

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION  
MEETING MINUTES  
Special Meeting Start Time 6:30 PM  
May 10, 2016**

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.

**CALL TO ORDER**

Mr. McKitish called the meeting to order.

**ROLL CALL**

Glenn Miller  
William Licht  
Richard Schreiter  
James Brown  
Richard Hassick  
Stephen McKitish  
Charles Beck (excused)  
John Ashley, Township Solicitor  
David Tettemer, Township Engineer  
Cynthia Sopka, Director of Planning and Zoning

**APPROVAL OF THE MINUTES**

**On motion of Mr. Licht, seconded by Mr. Hassick, the Planning Commission voted 6-0 to approve the April 12, 2016 Planning Commission Meeting Minutes as submitted. All in favor.**

Review proposed amendments to the 2014 Zoning Ordinance and provide recommendations to the Board of Commissioners.

The Salisbury Township Planning Commissioners conducted their duly advertised public meeting on July 14, 2015. During the meeting they reviewed recommendations regarding proposed amendments to the zoning ordinance specifically the wording and placement of the Beekeeping section within the 2014 Zoning Ordinance.

The Planning Commissioners by a vote of 6-0 made recommendation to the Board of Commissioners to approve the Beekeeping language and placement of the amended ordinance as referenced below.

The most appropriate location of the Beekeeping Ordinance is referenced under Part 3 Subsection 306.3 PERMITTED ACCESSORY USES IN ALL DISTRICTS under 306.3.D. Beekeeping is permitted as an accessory use provided it is on a noncommercial basis. Hives shall be located in the rear yard at least ten (10) feet from any lot line and not closer than fifty (50) feet to the nearest dwelling other than that of the property owner. Any bee keeper shall provide documentation of registration with the Department of Agriculture and compliance with the Pennsylvania Bee Law, 3 PA. C.S.A. §2101-2117.

The Planning Commissioners held an early meeting prior to the regularly scheduled meeting on May 10, 2016 to address the remaining proposed amendments which are referenced below:

1. The 2014 Zoning Ordinance had an error relative to section 27-307.2 Table of Requirements for the C-1 Zoning District specifically for the following:
  - a. (2014 Ordinance) Rear Yard Setback was listed as 30 feet when it should have been 35 feet.
  - b. (2014 Ordinance) For any yard adjacent to a public street was listed as 35 feet when it should have been listed as 30 feet.

The 2014 Ordinance setbacks for this section were inadvertently transposed in the C-1 District. The Planning Commissioners reviewed the Table of Requirements specific to C-1 Zoning District and made the recommendation to the BOC to accept the correction in the C-1 Table of Requirements which would be consistent with the 1993 Zoning Ordinance and other previous versions of the Ordinance. All Planning Commissioners were in favor of the proposed amendment.

2. The Zoning Hearing Board asked the Planning Commissioners to evaluate a section of the zoning Ordinance specifically section 27-403.4.M regarding Residential Accessory Structures. Section 27-403.4(2) states: ACCESSORY BUILDING on a lot with a lot area of one acre or less in a Residential district shall meet the following requirements:
  - a. Maximum total floor area of all ACCESSORY buildings not to exceed 1,000 S.F.
  - b. Maximum of two ACCESSORY buildings per lot.
3. The Planning Commissioners addressed the request of the Zoning Hearing Board and provided the following recommendation to the Board of Commissioners to approve the wording of Section 27-403.4M(2)(a) to remove the 1,000 SF limit on ACCESSORY buildings and retain the maximum limit of 2 ACCESSORY buildings per lot in the residential district with one acre or less.

Therefore the amended ordinance would be referenced as:  
Section 27-403.4M Residential ACCESSORY BUILDING on a lot of one acre or less in the Residential district shall meet the following requirement:

- a. Maximum of two ACCESSORY buildings per lot in a residential district with one acre or less.

SIDE NOTE: the residential accessory buildings are addressed in the zoning setbacks; maximum building coverage; and also maximum impervious coverage. The allowance is based upon a percentage of the square footage of the property.

4. The Planning Commissioners made recommendation to the Board of Commissioners to approve the zoning ordinance section 704.3 to amend the issue of antiquated verbiage and reference to outdated fees. Under section 704.3 dealing with SPECIAL SALE DISPLAYS. These displays shall include promotional banners, balloons, floodlights, lasers or flags (other than provided for in §703) that are used by a business to attract special attention. Such displays may be placed on a commercially zoned lot, for a maximum total of 21 days for each permit. The permit shall cost \$10.00 and shall require a deposit of \$100.00, which shall only be refunded if the displays are removed within the specified time period. A minimum of 90 days shall elapse between uses of such displays. Such displays shall only be allowed on lots including a principal commercial use.

