

**PLAINFIELD TOWNSHIP
PLANNING COMMISSION REGULAR MEETING
JULY 19, 2021**

A regular meeting of the Plainfield Township Planning Commission was held on Monday, July 19, 2021 at the Plainfield Township Municipal Building located at 6292 Sullivan Trail, Nazareth, PA, 18064.

Chairman, Paul Levits, called the meeting to order at 7:03 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 Glenn Geissinger.

Also present were Township Manager, Tom Petrucci, Secretary, Paige Stefanelli, Zoning Officer, Sharon Pletchan, Solicitor, David Backenstoe, and Township Engineer, Jeffrey Ott.

APPROVAL OF MINUTES:

1. Approval of the June 21, 2021 Regular Planning Commission Meeting Minutes:

ACTION: Motion was made by Robin Dingle and seconded by Glenn Geissinger to approve the June 21, 2021 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 4-0-1 with Robert Simpson abstaining.

OLD BUSINESS:

1. Act 537 Official Plan Update Revisions- Comments for Consideration:

Township Manager, Tom Petrucci, stated that he received multiple comments regarding the Act 537 Official Plan update. Mr. Petrucci recommended the Township form a committee in order to discuss the issues with respect to the Plan update. Board member, Jane Mellert, Township Manager, Tom Petrucci, as well as Planning Commission member, Terry Kleintop will be meeting with Ms. Mary Beth Peters to discuss the Act 537 Official Plan Update.

NEW BUSINESS:

1. Bub Herfurth Jr. (6092 Sullivan Trail, Nazareth, PA 18064) Site Plan Application:

The applicant's engineers, Mr. Karl Scherzberg and Mr. Austin Maltese were present from Keystone Consulting Engineers. Mr. Thomas Harper, the applicant's attorney, was also present from Zator Law. Mr. Scherzberg indicated that the previous plan provided to the Planning Commission was approved with conditions. Since that plan approval, Mr. Herfurth decided to completely demolish the current structure instead of repairing said structure. The new plan submitted to the Township for review shows various changes that were made. Mr. Scherzberg indicated waivers that will need to be discussed based on the fact that this project is for a new building which would trigger the requirement for a Land Development Plan submission instead of a Site Plan review. Mr. Scherzberg indicated the new plan indicates a complete upgrade to the property based on what is currently existing. Solicitor Backenstoe clarified that although the building is new, the use of said structure will not be altering.

Township Engineer, Jeff Ott, provided an overview of the proposed project. The Ott Consulting, Inc. Review Letter dated July 16, 2021 by Mr. Jeffrey Ott is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit A". Mr. Ott stated the 0.72 acre property is located to the east of Sullivan Trail (S.R. 1005, Major Collector), between Aspen Street and Fulmer Road within the Suburban Residential (SR) Zoning District. The site is currently used for the Lehigh Valley Meats business. Mr. Ott indicated access to the site is provided by the existing road frontage along Sullivan Trail. The site is currently served by existing public water. Sewage for the business is on-lot. He added the applicant is proposing to demolish the existing 7,953 square foot building and construct a new 7,700 square foot building for the same use. Mr. Ott added that much of the existing pavement along Sullivan Trail will be removed to create a defined access point, and the parking areas will be reconfigured. The existing septic system is proposed to be repaired, and it appears the existing water supply will remain unchanged.

Solicitor Backenstoe added that the Planning Commission is reviewing this project for a Special Exception use as well as a Site Plan review. He added that the applicant is not proposing to enlarge the footprint but will be altering the footprint. Zoning Officer, Sharon Pletchan, indicated that the applicant also previously discussed with her the possibility of adding canopies on the property. She added that if this were to be the case, the existing impervious and building coverages would be over the threshold. If the applicant moves forward with the installation of canopies, approval will be needed. Township Manager, Tom Petrucci, questioned the Planning Commission on their stance for a Land Development Plan submission versus a Site Plan submission. Ms. Pletchan indicated that she does not believe a Land Development Plan submission is required. Mr. Ott added that Site Plan requirements are already quite stringent. He added that PennDOT, PA DEP, sewage, stormwater, grading, etc. are all included with Site Plan reviews.

