

PALMER TOWNSHIP PLANNING COMMISSION

PUBLIC MEETING - TUESDAY, MARCH 21, 2017 - 7:00 PM

PALMER TOWNSHIP LIBRARY COMMUNITY ROOM - 1 WELLER PLACE, PALMER, PA

The March meeting of the Palmer Township Planning Commission was held on Tuesday, March 21, 2017 at 7:00 p.m. with the following in attendance: Robert Blanchfield (Chairman), Robert Lammi (Vice Chairman), Jeffrey Kicska, Richard Wilkins, Thomas Grube and Andrew Rossi. Absent: Robert Walker. Also in attendance were Planning Director Cynthia Carman Kramer, Engineer Ralph Russek, Solicitor Ryan Fields and Supervisor Liaison Jeffrey Young.

Chairman Blanchfield opened the meeting by leading those present in the Pledge to the Flag.

1. Minutes of February 2017 Public Meeting

Motion: Approve, Moved by Thomas Grube, Seconded by Richard Wilkins. Passed. 6-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Wilkins
Commission Members Absent: Walker

OLD BUSINESS

- ### 2. Northwood Farms - Preliminary/Final Subdivision Plan
- Van Buren Road & Northwood Avenue - L8-5-2 & L8-6-1
MDR District
Request by CMC Development Corporation

DISCUSSION

Present on behalf of the applicant were Michael and Charles Tuskes, Lewis Rauch, II of Lehigh Engineering and Attorney Joseph Piperato.

The plan proposes the subdivision of two tracts totaling 79.9 acres into 137 lots for single-family dwellings, and three open space lots to contain stormwater detention facilities. The property is located on the east side of Van Buren Road north and south of Northwood Avenue, including frontage on Nazareth Road/Route 248. The parcel north of Northwood Avenue is located within the Medium Density Residential (MDR) zoning district, while the parcel south of Northwood Avenue is located within the Low Density Residential (LDR) zoning district. An application for zoning amendment has been submitted to rezone the property south of Northwood Avenue to MDR.

Rauch gave a review of the proposed stormwater management systems.

Lammi asked if the stormwater pipe will be right above the existing sanitary sewer pipe. Rauch stated the pipe will cross a section of the sewer pipe. Lammi suggested they talk to Tom Adams, Public Services Director, before going to the Board of Supervisors concerning the stormwater pipe over

the sanitary sewer pipe.

Grube asked if Northwood Avenue would be raised. Rauch said yes, with curb and sidewalks on both sides.

Lammi asked how they would handle water from Strausser's basin. Rauch replied there would be a pipe connection from their basin.

Lammi asked about the LVPC Act 167 review. Their last letter from November stated the design was not consistent with the requirements, and the design has since changed. Rauch said yes it has and they would submit a new letter once all easements are in place. Lammi stated they will need this before they go before the Board of Supervisors

Blanchfield asked Rauch about existing flooding off Bridlepath Road. Rauch explained about inlets on Northwood Ave and inlets in existing back yards that would capture water taking it into the basin.

Blanchfield asked what would happen to the spray irrigation systems in the winter. Rauch said they would be turned off, the water doesn't infiltrate in the winter because the ground is frozen. Blanchfield asked how long it would take for the basins to empty. Rauch said no more than 7 days and explained about a 2 year storm - 3 inches in 24 hours. Kicska asked about existing ponding behind the homes on Lower Way Road. Rauch said it would be graded into a swale with an end wall and pipe system to take the water into a basin. Grube asked if there would be a pump in the basin. Rauch said there would be a pump in each basin and that the HOA would own and maintain the basins, irrigations system and everything outside the right-of-way.

Wilkins asked if the stormwater would go to the Bushkill or Schoeneck Creek. Rauch replied the Schoeneck Creek.

Blanchfield asked about existing encroachments onto their property. Rauch said these will be worked out.

