

PALMER TOWNSHIP PLANNING COMMISSION
PUBLIC MEETING - TUESDAY, MARCH 9, 2021 - 7:00 PM
ZOOM MEETING 879 1334 1146
HTTPS://US02WEB.ZOOM.US/J/87913341146

The March 2021 meeting of the Palmer Township Planning Commission was held on Tuesday, March 9, 2021 at 7:00PM via Zoom with the following in attendance: Chairman Robert Blanchfield, Richard Wilkins, Jeff Kicska, Robert Lammi, Robert Walker, Michael Brett, and Chuck Diefenderfer. Also in attendance were Solicitor Charles Bruno, Solicitor Andrew Gould, Ron Gawlik of The Pidcock Company, and Planning Director Cyndie Kramer.

1. Minutes of February 2021 Public Meeting

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

NEW BUSINESS

2. John A. Sobrinski - Conditional Use Request - Professional Office in Route 248 Overlay District and Minor Development Plan
3350 Nazareth Road - L8NE1-1-23
LDR District/ Route 248 Overlay District
Request by John A. Sobrinski Jr.

DISCUSSION

The applicant, John A. Sobrinski, was present. Also, present for the applicant was Catherine Durso of Fitzpatrick, Lentz, & Bubba and Jeffrey Beavan of Bohler Engineering.

Blanchfield provided background on the conditional use request for a professional office in the Route 248 Overlay District and associated minor development plan. The plan proposes the conversion of an existing 850 square foot building to a professional financial services office on a 5,685 square foot lot. The lot is located on the west side of Route 248/Nazareth Road within the Low Density Residential (LDR) zoning district and Route 248 Overlay District. The conditional use request falls under Zoning section 190-251.C, which allows for a professional office in residential districts within the Route 248 Overlay. The applicant has already been before the Zoning Hearing Board and received variances in a letter dated January 22, 2021 to reduce impervious coverage, reduce the number of required parking spaces from 7 to 4, and not require a landscape buffer along the rear lot line.

Blanchfield questioned the deadlines. Kramer clarified that an extension was

received on the conditional use, so both now have deadlines of April 30, 2021. Durso stated that the applicant's expectation is that the conditional use hearing would be the third supervisor's meeting in April. Kramer confirmed.

Beavan explained that this is approximately a 5,600 square foot lot located along Route 248. The existing 856 square foot structure was previously a kid's barbershop. They are looking to renovate that structure and create a financial services office of about 1,195 square feet. The left side of the building would remain as is. The right side of the building would be renovated and a small second story would be added. The large gravel area in front would be paved for four parking spaces. There is a minimum use permit with PennDOT for the current 12-15 foot driveway access that would need to be modified to 25 feet. Blanchfield asked if the application for modification has been made to PennDOT. Beavan stated that has not been made yet. Zoning approval has already been received for non-conformity issues with impervious coverage, not providing sidewalk, and additional right-of-way along Route 248 frontage. The building would be used as a secondary office, two days a week, from 12 to 8PM. Durso explained that Sobrinski and his son have a main office in the Stroudsburg area and this office would be used for 1-on-1 consulting with clients in this area. Beavan stated that one parking space would meet all ADA requirements, but would not be required to be signed because of the low number of parking spaces. Blanchfield asked if the space would be striped differently. Beavan answered that it will not.

Blanchfield stated that a waiver request was received in regards to the sidewalk, curbs, street trees, not extending the bike path through this property, and the right-of-way dedication. Blanchfield asked if deferrals are acceptable, instead of waivers. Durso and Beavan agreed. Discussion occurred as to whether the deferrals would need to be shown on the plans or if the deferrals could be noted and shown graphically. Gawlik confirmed that, in this instance, notes on the plan would work with the understanding that if ever required it would be subject to review and approval by PennDOT.