In reference to paragraph 9, it was questioned whether the applicant can provide some type of fencing or buffer. Since this property is commercial, fencing does not need to be 2 feet from the property line. Mr. Herfurth indicated that fencing can be installed. Mr. Ott

further clarified that a buffer/fence should be installed on the northern property line between the existing uses and adjoining residential uses. Mr. Scherzberg was amendable to that request and changes will be made to the plan. He added that calculations were also provided for fire truck access around the building. Ms. Pletchan added that the Township does not currently have a lighting plan. A lighting plan must be submitted to assess any possible glare issues.

Mr. Herfurth indicated that the adjoining property owners, Mr. and Mrs. Fulmer, provided temporary use of their lot for the storage of materials for the new structure. Mr. Brian Fulmer was present and noted they had no issues with the use of their lot temporarily.

Mr. Herfurth is currently proposing stone for the majority of the parking area. Ms. Dingle questioned how the parking area will be maintained including the parking lines. Mr. Ott indicated bumper blocks will be installed. Mr. Petrucci questioned about refrigerator installation and whether the new building will have better control of the noise emanating from the refrigerators. Mr. Herfurth stated the decibel range will be lower in units as well as being more efficient and less noisy. Mr. Herfurth added that the trailer with the compressor on the property is currently being utilized for the refrigeration, however, this is temporary in nature. He noted that this will be removed once the building construction can be resumed.

The Plainfield Township Zoning Officer Review Letter dated July 14, 2021 by Ms. Sharon Pletchan is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit B". Ms. Pletchan indicated an issue with building coverages and mentioned the current proposed building coverage is about 28.1%. However, the maximum is 20% for building coverage per the Township Zoning Ordinance. Ms. Pletchan also noted there is no evidence provided for an alternate/secondary sewage disposal system and clarification was requested. In terms of location for the septic and pump, Mr. Ott indicated it is currently on the property. However, the pump discharges to a tank type system which is located on the Fulmer property. Ms. Pletchan stressed that a secondary system is required. Mr. Herfurth will work on this issue.

Mr. Kleintop questioned about the water usage at the property. Mr. Herfurth stated that they are using a lot of water currently due to many issues with the facility. He added that rebuilding the structure will solve a lot of these issues. Ms. Pletchan added that the right of way needs to be shown with recording information of the plan. Easements also need to be determined. In addition, drainage needs to be corrected on the plan. Mr. Scherzberg indicated the areas of pavement to be removed are going to be stabilized with grass. Lighting was also a concern. Ms. Pletchan indicated that there are 32 external lights depicted on the plan. Details of the lighting was requested. Mr. Scherzberg noted all changes will be made to the plan and resubmitted for review.

ACTION: Motion was made by Terry Kleintop and seconded by Robin Dingle to table the Site Plan and Special Exception review for Lehigh Valley Meats located at

6092 Sullivan Trail, Nazareth, PA 18064. Prior to the vote, Chairman, Paul Levits, asked if there were any comments from the governing body or the public.

Mr. Petrucci questioned whether the applicant will be willing to grant an extension. Mr. Herfurth stated that he is in agreement with an extension and will provide the necessary documentation tomorrow for an extension through October 31, 2021.

Motion approved. Vote 5-0.

2. McDonald's USA, LLC. (1036 S. Broadway, Wind Gap, PA 18091) Special Exception Application:

The applicant's engineer, Mike Jeitner, from Bohler Engineering was present along with the applicant's attorney, Mr. Tom Schlegel, Mr. Zack Rupert with McManus and Associates, Mr. Ed Mack from McDonalds Corporation and Mr. Mike McIntyre whom is the owner of the McDonalds.

