

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES
7:30 PM
FEBRUARY 8, 2011**

A Regular Meeting of the Planning Commission of the Township of Salisbury was held at the Township Municipal Building located at 2900 South Pike Avenue, Allentown, Lehigh County, Pennsylvania. Present were Commissioners Miller, Hassick, Hebelka, McKitish and Beck. Also present were Mr. Tettermer, Township Engineer; Attorney Ashley, Township Solicitor; Ms. Sopka, Director of Planning & Zoning and Mr. Soriano, Township Manager. Commissioners Licht and Schreiter were not present (excused).

COMPREHENSIVE PLAN UPDATE

Present were Mr. Tom Palmer and Mr. Bryan Cope of Urban Research Development Corporation (URDC).

Mr. Cope provided an updated overview of key person interviews, background on transportation services and community revitalization sections.

Mr. Cope discussed key person interviews, which include the Lehigh Valley Planning Commission's (LVPC) Access Management Plan and their key findings; Lehigh County Department of Community and Economical Development regarding gateway enhancements and creating a community identity; Wildlands Conservancy and the Lehigh County Conservation District (LCCD) who provided a draft report of their Natural Resource Inventory (NRI). Mr. Cope stated that Mr. Kent Baird from LCCD will provide an updated NRI section for the Comprehensive Plan for a future public meeting. The Lehigh Mountain Plan and the ongoing conservation efforts for South Mountain have also been shared.

In regard to the transportation section, they will identify accident prone intersections with the Chief of Police. The Access Management Study will be of assistance and, according to the LVPC, will be completed in June 2011.

Mr. Hebelka inquired if an interview is scheduled with Mr. John Burkhardt, Sewage Enforcement Officer (SEO) as he could provide areas that may have malfunctioning on-site sewage lots, old sewer systems and any possible problem areas. The URDC will contact the SEO.

Discussion ensued regarding the request of a March public meeting and its overview process. A description of the planning program will be provided with a power point presentation. Mr. Palmer provided a draft of the discussion guide, the questionnaire for public comment and/or completion and the public meeting notice for review. Mr. Beck suggested an April or May public meeting which may allow possible advertising on the quarterly utility bill. Mr. Cope stated that they are flexible.

CALL TO ORDER

Mr. Beck called the meeting to order.

RE-ORGANIZATION OF OFFICERS

On motion of Mr. Hassick, the Planning Commission voted 5-0 to nominate Mr. Charles Beck as Chairman of the Planning Commission. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

On motion of Mr. Beck, the Planning Commission voted 5-0 to nominate Mr. Stephen McKitish as Vice-Chair of the Planning Commission. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

On motion of Mr. McKitish, the Planning Commission voted 5-0 to nominate Mr. Joseph Hebelka as Secretary of the Planning Commission. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

APPROVAL OF THE MINUTES

The Planning Commission voted 5-0 to approve the December 14, 2010 Planning Commission Meeting Minutes as submitted. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

3300 Lehigh Street – South Mall Conditional Use Review

Mr. James Pompa of Cornerstone Consultant Company LLC seeks approval under Zoning Ordinance Section 807.3, which requires temporary use to be heard as Conditional Use to set up and operate the “Flower Tent” within the parking area of South Mall.

Present were James Pompa and Brandon Cummins both of Cornerstone Consultant Company/The Flower Tent.

Mr. Beck inquired about the inconsistency of the requested operation dates. Mr. Pompa stated that they would like the tent installed prior to operation because of the flower delivery schedule. The installation of the tent would be April 8 and sales would start April 14, 2011.

A discussion ensued regarding the tent's location. The daily maintenance and security will be the responsibility of Cornerstone Consultants Company/The Flower Tent. This Conditional Use request is for one year of operation.

A motion was made by Mr. Hassick, seconded by Mr. Miller, the Planning Commission voted 5-0 to make a recommendation to the Board of Commissioners to approve the Conditional Use of the Flower Tent at 3300 Lehigh Street for the year 2011. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

1600 Riverside Drive – Conditional Use Application and Land Development Plan Review.

Continuation of the Conditional Use Application and the Land Development Review from October 2010 Planning Commission Meeting regarding the proposed Lehigh County Detoxification Facility to be located in the (I) Industrial Zoning District adjacent to the existing Lehigh County Treatment Center/Work Release Program.

Present were Edward J. Andres, Esquire, Lehigh County Assistant Solicitor; Amit Mukherjee of Base Engineering and Glenn Solt, Lehigh County Director of Capital Projects.

Mr. Tettermer highlighted the Township Engineer’s letter dated January 5, 2011. Mr. Tettermer concluded that when all items are addressed they would recommend engineering approval of the Land Development Plan.

Ms. Sopka highlighted her review letter dated January 6, 2011 and all issues have been resolved. Ms. Sopka also reviewed the correspondence from the City of Bethlehem dated January 11, 2011. She stated that she concurs with the Township Engineer on the Land Development Plan portion.

Ms. Sopka highlighted Chief Stiles review letter dated January 27, 2011. He recommended that the area adjacent to the building, currently proposed as a loading area, be designated as a fire lane. No vehicles would be permitted at any time unless for an emergency response. The hydrant location is appropriate.

