

PALMER TOWNSHIP PLANNING COMMISSION
PUBLIC MEETING - TUESDAY, JANUARY 10, 2023 - 7:00 PM
PALMER TOWNSHIP MUNICIPAL MEETING ROOM, LOWER LEVEL, 3 WELLER
PLACE, PALMER PA 18045

The January 2022 meeting of the Palmer Township Planning Commission was held on Tuesday, January 10, 2023 at 7:00PM with the following in attendance: Chairman Robert Blanchfield, Vice-Chairman Chuck Diefenderfer, Richard Wilkins, Jeff Kicska, Robert Lammi, Robert Walker, and Robin Aydelotte. Also in attendance were Solicitor Will Oetinger, Chris Briglia of Carroll Engineering, Planning Director Kent Baird, and Supervisor Joseph Armato.

1. Pledge to the Flag and Introduction

Blanchfield led the Pledge of Allegiance.

Blanchfield introduced the new Township Engineer, Chris Briglia, Township Solicitor, Will Oetinger, and the new Liaison to the Planning Commission, Vice Chairman of the Board of Supervisors, Joseph Armato.

2. Nomination for Chairperson

Will Oetinger acting as Temporary Vice Chairman asked for nominations for Planning Commission Chairman.

Wilkins nominated Bob Blanchfield

Aydelotte seconded.

All were in favor

Motion: Approve, Moved by Richard Wilkins, Seconded by . Passed. 5-0. Commission Members voting Ayes: Aydelotte, Diefenderfer, Kicska, Walker, Wilkins

Commission Members voting Abstain: Blanchfield
Commission Members Absent: Lammi

3. Nomination for Vice Chairperson

Blanchfield now appointed as Chairman asked for nominations for Vice Chairperson. Kicska nominated Diefenderfer. Wilkins seconded the motion. All were in favor.

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

Commission Members voting Abstain: Diefenderfer

OLD BUSINESS

4. Villages at Wolfs Run Phase 3 - Final Subdivision Plan

Van Buren Road - K8-15-1A, K8-15-2 & K8-15-1

HDR-2 & MDR District

Request by Wolfs Run Land LLC

DISCUSSION

The preliminary subdivision plan for this development was first approved by the Board of Supervisors in November 2007. The Board of Supervisors has granted an extension until November 30, 2022 to the requirement to submit a final plan within five years from the date of approval of the preliminary plan, as required at Section 165-35.B of the SALDO.

The final plan for Phase 3 proposes revisions to the previously proposed plan for Phase 3, to eliminate private alleys and garages and add three off-street parking areas containing a total of 45 parking spaces. The number of units remains the same at 139 units and the general street layout remains the same. The property is within the MDR and HDR-2 zoning districts.

Requested Waivers:

- §165-61.C - requiring a maximum lot depth to width ratio of 3:1 (6:1 proposed)
- §165-67.B - requiring a minimum separation distance of 50 feet between driveways and the nearest intersecting street for residential uses other than single-family detached dwellings or garden apartments, for the following lots:
 - Lot 21 (43 ft. proposed)
 - Lot 161 (9 ft. proposed)
 - Lot 162 (7 ft. proposed)
 - Lot 163 (29 ft. proposed)
- §165-63.K.(2)(c) - requiring reinforced concrete in emergency spillway (turf matting proposed in Basin 1)
- §165-63.K.(3) – requiring maximum inside basin slope of 4:1 (2:1 proposed for Basin 1)
- §165-63.K.(5) – regarding the slope of the basin bottom (flat bottom proposed for Basin 1)
- Final Plan Checklist A.7. - requiring cross sections at 50-foot intervals where cuts or fills extend beyond the right-of-way, .
- Preliminary Plan Checklist D.9-11 - requiring location of trees greater than six (6) inches and greater than eighteen (18) inches.

Present for the applicant Attorney Joe Piperato, Andrew Woods, and Phil Malitsch

Blanchfield read into record

This is a residential townhouse project including 140 townhouses. There's different paperwork your I have 140 townhouses and one single family unit. The subdivision plan was first approved by the Board of Supervisors in November 2007. The applicant has met the requirements to submit a final plan by the Board of Supervisors extension date of November 22. That was submitted on September of 2022. The final plan for Phase 3 proposed revisions to earlier proposed plan to eliminate private alleys and garages and the addition of three off street parking areas containing a total of 45 parking spaces. This change caused a reduction in the impervious cover. The General General street layout remained the same. The property is in both the MDR and HDR2 zoning districts.

