

PALMER TOWNSHIP PLANNING COMMISSION
PUBLIC MEETING - TUESDAY, JANUARY 11, 2022 - 7:00 PM
PALMER TOWNSHIP MUNICIPAL MEETING ROOM, 3 WELLER PLACE (LOWER
LEVEL), PALMER PA 18045

The January 2022 meeting of the Palmer Township Planning Commission was held on Tuesday, January 11, 2022 at 7:00 PM with the following in attendance: Robert Blanchfield, Chuck Diefenderfer, Richard Wilkins, Jeff Kicska, Robert Lammi, and Robin Aydelotte. Also in attendance were Ron Gawlik of The Pidcock Company, Planning Director Cynthia Carman Kramer, and Supervisor Michael Brett.

1. Reorganization - Election of Officers

Blanchfield introduced new Planning Commission member, Robin Aydelotte, who is replacing Michael Brett. Brett has been elected to the Board of Supervisors member and will now act as liaison to the Planning Commission.

Blanchfield turned the meeting over to Planning Director Kramer for the election of Chairman. Kramer called for nominations for the position of Chairman. Wilkins nominated Bob Blanchfield as Chairman, seconded by Lammi

Hearing no other nominations, nominations were closed.

The Commission voted to elect Bob Blanchfield as Chairperson for 2022.

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

Kramer then turned the meeting back over to newly appointed Chairman Blanchfield. Blanchfield called for nominations for the position of Vice-Chair. Wilkins nominated Chuck Diefenderfer as Vice-Chairman, seconded by Kicska.

Hearing no further nominations, nominations were closed.

The Commission voted to elect Chuck Diefenderfer as Vice-Chairperson for 2022.

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

Blanchfield called for nominations for the position of Secretary. Lammi nominated Cynthia Carman Kramer to continue serving as Secretary for 2022, seconded by Wilkins.

The Commission voted to elect Cynthia Carman Kramer as Secretary for 2022.

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

Commission Members Absent: Walker

2. Minutes of December 2021 Public Meeting

Motion: Approve, Moved by Robert Lammi, Seconded by Jeff Kicska. Passed. 5-0. Commission Members voting Ayes: Blanchfield, Diefenderfer, Kicska, Lammi, Wilkins

Commission Members voting Abstain: Aydelotte Commission Members Absent: Walker

NEW BUSINESS

3. Luxury Apartments at Palmer - Sketch Plan

1492 Van Buren Road - K8-10A1

PI/C District

Request by Exchange 12, LLC

DISCUSSION

Present for the applicant were Attorney John VanLuvanee of Eastburn & Gray, Gene Berg of Gouck Architects, George Hartman of Bohler Engineering, and Abraham Atiyeh of Exchange 12 LLC.

Blanchfield explained that the sketch plan proposes the construction of ten 4-story midrise apartment buildings, totaling 496 units, on a 36.6-acre parcel. The property is located in the Planned Industrial/Commercial (PI/C) zoning district, on the west side of Van Buren Road at Newlins Mill Road, south and east of Route 33. The Comprehensive Plan recommends this area for non-residential development.

The new draft zoning map proposes to rezone this property to Planned Office/Business (PO/B). Mid-rise apartments are proposed to be permitted by conditional use in this district. The draft zoning map also proposes a Riparian Buffer overlay through this property where it is crossed by the Schoeneck Creek.

As this is a sketch plan review only, no formal action will be taken by the Planning Commission, but the Commission's opinion and feedback is important to the developer, the Board of Supervisors, and the Zoning Hearing Board.

VanLuvanee explained that the applicant had filed a conditional use application for this property for two distribution center buildings in the the same layout that the Planning Commission had reviewed in June 2019. Due to the possibility of the new rezoning, they gave an extension for the distribution center application to determine if this residential plan may be a preferable alternative to the Planning Commission, Board of Supervisors, and the residents. If the applicant gives up the distribution centers, he would need to achieve sufficient residential density in order to make the project viable. Blanchfield pointed out that this residential use is not permitted under the current zoning, but Pidcock has reviewed this request in the context of the proposed new zoning.

