

PLANNING COMMISSION MINUTES OF JANUARY 27, 2009

Meeting brought to order at 7:30 p.m., on Tuesday January 27, 2009 by Chairman Richard Celmer.

Attendance:

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

Minutes of the December 23, 2008 meeting were approved as presented.

Minutes of the January 20, 2009 meeting were approved as presented, the following correction, Page 2, Planning Commission member Brian Horwith questioned the remediation process, The answer should state " Bud stated that first pass will **mix** the contaminated soils at 12", then the soil will be tested and if needed, a second pass will be made at 18" and tested,"

1. Reorganization Meeting of 2009 –

John Barto III made a motion to nominate Richard Celmer as Chairman for 2009, Leonard Nuss seconded, all others agreed.

Leonard Nuss made a motion to nominate Brian Horwith as Vice Chairman for 2009, Richard Celmer seconded, all others agreed.

Leonard Nuss made a motion to nominate Bruce Stettler as Secretary for 2009, seconded by Jeff Johnson, all others agreed.

2. Union Church of Neffs Lot Line Adjustment & Consolidation–Final–Project # NWT 08-014, NW Corner of Intersection Of PA S.R. 873 and Washington Street in Neffs, SR & AR Zoned, Map D6-16-4 and D6-25-1. 90-Day deadline 3/4/09. Eric Light; Keystone Consulting Engineers, Inc. presented the plan.

a. Spotts, Stevens & McCoy have reviewed the plan and offered their comments and recommendations in a letter dated January 15, 2009.

b. Zoning Officer's review is contained in his letter dated January 20, 2009.

c. Sewage Enforcement Officer's review is contained in his letter dated January 21, 2009.

d. Traffic Engineer's review is contained in his letter dated January 21, 2009.

e. There is no "Offer of Dedication" on this plan; the blocks are not necessary on the plan.

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 January 15, 2009.

2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated January 20, 2009.

3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated January 21, 2009.

4. Developer shall address the Traffic Engineer's comments as set forth in his review letter dated January 21, 2009.

5. Planning Commission member Bill George commented that a portion of the cemetery road is missing from the plan and should be added. Mr. Light indicated it would be added to the plan.

6. A revision block shall be added to the plan.

7. The note shall be corrected to read "9 lots" on the plan.

8. A note shall be added to the plan regarding the Zoning Officer's question as to the status of the lots that are divided by a road. The note shall state, " In accordance with the appellate court holdings at the time of plan approval, each of the resulting four lots shall be treated as and allowed to utilize its entire, combined acreage total for purposes of zoning and land use."

Leonard Nuss moved to approve the Final Plan subject to conditions noted above, seconded by Supervisor Ronald Heintzelman, all others agreed.

3. **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 2/18/09, Traffic discussion only.

John Barto made the motion to table the Land Development Plan at the request of the developer, seconded by Jeff Johnson, all others agreed.

- **Ordinance 2009-01, North Whitehall Township Building Code Ordinance of 2009**

The members of the Planning Commission discussed the Ordinance and they were not in favor of the entire Ordinance. Sections III Amendments a. 1 and 2 regarding accessory structures, the Planning Commission was in favor of and wanted to increase the size of the accessory structures from 200 sq ft to 300 sq ft.

The Planning Commission was not in favor of Sections III Amendments a. 3, 4 and 5.

Comments from the floor:

Brian Neas, 4410 Route 309, Schnecksville, questioned if the Township is looking for a grant in conjunction to pass this Ordinance? Atty Lisa Young stated no grant is being applied for at this time in conjunction with this Ordinance.

Samantha Neas, 4410 Route 309, Schnecksville, questioned why adopted this if it is not enforceable? Who will be checking to make sure if residents get the necessary permits? Atty Lisa Young stated the Township Zoning Officer.

Charles Knauss, 3525 Apple Road, Orefield, asked when remodeling, when will the inspectors show up?

The Township inspectors will come for an inspection when called by the owner or contractor and an inspection will then be scheduled.

Kathy Bryan, 3126 Woodlea Road, Orefield, questioned whether the outbuildings and sheds required some sort of support structure?

Only outbuildings and sheds over the current 1000 sq ft. will the need to be placed on a support structure in compliance with the UCC.

Brian Horwith made a motion to send a favorable recommendation to the Board of Supervisors to adopt Ordinance 2009-1 Section III Amendments a.1 and a.2, increasing the minimum structure size 200 to 300 sq ft and deleting a.3, a.4, and a.5, Bruce Stettler seconded the motion, all others agreed.

- Planning Commission Chairman Rich Celmer requested the Planning Commission members to review the Walmart Concern/Issue List and email or deliver to Planning Administrator Jane Kelly their priority list, in order, by the end of this week. He would like the Planning Commission to decide what topic(s) will be discussed at the February Planning Commission meeting.

John Barto III motion to adjourn, Jeff Johnson seconded, all others agreed.

Meeting Adjourned: 8:55 pm

Jane K. Kelly
Recording Secretary
Planning Administrator
North Whitehall Township