

PALMER TOWNSHIP PLANNING COMMISSION

PUBLIC MEETING - TUESDAY, JUNE 11, 2019 - 7:00 PM

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

The June 2019 meeting of the Palmer Township Planning Commission was held on Tuesday, June 11, 2019 at 7:00 pm with the following in attendance: Chairman Robert Blanchfield, Vice-Chairman Robert Lammi, Karin Vangeli, Jeff Kicska, Robert Walker and Michael Brett. Also in attendance were Planning Director Cynthia Carman Kramer, Ralph Russek of the Pidcock Company, Attorney Steve Brown and Supervisor Jeff Young. Absent: Richard Wilkins.

1. Minutes of April 2019 Public Meeting

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

2. Minutes of May 2019 Public Meeting

Motion: Approve, Moved by Karin Vangeli, Seconded by Robert Lammi. Passed. 4-0. Commission Members voting Ayes: Blanchfield, Kicska, Lammi, Vangeli
Commission Members voting Abstain: Brett, Walker
Commission Members Absent: Wilkins

OLD BUSINESS

3. 3100 Charlotte Avenue, LLC - Conditional Use Application - Modification of Prior Conditional Use Approval

3100 Charlotte Avenue - L8-25-2
HDR District
Request by 3100 Charlotte Avenue, LLC

DISCUSSION

Present on behalf of the applicant were Attorney James Preston, Kevin Fruck of Cornerstone Engineering and AnnMarie Vigilante of Langan Engineering and Ronald Check of Vertek.

Greystone Capital, Inc. was previously granted conditional use approval under §190-226.A(2) of the Zoning Ordinance to receive an infrastructure density bonus under the Traditional Village option by agreeing to provide traffic and stormwater improvements at the intersection of Greenwood Avenue and Hartley Avenue. Accompanying land development plans were approved which proposed a 312-unit low rise apartment development on a 27± acre tract located on Hartley Avenue, which was rezoned from Light Industrial (LI) to High Density Residential (HDR). In the May 12, 2016 conditional use decision letter from the Board of Supervisors, it is stated that:

"At the conclusion of the hearings and the presentation of all the evidence, the Board approved a motion granting the Applicant's request to have increased density and to provide for the total number of dwelling units within its apartment complex to be 312 apartment units, an amount which is 25% more than the amount of units permitted by right, conditioned upon the Applicant designing and constructing any and all necessary traffic and stormwater improvements associated with the intersection of Greenwood Avenue and Hartley Avenue, as well as any other surrounding intersections, with the scope of the required improvements being warranted and approved by the Pennsylvania Department of Transportation (PennDOT) and the design and construction of those improvements being performed to the satisfaction of the Township Engineer and Palmer Township. Further, as a condition of approval of this conditional use request, the Applicant shall be responsible for obtaining all necessary permits and the funding of all intersection improvements. Lastly, no certificates of occupancy permits for the proposed apartment dwelling units shall be issued by the Township until the offsite improvements referred to above are completed to the satisfaction of Palmer Township and the Township Engineer."

The current applicant, 3100 Charlotte Avenue, LLC, has submitted a conditional use application requesting to modify the condition concerning the issuance of certificates of occupancy, as set forth in the May 12, 2016 decision letter.

The accompanying sketch plan proposes dividing the project into two phases. Phase One is proposed to involve the construction of buildings 1 to 4 (96 units), the club house, the Hartley Avenue frontage improvements, above ground basins 1 & 2, underground basins 1, 2, 7, 8 & 9, rain gardens 1 & 2, rough grading and the Charlotte Avenue emergency access. Phase Two is proposed to include buildings 5 to 13 (216 units), the remainder of the site improvements and the offsite improvements at the Hartley and Greenwood Avenue intersection.

Preston stated the original plan would make it impossible to do the intersection improvements before getting Certificates of Occupancy for the buildings and is asking for latitude on this condition. Vigilante addressed the traffic concern regarding the intersection improvements at Hartley and Greenwood Avenue. The level of service will operate within the PennDOT requirements and the intersection will function adequately. Blanchfield asked Russek if there would be a significant change with the 4 new apartment buildings. Russek confirmed that their analysis showed the level of service would not change. Vangeli asked if this was the only intersection they studied. Vigilante said this was the intersection they were asked to study. Walker asked from the time of construction and completion, how long before the offsite improvements would be completed. Check said approximately 12 to 15 months. Blanchfield asked if it was just the traffic light or if stormwater improvements would also be done. Check said all improvements and that the Township Engineer is recommending a \$1.5 million security be posted. Young stated we will need a bike trail crossing at the intersection of Hartley and Greenwood Avenue to connect in with the high school

property. Kicska asked when we could expect to see the intersection done. Check said approximately 15 months from today. Lammi asked if the bond would be with Palmer Township or PennDOT. Preston said initially with Palmer Township but when they have to post with PennDOT the security with the Township would need to be released, it cannot be secured twice. Brett asked if we can put a timeline in the conditions of approval. Lammi said the applicant should prepare a timeline for the construction of the intersection for the Board of Supervisors so they can determine if there is a need to make any changes. Vangeli asked for confirmation that the money would be there to make sure the work happens. Preston said yes.