Berg gave a description of the location of the property and pointed out where the floodplain lies, explaining that the Schoeneck Creek flows through the center and they have avoided placing anything within the floodplain. They are proposing a park down the center with some walking paths, park benches, trees, and green open space. They are proposing a total of ten buildings on the site. The longer buildings would have 14 units per floor, 4 floors per building, totaling 56 units per building. The four shorter buildings would have 10 units per floor, 4 floors per building, totaling 40 units per building. The clubhouse and swimming pool on the property would be located on the Lower Nazareth portion of the property. The developer is willing to work with the owner of the Northampton Crossings shopping center to develop a driveway that would link over to the shopping center to create free flowing traffic from the apartment development. The plan is showing that the parking would be compliant and dimensional requirements would be met.

Blanchfield commented on the significant zoning relief that would be necessary working within the floodplain. Blanchfield questioned the road crossings and the associated bridges. Atiyeh mentioned that he wants to modify the design to include only one central stream crossing on the north side, instead of the two shown on the sketch plan. Berg indicated how the alternative design would loop the driveway. Blanchfield questioned if there would be enough room to accommodate that design and keep the driveway out of the floodplain. Berg indicated the engineer would be doing floodplain studies when designing the road, abutment, and bridge. Lammi questioned if residents and emergency vehicles would be able to get in and out during a flood event. Berg confirmed the bridge would need to have an elevation that would keep it out of flood levels.

Lammi questioned the proposed road design that would lead to the shopping center. Atiyeh stated that the shopping center would want to connect to the apartments because of the desire for business. Atiyeh was hoping for a two-way road in and out to create good traffic flow but if the shopping center would not allow it, there would be a loop around. Atiyeh mentioned the possibility of purchasing that corner from the shopping center or getting an easement. Atiyeh expressed his desire for the apartments to use this proposed roadway to get out to Route 248 to take stress off of Van Buren Road and Corriere Road. Lammi questioned where the proposed road would connect into the shopping center. Atiyeh indicated they are trying to connect to the signalized road. Blanchfield questioned if it is located off the back of Sam's Club. Wilkins questioned where the connection would be in relation to Sam's Club. Atiyeh indicated where it currently lines up and where he would like it to be based on a nicer appearance. Kicska questioned if Atiyeh would try to keep the proposed road only open to his residents. Atiyeh stated he would like it to be residential traffic only. Kicska and Wilkins stated that people will use that proposed road if they know that it is there. Atiyeh said he would be okay with residential traffic with a low speed limit. Gawlik stated both Pidcock and Lower Nazareth Township would have to look at any traffic studies that would be presented at the time of the preliminary plan. It would also need to be determined if it is a public or a private road. Atiyeh said he would want it to be a private road. Blanchfield indicated it would not be in the Township's interest to have it be a public road. Kramer questioned if Atiyeh

would gate the road. Atiyeh stated that they are considering a gated community based on the study that their traffic engineer is doing. Blanchfield indicated as they get further into land development a traffic study would be required. Aydelotte questioned the location and number of entrances and exits from the development and expressed her concerns about any additional traffic on Route 248.

Blanchfield suggested that Atiyeh coordinate with the Township in order to determine whether this project should first seek zoning approvals or submit preliminary plans for the Township's engineer to review. Atiyeh stated that this project will be going before the Board of Supervisors and that the Planning Commission's opinion is important to them. Lammi questioned if the other plan for this property is a warehouse. Atiyeh confirmed. Wilkins stated that the Planning Commission was not in favor of the previous warehouse proposal. Diefenderfer explained that it is difficult to comment on this project. There may be changes to the proposed zoning ordinances with the newly elected members to the Board of Supervisors.

