

PLANNING COMMISSION MINUTES OF JULY 22, 2008

Meeting brought to order at 7:30 p.m., on Tuesday July 22, 2008 by Vice Chairman Brian Horwith.

Attendance:

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

Minutes of the June 24, 2008 meeting were approved as presented.

Bausch Minor Subdivision - Final - Project # NWT 08-006 - Minor Subdivision, 4721 Hillside Road, between Spring and Clearview, 10.033 acres, AR zone, Parcel D7-33-7, 90-Day starts 6/24/08, ends 9/21/08. Engineer Bernard Telatovich and Property Owner Richard Bausch presented the plan.

- a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated July 15, 2008.
- b. Zoning Officer's review is contained in his letter dated July 15, 2008.
- c. Sewage Enforcement Officer's review is contained in his letter dated July 16, 2008.
- d. Traffic Engineer's review is contained in his letter dated July 3, 2008.
- e. Planning Commission member John Barto III requested a note on the plan regarding the sight distance and tree removal.
- f. The Township's traffic engineer and the developer's engineer measured the driveway sight distance. Both engineers agreed a tree is in the sight distance on the west embankment and must come down before a building permit will be issued.
- g. The driveway width on the plan varies for 13.3 at roadway to 8.9 in other places. The plan exceeds the required minimum of 12' for in width for the first 20' from cartway.
- h. Planning Commission member Jeff Johnson was very concerned the width of the driveway and the emergency vehicles getting up the driveway. He believes the driveway should be wider. He would like to see the driveway be no less than 12' in width the entire length.
- i. Planning Commission members Bruce Stettler and Leonard Nuss agreed with Jeff Johnson on the 12' width driveway.

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 July 15, 2008.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated July 15, 2008.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated July 16, 2008.
4. Developer shall address the Traffic Engineer's comments as set forth in his review letter dated July 3, 2008.
5. A note shall be added to the plan regarding the tree in the site distance on the west embankment to be removed before a building permit will be issued.

Comments from the floor:

Mark Kohn, 3315 Mauch Chunk Rd, Coplay, is questioning if the driveway in question has to be paved the entire length? Steve Gitch indicated it was paved the entire length but not required to be paved.

Leonard Nuss moved to table the Final Plan until a conforming plan is submitted with proper site distance and a driveway with adequate width, seconded by Jeff Johnson.

Engineer Bernard Telatovich wanted noted in the minutes the site distance and driveway width are within the Zoning Ordinance according to the Zoning Officer's review letter.

A vote was taken on the motion, four voted against the motion, three voted for the motion, one abstained from the motion, and the motion did not carry.

John Barto III moved to approve the Final Plan subject to sight distance brought up to Township standards for final approval and the driveway width to the new lot line between lot one and two be 12' wide and constructed with any material, seconded by Ronald Heintzelman, all others agreed.

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LCCC Campus, Orchard Road Realignment - Preliminary – Project # NWT 08-009 – Land Development, 4525 Education Park Drive, 153.39 acres, AR-1 zone, Parcel ID 5469 1293 3619-1, 90-Day starts 6/24/08, ends 9/21/08. The plan was presented by Carl Pickett and Larry Ross; LCCC and Scott McMackin; Cowen Associates.

- a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated July 18, 2008.
- b. Zoning Officer's review is contained in his letter dated July 15, 2008.
- c. Sewage Enforcement Officer's review is contained in his letter dated July 16, 2008.
- d. Traffic Engineer's review is contained in his letter dated July 14, 2008.
- e. The developer is requesting the current roadway to stay at 21' and gradually taper to the new roadway of 30'.
- f. The developer is requesting a smaller ROW to keep some planting and lighting on the side of the existing roadway.
- g. Planning Commission member Joanne Guth questioned where the Township road would end, Scott McMackin stated once the realignment is completed the entire road would be dedicated to the Township.
- h. Township Engineer Steve Gitch suggests the developer's engineer draft a plan showing roadway radius in conformance with Township standards regarding the roadway in the area of the new Library.
- i. Planning Commission members Bruce Stettler and Bill George suggest the road to meet Township design and width standards.
- j. Planning Commission member Jeff Johnson questioned whether the stormwater pipe was reinforced concrete. Scott McMackin stated yes it was.
- k. Planning Commission member Brian Horwith questioned, why not go to the edge of the property with the road and back to realign, this would cut out the radius problem at the Library curve. The developer states funding limitations at this time.

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 July 18, 2008.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated July 15, 2008.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated July 16, 2008.
4. Developer shall address the Traffic Engineer's comments as set forth in his review letter dated July 14, 2008.
5. An access easement shall be provided from Orchard Road to the proposed detention basin.
6. The roadway cross-section shown on the construction details sheet 10 of 16 shall be revised to be consistent with the Township's typical cross-section in SALDO.
7. The entrances to the stormwater pipes, including outflow pipes shall include childproof grates or similar devices.
8. The inside and outside slopes shall be adjusted to 5:1.

Comments from the floor:

Tom Bollinger, Lehigh County Organics Recycling Manager, He is concerned about moving equipment, at this time with the construction on Route 309 and Old Packhouse road as his trucks use Orchard Road. When will this project begin? He will not be able to get any of his trucks in or out if the project begins before Old Packhouse is complete. Scott McMackin states the project is not slated to start until spring of 2009, which will be after Old Packhouse Road, is complete.

