



Planning Commission

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

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

Matthew Houtmann, P.E.
Township Engineer

Laurence L. Smith, Esquire
Planning Commission Solicitor

BETHEL TOWNSHIP

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PLANNING COMMISSION RECORD OF MINUTES SEPTEMBER 7, 2016

The Regular Meeting of the BETHEL TOWNSHIP DELAWARE COUNTY PLANNING COMMISSION was held on Wednesday, September 7, 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

IN ATTENDANCE:

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

OBSERVERS:

MEMBERS OF THE PUBLIC (7)

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 August 3, 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 (5 hours) for the month of August, 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:

Lou announced that the Board of Supervisors are currently interviewing candidates for the vacant spot on the Planning Commission due to the resignation of Bill Linton, who resigned due to professional time conflicts. The board will appoint a replacement once interviews are completed.

Bethel Preservation Society – July McCleary – 3307 Foulk Road. On September 24, 2016 there will be a tour of Southwestern Delaware County churches, schools and cemeteries. She left postcards on the back table. On September 25th, there is an encampment at Brandywine Battlefield. Founder's Day is October 8, 2016 at the Bethel Fire House. This year they added a book binder from the Sugartown area. She reminded everyone of the Garnet Mine exhibit every Saturday at the Township Building.

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.

SPECIAL REVIEW – Zoning Ordinance Amendments – Bethel Township.

Lou stated that last month we presented a list of recommendations that Dave prepared and had a brief discussion. We will do an update to the comments and wait for input from the Delaware County Planning on their comments and recommendations. He introduced Kelly Sullivan from McNichol, Byrne & Matlawaki, PC. At the October meeting, we will have final recommendations and/or comments.

Kelly stated they received the Delaware County Planning Department's comments on both the zoning map changes and district use regulations. She reviewed those with the Supervisors, as well as Matt Houtmann. The comments include:

- Tank Farm – They are proposing to add a use to the Tank Farm district which is for adult entertainment uses. In accordance with comments from the Planning Commission last month, they did amend the definitions to specify types of uses. The two definitions are all inclusive. They changed some of the area and height regulations associated with those uses in the Tank Farm District. It is a very limited area in the township and will require access to a state highway with 2 available options for ingress and egress. Matt reviewed the area and height regulations and changes were made. All comments from the Planning Commission were incorporated.
- On the C-2, they made changes based on what the Delaware County Planning Department told them to do. Originally they incorporated uses that were buy right in C-1 as conditional uses in C-2. They clarified and spelled this out. There was some confusion on C-2 regulations. They made some slight changes to the LI. This was existing language which Delaware County Planning Department found confusing because of regulations of individual lot developments and multi-lot developments or multi-use developments. Based on the Delaware County Planning Department's comments, they have stricken multi-lot. They have added a definition for individual lot.
- Solar Panel – They deleted solar access. Kelly stated Delaware County Planning Department suggested putting that back in but for the same reasons discussed at last month's meeting, she would not recommend putting it back in. They clarified roof mounted being only on principal buildings or accessory buildings. They kept roof edge with 3 ft. setback. The changes suggested by this commission were incorporated.
- No changes on zoning map.

Questions from Planning Commission:

Ed asked about what the effect is on folks who have already installed and will not be conforming to that. Kelly stated they will be existing non-conforming.

Kelly asked the Planning Commission to make a recommendation in favor or not in favor in October so they can go back to the Board of Supervisors and they can hold a public hearing. Lou stated that the Planning Commission will make final recommendations in October.

OLD BUSINESS:

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

BYC advised this project is still active but they continue to wait for additional documents and permits, so there will be no review at this meeting.

Motion. Moved by Ken Laaken, Jr. and seconded by Dave, not to approve Project PC-2015-2 BYC Fields at Francis Harvey Green School unless they have signed an Extension of Time before the Board of Supervisors' meeting on Tuesday, September 13, 2016. **Motion carried**, unanimous.

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

Mike Ciocco, PE, Catania Engineering representing for RDM Management Mike stated they resubmitted plans to PennDOT last month. They understand that township doesn't want handicap ramps installed at Foulk and Naamans Creek Roads. PennDOT wants a letter from the Board of Supervisors that if something comes up and ramps need to go in, PennDOT will not pay for this but someone else will be responsible. Dunkin Donuts said if it comes up they will do it. Larry stated that once the letters are done to make it part of the record and plan. Matt stated we are waiting for third party permits to be in place before the Planning Commission takes formal action and sends to the Board of Supervisors.

Motion. Moved by Ken Laaken, Jr. and seconded by Ed, to approve Project PC-2015-3 RDM Management LLC (Dunkin Donuts) at Foulk Road extension of time to December 15, 2016. **Motion carried**, unanimous.