And we established that the September 13 2022 Planning Commission meaning that the bridge design and approval for construction can continue concurrently with the final plan review but no building permits can be obtained until the bridge is constructed.

Piperato said he believed the condition imposed was that no certificates of occupancy would be approved, not permits.

Oetinger asked if he had an approval resolution regarding that requirement?

Piperato said he would provide it.

Woods from Hanover Engineering wanted to go over some things they satisfied not in the engineering letter. A concern when they were there last time was the grading in the detention basin. He said they've eliminated the 2:1 slopes that were a concern previously

He also said the one deep manhole has been eliminated

He went on to review the waivers. Regarding the waiver 1 for depth to width ratio they are requesting 6:1.

Blanchfield said that they had reviewed that and the change is acceptable.

Woods the requested waiver is change between 50 ft separation between driveways and intersections. Lots 120, 161, 162, 163, 204, and 205. The driveway layout is consistent with the prior approved plans.

Blanchfield said they has some concerns with some intersections. 204, 205, and 162 looks like the driveways are directly across from the intersection. 163, 120, 161, 119 were all less than 50 ft.

The site plan was brought up on the monitors.

The concern is someone going through an intersection and ending up in a driveway . It is also less than zoning ordinance. No driveway should be less than 50 ft from the intersection.

Briglia added that there are many safety concerns such as trying to back out of driveways and not being seen, or vehicles losing control and going into someones' driveway.

Wilkins asked if the intersections were 3 way stops.

Malitsch said they are not 3 way stops but they would consider if it would make everyone feel better.

Woods said if you put stop signs at every intersection people will ignore them. It almost makes it a more dangerous situation.

Oetinger asked why they couldn't eliminate 204, 205, 162 as a solution.

Malitsch said this is a condition with the already approved plan.

Oetinger asked if the waiver was granted

Piperato said he would check if the waiver was granted but it may not have been part to the ordinance at that time.

Malitsch said the regulations were the same and the waivers were not granted with original approval but had them granted with Phase1.

Piperato added that this is not a revised preliminary plan per prior approval. This is for approval of the final plan. A note was requested to be added that this plan modifies the approved preliminary plan with footprint and associated infrastructure revisions. Any future phases will not be permitted without a revised and approved stormwater management plan.

Oetinger said he takes Piperato at his word, but he would still need to see a copy of the approval.

Aydelotte asked how it could be considered the same plan when originally presented there were different widths, garages etc.

Piperato said the general layout is consistent with the approved plan.

Diefenderfer said a concern for him was that the 2 lots on top and bottom didn't have the same entrance on the street. Before the alleys were eliminated, they went out into the alley.

Malitsch said he didn't have the original plan with him but asked which units were the concern?

Diefenderfer replied 204,205, 162 and161 because they back up into the intersection.

Diefender and Blanchfield said that they didn't think stop signs would eliminate danger.

Wilkins added that it is still the law. That can be policed.

Malitsch said his opinion is that if something is occurring right in front of the car, it is more likely they will see the hazard, rather that something further away. However, he added that if a 3-way stop is something the commission wants they are not opposed.

Diefenderfer asked if there is a way to swap some lots out.

Malitsch added that if they were to start sliding some things around, they may end up with some five and six unit buildings that Township originally didn't want.

Blanchfield said there is still some review to do against the original plans so we will leave this topic to be resolved. He then asked if anyone had any concerns about the original spillway being changed from reinforced concrete to the matting. No one expressed concern.

Regarding the slopes of the detention basin, the Geotech letter was not in favor of the slope presented. Blanchfield confirmed with Woods that the slope has been updated to 3:1. Geotech found the change to 3:1 slope acceptable and the Commission agreed.

Regarding the detention basin bottom, a 0% slope was proposed. Blanchfield stated the commission would like to discuss a slope so that it minimized puddling and standing water. There was no specific comment from Geotech

either way.

Briglia added that he would suggest a slope. He asked Woods if he had any comments.

Woods said the purpose was to throttle back the amount of water going to the Riparian Buffer. He asked Chris what would be acceptable.

Briglia said at least a 1% slope so there is not a lot of standing water.

Regarding the requested waiver for 1F regarding cross sections at 50 ft. intervals, Woods responded that requiring that is excessive and is a PennDOT sort of thing. It was decided that they should work with Baird and Briglia to come up with something acceptable. Malitsch said sure.

Baird added that we need a better understanding of the grading by individual townhouse. Since there have been issues with flooding to individual areas.

