rogosky, GVC Consulting Engineer  
Linda Cusimano, Recording Secretary

**ABSENT:** Donald R. Wilson, Chairman  
Mehmet Arslan  
Cheryl Franckowiak, Zoning Officer

**1. MINUTES**

Mr. Bittig recommended deferring the approval of the August 17, 2015 meeting minutes until their next meeting due to needing three (3) votes of members present on August 17<sup>th</sup>.

**2. AGENDA**

**MOTION** by Mr. Shane, seconded by Mr. Powell to approve the agenda of the September 21, 2015 Planning Commission meeting. The motion carried unanimously.

**3. APPLICATION FOR REVIEW**

**FILIPPINI ANNEXATION SUBDIVISION II- FINAL PLAN:**

**MOTION** by Mr. Powell, seconded by Mr. Shane to approve the application for review. Motion carried unanimously.

**4. FILIPPINI ANNEXATION SUBDIVISION II – FINAL PLAN**

Mr. Rogosky discussed the review letter dated September 18, 2015 pertaining to the items for Final Plan review.

- **Subdivision and Land Development Ordinance (No. 696), #1;** Mr. Rogosky stated Parcel A2 has not been annexed; he stated it was his understanding this would take place. Mr. Hoffert stated due to the finances and back taxes on the property this has not happened yet. He stated he spoke to John DiGiamberardino, they do have an agreement and these annexations will take place in accordance with the 2013 approved plan, but the taxes have not been cleared for the property. He stated until this comes to fruition, gets approved so the money will come in, the taxes cannot be paid. Mr. Rogosky clarified for the Planning Commission that there was a MOA by our solicitor; he stated it stipulates the issues when the plan was approved at the Preliminary Plan stage; one of the issues was the

annexation. He stated they have a year for this to be done. Mr. Bittig questioned if the MOA was executed by Mr. Hoffert's client; Mr. Hoffert replied yes. Mr. Bittig stated item #3 specifically calls for completion of the annexations of parcels A2 and B2 of the 2013 plan. Mr. Hoffert stated the annexations will be done, however; they cannot be done until after this plan is approved and settlements start coming in. He stated no one can go to settlement at this time until the back taxes are paid. **Mary Brickner**, 327 Gibraltar Road, stated as the buyer, she cannot get Title Insurance until the back taxes are paid. Mr. Rogosky stated the comment is in the review letter because it's still part of the MOA; he stated he just wanted the Planning Commission to understand that it hasn't taken place yet.

- **Zoning Ordinance, #1.** Mr. Hoffert stated this has previously been discussed; he stated this is technically not a flag lot. Mr. Bittig questioned if this residue lot is separate. Mr. Hoffert stated it is separated by the road. He stated this was previously discussed and at that time it was accepted by the Planning Commission. He stated nothing is being proposed on it; it is not being considered as anything other than a residue tract. Mr. Rogosky stated the Board of Supervisors agreed to Mr. Filippini paying a Fee-in-Lieu-of. Mr. Powell asked Mr. Hoffert if this is a proposed lot; Mr. Hoffert replied, no it's open space, there is nothing proposed. He suggested having Mr. Bellwoar look at the notes. Mr. Powell questioned if Mr. Bellwoar could review this and perhaps it will clear up that comment.
- **General Comments, #1.** Mr. Hoffert stated they went through this same issue about six (6) months ago and they added a note; Mr. Rogosky stated the issue has changed because the homeowners have approached the Township and stated they have a builder and contractor. Mr. Hoffert stated he has a 2 plus acre lot and a 3 plus acre lot which gives a hundred different scenarios as to how he'd lay it out. Mr. Hoffert stated that there are notes on the plan addressing E & S and Stormwater management plans. Mr. Rogosky stated that the two (2) homeowners are going to need to hire an Engineer to do the storm water. Mrs. Brickner questioned what happens if she buys the lot and she cannot get the permits to build; she stated it needs to be a buildable lot when she buys it. Mr. Hoffert stated it is a buildable lot. Mr. Rogosky stated she would need to provide storm water management; he stated it is a requirement under the ACT 167 Ordinance. The Planning Commission agreed to defer this until time of building permit application as noted on the plan.
- **General Comments, #2;** Mr. Rogosky stated this is similar to what they have discussed, this is part of the same situation with the MOA.
- **General Comments, #3;** Mr. Rogosky stated this is just a general comment.
- **General Comments, #4;** Mr. Rogosky stated this pertains to Elaine Druzba's property and is also part of the MOA.
- **General Comments, #5;** Mr. Rogosky stated the Township produced a recorded covenant dated November 3, 2000. Mr. Hoffert stated he spoke to Mr. DiBernardino and nothing is being changed or altered to the residue area for Phase 4.

