

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

PLANNING COMMISSION MINUTES OF NOVEMBER 24, 2009

Meeting brought to order at 7:30 p.m., on Tuesday November 24, 2009 by Chairman Richard Celmer.

Attendance:

Chairman Richard Celmer	John Barto III
Vice Chairman Brian Horwith	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 October 27, 2009 meeting were approved as presented.

➤ **Lehigh County Authority** – ACT 537 Plan Update, Project # NWT-05-043
Aurel Arndt from Lehigh County Authority was present to make the presentation on the ACT 537 Plan Update

Five municipalities are involved in the Act 537 Plan. The updates began back in 2002. The township has several small package treatment plants and there are many operational concerns with these plants, as they age. The new treatment plant would replace those other plants in the future should they become obsolete and unable to properly treat sewage flow.

The plan proposes a new treatment plant at the Kidspace site. No requirement for mandatory hook-up is proposed for existing homes and developments in the service area. The plan defines a 0-5 year service area and a future service area. The plan proposes mandatory connections for new development in the 0-5 year service area for the first five years after approval of the plan. Connections in the “Future” service area (east of Route 309) will remain voluntary.

Comments from the Planning Commission and the Floor:

Planning Commission member Leonard Nuss asked for clarification on the future phase, would new homes or developments be required to hook-up?
Mr. Arndt stated during the 0-5 year phase the west side of Route 309 would need to hook-up.

Planning Commission member Joanne Guth questioned the sewage flow from Wal-mart. She had noted from a previous meeting, 8000 gallons was mentioned. This seems kind of high.
Mr. Arndt stated the Wal-mart usage is correct for Wal-mart, but Kidspace would be the largest user.

Planning Commission Vice-Chairman Brian Horwith questioned the mandatory hook-up?
Township Engineer Steve Gitch stated the mandatory hook-up would be in the 0-5 year phase on the west side of Route 309 for new developments occurring in the service area.
Mr. Arndt stated the east side of Route 309 would be optional if an amendment went into effect.

Planning Commission Vice-Chairman Brian Horwith questioned what would happen if only 2 homes in a neighborhood of 27 wanted to hook-up?
Mr. Arndt stated there would be tap-in fees and the costs for hook-up and piping would be split between the two homes.

Planning Commission member Jeff Johnson inquired whether Route 309 and Wolf’s Crossing could be included in the plan; the system in this area is already failing.
Mr. Arndt stated the Township and DEP would have to mandate something in that area to be included in the plan.

Planning Commission member Bill George inquired about the failing on-lot systems along Kernsville Road, are they included?
Mr. Arndt stated that area is not included.

Planning Commission member Jeff Johnson stated he believed the malfunctioning systems had been repaired.

Planning Commission member John Barto stated the more sewage, the denser the growth!

Susan Keuler, 5785 Harvest Place, Schnecksville, questioned who would make the decision on hooking up the homeowner or the developer?
Mr. Arndt stated this would be done during the planning stage of the development and the developer would make that decision. Previously approved developments are not affected.

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Susan Keuler, 5785 Harvest Place, Schnecksville, inquired as to if there would be protection used for the streams in the Township?

Mr. Arndt stated the streams would be protected to state standards. If LCA does not meet the required standards they would not get their approvals, which is mandated by DEP.

Charles Knauss, 3525 Apple Road, Orefield, inquired about the existing homes along the line to a new development, would they be required to hook-up?

Mr. Arndt stated the Board of Supervisors could require this, but at this time it is not a requirement of the plan.

Charles Knauss, 3525 Apple Road, Orefield, questioned what the approximate tap-in fees would be?

Mr. Arndt stated approximately \$5000.

Charles Knauss, 3525 Apple Road, Orefield, asked where does the money come from?

Mr. Arndt stated from bonds and user fees.

Charles Knauss, 3525 Apple Road, Orefield, questioned how much does the Township pay for these lines to be installed?

Mr. Arndt stated nothing; the Township does not pay the cost of the sewer installation.

Charles Knauss, 3525 Apple Road, Orefield, asked if there was a partnership between the Township and LCA?

Mr. Arndt stated there is a working partnership between the Township and LCA; they work closely together, but not to fund the project.

Nancy Braymer, 3532 Apple Road, Orefield, questioned if a system failed in Orchard View Estates during the 0-5 year phase, could it be repaired, rather than hooked up to the system?

