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

PLANNING COMMISSION MINUTES OF March 7, 2023

Meeting brought to order, followed by the Pledge of Allegiance to the flag and a moment of silence at 7:25 p.m., on Tuesday, March 7, 2023 by Chairman Brian Horwith

Attendance:

Supervisor Al Geosits	Vice Chairman Robert Korp
Township Manager Randy Cope	John Barto
Township Director of Planning & Zoning Jeff Mouer	Jeff Johnson
Township Engineer Steve Gitch	Richard Semmel
Township Alternate Solicitor Andrew Schantz	Richard Fuller
Chairman Brian Horwith	Rob Lowe

Minutes -- No minutes were presented for approval. This meeting is a continuance of the February 28, 2023 meeting. Minutes from this meeting will be presented for approval on March 28, 2023.

1. **Planning Commission Chairman Brian Horwith announced that on this Agenda, Greenleaf Fields at Parkland withdrew from this Agenda by request of the developer. They will be re-scheduled for the March 28, 2023 meeting.**

2. **Attorney Peter Lehr who represents Strawberry Acres addressed the Planning Commission for (2) two waivers for the development. The first waiver addressed was for SALDO Section F.04.F – "Slopes of Basin". This waiver request is to have the inside and outside berms reduced from 5:1 to 3:1 and also to allow vertical retaining walls. The Commission was referred to the Basin & Landscape plans (Page 30 of the plans). ** Note—Attorney Lehr was representing the Applicant and Base Engineering. No Engineers from Base present due to health reasons. ****

   a. Commission member Jeff Johnson asked about the wetlands and if the wetlands will affect the operation of the basins. Attorney Lehr could not comment but mentioned that that question is better answered by the Engineer.
   b. Chairman Brian Horwith asked if there will be plantings on the southern portion of the basins. Attorney Lehr will refer that suggestion for consideration.
   c. Township Steve Gitch offered comment on basin slopes. Gitch mentioned that North Whitehall traditionally would grant waivers for a 3:1 slope with fencing. Gitch offered his safety concerns on completely vertical walls and the danger with them. Also, he mentioned he could not think of any vertical walls within detention basins in the Township.
   d. Commission Secretary Richard Semmel asked if there were any structural plans for the walls. It was stated that they would be required prior to construction.
   e. Special Project Consultant Judith Goldstein comment on the basin slopes stating her safety concerns. She had mentioned that the Landscape plan was improved from last review but wanted to review the details on the vertical walls which were not in the plans. Lastly, she commented that in SALDO Section F.04.F exclusively stated that "straight side slopes are prohibited.". She read the section to the Commission.
   f. Commission member Rob Lowe had no comment.
   g. Commission member Jeff Johnson asked if the basins can be placed on another parcel instead of having all of them clustered together. Also, he wanted to know how high the vertical walls are. No answer was given back to him.
   h. Commission member Richard Fuller asked "Why does this have to be built this way". Attorney Lehr commented back explaining that it is a requirement for stormwater.
   i. Commission Secretary Richard Semmel asked Attorney Lehr "How far are the basins from Clearview Road?" Attorney Lehr did not know the distance. Semmel agreed with Chairman Horwith with having plant screenings on the south side of the basins.
   j. Township Manager Randy Cope asked what type of fence would be used? Attorney Lehr commented that SALDO gives the descriptions of the fence that is required. Manager Cope asked if the HOA would "fold", would the basins get turned over to the Township? A general discussion was that the basins would get turned over to the Township.
   k. Supervisor Alfred Geosits was asked if he had any comment and he replied, "I am fine".
   l. Commission Secretary Richard Semmel stated that this waiver should be tabled until they bring more detail on the fences and walls.
   m. Planning Commission Member Jeff Johnson made a motion to table this waiver pending additional information. Planning Commission Member Richard Fuller second the motion -- No action from this due to more comments from audience.
   n. Jim Wilson (local business owner) commented on steep slopes are hard to maintain and hard to cut depending on the vegetation.
   o. Resident Heather Skrinko read comments about the number of basins and the effect on the environment. She objected to the waiver.
   p. Resident Tom VanReede read comments on steep slopes and had concerns with safety. He felt that the vertical walls are dangerous and should not apply to this plan
   q. A female Resident from Thomas Drive asked if there are any plans for any evasive weeds that are anticipated to go into the fells creek from the basins. There was no response. She asked if the Lehigh County Conservation District was notified for the stormwater review, Attorney Lehr answered by saying "No". Township Engineer stated there was no plans submitted to LCCD at this time.

