

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES**

**7:30 PM
June 12, 2012**

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, Licht (late), Schreiter, Hebelka, Hassick, McKitish and Beck. Also present were Attorney Ashley, Township Solicitor; Ms. Sopka, Director of Planning & Zoning and Mr. Soriano, Township Manager.

CALL TO ORDER

Mr. Beck called the meeting to order.

APPROVAL OF THE MINUTES

On motion of Mr. McKitish, seconded by Mr. Hassick, the Planning Commission voted 6-0 to approve the May 8, 2012 Planning Commission Meeting Minutes as submitted. All in favor.

3350 DEVONSHIRE ROAD - CONDITIONAL USE APPLICATION

Conditional Use Application of Dominic Giles' for property located at 3350 Devonshire Rd., Allentown, PA 18103 for seasonal use of an existing barn for a Halloween venue. Property located in an R-4 Medium Density Residential District.

Present was Mr. Dominic Giles, owner.

Mr. Beck inquired if he has approval to use the School District parking lot for customer parking. Mr. Giles stated that he does have School District approval. He offered that there have been no issues and if any litter is present at the end of the evening the properties are cleaned.

Mr. Giles proposed dates of operation for 2012 would be 6:30 p.m. to 11 p.m., October 5, 6, 7, 12, 13, 19, 20, 26, 27 and November 2 and 3. Operation hours for 2013 would be 6:30 p.m. to 11 p.m., October 4, 5, 6, 11, 12, 18, 19, 25, 26 and November 1 and 2. He stated that Halloween falls mid-week and this would be the reason for the November dates.

Mr. Giles stated that the Halloween Barn has been running smoothly each year and is becoming more known. He stated that every year the same actors from the Allentown Public Theatre put on the show attraction.

On motion of Mr. McKitish, seconded by Mr. Schreiter, the Planning Commission voted 7-0 to make recommendation to the Board of Commissioners to accept the Conditional Use permit for the stated dates of October and November 2012 and October and November of 2013 subject to all going well in the 2012 season. Any additional issues that would occur in 2012 would be deferred to the Zoning Officer to address for the 2013 season. All in favor.

URDC REVIEW OF AMENDED/REVISED ZONING ORDINANCE ARTICLE 3 & ARTICLE 4

Present was Mr. Charles Schmehl of Urban Research Development Corporation (URDC).

Mr. Schmehl reviewed the Lehigh Valley Planning Commissioners (LVPC) review letter. The comment most relevant was the concern of wind turbines on South Mountain because this area is migratory for birds and bats. Mr. Schmehl stated that in the zoning portion of the draft it does not propose to allow taller or multiple **wind turbines** anywhere on the mountain. Mr. Hebelka inquired about individual wind turbines on properties. Mr. Schmehl stated that would be an accessory turbine, medium height which is about 80 to 100 feet high, for house or business. He

asked the members their thoughts on placing these types of residential accessory turbines on South Mountain. Mr. McKitish stated that the trees alone are at least 100 feet high. Mr. Schmehl stated that to make the turbine work, the bottom of the turbine blade must be 25 feet above the nearest obstruction; it must be up to the 80-100 foot range for productivity.

Mr. Schmehl stated that the height has to equal set back; therefore you will not get a small turbine on a small property but with the length of South Mountain multiple turbines can be placed. For multiple placed turbines a separation distance can be added to keep the number of turbines limited on a one acre minimum per the setback. Mr. Miller expressed his concerns regarding the migratory of the birds and bats. Mr. McKitish inquired if they can control the amount of turbines for South Mountain for future years. Mr. Schmehl stated that it can be controlled by making the mountain a special exception. Conditions can also be put in place for the protection of the birds and bats.

Mr. McKitish inquired about the turbine sound levels. Ms. Sopka inquired on how zoning will be able to regulate the noise level of the turbines. Mr. Schmehl stated that you would need a decibel meter. He explained how it would work with a few requirements. Mr. McKitish also discussed sound level and pressures. He advised that this type of information is not always well understood and needs to be clarified. Discussion ensued and it was expressed that any neighboring property should not be impacted by a wind turbine. Mr. McKitish expressed that he would like to keep the turbine by property lines because they are metric. It was agreed that the noise level will be measured at the property line.

