

The regularly scheduled meeting of the East Cocalico Township Planning Commission was called to order at 7:30 p.m. in the municipal building located at 100 Hill Rd., Denver, PA.

ATTENDANCE:

Planning Commission: Piero Dinnocenzo; Chris Fitterling; David Noll; G. Sidni Schlegel;
Kenneth Sweitzer; Paul Wenger; Robert Zimmerman
Engineer: Brent Lied, Becker Engineering; Mark Campbell, HRG
Visitors: Grant Smith, SBI; Gordon Kauffman, BWI; Andrea Johns, Ephrata Review;
Bob Roggenburg; Ken McCrea; Michael Hartman, McCarthy Eng.;
Kevin Robb; Jeff Shyk, David Miller Assoc.; Scott Martin; Julie Service;
Mike Toboga; Harry Roth; George Yokobosky; June Kinback

APPROVAL OF MINUTES:

Kenneth Sweitzer made a motion, seconded by Chris Fitterling, to approve the minutes of the March 22, 2006 Planning Commission Workshop Meeting. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

Chris Fitterling made a motion, seconded by Kenneth Sweitzer, to approve the minutes of the March 27, 2006 Planning Commission Meeting. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

ZONING AMENDMENT:

Mark Campbell of HRG, Land Planning Engineer for the Township for the shopping center development and Harry Roth, Consultant, were in attendance to make an informal presentation on a proposed Zoning amendment.

LOCKER ROOM MINI-STORAGE – FINAL LAND DEVELOPMENT PLAN:

Michael Hartman of McCarthy Engineering was in attendance for this plan.

Brent noted that there are still a few items outstanding. The Developer still is working with the Authority and Conservation District to gain necessary approvals. An updated construction cost estimate is still required to be used in establishing the new financial security.

If all items are completed in the next week or so, it was suggested that perhaps action could be taken at the next workshop meeting.

Kenneth Sweitzer made a motion, seconded by Piero Dinnocenzo, to recommend to the Board of Supervisors the acceptance of a time extension request for review of the Locker Room Mini-Storage Final Land Development Plan through June 19, 2006. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

Chris Fitterling made a motion, seconded by Robert Zimmerman, to table this plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

ROSE HILL PRELIMINARY SUBDIVISION PLAN:

No one was in attendance for this plan.

A technical review meeting will be held.

David Noll made a motion, seconded by Paul Wenger, to recommend to the Board of Supervisors the acceptance of a time extension request for the Rose Hill Preliminary Subdivision Plan through August 20, 2006. Chairman Schlegel asked if there were any questions or comments. There were none. Motion carried.

Kenneth Sweitzer made a motion, seconded by Chris Fitterling, to table this plan for the evening. Chairman Schlegel asked if there were any questions or comments. George Yokobosky asked if they have not as yet responded to Brent Lied's comments, the ones that he issued in review of the plans? Mr. Schlegel stated that this was true. Mr. Yokobosky stated that in looking over those items, he feels some of them are significant, he would like to bring some to the Planning Commission's attention to make them aware of their concerns relating to the proposed development and that is #25 on page 5 and it says: "The Township should determine if the proposed development is deemed to generate a significant impact on the current fiscal characteristic of the Township and/or School District". Mr. Yokobosky stated that he felt the 303 proposed units are going to have a significant impact on the School District and from what he understands, Adamstown is full, Reamstown is full, Denver is full, they are talking about having to potentially build a new school. Because, not only do you have 303 units here, but you have 6 other developments going on in this Township also. That is going to have an impact on the taxes and correct me if I am wrong in the belief that when they do a study they say that each home produces 1.5 children for the school program; that is the standard that is used. Brent Lied responded that it depends on the type of development, but that figure may be accurate for a typical residential development. Mr. Lied stated that he would defer to the School District and what figures they find locally relevant. Mr. Yokobosky: the second point, there was talk about an interconnection with the water from Adamstown, would that speed up the development because they can use the water from Adamstown? Chairman Schlegel responded that at this point, that would not speed up development. Mr. Yokobosky: Well, could they use the water from Adamstown? I guess why I am asking is because we don't have the water. Chairman Schlegel: There is no agreement between East Cocalico and Adamstown, and there is none proposed that I am aware of. Brent Lied: I think what occurred was the plan inadvertently depicted an open connection with the Adamstown system and I don't think that was ever the intent. I think there was some prior discussion, way back when, as to whether an interconnect could either be readily made or reasonably accommodated in the future in case of some dire situation. At this point there is no formal agreement. Kevin Robb, 16 Shupp Lane: On page 7 of 15, Item 44, the last line of the paragraph states that based on the 307 dwelling units proposed, the ordinance requires that 14.09 acres be set aside for recreation areas. I didn't note that on the plan the last time we were in here and reviewed the plan with the engineer, Becker. Also, we don't have existing recreational areas for the current homes that are there. Chairman Schlegel: That is true, and we are well aware of that. At this point, one of the problems they are going to have is that they are going to have to provide recreation area. Brent Lied: To clarify a minor detail, your discussion was with a representative from Rettew. The other thing is that I don't know if their plan specifically identified dedicated open space, it did identify some proposed open space. Exact acreage and how it is used in terms of meeting the requirements of dedicated recreation area is something that has to be dealt with in the future as the review of this plan continues. Kevin Robb: Another comment, I am the last home currently on Shupp Lane before the proposed new development and from what I understand, they are talking about 8 homes per acre which would give you an eighth of an acre and we currently are on what I would call an average quarter acre. They are also proposing to put those