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

Jack Robinson representing Ray Iacobucci. The main road has been named Maria's Way. Maria was the former owner of the property. They have a letter from the conservation district and the plan submitted this evening incorporates their comments. There were 7 comments and they found design acceptable. PennDOT has second revision and waiting on agreements from a few neighbors who are having driveways adjusted.

Matt asked Jack about profiles of the road regarding sight distance. We asked to increase sight distances. Jack did look at this with PennDOT and they will extend sight distance by extending driveways and creating a steeper situation. They will need some agreements with the neighbors to make driveway adjustments. Matt to look at the plans.

4. Project PC 2016-1. Iacobucci - 1089 Kirk Road – 6 lot subdivision (Linton Farms II) Final Plan Review. Matt advised they are waiting for information from applicant and third party approvals. Jack Robinson, Project Engineer, stated they received a brief letter from conservation district. They are waiting for final permits, continued to next meeting.

Motion. Moved by Ken Laaken, Jr. and seconded by Ted, to approve Project PC-2016-1, 1089 Kirk Road, extension of time to December 15, 2016. **Motion carried**, unanimous.

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

Jack Robinson, Project Engineer, stated that they submitted a waiver request to the Board of Supervisors and awaiting decision. Continued to next meeting.

Motion. Moved by Ken Laaken, Jr. and seconded by Dave, not to approve Project PC 2016-2. Chris Panarello, 4 lot subdivision, 1441 Naamans Creek Road unless they sign an Extension of Time before the Board of Supervisors' meeting on September 13, 2016. **Motion carried**, unanimous.

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

Mike Ciocco, PE, Catania Engineering Associates. He presented updated plans that address Matt Houtmann's comments. They had a title search done on property due to existing driveway. They found there are no records of any easements or rights of way for this property. There is a sewer lateral that goes through the property from the neighbor's property. They are proposing to grant easement to the neighbors on this Lot 2 property but to request a waiver from having it deducted out of the lot area. They got zoning relief based on Lot 2.

Matt suggested that the Planning Commission make a recommendation on the Plan on the waiver request. Lou asked that this be included on the plan. Mike stated that Matt's comments were updated on the plan. The only change was they added the driveway on Lot 1. Lot 1 currently doesn't have a driveway. The driveway will be off of Garnet Mine Road since Foulk Road doesn't have good sight distance.

7. Project PC 2016-4. Lightbridge Academy Daycare. 1363 Naamans Creek Road. Preliminary Plan (as approved by Zoning Hearing Board).

John Minnebo, Principal of Lexcat Partners, represents the applicant. Mr. Minnebo introduced Phil Harvey, Chief Development Officer, from Lightbridge Academy.

Mr. Minnebo stated the existing building was constructed in 2007/2008 by Mike Russo and there are three units to building. Mr. Russo occupied it for 2 years. He occupied front unit, some middle unit and the back unit was vacant. In 2010, the bank took possession of the building and owned it for four years. During those years they tried to find interested parties. In 2014, Lexcat Partners had an interest in the building but there was a major visibility issue with the building since it sits low on the street. The building is sandwiched between 2 houses, there are a lot of shrubs and trees, and the building itself sits at a 90 degree angle to street. Lexcat liked this building and acquired the house next to this building and demolished the house and opened up the area significantly. After cleaning up the property, this still didn't help the visibility issue. They then went to Zoning Hearing Board to explain a case of hardship of taking off with no tenants. They were granted a permit to build a commercial site. They got a tenant, Remax Real Estate, in December. There was still no interest in the back unit.

He presented a plan with the existing building and parking around it. It showed the vacant lot where house was demolished. The proposal is to add an addition which is the same style as the existing building. The front is very similar to the existing building. The old building will be used by Remax and the rear unit will be the childcare facility.

He then introduced Phil Harvey from Lightbridge. Lightbridge Academy is an organization based on a family developed model. The founder is the CEO, started by his wife and himself. It started in New Jersey and there are 23 operating centers. They have a golden rule: they don't make a decision and approval to go to potential site unless they are willing to go there themselves. They see an opportunity to be part of the Garnet Valley family.

All of their business decisions, family decisions, staffing decisions, and community decisions are based on a circle of care. The premise is that they make healthy long term decisions. They see there is a demand and need in Garnet Valley. They teach and develop children, as well as guide parents. They are a solution for the working families and they set their standards really high. They do a great deal to keep parents connected with their child and use technology to build that relationship. There are cameras in all the rooms and parents can access them with their smart phones. The heart of any childcare center is their staff. They have committed, dedicated teachers that parents feel safe leaving their children with.