Wilkins commented that the existing location is in sorry shape right now and this project will be nice to see. He doesn't believe that Palmer Township would be asking for any of the improvements that deferrals are being issued for unless PennDOT decides to do something with the road. Lammi stated that this will look a lot better and a be better use of the property than an ice cream stand, that had once been mentioned, and would result in a lot of cars. Brett agreed with the rest of the group that this would be a good use. Kicska mentioned that the intersection will be upgraded soon and wondered if this design will impact what Tuskes might be doing. Lammi believed it will not, since the improvements by Tuskes would be on the other side of the road (east side), not the west side. Gawlik stated that PennDOT should take that into consideration with the modification of the permit. Diefenderfer asked if there will be outside signage. Beavan clarified there would be a small monument type sign out towards the street, outside the right-of-way, consistent with the zoning ordinance and a sign permit would be applied for. Diefenderfer asked if there would be an on-site dumpster. Beavan replied there would be a rolling bin brought out to the street. Lammi mentioned that during heavy rains the low point drainage area at Van

Buren tends to flood and questioned if this property would be impacted. Beavan stated that they aren't aware of any issues. The ponding issue occurs to the northwest of the site.

Kramer stated that the Fire Commissioner didn't have an issue with the setback from a non-residential building being waived. Lehigh Valley Planning Commission have not sent comments. Bruno stated that if the Planning Commission votes to recommend approval, the conditional use hearing would be the fourth Tuesday in April before the Board of Supervisors. Gawlik questioned if the driveway offset intersection meets the 200 foot setback. Beavan clarified that it is just over it, so a waiver wouldn't be needed and he can provide an exhibit to show this.

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

The Commission voted to recommend approval of the conditional use by the Board of Supervisors subject to the following conditions:

1. Comments of the Township Engineer's letter dated March 4, 2021 are satisfactorily addressed.
2. All conditions of the January 22, 2021 Zoning Hearing Board decision letter are incorporated by reference.
3. The minor development plan is approved by the Board of Supervisors.

Motion: Approve w/ Conditions, Moved by Robert Lammi, Seconded by Richard Wilkins. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

DISCUSSION

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

1. Comments of the Township Engineer's letter dated March 4, 2021 pertaining to the plan are satisfactorily addressed.
2. Township Departmental comments dated March 4, 2021 are satisfactorily addressed.
3. Township Lighting Consultant comments are satisfactorily addressed.
4. Any comments of the Lehigh Valley Planning Commission are satisfactorily addressed.
5. All conditions of the January 22, 2021 Zoning Hearing Board decision letter are incorporated by reference.
6. The conditional use application is approved by the Board of Supervisors.
7. Requested waivers are approved by the Board of Supervisors as deferrals rather than waivers.

Motion: Approve w/ Conditions, Moved by Robert Lammi, Seconded by Richard Wilkins. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

3. Stocker Mill Estates - Preliminary/Final Subdivision Plan

2030 Stocker Mill Road - K9-7-4
MDR District
Request by Oieni Construction Co. Inc.

DISCUSSION

Present for the applicant was Steve Goudsouzian, Attorney, and Mike Houston, Engineer, representing Oieni Construction.

Blanchfield summarized this plan proposes subdivision into 4 lots – 3 new lots and 1 existing single-family dwelling. This area is designated as residential use and zoned MDR. Houston explained that Frank Oieni owns a 5.8 acre piece with an existing house along Stocker Mill Road. This property is served by well and septic. Oieni wants to slice this lot in half and build 3 new homes that would front on Lewis Circle. Oieni holds verbal agreements with the HOA for the 3 new lots, but it has not yet been formalized in writing. Blanchfield clarified that Lewis Circle is a private road that is maintained by the private HOA. The Township does not maintain it. Houston explained that Oieni has built out most of this development, as opposed to Omega, who did the original subdivision of that land.

Blanchfield questioned the timing on the waivers and deferrals that Pidcock stated are needed. Houston will apply for these when Oieni has a formal written agreement with the HOA. Bruno mentioned that a waiver request would need to be included in reference to the requirement that there be access to a public street. Bruno questioned if the 4th lot was intended for future development. Oieni would sell this existing lot, as is.

Blanchfield questioned if the existing lot would remain served by well and septic. Houston believes that Oieni doesn't intend to tap into public water or sewer for the existing house. Gawlik explained that research would need to be done on the lot lines to make sure that the septic system location for Lot 4 is contained solely on that property when doing the subdivision. Houston explained some shortcomings on their surveying due to the existing snow cover. According to the previous owner, the septic is believed to be on the east side of the house. In reference to some geotechnical issues, Oieni has been unable to run infiltration tests and get valid data. This will be addressed once the snow clears and equipment can be brought in.

