

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

PLANNING COMMISSION MINUTES OF OCTOBER 25, 2011

Meeting brought to order at 7:30 p.m., on Tuesday, October 25, 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

John Barto III
William George
Leonard Nuss
Joanne Guth
Planning Administrator Jane Kelly

Minutes of the September 27, 2011 meeting were approved with the following correction on page 2, "Planning Commission member Joanne Guth questioned why the Zoning Hearing Board has held off from making a decision?".

John Barto III motioned to approve the minutes with the correction, seconded by Leonard Nuss, all agreed.

1103 Wellington Circle – Special Exception- Project # NWT 11-018, Child Day Care Center, SR Zone, 5581 2632 7161. Atty Mark Fisher and Applicant Elaine Redmond presented the special exception proposal.

- a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated October 17, 2011.
- b. Zoning Officer's review is contained in his letter dated October 20, 2011.
- c. Sewage Enforcement Officer's review is contained in his letter dated September 30, 2011.
- d. Traffic Engineer's review is contained in his letter dated October 5, 2011.
- e. Ms. Redmond has provided day care in her home for 5 years.
- f. Her day care is DPW Licensed.
- g. Currently Ms. Redmond has six children in her Family Day Care Home.
- h. Ms. Redmond is requesting an increase for seven to twelve children, which would label her day care a Group Day Care Home.
- i. The children currently in Ms. Redmond's care are ages 5 (2), 4, 3, 2 and 1.
- j. Ms. Redmond has been a foster parent for 11 years.
- k. The day care is state licensed; Ms. Redmond is CPR certified and has First Aid training.
- l. Public water and sewer currently serve the property.
- m. A few of the children walk to the day care from their residents and would not require parking for drop-off and pick-up.
- n. Ms. Redmond has spoken to her neighbors regarding her possible increase in childcare and they have not expressed disapproval.
- o. **Supervisor Jerry Joseph** questioned the number of children currently in her care. Ms Redmond stated 6 currently in her care, with one being her grandson. Supervisor Joseph also asked if the neighbors would be willing to sign-off on the increased day care. Ms. Redmond stated yes, she could ask her neighbors to sign a letter stating they do not disapprove of the increase in size of her day care.
- p. **Planning Commission member Joanne Guth** questioned if there was a fenced area for play for the children? Ms. Redmond stated she had a 20 x20 gated fenced area for the toddlers. Ms. Guth questioned the children's safety, what happens when one child needs to use the facilities in the house? Ms. Redmond stated all the children must come in the house at the same time; a child is never left alone.
- q. **Planning Commission member Bruce Stettler** commented on the side yard set backs. He also questioned if Ms. Redmond is going to come back in the future and ask for another increase for the day care. Ms. Redmond stated she is providing a day care in her home now to support her family and put her children through college. She has no plans of doing this forever and she will not be requesting an increase in day care size of larger than 12.
- r. **Planning Commission Chairman Rich Celmer** questioned the parking, is there enough room and can the parking be controlled? Mr. Celmer also questioned the drainage easement, swale and rocks (rip-rap) along the northern side of the property. There is no fence for the children's safety. Ms. Redmond stated a fence was started when she purchased the home and she never pushed the issue regarding the completion of the fence.
- s. **Planning Commission Chairman Rich Celmer** is also concerned with the pool and deck in the back yard; can the children get into the pool? Will DPW have to come back and re-inspect her day care due to the increase in size? Also the hours of operation, is there possibility the day care will be open until 9pm? Ms. Redmond stated the gate to the pool deck is locked at all times; the children cannot get into the pool. DPW checks on the day care all the time; making various inspections, but yes the day care will be re-inspected due to the increase in size. One of the parents works swing shift, so on occasion that child might not be picked up until 9pm.

