

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

PLANNING COMMISSION MINUTES OF FEBRAURY 22, 2011

Meeting brought to order at 7:30 p.m., on Tuesday, February 22, 2011 by Chairman Richard Celmer.

Attendance:

Chairman Richard Celmer
Vice Chairman Brian Horwith
Secretary Bruce Stettler
Attorney Lisa Young
Township Engineer Steve Gitch
Supervisor Jerry Joseph

William George
Leonard Nuss
Joanne Guth
Jeff Johnson
Planning Administrator Jane Kelly

Minutes of the January 25, 2011 meeting were approved as presented.

Weis Markets, Inc. Gas N' Go- Preliminary- Project #NWT-11-006- Land Development, 5020 Route 873, Schnecksville, C Zone, Parcel ID #'s 5469 0657 3807 1, Waiver request to be considered a Preliminary/Final. 90-Day Deadline starts 1/25/11, 90-Day deadline 4/23/11. Representing Weis Markets Inc. was Timothy Snyder and John Lerch; John Luciani, President of First Capital Engineering and Joseph M Gurney, Project Manager made the plan presentation. Stephen Hieber from Petroleum Dispensing Systems explained the operation and safety features of the proposed facility.

- a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated February 15, 2011.
- b. Zoning Officer's review is contained in his letter dated February 17, 2011.
- c. Sewage Enforcement Officer's review is contained in his letter dated February 11, 2011.
- d. Traffic Engineer's review is contained in his letter dated February 11, 2011.
- e. Mr. Gurney updated the Planning Commission on the status of the Special Exception the Weis Gas N' Go received from the Zoning Hearing Board.
- f. Allied Utilities issued Weis Gas N' Go a Will Serve letter to provide sanitary sewer service on January 27, 2011.
- g. **Planning Commission Vice Chairman Brian Horwith** has concerns regarding the barrier between Route 873 and the fueling pumps.
- h. Mr. Luciani stated the fueling station shall have "U" shaped concrete filled bollards at the end of each pump as a protective barrier.
- i. Many Planning Commission members have concerns with vehicles from Route 873 driving into the fueling pumps without a protective barrier along Route 873.
- j. Mr. Stephen Hieber; Petroleum Dispensing Systems offered a presentation on operation and safety for the fueling station.
 - o Double walled tanks will be used, along with double walled spill containers for any overflow.
 - o While the tanks are being filled, when the liquid level rises to about 95% of the tank capacity, the valve mechanism is released, closing automatically with the flow. If the delivery is not stopped and the liquid rises to about 98% of the tank capacity, the bypass valve closes completely. No additional liquid can flow into the tank until the level drops below a reset point.
 - o The over flow tank will hold 5 gallons.
 - o The pumps also shut off automatically if bumped or knocked-out of the vehicle's gas tank.
 - o Each pump will also be equipped with an emergency shut-off valve.
 - o Each pump will also be equipped with tank sump and dispenser sump to contain spills or leaks.
 - o Should a fire occur inside the containment chamber, a FlexWorks Automatic Fire Extinguisher System automatically extinguishes the fire in a matter of seconds, protecting customers, underground piping, shear valves and sump.
 - o Bollards shall be placed 18 inches from each island.
 - o DEP and L&I inspect and test all equipment after installation.