Bruce Stettler moved to Table Plan, seconded by John Barto III, all others agreed

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Lehigh County Organics Recycling Facility – Preliminary – Project # NWT 08-010 - Land Development, 5375 Old Packhouse Road, 137.179 acres, CR zone, Parcel ID 5468 0737 0831, 90-Day starts 6/24/08, ends 9/21/08. Tim Bollinger; Facility Manager, and James Watson and Lisa Franciotti both presented plan from Remington Vernick & Beach Engineers.

- a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated July 18, 2008.
- b. Zoning Officer's review is contained in his letter dated July 15, 2008.
- c. Sewage Enforcement Officer's review is contained in his letter dated July 16, 2008
- d. Traffic Engineer's review is contained in his letter dated July 11, 2008.
- e. The project proposed is a dome for storage of a finished product.
- f. 902 Grant money is being used for this project and can only be used for specific reasons.
- g. Retail sales will be conducted at this site, but not in this storage building.
- h. Hours of operations for the Recycling Center are 7am to 3:30pm for retail sales and 7am to 5pm for the employees, Monday thru Friday, with Saturday hours in the Spring and early Summer.
- i. Six full-time employees and two part-time employees are employed at this site.
- j. Composting of leaves started on this site in 1988.
- k. Planning Commission member questioned how high the product would be piled in the dome, Tim Bollinger stated 15' to 18'.
- l. Planning Commission member Leonard Nuss suggested all waivers are voted on separately.

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 July 18, 2008.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated July 15, 2008.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated July 16, 2008.
4. Developer shall address the Traffic Engineer's comments as set forth in his review letter dated July 11, 2008.
5. A swale shall be added to the west of the dome.
6. The north arrow and graphic scale shall be added to the plan location map.

John Barto III moved to approve the Preliminary Plan seconded by Bruce Stettler, no waiver to final.

General discussion was conducted on the current traffic to the Recycling Center and if a traffic study is necessary.

Comments from the floor:

Betty Lees, 4418 Route 309, Schnecksville, they shouldn't have to do a traffic study because another commercial property along Route 309 was not made to do a traffic study. (for a conditional use approval)

John Barto III would like to rescind his motion.

John Barto III moved to approve the Preliminary Plan, granting all waivers listed on the plan, subject to conditions noted above, specifically the Zoning Officer determination for compliance, seconded by Ronald Heintzelman, all others agreed.

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, 90-Day deadline ends 9/3/08.

Per Fax received from Fitzpatrick Lentz and Bubba, representing Wal-Mart, dated July 21, 2008, at this time, the Land Development will not be appearing before the July Planning Commission meeting and have requested the Planning Commission table the Land Development Plan.

John Barto III moved to Table the Plan, seconded by Joanne Guth, all others agreed

Proposed Windmill Ordinance

The Planning Commission members have concerns about the initial draft until review in the proposal. The members would like the Zoning Officer to give the Planning Commission an executive summary of what are their goals.

Comments from the floor:

Mark Kohn, 3315 Mauch Chunk Road, Coplay, has been working with Ken on the windmill ordinance. Mark gave a brief synopsis on windmills and left information with the Township for review.

Lynn Serfass, 5522 Roberts Road, Schnecksville, has environmental concerns. She is worried about the songbirds and their extinction. The windmills could kill them.

Betty Lees, 4418 Route 309, Schnecksville, questioned the size of the windmill at the Discovery Center on Cedar Crest Blvd. Mark Kohn Stated it was 90' high and produces less than newer smaller models

Bud Newton, 4916 Orchard Road, Schnecksville, asked if draft copies of the windmill ordinances were available for the public. Yes, there were copies available and distributed at the meeting.

Brian Horwith suggested the Proposed Windmill Ordinance be placed on the August Planning Commission Agenda after the members had more time to review the information received tonight and input from the Zoning Officer.

Open Space Ballot Question

General discussion was conducted on Open Space Ballot Question.

Samantha Neas, 4410 Route 309, Schnecksville, people will see the word "TAX" on the ballot and automatically vote no.

Planning Commission member Joanne Guth proposes putting a flyer in the income tax packets requesting a donation to the open space fund.

Attorney Lisa Young stated the Township has in the past and continues to use grants to acquire open space and recreation areas.

Betty Lees, 4418 Route 309, Schnecksville, how would the Township determine what properties the Township wants for open space? Attorney Young replied, this project does not pertain to any certain piece of land. This is for future open space. Open space is found as it goes for sale, proximity to other parks or trails and coordination with the parks open space and recreations plan.

John Barto III motioned to not recommend the Open Space Ballot Question, No New Taxes, seconded by Leonard Nuss, all agreed.

Final comments from the floor:

Bradley Petrohoy, 4101 Sand Spring Road, Schnecksville, suggests the definition of an adequate driveway width be in our Zoning Ordinance.

John Barto III motioned to adjourn, seconded by Jeff Johnson, all agreed.

Meeting Adjourned: 10:40pm

Jane K. Kelly
Recording Secretary
Planning Administrator
North Whitehall Township