

**PLAINFIELD TOWNSHIP  
PLANNING COMMISSION REGULAR MEETING  
MAY 20, 2019**

A regular meeting of the Plainfield Township Planning Commission was held on Monday, May 20, 2019 at the Plainfield Township Municipal Building located at 6292 Sullivan Trail, Nazareth, PA, 18064.

Chairman, Paul Levits, called the meeting to order at 7:01 P.M.

The Pledge of Allegiance was performed.

**ROLL CALL:**

The following Commissioners answered roll call: Chairman, Paul Levits, Vice Chairman, Robert Simpson, Terry Kleintop and Jeffrey Beavan. Ms. Robin Dingle was excused from the meeting.

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

**APPROVAL OF MINUTES:**

1. APPROVAL OF THE APRIL 15, 2019 REGULAR PLANNING COMMISSION MEETING MINUTES:

**ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to approve the April 15, 2019 Regular 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.**

2. APPROVAL OF THE APRIL 17, 2019 SPECIAL PLANNING COMMISSION MEETING MINUTES:

**ACTION: Motion was made by Terry Kleintop and seconded by Robert Simpson to approve the April 17, 2019 Special 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 3-0-1 with Jeffrey Beavan Abstaining.**

**TIME EXTENSIONS:**

1. ASGCO MANUFACTURING, INC (730 BANGOR ROAD, NAZARETH, PA 18064) LAND DEVELOPMENT PLAN:

**ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to grant an Extension of Time through August 31, 2019 for the ASGCO Manufacturing, Inc. Proposed 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. ALICE FRIEND (5866 SULLIVAN TRAIL, NAZARETH, PA 18064) MINOR SUBDIVISION/LOT LINE ADJUSTMENT:

Ms. Alice Friend has submitted an application for a lot line adjustment. Her engineer for the project, Mr. Bradford Grauel, noted that he has received the latest review letter and has new plans to submit which address the most recent comments from Township Engineer, Mike Kukles.

Township Engineer, Mike Kukles, went over his review letter. The Ott Consulting Review Letter dated May 15, 2019 by Mr. Mike Kukles is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit A"., Mr. Kukles stated that the green cards have been sent out to all necessary individuals and this requirement is now met. Mr. Grauel noted that all items on the review letter have been changed on the plan accordingly minus a few questions he still needed to ask.

In reference to the first waiver request, Mr. Kukles noted that the plan covers the major features that are necessary.

**ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to recommend a waiver from §22-703.2.F to the Board of Supervisors. 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.**

The second waiver request has been deferred until the next regular Planning Commission meeting. An issue of lot lines was also discussed. Lot lines that have been provided by the county do not match what has been recorded on the deeds for the properties involved. Mr. Kukles noted that there are lines that are missing on the plan that are currently showed on the County website. Because of the property line discrepancy, Solicitor Backenstoe recommended Mr. Grauel to contact Northampton County in order to address the property line issue. He added that Mr. Grauel should provide the meets and bounds, the deed, and the parcel information to the County. The deed does not show two parcels, however, the County does in fact show that there are two separate parcels. Solicitor Backenstoe has seen these types of issues occur many times with older homes and corresponding deeds. Mr. Grauel noted that he will contact the County in order to address this issue.

Township Engineer, Mike Kukles, redacted letter "A" under #9 of the review letter. Information will be submitted on the culvert.

**ACTION: Motion was made by Jeffrey Beavan and seconded by Terry Kleintop to recommend a waiver from §22-705 to the Board of Supervisors. *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.**

With respect to the arborvitae placement, Mr. Grauel stated that there will be a higher increase in cost. Township Zoning Officer, John Lezoche, stated that they will need to place screening in order to be in compliance with the Zoning Ordinance. The screening must be at least 4 feet high. Ms. Friend noted that it is unclear to her as to why she will need to place screening. Mr. Lezoche reiterated that this is a Zoning requirement and the only relief that the applicant can attempt to obtain would be a variance request from the Zoning Hearing Board. Township Manager, Tom Petrucci, added that the Planning Commission does not have the authority to waive this requirement.

