

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

PLANNING COMMISSION MINUTES OF MARCH 27, 2012

Meeting brought to order at 7:30 p.m., on Tuesday, March 27, 2012 by Chairman Richard Celmer.

Attendance:

Chairman Richard Celmer	Leonard Nuss
Vice Chairman Brian Horwith	Joanne Guth
Secretary Bruce Stettler	Jeff Johnson
Attorney Lisa Young	Planning Administrator Jane Kelly
Township Engineer Steve Gitch	Supervisor Jerry Joseph

Minutes of the February 28, 2012 meeting were approved as presented.

1. **Pizza Hut**, Special Exception, Project # NWT 12-009, Restaurant with Pick-up window, 4445 Route 309, Suite 1, VC Zone, 5469 3237 5655. Attorney William Malkames; Malkames Law Office, and Engineer Paul Balcavage; Pany & Lentz, presented the plan.
 - a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated March 20, 2012.
 - b. Zoning Officer's review is contained in his letter dated March 22, 2012.
 - c. Sewage Enforcement Officer's review is contained in his letter dated March 8, 2012.
 - d. The proposed plan is for a Pizza Hut Lite; no drive-thru, no sign for ordering at the window, only pick-up and 15 seats inside.
 - e. An additional amount of impervious coverage is anticipated; a suggestion was made to add additional landscape planters to balance the additional impervious coverage.
 - f. The proposed Pizza Hut Lite is anticipating the need for a 400-gallon septic tank. This information was gathered from existing Pizza Hut Lites and will be supplied to the Township.
 - g. Currently the applicant has no HOP from PennDot, but they have been in contact with PennDot to discuss the driveway issue along Route 309 for access to this property.
 - h. The applicant's engineer supplied the Planning Commission with a concept plan for review. The concept plan showed both driveways narrowed to 20ft and the southern driveway moved behind the proposed stop bars.
 - i. The current proposal is for 2 bathrooms, which will require a variance from the Zoning Officer.
 - j. The current plan does not meet the 2012 side yard setbacks, but the applicant indicated that this has been a pre-existing condition.
 - k. **Supervisor Jerry Joseph** questioned the parking spaces; number of spaces and size of spaces. Mr. Balcavage stated there are 26 spaces, more than adequate for this site and the existing spaces are 9 ft wide, which currently exist on the site. Supervisor Joseph stated he is impressed with the proposed driveway improvements for the site as shown on the concept plan. Supervisor Joseph suggested an entryway at the back of the building for convenience and safety for the people parking in the back of the parking lot and being required to walk to the front of the building.
 - l. **Planning Commission member Joanne Guth** inquired what this site had been previously. When will the deliveries be, and will the parking be shared with the other tenant? Mr. Balcavage stated a beer distributor, a church and an office was previously at this site. The deliveries would be after hours, delivered by possibly a 30ft vehicle, but no tractor-trailers, and the parking would be shared with the salon patrons in the other suite.
 - m. **Planning Commission member Bruce Stettler** questioned where the southern entrance and exit driveway will be located. He also questioned the existing 9ft parking spaces and why the Township can't make them change to the current standards of 10ft spaces? Mr. Balcavage stated the southern driveway would be behind the stop bar. **Township Solicitor Lisa Young** stated we could ask the applicant to make the spaces 10ft wide, but because they are not adding any spaces and the proposed use will not require additional spaces, they do not need to conform to the current standards for the existing spaces they have.
 - n. **Planning Commission Vice Chairman Brian Horwith** questioned if a third bathroom can be added as the ordinance requires and what would replace the existing southern driveway? Mr. Balcavage stated a variance would be requested for the third bathroom and a full depth curb would replace the original southern driveway shown on the concept plan.
 - o. **Planning Commission member Leonard Nuss** questioned a rear entry to the building, and asked whether this is possible for both tenants? He also suggested there be a safe access way from the back of the building to the front and questioned the drainage along Route 309. Mr. Balcavage will check with both tenants regarding back entrances. The exit driveway was placed where PennDot suggested.
 - p. **Planning Commission Chairman Rich Celmer** stated he is concerned with the traffic patterns within the site; the traffic will be going in too many conflicting directions.
 - q. **Planning Commission member Jeff Johnson** stated this business couldn't be blamed when the Township did not put in the rear access road many years ago behind the diner, as they should have to service these properties.
 - r. Mr. Balcavage stated the applicant picked this site because of the convenience; he believes most people would stop for pizza on their way home going north on Route 309.

