

**BETHEL TOWNSHIP
PLANNING COMMISSION
September 5, 2012**

RECORD OF MINUTES

The Regular Meeting of the BETHEL TOWNSHIP DELAWARE COUNTY PLANNING COMMISSION was held on Wednesday, September 5, 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. Jean Stoyer
 Judith McCleary David Tustin
 Rajesh Shah

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

OBSERVERS:

MEMBERS OF THE PUBLIC (29)

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

Prior to commencement of the meeting, the Chairman asked for a moment of silence for Paul Ware, a member of the Bethel Township Sewer Authority, who passed away on August 22.

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 approve the minutes of the August 1, 2012 meeting as prepared by our secretary.

Motion: Moved by Lou Torrieri and seconded, that the minutes as prepared by our secretary for the August 1, 2012 meeting, with no additional comments, be approved as written.

Motion carried, unanimous.

CORRESPONDENCE: No correspondence

REPORTS:

1. SEWER AUTHORITY: Laurence Smith -

Tomorrow evening, the Sewer Authority will meet and discuss State Line Rd.

[Order of agenda was changed to discuss New Business before Old Business]

OLD BUSINESS:

Foulk Manor Estate- plan # PC-2012-2 Jack Robinson submitted additional receipts from certified letters that were sent to neighbors for notification.

Matt talked about the revised plans that were submitted by Jack, and asked for additional time to complete the review.

The sewer design of the development was previously discussed with the Sewer Authority Engineer, and three different options were highlighted. Issues relating to the design will be addressed at the Sewer Authority meeting tomorrow evening.

A revision of lot #1 was made to the plan to reflect the changes that were requested at a prior PC meeting. The exit from the development to the road will include a 30ft long taper that allows easy access to Foulk Rd, but does not permit enough width to accommodate a vehicle. Curbing on the road was explained by Matt. Gas and utilities were also discussed.

Matt stated that a majority of the outstanding items for the parcel have already been addressed, with very few remaining.

Motion: Made by Lou Torrieri, and seconded, to allow the applicant an extension to December 15, 2012. **Motion carried**, unanimous.

Jack Robinson signed for an extension of time to December 15, 2012.

NEW BUSINESS:

Webster Farm-

The chair read a letter regarding a Zoning Overlay Amendment -R-1A for Webster Farms:

WEBSTER FARMS ZONING AMENDMENT INITIAL COMMENT

THE TOWNSHIP BOARD OF SUPERVISORS HAS REFERRED TO THE PLANNING COMMISSION A ZONING OVERLAY AMENDMENT - R-1A - TO THE TOWNSHIP ZONING ORDINANCE AND ZONING MAP THAT HAS BEEN APPLIED FOR BY A DEVELOPER.

THE AMENDMENT WOULD PERMIT, IN ADDITION TO SINGLE HOMES, SEMI-DETACHED HOMES AND TOWNHOMES FOR THE SUBDIVISION KNOWN AS WEBSTER FARMS. THE APPLICATION FOR THE AMENDMENT APPLIES ONLY TO THE WEBSTER FARMS PARCEL, AND DOES NOT PERMIT APARTMENTS. IT PROVIDES FOR SETTING ASIDE AT LEAST FIFTY-FIVE PERCENT OF THE TOTAL TRACT FOR IMPROVED OPEN SPACE, SUCH AS AN ATHLETIC FIELD AND PARK, WITH PAVED PARKING, TO BE PRE-APPROVED BY THE TOWNSHIP.

THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE AND THE BETHEL TOWNSHIP ZONING ORDINANCE PERMIT THE TOWNSHIP TO AMEND ITS ZONING ORDINANCE AND ZONING MAP.

AN AMENDMENT TO THE ORDINANCE MAP MAY BE ADOPTED BY ORDINANCE BY THE TOWNSHIP BOARD OF SUPERVISORS AFTER STEPS SUCH AS ADVERTISING THE ORDINANCE AND A PUBLIC HEARING.

AS PART OF THIS PROCESS, THE TOWNSHIP SUBMITS A PROPOSED AMENDMENT TO ITS PLANNING COMMISSION FOR A RECOMMENDATION AS TO WHETHER THE AMENDMENT SHOULD BE ADOPTED.

THE PLANNING COMMISSION HAS AN ADVISORY ROLE ONLY. IT IS UP TO THE TOWNSHIP BOARD OF SUPERVISORS TO MAKE THE ULTIMATE DECISION AS TO ADOPTION OF AN AMENDMENT.

UNLIKE A SITUATION WHERE THE PLANNING COMMISSION CONSIDERS A SUBMITTED PLAN FOR DEVELOPMENT OF A SUBDIVISION, IN THE CASE OF A PROPOSED ZONING AMENDMENT, THE PLANNING COMMISSION ONLY CONSIDERS THE PROPOSED ZONING AMENDMENT. THIS CONSIDERATION IS LIMITED TO ONE MEETING OF THE PLANNING COMMISSION.

AFTER A PRESENTATION BY THE DEVELOPER PROPOSING THE AMENDMENT AND COMMENTS FROM THE COMMISSION AND MEMBERS OF THE PUBLIC, A MOTION AS TO RECOMMENDATION OF ADOPTION OF THE AMENDMENT MAY BE MADE, AND UPON THAT MOTION BEING SECONDED, THE COMMISSION WILL VOTE AS WHETHER IT RECOMMENDS TO THE TOWNSHIP THAT ITS BOARD OF SUPERVISORS ADOPT THE ZONING ORDINANCE AND MAP AMENDMENT.