Solicitor Backenstoe clarified that the trees to be placed for screening will be located on the property that Ms. Friend is acquiring from the Curry property owners. The zoning requirement was triggered because the new proposed property line is less than 10 feet from the existing driveway. Ms. Curry and Ms. Friend do not agree with the Zoning Ordinance and they noted that they do not like that they are being forced to install a barrier. Chairman, Paul Levits, explained the reasoning as to why this buffer requirement was put in place and added that it was a different Board that adopted the Ordinance.

**ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to recommend a waiver from §22-1020 to the Board of Supervisors. *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.**

**ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to accept the Extension of Time for the Alice Friend Minor Subdivision/Lot Line Adjustment Plan through July 31, 2019. *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.**

**ACTION: Motion was made by Terry Kleintop and seconded by Jeffrey Beavan to table the Alice Friend Minor Subdivision/Lot Line Adjustment Plan for the next regular Planning Commission meeting. *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.**

2. GRAND CENTRAL SANITARY LANDFILL (910 W. PENNSYLVANIA AVENUE, PEN ARGYL, PA 18072) LAND DEVELOPMENT PLAN (PH ADJUSTMENT BUILDING- 900 SQ. FT.):

Chairman, Paul Levits, questioned whether there are any residents in attendance specifically for this application. Mr. Earl Slutter and Mrs. Carol Slutter were in attendance for this matter.

Mr. Tom Pullar from EarthRes provided an overview for the two residents in attendance. Mr. Pullar noted that this was discussed in front of the Planning Commission previously, however, there was an issue with the green cards that was rectified after the review took place. This is the reasoning for the Planning Commission to discuss the matter once more. All owners within 200 feet of the subject property have been adequately notified. Mr. Pullar added that the pH building is meant to reduce the amount of hauling off site while also making the method more efficient in terms of the treatment process.

After the additional review between Mr. Pullar and the residents, the residents were in favor of the application and did not have any further questions. Township Engineer, Mike Kukles, discussed the waivers that were previously requested by the applicant.

Items such as the water and sanitary system, slope delineation requirements, and any redacted comments regarding water service and sewage planning were lightly discussed. Mr. Kukles stated that the plans were labeled as Preliminary/Final. He has no objection to this as long as all information requested is adequately shown on the plan. In terms of the roadway improvements, the Planning Commission recommended to the Board of Supervisors to waive the road widening requirements. In terms of the Lehigh Valley Planning Commission (LVPC) review, nothing has been received from their office to date.

**ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to recommend to the Board of Supervisors to approve the Grand Central Sanitary Landfill Land Development Plan- PH Adjustment Building (900 sq. ft.) subject to the plan addressing all comments within the Ott Consulting, Inc. review letter dated April 11, 2019 and all comments from the Emergency Management Coordinator and Plainfield Township Fire Chief. *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.**

3. JATA CONSTRUCTION/JORDAN ZAHLER (873 CONSTITUTION AVENUE, PEN ARGYL, PA 18072) WAIVER REQUEST FROM SALDO §22-1013:

Mr. Ryan Engler was in attendance from Robert Collura's Engineering Office. The contractor of the home, Mr. Jim Dotta, was also in attendance. Mr. Dotta is requesting a waiver of §22-1013. Mr. Engler noted that due to the nature of this lot located at 873 Constitution Avenue, there are some slopes on the grading plan that exceed the 10% maximum slope provisions of the Plainfield Township Subdivision and Land Development Ordinance (SALDO). Mr. Engler noted that an application has been submitted to the Township for this review along with an As-Built Plan which has been reviewed by Ott Consulting, Inc.

Mr. Engler stated that when the lot was being graded, some of the slopes went over the existing slopes that were present on the grading plan previously presented to the Township. In several locations, the slope goes up to 14%, as stated by Mr. Engler. Mr. Engler added that other local townships in the area including Washington Township allow for up to a 15% slope.