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- k. **Planning Commission member Bruce Stettler** questioned if the applicant was willing to install a guardrail along Route 873 to protect the vehicles and the patrons while using the fueling station.
 - l. **Planning Commission member Joanne Guth** questioned if trees could be planted.
 - m. A snout oil/ water debris separator is being proposed instead of a filter insert to reduce maintenance.
 - n. Planning Commission members questioned the hours of operation. The hours stated at the Zoning Hearing Board Meeting were 6am to 11pm.
 - o. **Planning Commission member Jeff Johnson** has concerns regarding spills into the storm water system; Jeff stated there is nothing but shale in that area.
 - p. Mr. Gurney stated there is a spill kit in the kiosk for smaller spill clean-ups and for larger spills Northridge Environmental, their contracted clean-up contractor, will be called.
 - q. **Planning Commission member Jeff Johnson** is still concerned with the clean-up regarding Northridge due to the fact it will take them 3 hours to respond. Jeff stated a catch basin is needed and Weis Gas N' Go must accept financial responsibility of a clean-up, if necessary. He suggests establishing an escrow for the spill clean-up plan.
 - r. **Planning Commission Leonard Nuss** has concerns with something spilling into the storm water holding pond; he also agrees with Planning Commission member Jeff Johnson on the spill issues.
 - s. **Planning Commission Vice Chairman Brian Horwith** requested an update on the parking spaces. This issue was a concern at the Special Exception Zoning Hearing where spaces were being used for storage. Mr. Gurney stated all storage has been removed. Employees currently park in the back during daylight and indicated lights will be installed for nighttime use.
 - t. **Planning Commission member Bruce Stettler** questioned the parking spaces; why so many compact spaces? Per the Township Ordinance, shouldn't the compact spaces be equally distributed throughout the parking lot? Mr. Gurney stated, "The Township Zoning Officer approved the placement of the compact parking spaces".
 - u. **Planning Commission member Joanne Guth** asked if the applicant looked into other ways of entering and exiting the pumps to lessen the congestion. Mr. Gurney stated there will be one-way directional markings painted on the pavement delineating the traffic flow. Joanne also questioned the lighting. Mr. Gurney stated there will be canopy lights that will go directly down onto the vehicles.
 - v. **Supervisor Jerry Joseph** suggested flipping the kiosk and the fueling station; this would keep the fueling station further away from the traffic along Route 873. Mr. Luciani stated a guardrail along the tree line can be placed to act as a safety barrier.
 - w. Planning Commission Chairman Richard Celmer stated his concerns are with the design and traffic flow through the site.
 - x. Planning Commission Vice Chairman Brian Horwith questioned the distance a fueling station needs to be from a well; Mr. Hieber stated there is no requirement, by law, for distance from a well.

Comments from the Floor:

Brad Petrohoy, 4726 Shankweiler Road, Orefield, suggested moving the underground tanks to the south side of the fueling island, out of the circulation of traffic. Mr. Petrohoy also requested an emergency vehicle signal being installed at the intersection of Weis Markets and Route 873 for emergency vehicle use.

Cindy Weider, 4554 Homestead Drive, Coplay, stated the space is too small for a fueling station.

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 February 15, 2011.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated February 17, 2011.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated February 11, 2011.
4. Developer shall address the Traffic Engineer's comments as set forth in his review letter dated February 11, 2011.
5. Delivery trucks shall not use William Penn Drive to deliver fuel to the Gas N' Go; to ensure this does not happen, two 24" x 24" signs stating "NO FUEL DELIVERY TRUCKS" shall be placed at either end of William Penn Drive.
6. A guardrail shall be installed along Route 873 to protect the gas facility and patrons from errant vehicles from Route 873.
7. The fuel tanks shall be installed on the southwest side of the pumps.
8. Concrete curb islands shall be installed at the ends of the isle together with traffic calming devices.
9. Pump nozzles shall be moved to the north side of the fuel dispensers.

Bruce Stettler made the motion to the table the plan, Leonard Nuss seconded, recommending the applicant come back after the conditions have been met. Once these conditions are met, the Planning Commission might consider a Preliminary/Final Plan. Brian Horwith cast an opposing vote, all others agreed, motion carried.

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

Proposed Revised Driveway Ordinance-

- Township Solicitor Lisa Young distributed a draft Revised Driveway Ordinance before the meeting.
- The Planning Commission members reviewed the ordinance and offered a few minor changes.

Brian Horwith motioned to send Article 12, Driveway Provisions, to the Board of Supervisors, recommending approval, with the changes discussed, Jeff Johnson seconded, Richard Celmer, William George agreed, Bruce Stettler abstained, Leonard Nuss, Jerry Joseph & Joanne Guth opposed, motion carried.

Jeff Johnson motioned to adjourn, Brian Horwith seconded, all others agreed.

Meeting Adjourned: 10:20 pm.

Jane K. Kelly

Recording Secretary

Planning Administrator

North Whitehall Township