Charles Diefenderfer, 2918 Hay Terrace, said another 600 trips would be added to this area, and asked why the improvements shouldn't be done before Phase One. Preston said the density bonus is the reason for the improvements, Phase One wouldn't get them anywhere near that density.

Ruthann Cardell, 379 Stones Crossing Road, said since the study was done in 2016 there has been a new municipal garage built and a recycling center that will be updated to add to the traffic. This is another way for them to get what they want and not follow their plan. The Township should make them abide to what they originally agreed to.

Joseph Gagliano, 2900 Hartley Avenue, said this is wrong, they were supposed to get permits, the Township should make them stick to their plan.

Charles Young, 33 Glasgow Way, asked if they do not achieve the expected rental rate, would it delay the construction. Check said it would not delay the intersection construction.

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

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

1. Comments of the Township Engineer's letter dated June 5, 2019 are satisfactorily addressed.
2. Township Departmental comments dated June 3, 2019 are satisfactorily addressed.
3. A written timeline of the proposed construction schedule shall be submitted to the Board of Supervisors at the time of their meeting before the Board.

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

4. FGC Van Buren Road Partners - Conditional Use Application - Distribution Center in PI/C District
1492 Van Buren Road - K8-10A1

PI/C District
Request by FGC Van Buren Rd Partners, LLC

DISCUSSION

Present on behalf of the applicant were Attorney Timothy Siegfried, David Greek and Matt Schlindwein of Greek Development and George Hartman of Bohler Engineering.

The applicant, FGC Van Buren Road Partners, is requesting conditional use approval for construction of two distribution buildings, one at 128,876 square feet and one at 138,743 square feet on a 36.63 acre lot. The property is located on the west side of Van Buren Road, south and east of Route 33, within the Planned Industrial/Commercial (PI/C) zoning district.

The applicant is seeking conditional use approval under the following provisions of the Zoning Ordinance:

- §190-125.G -Distribution center; meeting the conditions of §190-210.B(33) - Additional requirements for conditional uses: Trucking company terminal.

The requested use requires conditional use approval in the Planned Office/Industrial Park zoning district, subject to the performance criteria listed in the zoning ordinance.

Siegfried gave an overview of the status of the application. He then went through a series of questions and answers with Schlindwein using Exhibit A1 through A18. Copies of the Exhibits were distributed to all Commission members.

Schlindwein said the plan will comply with all requirements. Lammi asked about safety hazards and future tenants. Schlindwein said they will make sure all tenants are compliant with requirements for safety hazards. Lammi asked how long the driveway was going into warehouse A and voiced his concern that there is no sidewalk proposed along the driveway from the building to Van Buren Road. Hartman said the driveway is about 100 feet and they would require the tenant to provide a shuttle service for employees to Van Buren Road. Walker asked if the left turn exit could be designed so that trucks could not turn right. Schlindwein said it has been designed that way to prevent right turns by trucks but it still needs to allow right turns by cars. Blanchfield asked about the pavement analysis. Hartman said the pavement analysis evaluated the condition of Van Buren Road in 3 sections. The applicant would be doing a 2 inch overlay of blacktop on all 3 sections and they agree to widen the frontage along the property. Blanchfield asked about FEMA approval and changes to the floodplain. Siegfried stated the storm water management plan has been found to be consistent with Act 167 requirements and they have to apply to FEMA once the plan is approved. Hartman explained the storm water plan and said there should be no increased impact on the floodplain. Blanchfield asked if the applicant had FEMA approval. Hartman said they do not have FEMA approval yet. Lammi asked because they are taking away a lot of acreage, it will be pushing water into the creek, if it will create a situation of water backing up.

Hartman said the analysis shows it will not. Lammi asked if they have applied to FEMA. Siegfried said no, FEMA wants to know exactly what we are building, we are waiting for final approvals here before they apply to FEMA. Blanchfield asked if FEMA rejects this plans, if they would be back here with a new plan. Siegfried said that is correct. Brett said this plan is not in agreement with the Comprehensive Plan and might not be the right proposal for this site. Schlindwein said they have done everything that they had to do to with Pidcock Engineering to make sure they comply.