Blanchfield asked if there was a way to satisfy this request.

Malitsch added that the PennDOT style plan is worthless. The townhomes on either side of Van Buren are elevated 10 ft above Van Buren Rd.

Woods suggested cross sections of key areas.

Blanchfield moved to the next waiver regarding location of trees greater than six inches and greater than 18 inches.

Woods said per zoning and SALDO they are allowed to take down trees in the way of the road. They would not move the old trees but replace them with new trees.

Aydelotte questioned how they were going to replace the trees taken out without inventory.

Malitsch said the preliminary plan did not require an inventory of the trees. He said they were keeping trees where they could. Although a lot of trees were being removed, they were planting new ones also.

There was discussion between the commission and Woods regarding creating an inventory of what trees are being taken out, the size and where they are located.

Woods thought this was not feasible and didn't make sense.

Briglia suggested getting a representative sample.

Woods agreed this would be acceptable.

Blanchfield requested they work with staff to come to an acceptable agreement regarding areas to survey.

Blanchfield going through the review letter introduced the bridge topic.

Woods wanted to clarify they were not requesting a waiver.

Blanchfield asked about the bridge and where they were in the process.

Malitsch said the DEP and NPDES permits are underway and are working with the NCCD.

Aydelotte added that they cannot move forward without agreement from Hartin and Graack per the Board of Supervisors. They also need to work with Hartin as they are displacing his driveway and entrance to his property.

Woods said they are working with Hartin and Graack and had a meeting with them in October.

Malitsch said it has not been fast or efficient with a lot of people involved. He said they are working on satisfying Hartin first regarding the displacement of his driveway and entrance to the road.

Piperato added that until there is an agreement they cannot get Certificates of Occupancy.

Regarding the Traffic studies, Piperato said that the traffic study was already done with northern tier study as agreed previously.

Blanchfield added they are not approving Bridge now and would need a technical review.

Blanchfield asked them to talk about Stormwater Management.

Woods said the runoff would go from Van Buren to the basin and overflow to the Riparian Buffer and then to Schoeneck.

Malitsch added Riparian Buffer purpose was to throttle back the runoff going to the creek. Water will not go onto Mylinger property which is in the floodplain.

Blanchfield went on to discuss Sanitary Sewer comment from Briglia.

Malitsch said the re-routed the path to eliminate the deep manholes. The deepest manhole is now only approximately 15 feet. He said there will be drivable access to for servicing behind 111-112.

Blanchfield went on to introduce Briglia's comments on Traffic.

Piperato said he will provide the information to the agreement on the traffic study.

Oetinger asked if they were proposing an HOA.

Piperato said yes, similar to Phase 1

Blanchfield brought up open space and what they are offering.

Malitsch said that some of the preserved trees will be considered open space as well as some areas for pocket parks.

Blanchfield said tot lots seem to be well liked

Lammi added that tot lots are a social place. Families and neighbors come together there. Would they be HOA responsibility?

Blanchfield concurred with Lammi

Malitsch said the trail was the agreement for open space requirements and they were not interested in going above and beyond.

Piperato added that the trail was a big recreational investment.

Malitsch said the trail is approximately 3700 from the pedestrian bridge and is 10 ft wide paved path.

Both Aydelotte and Lammi would still like to see a tot lot.

Blanchfield brought up any staff review letters from the Fire Commissioner

Baird said the concern was the travel distance around the fire hydrants.

Woods said they would comply with the comments of the Fire Commissioner.

Blanchfield asked what the LVPC status was.

Woods said they were working with them to satisfy comments.

Blanchfield asked where snow storage was.

Malitsch pointed out on the plan where they would do that.

Lammi said the Scott Kistler should be involved in plans for snow storage since they will be involved in the snow removal.

Woods said that Kistler had the manhole numbers so he would be in contact with him and could discuss any issues with snow storage.

The main concerns of the planning commission were the lots at the intersections, tot lots and snow storage.

Blanchfield suggested this should be table based on the concerns mentioned.

Walker motioned to table bases on more information was needed.

Wilkins seconded the motion.