ROSE HILL PRELIMINARY SUBDIVISION PLAN (CONTINUED):

homes right on the sidewalk rather than having a setback like we currently have. Our interpretation when we bought the property in this development was that the next phase would be single-family homes with similar construction to what we have. I have seen the village outlook and quite a few town homes and what not and I guess I would say we are not naive to the fact that there is a possibility of the land being developed, but we are more interested in keeping it the same style homes and layout that we have.

Chairman Schlegel: The problem is that the land has been sold twice since it was originally developed.

Kevin Robb: But we could look at restraining them to conform to the development that is there, right?

Chairman Schlegel: To a degree. Brent Lied: To clarify an item there, the density that you referred to, the eight units per acre, is permissible by the village overlay. But, in this particular case, and I don't have the plan in front of me, but they are nowhere near the eight units per acre, I am guessing somewhere like three units per acre and that is due to the fact that a substantial portion of the total site has environmental areas, buffers, other areas that need to be reserved. The point we are trying to make is that the style of lots do appear smaller, although they would be feeding off other open space reserved in larger areas.

Kevin Robb: Maybe I should rephrase that to the point that the homes are going to be built on smaller acreage than what is currently in the development. Brent Lied: I think it is important that everybody in attendance understands some of the numbers. The intent of the village overlay district is to provide a different style of development with more compact units and preserving other perimeter open space areas.

It is a change in character in development from the current larger lot pattern that is there in the initial phase. Someone: Mr. Schlegel said that it was sold twice since we moved in, why would we have to be connected (with roadways) to them? Could it be proposed that they not be connected to our development and maybe be referred out to Rt. 272 along with the rest of the developments that are going in? Chairman Schlegel: It is possible, but the way the streets are laid out and everything else, it is difficult to get permits to get onto Rt. 272. They limit the permits on Rt. 272. Bob Roggenburg: A question for Brent.

Will any given acre have eight homes on it? Brent Lied: I would have to look at the plan and spend time evaluating that... Bob Roggenburg: Let me rephrase that. Can any given acre have eight homes on it? Brent Lied: The district is set up not to require certain individual lot areas, you can have smaller side yards, etc.. I would have to look at that in terms of trying to determine how you can draw a line or configure a box and how many units you would actually have in one acre. I think the intent of the ordinance, if you could get 8 units... Bob Roggenburg: It's possible. I just want to verify a couple of other things from the original plan.

