

# BETHEL TOWNSHIP

DELAWARE COUNTY

1092 BETHEL ROAD

GARNET VALLEY, PA 19060



## Planning Commission

Louis Torrieri-Chairman  
Kenneth Laaken, Jr.-Vice-Chairman  
Denise DeJohn -Secretary

L. Theodore Hoppe Jr.  
Bill Linton  
Ed Miles  
Rajesh Shah  
David Tustin

Matthew Houtmann, P.E.  
Township Engineer

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## PLANNING COMMISSION RECORD OF MINUTES

May 4, 2016

The Regular Meeting of the BETHEL TOWNSHIP DELAWARE COUNTY PLANNING COMMISSION was held on Wednesday, May 4, 2016, in the John Myers Building, 1092 Bethel Road, Garnet Valley, PA 19060.

### PRESENT:

Lou Torrieri-Chairman  
Ted Hoppe  
Ed Miles

Ken Laaken, Jr.-Vice Chairman  
Dave Tustin

### APOLOGIES:

Raj Shah  
Bill Linton

### IN ATTENDANCE:

Mike Davey, Township Supervisor  
Matt Houtmann, Township Engineer  
Denise DeJohn, Secretary  
Laurence L. Smith, Esquire - Planning Commission Solicitor

### OBSERVERS:

**MEMBERS OF THE PUBLIC** (20)

The regular meeting was called to order by Lou Torrieri, 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. A copy of the approved minutes, as well as the agenda, are available on the Bethel Township website.

### **APPROVAL OF MINUTES:**

Lou asked for a motion to approve the minutes from the April 6, 2016 Planning Commission Regular Meeting, as prepared by Secretary, Denise DeJohn.

**Motion:** Moved by Ken Laaken, Jr., and seconded by Dave, we approve the minutes from the regular meeting as prepared by our secretary. **Motion carried**, unanimous.

Lou asked for a motion to approve the Planning Commission Secretary hours (6 hours) for the month of April, 2016.

**Motion:** Moved by Ken Laaken, Jr., and seconded by Ted, we approve the hours of the Planning Commission Secretary. **Motion carried**, unanimous.

Lou welcomed Ed Miles back to the Planning Commission board. Ed Miles has filled the vacancy of Mike Schneider who moved on to Chadds Ford.

**CORRESPONDENCE:** Any correspondence will be addressed during the meeting where applicable.

### **REPORTS:**

1. **SEWER AUTHORITY** – No report at this time.

### **ANNOUNCEMENTS:**

**Dr. Shaffer, 1645 Bethel Road – Bethel Preservation Society.** The Garnet Mine exhibit is open on Saturdays in the township building from 9 a.m. to 3 p.m. and will be there for about a year. On Sunday, May 15<sup>th</sup>, from 1 p.m. to 4 p.m. there will be an open house and tour which features the log house and Dr. Shaffer's house on Bethel Road. The 5<sup>th</sup> grade class from Bethel Springs will visit Dr. Shaffer's property for the entire day on May 12th.

Lou stated policy for public comments. Project representatives or the Engineer will present overview and/or updates of projects in their entirety with discussions throughout among the Board, Township Supervisor, Engineer and applicants. Upon completion of the presentation, the Chairman will give the opportunity for the public to comment and ask questions. Please state full name, address & direct all comments to the board only.

## **OLD BUSINESS:**

### **1. Project PC-2015-2. BYC Fields at Francis Harvey Green School**

They still have some issues to bring before the board so there will be no review at this meeting. They are awaiting additional documents and permits.

### **2. Project PC-2015-3. Formal Preliminary Plan – RDM Management LLC (Dunkin' Donuts)**

Dunkin Donuts is awaiting additional documentation and outstanding permits so there will be no review. They are awaiting PennDOT and other permits.

### **3. Project PC 2015-5. Iacobucci Homes, 1621 Garnet Mine Road**

Mr. Jack Robinson, JMR Engineering LLC., engineer for Iacobucci Homes. Lou stated that Matt just received the revised plans a week prior to this meeting. There are still a lot of open items for discussion this evening. Jack will give update on significant changes to the plan.

