

# BETHEL TOWNSHIP

## PLANNING COMMISSION

June 1, 2011

The regular meeting of the Bethel Township Planning Commission was held on Wednesday, June 01, 2011 in the John L. Myers, Jr. Memorial Township Building.

**ATTENDANCE:** Ken Laaken-Chairman      Lou Torrieri-Vice Chairman  
Dave Tustin                                      Mike Maddren  
Raj Shah    Larry Smith  
Matt Houtmann-Township Engineer  
Stephen Durham-Township Solicitor

Ken called the meeting to order at 7:30 PM followed by the Pledge of Allegiance. Ken advised there is a recording device in the room for the purpose of taking minutes only. Ken asked everyone to turn off their cell phones and or pagers.

Ken asked for a motion to accept the April 6, 2011, Minutes. Raj stated he read the Minutes of the April 6, 2011, meeting as prepared by the Secretary and the revised Minutes which have additions in Italics and Bold print. These are the Minutes for which the motion is taken. Larry seconded the motion. Motion was unanimous.

Dave stated; in his opinion, the Minutes should be the Minutes and be uniform. Larry agreed and said that all Italics and Bold should be removed when they are printed. Ken asked Joyce to make the fonts the same when she prints out the entire document.

Raj made a motion that the Minutes that have Italics and Bold all be prepared as one uniform document and that document be accepted as the Minutes for April 6, 2011. Larry seconded the motion. Motion was unanimous.

Ken asked for a motion to accept the May 4, 2011, as prepared by the Secretary. Larry made the motion. Lou seconded the motion. Motion was unanimous.

Ken suggested that Joyce e-mail the Provisional Minutes to everyone on the Board so corrections can be added or subtracted before the 12 o'clock hour. All Board members agreed. Ken clarified that the Provisional Minutes will be e-mailed approximately one (1) week after the meeting and returned to Joyce within a week.

Ken asked for a motion to accept the Secretary's eighteen (18) hours for the month of May. Lou made a motion to accept the Secretary's eighteen (18) hours for the month of May. Dave seconded the motion. Motion was unanimous.

**REPORTS:**

**SEWER AUTHORITY:** Larry stated that, as part of PennDOT's work on Naamans Creek Road, they are requiring that a sewer line in the vicinity of Princess Anne Drive be relocated to accommodate PennDOT's system. PennDOT will be making a partial reimbursement of the cost for the relocation. The design of the odor control system for the Zebley and Northbrook pump stations has been completed, and it is a bioxide dosing system and is non-hazardous and non-toxic chemical. The Board approved the motion to advertise that project for bids.

**OLD BUSINESS:**

**BRIGGS PROPERTY, NAAMANS CREEK ROAD (19 Lot Subdivision.** Mark stated that the 911 letter has not been sent to the Post Office. Matt stated he is supposed to do that and will take care of it tomorrow. Mark stated approval has been received from PennDOT and MPDES; copies have been given to Matt. Mark asked for their plan approval. Ken asked if third party approval has been received; Mark replied "no". Matt said that will be done at the Supervisors' stage; conditional approval will be made by the Board and the developer's agreement will then be worked on. Matt believes there will be a builder who will purchase the subdivision; that will be the entity who will post financial security and come under agreement with the Township. Ken asked Matt if all the issues in his review letter have been complied with; Matt replied that there were eight or so comments in his May 2, 2011, letter, which have been resolved. Lou made a motion to accept Webster Farm subdivision for a final approval by the Planning Commission to go to the Board of Supervisors. Raj seconded the motion. Motion carried 5 to 1 with one (1) abstention, (Larry abstained). Ken advised Mark to contact Mike George to get on the Agenda; also, grass at the property needs to be cut.

**RAY BROWN, 1515 Garnet Mine Road:** Matt stated that he talked to Ray Brown's engineers today; they have finally settled all their issues with DEP and Conservation District. Matt will now be reviewing the plans and hopes to have a review letter to the Planning Commission before the meeting and that will start in earnest at the July meeting. Ken stated that Tim Conlon was notified on three (3) different dates, 10/6/10, 10/11/10, and 10/21/10; and nobody answered for the certified letter. Tim came to the Board of Supervisors and stated he was never notified.

**LIONTI PROPERTY, 3120 & 3130 Booth Drive:** Mr. Sack stated that the fence is down; Matt reported they removed 4 or 5 sections and another 30 feet. The forced main sanitary sewer line has been installed and connected; the shed has been razed; the fence crossing the property line has been removed. Ken asked the reason for the walls; Mr. Sack said they enclose the storage area. Mr. Sack stated that the fence was much larger than the 12 x 20 building that was razed; it never supported the walls. Ken asked if it was considered a permanent structure; Matt said he ran that by the Zoning Officer this morning; and he has no issue with that. Lou asked Matt if all the issues raised by Matt have been addressed and corrected and he is satisfied; Matt replied "yes". Ken asked for a motion to accept Mr. Lonti's property, 3120 & 3130 Booth Drive, 1435 Arbor Drive, for final subdivision approval. Dave made the motion. Mike seconded the motion. Motion was carried 5 to 1 with(1) abstention, Larry abstained from voting..