Mr. Hoffert stated the plans stand on their own, there are no basic revisions that need to be altered, changed or other; he stated there appears to be, with the Planning Commission, two (2) legal questions that need to be cleared up. He stated he is requesting Final Plan approval subject to the Planning Commission requesting the Engineer and Attorney to make sure that going forth with these two (2) legal issues is not an issue to the Township. He stated he would prefer final plan of approval conditioned upon the solicitor's review of those two legal questions. Mr. Rogosky suggested the motion say contingent upon meeting all the requirements of the MOA and the legal questions.

**MOTION** by Mr. Powell, seconded by Mr. Shane to grant conditional final plan approval pending satisfactory review by the solicitor and Planning Commission Engineer and all the items are addressed in compliance to all MOA requirements. Motion carried unanimously.

**5. COMMERCIAL ZONING DISTRICTS – REVISIONS**

Mr. Rogosky stated at the last meeting Mr. Wilson asked everyone to consider how we could consolidate the Commercial Districts into one (1) or two (2) zones. He stated when you look at all four (4) Commercial Zones, HC, SCC, NC and ROC, the NC and ROC have similar qualities for uses that are permitted by right. He stated, for discussion purposes only, he consolidated the four (4) zones into two (2) zoning districts.

Mr. Shane stated he created a spreadsheet to help compare the zones; he stated it doesn't address the parking. Mr. Rogosky suggested combining the NC with the ROC; he felt that these two districts had a lot of similar permitted rights and consider combining the HC with the SCC. He stated at the last Planning Commission meeting Mr. Wilson was emphasizing to have only one (1) zoning district; he stated ideally it would be nice to have one (1); however, he's not sure they could combine all four (4) into one (1) zoning district.

Mrs. VanderLaan stated the Strategic Planning Committee asked her to come tonight to discuss the Parking, Lighting and Signage Ordinances. She stated the committee would like the Planning Commission to look at the parking requirements; she stated currently, the Township is requiring a large amount of parking that is not being utilized. Mr. Bittig stated it is obvious there are retail uses that actually utilize the mandated amount of spaces and there are other retail uses that are almost devoid of vehicles. Mr. Rogosky stated they typically base the amount of parking spaces on the size of the shopping center, for example they allow 4 spaces per 1000 square foot of shopping center. He stated we do have shopping centers with a lot of excess spaces; he mentioned some shopping centers have their own parking requirements. He stated the parking, lighting and signage is standard to our zoning requirements that are applicable to everywhere; he stated there's no reason we can't do these concurrent with our commercial zoning. Mrs. VanderLaan questioned Mr. Rogosky about his concern to combine this into two (2) zones; Mr. Rogosky stated the NC and the ROC have a lot more similarities than the HC and the SCC. Mrs. Vanderlaan stated if we took this to two (2) zones which would be a hybrid or a combination of the NC and ROC; she advised the commission that the Business Commercial Office Flex is designed to have office space and could be more beneficial than the area it is in now for uses. She discussed the Neighborhood Village Commercial Overlay, which would offer a buffering zone against the heavy commercial and the residential, like a village concept. Mrs. Seltzer stated since we're discussing parking, has anyone brought up hair pin striping and the cost to commercial businesses. Mr. Rogosky replied they are considering eliminating that. Mrs. VanderLaan suggested making the spaces wider. She stated she is here to ask this Commission to tear apart the Lighting Ordinance, the Sign Ordinance (not necessarily the billboard issue) and parking requirements. Mr. Rogosky stated the problem is the way the Lighting Ordinance is written when a business is making modifications or alterations they have to comply, so they are retro fitting their existing building. Mr. Powell asked Mr. Rogosky how other municipalities he represents handle their Lighting Ordinance; Mr. Rogosky stated they have separate Lighting Ordinances or it's part of the SALDO. He stated ours could be modified; he stated there are things in ours that are similar to others, but there are some discrepancies in ours. He stated he could bring some samples from other municipalities to consider. Mrs. VanderLaan stated the Strategic Planning Committee is working on the Neighborhood Commercial Village language; she stated it would be a hybrid between Neighborhood Commercial and Village. She stated they would like to have signs there that are cohesive with the neighborhood and questioned if it would require writing a Sign Ordinance for that type of zone. Mr. Rogosky stated they could include an extra section in the Ordinance that handles this. Mrs. VanderLaan stated the Strategic Planning Committee would like the Planning Commission to consider the zoning be more market driven and less use defined. Mr. Rogosky asked if she is looking at being more general with uses permitted by right; he stated they're in the middle of the road with theirs. He stated he would like to condense it more, but make sure they cover all their avenues.

**ADJOURNMENT**

**MOTION BY** Mr. Shane, seconded by Mr. Powell to adjourn the September 21, 2015 meeting of the Exeter Township Planning Commission at 9:14 P.M. Motion carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Gary L. Shane" followed by a stylized flourish.

Gary L. Shane,  
Secretary  
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