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

PLANNING COMMISSION MINUTES OF FEBRUARY 28, 2023

Meeting brought to order, followed by the Pledge of Allegiance to the flag and a moment of silence at 7:00 p.m., on Tuesday, February 28, 2023 by Vice Chairman Robert Korp.

Attendance:

Supervisor Al Geosits	Secretary Richard Semmel
Township Manager Randy Cope	Bruce Stettler
Township Director of Planning & Zoning Jeff Mouer	Leonard Nuss
Township Engineer Steve Gitch	John Barto
Township Solicitor Tom Dinkelacker	Jeff Johnson
Township Planning Administrator Jane Kelly	Richard Fuller
Vice Chairman Robert Korp	Rod Lowe

Minutes of the January 24, 2023 meeting were approved. Motion made by John Barto, seconded by Jeff Johnson, all others agreed.

1. **North Whitehall Township Parks and Recreation Comprehensive Plan Review for Recommendation to the Board of Supervisors**

- Joanne Conley from Urban Research & Development Corporation presented the Parks and Recreation Comprehensive Plan to the Planning Commission for Recommendation to the Board of Supervisors.
- Planning Commission member Jeff Johnson was concerned with comments in the plan regarding Johnson's Pond. Township Manager Randy Cope stated these comments would be reviewed before the Comprehensive Plan is adopted.

Richard Semmel motioned to send a favorable recommendation to the Board of Supervisors with a correction to the Johnson's Pond comment if needed, Richard Fuller seconded the motion, all others agreed.

✴ **Township Director of Planning & Zoning Jeff Mouer** informed the Planning Commission members of a short meeting with the Township staff, one week prior to the Planning Commission meetings to resolve any unanswered questions, concerns on review letters and just general items so that the Planning Commission meetings run smoothly without too much confusion. These meetings will included the Township Manager, Township Director of Planning & Zoning, Township Solicitor, Township Engineer, Chairman and Vice Chairman of the Planning Commission and the Planning Administrator, also included Attorney Andrew Schantz and Judith Goldstein, from Gilmore & Associates, as needed. The Director of Planning & Zoning will also give a brief synopsis before each agenda item is presented to update the Planning Commission.

2. **Laudenslager Annexation Lot Line** – NWT-22-025, Lot Line Adjustment, Final, Parcel 5468 6569 8545 & 5468 6578 4941, 3545 Route 309 & 3551 Route 309, PC Zone, 0.9554 Acres, 90-Day Deadline starts 2/28/23, 90-Day Deadline **5/28/2023**. The plan was presented by Attorney Karley Biggs Sebia and Berks Surveying & Engineering Engineer Dan Graybill.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated February 20, 2023.
b. Zoning Officer's review is contained in his letter dated February 14, 2023.
c. This plan has been to the Zoning Hearing Board and has received two conditions.
d. The driveway on 3551 Rt 309 needs to be removed out of the PennDot ROW and the fence needs to be moved out of the sight triangle.

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 20, 2023.
2. Developer shall address the Zoning Officer's comments as set forth in his review letter dated February 14, 2023.
3. **Township Solicitor Tom Dinkelacker** provided verbiage to be written as conditions in a resolution prior to final approval for this project. Resolution will be provided for review.

Jeff Johnson motioned to send a favorable recommendation, adding the conditions from the resolution provided by the Township Solicitor to the Board of Supervisors, Leonard Nuss seconded the motion, all agreed.