**CHRIS PANARELLO, Commercial Property/Kirk & Foulk Roads.** Matt said they met with two (2) officials from PennDOT, John Otten and Sue Lapenta, Chris Panarello, sr. and Chris Panarello, Jr. at the corner of Foulk and Kirk Roads. Items Matt specifically wanted addressed were: the idea of having a separate right-hand turn lane at Kirk Road approaching Foulk Road, whether to face another entrance or exit between Kirk Road and Naamans Creek Road coming directly out from the site onto Foulk Road, plus a general configuration of the proposed land development. The PennDOT reps were very much in favor of installing that additional lane on Kirk Road. While reviewing the access, they thought the sight distance was very critical; they were not happy with the existing bank and vegetation. On the issue of providing another access from the site directly to Foulk Road, they felt that the general geometry with the curve at Foulk Road along with interjecting another access point between Foulk Road and Naamans Creek Road would be somewhat problematic and thought that the traffic exiting the site directly to Foulk Road would not appreciatively relieve the traffic flow at the intersection at Kirk and Foulk. They suggested that the emergency access leaving the property further south towards Naamans Creek Road be made a permanent way. Larry feels there are advantages and disadvantages to that; he hopes it will not become an alternate cut-through from Kirk Road to Naamans Creek Road. It may be an unattractive option because of all the twists and turns; however, it is something people would do if traffic is backed up. Ken asked Matt if this would be a named road and make Panarello a corner property; Matt replied “no”. Lou asked if this access would appreciatively reduce the congestion at Kirk and Foulk Roads; Matt said it would.

Ken asked Matt if a traffic study could be done at the numbers on Naamans Road without Naamans Road being closed. Ken asked when Naamans Creek Road is scheduled to be finished; Matt said the section near Kirk Road should be finished in September. Matt said we would have to ask what the traffic study would do; for what would it be used. Steve said this could develop into a condemnation question. Ken said the size of the parcel would probably not dictate the need for a traffic study; it’s the placement of the parcel, not to stop the use of the parcel but to look at the traffic signal enhancements, right-hand turn only out of the parcel, put a restriction on the right-hand turn onto Naamans Creek Road. Steve said this plan would create a bottleneck at Booth’s Corner. Matt reviewed in more detail the traffic study and funding of the light at Kirk & Foulk, if one is warranted. Steve said the developer usually funds the light. Ken commented that, with the developer owning two (2) additional parcels across the street, this might warrant the funding of the light. Discussion continued about having the traffic study done and waiting for Mr. Panarello to come in with plans for another parcel.

**Merrilee Demuth, 1231 Kirk Road,** referred to the suggestion of a turning lane at the end of Kirk going onto Foulk and stated there is still a problem with that because, as of right now, you cannot see when making a left turn. Matt said this was pointed out by PennDOT; when the plans go to them for their approval, that is an item that needs to be addressed to meet their required sight distance. Matt is guessing there will be two (2) lanes; one for straight and left; the other for turning right. Merrilee asked if Chris owns the two (2) homes on the corner near his property which appear to be empty (yes, he

does) and using the one (1) driveway near where he is planning to build as an access. She also commented about the need for a traffic light at that location; it was again stated by the Commission that this would be determined by the traffic study.

**Jackie Phillips, 1217 Kirk Road**, commented that a traffic study will not truly represent the amount of traffic coming through. Larry stated that they can adjust for the difference; they count the number of cars each year.

**Dave Bennett, 1426 Grams Way**, stated it is very difficult to get off Grams Way onto Foulk on the weekend, especially Saturday, at that intersection. If there is a high density group of stores on that parcel, the logistics will be a nightmare, especially without a traffic light.

Dave Bennett asked about putting the turning lane on Foulk Road was discussed. Ken stated that was already done, and Matt was told it was restricted because of the slope and the barrier there now. Discussion regarding the proposed lanes and existing traffic problems followed.

**Dave Bennett, 1426 Grams Way**, asked if the developer actually comes to the Planning Commission meetings. The reply was that he does; however, it was announced at the beginning of the meeting that he would not be present tonight. Dave feels that he or a representative should be present because of the financial impact. Larry stated that, although the developer is not here, the Commission wants to make sure that the people who come can talk about the issues which will be discussed again at the next meeting when the developer and engineer are present. Larry stated that Matt Houtmann has spoken about these projects very intelligently, both pro and con; Larry thinks the point might be that this plan is a trigger for looking at the two (2) intersections and thinking it all through and deciding that now is the time to figure out a solution, as it affects the neighbors and is the heart of the town.

**Gene Bentley, 1429 Grams Way**, supports the traffic impact study and the light and stated that their development is the “straw that breaks the camel back”. Gene feels the traffic light is the solution.