The water line was to be extended along that one road that went to the development Sylval Sun and that was for an emergency connection. When Sylval Sun was built, it was hoped that they would run their water line to the same places, just for emergency use. The other thing I ask, and I asked this of the Board of Supervisors, was to look at the original plan, the one that had a beautiful park and recreation area, there was a lot of hard bargaining at that time to get that recreation area. Regardless of the fact that this is a different organization, that plan was filed as a preliminary plan and I think you need to check the legality of whether they can be enforced; that they have to put that original recreation area in. Ken Sweitzer: That question was asked at a workshop, because that was a filed plan. Brent Lied: But a lot of the elaborate layout for the park area was being done in conjunction with the revised plan that never did get through. The final plan for the original initial development shows just a small formal recreation area reserved in the upper corner. We have all that information; I have looked through it all. There is quite a bit of history there. I think Tom Goodman needs to be cognizant of what the steps were and which plans were recorded and are valid and have some legal standing at this point, versus what plans were being discussed or considered for approval. There were several versions of the plan that never got off the ground. Bob Roggenburg: The concessions were made in Phase One, which they built. There were a number of concessions made in order that we would get that nice piece of property for a park; we should have gotten it then. We thought we did have it. George Yokobosky: Is this voluntary on the part of the developer, the plan that he put in with village overlay? Conceivably, he could build just single-family homes throughout the development, right? He wants to get as many units as he can, as that is the bottom line here. Chairman Schlegel: that is true. Bob Roggenburg: The

ROSE HILL PRELIMINARY SUBDIVISION PLAN (CONTINUED):

problem is and I have seen it for a number of years is a lot of people buy these things not realizing what they are buying. There is so much wetland involved in it and so forth. The Township is not responsible for making that purchase of theirs profitable. Please keep that in mind. Thank you.

June Kinback, 7 Shupp Lane: Since we have about 50 homes in our existing part of the development couldn't we just close off our section and have the 300 homes built in another section? That is the largest portion of the development. I would accept lanes, not some highway, and I will take this.... We have a good quality of life situation and I don't think the Township should be paying... Chairman Schlegel: We are going to have to see what they propose, and we certainly take those kinds of things into consideration, as we did before. We will try to make sure that there is not a super highway going from one end to the other. We are very much aware of that. June Kinback: There are other developments in East Cocalico Township that only have one way in and out, like East Cocalico Heights. Chairman Schlegel: We don't do that anymore. We know better than to only have one way in and out. The ordinance now states that anytime you have more than 20 homes you have to have two entrances. June Kinback: Was that done after our development was done, or before? Chairman Schlegel: It was done before your development. Brent Lied: There were special issues addressed as part of your development. Ken Sweitzer: They built phase one and before they were allowed to build phase two or to continue, they had to make a boulevard coming out onto Rt. 897, which squares that out a little bit. But, they weren't allowed to build any more homes until they had a second access. June Kinback: There will need to be some major renovations to the roads and widening them. Chairman Schlegel: Those are some of things that are going to have to be done and we understand that. June Kinback: Will the developer be required to finance those projects? Chairman Schlegel: Yes, they will be required to do the road widening. June Kinback: Is there any consideration given to making it a senior citizen development? Then we wouldn't have to worry about educating children. Brent Lied: We can't identify or restrict the occupants of a development. June Kinback: Didn't they do that right here on Hill Road? Wasn't that restricted to low-income people? Brent Lied: That was the developer's approach to that situation, that was not the Township's requirement. June Kinback: It was still a restriction. Chairman Schlegel: It was the developer's restriction, not the Township's. June Kinback: Couldn't you encourage the developer to restrict it? I'm sure you don't want your property taxes to go up any more than I do and you are going to have to pay them just as much as I will. I would hate to see the taxes go up so high that nobody would be able to afford them, let alone pay \$250,000 for a townhouse when there is a house that has been for sale at least four months in our development now for \$225,000 that nobody is buying. I can't imagine, right now with the economy the way it is and gas prices, that people are going to pay \$250,000 for a townhouse. It doesn't seem feasible. Chairman Schlegel: That is the developer's problem. June Kinback: Then what? Then we are left with eyesores. Chairman Schlegel: Not necessarily, they just won't build all of them. Ken Sweitzer: I want to clarify one thing on East Cocalico Heights, there is an emergency secondary access into that development. June Kinback: Couldn't you do the same thing for Shupp Lane? Ken Sweitzer: That would be up to the developer to continue. Brent Lied: One further clarification, it should be noted that there are a number of units being proposed in each future phase of this development. It needs to be acknowledged that the original preliminary plan for the overall development shows quite a few homes in the area which is currently proposed to be developed. It is not like there were zero units approved on the preliminary plan for this area and now we have 300 and some. I have to look at the previous preliminary plan to see how many units were depicted in this future area. Bob Roggenburg: I might make a comment about Heatherwoods and Ken will back me up on this, the original design was for single unit ranch style houses, single unit and detached unit because he thought he could possibly limit it to older people. You can't do that. We know by law you can't restrict who moves in there. But if the style of house is there, you can point them in the right direction. Ken Sweitzer: And before that there was an idea for 400 mobile homes in there. Chairman Schlegel asked if there was any further discussion. There was none. Motion carried.

