

PLAINFIELD TOWNSHIP

PLANNING COMMISSION REGULAR MEETING

September 17, 2018

A regular meeting of the Plainfield Township Planning Commission was held on Monday, September 17th, 2018 at the Plainfield Township Municipal Building located at 6292 Sullivan Trail, Nazareth, PA, 18064.

Chairman, Paul Levits, called the meeting to order at 7:00 P.M.

The Pledge of Allegiance was performed.

ROLL CALL:

The following Commissioners answered roll call: Chairman, Paul Levits, Vice Chairman, Robin Dingle, Jeffrey Beavan and Terry Kleintop.

Also present were and Secretary, Paige Gerstenberg, Township Manager, Tom Petrucci, Zoning Officer, John Lezoche, Solicitor, David Backenstoe, Esq., and Township Engineer, Mike Kukles.

APPROVAL OF MINUTES:

1. APPROVAL OF THE MAY 21, 2018 PLANNING COMMISSION MEETING MINUTES:

ACTION: Motion was made by Terry Kleintop and second by Jeffrey Beavan to approve the May 21, 2018 Planning Commission Meeting Minutes as presented. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 4-0.

TIME EXTENSIONS:

1. TACO BELL LAND DEVELOPMENT PLAN (6695 SULLIVAN TRAIL, WIND GAP, PA 18091): EXTENSION OF TIME REQUESTED THROUGH NOVEMBER 30, 2018:

Representative of Taco Bell, Lisa Pereira, noted that the applicant would be in favor of a time extension.

ACTION: Motion was made by Terry Kleintop and second by Robin Dingle to approve the requested extension of time through November 30, 2018 for the Taco Bell Land Development Plan. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 4-0.

NEW BUSINESS:

1. TACO BELL LAND DEVELOPMENT PLAN (6695 SULLIVAN TRAIL, WIND GAP, PA 18091)- SUBMISSION DATE: APRIL 27, 2018; EXPIRATION DATE: AUGUST 31, 2018:

The applicant's engineer, Mr. John Pettit, noted that they have submitted the applications for the NPDES Permit. The last plan that was submitted to the Township was essentially the same as what was previously submitted aside from a few notes altered/added on to the plan. Mr. Pettit added that there are a total of 45 parking spaces on the plan and the applicant has successfully eliminated the need for any variances with this plan.

Additionally, Mr. Pettit stated that the Highway Occupancy Permit (HOP) has been submitted and is currently being reviewed again after the applicant made some subsequent changes on their application. Details of stormwater were also changed on the plan submitted to the Township based on the Township's Engineer, Mike Kukles' comments. These changes then had to be forwarded to PennDOT for the HOP Permit.

Commissioner, Terry Kleintop, noted that the date of the plan still says April 2017. Mr. Pettit stated that within the revision box, it shows the date of when the plans were revised, which is dated August 6, 2018.

Township Engineer, Mike Kukles, went over the review letter that was supplied to the Township on September 13, 2018. For the first comment, Mr. Kukles requested the applicant provide a consolidation deed for the proposed land development in order to delineate the proper property lines. Additionally, the survey consultant firm for the applicant was changed midway through the process. Mr. Kukles just asked to have this information updated. Commissioner, Terry Kleintop, asked whether the ultimate right of way is a PennDOT issue or a Township issue. Mr. Kukles stated that this is a difficult question because of the various realignments that have taken place and it is truly just a matter of tracking down all of the little pieces that need to be put together in order to find the center line. For comment #6, that matter is being addressed.

In reference to §22-503.5.D, this may change depending on the placement of the right-of-way based on the additional survey data that is provided. Additionally, dedications have not been dedicated to date. Mr. Petrucci noted that correspondence was received from Mr. Robert Corby in reference to the Sewage Planning Module Exemption. Mr. Petrucci is currently in the process of addressing the comments and has already responded to Mr. Corby.

Mr. Kukles requested that the applicant supply a set of plans for the review/comment of the Fire Department and the Emergency Management Coordinator. Representatives of the applicant stated that if this information has not been done already, they will ensure that these documents are submitted as requested.

Concerns regarding the possible placement of a LANTA bus stop were also discussed. Such installment of these accommodations are required to be ADA compliant. The Plainfield Township Planning Commission was unsure of whether to move forward with the Lehigh Valley Planning Commission's (LVPC) recommendation for installing bus stop accommodations. Solicitor, David Backenstoe, added that the Plainfield Township Planning Commission cannot make the recommendations from the LVPC a requirement because it is not listed within the Subdivision and Land Development Ordinance (SALDO). It is Mr. Kukles' understanding that the applicant does not want to create more issues/difficulties with this plan at this point in the game if they were to move forward with the LVPC's recommendation.

