

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

Laurence L. Smith, Esquire
Planning Commission Solicitor

Phone: (610) 459-1529

Fax: (610) 459-2921

Email: planning.commission@betheltwp.com

www.twp.bethel.pa.us

PLANNING COMMISSION RECORD OF MINUTES JUNE 1, 2016

The Regular Meeting of the BETHEL TOWNSHIP DELAWARE COUNTY PLANNING COMMISSION was held on Wednesday, June 1, 2016, in the John Myers Building, 1092 Bethel Road, Garnet Valley, PA 19060.

PRESENT:

Lou Torrieri-Chairman	Ken Laaken, Jr.-Vice Chairman
Ted Hoppe	Dave Tustin
Bill Linton	Raj Shah
Ed Miles	

APOLOGIES:

None

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 (14)

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 May 4, 2016 Planning Commission Regular Meeting, as prepared by Secretary, Denise DeJohn.

Motion: Moved by Ken Laaken, Jr., and seconded by Ed, 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 (8 hours) for the month of May, 2016.

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

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

REPORTS:

1. SEWER AUTHORITY – No report at this time.

ANNOUNCEMENTS:

Bethel Preservation Society. – No report at this time.

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

Matt Houtmann stated that there are currently no updates so there will be no review at this meeting.

Motion: Moved by Ken Laaken, Jr., and seconded by Dave, to approve an extension to BYC PC 2015-2 to September 15, 2016 as long as it is signed by the Supervisors meeting on June 14, 2016. **Motion carried**, unanimous.

2. Project PC-2015-3. RDM Management LLC (Dunkin' Donuts)

Mike Cicciio, Project Engineer, provided an update on the Dunkin Donuts plans and reviewed some of the changes. He provided an updated copy of PennDOT's plan. The plan is basically the same as before, but he reviewed some changes based on PennDOT's review. They have had 2 separate reviews and hope to have a permit back later this month.

PennDOT would like to have a center turning lane as you approach southbound on Foulk Road so you could make left hand turn into Dunkin Donuts. They will be restriping, so no roadwork is needed. The restriping goes back to Kirk Road with some widening, and this lane could be used by the Coffee Station and Dunkin Donuts. There will be 2 - 12 foot wide thru travel lanes.

Another change was the parking on the north side of Dunkin Donuts. It used to be up against the Dunkin Donuts and it is now flipped to Foulk Road side in order to get better turning radius into the site. Also, if you have cars waiting to turn out onto Foulk Road, cars coming around Dunkin Donuts will still be able to get behind those cars and out onto Naamans Creek Road. The previous configuration caused a bottleneck situation.

PennDOT also recommended changing 2 parking spaces on the southwest corner by Naamans Creek Road. They felt if cars are coming in and a car backing out it would create a conflict. They wanted those 2 parking spaces removed, and they were flipped to where the fueling station was. These parking spaces are 31 feet apart and there is plenty of room for this to work. Mike stated that 27 spaces are required on this site.

Ken asked about handicapped spots. Mike stated they would be level and not a grade. It would be graded for ADA crossing.

Matt still needs to review this updated plan.

Motion: Moved by Ken Laaken, Jr., and seconded by Raj, to approve Dunkin Donuts extension to September 15, 2016 as signed by the Board of Supervisors meeting on June 14, 2016. **Motion carried**, unanimous.

PUBLIC COMMENTS AND QUESTIONS:

Gary Lanahan, 1334 Zebley Road. What is the final resolve to keep people from making a left hand turn heading east after they cross Foulk Road? Mike stated there is signage, no left turn.

Bill Kleinart, 3531 Dogwood Drive. People still made the left hand turn when the gas station was open. Mike stated a grass island with curbing would be put in. Opening will be defined. The attempt is to do stripping and signage since there was never any signage there.

Chris Panarello, 1220 Kirk Road. He said that he is okay with taking yellow lines out of center of the road. He doesn't have a problem but feels cars will get jammed up. They suggested a pork chop right hand turning lane from Kirk onto Foulk. He feels from looking at this plan, he doesn't see turn lane to go right. He feels traffic will get worse. Mike stated they are extending the turning lane, which allows for stacking of cars.

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

Mr. Jack Robinson, JMR Engineering LLC., engineer for Iacobucci Homes. Jack revised plans per Matt Houtmann's review letter, as well as submitted the plans to PennDOT and the township. Lou stated from the last meeting that we wanted PennDOT's recommendations and comments on the plan. This plan reflects those incorporated recommendations and changes on the plan.

