

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES**

**7:30 PM
October 8, 2013**

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, Hassick, McKitish and Beck. Also present were Attorney Ashley, Township Solicitor; Mr. Tetterer, Township Engineer; Ms. Sopka, Director of Planning & Zoning and Mr. Soriano, Township Manager. Commissioners Schreiter and Hebelka were not present (excused).

CALL TO ORDER

Mr. Beck called the meeting to order.

APPROVAL OF THE MINUTES

On motion of Mr. Miller, seconded by Mr. Hassick, the Planning Commission voted 5-0 to approve the September 10, 2013 Planning Commission Meeting Minutes as submitted. All in favor.

2051 Bevin Drive – Legacy Place Land Development

Review the proposed amended Preliminary Land Development presented by Posh Properties for the construction of a Personal Care Home often referred to as Assisted Living/Memory Care facility within the Office-Laboratory (C1) District located along the corner of Bevin Drive and Regent Court. The site incorporates 2.45 acres of vacant land. The Planning Commission during their May 14, 2013 meeting made a recommendation to the Board of Commissioners to approve the Preliminary Land Development however there have been several changes made to the plan which requires additional review by the Planning Commissioners of Salisbury Township.

Present were Mr. Jeffrey Ott and Mr. Jason Buckta of Ott Consulting.

Mr. Tetterer highlighted his review letter dated October 2, 2013. Mr. Tetterer stated that there are six items that are in need of discussion and action taken.

This Plan was previously approved as a Preliminary Plan and at that time it had injection wells. The developer has now come back with a revised Plan that removes the injection wells and replaces them with on-site spray irrigation. The other major change to the Plan is the retaining wall that was located in the front of the building has now been removed and replaced with small slopes. The rest of the Plan remains the same.

A letter must be received to officially withdraw the previously approved Plan; this shall be provided prior to taking any action on this Plan.

Mr. Tetterer reviewed the following waiver requests for the following items: to combine the Preliminary and Final Plan simultaneously, earth excavation or fill for slopes/grading, to allow a minimum basin slope for the underground basin system be constructed with a 0% slope and street tree installation. Mr. Tetterer stated that he would have no engineering objection to granting the above requested waivers.

Mr. Tetterer stated that there was one deferral request for the installation of sidewalks. At this time there are no sidewalks in this area, however if the Township requires sidewalks to be installed in the future, the owner will be responsible. This deferral was submitted in writing and previously recommended by the Planning Commission.

In conclusion, when all the above items are satisfactory addressed we would recommend engineering approval of this Land Development Plan.

Ms. Sopka highlighted her review letter dated October 8, 2013 and concurred with the recommendations of the Township Engineer.

In replace of the originally proposed gravity drains is the proposed landscaped irrigation system. A brief description of the spray irrigation system and how it operates was discussed. This system will collect stormwater runoff and store it in a tank that is situated underneath the parking area within the middle of the site. During a rain storm the system will collect the runoff, store it and spray it onto the ground. The system will run at certain times and spray a certain amount of gallons per minute. There are sensors on this system which will not release water if it is raining. This system is in conformance with the Pennsylvania Department of Environmental Protection (PA DEP) requirements for that particular BMP. It can store about 8,000 cubic feet of water, however this storage is incorporated with the underground detention basin. Incorporating the two will allow a limited discharge of water off site if too much water is collected and what is left behind is the increase in the two year design storm runoff volume which as required by PA DEP must be managed on site. The PA DEP will allow the discharge of the stored stormwater runoff over a six day period at about a half inch per day.

On motion of Mr. McKitish, seconded by Mr. Hassick, the Planning Commission voted 5-0 to make recommendation to grant the requested waiver for SALDO Section 3.2.A.3 separate Preliminary Plan and Final Plan submission. All in favor.

On motion of Mr. McKitish, seconded by Mr. Miller, the Planning Commission voted 5-0 to make recommendation to grant the requested waiver for SALDO Section 10.4.K.3.D regarding areas of earth excavation. All in favor.

On motion of Mr. McKitish, seconded by Mr. Hassick, the Planning Commission voted 5-0 to make recommendation to grant the requested waiver for SALDO Section 10.10.B.2.H. as recommended by the Township Engineer regarding minimum bottom basin slopes. All in favor.

On motion of Mr. McKitish, seconded by Mr. Hassick, the Planning Commission voted 4-1-0 to make recommendation to grant the requested deferral for SALDO Section 10.12 to the installation of sidewalks.

On motion of Mr. McKitish, seconded by Mr. Hassick, the Planning Commission voted 5-0 to make recommendation to grant the requested waiver for SALDO Section 10.16.C to the street tree requirement as shown on the Plan compared what is required in the Zoning Ordinance. All in favor.

