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

PLANNING COMMISSION MINUTES NOVEMBER 26 & CONTINUATION ON DECEMBER 4 OF, 2019

Meeting brought to order, followed by the Pledge of Allegiance to the flag at 7:30 p.m., on Tuesday, November 26, 2019 by Chairman Brian Horwith

Attendance:

Chairman Brian Horwith
Secretary Leonard Nuss
Attorney Lisa Young
Township Engineer Steve Gitch
Supervisor Dennis Klusaritz
Richard Semmel
Robert Korp
Jeff Johnson
Planning Secretary Jane Kelly

Also in attendance were Township Manager Chris Garges, Zoning Officer Jim Campana and Administrate Assistant Jessica Koenig.

Minutes of the October 22, 2019 meeting were approved as presented. Motion made by Leonard Nuss, seconded by Jeff Johnson, all others agreed.

1. **Sheila Horwith**- Hill Street Lot Consolidation- Preliminary/Final, NWT-19-023, PIN 5479 6575 8857 & 5479 6584 9062, 4125 & 4127 Hill Street, AR Zone, 2.2427 Acres. 90-Day Deadline starts 11/26/19 90-Deadline 2/23/20. The plan was presented by Engineer Dave Lehr; Lehigh Engineering and property owner, Sheila Horwith.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated November 20, 2019.
b. Zoning Officer's review is contained in his letter dated November 13, 2019.
c. Sewage Enforcement Officer's review is contained in his letter dated November 21, 2019.
d. The proposed plan is 2 lots currently, to be consolidated into one parcel.
e. **Supervisor Dennis Klusaritz** questioned the existing septic systems, are they being removed and he also questioned the listing of Sand Spring Road on the plan, is this a typo? Property owner stated the unused septic systems shall remain and all typos will be corrected before the plan is recorded.

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 November 20, 2019.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated November 13, 2019.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated November 21, 2019.
4. Notes shall be added to the Final recorded plan.
5. Existing septic system shall be shown on the Final recorded plan.

Robert Korp motion to send a favorable recommendation to the Board of Supervisors for the Preliminary/Final Plan, Richard Semmel second the motion, Brian Horwith abstained, all others agreed.

2. **Kornfeind Realty Apartments-** Land Development- Preliminary, NWT-19-019, PIN 5479 9787 7431, 2228 Old Post Rd, C Zone, 1.9 Acres, 4500 sqft bldg., 90-Day Deadline starts 11/26/19 90-Deadline 2/23/20. The plan was present by Engineer Steve Pany: Pany & Lentz Engineering.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated November 20, 2019.
b. Zoning Officer's review is contained in his letter dated November 15, 2019.
c. Sewage Enforcement Officer's review is contained in his letter dated November 21, 2019.
d. The proposed plan is a single apartment building with multiple units.
e. The proposed building will not exceed 35’ in height and is proposed to have 12- 1000 sq. ft. apartment units.
f. The developer has proposed to have curbs provided and will comply with the ordinance regarding no compact car parking spaces when under 100 spaces.
g. Developer is discussing a possible revised plan with an apartment unit attached to the store.
h. **Planning Commission Chairman Brian Horwith** questioned the principal use, the store or the apartments?
i. **Supervisors Dennis Klusaritz** questioned the principal use also and asked what the zoning officer had to say? **Township Manager/Zoning Officer Chris Garges** stated the Township is not clear as to which is the principal use.
j. **Planning Commission member Leonard Nuss** questioned the site distance, this was established in 1995 and should be rechecked, and with this new development the density will be too high. Where will the tenants park on a Friday night?
k. **Planning Commission member Jeff Johnson** stated many things need to be defined.
l. **Planning Commission member Robert Korp** stated he liked this plan better than the previous plans, circulation plan is not good and columns should be shown.
m. **Planning Commission member Richard Semmel** suggested the kitchen exit should be removed to widen the lower driveway.

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 November 20, 2019.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated November 15, 2019.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated November 21, 2019.
4. Lighting shall be shown on the plan.

Leonard Nuss motion to table the plan, Robert Korp second the motion, all others agreed.

