

PALMER TOWNSHIP PLANNING COMMISSION

PUBLIC MEETING - TUESDAY, JUNE 14, 2016 - 7:00 PM

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

The June meeting of the Palmer Township Planning Commission was held on Tuesday, June 14, 2016 at 7:00 p.m. with the following in attendance: Robert Blanchfield (Chairman), Robert Lammi (Vice Chairman), Tom Grube, Richard Wilkins, Jeffrey Kicska and Robert Walker. Also in attendance were Planning Director Cyndie Carman, Engineer Ralph Russek, Attorney Ryan Fields and Supervisor Liaison Jeffrey Young. Chairman Blanchfield opened the meeting by leading those present in the Pledge to the Flag. All welcomed new member Bob Walker to the Commission.

1. Minutes of May 2016 Public Meeting

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

NEW BUSINESS

2. Conditional Use Application - Building Height in PO/IP District

2300 Newlins Mill Road - K8-12-3

PO/IP District

Request by Triple Net Investments XXI, LP

DISCUSSION

Attorney Richard Somach and Engineer Rocco Caracciolo were present on behalf of the applicant. The applicant, Triple Net Investments XXI, was seeking conditional use approval under section 190-126.H of the Zoning Ordinance, which allows a maximum building height over 40 feet, up to 60 feet in the PO/IP district. The building is proposed to be 46 feet high.

Caracciolo explained that there was previous conditional use approval granted for a manufacturing/distribution building on this site but based on feedback from potential users for the building, they need the slight increase in height to provide high enough ceilings inside, He reviewed the site plan and noted the only change is the addition of a 30' storage tank which which will energize the outside building fire protection system. The fire department's comments were addressed, which were an additional hydrant and the fire suppression system to be provided in the elevated areas of 40' which will be handled by the water storage tank. Somach noted they have resolved all of the Township engineer's conditions from the previous approval.

Wilkins asked how close the nearest portion of the building is to the Highlands at Glenmoor housing development. It was noted approximately 250 feet.

There being no further comments by Commission members, staff or the public, Blanchfield called for a motion. The Planning Commission recommended approval of the conditional use request by the Board of Supervisors on condition

that the Fire Commissioner's comments have been satisfactorily addressed.

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

3. 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

Developer Charles Tuskes was present along with Attorney Joseph Piperato and Engineer Lewis Rauch.

The plans propose a subdivision of two tracts totaling 79.9 acres into 142 lots for single-family dwellings, and three lots to contain storm water 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. Road connections are proposed to the adjoining residential neighborhoods.

Piperato stated that they will be working with the Township engineer on all issues and especially the storm water management, which is of great concern in this area. Rauch reviewed the plan and noted they will be replacing all the piping in the area. The pipes that are there are very inadequate as well as blocked by rocks and debris. This will definitely help alleviate some of the water problems on the roadways. They will be raising Northwood Avenue to get new pipes under the roadway; this road will be totally reconstructed. The stormwater management areas in the development will be the responsibility of the Home Owner's Association which will be created. The roadways will be dedicated to Palmer Township but the grounds will be homeowner's association's responsibility. There will be a pump in the detention pond as well as a pump station. The pond will be a lined basin and there will be an emergency spillway for detention discharges through the back of the property which will run into pipes. Another place where the storm water needs to be reviewed is around the homes on the north side of Northwood Avenue down to Camelot Drive. Tuskes stated they are well aware of the water problems in this area and realize this is one of the biggest issues with this project. Rauch assured the Commission that they will be working with the Township's engineers to address this. There will be no homes that face Northwood Avenue, they will all face the interior roads. Kicska asked if they would be taking water from all over the area and having it run into the detention pond as well as sitting there for days. Rauch responded yes there will be water collected from all over the development but there will be absolutely no problem with the water sitting in the pond.. He was asked if there

was room for expansion of the basins if needed and he replied they could eliminate a couple lots if needed.

