

NORTH WHITEHALL TOWNSHIP PLANNING COMMISSION
3256 LEVANS ROAD, COPLAY, PA 18037

PLANNING COMMISSION MINUTES OF DECEMBER 23, 2008

Meeting brought to order at 7:30 p.m., on Tuesday December 23, 2008 by Chairman Richard Celmer.

Attendance:

Chairman Richard Celmer	William George
Vice Chairman Brian Horwith	Leonard Nuss
Secretary Bruce Stettler	Joanne Guth
Attorney Lisa Young	Jeff Johnson
Township Engineer Steve Gitch	Planning Administrator Jane Kelly
Supervisor Ronald Heintzelman	

Minutes of the November 25, 2008 meeting were approved as presented.

Valley Road Estates-5724 Kernsville Road Lot Line Adjustments—Final—Project # NWT 08-013 AR Zone, Pin 5467 0879 2092. 90-day clock starts 11/23/08, 90-day Deadline 2/22/09. The plan was presented by engineer Steve Pany; Pany & Lentz.

- a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated December 16, 2008.
- b. Zoning Officer's review is contained in his letter dated December 15, 2008.
- c. Sewage Enforcement Officer's review is contained in his letter dated December 10, 2008.
- d. Traffic Engineer's review is contained in his letter dated December 3, 2008.
- e. 5748 Kernsville has not had any soil testing for on-lot sewage disposal conducted.
- f. Planning Commission member Brian Horwith questioned what was different on this plan from the previous plan presented to the Planning Commission a couple of months ago. Steve Pany stated the plan is depicted at a larger scale.
- g. Brian Horwith is concerned with not getting any additional ROW from 5748 Kernsville Road.
- h. Planning Commission member Leonard Nuss agrees with Brian Horwith regarding the dedication of the additional ROW from 5748 Kernsville Road. Leonard doesn't agree with the ROW lines along Kernsville Road, the way they are staggered, from 30 ft to 20ft.
- i. Several discussions were conducted regarding additional ROW from 5748 Kernsville Road.
- j. Planning Commission Chairman Richard Celmer questioned the vacation of the lands from Johnson to Jaendl. He also questioned specific ownership of 5748 Kernsville Road and the correct wording for the Frederick J. Jaendl Estate.

Planning Commission has recommended the following conditions:

1. Developer shall address to the satisfaction of the General Planning Engineer the comments and recommendations set forth in his letter dated December 16, 2008.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated December 15, 2008.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated December 10, 2008.
4. Developer shall address the Traffic Engineer's comments as set forth in his review letter dated December 3, 2008.
5. Consolidation deeds and closure reports shall be prepared and submitted to the Township for lots 4 and 5 of the Valley Road Estates Subdivision as well as 5748 Kernsville Road.
6. Deeds of Dedication for the additional ROW shall be provided for lots 4 and 5.

The Planning Commission made no recommendation to the Board of Supervisors, due to the lack of a motion to be voted upon.

PLANNING COMMISSION MINUTES OF DECEMBER 23, 2008

North Whitehall Commercial Center, Lot 5, Wal-Mart Store – Preliminary – Project # NWT 07-021 – Land Development, 3872 Route 309, south side of Route 309, opposite Levans Road, 32.67 acres, PC zone, Parcel ID# 5468 4911 9262. Current 90-day deadline 12/17/08. Bud Newton, Newton Engineering Group and Erick Schock, Fritzpatrick, Lentz and Bubba presented the plan.

1. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated November 18, 2008.
2. Zoning Officer's review is contained in his letter dated November 20, 2008.
3. Sewage Enforcement Officer's review is contained in his letter dated November 10, 2008.
4. Traffic Engineer's review is contained in his letter dated November 21, 2008.
5. Pennsylvania Department of Transportation's latest review is contained in their letter dated November 6, 2008.
6. A "Will Service Letter" was received from LCA for sanitary sewer and water service.
7. The developer is currently working with PennDot on a revised permit application resubmittal, which was sent to PennDot on 11/25/08.
8. A presentation with DeVal to discuss the Soils Remediation Plan has been scheduled by the Board of Supervisors for January 20, 2009 at 7:00 pm in the Township Building. EPA will also be present at this meeting.
9. The Traffic Impact Study was submitted to the Township and is proposed to be discussed at the January Planning Commission Meeting.
10. If holding tanks are utilized, they will not be on the Wal-Mart site. LCA will control waste removal from the holding tanks.
11. There are copies of the Declaration of Easements for the Detention Basin available in the Township for review.
12. The storm water irrigation system is to mimic natural conditions.
13. Painted crosswalks are proposed on Sam's Way and along Levan's Way from Route 309. Crosswalks are also proposed in several other areas of the parking lot.
14. Three traffic-calming devices are proposed to slow traffic at the entrances of the store.
15. Tractor-trailer storage of sales products is no longer used at new Walmart locations.
16. Planning Commission member Brian Horwith questioned the plantings in the Detention Basin, Are they inside the Basin? Bud Newton stated, yes, inside the Basin, special plants will be planted to treat the storm water.

