

**PLAINFIELD TOWNSHIP
PLANNING COMMISSION REGULAR MEETING
JUNE 17, 2019**

A regular meeting of the Plainfield Township Planning Commission was held on Monday, June 17, 2019 at the Plainfield Township Municipal Building located at 6292 Sullivan Trail, Nazareth, PA, 18064.

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

The Pledge of Allegiance was performed.

ROLL CALL:

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

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 MAY 13, 2019 SPECIAL PLANNING COMMISSION MEETING MINUTES:

ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to approve the May 13, 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 4-0-1 with Jeffrey Beavan abstaining.

2. APPROVAL OF THE MAY 20, 2019 REGULAR PLANNING COMMISSION MEETING MINUTES:

ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to approve the May 20, 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 5-0.

TIME EXTENSIONS:

1. JERC PARTNERS (550 MALE ROAD, WIND GAP, PA 18091) EXTENSION OF TIME REQUEST THROUGH DECEMBER 31, 2019:

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to grant an Extension of Time through August 31, 2019 for the JERC Partners Proposed Land Development Plan located at 550 Male Road, Wind Gap, PA 18091. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 4-0-1 with Jeffrey Beavan abstaining.

OLD BUSINESS:

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

Township Manager, Tom Petrucci, noted that he received a letter from the applicant, Mr. Jim Dotta, requesting to table this matter.

ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to table the waiver request for 873 Constitution Avenue requested by Mr. Jim Dotta. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 5-0.

2. JERC PARTNERS (550 MALE ROAD, WIND GAP, PA 18091):

Mr. Matt Chartrand from Bohler Engineering was present on behalf of the applicant. He stated that the applicant appeared in front of the Zoning Hearing Board in order to receive relief on the height of the building. Relief was granted to have a building with a height of 46 feet (Zoning Hearing Appeal #2019-01). Mr. Chartrand noted this lot is a 23 acre site with a proposed 320,000 square foot industrial warehouse building. The lot is located within both Plainfield Township and Wind Gap Borough. South of the plan is Route 33. Mr. Chartrand would like to receive feedback from the Planning Commission regarding the waiver requests. The applicant will be meeting with Wind Gap Borough on July 11, 2019 for their review. The review letter from Ott Consulting will be addressed at a later date with a full resubmission. He added that it is more reasonable to discuss the waivers at this time due to the length of the review letter.

Mr. Chartrand provided an updated waiver list to the Planning Commission. The Bohler Engineering letter dated June 17, 2019 by Mr. Matthew Chartrand is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit A". He stated that the first two waivers are both in regards to a Preliminary/Final Plan review. He would like to work with Township Engineer, Mike Kukles, directly in order to resolve the items on the comment letter. Commissioner, Terry Kleintop, stated that he is in favor of a slower process. The remaining Commissioners have agreed with his statement. Mr. Chartrand intends to rectify the comments in the review letter so there are not as many outstanding items. He will come back to the Planning Commission once that

has been completed in order to request a waiver from SALDO Part 5 and Part 6. Chairman, Paul Levits, added that there needs to be an extensive review due to working with Wind Gap Borough on the review process. He added that a lot of communication needs to take place.

§22-503-.1.B(1) is the third waiver being requested by the applicant. This waiver is to allow for a 30" x 42" plan sheet in lieu of the required 24" x 36". He added that this will allow for the entire site project to be included on one sheet instead of having multiple sheets. Township Engineer, Mike Kukles, has no objection to this request as long as all information is shown clearly on the plan. Solicitor Backenstoe provided direction for the Planning Commission regarding their options on voting waivers for this project. Solicitor Backenstoe noted there is no issue with voting on more simple requests such as this waiver request. Mr. Chartrand added that this will be requested from the Wind Gap Planning Commission as well.

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to recommend to the Board of Supervisors to approve the waiver request for §22-503-.1.B(1) for the JERC Partners Proposed Warehouse 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 4-0-1 with Jeffrey Beavan abstaining.