Some highlights include:

1. There will be striping at intersections.
2. Main plan is construction plan, which shows areas where the road will be cut down. And area to north indicates the area where the road will be raised up.
3. On last sheet, page 6, it shows the profile of Garnet Mine Road. It shows that taking some hump and rounding road out better provides more sight distance. The road is shaved and filled in for sight distance, takes peak out of the hill. It gets the cars up higher and takes knob out of the hill. The plan shows sight distance from driver's spot as well as profile.. The thin dotted line shows profile of existing conditions and the heavier line is what is proposed. It takes some of the sharpness of hill away. Lou asked what is the actual distance from the entrance far down that you have to adjust the roadway. Jack stated it is about 400 feet.. Matt will ask them to do a further study and see if slight additional adjustments to the road has a meaningful effect on increasing sight distance even more. He asked the applicant to do that additional study, they presented plan that meets PennDOT's requirements and they could get highway occupancy permit with these plans, but he would like additional investigation. Jack stated that they are in agreement.

Lou asked about some outstanding items:

1. Fire hydrants and buffers are squared away.
2. During construction periods, he noted that silk sock for erosion and run-offs, it is on plan. He is looking for something that says roadway is clear of construction equipment and mud not tracked on roadway. Jack mentioned it is on plan as required by conservation district. The roadway will be clear.
3. This is first version of PennDOT plan so dates were omitted.
4. On original plan, subdivision plan for Garnet Mine Road, we need to add 1621 Garnet Mine Road. We also need a street name before final plan. Mr. Iacobucci stated they do not have a street name.

Matt stated some issues from May 4, 2016 letter and there were issues and general agreement. The applicant was anxious to have some action by the Planning Commission but the Planning Commission was not comfortable with the application until a plan was prepared and they could see improvements at Garnet Mine Road. The Engineer did prepare that and submitted it to PennDOT. It will take 3-4 months to get through the process with PennDOT so Matt thinks if the board is comfortable with the other issues that have been discussed, that you could take action conditioned upon the minutes of the May meeting and conditioned upon PennDOT's review of the PennDOT plan and the Township Engineer's review of the PennDOT plan. Jack stated that they have addressed every item.

Ed Miles commented that Matt has recommended an additional road study. He asked if there is a benefit to additional sight distance improvements above what is presented, we should add verbage to include that as well.

PUBLIC COMMENTS AND QUESTIONS:

William Tindall, 1626 Garnet Mine Road. He lives across the road from the new road proposed for the development. He asked what is frontage that the developer owns at the highway? Jack stated the right of way is 90 feet. He is still concerned about this road that cars are bunched up. He would like PennDOT to have a meeting with surrounding homeowners. Lou stated that PennDOT has come to this site with the engineers and they made some recommendations for adjustment of the roadway to lower the road to improve visibility. Mr. Houtmann also asked the Project Engineer to go back to PennDOT and see if lowering the road more would improve the sight line. This board cannot override what PennDOT has approved. Lou stated that Mr. Tindall could contact PennDOT directly. The Planning board has fulfilled their obligations to ensure this plan meets PennDot requirements. PennDot has provided their recommendations to approve this project. The Project Engineer has met all the requirements by the state, the township and county. Matt stated that PennDOT has an active application. Matt will provide him with an application number to contact PennDOT.

Christine White, 1593 Garnet Mine Road. She understands sight visibility will be increased coming down Garnet Mine. Will there be widening of street or turning lane? Jack said there are no changes proposed on any of the properties and no widening of the road.

Lou asked how the board feels about preliminary approval at this point with the conditions that still exist and any issues that were outstanding have to be resolved before any final plan is approved.

Motion: Moved by Ken Laaken, Jr. and seconded by Ted, we recommend preliminary approval for 1621 Garnet Mine Road, PC 2015-5 conditioned on PennDOT's review, conditioned on the May 4, 2016 review letter of Matt Houtmann, the Planning Commission meeting for May 2016 and also conditioned on Garnet Mine Road's sight distance. **Motion carried**, unanimous.

4. Project PC 2016-1. Iacobucci - 1089 Kirk Road – 6 lot subdivision (Linton Farms II) Final Plan Review. Mr. Jack Robinson, Iacobucci Builders, Project Engineer. They are seeking final plan tonight. Jack provided a revised plan from the recent review letter. There is one update regarding the easement. They do have an easement from Penn-Del Archers to tie

into sanitary sewer line to the rear of the property. They provided a copy to the board. Jack advised there are only minor items to clean up. Matt asked where third party permits were? Jack stated they will be submitted next week.

Matt stated policy for Planning Commission is not to send the plans to the board of supervisors until all third party permits are in place. Lou stated that the policy has not changed. At this point, based on the Township Engineer's recommendation and no objections from anyone on the board, we cannot move forward with Final Plan tonight until Jack comes back with all these items. The plan cannot go to the board of supervisors with open items. Matt stated that the extension would be 90 days from the date of submission of April 28, 2016.