Kicska questioned if these would be luxury apartments. Atiyeh explained these would be high-end 1,300 square feet, 2-1/2 bath, 2 bedroom apartments with a deck, similar to his Woodmont Place community in Palmer. Berg explained this project would contain 4-story tall buildings with stucco and stone exterior, each with a balcony, all natural materials and nice looking details. Wilkins questioned the height. Berg confirmed it will be under 55 feet at the peak. Blanchfield questioned if the buildings will have similar coloring. Berg indicated it could be similar or coordinating colors. Atiyeh confirmed they are open to suggestions. Aydelotte questioned if these would be apartments or condos. Atiyeh explained they are keeping that open right now and discussing if they might offer condo ownership or renting. Berg explained the interior layout contains two bedrooms, kitchen with island and granite countertops, dining and living room areas, accessible bathrooms, stacked washer and dryer, and a coat closet.

Blanchfield questioned if the proposed billboard shown would be a commercial billboard. Atiyeh suggested it could be a static billboard with lights that shut down at 10 PM. Diefenderfer stated there might be zoning restrictions. Blanchfield explained that there are restrictions on how close a billboard can be to residential buildings. Atiyeh stated the possibility of a sign for the community instead.

Blanchfield questioned proposed improvements to Van Buren Road. Atiyeh stated they were expecting road widening of Van Buren Road. Blanchfield questioned if there are sidewalks along the loop road inside the property. Atiyeh confirmed. Berg commented on walking paths along the floodplain. Atiyeh would like to include benches along the stream as a way to enjoy the beauty of the stream without harming the water quality. Blanchfield commented that the riparian buffer typically surrounds the stream and protects it. Kramer explained that as part of the new zoning ordinance there is a Riparian Buffer Overlay that will state what is and isn't allowed in that overlay district. Atiyeh felt that the water feature would be a selling point if it is visible. Lammi stated that the impact of storms on the water flow needs to be a consideration. Lammi suggested consulting with

the Public Works department in regards to the sewer main that goes through the property. Berg stated the design plans have respected the existing sewer line and easement.

Wilkins questioned if there will be a bridge near the northernmost building on the property for the stormwater runoff that will flow down to that area from the northern sections of the township. Gawlik confirmed that there will need to be some type of approved crossing for the driveway for the northern end. Blanchfield questioned the plan for stormwater management. Atiyeh indicated that George Hartman of Bohler Engineering would make sure there is proper stormwater management. Hartman explained that he hasn't designed anything for this site yet, but confirmed there would need to be a culvert. Blanchfield questioned if the culvert would allow the water draining from the fields above to get into the floodplain area. Hartman believed there would be some combination of both aboveground and underground features to manage stormwater on this property. Kramer questioned if there is a possibility that any of these buildings would need to be lost in order to accommodate stormwater management. Atiyeh indicated that he needs the density and he may need to adjust the plan to a 5-story height on the buildings if some of the buildings were lost.

Blanchfield recommended close coordination with the Fire Commissioner to ensure adequate access for fire apparatuses for all buildings. Blanchfield also wanted to make sure that Atiyeh is aware that there will be a significant recreation fee since they are only proposing private recreation opportunities for residents.

Kicska questioned how many apartments are included in the Palmer View community. Kramer stated there are 306 units. Kicska expressed his concern with the amount of units being proposed and would like to see more green space in between the buildings. Aydelotte expressed her traffic concerns. Diefenderfer also expressed his concern over the number of the units.

Wilkins expressed his concerns about water. He also stated that he's not sure if the shopping center would want connectivity with the community and he felt that Atiyeh would need to come back with a definitive plan on whether or not this will be a gated community. If there is a new road, everyone will go through the development. He was not sure what building height would be allowed and felt that if there was only one crossing, instead of a second bridge, that would create a traffic issue. He liked the concept, but did not like the plan as it is.

Lammi stated a road connecting to the shopping center would be useful. If a road is not possible, he believes there should at least be a walking path. He would prefer to cut down on the number of buildings and add the 5th floor instead to open up more green space. He also commented on the creek, stormwater, and flooding and the possibility of things being washed away.

Atiyeh spoke about walkability and the vision of an luxury urban community to cut down on pollution and traffic. Blanchfield expressed his concern on the sudden change of eliminating the second crossing for the loop road and felt that will create problems with the traffic flow.