Blanchfield asked Rauch to explain the traffic situation. Rauch explained about the swap with PennDOT and the right-in and right-out. Kramer said the paperwork was done, they were just waiting for the sign off from PennDOT. Wilkins asked if Kingston Road is up to State standards. Kramer said the state is accepting it in its current condition.

Blanchfield asked if the street lighting would be to township standards. Rauch said yes, the number and location of streetlights were already approved.

Blanchfield asked about the Geotech letter. Kramer said she had received a previous letter, but was awaiting the most recent.

Kicska commented about the new street names not staying the same as they cross over other streets. Rossi stated this was better for the fire department as

it would reduce confusion when responding to a call..

Blanchfield asked about how the phasing for the project would work. Rauch said Phase 1 would include the 3 basins and the Northwood Avenue and Van Buren Road improvements. They would build from the bottom up. The irrigation system would be done in the 4th phase, as it is done as a post construction system, and the basins act as sedimentation during construction.

Lammi commented that since the plan before them was requested for preliminary plan approval only, they would need to come back for final plan approval for each phase.

Blanchfield then opened the floor to questions and comments from the audience.

Attorney Joel Scheer, representing Douglas and Ann Janowicz of Kasper Pools, voiced his client's concerns regarding the houses that will back up to their business and and stated there should be a buffer built between them and the business. Blanchfield asked how close the houses would be. Rauch said as close as 30 feet. Lammi said this issue should be worked out before going to the Board of Supervisors. Scheer also commented about the intersection change having an impact on their business.

Rodney Gischel, 2720 Northwood Avenue, asked where the reconstruction of Northwood Avenue would start and end and if it would affect his property and the work he has done on his driveway. He does not want water coming back onto his property. He also asked if the irrigation pumps would be noisy and if there would be road closures? Rauch responded the pumps are no louder than a pool pump and they would need to close Northwood Avenue to do the road work. Gischel was also concerned about the speed of traffic on these roads.

Douglas Janowicz, 3351 Nazareth Road, asked if there is a traffic study available. He was directed to request form the Township.

Kristin Godley, 1201 Van Buren Road, asked if Van Buren Road would become any wider near her property and if there would still be grass borders.

Vincent Menegus, 3304 Sherwood Road, stated there is already a lot of traffic on Van Buren Road, and asked if there would be a traffic light. He asked if there would be a pipe behind his yard where the water comes out of Northgate. Rauch responded no to the traffic light, yes to the pipe.

Alexander Hawley, 3316 Sherwood Road, asked how traffic can be an A rating, there is lots of traffic, and they need traffic control now at Walmart.

Patricia Gould, owner of 3360 Nazareth Road, asked if her side of Van Buren Road would be affected. They have wanted a traffic light for years, how can they put up all of these homes without safety concerns?

Robert Bell 2100 Dakota Drive, asked how far is Northwood Avenue a State Road. Kramer replied fall the way to Bushkill Drive.

Charles Young, 33 Glasgow Way, said there has been no traffic study for trucks in their area, trucks from warehouses will come down this way. How can a traffic study stand alone?

Gerald Gamlin, 13 Northgate Boulevard, asked where traffic will go when they close Northwood Avenue.

Michael Baier, 2701 Northwood Avenue, asked if the water from Bridlepath would continue to come across his lawn or through the right-of-way and what would happen to the existing pipe in his yard.

Ellen Vanembden, 3312 Sherwood Road, asked how the irrigation pump would get turned off and on, and where would the children play and wait for the bus. The property was LDR when they purchased it, it should stay as LDR.

Blanchfield asked about the number of houses in LDR vs MDR. Piperato said there would be about 15 less houses if the tract stayed in LDR.

Blanchfield asked about waivers and deferrals. Rauch went through the list. Russek stated the waivers for spillway, slope, and toe of slope for basins had no objection from Pidcock but they were awaiting geotech comments.

Rossi asked about parks in the development but they could go to Fox Run Park. Rauch said there would be crosswalks across Northwood Avenue.

