

**PLAINFIELD TOWNSHIP
PLANNING COMMISSION REGULAR MEETING
JANUARY 20, 2020**

A regular meeting of the Plainfield Township Planning Commission was held on Monday, January 20, 2020 at the Plainfield Township Municipal Building located at 6292 Sullivan Trail, Nazareth, PA, 18064.

Solicitor, David Backenstoe, called the meeting to order at 7:00 P.M.

The Pledge of Allegiance was performed.

ROLL CALL:

The following Commissioners answered roll call: Paul Levits, Robert Simpson, 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.

REORGANIZATION:

1. Appointment of Chairman/Chairperson:

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to appoint Mr. Paul Levits as Chairman of the Plainfield Township Planning Commission. *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 Paul Levits abstaining.

2. Appointment of Vice Chairman/Chairperson:

ACTION: Motion was made by Robin Dingle and seconded by Terry Kleintop to appoint Mr. Robert Simpson as Vice Chairman of the Plainfield Township Planning Commission. *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 Robert Simpson abstaining.

APPROVAL OF MINUTES:

1. Approval of the December 16, 2019 Regular Planning Commission Meeting Minutes:

ACTION: Motion was made by Robin Dingle and seconded by Jeffrey Beavan to approve the December 16, 2019 Regular Planning Commission Meeting Minutes. 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 requested through March 31, 2020:

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to approve the Extension of Time request through March 31, 2020 for the JERC Partners (550 Male Road, Wind Gap, PA 18091) 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.

Solicitor, David Backenstoe, provided an update regarding the Subdivision proposal regarding the JERC Partners property located at 550 Male Road. He noted that the subdivision is currently taking place within Wind Gap Borough. As it is submitted, the final consensus is that Plainfield Township does not have jurisdiction on the subdivision proposal as the subdivision is solely taking place within Wind Gap Borough. Solicitor Backenstoe added that the applicant is going in front of Wind Gap Borough tomorrow night for possible approval. Wind Gap Borough requested a letter from Plainfield Township acknowledging the subdivision.

Solicitor Backenstoe believes the Township will need to sign the subdivision plan at the time of recording due to a portion of the property being located within Plainfield Township. Solicitor Backenstoe stated that the applicant, JERC Partners, should submit a courtesy copy to the Board of Supervisors with a cover letter notating their understanding that the Township does not have jurisdiction on the subdivision plan, however, in the event that the Township does, to grant a waiver in order to waive the need for review by Plainfield Township.

NEW BUSINESS:

1. Jonathan Lock (517 Clyde Street, Nazareth, PA 18064): Sketch Plan (Reviewed by Hanover Engineering):

Mr. Jonathan Lock was present with his Engineer, Mr. George Collura. He stated that his intent is to perform a minor subdivision located at 517 Clyde Street. The one parcel tract would then be split into two separate parcels. Mr. Lock informed the Planning Commission that this lot was previously approved for an apartment complex. However, he is now only proposing a new single family dwelling on lot #2. Prior to the submission of a minor subdivision, Mr. Lock wanted to first submit a sketch plan of his intentions

which is currently being reviewed. Mr. Charles Unangst from Hanover Engineering provided the review for this sketch plan as there was a conflict of interest with the Applicant and Ott Consulting, Inc. Mr. Jason Smith, on behalf of Mr. Unangst from Hanover Engineering discussed the review letter. The Hanover Engineering Review Letter dated January 15, 2020 by Mr. Charles Unangst is hereby incorporated for reference in these minutes as though it were more fully set forth at length as “Exhibit A”.

Chairman, Paul Levits, questioned about the proposed driveway. Mr. Smith noted that an easement would be recorded based on the proposed plan and added that a driveway on each lot is also possible if the shared driveway would not work. Mr. Smith stated that the only issue with the separate driveways is that the applicant will not meet the 10’ setback requirement and may need a variance from the Zoning Hearing Board. Mr. Kleintop suggested the applicant proposing a driveway on each lot in order to eliminate possible issues with two property owners sharing the driveway. Mr. Beavan added that the grading proposed looks to be feasible.

Mr. Smith also recommended screening to be installed in the event that there would be two driveways installed. Members of the Planning Commission questioned about the access onto Sullivan Trail and whether that would be used as a main access for lot #2. Mr. Jonathan Lock, Jr. (son of Jonathan Lock) stated that the access to Sullivan Trail used to be the main access for 517 Clyde Street, however, his father purchased a portion of land off of Clyde Street which was then designated for access. If for any reason Mr. Lock would need to use Sullivan Trail for access, he is still able to do so. The possibility of using the access from Sullivan Trail was also discussed.

Solicitor, David Backenstoe, stated that the applicant has the right to use the driveway how it is currently situated on the plan and also has the possibility of having one driveway on each lot. Township Zoning Officer, John Lezoche, stated that the applicant would need to obtain zoning relief for lot frontage and the proposed driveway(s). If the applicant is not able to obtain relief from the Zoning Hearing Board, they can then utilize the existing access off of Sullivan Trail. Additionally, the applicant can have a fence or shrubbery for the buffer of the driveway(s).

2. Northampton County- Two Rivers Trail (669 Washington Street, Easton, PA 18042):
Minor Subdivision:

Mr. Sean Policelli from Gilmore and Associates was present on behalf of the applicant, Northampton County. Mr. Policelli stated that the current property is a 1.5 acre lot with the purpose of extending the Two Rivers Trail. Mr. Policelli stated that the applicant will resubmit plans in February due to changes to the plan as well as mailing out Certified Mailings to all property owners within 200 feet of the parcel.