Merilee stated that at two (2) meetings ago, Mike stated he had never received a letter about the project, and one woman in the neighborhood said it included those living 500 feet from the project. Matt clarified that the 500 feet was for a variance application; this process is for abutting properties only.

Larry asked if enforcing the signs has been kept up. Ken replied that he is on that and has not gotten a complete answer; he promised to have a complete answer at the next meeting.

Matt stated that he can notify the applicant and notify him that we will be looking for a traffic study. Ken said that will be a good thing.

**Shawn Dignazio, Donald Drive**, believes that PennDOT years ago made a barrier be put up and abandon the one driveway. The fact that there is very little commercial zoning in Bethel Township and we're having a fiscal budget problem, if we try to lay all the cost on the developer, Shawn doesn't think it is fair, being there are four (4) property owners at that corner and a light is needed. Ken said that what Matt is saying is that the developer, Chris Panarello, should pay for the whole light; however, if Chris would put some money aside for the light and if it isn't needed in a few years, we would refund Chris's money. At some point, if any of the other businesses in that area want a light, they should each put up a little of the expense. Shawn understands that but feels that Booths Corner should be putting up some part of the expense because of all their traffic on Friday and Saturday nights. Larry reiterated that it is common for the developers to take care of the light.

**Merrillee Demuth**, in talking about commercial property and fiscal problems, stated that a lot of commercial properties in Bethel are sitting empty. Merrillee asked how long a house can sit vacant and have nothing done to it. Ken stated that is not a Planning issue.

**Jackie Phillips, 1217 Kirk Road**, asked Matt if he thought they told Chris to vacate those properties because of the traffic pickup in the area. PennDOT told him there were homes there; she is concerned that is why. Matt stated he is sure PennDOT did not take that stand.

Merilee questioned the noise factor and asked if there is a noise ordinance in the Township. Larry stated there would be no noise ordinance that could be enacted that would affect this property while it has a plan submitted. Larry suggested that a list of noises be put together and presented to the Township.

**Shawn Dignazio** asked Matt if weight will be given to the origin of the traffic when the study is done. Matt said they will measure existing traffic conditions and superimpose background growth and development of nearby tracts if it appears there is development potential.

Dave Bennett asked how many individual businesses are planned for this parcel. Steve said there are two (2) buildings which can house as many as six (6) different businesses ... one large business and another that could be subdivided into five (5) stores. Dave Bennett feels that if six (2) businesses are put on that corner, they should take the lion's share of the cost of the light. Lou assured him that the Board looks at every aspect of everything brought before them.

The lack of signage being posted for the development was again discussed.

**John Rheinstadter, 1425 Grams Way**, questioned the approval process and what gives any builder the right of approval to move forward with his plans. Steve Durham explained the procedure.

Merilee asked Matt if property is taken from the corner of Kirk Road to make a turning lane and property on Foulk Road is shaped up for the site, that would bump back the drainage ditch which would encroach on the building; she knows there has to be a certain amount of property for parking, etc., and asked if this would make the development smaller. She believes Chris has the right to develop the property but it scares her to say there will be that many buildings. Matt replied that, in terms of the road widening, the answer would be “no”; all that is done in the road right of way which extends further into the interior of the property than the actual roadway. The Township requests thirty (30) feet right of way from the center of the road into their property. As far as the grading, Matt said there are ways to engineer around grading difficulties. Merilee asked if everyone understood her regarding getting out of the property. Ken suggested they wait until the traffic study is done.

Shawn Dignazio, for the record, wanted to say he was only speaking for the benefit of the Township.

### **NEW BUSINESS:**

**Website:** Lou stated that residents can visit the website to find answers to many of their questions. The Agenda is published every month on the website and is also available at the Township Office. The Agenda lists those properties which will be addressed at that meeting; once the Minutes are approved, highlights of the discussions regarding those properties are published on the website so the residents are informed about what is happening. All the ordinances should be available on the website; some of the newer ones are being published now. As an example, Ken suggested that you go on the website, scroll down to Chris Panarello to see all the arguments and discussions that have been had and know where the Planning Commission stands.

**Dr. Shaffer** reported that the Log Cabin was open to the public a few weeks ago. It was very successful, even though the weather was bad. One-hundred twenty (120) 5<sup>th</sup> grade students will be visiting Wednesday. They are still looking for old pictures of the Township; June 18, 2011, the pictures will be scanned from 11 AM – 2 PM.

**John Camero, 3150 Stillwood Lane,** thanked Dr. Shaffer and the Historical Society on behalf of the School Board; they worked very diligently over some weather and scheduling issues for the School District and never gave up. John thanked them for having Bethel Springs there, a valuable experience for the school children

### **ADJOURNMENT:**

Lou made a motion to adjourn the meeting at 9:00 PM. Raj seconded the motion. Motion was unanimous.

Respectfully Submitted.  
Joyce M. Groer, secretary

