

Posted: October 28
Updated: Today at 7:36 AM

Wal-Mart plan opposed

Exeter First offers witnesses who question plan to build store on Wyoming Avenue.

B. GARRET ROGAN Times Leader Correspondent

EXETER – In the third public hearing on the possible construction of a Wal-Mart in the borough, members of Exeter First called an expert witness whose testimony they hoped would undercut that of experts previously called by company attorney Neil Sklaroff.



[click image to enlarge](#)

Denny Peters testifies before the Exeter Borough Council Tuesday night about the proposed zoning changes that would make it possible for Wal-Mart to be built along Wyoming Avenue.

Aimee Dilger/The Times Leader

Select images available for purchase in the
Times Leader Photo Store

The group is opposed to the retail giant's plans for a possible store on Wyoming Avenue.

Denny Peters, of the Berwick-based Peters Consultants Inc., reviewed the documents that propose the potential building site as well as the transcripts of the previous public hearings and said he was left with one lingering question: "Why do they want to put a Wal-Mart on Wyoming Avenue?"

The Wal-Mart opponents applauded when Peters detailed how he came to repeatedly ask that question when reviewing the relevant documents.

Peters has been an engineer since 1978 and has done zoning work for several counties and municipalities throughout the region. He also has worked for Wal-Mart on two separate occasions.

He helped to conduct the tests and design the zoning specifications that were used to ultimately plan a store in Hazleton as well as the Buckhorn Wal-Mart in Columbia County.

He said he determined that the property owner's request to change the current zoning ordinance to accommodate the store would be "spot zoning."

This occurs when one particular portion of a community is zoned differently than the surrounding neighborhoods in such a way that it does not necessarily benefit the surrounding neighborhoods, he said.

Peters said the developers are seeking to change a 15-acre parcel of land from a M2, a light industrial designation, to a B3, a commercial designation. There are no other B3 properties that come close to that size, he said.

Peters said spot zoning is a violation of the Pennsylvania Municipal Zoning Code and noted that local governments that allow spot zoning can be challenged by the public in court.

He also said he thought the proposed zoning change was not designed to benefit Exeter as a whole, but rather the economic interests of the individual property owners of that tract of land.

The proposed store would be built at a site on Route 11 at the southern end of the borough nearby other commercial buildings.

He also said he took issue with the testimony of experts in favor of the Wal-Mart who said that construction of the box store fits in with the borough's stated objective of achieving the best possible use of its land and to improve the aesthetic qualities.

Also, Peters was joined by Tom Barnard of the Hicks Creek Watershed Association in questioning the quality of the traffic study done for the project.

Both said the traffic study figures were based on patterns observed in August 2007. There are concerns the study may not be accurate because it would not account for holiday traffic or school buses.

Barnard and Peters also brought up concerns that the traffic and parking lot construction could adversely affect pollution control measures for Hicks Creek.

The Exeter Borough Council will continue to weigh the concerns of residents, as well as the requests made by Wal-Mart.

According to Municipal Solicitor Peter Moses, the council will ultimately compile a list of 20 to 30 issues that they will require Wal-Mart to address in detail before any decision is made.

Find this article at:

http://www.timesleader.com/news/Wal-Mart_plan_opposed_10-28-2009.html

Check the box to include the list of links referenced in the article.