It was questioned whether the applicant should resubmit the plan as a Major Subdivision or continue to reference the plan as a Minor Subdivision. Mr. Policelli stated that this is a low volume area. He added that Northampton County is purchasing the lot in order to convey it to the Township. Mr. Petrucci stated that if the Planning Commission does not

feel that this proposal would be a major impact, he recommended the Planning Commission moving forward with the review as a Minor Subdivision. A waiver from §22-202 would be required in order to proceed with the review as a Minor Subdivision. Mr. Petrucci added that within the Subdivision and Land Development Ordinance (SALDO), it does not seem that the Township took into consideration recreational development as this does not necessarily qualify as residential nor commercial use. Mr. Policelli stated that they will resubmit the plan with all formal waiver requests stated on the plan.

Mr. Bryan Cope from Northampton County was present at the meeting. He stated that Norfolk Southern provided a buffer area from the existing railroad in order to keep any trail occupants away from the railroad. This portion of the railroad is strictly utilized for stacked cars. Norfolk Southern is intending to maintain their normal routine with the railroad on their portion of land. It has also been confirmed that there are no wetlands located on the property. All items within the review letter will be referenced or corrected on the plan.

Solicitor Backenstoe stated that the applicant will need to submit a formal waiver request, send out all certified mailings to each property owner within 200' of the property lines and to submit all necessary plans and corresponding documents to the Lehigh Valley Planning Commission (LVPC).

ACTION: Motion was made by Robert Simpson and seconded by Jeffrey Beavan to table the Northampton County Two Rivers Trail Minor Subdivision Plan. 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.

3. Chandler Estates (1569 Teels Road, Pen Argyl, PA 18072): Minor Subdivision:

Mr. Karl Scherzberg from Keystone Consulting Engineers was present on behalf of the applicant, Ms. Jolene Kinney. Mr. Scherzberg stated that the proposed subdivision was previously submitted as a Sketch Plan. Since then, major changes were made based on the recommendations of the Planning Commission. Mr. Scherzberg added that the current Land Development Plan has been approved for four (4) phases. The final phase, Phase 4, was reviewed and approved by the Plainfield Township Planning Commission.

The current subdivision is proposing to divide one lot into two separate lots for financial reasons. Township Zoning Officer, John Lezoche, stated that there will be an issue with proposed lot #2 for the use. Township Engineer, Mike Kukles stated that a covenant on the plan will satisfy that concern.

The Ott Consulting Review Letter dated January 17, 2020 by Mr. Mike Kukles is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit B".

In reference to line item #25 from the review letter, Mr. Kukles recommended a blanket easement. Mr. Petrucci questioned whether there was any type of approval or correspondence from Wind Gap Municipal Authority regarding sewage for lot #2. Mr. Scherzberg stated that they did not submit anything to Wind Gap Municipal Authority but do plan to submit a request shortly. Mr. Mike Kukles redacted the phrase “Conditional Use” from the last sentence in line item #1 under Zoning within his comment letter.

The following waivers were discussed by the Planning Commission:

ACTION: Motion was made by Jeffrey Beavan and seconded by Robert Simpson to approve the waiver request for §22-703.1.C to allow for a scale of 1”=60’ as the size of the overall tract makes the scale appropriate. *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.

ACTION: Motion was made by Robin Dingle and seconded by Jeffrey Beavan to approve the waiver request for §22-703.3.B as this subdivision does not propose any lot disturbance or grading. *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.

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to approve the waiver request for §22-705 as the applicant has already previously paid recreational fees due to the previous Subdivision Plans that were submitted to the Township and approved. *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.

ACTION: Motion was made by Terry Kleintop and seconded by Jeffrey Beavan to table the Minor Subdivision Plan for Chandler Estates located at 1569 Teels Road, Pen Argyl, PA 18072. *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.

OLD BUSINESS:

1. Revised Domesticated Chickens Ordinance- 1.13.2020 (DRAFT); Accessory Structures/Buildings and Existing Non-Conforming Residential Uses Conflict- Proposed Solution:

Township Manager, Tom Petrucci, stated that the Board of Supervisors made a few changes to the proposed chicken ordinance. Guinea hens and turkeys were removed from the ordinance. Additionally, the Board felt that the amount of chickens allowed on certain acreage were too high. Members of the Board were interested in imposing a limit of 24 chickens maximum. Mr. Petrucci provided an amendment which identifies the permitted amount of chickens for each lot.

Ms. Robin Dingle requested that in reference to existing water wells, that the wording “natural water bodies” be added so that residents do not dump any waste in or near the streams. Members of the Planning Commission stressed that the limited amount of chickens allowed in the ordinance may hinder individuals within the Farm and Forest Zoning District that have larger lots. Members also requested to include all fowl, and not to exclude the ordinance just to chickens. Mr. Petrucci stated that he will change chickens to domesticated fowl. Mr. Petrucci will also add an additional category for any property 10 acres or more can have an unlimited amount of domesticated fowl.

Mr. Petrucci questioned Solicitor Backenstoe on how some of the problem areas in the Township can be handled currently without the ordinance. Solicitor Backenstoe stated that the Quality of Life Ordinance can address the nuisances that the issue properties create. Solicitor Backenstoe and Mr. Petrucci will work on a solution to address already existing issues in the Township with respect to fowl.

ACTION: Motion was made by Terry Kleintop and seconded by Robert Simpson to proceed with the Domesticated Chickens Ordinance to the Board of Supervisors for review with the exception of allowing for 24 chickens on lots of 3 acres up to 10 acres and anything greater than or equal to 10 acres is unlimited. *Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public.* Motion approved. Vote 4-1 with Chairman, Paul Levits opposed.

ADJOURNMENT:

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

The meeting adjourned at 9:06 P.M.

Respectfully submitted,

Paige Stefanelli
Planning Commission, Secretary
Plainfield Township