Kramer commented on the draft ordinance and that this was a good exercise on how the ordinance will work in practice. In reference to the calculation of density, she would go back and make sure that if apartments are permitted in this district, that the details and requirements match up with the HDR district.

Tim Fisher, 68 Moor Drive, asked if there would be elevators in the buildings for elderly people. Atiyeh confirmed that every building would have an elevator.

Matt DeFranco, 116 Scotty Drive, questioned if the floodplain would be affected once the buildings are built. Atiyeh explained that the federal government ensures that development cannot increase any flow going to the stream.

Fisher also questioned if the township can handle the additional traffic that would be associated with a development of this size. Atiyeh explained that the traffic engineers will determine what the impact will be, if the infrastructure can handle it, and if there is need for improvements to be done.

Charlie Young, 33 Glasgow Way, expressed his appreciation at hearing a proposal for an alternative to a warehouse.

As this was a sketch plan, there was no action required to be taken.

4. Palmer Manor - Sketch Plan
537 Milford Street - M8-8-1B-5, M8-8-3
HI District
Request by Exchange 8, LLC

DISCUSSION

Present for the applicant were Attorney John VanLuvanee, Gene Berg of Gouck Architects, Jason Buchta of Ott Consulting, and owner, Abraham Atiyeh.

Blanchfield explained that the sketch plan proposes construction of a 70-unit 4-story apartment building on a 0.97 acre lot. The property is located on the west side of Milford Street within the Heavy Industrial/Mixed Use (HI) zoning district. Also proposed is a 112-space overflow parking lot on a 1.34 acre lot on the east side of Milford Street within the High Density Residential 2 (HDR-2) zoning district. Both lots are currently unimproved.

The Comprehensive Plan designates this area for mixed use development. The properties to the north are improved with commercial uses. The property to the east across Milford Street is a vacant paved lot, formerly used as overflow parking for a car dealership. The property to the south across the Township bike path is vacant land zoned for residential use.

The new draft zoning map proposes to rezone this property to Light Industrial/Mixed Use 2 (LI-2). Multi-family mid-rise dwellings are not proposed to

be permitted in this district.

This property was granted a use variance in August 2020 by the Zoning Hearing Board for a personal care facility. The Planning Commission denied conditional use approval for the building height request that was presented to the Commission, but it was approved by the Board of Supervisors in October 2020.

Blanchfield commented on the zoning requirement of having parking for a development on the same lot. Buchta located the property within the surrounding area. He explained that they didn't look into the stormwater aspect of development yet, but they are aware that there are possible contaminants in the lot across the street. Blanchfield explained that this property has been contaminated and under discussion for a long time. The Township's Environmental Consultant would need to get involved to determine if the disturbance with construction and paving of a lot would be an acceptable improvement to the property.

Blanchfield questioned if this would need to go back to the Zoning Hearing Board because the site was approved for a different use. Kramer confirmed. Blanchfield explained a variance would be needed for the parking lot to be on a different lot and for overflow parking requirements. Blanchfield questioned who would own and maintain the parking lot. Atiyeh explained that he owns 537 Milford Street and is working on an agreement with Nick Pugliese to either purchase and maintain the parcel for the parking lot or have a long-term easement.

Atiyeh stated they are proposing the same height, footprint, and unit count of the original approvals. Berg explained that this proposal is a better fit from a fire perspective due to the ability of able-bodied residents to evacuate in an emergency, as opposed to an assisted living facility. Kicska commented on the accessibility to the back of the building for fire apparatuses. Blanchfield stated that the Fire Commissioner would need to be back involved with this proposal, in particular to discuss access to the rear of the building. Atiyeh explained that the personal care facility is no longer a viable option due to COVID-19.

Blanchfield stated that the Planning Commission originally denied the original conditional use height request, but it was later approved by the Board of Supervisors.

Kicska questioned if there was any other plan for the parking lot. Atiyeh explained there would be no tractor trailer parking there. Kicska questioned if there would be lighting. Atiyeh confirmed. Wilkins commented on the need for safety lighting and expressed his concern for the amount of people who will be walking across Milford Street. Kicska agreed on the safety for pedestrians. Blanchfield recommended considering push button activated flashing safety lights for the crossing. Kramer clarified that would be a developer responsibility.