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Comments from the Floor:

Ricky Harring, 5011 Steeple Chase, Schnecksville, stated he has patronized the 15th Street Pizza Hut Lite in Allentown and there isn't a lot of traffic because they are not that busy.

Jeff Bartlett, North Whitehall Township Manager, stated he couldn't imagine PennDot approving anything other than right in/right out driveways to this site. Mr. Bartlett also stated to his knowledge the northbound left turning lane on Route 309 going into LCCC is going to be expanded.

Jeanene Bauer, 3216 Jordan Road, Orefield, stated the proposed Pizza Hut Lite is requesting a lot of variances; this should be reason enough to deny.

Attorney William Malkames stated if the applicant wants fewer bathrooms than the Ordinance requires, than they are going to have to request a variance.

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 March 20, 2012.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated March 22, 2012.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated March 8, 2012.
4. Section 402 of the Zoning Ordinance shall be applied to the application.
5. The restaurant shall have a rear entryway to the building.
6. A handicap parking space shall be moved to the front parking lot of the building.
7. The site shall have right in and right out driveways only.
8. The restaurant shall install three restrooms.
9. The impervious coverage shall be offset where the curbing is at full height along the north side driveway entrance.

Bruce Stettler motioned to send a favorable recommendation to the Zoning Hearing Board, along with all the above conditions, Supervisor Jerry Joseph seconded, all agreed.

North Whitehall Township Comprehensive Plan- Revisited

Planning Commission member Joanne Guth distributed a "Build-Out Analysis & Capacity Analysis" handout. Ms. Guth suggested the Planning Commission review this information and decide if a Build-Out Study is the way they want to go. She also questioned sewage and the Act 537 Study.

Supervisor Jerry Joseph stated **Supervisor Steve Pany** and **Township Manager Jeff Bartlett** are meeting with LCA to review the Act 537 Study.

Planning Commission Chairman Rich Celmer questioned the Planning Commission members on how they wanted to move forward with the Zoning Ordinance and the Comprehensive Plan. How do we want the Township to grow?

Planning Commission member Leonard Nuss stated work needs to be done on the Zoning Ordinance as we did on the Comprehensive Plan.

Comments from the floor:

Kathy Bryan, 3126 Woodlea Road, Orefield, questioned, whether we should have a starting point and look at what we have now and what we want in the future?

Nancy Braymer, 3532 Apple Road, Orefield, questioned whether the Township Newsletter might contain a copy of the proposed Comprehensive Map in the center, so all residents could review? If their parcel is being considered for change, they could be notified and come to a meeting.

Blaine Bauer, 3216 Jordan, Road, Orefield, questioned how difficult it would be to only print blocked areas in the Newsletter? He also suggested a discussion on open areas.

Nancy Braymar, 3532 Apple Road, Orefield, suggested keeping in mind the capacity of the roads when doing the Comprehensive Plan.

Jeanene Bauer, 3216 Jordan Road, Orefield, questioned who of the current Planning Commission members were on the Planning Commission in 2004 during discussions on the Regional Comprehensive Plan?

Jeff Johnson motioned to adjourn, Leonard Nuss seconded, all others agreed.

Meeting Adjourned: 10:10pm.

Jane K. Kelly

Recording Secretary

Planning Administrator

North Whitehall Township