Tuskas stated that they have had discussions with PennDOT and they have submitted a traffic study. The firm that did the study has received comments back from PennDOT and are now in the process of updating the study. It will then be re-submitted to PennDOT and the Township. Carman informed the Commission that Township staff had met with PennDOT in regards to an ownership swap of Kingston Road, between Van Buren Road and 248, with the section of Van Buren Road from Rt. 248 to Northwood Avenue. This would make all of Van Buren Road a township road and would make the State road extend straight out Northwood Avenue to Rt. 248. The require paperwork has been submitted to PennDOT and they stated there is a 6 to 9 month approval process on their end so hopefully by the end of the year this will be completed. Commission members asked about the intersection of Van Buren Road and Rt. 248. Rauch noted they are proposing this to be a right in/right out only. Wilkins questioned whether this would apply on the opposite side of Rt. 248 as well. Rauch replied no, that this would only apply on their side of Rt. 248.

Blanchfield asked about the encroachments on the eastern boundary. Piperato responded that they will meet and discuss with any affected property owners. Rauch stated they are waiting for the review letter from the geotech engineer. They did receive comments from LANTA inquiring about sidewalks along Rt. 248 and Van Buren Road. They are not planning to put sidewalks along Rt. 248 but they are along Northwood Avenue and Van Buren Road. Lammi noted they would have to request a deferral on this, that the township does not issue waivers for sidewalks. There could be a reason to have them installed in the future and the township doesn't want to waive their rights to require this.

Rauch stated they are reviewing and working on the Township departmental comments, including the fire department comments as well as the police department comments which question traffic on Van Buren Road.

There being no further questions or comments by Commission members or staff, the Chairman opened the floor to the public.

Vince Menegus, 3304 Sherwood Road, stated his concern was the many sinkholes on this property. He asked about the detention pond spraying water and felt this water would create more sinkholes if it is soaking the ground. Rauch noted this spray would be on a timer and would not soak the ground. Menegus asked who would be responsible if a sinkhole develops. In the common area it would be the homeowners association's responsibility but on private property it would be the home owner's responsibility. Menegus mentioned the flooding and bad water drainage on Northgate Blvd. Rauch explained that with all the new piping and proper drainage this will definitely be cleared up.

Menegus also questioned what they were discussing as far as the east side of the property and the encroachments. Piperato explained that they have to do a survey to make sure all buildings are on their proper yards. They will be reaching

out to the property owners to do this.

Menegus also pointed out another area on the plan asking if it was another detention pond and he was told yes but this one may go away as there may not be a need for it. Lammi stated that the township as well as the whole Lehigh Valley is prone to sinkholes, this is an issue all around. The Board of Supervisors had put into effect an ordinance that requires all developers to put together a study and this is then sent to our geotechnical engineer for review.

Ellen Van Embden, 3312 Sherwood Road, asked what is the difference between the MDR and LDR zoning districts. Carman explained that MDR has a 15,000 sq. ft. required lot size while the LDR requires 21,000 sq. ft. All areas surrounding this project have properties more in line with the MDR so this would be keeping with what is in the existing neighborhood.

Alex Hawley, 3316 Sherwood Road, asked about a line on the plan and Rauch explained that this would be an easement for the Township to be able to cross the properties if needed for maintenance or repair of utilities.

Nancy Condon, 3344 Sherwood Road, stated there is enough traffic on Northwood Avenue. This doesn't make sense to add more.

Kristin Godley, 1201 Van Buren Road, questioned the grass areas behind her house and who would be responsible to maintain them. Rauch explained that these were the stormwater detention areas and would be maintained by an HOA. Godley was very concerned about all the congestion that is in the area now and asked if there would be a traffic light at Northwood Avenue and Van Buren Road. Rauch informed her that PennDOT has criteria for installing a traffic signal and it is very difficult to get one. This intersection probably would not warrant one.

Fran Salerno, 3324 Sherwood Road, just moved 2 months ago from New Jersey and loves seeing the field behind his house. He felt that he traffic will be too much as will the sinkholes.