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

PLANNING COMMISSION MINUTES OF OCTOBER 25, 2011

- t. **Planning Commission member Leonard Nuss** questioned if a permit was issued for the original day care? Ms. Redmond stated yes, it was, DPW required a Township permit before they would issue their certificate. Mr. Nuss also stated in his opinion the parking in the driveway is very dangerous for backing out and there should be a turnaround area. He also questioned the fenced area for the children to play, shouldn't there be an area for all children, not just for the toddlers. Mr. Nuss is in agreement with Mr. Celmer; the drainage swale is a dangerous area for children. He also stated the property behind the day care is commercial and the area is not suitable for a day care. The square footage does not meet the regulations and a day care should not be in a residential area.
- u. **Planning Commission member John Barto III** questioned why Ms. Redmond is expanding her day care business now? Ms. Redmond stated she had other people looking for childcare and she has 5 children herself to put through college.
- v. **Planning Commission member John Barto III** stated he believes we are looking for problems putting this in a residential area.
- w. **Planning Commission member Joanne Guth** questioned the traffic impact amount stated on the traffic review letter, will this amount be required? Ms. Guth also stated she believes most of the concerns are with a fence and a turn around for parking.
- x. **Planning Commission member Leonard Nuss** questioned if there is a designated area in the house for the children to play? Ms. Redmond stated the first level, family room and front room are for the children to play.
- y. **Supervisor Jerry Joseph** questioned the fence along the drainage swale, who started it? Ms. Redmond stated the previous property owners.
- z. **Planning Commission Chairman Rich Celmer** questioned if the subdivision improvements agreement or the subdivision file could be reviewed regarding the fence and the drainage swale.
- aa. **Planning Commission member Leonard Nuss** questioned if any of the children at the day care are school age and does the school bus pick them up? Ms. Redmond stated yes, the school bus picks them up right in front of her home.
- bb. **Supervisor Jerry Joseph** suggested a fence should be considered.
- cc. **Planning Commission member Bruce Stettler** stated according to the Ordinance a fence is required and he still feels the lot is undersized.
- dd. **Planning Commission member Joanne Guth** questioned if some of the children at the day care are siblings, this might cut down on parking in the driveway? Ms. Redmond stated yes, a few are siblings and a few are neighbors and walk to the day care.

Comments from the Floor:

Charles Horwith, 2560 Neffs Laurys Road, Schnecksville, questioned if there was public water and sewer? Do you have a child toilet or handicap toilet? Ms. Redmond stated yes, public water and public sewer; no, there are no child toilets or handicap toilets because DPW does not require it. Atty Fisher stated she only has to have what DPW requires. Mr. Horwith also stated that it is required that the employees and the children use separate bathrooms.

Ronald Roth, 5353, Route 309, Schnecksville, questioned the above ground pool, where is the ladder, is the pool locked and is there a fence around the pool? Ms. Redmond stated there is a fence around the top of the pool, the ladder is on top of the deck in the summer and the deck is locked at all times. The ladder is removed in the winter while the pool is closed. Mr. Roth also stated he believes this day care is in a safe area there are no chemicals hazards in the area.

John Barto III motioned to send an unfavorable recommendation to the Zoning Hearing Board, Leonard Nuss seconded, Joanne Guth and Supervisor Jerry Joseph opposed, all others agreed, motion carried.

Draft Individual Lot Grading Plans Ordinance-

- Requires lots numbers and addresses of all abutting lots and names of abutting streets on grading plans.
- The developer shall certify all aspects of site construction has been completed in accordance with approved subdivision plans.
- Article XI is for individual lot grading plans and certification of compliance to approved subdivision plans.
- It should be built the way it is shown on approved subdivision plans. No changes shall be made without being resubmitted for approval.
- The subdivision plan should be followed from beginning to end and any revision to plans shall be resubmitted to the Township for approval prior to construction.
- Township Engineer Steve Gitch stated this Ordinance would require third party verification.

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

PLANNING COMMISSION MINUTES OF OCTOBER 25, 2011

Comments from the Floor:

Mark Hills, 5149 River Drive, Laurys Station, why can't the developer be held responsible?

Planning Commission Chairman Rich Celmer stated once the lots are sold the responsibility is no longer that of the developer.

Blaine Bauer, 3216 Jordan Road, Orefield, suggested as-builts are not changed and if they are they should be resubmitted for approval. Also a third party should stamp and certify the accuracy of the plans.

John Barto III motion to send a favorable recommendation to the Board of Supervisors, Bruce Stettler seconded, all agreed.

North Whitehall Township Comprehensive Plan- Revisited

The Comprehensive Plan shall be discussed at the November Planning Commission meeting. The discussion shall continue on primary roadways, both residential and commercial. Centering on major arteries in the Township such as Route 309 and Route 145.

Comments from the Floor:

Ronald Roth, 5353 Route 309, Schnecksville, suggested the Planning Commission bear in mind what is already on the major arteries now when planning for the future.

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

2012 Planning Commission Meeting Calendar

All Planning Commission dates will be as normal, the forth Tuesday of each month, except for the December, 2012 meeting which shall be held on Thursday, December 20, 2012.

John Barto III motioned to adjourn, Leonard Nuss seconded, all others agreed

Meeting Adjourned: 9:35 pm.

Jane K. Kelly

Recording Secretary

Planning Administrator

North Whitehall Township