3. **3952 Independence Drive**- NWT-23-016, Land Development, Preliminary/Final, Parcel 5468 5921 1537, 3952 Independence Drive, LI/B Zone, 2.2513 Acres, Waiver request from SALDO Article 3 Section 3.02A, Sections 5.03.B.2 and 5.03.B.9, 90-Day Deadline starts 2/28/23, 90-Day Deadline **5/28/2023**. The plan was presented by Lehigh Engineering Engineers Lew Rauch and Philip Albright and Developer Scott Jenson.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated February 23, 2023.
b. Zoning Officer's review is contained in his letter dated February 13, 2023.
c. A 12,500 sqft industrial building in proposed on 2 ½ acres.
d. Public water and onlot septic is proposed.
e. The applicant's engineer stated the dirt road/private alley to the west of the proposed development was placed on the plan as found in record, but the dirt road is physically located further to the east.
f. The applicant's engineer questioned the public value of the drainage and utility easement on the east side of the property along Independence Drive. Multiple members of the Planning Commission noted the easement is required by SALDO, regardless of whether adjoining properties had dedicated it.
g. **Planning Commission member Richard Semmel** questioned the alternate septic site, why is it located side by side the primary site? Richard also questioned the blacktop area going northwest on the proposed site, what is that for? **Township Engineer/SEO Steve Gitch** stated the testing area was quite large, and can be increased and shown on the plan for the secondary site. The developer's engineer stated the black top area was for the trucks to back around.
h. **Township Solicitor Tom Dinkelacker** stated there were some grammatical errors that needed to be corrected on the plan.
i. **Sean Lawler, 3861 East View Dr, Orefield, 18069**, had a few concerns regarding this plan; traffic, hours of operations, lights and water run-off eating away more of his lawn.

John Barto motioned to send a favorable recommendation to the Board of Supervisors for a waiver from the utility easement, Jeff Johnson seconded the motion, vote was taken, 3 to 4, no, the motion failed.
John Barto motioned to table the plan, Richard Fuller seconded the motion, Leonard Nuss opposed, Bruce Stettler took no action, and all others agreed, motion carried, the plan was tabled.

4. **McDonald's Drive Thru Upgrade**- NWT-23-015, Sketch, Parcel 5469 0657 3807, 5060 Route 873, C Zone. The plan was presented by Justin Klee; Bohler Engineering.

a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated February 20, 2023.
b. Zoning Officer's review is contained in his letter dated February 16, 2023.
c. This plan is looking for a waiver from the Land Development process to go directly through the permit process.
d. They are proposing a side by side drive thru upgrade.
e. This will increase their order intake, reduce the queue time and reduce the wait time for their customers.
f. **Township Solicitor Tom Dinkelacker** suggested a revised recorded plan and as builts.
g. **Township Director of Planning & Zoning Jeff Mouer** stated a variance for parking and their menu board might be needed. The parking spaces in question would be for the entire shopping center.
h. **George Borman, 5616 Manor Rd, Neffs, 18065,** questioned how many parking spaces are being taken away and where?
i. **Planning Commission Vice Chairman Robert Korp** stated the complete math should be shown on the plan for the current parking spaces and less the number being taken away and plus the number being added.
j. **Township Solicitor Tom Dinkelacker** provided verbiage to be written as conditions in a resolution prior to final approval for this project. Resolution will be provided for review.

Jeff Johnson motioned to accept the waiver from Land Development, adding the conditions from the resolution provided by the Township Solicitor to the Board of Supervisors, Richard Fulmer seconded the motion, all agreed.

- **Township Director of Planning & Zoning Jeff Mouer** updated the Planning Commission on the Zoning Ordinance review. The first meeting was held on February 15, 2023. Planning Commission member Robert Korp and Richard Fuller are the commission members on the committee. Ideas are now being gathered to be given to Judy Goldstein; Gilmore & Associates. The next meeting will be May 10, 2023 and a time line will be established then. A draft will be distributed after it is finished possibility at the end of 2023.

Planning Commission Jeff Johnson questioned the sight triangle on the Laudenslager project, why are we questioning this parcel when other parcels along Route 309 have items in the sight triangle? **Township Director of Planning & Zoning Jeff Mouer** stated this came into question when a fence was installed without a permit, causing a zoning violation.

Richard Semmel motioned to adjourn the meeting, Jeff Johnson seconded the motion, all others agreed.

Meeting Adjourned: 8:50pm.
Jane K. Kelly
North Whitehall Township Planning/Recording Secretary