Lammi commented the we have discussed everything from a planning perspective, but policy issues (phasing) would be left to the Board of Supervisors.

Seeing no further comments or questions, Blanchfield called for a motion.

The Commission voted to recommend approval of the preliminary subdivision plan by the Board of Supervisors, subject to the following conditions:

1. Comments of the Township Engineer's letter dated March 14, 2017 are satisfactorily addressed.
2. Township Departmental comments dated February 10, 2017 are satisfactorily addressed.
3. Any comments of the Township's Geotechnical Consultant are satisfactorily addressed.
4. Requested waivers and deferrals are approved by the Board of Supervisors. It is recommended that the two waiver requests relating to length and number of units in a cul-de-sac be approved as deferrals rather than waivers.
5. The request to rezone a portion of the property from LDR to MDR is approved by the Board of Supervisors.

6. The proposed method of recreation contribution is approved by the Board of Supervisors. The required amount for a fee in lieu of contribution as required by ordinance would be $137 \times \$1,500 = \$205,500$.
7. The need for any voluntary traffic contribution is addressed to the satisfaction of the Board of Supervisors. The typical request for contribution would be \$1,000 per dwelling unit.

Requested Waivers:

- §165-73 - Installation of street trees on east side of Route 248
- §165-63.K(2)(c) - Concrete or riprap in emergency spillway; matting and vegetative material are proposed
- §165-63.K(5) - 2% slope in basin bottom; flat bottom with PVC lining proposed
- §165-63.K(3) - Top or toe of slope in detention basin at least 5 feet from property line
- §165-59.I(1) - 1,000 foot maximum length of cul-de-sac; 1,500 feet proposed as temporary condition
- §165-59.I(6) - Maximum 20 dwelling units in cul-de-sac; 21 units proposed as temporary condition
- §165-36.I(1) - Minimum of 25% of total units required per phase in a phased plan; 20% of units proposed in phase 3.

Requested Deferrals:

- §165-69 - Installation of curbing on east side of Route 248
- §165-75 - Installation of sidewalks on east side of Route 248

Motion: Approve w/ Conditions, Moved by Robert Lammi, Seconded by Thomas Grube. Passed. 6-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Wilkins
Commission Members Absent: Walker

3. Zoning Map Amendment Request - LDR to MDR
Van Buren Road & Northwood Avenue - L8-6-1
LDR to MDR District
Request by CMC Development Corporation

DISCUSSION

Present on behalf of the applicant were Michael and Charles Tuskes, Lewis Rauch, II of Lehigh Engineering and Attorney Joseph Piperato.

This request is related to the plan for Northwood Farms. The applicant has submitted a Petition to the Board of Supervisors seeking to change the zoning district on the subject property from Low Density Residential (LDR) to Medium Density Residential (MDR) in order to have the entire project located within the MDR District. The subject property is located in the southeast corner of Northwood Avenue and Van Buren Road.

The Lehigh Valley Planning Commission has reviewed the proposed zoning map amendment and found it to be consistent with the Lehigh Valley

Comprehensive Plan and its objectives of promoting higher intensity land uses where the infrastructure fully supports it, in order to build a strong tax base and promote efficient delivery of public services.

Piperato stated 15-16 additional units they would get from the rezoning would be balanced by the significant improvements being proposed by the developer.

Joel Scheer, attorney for Doug and Ann Janowicz of Kasper Pools, commented they would prefer LDR, it would help mitigate their problems. Piperato said the lots around Janowicz are close to the LDR size requirement. Rossi stated what if they had to lose a lot to provide more buffer around the Janowicz property, they would still have 15 more units than under LDR.

Doug Janowicz, 3351 Nazareth Road, stated he doesn't care what the LVPC thinks, this is our community. Lammi asked if he needed to abstain from the vote, he abstained when the LVPC voted on this. Fields said he can vote here, he was right to abstain there.

Terry Pundiak, 3321 Sherwood Road, commented he doesn't understand the purpose to having more houses and how this will improve Palmer Township.

