

**PALMER TOWNSHIP PLANNING COMMISSION**  
PUBLIC MEETING - TUESDAY, SEPTEMBER 20, 2022 - 7:00 PM  
PALMER TOWNSHIP MUNICIPAL MEETING ROOM, 3 WELLER PLACE (LOWER  
LEVEL), PALMER PA 18045

The September 2022 workshop meeting of the Palmer Township Planning Commission was held on Tuesday, September 20, 2022 at 7:00 PM with the following in attendance: Chairman Robert Blanchfield, Vice-Chairman Chuck Diefenderfer, Robert Lammi, Robert Walker, Rich Wilkins and Robin Aydelotte. Also in attendance were Director of Community Development Cynthia Carman Kramer and consultant Carolyn Yagle of Environmental Planning & Design.

OLD BUSINESS

1. Review and Discussion of Zoning Ordinance

DISCUSSION

Yagle explained where the process stood. EPD had prepared a table summarizing the public comments received. At the August 9 meeting, the Commission reviewed comments regarding the proposed zoning map. The Commission was now asked to consider public comments received regarding the proposed text of the ordinance.

Regarding §190-606 concerning warehouse parking, Diefenderfer recommended that this provision should also apply to smaller warehouses with higher truck traffic. The Commission members agreed.

Regarding a brew pub being included as an accessory use in the CR district, Diefenderfer felt it was inconsistent with the other uses in the district. Lammi stated it does not belong there. The Commission members agreed.

Regarding shopping centers as a conditional use in the IOC district, Lammi stated they do not belong there as they are commercial not industrial. Kramer noted that this use was carried over from the existing PIC district, where they are permitted. Since there has not been one planned or constructed in this district so far, it is probably safe to remove it. The Commission members agreed.

Regarding §190-911.B concerning restrictions on Sunday hours for brewery uses within 500 feet of residences and places of worship, written comments were received from Brendan Kaczmarek that this restriction does not apply to any other use in the Township and any concerns about noise would be covered by the noise limits in the ordinance. He suggested limiting outdoor activities on Sundays but not the indoor operations. Wilkins agreed with the comments and suggested they remove the restriction on operating on Sundays but limit outdoor events. The Commission members agreed.

Comments were received from Harry Graack suggesting additional uses to be permitted in the RA district, as follows:

- Commercial indoor recreation use as a special exception
- Beverage production - limited distillery as a conditional use
- Vet office or animal hospital as a permitted use
- Farmer's market as a permitted use
- Pick-your-own operation as a permitted use
- Helistop as a special exception
- Home occupation, low-impact as a permitted use
- Short-term rental as a conditional use

Lammi asked what would be considered a commercial indoor recreation use. Yagle stated it is an establishment owned by a private-sector entity where the principal enterprise or activity involves the provision of primarily indoor recreational, amusement, and leisure activities, such as, but not limited to: fitness training, athletic courts, ice rinks, roller skating rinks, indoor playing fields, indoor swimming pools, bowling alleys, arcade games, indoor mazes, indoor play structures and ball pits, escape rooms, indoor riflery or archery, indoor batting cages, and indoor golf. Diefenderfer stated that these would not be consistent with the district. Wilkins asked what a short-term rental would be. Yagle stated like an AirBnB or similar operation. The Commission members agreed that these suggested uses should all be incorporated into the RA district except for commercial indoor recreation use.

Comments were received from Harry Graack suggesting additional uses to be permitted in the CR district, as follows:

- Golf course as a permitted use
- Community garden as a permitted use
- Community-supported agriculture station as a permitted use
- Camp as a conditional use

The Commission members agreed that these suggested uses should be incorporated.

Regarding §190-917.I concerning restrictions on hours for commercial outdoor recreation uses within 200 feet of a residence, written comments were received from Diane Halasz that 200 feet is not enough. She suggested a restriction within a 2-mile radius and that traffic should not go through a residential neighborhood. Lammi asked what is considered a commercial outdoor recreation use. Yagle stated it is an establishment owned by a private-sector entity where the principal enterprise or activity involves the provision of outdoor recreational, amusement, and leisure activities, such as, but not limited to: tennis courts, sand volleyball courts, miniature golf courses, driving ranges, outdoor riflery or archery, outdoor batting cages, playing fields, outdoor swimming pools, beaches, and bumper car tracks, but not to include "golf courses." Lammi stated that riflery should be removed from this definition. Blanchfield stated that 2 miles is excessive. Kramer suggested 500 feet, as with the previous discussion about breweries. Diefenderfer also suggested requiring these uses to have access from an arterial street. The Commission members agreed.