Blanchfield asked for clarification of the stormwater issues, including the ownership responsibility, operation, and maintenance for the stormwater system for lots 1, 2, and 3 and there is concern about spillage on lot 3 of the discharge of the stormwater system. Houston and Gawlik discussed items listed in the Pidcock letter dated March 3, 2021. Further discussion on engineering issues will take place between Oieni, Pidcock, and Terraform on some of these items. Houston discussed the possibility of a better location of the level spreader to avoid runoff into neighbor's property. Exact details haven't been worked out yet on the stormwater system maintenance agreement. The agreement might include cross maintenance and cross access easements that would allow each of the lots to maintain, if necessary, anything the downstream owner neglected to

maintain. If all 3 ceased to maintain the system, the Township would be allowed to step in for any repairs. Houston referred to the plans to indicate the three collection areas on each lot and the location of the level spreader discharge. The system would be a subterrain collection system, with a stone bed buried in the ground and an inlet structure with piping to transfer discharge to the level spreader. Houston stated there is no opposition in looking at an alternative position for the level spreader. Gawlik explained the concern is the runoff is currently a sheet flow condition that is spread out along the property line being collected to a relatively small level spreader. Houston would discuss a larger level spreader or a change in location to try to avoid a point source discharge at that particular location. Blanchfield indicated that comments haven't been received from the Geotechnical Engineer yet and he would also have concerns over this point source discharge. Lammi questioned the location of the inlet in regard to the land appearing to slope to the east. Houston indicated that the ground slopes west to east and this design is trying to avoid pushing more water toward Lewis Circle. The downhill grading from the front of each house to the easterly property line before the next driveway, captures the water on each lot and runs it to its intended infiltration bed. Since infiltration testing wasn't able to be performed yet, the system will have to be redesigned based on the numbers.

Wilkins questioned if Oieni owns the property to the east and west side of these lots. Houston stated he does not. Wilkins questioned if this proposed water system would have an effect on the land to the east. Gawlik explained that there is a stormwater ordinance requirement that must be met to manage the runoff so that a flooding issue is not created for other properties. Oieni can't allow any more runoff to leave the property. Blanchfield questioned if other properties in the Lewis Circle area have similar water collection systems. Gawlik believes the surrounding properties have an overall development system that is managed in basins. Houston explained that 7 lots within the existing homes of Lewis Circle do have on-lot BMPs, such as filter strips, rain gardens, or small infiltration basins. Diefenderfer asked if there is any reason why the existing sewer system and well on Lot 4 should not be connected to the public system in the new subdivision. Gawlik explained this is done if it is ruled feasible and not cost prohibitive.

Blanchfield confirmed with Kramer that no comments have been received yet from the Geotechnical Engineer, Lehigh Valley Planning Commission, or the Fire Commissioner. Kramer stated a concern over the existing condition of Lewis Circle. The Township has had difficulty with Omega in completion of the subdivision. The road is still in an unfinished condition for over 10 years. Kramer hopes that Oieni would be able to help move this situation along. Houston is aware of a comment made by the HOA that more money from these 3 new lots would help to further some of these unfinished improvements. Bruno asked Goudsouzian to call him to further discuss the road issue. Blanchfield clarified that Lewis Circle is not a dirt road, it is in a paved unfinished condition that still needs final black top. Wilkins questioned the time expiration on this project. Kramer stated the deadline is in June.

Seeing no further comments or questions, the Commission voted to table the application.

Motion: Tabled, Moved by Richard Wilkins, Seconded by Robert Walker. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins

PLANNING DIRECTOR COMMENTS

Kramer commented that the Villages at Wolf's Run project was removed from the meeting agenda due to additional concerns from the Geotechnical Engineer and Palmer Township's Director of Public Works, Parks, and Public Utilities.

PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 8:25 PM.

Motion: Adjourn, Moved by Richard Wilkins, Seconded by Robert Lammi. Passed. 7-0. Commission Members voting Ayes: Blanchfield, Brett, Diefenderfer, Kicska, Lammi, Walker, Wilkins