With respect to §22-503.4.C, the applicant is requesting a partial waiver of existing conditions. Mr. Chartrand added that this is beyond the scope of their project. The applicant will do their best to locate all existing facilities on the plan. Chairman, Paul Levits, questioned if there are stormwater/elevation changes. Mr. Kukles stated that there is no direct impact from Route 33. Mr. Kukles is not sure of the intention of the previous Board that adopted this ordinance.

In reference to the water going into Little Bushkill Creek, this information will need to be provided in order to determine all other information that may need to be included on the plan. Mr. Chartrand stated that there is an offsite analysis that shows what is discharging from the site. All documentation/information regarding the Department of Environmental Protection (DEP) and the Conservation District will be provided to the Township Engineer. Features shall include natural features aside from stream locations, drainage and stormwater. The Planning Commission requested the applicant to consider any and all information regarding water and natural features to be placed/identified on the plan. Mr. Chartrand stated that the wetland areas will not be disturbed as there will be retaining walls that will be installed to preserve the wetlands. He added that a wetland survey of the entire site will also be provided. Spray irrigation will take place on the southern portion of the site.

Mr. Kleintop questioned whether Mr. Chartrand identified any waters coming from the proposed location that will be going into the marsh area under the highway. Mr. Chartrand will ensure that the discharge stays consistent with the pre-development plans and post-development plans. He added that the wetlands currently discharge onto the other side of Route 33. Their intent is to ensure that all current discharges will remain the same throughout the process with no additional impact. The Planning Commission did not choose to vote on this waiver request at this time.

§22-1005.2 of the Subdivision and Land Development Ordinance was the fifth waiver being requested. This request was to allow the use of Belgian Block Curb on-site in lieu of concrete curb. This request is being made for aesthetic and maintenance purposes. The proposed curb side will only be placed on site. Mr. Simpson questioned whether this proposal is less durable than concrete. Mr. Chartrand noted that the developer has been using this type of barrier for a long period of time and is considered as their standard for all of their projects. There are areas along the property that have a concrete edge and some areas do not have an edge at all. Mr. Chartrand added that this will be more aesthetically pleasing to the eye.

Mr. Kleintop mentioned the Zoning Hearing that took place with respect to 550 Male Road. He noted that the building was being proposed as environmentally friendly. Mr. Chartrand stated that the developer intends to make this a first-class facility within the means of what they are able to pursue. They want to make the warehouse look as pleasing as possible. Mr. Chartrand provided a 3-D rendering of the proposed building. This warehouse has multiple colors and takes on the structure in order to give it a different feel.

Commissioner, Robin Dingle, questioned the possibility for portions of stormwater not to be captured through the drainage shown on the plans due to the addition of Belgian Block Curb. She also questioned how the applicant can assure the Planning Commission that there will not be an additional erosion area. Mr. Chartrand stated that the same thing can occur with concrete with respect to the Belgian Block Curb. He added that they will need to seal the portion of the curb and continue maintenance to ensure that any drainage running along the curb line is captured appropriately.

ACTION: Motion was made by Robert Simpson and seconded by Chairman, Paul Levits, to recommend to the Board of Supervisors to approve the waiver request for §22-1005.2 for the JERC Partners Proposed Warehouse Land Development Plan conditional upon the Township holding no responsibility with respect to maintenance or other issues with the proposed Belgian Block Curb installation. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Motion approved. Vote 4-0-1 with Jeffrey Beavan abstaining.

§22-1009.10.A is a partial waiver request to allow for a minimum roof drain pipe size in lieu of an 18" pipe. Mr. Chartrand stated that the conveyance calculations will be submitted to the satisfaction of the Township Engineer. Township Engineer, Mike Kukles, stated that the determination would be based on how many of these pipes would be proposed for the entire building. Mr. Chartrand stated that Wind Gap Logistics (1380 Jacobsburg Road) had 12" pipes installed as well, to the best of his knowledge. Township Engineer, Mike Kukles, will advise his recommendation to the Planning Commission once the revised plans are submitted.