Mr. Arndt stated there is no requirement to hook-up existing homes.

Planning Commission member Leonard Nuss would like to see a distance for new development hook-up listed in the plan.

Susan Keuler, 5785 Harvest Place, Schnecksville, questioned who would be collecting the fees and who do you call if there are problems with the lines?

Mr. Arndt stated LCA would be collecting the fees and LCA should be called with any problems with the lines.

Jerome Joseph, 3521 Rome Court, Orefield, inquired as to how many properties have signed up for phase one?

Mr. Arndt stated at this time Kidspace and the Wal-mart property are the only properties on board.

Jerome Joseph, 3521 Rome Court, Orefield, asked if there are any residential emergencies requiring this plan in these areas?

Mr. Arndt stated none on record.

Jerome Joseph, 3521 Rome Court, Orefield, inquired if he wanted to hook-up how much would he owe LCA?

Mr. Arndt stated a tap-in fee of approximately \$5000 and the connection costs of approximately a few thousand dollars.

Jerome Joseph, 3521 Rome Court, Orefield, asked how often have Boards of Supervisors required mandatory hook-up?

Mr. Arndt stated rarely.

Planning Commission member Leonard Nuss inquired as to what are the general fees and what would be a guess for the fees for North Whitehall Township?

Mr. Arndt stated Heidelberg Heights pays \$780 per year, Upper Milford pays \$260 per year and a guess for North Whitehall Township is approximately \$56 per month.

Susan Keuler, 5785 Harvest Place, Schnecksville, inquired whether this is a water and sewage project and when is the projected start date?

Mr. Arndt stated this is sewage only and the projected start date is when DEP approves it.

Jordan Keuler, 5785 Harvest Place, Schnecksville, inquired as to what would happen if a chemical spill seeped into their current on-lot system; would they be mandated to hook-up?

Township Engineer Steve Gitch stated that would be up to DEP.

Nancy Braymer, 3532 Apple Road, Orefield, had noted from a previous meeting that a safety net was proposed for Schnecksville North and Lil' Wolf, is that still an option?

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Mr. Arndt stated that is included in the future phase.

Charles Knauss, 3525 Apple Road, Orefield, inquired as to when the plant will be started?

Mr. Arndt stated if all goes well, in 2 or 3 years.

Susan Keuler, 5785 Harvest Place, Schnecksville, inquired as to who owns the land where the plant will be installed?

Mr. Arndt stated Kidspace owns the land.

Jeff Johnson motioned to send a favorable recommendation to the Board of Supervisors, seconded by Leonard Nuss; Richard Celmer recused himself, 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. Current 90-Day deadline **12/16/09. Wal-Mart has postponed their appearance at the Planning Commission Meeting until December.**

Mr. Celmer requested the Planning Commission members also review SALDO Section 10 for the December meeting.

- **Amendment to the Zoning Ordinance regarding Residential Accessory Structure or Use** - Discussion

Township Solicitor Lisa Young stated that several variances have been applied for and granted regarding accessory structures to Zoning Hearing Board, which is the reason for this request from the Zoning Office.

Planning Commission Vice Chairman Brian Horwith asked if enough people ask for variances and get it is that reason enough to change the ordinance?

Planning Commission member Jeff Johnson stated keep it as is and let the residents come in front of the Zoning Hearing Board as needed.

Planning Commission Vice Chairman Brian Horwith stated he agrees with Jeff Johnson.

Planning Commission member John Barto III stated he agrees with Jeff Johnson.

Elwood Howell, 5842 Park Valley Road, Schnecksville, questioned the 2 accessory buildings?

John Barto III motioned to leave the ordinance the way it is, Brian Horwith seconded, all others agreed

- **Lehigh Valley Planning Commission Guide Books** – Discussion

Planning Commission Chairman Richard Celmer requested the Planning Commission members to review the Woodlands and Steep Slopes Guide Books for the January Planning Commission meeting.

- **Any other items that may be discussed at the discretion of the Planning Commission**

Planning Commission member Jeff Johnson requested clarification as to which is being enforced - zoning or the codes (building and/or fire)

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

Meeting Adjourned: 9:15 pm

Jane K. Kelly

Recording Secretary

Planning Administrator

North Whitehall Township