Regarding §190-506.G(2)(a), Diane Halasz provided written comments regarding flood plain management. Kramer noted that this language came from DEP which the Township was required to incorporate when the new flood maps

were adopted in 2014. Lammi noted that the zoning ordinances deals primarily with uses in the floodplain, issues regarding stormwater management are handled under the Stormwater Management Ordinance and SALDO.

Regarding §190-804.D(3)(b), Diane Halasz provided written comments about ground cover in buffer yards and suggested that meadow areas should be permitted, not just grass. Wilkins asked for clarification about what a buffer yard includes. Kramer explained it is a required separation area between two differing uses, which includes plantings and may include berms and/or fences. It is required to be located on the lot of use being created. Yagle stated the language does not exclude meadows but they could add a reference to proper maintenance per DCNR or DEP. The Commission members agreed.

Regarding §190-804.D(3)(c), Diane Halasz provided written comments about existing vegetation in a buffer yard and suggested that if the existing vegetation contains invasive plant species, they should be removed. The Commission members agreed.

Regarding §190-804.D(4)(b)[3], Diane Halasz provided written comments about plant screens in a buffer yard and suggested that the language should also address loss of screening due to loss of limbs, not just death or removal of the plant. The Commission members agreed.

Regarding §190-D(10), Diane Halasz provided written comments about species diversity in buffer yards and suggested that diversity should be required even for less than 25 plants. Diefenderfer suggested that for less than 25 plants, at least 2 different species should be required. The Commission members agreed. Halasz also provided comments about invasive species being permitted. Yagle stated they would be referencing new lists.

Yagle noted that she and Kramer had addressed the previous comments from Rick Principato about the rezoning of his property to LI/MU and the inconsistency with his operations. They would revise the definitions of light and heavy manufacturing to be consistent with DEP definitions and keep the zoning as LI/MU.

#### PLANNING DIRECTOR COMMENTS

None.

#### PUBLIC COMMENT

Neal Fehnel, 600 Haymont Street, reiterated his previous written comments about signs. Yagle noted that they can't regulate content of signs. Lammi stated that political signs need to follow State law. Yagle stated she would circle back to Fehnel's comments.

Harry Graack, 1380 Van Buren Road, asked where shopping centers would now be permitted. Yagle replied in the GC district. He stated that the owners of the Walmart

shopping center are always asking him about expanding on his property and he doesn't want to preclude that. He might want to consider requesting his 45 acres on the west side of the Schoeneck Creek to be zoned to IOC or GC. Any traffic would go to Lower Nazareth, not Palmer.

David Blackstone. 24 Moor Drive, asked the Commission to recommend to the Board of Supervisors that they invoke the pending ordinance doctrine now that they are close to a final ordinance. Kramer noted that the Township Solicitor had already provided guidance to the Board on this question.

Tom Beauduy of the Charles Chrin Companies stated that the requirement for restrictive covenants for properties with the riparian buffer are unreasonable. Title companies could hold up sales of the properties to prove that the covenants have been followed and the buffers are functioning properly. He agrees with not allowing construction and requiring more plantings, then let nature take its course.

Beauduy also mentioned the zoning of their property in the northwest corner of the Township. They were previously told to submit their request to the Zoning Ordinance committee to rezone this tract from RA to NEB. They were told this would be included, now it is not. They have interest from Lehigh Valley Industrial Parks to develop this and the acreage in Upper Nazareth. If they can't develop that, the alternative would be residential. Lammi stated that they are so close to be being done with this process now, he doesn't want to hold it up now with this request.

Harry Graack responded to the comment about letting nature take its course. There are natural events that still require maintenance to handle. There is always an obligation on the property owner to maintain the riparian buffer.

Michael Leahy, 40 Edinburgh Drive, asked about the next steps and schedule for the Ordinance. Kramer stated that Yagle would take all Commissions comments and incorporate them into a final draft. At the next meeting on October 11, the Planning Commission can vote to move the final ordinance forward to the Board of Supervisors. On October 25, the Board of Supervisors could authorize advertising the Ordinance and scheduling a public hearing.

## ADJOURNMENT

The meeting was adjourned at 9:35 pm.

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