Mr. Jeitner provided an overview of the project. He added that the alterations to be made will make the drive-thru more efficient. An addition is also being added to the north side of building as well as moving ADA parking spaces up against the building. The parking proposed shows an extended parking lot with a total of 61 parking spaces. Additional menu boards are also being proposed. Currently, the applicant is proposing 4 menu boards, although, the ordinance only allows for one menu board. Mr. Jeitner added that they will be attending the Zoning Hearing Board for a Special Exception request for the drive-thru and a dimensional variance for the menu boards. With the drive-thru change, they will be increasing number of stacking vehicles and will have a side by side configuration. Parking in the rear would designated for employees only. Mr. Kleintop questioned how many parking spaces will be allocated for employees. Mr. Jeitner indicated 10 parking spaces will be utilized for employees. Menus will be shifted approximately 35 feet back from the main roadway. In addition, there will a pull forward window in the event that the food is not ready. There are also designated pick up spaces in the event that the food is not prepared fast enough in order to keep the line moving efficiently. The new proposal is to create more efficiency and less back up traffic for the drive-thru lane. Mr. Geissinger questioned how the internal operations will also make the drive-thru line more efficient as well. Mr. McIntyre stated they are currently operating with 70% of sales with drive-thru and 30% is dine-in.

Township Engineer, Jeff Ott, provided an overview of the proposed project. The Ott Consulting, Inc. Review Letter dated July 16, 2021 by Mr. Jeffrey Ott is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit C". Mr. Ott stated the 1.37 acre property is located to the west of Broadway Street (S.R. 0512, Arterial), north of the Route 33 interchange within the Highway Interchange (HI) zoning district. The site currently contains a McDonald's fast food restaurant with drive-through service and associated parking and utilities. He added that access to the site is provided by an existing one-way entrance and an existing one-way exit to Broadway Street. The site is currently served by existing public water and

sewage disposal. The Applicant is proposing an expansion of the existing use to include a dual lane drive through and building expansion to include a 3rd pick up window. Mr. Ott noted portions of the parking areas will also be reconfigured.

In reference to line item #24 of the review letter, Mr. Ott questioned about the parking spaces that are not changing as they currently are measuring less than 10' in width. Mr. Jeitner indicated no changes will be made to these spaces. There will also be a decrease in impervious coverage from 93% to 91%. The applicant is not proposing any additional lighting, however, they will provide the existing lighting plans to the Township. With respect to the floodplain, the applicant is showing modifications to the pavement located in the floodplain area as well as fine grading. The intent with this design is that no filling will take place. The pavement is only proposed to be modified as repairs and will match existing grades for parking areas as they are today. No curbing is proposed. In addition, the trench drain discharge will be similar to the discharge today. Ms. Dingle questioned about the number of vehicles idling as this will likely increase air pollution due to the greater amount of vehicles stacking in the parking lot. Mr. Jeitner indicated that the amount of time these cars will be idling will significantly reduce due to the new configuration plans.

The Plainfield Township Zoning Officer Review Letter dated July 16, 2021 by Ms. Sharon Pletchan is hereby incorporated for reference in these minutes as though it were more fully set forth at length as "Exhibit D". Ms. Pletchan noted that no NPDES permit is required, therefore, no ABACT (best available combination of technologies) is required. Ms. Pletchan stated that with the current design of the Erosion and Sedimentation (E&S) control per sheet C-06, the existing property entrance and exit as well as public parking areas will not be accessible to the public and thus the restaurant would be required to be close to the public during these renovations unless the plan is revised to allow safe public access to the business and still provide adequate E&S control. She requested the plans be revised accordingly to indicate closure of the business during renovations.