Michael & Theresa DeRose, 3336 Sherwood Road, said this would cause so much congestion. They asked if PennDOT's reply to a traffic study could be to build less houses. Carman explained that PennDOT can require more improvements to handle traffic but can not dictate what can be built.

Purvi Shah, 110 Lower Way Road, asked what the price range of the houses was going to be. Tuskes replied that he didn't know for sure yet but they would be similar to the Maple Shades development.

Charleen Burik, 15 Northgate Boulevard, asked what about the school district and how is this going to affect emergency services, schools, parks, etc. As a taxpayer she is concerned about this. The services from the township will be provided but how effectively when they are being spreading out more and more. Our elementary schools are full; they can't handle this. Carman explained that the school district did a study a couple of years ago and looked at what could be

built in Palmer so they do have some idea of their potential future needs.

Godley asked what is the timing of this development and was told Spring of 2017 to start construction.

DeRose asked what the Home Owner's Association fee would be and was told they had no idea, it all depends on what they would be responsible for. That is something the property owners would have to work out. He noted the noise from Rt. 248 is horrible and felt these homes would buffer this noise so that would be a good thing.

Supervisor Young stated the Recreation Board needs to see this for their review to see if they agree with accepting money instead of improvements. We should be trying to get possible bike path connections in new developments when we have the chance.

There being no further comments or questions. the Chairman called for a motion. The Commission voted to table the plan.

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

4. 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

Developer Charles Tuskes was present along with Attorney Joseph Piperato and Engineer Lewis Rauch. The applicant, CMC Development Corp., 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. This request is tied to the proposed Northwood Farms development plan.

The Lehigh Valley Planning Commission 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, Commission members noted that everything surrounding this tract is already medium density. Lammi noted the Township usually leans towards MDR because it is predominantly a medium density community. Some people like to live in this area instead of the outlying areas where it is agricultural. He didn't see any issues with this request. This was echoed by the other commission members.

Ellen Van Embden, 3312 Sherwood Road, asked how is it determined if there is

a need for more housing. What do we look at that says we need more? Blanchfield noted by one perspective it is the market; a developer is willing to take a chance to develop a piece of land that is for sale, then there is someone willing to purchase a home in that development. She asked if this amount of houses fit in this area, with all the services being stretched to the limit. Carman explained that these types of policy issues are decided through implementation of a comprehensive plan, which the Township is just starting the process of reviewing and updating. Blanchfield stated that she is asking very broad questions and the comprehensive plan process is a great tool to consider all this information.

There being no further questions or comments, Blanchfield called for a motion. The Commission voted to table the rezoning request.

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

5. Shammy Shine Car Wash - Preliminary/Final Land Development Plan
Kingston Road & Nightingale Drive - L8-4-10
P/OB District
Request by Shammy Shine Car Washes

DISCUSSION

Thomas Halford, of Shammy Shine Car Washes was present along with Attorney Donald Souders and Engineer David Calhoun.

The plan proposes construction of a 3,000 square foot car wash on a 0.92 acre lot. The property is located at the southeast corner of the intersection of Kingston Road and Nightingale Drive. Access to the site is proposed from Nightingale Drive, which is a private street. The property is located within the Planned Office/Business (P/OB) zoning district. The proposed use is not permitted within the PO/B district but a request for zoning text amendment has been submitted to include car wash as a permitted by right use in this district.

Calhoun reviewed the overall concept of the plan. He discussed the strict rules regarding the water/reclaimed water from the car wash. There would be space for 18 cars to stack in line and there would be a by-pass lane if someone wants to get out of line. There would be 17 free vacuum spaces for use after a car goes through the wash.

Stormwater management was reviewed and Calhoun stated there will be an underground detention facility. Shammy Shine is required to reclaim water so there will be recycled water tanks along the building which will be fed by the stormwater that is reclaimed. This water will be treated and reused. The complete design for this system is still in the planning stages. They will need to purchase water at times. They were asked if they had contacted DEP yet and Calhoun stated they have spoken with them. They are aware of the guidelines that need to be followed and they will keep our engineers informed of what the

status is with DEP. There will be times that the car wash will be closed so the tanks can be completed cleaned. Wilkins asked if there would be self-service bays and was told not at this time, but hopefully in the future. They would have to work with the adjoining property owner to acquire more land.