Planning Commission has recommended the following conditions:

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- b. Developer shall address the Zoning Officer's comments as set forth in his review letter dated November 20, 2008.
- c. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated November 10, 2008.
- d. Developer shall address the Traffic Engineer's comments as set forth in his review letter dated November 21, 2008.
- e. Developer shall address the Pennsylvania Department of Transportation's comments as set forth in their review letter dated November 6, 2008.
- f. Childproof grates shall be provided for the entrances to the stormwater pipes.
- g. The detention basin shall be privately maintained and plants to improve the quality of storm water shall be added.
- h. A building permit application shall be submitted for the proposed Water Tower.
- i. Levan's Way and Sam's Way are proposed to be private roads but still shall be constructed to Township standards.
- j. The parking of RV's and tractor-trailers shall be restricted by adequate signs approved by the Township and verbal restrictions conveyed to violators by Walmart management.
- k. Security cameras shall be installed throughout the parking lot.

Comments from the floor:

John Getty, 3331 Woodlea Road – questioned whether Gristmill Road, will be paved? What is the slope at the discharge of the detention basin? The sewage pump station, will it be located on Old New Packhouse Road? What is the height of the proposed water tower? He is also concerned with added traffic on Old New Packhouse Road and the covered bridges on the old country roads. Mr Getty also asked if any tenants have been decided for the four (4) subdivided parcels yet.

Betty Lees, 4418 Route 309 – questioned the additional stormwater from Route 309. Does the Township have to apply for an NPDES permit? Are there set standards that WalMart would have to adhere to? When was the traffic study completed and reviewed?

Molly Riley-Cygan, 4235 Route 309 – have sewer options and concerns been addressed.

David Najarian, Attorney for NWSD – questioned the LCA sewage service area and who pays for system installation? Attorney Najarian has also requested that a copy of the Soils Remediation Plan be left in the Township for public viewing.

Nancy Braymar, 3532 Apple Road – is also requesting a copy of the Soils Remediation Plan be left in the Township for public viewing. She would like to be prepared for the January 20, 2009 meeting.

Charles Knauss, 3535 Apple Road – questioned what kind of contractors will be used if the project is approved, union or non-union?

Samantha Neas, 4410 Route 309 – questioned what happens with the interim sewage options if the review process takes too long?

Planning Commission Chairman Richard Celmer stated a construction schedule would be established for the project.

Planning Commission Vice Chairman Brian Horwith questioned what if LCA never comes thru and the project is on an interim sewer system forever.

Attorney Lisa Young suggested the Township SEO be consulted for an opinion on the sewage options.

Planning Commission member Jeff Johnson questioned if it is legal to have a holding tank in North Whitehall Township and must it be periodically serviced?

Brian Neas, 4410 Route 309 – Kidspace sewage system is private; it might not be a good idea to have a sewage system owned privately by Kidspace.

Joseph Budinas, 4474 Valley Green Drive – questioned what fire district is responsible for this property?

Betty Lees, 4418 Route 309 – Does LCCC still have their own sewage system, or has LCA purchased it?

North Whitehall Commercial Center, Lot 5, Wal-Mart Store, Preliminary Plan, Project # NWT 07-021, Land Development, will be on the January 27, 2009 agenda to discuss Traffic issues and the traffic review letter.

The 2009 calendars of the Planning Commission meeting were distributed. All meetings shall be held on the forth Tuesday of the month.

The Planning Commission received a copy of the Lehigh Planning Commission Steep Slopes Guide/Model Regulations. Planning Administrator Jane Kelly shall send the link to all Planning Commission members.

Brian Horwith motioned to adjourn, Leonard Nuss seconded, all others agreed

Meeting Adjourned: 10:10 pm

Jane K. Kelly
Recording Secretary
Planning Administrator
North Whitehall Township