Chairman, Paul Levits, questioned the life expectancy of the underground storm water storage. Township Engineer, Mike Kukles, noted that these systems have not been in existence long enough in order to have a firm and accurate life expectancy term. The placement of the SNOUTS are included in order to prolong the life expectancy as well. Mr. Kukles added that the plastic pipe has a small diameter which should last longer.

The plan will include a note stating that all deliveries will take place outside of Taco Bell's hours of operation in order to eliminate any traffic issues in the parking lot.

The following is a list of required waivers, as recommended by the Planning Commission for approval by the Board of Supervisors:

- §22-503.6.B (1) – A waiver was recommended by the Planning Commission to not require the Applicant to delineate slope ranges on the plans by shadings or markings.
- §22-503.10 and §22-1012 – A waiver was recommended by the Planning Commission to not require profiles for storm sewers, waterlines and sanitary sewers on the plans. This waiver is recommended under the express condition that accurate As-Built Plans be furnished to the Township in order to document the locations and elevations of the completed utilities.
- §22-602 – A waiver was recommended by the Planning Commission to allow these plans to be processed as Preliminary/Final.
- §22-1009.7.J – A waiver was recommended by the Planning Commission to allow the outlet control structure to be constructed of a material other than galvanized steel or concrete. The Applicant has selected high performance polypropylene as the outlet control structure material.
- §22-1009.10.A – A waiver was recommended by the Planning Commission to allow for the diameter of storm water conveyance pipes to be less than eighteen (18") inches. The Applicant is requesting to use twelve inch (12") and fifteen inch (15") pipes on-site.

- §22-1013.4.B (3) – A waiver was recommended by the Planning Commission to allow a driveway curb radius less than twenty-five feet (25’) on Sullivan Trail, which is a State Highway. The access shall be in accordance with a Highway Occupancy Permit approved by the Pennsylvania Department of Transportation.

ACTION: Motion was made by Robin Dingle and second by Jeffrey Beavan to recommend to the Board of Supervisors to grant Conditional Approval to the Taco Bell Preliminary/Final Land Development Plan under the following conditions: Sewage Planning Module Approval and/or Exemption by the Pennsylvania Department of Environmental Protection, Notification of Northampton County Conservation District Approval, Compliance with all conditions as set forth in Ott Consulting, Inc.’s Review Letter dated September 13, 2018 (a copy of which is provided herein as if more fully set forth at length), Owner Signature, Notarization, Improvements Agreement, with adequate security, Operations and Maintenance Agreement – Stormwater Easements, Fire Department and Emergency Management Coordinator Approval, PennDOT Highway Occupancy Permit (HOP) must be approved and to comply with all conditions as set forth by Ott’s review letter dated September 13, 2018. *Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public.* Motion approved. **Vote 4-0.**

At approximately 7:39 P.M., Commissioner, Robert Simpson, arrived at the meeting.

2. ORDINANCE NO. 390 (APPALACHIAN TRAIL PROTECTION PROVISIONS ORDINANCE AND APPALACHIAN TRAIL CONSERVATION DISTRICT OVERLAY MAP TRANSMITTAL- PUBLIC HEARING SCHEDULED FOR 10/10/2018):

Township Manager, Tom Petrucci, recommended to hold a public hearing in order to identify what comments/concerns that residents may have. Amendments may be needed for this ordinance depending on the feedback from residents.

Mr. Petrucci noted that the Secondary Conservation area extends over a few properties with homes. There is one parcel in particular which is very close to where it is zoned for commercial and industrial that is also located within the Secondary Conservation District. Mr. Petrucci is evaluating whether it would be necessary to move up the Secondary Conservation zone so it does not hinder any possible land development within that area. Issues with timber harvesting have also been brought up by residents as well.

PLANNING COMMISSIONERS REPORTS:

1. ***Paul Levits, Chairman-*** Mr. Levits questioned Mr. Petrucci on whether the tenants will be in front of the Planning Commission for consideration of use for the spec building located at 1380 Jacobsburg Road. Township Manager, Tom Petrucci, stated that the interior use does not apply to the Township’s SALDO and is only reviewed by the Building Code Official. Mr. Levits was under the impression that the proposed use would

need to go in front of the Planning Commission prior to occupying the structure. Solicitor, David Backenstoe, added that the applicant for this spec building met all conditions as set forth within the SALDO and their approval. From that point, the use regulation is no longer regulated by SALDO and only the Building Code Official. Mr. Petrucci added that 60% of the building is currently being occupied.

2. *Robert Simpson, Vice Chairman*- No Report

3. *Robin Dingle*- No Report

4. *Terry Kleintop*- No Report

5. *Jeffrey Beavan*- No Report

ADJOURNMENT:

Having no further business to come before the Planning Commission, motion was made by Jeffrey Beavan and seconded by Robin Dingle to adjourn the meeting. Motion approved. Vote 5-0.

The meeting adjourned at 8:04 P.M.

Respectfully submitted,

Paige Gerstenberg
Planning Commission, Secretary
Plainfield Township