3. **North Valley Trade Center Lot Line Consolidation**- Preliminary, NWT-19-009, PIN's 5468 6957 5278, 5469 6002 2545, 5469 5219 2289, 5469 6073 7894, 5469 5271 7365 & 5469 6164 0028, between Locust Drive & Park View Drive, east of Independence Drive, VR & LI-B Zone, 106.9 Acres, 6 Lot Consolidation, 90-Day Deadline starts 11/26/19, 90-Deadline 2/23/20. The plan was presented by Jim Snyder; Snyder, Secary & Associates, Matthew Nunn; Trammel Crow Co, Ben Guthrie; Traffic Planning & Design Inc & Catherine Durso; Fitzpatrick Lentz & Bubba.

a. Sewage Enforcement Officer's review is contained in his letter dated November 21, 2019.
b. The proposed plan is 6 lots to be consolidated into 1 parcel then divided into 2.

Planning Commission has recommended the following conditions:

1. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated November 21, 2019.

Planning Commission Chairman Brian Horwith motioned to send a favorable recommendation to the Board of Supervisors, Robert Korp second the motion, Jeff Johnson abstained, all others agreed.

4. **North Valley Trade Center Land Development**- Preliminary, NWT-19-010, PIN's 5468 6957 5278, 5469 6002 2545, 5469 5219 2289, 5469 6073 7894, 5469 5271 7365 & 5469 6164 0028, between Locust Drive & Park View Drive, east of Independence Drive, VR & LI-B Zone, 106.9 Acres, 1,325,116 sqft Building, 90-Day Deadline starts 11/26/19 90-Deadline 2/23/20. The plan was presented by Jim Snyder; Snyder, Secary & Associates, Matthew Nunn; Trammel Crow Co, Ben Guthrie; Traffic Planning & Design Inc & Catherine Durso; Fitzpatrick Lentz & Bubba.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated November 21, 2019.
b. Zoning Officer's review is contained in his letter dated November 13, 2019.
c. Sewage Enforcement Officer's review is contained in his letter dated November 21, 2019.
d. Emergency access to the property is proposed to be provided from Locust Drive.
e. A 10' berm and 6' vinyl solid fence along the property line facing Independence Drive is proposed.
f. There are no fuel, grease, oils or similar pollutants proposed at this time.
g. At this time, no guard shack is proposed, but this may change if a tenant requires a security fence and guard shack.
h. Currently no waste containers or outdoor machinery is proposed.
i. The developer has met with all three fire chiefs from Tri-Clover, Schnecksville and Neffs Fire Companies regarding fire lane locations and knox-boxes. The knox-boxes shall be provided on both buildings.
j. There were several discussions regarding traffic on Levans, Route 309 & Independence.
k. The developer has proposed to widen and improve Independence Drive from their site to Levans Road, adding signage "no trucks turning left", all staying within the ROW.
l. The plan does not need to go to PennDot due to no HOP is needed.
m. Planning Commission member Richard Semmel questioned the traffic study, was anything reviewed during the peak school traffic hours? Developer stated Rt 309/Shankweiler & Rt 309/Orefield Rd was studied and their signal timing. Richard also mentioned his concerns with vegetation, wetlands, and stormwater. He suggested wildflowers for low maintenance.
n. Planning Commission member Bruce Stettler was not in attendance but sent a letter to be read at the meeting regarding contacting the development to Park View Drive and Jefferson Drive.
o. Planning Commission member Leonard Nuss echoed Richard Semmel's concerns.
p. Planning Commission Chairman Brian Horwith questioned a 10' wall facing Independence Drive.
q. Township Supervisor Dennis Klusaritz suggested a turning lane be added at Levans Rd to Independence Dr.

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 November 21, 2019.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated November 13, 2019.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated November 21, 2019.

Comments from the floor:

Dan Nemeth, 1507 Clearview Rd, Coplay, had a few concerns - the traffic, turns and radius, are the traffic studies done on sunny days? What happens when it snows? What happens with the trucks going southbound on Rt 309? There will be additional noise and air pollution. Is this area zoned for this type of use?

Gerald Makovsky, 4975 Abbey Rd, Coplay, stated he drives truck, a 53' truck, even long straight single trucks will have a difficult time with turns when using gps and not just using Rt 309.

Jennifer Escalona, 4934 Overlook Rd, Coplay, concerned with the risks of the additional traffic this development will bring on the Township. **Planning Commission Chairman Brian Horwith** suggested a sign stating no left turns for trucks at the intersection from Independence Drive onto Levans Road.

Matt Allen, 1308 Wilbur Ln, Coplay, questioned a northern access to Sand Spring Rd? This will be an emergency access/exit only.

Mary Kate, 1308 Wilbur Ln, Coplay, questioned how many people are expected to be working at the proposed buildings? It was stated that there is no total count for employees at this time.

Chris Talianek, 4644 Hillside Drive, Coplay, questioned who in the room wants the 1.4 million sq ft warehouse in the Township?