Diefenderfer questioned if this building would have an elevator. Atiyeh confirmed. Blanchfield questioned the progress on stormwater management. Atiyeh stated they intend to be compliant with whatever underground stormwater

management would be deemed necessary.

Gawlik stated that the developer would need to provide an estimated traffic trip count.

Wilkins questioned if there were any plans in regards to the parking lot in the front of the building being a reserved lot. Atiyeh explained the 2-bedroom apartments would get one reserved space in that parking lot. He said he is talking to the thrift shop and church about leasing parking spaces from them as well. Lammi commented that the current zoning, as well as the future proposed zoning, don't allow for this type of use. He feels that this piece of land is too small for this use, it doesn't meet the parking requirements, and surrounding residents were concerned about losing the buffer on the rear of the property that may be affected due to fire access. He is against this development on this property for those reasons. Atiyeh talked about the transition from the industrial to the residential section of the Township there and he felt that this residential use would be more compatible and better received by the community for that area. Blanchfield expressed his concern over the off-street parking. He didn't agree with the distance from the building to the parking lot.

Richard Karp, 107 Stephanie Drive, expressed his concern over all of the macadam that is being laid throughout the Township and its impact on stormwater management. Blanchfield commented on the problem with contaminants underground with the parking lot parcel.

James Finnen, 18 Moor Drive, questioned if there is a similarity in residence and overall accommodations between the proposed community and the existing Palmer View community. Atiyeh commented that there are elevators in all of his sites. Finnen commented on Palmer View offering both aboveground and underground parking and questioned if the proposals would have underground parking available. Atiyeh explained that they had not considered underground parking, but it could be discussed. Blanchfield explained that there are zoning requirements which dictate how much parking must be provided. Finnen questioned if there will be age restrictions. Atiyeh explained that children would be allowed, but didn't anticipate many kids. Finnen commented on school buses and the overall effect on the Easton Area School District. Blanchfield explained that there is a requirement to notify the school district of any new development and potential for more children in the school.

As this was a sketch plan, there was no action required to be taken.

5. Palmer Residences - Preliminary/Final Land Development Plan
530 Milford Street - M8-8-1B-3
HI District
Request by Exchange 3, LLC

DISCUSSION

Present for the applicant were Attorney John VanLuvanee, Gene Berg of Gouck Architects, Jason Buchta of Ott Consulting, and owner, Abraham Atiyeh.

Blanchfield explained the plan proposes the construction of an 84-unit, 4-story midrise apartment building on a 2.9-acre lot. The property is located on the east side of Milford Street, within the Heavy Industrial/Mixed Use (HI) zoning district.

The Comprehensive Plan recommends this area for mixed use development. The properties to the north and to the west across Milford Street are improved with commercial uses. The property to the east is improved with an industrial use. The property to the south across the Township bike path is vacant land zoned for residential use.

The new draft zoning map proposes to rezone this property to the Light Industrial/Mixed Use 2 (LI-2) zoning district. It is also proposed to be included in the Eastern Gateway Overlay (EGO). Multi-family mid-rise dwellings are proposed to be permitted by conditional use in this overlay district.

The proposed use is currently permitted by a stipulation and settlement agreement between the applicant, the Zoning Hearing Board and the Township.

Kramer explained that this lot was previously being used for tractor trailer parking, which was not permitted. There was an enforcement action initiated and through a stipulation with the court it was agreed that apartments would be an acceptable use for this property. There was a plan that was approved originally with the agreement, but the agreement was recently amended to include the layout as shown on this plan.

Lammi stated that the Planning Commission is only able to make sure this project adheres to SALDO and is being considered from an engineering perspective. VanLuvanee explained that he negotiated with the Township Solicitor on the parameters for the use. Atiyeh had agreed not to use the property for a truck terminal regardless of whether or not zoning permitted it. The Board and Atiyeh agreed this plan was an improvement to the original plan and approved the amendment to the agreement.