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

NEW BUSINESS

5. 1492 Van Buren- Exchange 12-Billboard

Project Name: 1492 Van Buren Rd-Billboard
Applicant: Exchange 12 LLC
Property Owner: Exchange 12 LLC
Property: Southwest of intersection of Van Buren and Newlins Mill roads
Acreage: 36.6 acres approx.
Parcel ID: K8 10A1 0324 & K8 10A1 0418
Proposed: Digital Billboard Sign
Existing Zoning: PI/C District

DISCUSSION

Exchange 12, LLC, seeks conditional use approval, under Palmer Township Zoning Ordinance Section 190-187, for development of a double-sided digital billboard sign on the east side of PA Route 33 and on property with address 1492 Van Buren Road. The subject property consists of 36.6 acres, approximately, currently in agricultural use and with nearly 1,000 feet of Schoeneck Creek tributary to the Bushkill Creek, a High-Quality Cold-Water Fishes stream.

Present for the applicant were attorney Jonn VanLuvanee and project engineer George Hartman.

VanLuvanee started by explaining that this is conditional use allowed by the zoning for that area. It should not be considered as any type of land development. The height of the sign was brought up and they said it would be lowered if necessary.

Oetinger added that there are currently 3 applications submitted for this tract of land.

VanLuvanee clarified one in court, one pending review and this one.

Oetinger referenced that per zoning regulations, you can only have one principal use on a tract of land except where permitted.

VanLuvanee said a billboard is customarily on a property where there is another principal use.

Oetinger referenced Adams Outdoor Advertising as a good case to recognize this as principal use.

VanLuvanne asked if the proposed new ordinance requires a separate lot.

There was discussion regarding how they would have access to bring vehicles in for constructions.

VanLuvanee said there was a dirt road already there.

Kiscka asked if they would be crossing the creek

VanLuvanee said they would not have to and that it will be temporary access.

There was a discussion amongst the committee about the access, whether it be an agreement with Wal mart or across Graack's property.

VanLuvanee did not disclose if they had permission or where the access would be but stated that it would only be temporary access. VanLuvanee said until permanent access is required they would be using the same dirt road the farmers use.

Briglia added that there are driveway standards. He did not see permission and an agreement may be needed.

Blanchfield added the access is likely unresolved.

Blanchfield asked if there was a PennDOT review.

Hartman added that they will comply with PennDOT requirements.

Diefenderfer added that with an electronic billboard there is a potential for fire. Emergency service vehicles would require access.

VanLuvanee responded that there is no specific condition in the zoning ordinance.

Lammi questioned if the distance from Rte.33 would be a distraction in trying to read the southbound side of the sign.

Blanchfield said the test borings were needed by the Geotech to see if the land can support the sign.

VanLuvanee said they should not have to have it reviewed by Geotech because it is not land development.

Oetinger added that setbacks should be reviewed because of possibly of possible future development.

Regarding access, Oetinger said the didn't see a case where they couldn't require emergency access. It must be compliant with public health, safety and welfare.

Lammi added he is concerned about 2 principal uses. He said he has no problem with the billboard but principal use needs to be determined.

Oetinger added that with possibility of multiple principal uses, the owner goes in at their own risk.

Lammi agreed

Briglia asked about access for construction vehicles.

VanLuvaneed said the would use make a temporary road , possibly stone.

Blanchfield suggested denial

There was more discussion on an access road. Wilkins asked if the landowner where the access road was crossed is getting paid?
VanLuvanee said they were.

Kicska asked Graack if there was an access road

Graack stated there is no access from Van Buren

Kicska asked if there was a road with a gate.

Graack said that is a sewer easement and they could not use that. He said access to the land for farmers was granted by walmart or would go across Graack's property.

Wilkins made the motion to deny
Aydelotte seconded.
All were in favor

Motion: Deny, Moved by Richard Wilkins, Seconded by Robin Aydelotte. Passed. 7-0. Commission Members voting Ayes: Aydelotte, Blanchfield, Diefenderfer, Kicska, Lammi, Walker, Wilkins

PLANNING DIRECTOR COMMENTS

Planning Director Kent Baird presented to the Planning Commission the opportunity to postpone the submission of the Annual Report to the Board of Supervisors until and not after February. At one of the February meetings of the Board of Supervisors, an annual report more inclusive the full range of activities will include Planning Phase projects, Construction Phase projects, and other items such as grant applications and conditional use applications.

PUBLIC COMMENT

Tim Fisher - 68 Moor Dr

Fisher had questions regarding the process for submission changes. Baird said there were not.

Oetinger and Blanchfield explained the process to Fisher.

Harry Graack - 1380 Van Buren Road

Graack said there were inaccuracies to what Wolf's Run presented. He said that they have not talked to them about an other design for the bridge or relief for Hartin's

property.

ADJOURNMENT

Meeting was adjourned at 9:49 PM

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