Wendy Ayers, 5300 Overlook Rd, Slatington, ask if the school hours could please be considered during the peak traffic hours.

Jeff Bogert, 4757 Overlook Rd, Coplay, suggested Rt 309 should be widen south of NWT to the light of Walbert Ave. It was stated Rt 309 is a state road.

Luke Boltz, 5200 Sparrow Ln, Coplay, he is concerned with the truck traffic and all the buses that come in and out of Orefield Middle School. These buses come during peak hours.

Nancy Granec, 1513 Clearview Rd, Coplay, suggested another traffic light should be added to the traffic study, LimeKlin Rd/Rt 309 should also be checked for timing.

Leonard Nuss motion to send a Preliminary/Final approval to the Board of Supervisors with all waivers summarized on sheet 1 on their Land Development Plans and included in Keystone Consulting Engineers Review letter, also including widening and improvement of Independence Road for the site to Levans, adding no left turn from Independence Road onto Levans Road, Robert Korp stated even though he is not a fan of this plan, it is permitted, he seconded the motion, Jeff Johnson abstained, Dennis Klusaritz voted No, all others voted Yes, motion carried 4-yes, 1- no, 1- abstained.

5. **Strawberry Acres WWTP Sewage Planning Module & Conditional Use**- NWT-19-021, 5580 0755 1024, 5120 Overlook Road, AR Zone, 51.3 Acres, Recommendation needed Planning Commission Meeting in November.

   Due to the late hour the decision was made to continue the November 26, 2019 Planning Commission meeting on Wednesday, December 4, 2019. Planning Commission Chairman Brian Horwith motioned to readvertise the meeting with Strawberry Acres WWTP on the agenda, Jeff Johnson second the motion, all others agreed.

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

Jeff Johnson motioned to adjourn, Richard Semmel seconded, all others agreed

Meeting Adjourned: 10:20pm 11/26/19
Jane K. Kelly
Planning/Recording Secretary
North Whitehall Township

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

PLANNING COMMISSION MINUTES NOVEMBER 26 & CONTINUATION ON DECEMBER 4 OF, 2019

Planning Commission Chairman Brian Horwith reconvened the November 26, 2019 Planning Commission meeting on Wednesday, December 4, 2019, at 7:30pm after a pledge to the flag.

Attendance:

Chairman Brian Horwith	Richard Semmel
Secretary Leonard Nuss	Robert Korp
Attorney Lisa Young	Jeff Johnson
Township Engineer Steve Gitch	John Barto
Supervisor Dennis Klusaritz	Planning Secretary Jane Kelly

Also in attendance were Township Manager Chris Garges, Zoning Officer Jim Campana and Administrate Assistant Jessica Koenig.

1. **Strawberry Acres WWTP Sewage Planning Module & Conditional Use**- NWT-19-021, 5580 0755 1024, 5120 Overlook Road, AR Zone, 51.3 Acres, Recommendation needed Planning Commission Meeting in November. The plan was presented by Amit Mukherjee; Base Engineering Inc, Tara Bernard; Ebert Engineering Inc, Richard Dunn; Ebert Engineering Inc & F. Peter Lehr, Esq; Norris McLaughlin.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated November 21, 2019.
b. This proposed plan is for an onsite waste water treatment plant for approximately 89 units.
c. The water is proposed to be serviced from NBMA and a will service letter needs to be provided.
d. The proposed treatment plant will be owned, operated and maintained by LCA and a will be serve letter needs to be provided.
e. There are many concerns of noise and odor. It was stated as per the Ordinance, to all existing parcels within 300', there will be no odor and only minimum noise (from an outside generator), and the blowers will be inside the plant. Modern properly run waste water treatment plants do not have odors.
f. The proposed plant will only serve Strawberry Acres AARC.
g. 2500' of sanitary sewer piping is proposed within Overlook Road ROW.
h. A planning module application has been submitted to the Township.
i. **Planning Commission Chairman Brian Horwith** questioned the existing buildings on the proposed parcel? He also questioned Fells Creek, how does DEP feel about the discharge going into Fells Creek? The developer stated no buildings will be demolished, the WWTP will be built behind them. DEP is also aware of the discharge going into Fells Creeks.
j. There is also some concern with possible future expansion of the WWTP. The developer stated the way the site is laid out, there is not much room for scalability to expand.
k. An access easement to the site from Overlook Rd will be needed.
l. **Planning Commission member Jeff Johnson** questioned where the closest WWTP is currently? Wynnewood Terrace, but that is a much older plant.
m. **Planning Commission member Richard Semmel** stated the North Whitehall Township Comprehensive Plan Chapter 4 states expanding existing plants rather than adding new plants is preferred. He also questioned how this proposed plant compared to other plants in North Whitehall Township and which plant in the township was most recent built or rebuilt? Also where is the closest plant that Ebert Engineering has designed? They stated the flow capacity is 25,000 gallons per day, is this safe to say they are undersize? It was stated this plant is much smaller than other WWTP's in North Whitehall and either Lil's Wolf or Keystone had rebuilt their plants recently. Ebert Engineering's closest designed plant is in Chester County. As for the flow capacity, the figures give them some place to move.
n. **Supervisor Dennis Klusaritz** questioned the application #10, their use does not sound correct, and also #13 question #13, needs to be corrected. Who can do a study on Fells Creek and how often it has dried up?
o. **Planning Commission Leonard Nuss** questioned if a sketch pan for the development should have been submitted with the Conditional Use application?
p. **Planning Commission Robert Korp** need to have an operator before the building permit is issued? **Township Solicitor Lisa Young** stated yes they do.