WOODCREST RETREAT PHASE 2 – PRELIMINARY LAND DEVELOPMENT PLAN:

No one was in attendance for this plan. No new submissions.

Paul Wenger made a motion, seconded by Ken Sweitzer, to table this plan for the evening. Chairman Schlegel asked if there were any questions or comments. There were none. Motion carried.

FOX BROOKE SUBDIVISION – PRELIMINARY SUBDIVISION PLAN:

No one was in attendance for this plan. No new submissions.

Piero Dinnocenzo made a motion, seconded by Robert Zimmerman, to table this plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

E&J DEVELOPMENT – PRELIMINARY SUBDIVISION PLAN:

No one was in attendance for this plan. In light of the items in the Becker Engineering review letter, the developer will be requesting a technical review meeting to further discuss the comments.

This is a development between Woodland Hollow and East Cocalico Heights of residential single-family homes.

Chris Fitterling made a motion, seconded by Kenneth Sweitzer, to table this plan for the evening. Chairman Schlegel asked if there were any questions. There were none. Motion carried.

MORGANSHIRE, PHASE II AND III – FINAL SUBDIVISION PLAN:

Scott Martin, Developer and Jeff Shyk of David Miller Associates were in attendance for this plan.

The developer is hoping for some relief on the BEL comment relative to stabilizing the side slopes of the detention basin by utilizing erosion protection matting, as it covers significant area. Scott noted that the original preliminary plan, which included that phase, had Conservation District approval in 2001. Brent Lied indicated that he had identified certain lots towards the lower end of the development where there is a proposed detention basin with a 4:1 slope that extends for 15 to 18 feet vertically and that immediately upslope of that area is a proposed dwelling and driveways that would contribute surface drainage. BEL feels, and there have been other similar instances, where there have been stabilization issues and concerns and matting has proven to be valid. Their concern is that there will be areas in these slopes that could use some maintenance because of the amount of the area contributing to them. They are not trying to identify all the lots in the development and require the use of matting on all side slopes of 4:1 or steeper. Mr. Martin feels they can stabilize it and they had their preliminary plan and associated erosion control plan approved by the Conservation District and their plans were in accordance with the Township's ordinance at that time. At a minimum, it would be Brent Lied's recommendation that additional notation be added to the plan to clarify that if there were any areas that can't be promptly stabilized that the developer would immediately take other measures, such as the installation of erosion control matting, to correct the problem. Mr. Martin has no problem with that.

A discussion was held on the preservation of the natural features. The original preliminary plan showed a natural features inventory plan. The developer feels that preservation by them should only be through the initial installation of the development infrastructure (i.e. roads, sewers, stormwater facilities, etc.); from there, once the private property owner acquires the individual lots, they aren't restricted in any way from what they want to do with the existing trees. Mr. Martin believes in preserving trees, however, he doesn't

MORGANSHIRE, PHASE II AND III – FINAL SUBDIVISION PLAN (CONTINUED):

feel that we can tell the private property owners what they can do on their property. Mr. Martin feels that when it comes to trees and planting the vegetation, he doesn't think this is something the Township should control. Mr. Martin feels that as long as you control storm water, so that it doesn't erode, he feels the people should be able to plant their lots the way they would like. Chairman Schlegel stated that he agrees it is a tough situation, but it is something that unfortunately the Township needs to do. It was noted that the Township's intent is not to restrict clearing associated with the individual lots. It was also noted that this issue does not impact the majority of the lots since most are in open or previously farmed areas. It was generally concluded that additional notation will be added to the plan to clarify that existing wooded areas identified as to be preserved should be preserved and that individual property owners can perform basic thinning, pruning, maintenance and management of the wooded areas, but that prior to any harvesting or clearing of trees approval must be granted by the Township. The exact wording will be further discussed between BEL and the applicant's consultant.

