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

PLANNING COMMISSION MINUTES OF APRIL 28, 2020

Webex Meeting brought to order at 7:30 p.m. on Tuesday, April 28, 2020 by Chairman Brian Horwith

Attendance:

Chairman Brian Horwith	Richard Semmel
Vice Chairman Bruce Stettler	Robert Korp
Secretary Leonard Nuss	John Barto
Attorney Lisa Young	Christopher Moughan
Township Engineer Steve Gitch	Alternate Roderick Lowe
Supervisor Dennis Klusaritz	Township Zoning Officer Jeff Mouer
Township Manager Chris Gargas	Planning Secretary Jane Kelly

Minutes of the February 20, 2020 meeting were approved as presented. Motion made by John Barto seconded by Chris Moughan, all others agreed.

1. **Binny Mart** – Land Development Waiver – NWT- 20-009- 5479 2793 1793, 4481 Mauch Chunk Rd, C Zone, .63 Acres, Waiver Request from SALDO Sections, 5.02 & 6.02, 90-Day Deadline starts 2/20/20 90-Deadline 6/18/20. Plan was presented by Attorney Daniel Dougherty and Engineer Steve Pany.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated April 21, 2020.
b. Zoning Officer's review is contained in his letter dated March 13, 2020.
c. Sewage Enforcement Officer's review is contained in his letter dated March 20, 2020.
d. **Attorney Dan Dougherty** presented the majority of the plan with **Engineer Steve Pany** as the witness for the plan.
e. The waiver from Land Development is being requested due to the project being under 2000sqft the entire life of the structure and there have been no additions to the structures since 1999.
f. The impervious coverage is under 1000sqft so the applicant feels there will be no stormwater controls required for this project.
g. A different version of the proposed project was before the Zoning Hearing Board in 2019, stating hardship of a corner lot.
h. The current building is a 1500sqft retail and has been since the early 60's.
i. **Township Solicitor Lisa Young** informed the Planning Commission that the applicant was looking for a recommendation from the Planning Commission to the Board of Supervisors for a waiver from Land Development.
j. **Planning Commission Chairman Brian Horwith** questioned if since it is under 2000sqft does it not apply to SALDO. Attorney Dougherty stated that was correct. Mr. Horwith also questioned the stormwater, would there be room for a stormwater pit? Township Engineer Steve Gitch stated the applicant might not be subjected to Act 167 but this would be reviewed. This plan would be a building permit plan with a single lot grading plan. PennDot might need to review this submission.
k. **Planning Commission Vice Chairman Bruce Stettler** stated if there are no changes to the access then PennDot should not be involved.
l. **Planning Commission member Leonard Nuss** stated he is very familiar with the property and nothing has be added since 1999. Mr. Nuss also agree that Penn Dot should not be involved, no additional traffic, just a building permit.
m. **Planning Commission member Richard Semmel** questioned the previously submitted plan from this applicant, the Planning Commission gave the previous plan a positive recommendation, has anything changed since that submission?
n. **Planning Commission member John Barto** questioned the addition, would it be a new use or the same current use? Mr. Pany stated same use by right.
o. **Planning Commission member Robert Korp** stated the proposed parking has been an improvement.
p. **Planning Commission member Chris Moughan** stated he would like to see the Township SEO approval.
q. **Township Supervisor Dennis Klusaritz** questioned the current stormwater and where does it drain now? Mr. Pany stated towards the north, then to Balliet St, to an inlet under Mauch Chunk Rd to a roadside swale. The inlet and swale are currently clean.
r. **Frances Moore, 5222 Cider Press, Schnecksville**, stated she is in support of Binny Mart, everyone is very friendly and helpful at this location.

Richard Semmel motioned to send a favorable recommendation to the Board of Supervisors waiving SALDO Sections, 5.02 & 6.02, Leonard Nuss agreed, Brian Horwith all others agreed, motion carried.

2. Eck/Gogle Lot Line Adjustment – Preliminary/Final, NWT-20-017,3 lot, Lot Line Adjustment, PIN 5580 5859 3506, 5580 5981 8255 & 5580 5898 8321, 1145 & 1124 Eck Lane & 4943 Egypt Road, AR Zone, 90-Day Deadline starts 3/24/20 90-Deadline 6/21/20. Plan was presented by property owners Timothy Gogle and Nancy Eck and Engineer Robert Hoppes.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated April 21, 2020.
b. Zoning Officer's review is contained in his letter dated March 13, 2020.
c. Sewage Enforcement Officer's review is contained in his letter dated March 20, 2020.
d. The proposed plan is subdivide 7+ acres off the main parcel and give to adjoining neighbor.
e. The existing barn, shed and well is proposed to stay with the main parcel.
f. The subdivision will give the neighbor a little over 11 acres allowing him to enter into the Land Act.
g. New lot 1 is proposed to have a 10ft easement on the north side.
h. New lot 1B is proposed to be a non-building lot and shall be labeled as such on the plan. This is the same lot to be entered into ACT 319.
i. All typos on the plan shall be corrected.
j. ROW along Egypt Road has already been dedicated.
k. Many discussions regarding Clearview Road and possible ROW or easement.
l. **Planning Commission member Richard Semmel** questioned if Mr. Eck will now own 2 parcels of land? **Township Solicitor Lisa Young** stated yes, but Mr. Gogle will have the larger portion.
m. **Planning Commission Vice Chairman Bruce Stettler** stated the Township needs the ROW along Clearview Road in case they need to do work along the road.
n. **Planning Commission member Leonard Nuss** stated there are many drainage problems along Clearview Road and Egypt Road, very high bank. The developers questioned what size easement is needed, would an easement be agreeable?

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 April 21, 2020.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated March 13, 2020.
3. Developer shall address the Sewage Enforcement Officer's comments as set forth in his review letter dated March 20. 2020.

John Barto motioned to send a favorable recommendation to the Board of Supervisors approving the waiver for Lot 1 easement and requesting an easement along Clearview Road, also waiver from section 10.22, Dennis Klusaritz seconded the motion, all others agreed.

3. **Klines Island Sewer System (KISS) ACT 537 Review** –Presented by Mike Schober; LCA

o Presentation was on the updates to the sewer system plant, hydro overload at Klines Island due to more than normal rain and other precipitation. The new plan we take them to the end of 2025.

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

o **Planning Commission member Richard Semmel** questioned the status of Strawberry Acres?

o **Several Planning Commission members** questioned the status of further meetings and when they will be in-person meetings and not webex meetings. **Attorney Young** stated at this point not through the month of May, both her and Township Manager Chris Garges are keeping updated on the Governor's status.

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

Meeting Adjourned: 9:00pm.
Jane K. Kelly
Planning/Recording Secretary
North Whitehall Township