Comments from the floor:

Tom VanVreede, 5027 Church Dr, Coplay, reviewed the developer's Conditional Use application and is concerned with several errors he found during his review. He request the Township to reject their application.

Dan Nemeth, 1507 Clearview Rd, Coplay, is concerned with a deemed approval due to a revised transmittal letter. This needs to go by the new 2016 Ordinance. He is also concerned with the noise and odor. He also questioned how many WWTP Ebert Engineering has designed? It was stated they have designed approximately 30.

Heather Skorinko, 1848 Clearview Rd, Coplay, she is not against a 55+ community in North Whitehall Township, but do we need over 20 communities in the Lehigh Valley? She is a farmer and she already has a hard time driving her equipment on Clearview Rd, if we add another development, we add more traffic. She is also concerned with Fells Creek and any damage the discharge will incur, flooding or drought.
Jeff Bogert, 4757 Overlook Rd, Coplay, is concerned with what is under ground in this area, possible arsenic from the orchards or dry creek beds.
Darrell Dravuschak, 1427 Thomas Dr, Coplay, stated Fells Creek is protected under the State Level Chapter #93. Developer has already received their approval from DEP for the Clean Stream Law. **Planning Commission member Richard Semmel** questioned what happens if there is a failure in the future? Developer stated since the plant would be owned/operated/maintained by LCA, LCA would have to clean it up.
Bill Ayers, 5330 Overlook Rd, Slatington, questioned the pipe locations and who monitors the construction of these pipes? The pipes will be located in the ROW on the west side of Overlook Rd below the frostline and monitored by the Township Engineer during construction.
Christy Gangaway, 5036 Donna Dr, Coplay, what happens if LCA decides they do not want the WWTP? It was stated the project is dead.
Liz Nemeth, 1507 Clearview Rd, Coplay, stated there is no way that plant will not smell & the wind will not go up wind.
Jennifer Escalona, 4934 Overlook Rd, Coplay, asked that the Township please provide for preservation and historic value.
Jane Loomis, 4941 Peach Bottom Rd, Coplay, asked why LCA isn't representing themselves.
Jim Cerra, 1442 Oakcrest Ln, Coplay, questioned what meeting is 12/9/19? He requested the plan be rejected and the developer put in big homes and end this now.
Ben Fritchman, 1739 Clearview Rd, Coplay, stated the less dense the better.
Nancy Granec, 1513 Clearview Rd, Coplay, stated she could move into this community in a few years but 2.5 people is tough.

Planning Commission member Richard Semmel asked if the Planning Commission is required to send a referral to the Board of Supervisors. Attorney Young stated no, but they are requested for their recommendation. Planning Commission member Robert Korp stated this plan is not comparable to the Township comprehensive plan but it is in accordance to the Township Zoning Ordinance.

John Barto motioned to send a favorable recommendation to the Board of Supervisors conditional on the will serve letter received from LCA, agreement letter from LCA and air quality monitor & reporting, Jeff Johnson second the motion, Richard Semmel abstained, vote was taken, 3-yes, 3-no. Tied motion, no recommendation send to the Board of Supervisors.

2. **Strawberry Acres WWTP Sewage Planning Module 4A –**

Jeff Johnson motioned approve the signing the planning module, John Barto second the motion, Richard Semmel abstained, all others agreed.

Meeting Adjourned: 10:20pm 12/4/19
Jane K. Kelly
Planning/Recording Secretary
North Whitehall Township