Mr. Simpson questioned about whether there will be substantial grade change. Mr. Chartrand stated there will be approximately a 50 foot difference. The driveway placement controlled where the location of the building needed to be. Additionally, there was a low point on the land that needed to be connected. The applicant is intending to refrain from being within close proximity. Mr. Chartrand noted that it is not in the best interest of the applicant/developer to grade areas beyond necessary disturbance. He feels this is the minimum amount of grading to conduct in order to install the proposed building.

The main intent for this facility will be for exporting. In reference to traffic, two various scenarios were discussed. The first scenario is if traffic were to come from Male Road. Modifications made to the timing of the light at S.R. 512 and Male Road will be conducted. During the morning peak hour, there will be approximately 10 trucks coming into/out of the facility. During the afternoon peak hour, there will be approximately 13 trucks. The applicant noted that each tenant will have various truck import/export needs.

Mr. Kleintop noted the wooded area in the corner of the property. He questioned whether the applicant sees any issue with Wind Gap allowing for the removal of the wooded lot area. Mr. Chartrand stated that they will be maintaining a portion of the wooded area and will be installing a retaining wall which will not allow for any grading in this area. The property looks different in shape and size on the proposed plans versus what is existing due to their plans for purchasing an adjoining lot which will allow for additional space. The access drive will be located in the rear of the building with a gate and breakaway chain. This will be for emergency access only and no through traffic will be permitted. Additionally, there is an easement for access already in place for the property.

The applicant intends to receive a review letter from Wind Gap Borough in the coming weeks. Once that has been received, their hope is to submit one full submission to both Wind Gap Borough and Plainfield Township addressing all comments at once.

ACTION: Motion was made by Robert Simpson and seconded by Terry Kleintop to table the Land Development Plan Proposal for JERC Partners located at 550 Male Road. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from

the governing body or the public. Motion approved. Vote 4-0-1 with Jeffrey Beavan abstaining.

3. REVIEW/COMMENT ON PROPOSED PLAINFIELD TOWNSHIP OFFICIAL MAP AND PROPOSED CORRESPONDING OFFICIAL MAP ORDINANCE:

Township Manager, Tom Petrucci, stated that the Lehigh Valley Planning Commission, Plainfield Township Board of Supervisors and Plainfield Township Environmental Advisory Council have reviewed the current draft of the proposed Plainfield Township Official Map/Ordinance. Stockertown Borough and Bushkill Township have also been copied on the most recent version. Mr. Petrucci noted that some of the provisions were lifted verbatim from the Municipalities Planning Code (MPC). July 10th, 2019 is the first scheduled public meeting, however, Mr. Petrucci can deviate from this meeting date if needed.

He noted the meets and bounds will need to be obtained by a professional surveyor prior to any potential acquisition of land. Ms. Dingle questioned who will be responsible for the cost of the survey. Mr. Petrucci stated that funds would be removed from Open Space EIT Funds. Solicitor Backenstoe added that if the Township is the entity taking land, then the Township shall be liable for surveyor costs. He added that at the time of acquisition of land, property lines and other necessary information should be as accurate as possible.

E-mapping was utilized for the placement of the streams. Mr. Petrucci confirmed that some of the waterways provided (or lack thereof) from the Department of Environmental Protection (DEP) maps were not accurate. Ms. Dingle stated that the Township needs to go by a standard for the waterway locations. She added that the DEP maps could be utilized as a base and if there is a discrepancy with location or the landowner has a difference of opinion, then the Township can further identify whether any issues are present with respect to the mapping. Ms. Dingle requested that this information is inserted within the ordinance in order for further clarification on the waterway identification matter.