On motion of Mr. Miller, seconded by Mr. McKitish, the Planning Commission voted 5-0 to make recommendation to the Board of Commissioners for a plan approval of the Preliminary/Final Plan conditioned upon meeting the requirements of the Township Engineer letter and the Director of Planning and Zonings memorandum and under State, Federal and Local requirements. All in favor.

Review Zoning/SALDO Amendments

Action to be taken regarding recommendation to send the Zoning Ordinance to the Lehigh Valley Planning Commission for review and comment. Evaluate a date for the Zoning Ordinance Public meeting.

Ms. Sopka inquired if all members received Mr. Schmehl's letter dated October 8, 2013. Ms. Sopka stated that since she has received this letter today she has not had time to review the document. Mr. Tetterer stated he reviewed the letter and is in agreement with the Mr. Schmehl's SALDO items. However the NPDES and Act 167 was a concern. Mr. Tetterer stated that the wording regarding the disturbance of more than one acre of ground was incorrect.

Mr. Beck opened the floor for public comment.

Mr. Chuck Siuciak of 1215 Caroline Road expressed concerns regarding the wording for buildings in a Transitional Overlay District, clinical construction and the visual of the berms.

Ms. Susan Hoffman, Vice President, Marketing and Public Affairs for Lehigh Valley Health Network (LVHN) has been in communication regarding the review of a draft plan of what the berm construction barrier will look like at the end of the LVHN property.

Ms. Adele Clemmer of 3619 Sunset Avenue expressed her thankfulness, allowing the residents of the Township to work with the LVHN. Nobody got exactly what they wanted but that is compromise.

Mr. McKitish expressed his concern about taking action relative to recommending approval of the Ordinance. Mr. McKitish stated that he doesn't think it can be discussed and acted on at this time. He believes that these questions are fairly major. Mr. McKitish stated each member has a final version to review. Mr. Beck stated that we need to review the new information that has been given this evening and may have to take action at the next scheduled meeting.

Attorney Ashley stated that the action to be looked at was to send this to the Lehigh Valley Planning Commission (LVPC) for their comment and review. Mr. McKitish stated that we should be sending the LVPC a clean plan. If it were minor changes so be it; however, it seems that these questions are fairly major in nature with regard to sectional pieces.

Mr. Tettermer stated that he does agree with URDC's proposals from a SALDO aspect. Ms. Sopka stated on a side note, she would like a copy of the hospital campus site plan to review and match up the dates with the overlay equal to what we have from URDC as of September 19, 2013. She would like to clarify the consistency of the site plan and allow this information to be shared with LVPC.

Mr. McKitish stated that he would like an updated copy of the plan as of today so it can be reviewed in totality. Mr. Hassick stated that the members have many revised plans however each revision didn't show what the changes were. In that, the members would like a clean copy of the plan and review it for November's meeting.

Ms. Sopka went over the review of signage usage at LVHN and Cedar Crest Professional Park (CCPP) C1 District. Discussion ensued. Mr. Timothy Siegfried, LVHN Counsel, stated to clarify: Ms. Sopka is concerned about the disparity across the street which could subject the Township to litigation. In that, Mr. Siegfried explained that this is a legislative matter and the courts always refer to what the governing body wants from the Municipality. This is not a situation where it is unconstitutional because of the difference in signage size. Ms. Sopka inquired with the members if they reviewed the signage portion and review what changes are being introduced.

Mr. Soriano encouraged the members to make the changes and move it forward for LVPC review. Mr. Beck stated that when changes are requested they are not always made which has made this an issue.

Both Mr. Beck and Mr. McKitish expressed their dislike with the processes of the Zoning Ordinance, stating that when they make a recommendation, it is not done or the wording has been changed or the recommendation is not even documented.

Mr. McKitish advised Mr. Soriano that the members have conveyed to Mr. Schmehl on a regular basis multiple places of areas of concern, numerous amounts of time over the entire process which has been summarily dismissed. Mr. McKitish stated that at this point he will agree with the Township Solicitor, Township Engineer and Director of Planning and Zonings recommendations. Mr. McKitish stated that Mr. Schmehl has not taken any of the member's recommendations to be viewed and understood.

Mr. Siegfried stated that this is specifically the Planning Commission and Salisbury Township's document and that is who needs to be satisfied. However, from the hospitals stand point there must be some finality to

the process. Attorney Ashley asked the members to put the comment or concern about what has been reviewed into writing form and give it to Ms. Sopka or Mr. Schmehl. In this, the recommendation can be added to the document and agreed on.

OTHER BUSINESS

None

ADJOURNMENT

The Planning Commission voted to adjourn the meeting. Meeting adjourned. All in favor.