

**BETHEL TOWNSHIP
PLANNING COMMISSION**

April 4, 2012

RECORD OF MINUTES

The Regular Meeting of the BETHEL TOWNSHIP DELAWARE COUNTY PLANNING COMMISSION was held on Wednesday, April 4, 2012, in the John L. Myers Jr. Memorial Township Building, 1082 Bethel Road, Garnet Valley, PA 19060

PRESENT: Kenneth Laaken, Jr.-Chairman Louis Torrieri-Vice Chairman
L. Theodore Hoppe, Jr. David Tustin
Judith McCleary

IN ATTENDANCE: Lynn Mahoney-Secretary
Matthew Houtmann, P.E.-Township Engineer
Laurence L. Smith, Esquire-Planning Commission Solicitor

APOLOGIES: Rajesh Shah
Jean Stoyer

OBSERVERS:

MEMBERS OF THE PUBLIC (2)

The regular meeting was called to order by Kenneth Laaken, Chairman at 7:30 p.m., followed by the Pledge of Allegiance.

The chairman requested everyone to please silence all electronic equipment and announced the presence of a recording device for the purpose of minute taking.

APPROVAL OF MINUTES:

Ken asked for a motion to accept the March 7, 2012 meeting minutes as prepared by our secretary along with any discussions on the minutes.

Motion: Moved by Dave Tustin that the minutes of, March 7, 2012 be approved as updated and submitted by our secretary. Seconded by Lou Torrieri. **Motion carried,** unanimous.

CORRESPONDENCE: No correspondence received.

REPORTS:

1. SEWER AUTHORITY: Laurence Smith

The sewer authority meeting originally scheduled for April 5, 2012 was rescheduled and held on March, 29, 2012.

OLD BUSINESS: An informal discussion was held on March 7, 2012, in reference to the historical names submitted by Dr. Mead Shaffer pertaining to Independence Townhomes, located on State Line Rd. At today's meeting, a suggested list of street names were highlighted and given to Matt Houtmann to present to the developer. Ken questioned whether or not Independence Townhomes asked for a preliminary final. Matt stated that they wanted to resubmit as an amended final. Ken had some concerns about the plan. The road changes have to be addressed and the sewers need to be looked at further. Matt concurred that these issues will be discussed and worked out with the amended final. Larry questioned whether the amended final would include resubmitting for sanitary capacity due to a possible change in circumstances. The contractual allotment that the sewer authority has with New Castle County, Delaware, and the flow that is going through there, under the latest chapter 94 report that the authority completed, shows that there could be an issue with capacity for a large subdivision. There is a maximum allowable daily flow allowed under the contract and that is an area that suffers from an inflow and infiltration primarily from private properties within the effected districts. The developer is going to have to look at helping to cure some of the capacity issues. Lou stated that he did not recall approving the sewage issues in the previous plans that were submitted by the developer, and inquired whether it was a building or planning issue. Larry stated that in a course of a plan review, the developer has to submit for capacity. Matt mentioned that a plan was completed and submitted and had a planning module approval, which at the time was signed off by all parties involved, the township, sewer authority and DEP. The shelf life of a planning module approval may be an important issue that will be looked into, because the sewer authority may need the developer to relook at some items. Lou asked if it was a permit process that the developer has to get to dump the sewage into New Castle County. Matt stated that the township is involved, but the sewer authority more so and ultimately approved by DEP. Lou had a concern about the proper steps that need to be taken to approve the plan because of the possible issues of sewage going into New Castle County. Matt posed a question to Larry about when the Sewer Authority believes that a developer is locked in; he asked if it was when they paid the tap in fee. Larry believed that was the position that was taken by the Sewer Authority. Lou asked whether or not the Planning Commission could approve the plans with outstanding sewer issues. Matt stated that the Planning Commission would take the position that the developer meets all applicable approvals from the Bethel Township Sewer

Authority before the plan was passed on for approval. Dave inquired about a wet lands analysis and whether or not it expired. Matt responded that general wetland crossing permits have no expiration date. This was an informal discussion on potential new issues that may arise with the official submission of the revised plans by the developer. The applicant was not present and to date has not submitted a revised plan. Official review and discussion will take place at such time a new revised plan is submitted to the Planning Commission with the proper documentation.

NEW BUSINESS: No new Business

PUBLIC COMMENTS AND QUESTIONS:

Dr. Mead Shaffer-1645 Bethel Rd. May 20, 2012 from 1-4 p.m., the 5th Annual Historical Log House Tour will be held on his property, all are invited. Rain or shine.

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:53 p.m. on a motion by Lou Torrieri, seconded by Dave Tustin. Motion carried, unanimous.

Respectfully Submitted,

Lynn Mahoney

Secretary