Attorney Andres addressed the Township Engineer's letter Item #1, stating that the clientele program description is broader than Lehigh and Northampton Counties, they are requesting to bring in clients from adjoining states. Mr. Hebelka stated that because the two facilities are on the same tract, the Conditional Use for the existing Treatment Facility is strictly limited to Lehigh and Northampton Counties and will not be permitted to expand its current populations outside the approved counties. Attorney Andres stated that at the Conditional Use Hearing this distinction will be made for the record.

Riverside Drive was discussed and Attorney Andres stated that Lehigh County will continue to maintain this private road owned by Norfolk Southern. Mr. Beck expressed his concern about the poor condition of Riverside Drive, which has caused damage to township police cars. Mr. Tetterer expressed his concerns and stated because it is a quasi public road, an agreement needs to be made between the Township and Lehigh County on how it is going to be maintained. Attorney Ashley requested the road use agreements for further review and will determine on the response of all parties responsible for the road.

Mr. Beck inquired about the monitoring wells. Discussion ensued and Mr. Miller expressed his concern for any workers or residents on this site. Mr. Miller made reference to a Morning Call newspaper article from 1998 stating that this area was an industrial site, and 4,000 tons of sandblast was removed in that area and the monitoring wells were established. Attorney Andres stated that there was no evidence that there is sandblast grit on their site but through investigation, the only determination is that the wells were placed for the neighboring site, not for contamination on their site. Attorney Andres stated that there was a lack of evidence of contamination on site. Mr. Miller and Mr. McKitish expressed their concerns and stated for the health and safety of others, surface/site testing needs to be done for any possible chemical contamination. Mr. Solt stated that prior to construction; site testing will be done outside the process of approval.

Mr. Tetterer reviewed the required waivers and the Planning Commission made the recommendation to grant the following waivers requested by the applicant.

- SALDO 3.2.A.3 – Separate submission of separate preliminary and final plans.
- SALDO 10.10.B.2.e – Design of detention basin to drain completely after every storm.
- SALDO 10.10.B.2.g – Fencing around infiltration basin requires buffer yard.
- SALDO 10.10.B.2.h – Slope of basin bottom requirement of 2%.
- SALDO 10.10.B.2.i – Lining for the basin.

A motion was made by Mr. Hebelka, seconded by Mr. McKitish, the Planning Commission voted 5-0 to make recommendation to the Board of Commissioners to grant the five waivers as outlined by the Township Engineer. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

Mr. Tetterer stated that approval for the Conditional Use and Land Development needs to be addressed.

A motion was made by Mr. Hebelka, seconded by Mr. McKitish, the Planning Commission voted 4-1 to make recommendation to the Board of Commissioners for Land Development approval subject to the comments of the Township Engineer and other Township staff; for example, the Planning and Zoning Director, Fire Chief, Police Chief and also in accordance with all State, Local and Federal Laws and Regulations, and also conditioned upon getting Conditional Use approval. Mr. Licht and Mr. Schreiter were not present for vote.

Mr. Beck addressed Riverside Drive. Mr. Tetteimer stated that if there are specific conditions and concerns that the Planning Commission wants addressed, it should be documented regarding the current status of the road as well as future maintenance.

A motion was made by Mr. Hebelka, seconded by Mr. Miller, the Planning Commission voted 5-0 to make recommendation to the Board of Commissioners for the imposition of a condition that the road maintenance issue be addressed regarding its current status and the ongoing maintenance schedule for the future. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

Mr. Hebelka addressed imposing a condition that the applicant resolve environmental standards/issues raised and discussed at the meeting.

A motion was made by Mr. Hebelka, seconded by Mr. Miller, the Planning Commission voted 5-0 to make recommendation to the Board of Commissioners that the applicant resolve any environmental standards raised as concern for health and safety this evening. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

Mr. McKitish addressed the population catchment area and it limited to Lehigh and Northampton Counties. Mr. Hebelka stated to clarify the population catchment area for this site. Attorney Ashley responded to Mr. Hebelka, stating that it would be for the Detox Facility only because the Treatment Center has its conditions.

A motion was made by Mr. McKitish, seconded by Mr. Miller, the Planning Commission voted 5-0 to make recommendation to the Board of Commissioners in their conditional use on the existing catchment area, for the existing site and facilities which was further amended for the catchment area for the Detox Facility, to include residents from Lehigh and Northampton Counties. All in favor. Mr. Licht and Mr. Schreiter were not present for vote.

A motion was made by Mr. McKitish, seconded by Mr. Miller, the Planning Commission voted 4-1 to make recommendation to the Board of Commissioners to approve the conditional use permit subject to all conditions currently included and voted on this evening, and all other engineering letter recommendations, solicitor recommendations, planning and zoning officers recommendations, fire chief recommendations, police chief recommendations, and state all the matters of public record that if it brought up as a result of this series of hearings, and all Local, State and Federal requirements as such including the letter from Bethlehem. Mr. Licht and Mr. Schreiter were not present for vote.

OTHER BUSINESS

None

ADJOURNMENT

The Planning Commission voted to adjourn the meeting. Meeting adjourned.