The Planning Commissioners made recommendation to the Board of Commissioners to update the fee for the permit to reflect the current zoning permit fee for commercial use and remove any reference of a deposit. Therefore Section 704.3 shall read as such:

**SPECIAL SALE DISPLAYS:** These displays shall include promotional banners, balloons, floodlights, lasers or flags (other than provided for in §703) that are used by a business to attract special attention. Such displays may be placed on a commercially zoned lot, for a maximum total of 21 days for each permit. The permit fee will be equal to the current fee for commercial zoning permits. A minimum of 90 days shall elapse between uses of such displays. Such displays shall only be allowed on lots including a principal commercial use.

5. The Planning Commissioners made recommendation to the Board of Commissioners to approve the zoning ordinance section 27-704.4(C) of the new ordinance that refers to a sign on a mobile stand. Item (C) indicates a sign on a mobile stand, including any such sign that may have been displayed prior to the adoption of this chapter and which does not have a lawful permit as a permanent sign, shall only be permitted if it meets all of the following requirements.

The Planning Commissioners made recommendation to the Board of Commissioners to approve the zoning ordinance section 27-704.4(C) of the new Ordinance should read as such: 27-704.4(C) A temporary sign including any such sign that may have been displayed prior to the adoption of this chapter and which does not have a lawful permit as a permanent sign, shall only be permitted if it meets all the following requirements:

- (1) Shall be permitted only in the C-3 district
- (2) Shall have a maximum sign area of 40 SF on each of a maximum of two sides
- (3) Shall only include one such sign per principal use or per lot, whichever is more restrictive
- (4) Shall need a commercial zoning permit and provide the required fee associated with commercial zoning permit which shall state the dates during which the sign may be displayed. The applicant shall submit to the Township the current fee for a commercial zoning permit for signage.
- (5) Shall only be displayed on a lot for one period per year, which shall not exceed 30 days only a calendar year. Failure to remove the sign after the 30 days shall constitute a zoning violation.
- (6) Shall not obstruct safe sight distance to vehicles within or off the lot. Shall not be placed within the existing street right of way
- (7) Shall not include flashing or blinking lights.

**3300 LEHIGH STREET, ALLENTOWN, PA**

Review Conditional Use of Keystone Novelties Distributors, LLC. Keystone Fireworks Tent to be located within the parking area of the South Mall, Allentown, PA

Recommendation were made to the Board of Commissioners by the Planning Commission to approve the Conditional Use contingent upon all sales personnel and assistants working on the site to be trained on the protocol for operation and maintenance, security personnel to be trained on the protocol for operation and maintenance associated with handling novelty fireworks on site, ensure the adequate fire protection measures are in place, emergency contact form is completed and returned, and schedule an annual fire inspection with fire inspection office.

On motion of Mr. Schreiter, seconded by Mr. Licht, the Planning Commission voted 6-0 to make recommendation to the Board of Commissioners to approve the Conditional Use for a term of two (2) years relative to Keystone Novelties Distributors, LLC Fireworks Tent.

**2451 PARKWOOD DRIVE, ALLENTOWN, PA – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN AND LOT CONSOLIDATION PLAN**

Review the Preliminary/Final Land Development plan and Lot consolidation plan for the purpose to accommodate the construction of a proposed office building located in the C-1 Zoning District. The proposed office building will be constructed on the campus of 2451 Parkwood Drive.

Present Mr. Scott Pidcock, P.E. c/o The Pidcock Company.

The proposed project located on Parkwood Drive will incorporate the consolidation of several parcels along with the demolition of the building located on 2460 Parkwood Drive. The project includes two municipalities: Salisbury Township and City of Allentown.

The first portion of the project will incorporate the Lot Consolidation of the above referenced parcels. Following the consolidation the project will incorporate the land development portion of the project.

Mr. Tettermer highlighted his review letter dated May 4, 2016. He reviewed his items that are in need of discussion and waiver requirements of the land development plan. The existing site contains one existing office building and associated requirements. Dedicated public improvements, earth moving activity, sewer facilities, storm water, and the grading and utility plan for roof drains were up for discussion.

In conclusion, when items are discussed and agreed, he would recommend engineering approval of the Preliminary/Final Land Development Plan. Also, the Lot Consolidation Plan meets minimum plan preparation requirements and he would recommend engineering approval.

Ms. Sopka highlighted her review letter dated May 5, 2016. The Applicant submitted a request to the Zoning Hearing Board for favorable interpretation of the Ordinance relative to the C-1 zoning district specifically for the setback adjacent to a public street of 30 feet whereas the 2014 Ordinance had the distance listed at 35 feet. The Zoning Hearing Board provided the interpretation to have it listed as 30 feet.