Township Engineer, Mike Kukles, went over his review letter. The Ott Consulting Review Letter dated May 20, 2019 by Mr. Mike Kukles is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit A". Mr. Kukles stated there was a subdivision, Laurel Woods Section II, which was recorded in 1999 that included this lot. Included with the recording was the approval of driveway layouts and stormwater management. Mr. Kukles read through the remaining items of his review letter at this time. Mr. Kukles also added that there are many deficiencies on the as-built plan that were not previously approved.

Commissioner, Robert Simpson, confirmed with Mr. Kukles that the approved grading plan shows the driveway slope at a maximum of 10%. Mr. Simpson questioned what happened with the driveway that it now requires a waiver for slopes as high as 14%. Mr. Dotta stated this project started last year and there were large amounts of continuous rain and he lost the majority of the summer to work on the home. Mr. Simpson added that rain does not have anything to do with this issue. Mr. Ryan Engler stated that the switchback has decorative back wall. He added the only way to alleviate the issue was to elongate the driveway. Mr. Engler stated in order to correct the driveway as-is, there is a lot of grading that would need to be done. He also noted that removing the driveway and reinstalling it may need to be done as well. Mr. Dotta stated that along Constitution Avenue, there is not one driveway that meets the 10% maximum slope requirement. Mr. Simpson stated that on the as-built, it also shows that there is a 7.5% slope for the first 20 feet of the driveway which should be a maximum of 5%. Mr. Simpson expressed that there is good reason for the 10% maximum slope ordinance especially when it comes to erosion.

Chairman, Paul Levits and Mr. Kleintop do not understand how the original plan was completed by the applicant's engineer and approved by the Township Engineer, and then it was not built as per plan. Township Engineer, Mike Kukles, stated that the home was moved 10 feet from the original site that was approved. The Planning Commission questioned Mr. Engler and Mr. Dotta as to why this home was moved without approval from Plainfield Township. Mr. Engler noted there is a wall located behind the home and the buyers of the home wanted to have more of a backyard. Mr. Dotta stated that he did not know that he was going to move the home until after coming out to the property and mapping everything out and that is when the homeowner requested to move the home. Mr. Dotta added that he made a mistake and he did not ask the Township about moving the location of the home. Commissioner, Jeffrey Beavan is concerned about the switchbacks in terms of fire access, however, this is an issue with any steep driveway. Mr. Beavan added that the foundations were most likely staked out at some point and the

plan was then shifted. Mr. Dotta should have come to the Township for official approval. He did not review any possible impacts that moving the home may cause on the proposed driveway or possible setback issues.

The Planning Commission has stressed many issues with this request considering the placement of the home was altered without official approval. Mr. Simpson added that if the applicant does not receive a waiver for their request, this is something that the Engineer needs to thoroughly review/inspect. Mr. Simpson noted that if a fire truck would need to go onto the driveway to reach the house in the event of a fire, accomplishing this may be very difficult for the fire company. Mr. Simpson requested that the fire company go out to the property and review the area to identify whether there are any additional issues that may need to be addressed including extra drainage, reservoir, etc. Mr. Beavan believes that his request is fair considering the difficulty of fire access. Mr. Simpson added that the original lots that were approved for the subdivision should have been larger in size due to the high percentage slopes in this area. Mr. Kleintop questioned Solicitor, David Backenstoe, whether the Township would be liable in any way if a waiver was provided to the applicant. Solicitor Backenstoe stated that the Township could be liable, and there is a potential issue if the waiver were to be awarded. Solicitor Backenstoe added that the Township could request a waiver from the property owner in order to release the Township on any liability.

Members of the Planning Commission requested that Mr. Dotta receive a review letter from Emergency Services/Fire Company, and have Township Engineer, Mike Kukles, review the letters from both entities and come back to the Planning Commission with any comments/recommendations regarding the plan. Solicitor Backenstoe added that if these items were considered to be acceptable, then the Township will request an Indemnification Agreement from the property owner, which should be recorded with the deed.