Members of the Planning Commission were in agreement of making the maps more accurate as they do not want identifications on the map that are erroneous. Mr. Petrucci will hold a discussion meeting with Township Engineer, Mike Kukles, and Mr. Jason Smith from Hanover Engineering. Township Engineer, Mike Kukles, stated that if the Township were to alter their mapping to the County standard, there will be additional areas that would be added to the current map. Mr. Simpson is not interested in expanding the map any further. Mr. Petrucci stated that the map is focused on the areas surrounding the trail and riparian corridors along with a few culverts to be replaced. The remaining areas are considered priority after extrinsic review. Mr. Petrucci noted an additional change was made. He added that any submission other than a land development will have a maximum of 120 days for review. Prior to this change, the maximum was 365 days

(one year). This ordinance would also have a 10 year reservation period instead of perpetuity. This will allow for any needed changes to be made.

Solicitor Backenstoe stated that at previous meetings, the residents believed that any greenway designation meant that the Township was taking away their land. He added that the areas within the greenway designation coincides with most Zoning regulations for Plainfield Township. Solicitor Backenstoe explained the process and all designations on the map to the residents in attendance at the last Board of Supervisors meeting.

Mr. Petrucci stated that at the top of the green designation within the Blue Mountain District, there is a portion to the upper right hand corner that was not included in the official map. The portion was not originally included because the highlighted greenway areas were only designated within a certain footage of the trial. Mr. Petrucci recommended that this portion be added in order to coincide with the Comprehensive Plan. The Planning Commission was in agreement with this recommendation. Mr. Petrucci will meet with Mr. Mike Kukles, and Mr. Dan Mantz from Ott Consulting, Inc. in order to provide a newly revised draft of the map. Once the draft is revised, the draft map will be advertised once more. Mr. Petrucci stated that the official map will be revised in accordance with the discussion that took place.

Mr. Mike Brennon with Waste Management noted that he submitted a letter of opposition to Plainfield Township. He has two objections with the current draft of the official map. Mr. Brennon believes this map is undue restriction to property owners which is unnecessary. Additionally, there are two spur areas which include Buss Street and the easement area which Mr. Brennon requested to have removed. He noted that keeping the easement area on the Official Map constitutes a breach of agreement.

Mr. Petrucci further explained the intent of the easement which is currently a haul road. He added that the Township currently owns the easement area and once Waste Management closes, the haul road must revert back to the Township. Solicitor Backenstoe stated that Plainfield Township owns the access way. However, Waste Management has the right to use it for access. Solicitor Backenstoe added that he does not believe that Waste Management can install anything that would be permanent which would have the potential to hinder Plainfield Township in any future planning/use of the area. From a legal standpoint, Solicitor Backenstoe does not see the issue with identifying the easement area on the official map. This has been identified as a potential sensitive area. The Township would not be taking anything away from Waste Management. Mr. Brennon appreciates that a change was made for a maximum of 120 days for review for all applications not including Land Developments. Ms. Adrienne Fors stated that additional vehicles will utilize the access road after Waste Management ceases operations. Mr. Petrucci stated that the easement references "other improvements". He questioned Mr. Brennon on what they may be intending to develop. Mr. Brennon stated that they are not intending to develop at this time. Mr. Petrucci stated that if this road is strictly used as a haul road, the provisions of the map would not hinder their use. Ms.

Dingle noted that this situation is the same as every other property or area that has been identified on the map. All property owners will need to go through the process in an appropriate manner. Mr. Petrucci will review the matter with Solicitor Backenstoe.

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

Mr. Petrucci noted that he recently held a meeting with Solicitor Backenstoe and Township Engineer, Mike Kukles. A new draft is in the process of being created. As it currently stands, the ordinance is too complex and will need to be simplified as recommended by Solicitor Backenstoe. Mr. Petrucci will remove additional layers that do not clarify the content. The final draft will be a clean enforceable ordinance. This matter will be discussed at the next meeting.

In terms of the next Synagro meeting, Mr. Petrucci will contact all necessary personnel in order to schedule the meeting.

ADJOURNMENT:

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

The meeting adjourned at 9:12 P.M.

Respectfully submitted,

Paige Stefanelli
Planning Commission, Secretary
Plainfield Township