Jack received the May 4<sup>th</sup> letter from Matt Houtmann. Some of the highlights include:

1. Fire hydrants on the utility grade plan (sheet 3), every 400 feet or less. The fire marshal still needs to look at plan. Also adding some lights – street light around the bend and street lights in the cul de sac.
2. They have met at site with the arborist and addressed trees on property line. The arborist inspected the trees. The existing mature trees along the southern boundary have been located on sheets 2 and 3, along with the associated drip line. The certified arborist is recommending the removal for various reasons. The proposed road is designed to be constructed and graded within the subject property boundary, which will be buffered with compensatory landscaping. At the discretion of the township, the road may also be constructed with a retaining wall in certain places to maintain the existing drip line of the remaining trees. Jack has moved the road further towards the north to take grading off of property line. They will decide option to maintain healthy trees. Option 1 would be to put up a retaining wall or option 2 is to grade as shown on plan and add more buffering. Ray Iacobucci stated that the arborist would be willing to meet with neighbors to determine if they want trees removed right on the boundary. They can put the wall up and stay out of the drip line but he thought because some trees are diseased, the neighbors might want removed. Lou would like this as a stipulation that the arborist meet with the surrounding neighbors to be on board with what their desires are for that property. Matt agrees with this proposal. He did meet at site with applicant which initiated them to have arborist look at trees and the arborist has indicated there are several distressed tree and other subject to disease. The root system goes into subject property. If no agreement is met, would have to build road as is. All trees run length of driveway right on power line. Matt would like a written report from the arborist.
3. Foot bridge is noted on plan (sheet 3). There is a wood chip path along the basin.

In reference to Matt's letter dated May 4, 2016, he reviewed the latest plans and his comments are.

Sheet 1, Item 4. The gazebo was removed from the plan in favor of a paver area for pedestrian gathering. Jack presented a photograph to the board. Matt is suggesting 3 sides of area have ornamental fence and do some landscaping since it is sloped. The area shown is a circle but Matt thinks a rectangular area is nicer. Benches should be spread out in area. The planning commission needs to decide on area. The board is fine with paver and black aluminum fence. Ken would like 3 to 4 bollards on turn for safety.

4b comment, page 2. Retaining wall – Matt prefers an architectural type fence. Ray Iacobucci is agreeable to this.

Item 5. Walking path does cross stream as long as they don't need a joint permit (army corp).

Item 6. Emergency access. Mr. Iacobucci submitted a letter at the April meeting that Mr. Brown is in agreement.

Item 8. Retaining wall. Matt wants 20 feet clear of the property line. Jack will switch to a regular pour in place concrete wall.

Sheet 3, item 9. The uphill units, 1-14. Grading goes right up to property line. He would like applicant to look at this with slight increase in wall height, to pull it a little away. He would like buffer between grading and adjoining properties.

Item 11 is typo or calculation error.

Page 3, item 3. Matt needs clarification on detail. The curb line, driveway, entrance in garage, maximum elevation/minimum elevation distance on plan.

Sheet 4, item 4. On ordinance, full right of way is to be graded out – entrance road. A waiver should be added to plan.

Item 8. Grading comments: They received soil data. On uphill lots, there is some rock and they will need to blast. They will need to follow township procedures for blasting. Lou stated these procedures include notifications to all residents of time of blasting, etc.

Under general comments:

- 24 – They have provided landscaping around the basins. The township's consultant will take a look at that.
- 29 & 30 – Offsite profiles. The applicant is looking to defer that to final plan. Matt would like that at preliminary. We have analyzed those lines and they should be fine. They must be on final plan.
- 36 – Construction of the emergency access. The board agreed it should be paved. We are awaiting comments from fire marshal.
- 38 – Intent to block access to emergency access drive. The plan now shows breakaway chain. Matt likes breakaway bollards as opposed to chain. The Planning Commission likes the one similar to Deer Meadow.
- 43 – We will need additional information from PennDOT. Lou stated we need full detail on PennDOT and what will happen. Jack has met with PennDOT and they have made recommendations on changing some things on road. Lou stated any road changes will need to be presented to planning commission. We need to see impacts on the intersection. Lou wants the large tree removed to the right out of the proposed development. Lou wants PennDOT plan reviewed at the next meeting. Jack and his client would like preliminary recommendation tonight with the requirement that PennDOT has to be satisfied at final planning stage. There are a lot of outstanding items and the

board would like everything correct with PennDOT. Jack stated PennDOT approval could take a few months. They have given them recommendations but the board does not have a plan.

Stormwater Management:

- Matt has checked volume of basins and routing calculations at the final plan stage.

Comments generated by previous plan revisions:

1. Lot #1 has a strip of open space and it was recommended that it be incorporated into Lot #1. We will leave as is.
2. Item 11, they are placing an under drain on basin in case floor doesn't drain property.
3. Item 19, issues of trees on left side of entrance road. Items have been discussed.
4. Item 20 is PennDOT coordination.