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

Jack Robinson, Project Engineer. The project address is 1441 Naamans Creek Rd. and there will be four lots off of existing private driveway. Jack stated they will approach Board of Supervisors with a waiver for the driveway.

Chris Panarello, 1220 Kirk Road. He has met with the church and they agreed to block off the road. If Jack asks for a waiver, it is for 4 lots on that lane, with emergency access only to church property. The waiver will be based on the fact that there will be an agreement between the property owners. Mike Davey asked about "blocked off" which is for emergency access only. Jack said it would be a gate or chain. The Fire Company and township will have a key to the gate. The board is in agreement with this.

Motion: Moved by Ken Laaken, Jr. and seconded by Ed, we approve an extension of 1441 Naamans Creek Road, PC 2016-2 to September 15, 2016, signed by Board of Supervisors meeting on June 14, 2016. **Motion carried, unanimous.**

6. 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 at Foulk and Garnet Mine Roads. There is an existing house, above ground pool and large garage. The ground will be subdivided into 2 separate lots. The existing pool and garage will be removed. The existing house remains as Lot 1 with access onto Garnet Mine Road. Lot 2 is proposed as a single family dwelling and driveway with access onto Garnet Mine Road.

They went in front of Zoning Hearing board and got a variance for lot area for Lot 1 and also for Lot 1 to keep concrete patio and steps in rear portion of property. They are in receipt of Matt's review letter.

Matt shared highlights:

- Pages 2 and 3, there is a common driveway down southeast corner of site that services adjoining properties. Plan doesn't indicate the date that there is an easement with that, so a title search to be conducted and placed on plan. If there is no easement, one should be generated for the rights of the adjoining property to use that driveway.
- Comment 3, is Net lot area. The township ordinance requires that access easement be deducted from that lot area. Did the area presented to Zoning Hearing board have that deduction? Matt would like Larry Smith's assistance. Larry agreed to investigate. Mike stated that it is public rights of way and public easements. He understands this would be a private easement. Matt will double check ordinance. Mike stated they are ordering a title report. They would consider a private easement.
- Mike stated the driveway would be added at Garnet Mine Road at property line. Larry to look at ordinances and provide opinion to Planning Commission. Did the Zoning Board grant a variance that encompasses driveway issue?
- Item 7. The plans need to indicate new driveway and parking spaces for Lot 1.
- Item 8, we need note on plan that those accessory structures will be demolished before the plan is recorded or some other arrangement with the township.
- Sheet 3, Item 2. We need waiver request, the line separating lots 1 and 2 should be perpendicular to road.
- Matt said 3 cleanouts are listed. Mike to research.
- General Comments, need to provide site distances for the driveways. Item 5 it should be noted that the existing well connects to public water and public sewer on plan. Perc tests for storm water management systems for Lot 2.

Mike noted that he received comments from the Delaware County Planning Department and they recommended approval of the plan.

NEW BUSINESS:

Bethel Moving Supplies and Storage. Conchester Hwy., SR322 (Update on sketch plan and zoning requirements).

Lou stated there are zoning issues with original request that will be addressed. Brian McFadden, developer addressed the board. They have reworked access to the plan. They approached neighbor regarding an access easement with Fuzzy Butts Dog Daycare to use existing road cut. When they had separate access they were chasing grade coming off of 322. It is a better approach to minimize road opening or penetrations. There is extra 50 feet of buffer off of 322 in case PennDOT needs more than what they have.

It will be three buildings and be a phased project built into hill. There is 10-30 feet of vegetative buffer. They will develop half of what site is. Matt Houtmann will need to look at this plan. The service road needs to be preserved.

Lou stated the proposed use would require a variance with retail space and storage and would have to go to Zoning board. However, the township is in process of proposing amendments to the zoning ordinance for Route 322. Mike Davey stated these plans were just submitted to this board and will be addressed at next meeting. It has been submitted to Delaware Planning Commission for their comments. A public hearing will then be held on those proposed amendments. A variance would need to be submitted to the Zoning Hearing Board.

Lou stated that if Mr. McFadden applies for a variance and it is approved, and the variance and the code changes, he is stuck with the variance. So if it changes in the ordinance, what is course of action? Matt stated he could withdraw his application, reapply and he is governed by zoning existing at that time.

CLOSING COMMENTS:

Lou thanked the Board members, as well as residents, for attending the meeting. The next regular meeting will be on July 6th, 2016 at 7:30 p.m.

ADJOURNMENT:

The meeting adjourned at 9:17 p.m., on a motion by Ken, and seconded by Raj.

Denise DeJohn, Secretary