Blanchfield stated that a prepared statement and exhibits had been submitted by the Highlands of Glenmoor community and that had been distributed to all Commission members for their review.

Timothy Fisher, 68 Moor Drive, stated for the record that their community is opposed to this plan. He then read from the prepared statement, pages 1-4.

Gerald Genrich, 12 Moor Drive, read from the prepared statement, pages 5-11, regarding floodplains and grading,

John Halligan, 12 Canterbury Lane, read from the prepared statement, pages 12-24, regarding flooding.

Wayne Conrad, 41 Moor Drive, read from the prepared statement, pages 25-27, regarding environmental concerns.

Timothy Fisher read from the prepared statement, pages 28-29, summarizing their position that the project should not be recommended for approval.

Richard Stocker, 3804 Hollo Road, said he is the owner of the property and he has the right to sell his land for use that is allowed.

Harry Graack Jr, owner of 1380 Van Buren Road, stated these projects are flooding his land and he will take legal action if the flooding continues. This development will impact his plans to use his land.

Michael Stocker, 4661 Pine Drive, Nazareth, said that over the last 2 years the applicant has addressed the issues and they have shown that they are willing to work with the people and the Township. They will need to address whatever FEMA requires of them when they apply for those permits.

John Halligan, said all those approvals are done by outside agencies, and they have no opportunities to attend these meetings. They are glossing over the fact of the amount of fill that will be done on this property, not one thing was brought up about fill until they presented their research.

David Blackstone, 24 Moor Drive, stated the group there tonight represents about 750 people, most of them elderly, and they are very concerned about the health issues.

David Monaghan, 12 Glasgow Way, asked how much of the fill to build up this

property would come from off site. Hartman said all the fill is coming from the site.

Seeing no further comments or questions, Blanchfield made a motion to recommend approval of the conditional use request by the Board of Supervisors, subject to the following conditions:

1. Comments of the Township Engineer's letter dated June 7, 2019 are satisfactorily addressed.
2. Land development plans are approved by the Board of Supervisors.

By a vote of 1-5, the Planning Commission voted against the motion, therefore the Commission failed to recommend approval of the conditional use request.

Motion: Approve w/ Conditions, Moved by Bob Blanchfield, Seconded by Karin Vangeli. Failed. 1-5. Commission Members voting Ayes: Vangeli
Commission Members voting Nays: Blanchfield, Brett, Kicska, Lammi,
Walker Commission Members Absent: Wilkins

5. FGC Industrial Development - Preliminary/Final Land Development Plan
1492 Van Buren Road - K8-10A1
PI/C District
Request by FGC Van Buren Rd Partners, LLC

DISCUSSION

The plan proposes the development of two distribution buildings, one at 128,900 square feet with 287 parking spaces, 3 tractor-trailer parking spaces and 26 loading docks, and one at 138,740 square feet with 296 parking spaces, 4 tractor-trailer parking spaces and 32 loading locks, on a 36.63 acre lot.

Discussion of the plan took place as part of the discussion regarding the accompanying conditional use application.

Blanchfield made a motion to recommend approval of the preliminary/final plan by the Board of Supervisors, subject to the following conditions:

1. Comments of the Township Engineer's letter dated June 7, 2019 are satisfactorily addressed.
2. Township Departmental comments dated December 7, 2018 are satisfactorily addressed.
3. The comment of the Township Geotechnical Engineer letters dated September 10, 2018 and May 6, 2019 are satisfactorily addressed.
4. Requested waivers are approved by the Board of Supervisors.
5. The requested conditional use application is approved by the Board of Supervisors.
6. All conditions of the January 25, 2018 Zoning Hearing Board decision letter are complied with.
7. 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 35.83 acres x \$3,000/acre = \$107,490.
8. The need for any traffic improvements or voluntary traffic contribution is

addressed to the satisfaction of the Board of Supervisors.

By a vote of 1-5, the Planning Commission voted against the motion, therefore the Commission failed to recommend approval of the plan.

Motion: Approve w/ Conditions, Moved by Bob Blanchfield, Seconded by Karin Vangeli. Failed. 1-5. Commission Members voting Ayes: Vangeli
Commission Members voting Nays: Blanchfield, Brett, Kicska, Lammi, Walker
Commission Members Absent: Wilkins

PLANNING DIRECTOR COMMENTS

None.

PUBLIC COMMENT

None.

ADJOURNMENT

The meeting was adjourned at 10:15 pm.

Motion: Adjourn, Moved by Robert Lammi, Seconded by Michael Brett. Passed. 6-0. Commission Members voting Ayes: Blanchfield, Brett, Kicska, Lammi, Vangeli, Walker
Commission Members Absent: Wilkins