Matt would like applicant to address these issues at the final plan.

Lou asked what is the proposal for a development sign. Ray stated it will be an entrance monument. The sidewalk goes up to Garnet Mine Road and there will be a light for early morning school bus pickups.

Lou asked about mail delivery and Jack stated there will be gang boxes. The post office dictates placement of gang boxes. This must be added to the plan.

Dave asked about water runoff during construction. A silk sock will be on plan.

### **PUBLIC COMMENTS AND QUESTIONS:**

**MaryJane Jwanisick 1601 Garnet Mine Road.** She would like a copy of the plan from PennDOT. Lou said she will be able to see it at the next meeting.

**Eileen Shomo, 1627 Garnet Mine Road.** Has the builder applied to State for permit to build? Lou stated it has been submitted.

**William Tindall, 1626 Garnet Mine Road.** He lives across the road from the new road proposed for the development. He is concerned with glare from light at development. Lou stated the light is a development light, is a 100-watt bulb, 12 feet, and architectural style. It is low light at intersection where sidewalk is and entrance to street. Mr. Tindall is to meet with developer. The light is needed for safety and serves as a marker for the road. Matt stated it would not illuminate whole intersection.

Finally, Matt stated this project had tough physical constraints with grading it. He has done a close review of the preliminary plan. He has documented everything in his letter that needs to be done if not already on plan. It is now a policy issue for Planning Commission to have the plan updated more.

Ed Miles stated there are 2 items of concern: Four of the items from Matt's review need to be cleared up. Also on behalf of the residents that have participated in these meetings, it is in everyone's interest to wait and see PennDOT's recommendations. We need to see the written concept so residents have an idea of development. Ed does not recommend preliminary

approval tonight. Ted agrees with Ed's comments. Dave would like to wait for PennDOT's recommendations. Ken is in agreement with everyone to wait. The residents and board have concerns and we would like to see everything from PennDOT.

Mr. Iacobucci stated he has concerns of waiting to hear from PennDOT. From the beginning, he had a long list of items and they did their best to answer them. It could take months to nail down a design without a preliminary approval. Matt stated the Planning Commission is looking for a plan that is prepared that incorporates all of PennDOT's comments. Jack stated the reason there is no plan is because the road has moved and the site has been regraded every meeting.

Lou stated because of the residents and board, the PennDOT issue is a major concern because of entrance to development. In fairness to residents and board, the board is not in favor of preliminary plan approval at this meeting. The board needs to see the visual to share with the residents.

**Motion:** Moved by Ken Laaken, Jr. and seconded by Ed, we approve an extension to July 15, 2016, PC2015-5 Iacobucci Homes, 1621 Garnet Mine Rd. **Motion carried**, unanimous.

**4. Project PC 2016-1. Iacobucci - 1089 Kirk Road – 6 lot subdivision (Linton Farms II).** Mr. Jack Robinson, Iacobucci Builders, Project Engineer. Final plans were just submitted and will be discussed at next meeting. Penn-Del Archers has agreed to an easement. A copy from Penn-Del needs to be provided to board before final approval.

**5. Project PC 2016-2. Chris Panarello – 4 lot subdivision behind Siloam United Methodist Church Property, 1441 Naamans Creek Road.**

Jack Robinson advised they have sent out notifications and posted a sign regarding this development. He submitted 8 certified return receipt card notifications.

The project address is 1441 Naamans Creek Rd. and there will be four lots off of existing private driveway. There is an existing home along Naamans Creek Road and three proposed lots behind it. There is a 20 ft. wide driveway that exists private through the property with the 4 houses on driveway. Jack needs a waiver for the 4 properties to use the shared driveway. They will be requesting from the Board of Supervisors a waiver to use the 20 ft. wide existing driveway.

The waiver requested is Section 407 (private streets). It is not on plan yet. Lou asked Jack if we still need road frontage. Matt said there may be an overlap in zoning ordinance, Matt will look into.

Jack stated there is no common HOA. Each lot has its own storm water management system. The maintenance of common driveway would be a shared agreement with all homeowners. Lou clarified maintenance as snow removal, resurface maintenance, etc. Matt said that Larry Smith would need to look at cross easement agreement with property owners. Ken would like shrubbery shown between plot and cemetery (soldiers' field). The board would like buffered shrubbery. There will be no driveway lighting. Jack to talk to Brett Small regarding fire hydrant.

