

**BETHEL TOWNSHIP  
PLANNING COMMISSION**

**August 1, 2012**

**RECORD OF MINUTES**

The Regular Meeting of the BETHEL TOWNSHIP DELAWARE COUNTY PLANNING COMMISSION was held on Wednesday, August 1, 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.	
Judith McCleary	David Tustin

**IN ATTENDANCE:**

John Camero-Liaison, Township Supervisor  
Matthew Houtmann, P.E.-Township Engineer  
Laurence L. Smith, Esquire-Planning Commission Solicitor

**APOLOGIES:**

Rajesh Shah	Jean Stoyer
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**OBSERVERS:**

**MEMBERS OF THE PUBLIC (6)**

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 announce the presence of a recording device for the purpose of minute taking.

## **APPROVAL OF MINUTES:**

Ken asked for a motion to accept the minutes of the July 5, 2012 meeting, as prepared by our secretary.

**Motion:** Moved by Lou Torrieri that the minutes of July 5, 2012, be approved, seconded by David Tustin. **Motion carried**, unanimous.

**CORRESPONDENCE:** No correspondence

## **REPORTS:**

### **1. SEWER AUTHORITY: Laurence Smith -**

The developers are in the process of completing Sanitary Sewer Facilities, in the Foxfield, Creekside Run and remaining phases of Northbrook, also, the next regular meeting for the Sewer Authority is changed from August 2, 2012, to Tuesday, August 7, 2012.

## **OLD BUSINESS:**

### **Independence Towns- Plan #PC-2012-1**

A review of the revised Amended Final Subdivision plan was submitted by Matt Houtmann. For the most part, items were resolved. A summary was supplied with any items that were not completely resolved so the Planning Commission can review and comment.

**Tim Smith-** Will review the plans with Mr. Setting and his engineers, between now and the Supervisors Meeting, to discuss the encroachment issues that Mr. Setting has questioned, so the matter can be resolved. Tim addressed the review submitted by Matt and addressed the following concerns. The retaining walls around the homes will be a black powder coated aluminum estate fence. Will agree to double the number of shrubs delineating the emergency access drive. The construction entrance will be relocated to East Fulton Rd; near the Access Rd. The Fire Marshall's wishes shall be incorporated into the plans. Road "A" will be named once determined by New Castle County. Will agree that the Final Plans shall not be signed for recording until all permits in the State of Delaware are received. Will submit a Developers Agreement and Financial Security Agreement to Bethel Township. Needs to review the HOA Budget with Solicitor to make sure the Capital Reserves are adequate for future maintenance. No name for the development has been decided as of today.

**Larry Smith-**A review and approval of the revised plans by, and a Developers Agreement and Financial Security Agreement with, the Bethel Township Sewer Authority.

**Matt Houtmann-** Suggested a change to the Emergency Access Drive from a post and chain protection to break-away bollards. T. Smith agreed to the change.

**Dr. Mead Shaffer-** offered T. Smith help with naming the development.

Ken Laaken, Chairman, asked for a motion for the final plan, with conditions.

**Motion:** Moved by Lou Torrieri that this commission recommend approval of the revised final plans for Independence Towns dated May 1, 2007 and last revised July 3, 2012 conditioned upon the following:

1. Fences at retaining walls shall be black aluminum estate fences;
2. The Emergency Access Drive to be protected by break-away bollards instead of post and chain;
3. The number of bushes delineating the emergency access drive to be doubled;
4. The Construction Access shall be moved to the Access from East Fulton Road;
5. Any comments from the Fire Marshall shall be incorporated into the plans;
6. Road name to be added at Road 'A' once determined by New Castle County;
7. Final Plans shall not be signed for recording until all necessary permits from applicable agencies in the State of Delaware are received;
8. A Developers Agreement and Financial Security Agreement with Bethel Township is required;
9. The HOA Budget shall be reviewed by Bethel Township to ensure that sufficient funds are set aside for maintenance and capital expenditures of private roads, State Line Road, East Fulton Road, basins, etc.; and,
10. Review and approval of the revised plans by, and a Developers Agreement and Financial Security Agreement with, the Bethel Township Sewer Authority.

**Seconded:** Dave Tustin.

Discussion: The construction entrance will be moved to East Fulton Rd.

An extension has been filed and signed by the developer, extending the time limit to November 15, 2012.

**Motion Carried,** unanimous.

### **Foulk Manor Estate- plan # PC-2012-2**

A review of the Preliminary Subdivision Plan was submitted by Matt Houtmann.

**Jack Robinson-** Discussed some of the items related to the review. Item #9, the road will be widened from 24' to 27'. Item #11 will provide PennDot with the request for adjustments concerning the curb. Item #12, will make adjustment to accommodate the grass strip at the bus stop. Item #31, will formalize the 30' right-of-way located north of the site.

**Chris Varela, Builder-** Addressed Item #32 concerning the stone pond and indicated that it was not spring fed, but merely a landscaping feature, will verify.

**Jack Robinson-** Item#42, street lighting, will get a spec sheet from township engineer. Stormwater Management, calculations will be reviewed with Township Engineer. Waiver List, Item #1 accepted, Item#2 needs to be modified, Item #3, accepted.

**Ken Laaken-**Discussed Berms. Inquired as to whether there should be a fence around the area of the inlet. Also, inquired about the Steep and the elevation. Asked about changes to the driveway and sidewalk area around the bus stop. Questioned whether the developer applied to the Sewer Authority and if discussions were had about easement arrangements with an adjoining property owner.

**Lou Torrieri-** Discussed driveway access to adjoining property.

**NEW BUSINESS:** No new business

**PUBLIC COMMENTS AND QUESTIONS:** No public comments or questions

**ADJOURNMENT:**

There being no further business, the meeting was adjourned at 8:18 p.m. on a motion by Lou Torrieri, seconded by Dave Tustin. Motion carried, unanimous.

The next scheduled Planning Commission meeting will be held on Wednesday, September 5, 2012, at 7:30 p.m.

**Lynn Mahoney**

**Secretary**