Relative to the land development plan item #1 SALDO 8.2 it is agreed the Public Improvements Agreement is not required. The statement shall remain on the site plan indicating all construction, is subject to inspection and approval. Since there will not be any public improvements the Applicant will be responsible for covering costs associated with the construction of the project.

She concurs with the Mr. Tettermer's recommendations for approval of the lot consolidation approval of the Preliminary/Final Plan.

**On motion of Mr. Schreiter, seconded by Mr. Hassick, the Planning Commission voted 6-0 to make recommendation to the Board of Commissioners to approved the Preliminary /Final Plan for the Lot Consolidation Plan for 2451 Parkwood Drive, Allentown, PA subject to any conditions stipulated by the Township Engineer's correspondence of May 4, 2016; the Planning Director's correspondence of May 5, 2016; the Salisbury Township Fire Inspectors correspondence of April 12, 2016 and adherence with all required Federal, State and Local regulations. All in favor.**

**On motion of Mr. Dr. Licht, seconded by Mr. Miller, the Planning Commission voted 6-0 to make recommendation to the Board of Commissioners to approve the Preliminary/Final Land Development Plans as requested in the Waiver to SALDO 302.1.C separate Preliminary/Final Plan for the Land Development. All in favor.**

**On motion of Mr. Schreiter, seconded by Mr. Miller, the Planning Commissioners voted 6-0 to make recommendation to the Board of Commissioners to approve the Preliminary/Final Land Development Plan. With the conditions to comply with the recommendations provided by the township engineer, township zoning officer/planning director/ township solicitor and adherence with all required Federal, State and Local regulations. All in favor.**

**2402/2410 SOUTH FILBERT STREET, ALLENTOWN, PA – PRELIMINARY/FINAL MINOR LOT SUBDIVISION & LOT LINE ADJUSTMENT.**

Review the Preliminary/Final Re-Subdivision Plan and Lot Line Adjustment between 2402 and 2410 South Filbert Street. The project will incorporate any new Construction.

Present was Mr. Robert Piligian, PLS of Bascom and Sieger, Inc., Brett and Tara Wirth, owners and Gary and Susan Panasuk, owner.

Mr. Tetterer highlighted his review letter dated May 4, 2016. He reviewed 13 general items for discussion, review and the required waivers. Slope shading, soil types, manmade features, sanitary water and sewer facilities, easements, building setbacks, emergency vehicle accessibility, lot depths, and permanent concrete directional markers were reviewed.

Ms. Sopka highlighted her review letter dated May 5, 2016. The proposed project is located on south Filbert Street. Both properties have access to public water and public sewer. The proposed plan entails adjustment to property lines between the two adjoining properties that will result in a transfer of 8.4972 Acres of land from Lot 1 and convey it to Lot 2. Both properties are located in the Conservation residential District (CR) of Salisbury Township.

**On motion by Mr. Schreiter, seconded by Mr. Hassick, The Planning Commission voted 6-0 to make recommendation to the Board of Commissioners to provided conditional approval for the Minor Lot Subdivision/Lot Consolidation subject to any conditions stipulated by the Township Engineer’s correspondence of May 4, 2016; the Planning Director’s correspondence of May 5, 2016; the Salisbury Township Fire Inspectors correspondence of May 3, 2016; the Township Solicitors recommendations and compliance with all required Federal, State and Local regulations. All in favor.**

**On motion by Mr. Schreiter, seconded by Mr. Hassick, the Planning Commission voted 6-0 to approved the requested waivers from the Applicants’ correspondence of April 12, 2016 which was revised on May 6, 2016 from the Salisbury Township Subdivision and Land Development Ordinance as presented on May 10, 2016 that included the following: WAIVERS from SALDO 7.3.A.2; 7.3.C.2; 7.3.C.6; 7.3.E.4&5; 7.3.E.6; 10.6.A.3; and 10.13.A. The requested Waiver from SALDO 7.3.F.3 regarding setback lines was removed due to the applicant indicating the setback lines would be presented on the site plan. The Applicant was required to update the correspondence regarding the requested Waivers and Deferral.**

**On motion by Mr. Schreiter, seconded by Mr. Miller, the Planning Commission voted 6-0 to approve the requested deferral from SALDO 10.4.I.3 which would include a prescriptive**

**easement that would include a Deed for easement that would be acceptable to the Solicitor. All in favor.**

**On motion by Mr. Schreiter, seconded by Mr. Hassick, the Planning Commissioners made the recommendation to approve the Preliminary/Final Plan with conditions to comply with the recommendations provided by the Township Engineer, Township Zoning Officer/Planning Director, and Township Solicitor and adhere to additional Federal, State and Municipal regulations.**

**OTHER BUSINESS**

NONE

**ADJOURNMENT**

On motion of Mr. Schreiter, seconded by Mr. Hassick, the Planning Commission voted to adjourn the meeting. All in favor.