Lou stated the last issue discussed was the road itself and the use of the road and the access to the church property. Ed Miles stated that he is a former member of the church and has familiarity with the church property and its use. He is concerned about closing off the section of the driveway that goes to the residents and closing off the section of the next driveway which goes over to Siloam Church. Ed mentioned this causes concern. In its daily use, 9-12 cars will go out of those residences, but for emergency and in general traffic patterns they use the entrance by parsonage to get into the church instead of going to Foulk Rd. since it backs up. Additionally, when Memorial Day service takes place a significant amount of folks travel on this driveway. He is concerned with church on Sundays or special events for church or fire department. The church and fire department have cross agreement (gentleman's handshake), if one is having an activity and they need additional parking, the church generously shares their parking for the fire department and the fire department shares with the church. Part of that includes going up the current driveway and going out at the parsonage. Ed would like to suggest the developer and Siloam Church have a discussion on that point and whether that should be opened for both parties or should it be closed off. He thinks it will be beneficial for the two parties to have a conversation and come to an agreement. He thinks before everything gets cut off, the parties should have a discussion. Lou would like to have a consensus on what the two property owners would prefer and see how it works within the township regulations.

Ken mentioned there were discussions on a safety barrier and if a fire truck could get in. You are also asking these residents to maintain this street and then on Sunday, the church folks would use this road. Ken would like safety barrier and if there is a function we could open up that street. Jack said a possible solution could be that Siloam share in the maintenance.

Lou stated that both parties have a conversation and come back to next meeting and advise the board of their opinions. The Planning Commission will then further discuss any options including extending use of private driveway by Siloam Church. The Board of Supervisors will decide any waivers for use not stated by Township Ordinance.

Matt had a few comments:

1. Private street to have a name.
2. Along driveway, street trees on east side would be beneficial to property.
3. Update highway occupancy permit with the state. Need an HOP.
4. #9. Interconnecting driveways, have been discussed
5. Perc test, did they encounter ground water at 2 feet? Matt said best way to handle storm water is to get in into the ground.
6. Sewer authority to bring a dedicated line up halfway to edge of Lot 3.

Matt would like to meet Jack at site to look at discharge points from those storm water systems. He wants to make sure discharge points don't affect neighbors. The parsonage will remain on this site

At the next meeting we will discuss access to the Siloam church property.

### **PUBLIC COMMENTS AND QUESTIONS:**

**Wilbert Tyson, 3754 Foulk Road.** Is it a private lane or road? It will be a private road.

**John McHugh, 7 Walter Harvey Circle.** He is an adjacent property owner concerned with storm water runoff. It is a wet lot and drains to his property. He welcomes Matt's idea to look at closely.

**Bill Kleinert, 3531 Dogwood Drive.** He is a member of Siloam United Methodist Church and on trustee's board. He would like to discuss with developer and work things out.

**Gary Lanahan – 1334 Zebley Road.** The existing rear entrance to the church, does it cut off at elbow? Fourth lot is at turn. Parsonage is lot 1.

### **NEW BUSINESS:**

#### **Project PC 2016-3. Ed Mattote – Preliminary Plan, 2 lot subdivision. Property 3012 Foulk Road.**

Mike Ciocco. Project Engineer, Catania Engineering Associates, Milmont Park, PA. He presented plan for 2 lot subdivision in an R-1 residential district. It is approximately 60,000 square feet parcel of land. An existing house fronts Foulk and Garnet Mine Roads. They are proposing subdivide off 1 new lot on Garnet Mine Road only, lot 2. The lot will be cleaned up with removal of old garage and existing above ground pool. The driveway will go onto Garnet Mine Road.

They went in front of Zoning Board in February to get a variance, approval for zoning. PennDOT over years has been creeping into right of way into lot. The Zoning Board has granted variance and they can sub-divide. They got an extension to May 2017. Lot 1 will need a driveway and will be addressed.

Matt to do a review. It is a 2 lot subdivision with public sewer, public water proposed. Submission started April 12, 2016 and will need an extension at June meeting.

### **PUBLIC COMMENTS AND QUESTIONS:**

**Scott Ristine, 3016 Foulk Road.** How far is house from back property line? House is 70 feet to closest corner and 90 feet to furthest corner. Are fences proposed on this property? Mike stated not at this time.

### **CLOSING COMMENTS:**

Lou thanked the Board members, as well as residents, for attending the meeting. The next regular meeting will be on June 1, 2016 at 7:30 p.m.

### **ADJOURNMENT:**

The meeting adjourned at 9:22 p.m., on a motion by Ken, and seconded by Ted.

Denise DeJohn, Secretary