Calhoun stated that they have a small issue with the driveway being too close to the property line. They could push it a little bit but they are trying to meet the distance requirement for the driveway from the intersection. He felt that all of the Township engineer's comments were resolvable and they will definitely work with them. They had not seen a letter from the Geotechnical Engineer.

Carman asked about the handicap parking space and asked if there was an accessible route to be able to get to the building without going through the car traffic. Calhoun and Halford noted they could take out one of the vacuums and designate this as the handicap space instead.

They discussed three waivers that they would be requesting. One is the driveway distance from the intersection is just under the required 200 feet. The second is the number of street trees that are on the property. Since the PennDOT sight distance that had a tree in it, they had to move it but they could put it someplace else on site. The third is the way the water volume is calculated. DEP is okay with the way they have calculated but the Township ordinance requires two methods. Russek stated that they would like to see DEP's review of this. It was also noted sidewalk is required along Kingston Road..

Calhoun stated that they have spoken with DEP regarding the mound of dirt currently on the site. The property owner, Gary Strausser, was present and stated he would be moving this pile to his vacant property across the street. Russek stated they would need to see what DEP and the Conservation District report on this as well.

There being no further questions or comments, Blanchfield called for a motion. The Commission voted to table the plan.

Motion: Tabled, Moved by Robert Lammi, Seconded by Richard Wilkins. Passed. 6-0. Commission Members voting Ayes: Blanchfield, Grube, Kicska, Lammi, Walker, Wilkins

6. Zoning Text Amendment Request - Car Wash in PO/B District

Request by Strausser Enterprises and Route 12 Wash & Gas, Inc. t/a Shammy Shine Car Wash

DISCUSSION

Thomas Halford, of Shammy Shine Car Washes was present along with Attorney Donald Souders and property owner Gary Strausser. The applicant has submitted a Petition to the Board of Supervisors seeking to amend Section 190-61 of the zoning ordinance to add car wash as a permitted by right use in the Planned Office/Business district. This request is related to the preliminary/final

land development plan for Shammy Shine Car Wash.

Carman stated we do currently have criteria in the Zoning Ordinance for a car wash use so if we permit the use in the PO/B district it should follow the same criteria. She suggested amending the definition of car wash in the ordinance to include some of the language proposed by the applicant. The applicant was in agreement with these suggestions.

Blanchfield noted that this request will run concurrently with the preliminary/final land development plan.

There being no further comments, Blanchfield called for a motion. The Commission voted to table the zoning amendment request.

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

PLANNING DIRECTOR COMMENTS

7. Comprehensive Plan Kickoff Meeting

Carman informed the Commission that the Township had scheduled a Kick-Off meeting for the Comprehensive Plan Update, which would be Wednesday, July 6 at 6:00 p.m. in the meeting room of the Library Building. Supervisors and Planning Commission are all urged to attend. This will give everyone a chance to meet the consultant, ask questions and get their ideas together.

8. Project Updates

Carman noted that Werner Enterprises had submitted plans by the deadline for this meeting but they only submitted their traffic study to the Township a week ago and it has not gone to PennDOT yet. She informed them that they had tentatively reserved a room at the community center just in case they would be ready for the July meeting, as we are anticipating a large crowd of neighbors. Lammi stated that if there isn't any feedback from PennDOT on the traffic study he did not feel they should be back at a meeting as this was the main issue we were waiting for.

Carman also informed the Commission that the Rau Lane plan had gone before the Board of Supervisors and there was an issue with the detention basin. The Supervisors were not willing to take ownership and maintenance of the basin so they tabled the plan and asked the developer to reconfigure the basin to make it part of the individual properties.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Diane Grube, Secretary

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