Berg explained that this would be an L-shaped building with an elevator in the lobby. It will contain 84 apartments consisting of 24 two-bedroom units, 32 one-bedroom units, and 28 studio apartments. He gave an overview of the floor plan and exterior components.

Gawlik stated the Township Environmental Consultant should weigh in on whether there are any lingering environmental concerns on this site. Berg explained that the settlement dictates that the building can be four floors and a maximum height of 60 feet. Gawlik questioned the proposed height of the building. Berg stated 55 feet. Gawlik requested that additional landscaping buffering be included on the plan.

Gawlik stated the developer is currently proposing a reduction in impervious surface on this site which would qualify for exemption from the stormwater

management requirements. Gawlik asked the developer to confirm any additional impervious surface that might have been added to the site and check the disturbed area to make sure it remains under an acre.

Blanchfield questioned if a traffic impact study is required and determined that will need to be confirmed with the Solicitor. Kramer stated they would want to see a trip generation, at a minimum. Atiyeh agreed. Blanchfield commented on the turning radius for emergency vehicles. Kramer explained the Fire Commissioner had indicated nothing should be put in the area in front of the entrance to improve turnability for the trucks. Lammi questioned if there would be any difficulty for emergency vehicles on the south side of the building and retention pond. Kramer explained that the Fire Department would not try to get their largest truck on the site. It would be left on the street and smaller trucks would be brought on site, if needed.

Blanchfield expressed concern on the flow of parking, and suggested angled parking and striping in the large open area. Gawlik commented that the one-way aisles may lead to vehicles backing out and traveling in the wrong direction.

Diefenderfer questioned if handicapped spaces would be placed closest to the elevators. He also questioned if there would be dumpsters on the site because there is no space allocated to show this.

Seeing no further questions or comments, the plan was tabled.

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

PLANNING DIRECTOR COMMENTS

6. 2021 Annual Report

Kramer reviewed the Palmer Township Planning Commission 2021 Annual Report. The Planning Commission approved forwarding the Annual Report to the Board of Supervisors.

Motion: Approve, Moved by Robert Lammi, Seconded by Chuck Diefenderfer. Passed. 5-0. Commission Members voting Ayes: Blanchfield, Diefenderfer, Kicska, Lammi, Wilkins
Commission Members voting Abstain: Aydelotte
Commission Members Absent: Walker

7. Zoning Ordinance Update

Kramer explained that the Planning Commission had previously agreed to hold a Planning Commission Workshop meeting on the third Tuesday of every month in order to discuss the Zoning Ordinance update. With the election of two new Board of Supervisor members, one additional meeting of the Zoning Committee has been requested. This Zoning Committee meeting will take place on January

18 instead of the January Planning Commission Workshop meeting.

PUBLIC COMMENT

Harry Graack, Jr., 1380 Van Buren Road, requested a moratorium on new development projects until the new zoning ordinances are in place. He is concerned that the newly proposed zoning still lacks conservation, lends to development, retains all of the high-density concerns of rising costs, traffic, and stormwater issues. He is concerned for how his land will be zoned and expressed the need for residents to be heard and considered on the new zoning. He also expressed his belief that Walmart will oppose the proposed road that Atiyeh's project is suggesting. Blanchfield explained that there will be open, public meetings to express concerns over the new zoning ordinances. He also explained that there are time limitations that the Planning Commission must follow to review proposals after a developer's submittal. Diefenderfer and Lammi had a discussion with Graack in regards to his property and the proposed Conservation/Recreation zoning.

Bill Hartin, 1375 Van Buren Road, also requested a pause on approving new development projects until the new zoning discussions are concluded. He requested better communication and more transparency, possibly through the Township's website or the Palmer Township newsletter. He expressed his concern for the woodlands near his property that border the Wolf's Run development. Blanchfield explained that approvals won't come until after public comment. It was confirmed that the annual report will be accessible to the public.

Rita DeFranco, 116 Scotty Drive, expressed her concerns over traffic.

ADJOURNMENT

The meeting was adjourned at 9:37 PM.

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