Ms. Sopka expressed concern about the mountain's elevation changes and any impact on a higher residential property if a turbine was placed on low elevation. This needs to be taken into consideration. Mr. Schmehl stated, for productivity reasons, the turbine needs to be placed at high elevation.

Mr. Beck stated that the Township should choose one noise level only. Mr. Schreiter stated that South Mountain is a special exception area which will require a plan with the necessary criteria. Mr. Schmehl stated that there are few municipalities who have written their own standards. Mr. McKitish stated that more research needs to be done before a discussion can be made because he does not want any impact on surrounding neighbors. He requests that it is noted in the plan that if a resident is interested in placing a wind turbine it needs to have acoustic engineer approval and this will be the responsibility of the applicant.

Mr. Schmehl stated that the LVPC provided a review of the draft Comprehensive Plan and stressed the importance of the **protection of the homes near the hospital campus**. This is in the process of been being addressed. The LVPC also asked for discussion regarding street connectivity and to add recently released **census data** to the plan. Mr. Schmehl stated that he has not received any comment review from the School District.

Ms. Sopka addressed **Kidspeace** request to amend the zoning and allow for services to children, their family and include the general public in need of the behavioral or psychiatric services. She reviewed the Kidspeace mission statement that specifically addresses children up to the specific age of 21 and support to their immediate family. Salisbury Township Zoning Ordinance states that they can treat any child up to 18 years of age. Mr. McKitish expressed many concerns regarding this request.

Ms. Adele Clemmer of 3619 Sunset Avenue stated she has had experience with children of Kidspeace. She suggested extending the age to young adults from 18-21 years of age, in doing this it does not allow this facility to turn into an adult facility.

Mr. Schmehl stated that the simplest route would be to extend treatment to the age of 21 which is consistent with Kids Peace statements and family members being served. Mr. McKitish inquired on the definition of the family member being served. Mr. Schmehl stated that the counseling extends to the treating child's first cousin. Discussion ensued and it was concluded that for care of treatment the age limit would be 21 and will not have provisions for adult care outside of a family currently receiving treatment for their child.

Mr. Schmehl reviewed **Article 3**. They discussed the Planning Commission reviewing a special exception prior to the Zoning Hearing Board (ZHB) Meeting. The Ordinance was reviewed by Ms. Sopka and it was stated that only specific special exception site plans are reviewed by the Planning Commission. Mr. Schmehl stated that the Planning Commission should have the opportunity to review any special exception that is submitted. This review

process allows them to advise the ZHB on their recommendations and conditions. The ZHB is then able to control that approval with this information. Time frame restraints were also discussed.

A new draft for the **Healthcare Overlay District** zoning is in progress and will be made available one week prior to the next Planning Commission Meeting. Ms. Sopka's editorial comments and additional information has been incorporated. Mr. Schmehl stated a meeting took place last week with The Pidcock Company, Lehigh Valley Health Network (LVHN), Mr. Tetterer, Township Engineer and Ms. Sopka, Director of Planning & Zoning.

Mr. Schmehl reviewed **Article 4**. Adult uses were discussed and it is proposed to limit any adult uses to close at midnight. This use is allowed in the industrial district. There is a restriction that these uses need to be 500 feet away from a public park. Mr. McKitish expressed that he is interest in consistency with surrounding communities and their zoning as it addresses this use.

Bed and Breakfasts were discussed. Ms. Sopka stated that the time frame of the stay needs to be specified. Mr. Schmehl stated he would incorporate it as a transient stay only. The primary goal was to reuse and renovate older buildings for this type of business and time of stay must be articulated.

Mr. Schmehl stated under state law it is required to have a location in the Township that allows mineral extraction. He stated that this location would be in the industrial district.

Manufactured homes were discussed. The provision of upgrading units on the same footprint was addressed. Ms. Sopka stated that an upgrade should adhere to the constraints of the existing water and sewer lines.

A draft update will be provided one week prior to the next scheduled Planning Meeting on July 10, 2012 at 7:30 p.m.

OTHER BUSINESS

None

ADJOURNMENT

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