ACTION: Motion was made by Robert Simpson and seconded by Robin Dingle to recommend approval of the Site Plan as submitted to both the Zoning Officer and the Zoning Hearing Board conditioned upon the applicant complying with all conditions/comments set forth within the Ott Consulting, Inc. review letter dated July 16, 2021, Sewage Enforcement Officer review letter dated July 15, 2021, Benchmark Civil Engineering Services, Inc. Traffic review letter dated July 19, 2021 and Plainfield Township Zoning Officer review letter dated July 16, 2021. 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 Glenn Borger and seconded by Robert Simpson to recommend approval to the Plainfield Township Zoning Hearing Board for the Special Exception request to modify the drive-thru configuration by McDonald's USA, LLC. (1036 S. Broadway, Wind Gap, PA 18091) subject to the applicant complying with all conditions/comments set forth within the Ott Consulting, Inc. review letter dated July 16, 2021, Sewage Enforcement Officer review letter dated

July 15, 2021, Benchmark Civil Engineering Services, Inc. Traffic review letter dated July 19, 2021 and Plainfield Township Zoning Officer review letter dated July 16, 2021. 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. Gall Road Associates, LLC./Catalyst Development (611 Gall Road, Easton, PA, 18040)- Sketch Plan Application:

The applicant's engineer, Ms. Kim Fasnacht, provided an overview of the project. Ms. Fasnacht indicated the majority of the project will be taking place on the Jaindl property. Car traffic will be directed to Gall Road and truck traffic will be directed to Bangor Road. On-lot sewer is also being proposed. Additionally, PA American Water was amendable to adding public water lines from Belfast Road to Gall Road. On the southern portion of the property, wetlands were located. Ms. Dingle questioned whether a delineation of the wetlands was conducted. Ms. Fasnacht indicated that the delineations were completed after the application was submitted to the Township for review. Ms. Dingle was concerned with this finding as there are wetland buffers required within the Plainfield Township SALDO which was not provided on the plans. Members of the Planning Commission also discussed issues with respect to the current stormwater runoff from ASGCO Manufacturing. Mr. Kleintop added that this stormwater runoff has negatively affected the trail as well. Mr. Petrucci indicated the trail had to be solidified because of the amount of water runoff. Ms. Fasnacht took note of this issue. She also indicated that they have not contacted the PA DEP nor Fish and Wildlife Preservation.

Ms. Fasnacht added that this Sketch Plan was submitted to the Lehigh Valley Planning Commission (LVPC) for official review. The applicant has not received a comment letter from the LVPC to date. The applicant's Traffic and Design engineer, Mr. Ben Guthrie, was also present and stated that he will submit a traffic impact scoping application to PennDOT in the near future. Once submitted, the applicant will receive detailed information/feedback from their agency. Mr. Kleintop is very concerned about truck traffic for this proposal. Ms. Dingle agreed and stressed the applicant to understand the practicality of residents and current roadway issues including the bend on Gall Road and residents that are traveling Bangor Road going southbound towards Stockertown. Township Zoning Officer, Sharon Pletchan, recommended the applicant to contact the PA DEP for access off of Gall Road due to the mitigation measures for permitting. She added that this may not be permitted based on limited amount of space. In addition, Mr. Robert Simpson requested the applicant move forward with the geotechnical design as well as beginning preliminary soil boring locations.

It was noted that this proposed project is located within the greenway area of the Official Map. Mr. Petrucci indicated that additional approval will be required from the Board of Supervisors (BOS) due to being located within a greenway area. The applicant's attorney, Mr. Tim Charlesworth, stated that he believes that the requirement of the Official Map for the preservation of the greenways corridor is in violation of the Municipality Planning Code (MPC); Mr. Charlesworth stated that the MPC requires that the Township identify the features to be preserved in the form of identified level of priority (for example, the

preservation of roads and bridges). Mr. Petrucci countered that the MPC does not require a hierarchy of stated features to be preserved, and assured Mr. Charlesworth that this requirement is not in violation of the MPC by reading the following section of the MPC (Section 401 of Article IV- Official Map):

The governing body of each municipality shall have the power to make or cause to be made an official map of all or a portion of the municipality which may show appropriate elements or portions of elements of the comprehensive plan adopted pursuant to section 302 with regard to public lands and facilities, and which may include, but need not be limited to:

- (1) Existing and proposed public streets, watercourses and public grounds, including widenings, narrowings, extensions, diminutions, openings or closing of same.*
- (2) Existing and proposed public parks, playgrounds and open space reservations.*
- (3) Pedestrian ways and easements.*
- (4) Railroad and transit rights-of-way and easements.*
- (5) Flood control basins, floodways and flood plains, storm water management areas and drainage easements.*
- (6) Support facilities, easements and other properties held by public bodies undertaking the elements described in section 301.*

Mr. Petrucci emphasized the language, “which may include, but need not be limited to”.

Township Engineer, Mr. Jeff Ott, stated that on the plan, the applicant indicated retaining walls 40’ high. Mr. Ott was very concerned of this finding. Proposed lighting for this area is also a possible issue from a Zoning perspective. Chairman, Paul Levits, questioned about maintenance at the site. The applicant indicated that they will be maintaining the site on a regular basis. Ms. Dingle discussed the current proposed parking spaces. She added that the number of spaces being proposed has potential to amplify air pollution, noise, and other nuisances. Such nuisances also may be exacerbated with the proposed retaining wall as well. Concerns of steep slopes on the property were also discussed. Members of the Planning Commission discussed possible weather concerns due to the slopes and grades of the property. Township Zoning Officer, Sharon Pletchan, stated that in reference to §27-406.1.H, access would not be permitted without a variance from the Township due to the current proposed truck traffic. Buffers requirements are also needed.

Township Manager, Tom Petrucci, requested that Plainfield Township be included in the PennDOT scoping meeting. Ms. Fasnacht noted that they will include Plainfield Township in correspondence with PennDOT.

Ms. Fasnacht indicated that they have a good understanding of the changes that need to be made to the current plan. The applicant will make the appropriate changes and will submit at a later date for review by the Planning Commission.

4. JJ FIXL Properties, LLC. (6615 Sullivan Trail, Wind Gap, PA 18091)- Sketch Plan Application:

The applicant's engineer, Ms. Kim Fasnacht, provided an overview of the project. Ms. Fasnacht indicated the developer is proposing to demolish the current structure known as "The Galley" and rebuild a new structure. There are 18 loading dock spaces proposed. In addition, the applicant is proposing to consolidate all 3 parcels shown on the plan. Mr. Kleintop questioned whether this will be problematic due to the fact that there are two separate zoning districts dividing the lots. Approximately 47% of impervious coverage and 16% of building coverage currently being proposed. Ms. Fasnacht added there are 2 underground infiltration beds. The applicant will provide a study in the future with respect to wetland delineations on the property.

Township Manager, Tom Petrucci, questioned about the use of the proposed structure. Ms. Fasnacht indicated that the building could be utilized for but not limited to manufacturing or cold storage (food, pharmaceuticals, etc.). She added the use will likely not be distribution. The current drainage located on the property was also questioned. Ms. Fasnacht was unsure of what was currently existing. She stressed that this plan was submitted as a sketch plan review only and it is up to the applicant to move forward on additional studies based on comments from the Planning Commission.

Township Zoning Officer, Sharon Pletchan, questioned about existing billboards on the property and whether they will be leased or be in control of the applicant/owner. Ms. Fasnacht indicated the applicant intends to lease them. Additionally, she will attempt to obtain information on possible existing easements. Utility information will also need to be supplied on the plans. Ms. Pletchan indicated that one of the billboards is legally non-conforming. She added the use is by right, however, variances and special exceptions will be required. Ms. Fasnacht indicated that they have a good understanding of the changes that need to be made to the current plan. The applicant will make the appropriate changes and will submit at a later date for review by the Planning Commission.

ADJOURNMENT:

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

The meeting adjourned at 10:35 P.M.

Respectfully submitted,

Paige Stefanelli
Planning Commission, Secretary
Plainfield Township