James Byrne, ESQ. 1223 N. Providence Rd., Media, PA 19063- Representing Bethel Properties, LP and Ray Iacobucci, owner of Webster Farm. Mr. Byrne gave an overview of the prior approval of 19 single family homes, situated on Webster Farm, currently zoned R-1, that were previously submitted to the Township, along with current trends in the housing market.

An explanation of the proposed R-1A overlay was given including a PowerPoint presentation showing the Cluster Homes the developer plans on submitting to the Township, in the event of an approval of the R-1A overlay.

Audience Comments and Questions:

John Slowik-1276 Zebley Rd- Expressed concerns about traffic volume and patterns if the zoning overlay was approved, and the new development plans were submitted. Stated that more time should be given to communicate the proposed overlay so that residents could have a clearer understanding.

Rob McLarnon -1430 Green Street- expressed concerned that the proposed zoning overlay lacks definition, and suggested a new traffic study be done. Inquired about the amount of time the PC had to review the application, suggesting the Board take additional time to review, and asked why this application would not be considered spot zoning. Asked about the current 19 single family homes plan that was previously approved for Webster Farm and the dedicated road. Has a concern about losing Liquid Fuel Money from Pennsylvania if the road was not dedicated in the current proposed changes to the R-1 zoning. Inquired about the total impervious coverage of the current approved plans for the 19 single homes, compared to the new proposed development. Matt explained that the proposed plan may be a bit more impervious.

James McDaniels-1415 Zebley Rd- expressed concerns about the climate of buyers that would be attracted to the proposed developer plans, the lack of adequate parking, and traffic issues. Indicated that the proposed PowerPoint presentation lacked detail and was not realistic.

Nancy Lanahan-1334 Zebley Rd- expressed concern about traffic issues and the negative impact the revised plan would have on the neighborhood, and shared concerns about property values.

Gary Lanahan-1334 and 1338 Zebley Rd-stated townhomes in Bethel Township were typically situated on the perimeter to alleviate traffic volume and expressed concern about the unfairness to current R-1 zone homeowners including property values. Talked about the difference in sq. footage between the current zoning and proposed zoning overlay.

Debbie Kowal-3791 Brookcroft Lane-disagrees with the concept of the cluster homes and believes her property value will decrease if this zoning request is approved.

George Farah-3766 Brookcroft Lane-asked about the price range for the proposed cluster homes, inquired about the time frame for building, and if any other overlays were previously done in the township. Asked about the notification process to neighbors concerning the zoning change meetings. Jim Byrne, Esq., explained in detail, what the process would entail, including the steps that need to be taken, and public notification. Ken and Matt explained what current overlays exist in the Township.

Ray Iacobucci-Owner Webster Farm- offered to meet with neighbors to show pictures and discuss proposed cluster home details.

Rajeev Karpe-3771 Brookcroft Lane-stated that the purpose of the proposed overlay was for increased revenue to the builder, which was understandable, so long as it did not harm the interest of the other people who have invested in this area.

Glen Johnson-1318 Zebley Rd- Inquired about buffering between his property and the proposed development. Questioned what input the neighbors would have in the Home Owner Association wording. Mr. Iacobucci explained that documents would be submitted for review.

Richard Papili-1254 Zebley Rd.-express concerns about the traffic volume and the possibility of current traffic cutting through the proposed development, and sewer usage by the development.

Judy Nattress 1264 Zebley Rd-Expressed concerns about the Basin Spillway.

Ken Vandegrift-3780 Brookcroft Lane- asked whether the ball field would be included with the current plan of 19 single family homes. Ken replied, no.

Russ Cobb-176 Trotters Lea Lane- explained that the addition of school bus traffic would increase greatly if the cluster homes were developed.

BOARD DISCUSSION

Board members discussed the proposal of the -R-1A- zoning overlay and the Planning Commission's role in the application. Many items were considered by the Board, including the concept, needing additional time to review, community benefits, process, language and community input.

The Chairman asked for a motion to recommend the proposed -R-1A -zoning overlay application to the Board of Supervisors.

Motion: Made by Jean Stoyer and seconded, to recommend the Township Board of Supervisors adopt the R-1 overlay and map adjustment, and pay particular consideration to the comments and concerns that have been addressed in tonight's meeting. **Motion failed, 4-2.**

Voting in favor of the endorsement was: Raj Shah, Jean Stoyer

Voting against the endorsement was: Ken Laaken, Lou Torrieri, Ted Hoppe, and Judy McCleary.

(Dave Tustin did not vote due to an early departure)

PUBLIC COMMENTS AND QUESTIONS:

Dr. Mead Shaffer 1645 Bethel Rd- Founders Day will be celebrated on October 13, 2012, Saturday 10a.m.-3 p.m., at the Bethel Township Fire Company, with House Tours from 3 p.m.-6 p.m. Rain or Shine.

ADJOURNMENT:

The meeting adjourned at 9:32 p.m.

The next regular meeting of the Planning Commission will be held on Wednesday, October 3, 2012, at 7:30 p.m.

Lynn Mahoney

Secretary