Gerald Gamlin, 13 Northgate Boulevard, stated he wanted to know the justification why the change is necessary.

Seeing no further questions or comments, Blanchfield called for a motion.

The Commission voted to recommend approval of the rezoning request by the Board of Supervisors, conditioned upon the request running concurrently with the plan approval.

Motion: Approve, Moved by Robert Lammi, Seconded by Thomas Grube. Passed. 6-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Wilkins
Commission Members Absent: Walker

NEW BUSINESS

4. Lands of Clarence & Carol Fehnel - Minor Subdivision Plan
2120 Newlins Mill Road - K8-13-1
MDR Zoning District
Request by Carol Fehnel

DISCUSSION

Present on behalf of the applicant, Carol Fehnel, was Kevin Horvath of Keystone Engineering.

The minor subdivision plan proposes the subdivision of a 44.7-acre tract of land into two lots containing 41.7 and 2.9 acres. The property is located at the

southeast corner of Newlins Mill Road and Tatamy Road in the Medium Density Residential (MDR) zoning district. The site is currently improved with a detached dwelling and associated farm structures, which are proposed to be maintained on the 41.7-acre lot for agricultural use. The 2.9-acre lot is proposed to be improved with a new single-family dwelling.

Horvath discussed the requested waivers and deferrals. He stated they had requested a waiver for the placement of concrete monuments at all exterior property corners because under the SALDO they are not required to survey the entire tract. They offered to set iron pins instead. Russek suggested a deferral until the larger lot is ever developed. Deferrals were requested for right-of-way dedication on Tatamy and Newlins Mill, pavement widening along Tatamy, sidewalks on Tatamy and Newlins Mill, and curbing on Tatamy. Lammi asked how they could determine the right-of-way location without a survey. Russek stated if you want the right-of-way dedication, they would have to do a survey. Lammi stated it is important to have that right-of-way because something will need to be done at the intersection. Horvath said the Fehnells would provide it in the future but they didn't think they should have to provide it now because it is not their project that would require improvements to the intersection.

Horvath stated his client declined the request for the traffic contribution of \$1,000, stating that they would not be causing any increase in traffic. He stated that they should only be required to pay \$1,500 for the recreation fee because they are only creating one new dwelling unit. Lammi stated those items would be for the Board of Supervisors to decide.

Seeing no further question or comments. Blanchfield called for a motion.

The Commission voted to recommend approval of the minor subdivision plan by the Board of Supervisors, subject to the following conditions:

1. Comments of the Township Engineer's letter dated March 1, 2017 are satisfactorily addressed.
2. Township Departmental comments dated March 9, 2017 are satisfactorily addressed.
3. Any comments of the Township Geotechnical Engineer are satisfactorily addressed.
4. Requested waivers and deferrals are approved by the Board of Supervisors as deferrals only.
5. The proposed amount of recreation contribution is approved by the Board of Supervisors.
6. The need for any voluntary traffic contribution is addressed to the satisfaction of the Board of Supervisors.

Motion: Approve w/ Conditions, Moved by Thomas Grube, Seconded by Richard Wilkins. Passed. 6-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Wilkins
Commission Members Absent: Walker

PLANNING DIRECTOR COMMENTS

Kramer told the members that there was a decent turn out for the Comprehensive Plan Meeting on Wednesday, considering the weather, about 40 people. Lammi asked if the presentation from the meeting would be put on the Palmer Township website. Kramer replied yes.

Kramer stated that in the beginning of April, she and the Township Manager would be having a project status meeting with the consultant and we would not be holding a steering committee meeting.

Wilkins asked if Werner would be on the April meeting. Kramer replied she had not received a traffic study from them yet.

PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 9:30 pm.

Kathy Sciascia, Secretary

Motion: Adjourn, Moved by Jeff Kicska, Seconded by Andrew Rossi. Passed. 6-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Rossi, Wilkins

Commission Members Absent: Walker