Chairman Horwith stated that there will be no action with this waiver until the Commission hears the second waiver request and both waivers will be addressed.

The second waiver is for the Section 10.06.A.5 "Stub Streets of abutting subdivisions".

a. Attorney Lehr made comment on this waiver request by showing a google map and Lehigh County Parcel aerials of the stub street. Attorney Lehr stated that his belief that the "stub street" is not a street and is not maintained by Township. His belief is that it should stay as a stub street and not be an access to the new development.
b. Township Engineer Steve Gitch stated that the "stub street" is approximately 200 foot from the grass area (property line) to Donna Drive. In addition, he believes that adding additional access point is good planning and could be beneficial to the Township.
c. Special Project Consultant Judith Goldstein stated that the roads within the development can be adjusted if the "stub street" is used for an access point. "Stub Streets" are part of any subdivision and are formed for future use and ease of connectivity.
d. Vice Chairman Bob Korp agreed with Township Engineer and Judith Goldstein. He feels that this is not a hardship but a requirement and it will be in the best interest of the public that has to be considered by using this access point.
e. Commission member Jeff Johnson asked what the Right-of-Way is on the stub street. The answer was given by Supervisor Alfred Geosits stating that he was looking on the GIS and it showed that it was 50 feet.
f. Secretary Rich Semmel stated that this is not a hardship due to other "stub streets" that were used to expand within that area (Hannah Lane).
g. Supervisor Alfred Geosits stated that he did not know why this "stub street" was not improved. After discussion about having a emergency gate in place of the road, he disagreed and he felt that there is no hardship.
h. Commission Member Jeff Johnson stated that he feels that it is the Township's responsibility to develop all stub street including this one. Also, he feels that they should be maintained.
i. Chairman Brian Horwith commented further ending with that he does not support this waiver. Chairman Horwith took comment from the audience.
j. Township Resident Bill Moyer started that in fact the Township does plow and maintain that "stub street". He witnessed public works paving the road in the past. He disagrees with a chained emergency access.
k. Township Resident Heather Skrinko offered numerous comments about this access and does not support this waiver.
l. Township Resident MR. Sterling wanted more explanation about the emergency gated access as opposed to the open road. Chairman Horwith explained to him that difference and discussed that in the past, good planning dictates good connectivity to other parts near a development.
m. Township Resident and Fire Chief Jim Steward stated that there are other stub streets throughout the Township near open areas. Also, he asked if the water system will be looped within the development. He was referred to NBMA.
n. Attorney Lehr made final comments to the Planning Commission by stating that "if you deny this waiver, he expects the Ordinance to be enforced. Attorney Lehr started the items from the Ordinance that he expected to be enforced. Attorney Lehr ended the comments by stating "Go Ahead and deny it"

Planning Commission Member Jeff Johnson made a motion to table waiver #1 -- SALDO Section F.04.F – "Slopes of Basins", pending additional information. Planning Commission Member Richard Fuller second the motion and all was in favor, no objections.

Planning Commission Member Bob Korp made a motion to deny waiver #2 -- Section 10.06.A.5 "Stub Streets of abutting subdivisions". Planning Commission Member Richard Fuller second the motion and all were in favor, no objections.

Chairman Brian Horwith made a motion to table the Strawberry Acres preliminary plan. Planning Secretary Richard Semmel second the motion and all were in favor, no objections.

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

1. Resident Tom VanReede stated that he strongly felt that the Strawberry Acres plan should not be at the March meeting due to not enough detail.
2. Planning Commission Member Jeff Johnson requested a correction to the Park & Rec Comp Plan stating that the Ballfields at Schnecksville Fire Company belong to the Fire Company.

Planning Commission Chairman Brian Horwith adjourned the meeting at 9:08PM.

Meeting Adjourned: 9:08PM
Jeff Mouer
Director of Planning & Zoning
North Whitehall Township