There is a single point of entry and exit and biometric scanners at the front. All buildings will have sprinklers, single point of entry/exit, cameras, emergency exits, etc. Playground is regularly utilized and separated by age groups. There is back egress with panic hardware. The parking is in front area of 10 spaces designed as a parent drop off/pick up. They think about the childcare environment as a home away from home. From floors, to colors, to layout of furniture, etc.; they create a relaxed environment. Safety is the single most important thing they focus on. There is a strict code of conduct. All staff are certified in first aid and CPR. The playground is turf and there is a water feature in playground used in the summer months. All first responders are invited to be part of this environment. There is no kitchen; they bring in a hot lunch from local businesses in the area.

Ken asked how many kids will attend this daycare. Phil stated maximum capacity is 168 at 100% but they usually don't get to maximum capacity. They target 75-80% capacity. There are 25 teachers and a few administrators. Ken is concerned with the parking situation.

Ed stated from a prior meeting he heard enrollment was about 120-130 students. He appreciates the comments regarding safety. He asked if there has been any conversation with the fire marshal or police chief as to what an emergency evacuation would look like, how it would be handled, and where would 120+ children and staff go. Phil stated the drills are required to be done monthly, and they also do lock down drills. Phil stated this happens at the build out phase and during planning process. The architect will develop an evacuation plan and it will be submitted to Township officials. The staging areas would be identified and all evacuations are through back. Ed would like, during this planning phase, a conversation with the fire marshal so that if plans have to be changed, it can be done now.

Mike Ciocco, Project Engineer with Catania Engineering, then presented on behalf of Lexcat Partners. He received Matt Houtmann's letter and discussed comments.

- On Page 1, Matt goes through the 5 variances that were obtained and granted on June 22nd. The conditions were: they wanted additional plantings they wanted specified normal hours of operations from 6:30 a.m. to 7 p.m., all State regulations to be met, and a 50 foot buffer area of landscape.

He touched on Matt's comments:

1. Matt provided a possible alternate sketch layout for parking. Matt wanted the drive aisle flipped on northern side of parking area and have parking face towards Naamans Creek

Road. It would allow for cars to do 90 degree turns. There are 57 parking spaces and traffic engineer did traffic study. Mike will provide copy of the traffic study to Planning Commission.

2. They will get rid of shed.
3. On page 3, #1 Layout. They will investigate flipping the parking in front and park along Naamans Creek Road.
4. Subdivision Land Development. Notes and certifications will be added. #3. Matt recommended street trees be placed on Naamans Creek Road. Mr. Minnebo had concerns about large trees due to hiding the building. Mike said shrubs will be planted along front. It will provide landscape buffering to the parking area. Ed mentioned he didn't see benefit of trees and hiding the building. It is a commercial area and he is concerned with sight distance there. The board members agreed that we need to keep area clear so no trees necessary. They would like low level shrubs.
5. Page 4, Sidewalk & Curb #5. There is no purpose to add any sidewalk, just extend curb. The Board is in agreement.
6. Page 5, #18. Matt asked question about lighting. Mike shows parking lot lighting. There are security lights on building. The playground has emergency lighting only. Lou wants low level lighting because of surrounding properties.
7. #21. Matt commenting that we should add signs for parking spaces for drop off/pickup.
8. Storm water management. Notes and calculations added.
9. Page 7. Matt asked clarification on traffic report. Matt is asking for total number of trips for overall facility.
10. Ken asked for bollards along fence and will be shown on plan.

Mike will go through Matt's letter and revise plans for next meeting.

PUBLIC COMMENTS AND QUESTIONS: No questions.

NEW BUSINESS:

Dukart Property, Goodley Road, Lot Line Change.

Represented by Paul Padian, 426 E. Baltimore Pike, for Alan and Janet Dukart, 3289 Goodley Road. The adjoining property owners have used the property for years, ignoring the property line. Mrs. Dukart planted prime trees along the lot line, and no one really knew where it was. Lot 4 was recently sold and they want to put up a fence. The trees would need to come down. The two neighbors want to save the trees. Matt designed a plan for them and moved lot line over to save the trees. A land swap occurred. There are no zoning issues. The Dukarts want to keep trees. They gave the neighbors a little extra land. It is fully conforming and a simple line change. Lou would like notifications sent to adjoining properties and registered mail cards. A sign is to be posted on property.

CLOSING COMMENTS:

Lou thanked the Board members, as well as residents, for attending the meeting. The next regular meeting will be on October 5th, 2016 at 7:30 p.m.

ADJOURNMENT:

The meeting adjourned at 9:20 p.m., on a motion by Ken, and seconded by Ted Denise DeJohn, Secretary