**ACTION: Motion was made by Terry Kleintop and seconded by Jeffrey Beavan to have Mr. Dotta submit the as-built plan to Emergency Services/Fire Company in order to obtain a review letter and to have Township Engineer, Mike Kukles, review the letters from both entities and come back to the Planning Commission with any comments/recommendations. *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.**

**ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to table the waiver request from SALDO §22-1013 for 873 Constitution Avenue. *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.**

4. CONSERVATION DEVELOPMENT ORDINANCE- DATED 1/7/19 DRAFT:

Mr. Petrucci stated that the most recent version of the Conservation Development Ordinance is dated January 7, 2019. From the last time the Planning Commission discussed this matter, not many changes were made. There were questions regarding a contiguous tract and whether further clarification is necessary for proper interpretation. Mr. Petrucci added that the intent was to further define a “contiguous tract” in order to restrict a contiguous tract in the Township. Solicitor, Dave Backenstoe, Township Engineer, Mike Kukles and Mr. Petrucci will meet together in order to discuss the draft and go through the document more thoroughly.

5. REVIEW OF WAREHOUSE/DISTRIBUTION USE RECOMMENDED LOCAL AND REGIONAL PLANNING PROVISIONS:

Township Manager, Tom Petrucci, stated that the Board of Supervisors noted that the Township should begin reviewing planning provisions for local and regional Warehouse/distribution uses. Topics of discussion for provisions will include maximum height of warehouses, etc. Mr. Petrucci noted that this will need to be discussed based on the projected future economy. Mr. Petrucci went through the FHWA recommended provisions for warehouses and included key provisions closely related to Plainfield Township for both local and regional planning provisions. He added the key component is that there should be a lounge for truck drivers and areas for tractor trailers to be parked. His recommendation is to create a place where tractor trailers are not parking along the road which can create a hazard.

Mr. Kleintop stated that the Lehigh Valley Planning Commission (LVPC) has made some very good points regarding warehouses and manufacturing facilities. Mr. Kleintop referenced the recent warehouses approvals/proposals for Plainfield Township. Mr. Simpson is concerned about how these warehouses and any changes made to the ordinance may impact Plainfield Township. Mr. Simpson added that there are already existing traffic issues in the area. He stressed the importance of requiring traffic studies and road improvements within the ordinance for proposals of warehouses and manufacturing.

Mr. Kleintop added that he would like to see more of what Hanover Township has in reference to ordinances for these uses/structures. He believes that Hanover Township and Lower Mack Township would have a lot of experience in terms of warehouse placement. Mr. Petrucci is looking to expand his research further than local municipalities and will also be reviewing global provisions.

Mr. Simpson noted that there will be a high level of conversation that will take place regarding this matter, therefore, he recommended the Planning Commission hold a meeting once a month that is dedicated to the discussion of Warehouses/Distribution Uses in the Township. Chairman, Paul Levits, added that the warehouses and logistics

centers are different in nature and as such, this needs to be thoroughly reviewed/discussed. It was noted that high ceiling structures should be placed only within the Highway Interchange Zoning District. Mr. Petrucci will conduct additional research and the Planning Commission will discuss this matter at a later date.

Chairman, Paul Levits, added that JERC Partners, Inc. has provided a letter to the Township that the applicant would like to move their matter to the next regular Planning Commission meeting date. Commissioner, Jeffrey Beavan, stated that he will need to abstain from that review due to a conflict of interest.

**ADJOURNMENT:**

Having no further business to come before the Planning Commission, motion was made by Robert Simpson and seconded by Terry Kleintop to adjourn the meeting. Motion approved. Vote 4-0.

The meeting adjourned at 9:56 P.M.

Respectfully submitted,

Paige Stefanelli  
Planning Commission, Secretary  
Plainfield Township