A discussion was held on item 4 on page 5 of BEL's review letter dated 4/21/06. A notation will be made on the plan. A discussion was held on item 5 on page 5 of BEL's review letter. On lot #34, there is an existing D&E Substation and there is an existing drive from Swartzville Rd. to that facility. The Township is asking that the recording information for that easement be clarified and documented on the plan and that the plan clearly depicts how access is provided from the State without being hindered by crossing private property. Brent noted that the easement as shown stops at the ultimate right-of-way which will not be immediately accepted by the Township. Scott Martin provided a copy of the recorded easement agreement and indicated that it was his understanding that the verbage in the document indicates that the easement includes the drive.

The developer needs to verify utility pole relocations. Brent noted that the plan currently indicates that the relocation work will be done by the utility companies. Brent said that documentation should be provided which indicates the utility companies will do this work at no cost or otherwise the financial security will need to include the cost of the pole relocation. Scott indicated that D&E agreed to relocate the poles as part of the granting of the easement for the phone substation. Brent asked if all the poles and facilities that are currently required to be relocated are D&E or if some are PPL. Scott said he thought they were all D&E. Brent requested that documentation be provided clarifying that there are no PPL facilities or costs involved.

It was noted that further response is needed from the Authority and PennDOT.

Piero Dinnocenzo made a motion, seconded by Kenneth Sweitzer, to table this plan for the evening. Chairman asked if there were any questions or comments. There were none. Motion carried.

RIDGE ROAD TRACT – PRELIMINARY PLAN:

No one was in attendance for this plan. No new information submitted.

Robert Zimmerman made a motion, seconded by Paul Wenger, to table this plan for the evening. Chairman Schlegel

asked if there were any questions or comments. Bob Roggenburg asked what the final determination was on the width of the road? Brent Lied responded that it was 24 ft. as measured curb to curb; vertical curb was required by the Board of Supervisors, slant curb was not authorized. Internal street was 24 ft.; public road (Miller Rd.) was required to be widened 13 ft. from centerline. Hearing no further questions, motion carried.

VILLAGE AT EAST COCALICO – PRELIMINARY SUBDIVISION PLAN:

No one was in attendance for this plan. No new submissions.

Kenneth Sweitzer made a motion, seconded by Robert Zimmerman, to table this plan for the evening. Chairman Schlegel asked if there were any questions. Julie Service asked to confirm that the developer still has not gotten with PennDOT about the temporary access road. Brent Lied stated that not that we are aware of. Julie Service: Are there any other minutes that say what the developer is doing with East Cocalico Township Authority, Fox Brooke, and Rose Hill about water? Brent Lied; Are you referring to meeting minutes that make reference to that? Julie Service: Yes, I am and what is the meeting with them about, I assume it is water? Sid Schlegel: It is water and also about getting the water. Brent Lied: If you are looking at workshop minutes, there was a previous collective meeting with all developers, it included anyone who had a pending development plan and it just so happens that those three projects are closely related in terms of infrastructure and improvements that are required for the Authority's sanitary sewer system. That is referenced in a prior meeting where they were told the ballpark costs of the improvements that are being considered, the ballpark time frame for those improvements, and the issues associated with funding those improvements. It was basically an informative meeting for the Authority to share and update everyone on the current status of the water and sanitary sewer issues. Julie Service asked about the wetland issue on the one lot, Brent Lied responded that the Quail Hollow wetland issue pertaining to the one lot is still awaiting an official written DEP response. Brent noted that in reference to the Village of East, during the Quail Hollow meeting, there was reference made to environmental issues that apply to the Village of East development, we have asked the developer for a status update on those; these were primarily related to bog turtle issues and the need for a certain study. It is the Township's understanding that the applicant has gone ahead and had the study done. It is Brent's understanding that there is nothing new or alarming resulting from the study. There being no further questions, motion carried.

There being no further business to come before the Commission, Robert Zimmerman made a motion, seconded by Chris Fitterling, to adjourn the meeting at 9:15 pm. Motion carried.

Respectfully submitted,

Paul Wenger, Secretary