

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES**

**7:30 PM
June 9, 2020**

A regular meeting of the Planning Commission of the Township of Salisbury was held at the Western Salisbury Fire Station located 3425 Eisenhower Avenue, Allentown, Lehigh County, Pennsylvania.

CALL TO ORDER

Mr. Charles Beck, Chairman, called the meeting to order.

ROLL CALL

Charles Beck, Chairman
Rick Schreiter, Vice Chairman
Glenn Miller, Secretary
Richard Hassick
James Brown
Mark Kijak
Jessica Klocek
John Ashley, Township Solicitor
David Tetteimer, Township Engineer
Kerry Rabold, Administrative Assistant

APPROVAL OF THE MINUTES

On motion of Mr. Miller, seconded by Ms. Klocek, the March 10, 2020 Planning Commission Meeting Minutes have been accepted as written.

3401 LEHIGH STREET/689 STATE AVENUE – PRELIMINARY/FINAL LOT CONSOLIDATION (NO. 20-0132)

Mr. Ron Corkery, Esquire, of Corkery & Almonti Attorneys at Law, and Thomas Deily, of Keystone Consulting Engineers, represented the owner/applicant, Vinart Realty Associates, LP. Mr. Corkery spoke of the history of the project/site and the need to consolidate the two lots. After the lot consolidation is approved and completed, the next step will be land development to construct building additions and reconfigure the parking lot. Mr. Corkery also stated that there will be no increase in impervious coverage as a result of the lot consolidation or land development.

The review letter dated June 4, 2020 by Jill Lipovsky Smith, PE of Hanover Engineering, Alternate Township Engineer was discussed. Mr. Corkery agreed to comply with all five comments in Section B. “Subdivision and Land Development Ordinance (Chapter 22)” of Ms. Lipovsky Smith’s review letter. Mr. Corkery also stated that the lot consolidation plans have

been discussed with Emmaus Borough and Mr. Jim Farnsworth, Code Official of Emmaus Borough, does not require a plan review. (Note: After the meeting, this statement was confirmed by a letter dated June 10, 2020 from Mr. Farnsworth to Ms. Rabold which has been placed in the file.)

Ms. Rabold reviewed the letter received by the Township from Jillian Seitz, Senior Community Planner, at Lehigh Valley Planning Commission dated June 5, 2020. LVPC has stated that:

This minor proposal is generally consistent with “FutureLV: The Regional Plan” because the consolidation of lots for the existing use creates a more efficient development pattern, of “FutureLV” Goal 1.

It was stated that after consolidation, the combined parcel will be solely taxed in Salisbury Township.

Motion was made by Mr. Kijak to approve the plans contingent upon compliance with the corrections stated in Ms. Lipovsky Smith’s letter dated June 4, 2020. Ms. Klocek seconded the motion. The Planning Commission voted 7-0 in favor.

1072 BUCKINGHAM DRIVE/1078 BUCKINGHAM DRIVE – PRELIMINARY/FINAL RESUBDIVISION (20-0131)

Mr. Jay Musselman, surveyor, represented Mr. Hoyt Walter, owner/applicant (1072 Buckingham Drive), and Mr. Justin Romano, owner/applicant (1078 Buckingham Drive). Mr. Musselman spoke of the history of the project/site and the desire of family members to resubdivide their adjoining lots.

Mr. Dave Tetterer, Township Engineer discussed his review letter dated June 1, 2020 and went over his 10 comments. Mr. Tetterer noted that comment #1 was clerical and that comment #2 through #10 would require either a waiver request or comments added to the plan. Mr. Musselman presented a letter dated May 15, 2020 requesting waivers stated in comments #2, #3, and #6. A letter written by Mr. Musselman at the meeting and dated June 9, 2020 was presented to request waivers for items #9 and #10. Mr. Musselman also stated that the plans have been submitted to LVPC for review, addressing comment #1 and he will add statements to plan to address comments #4, #5, #7, and #8. Mr. Tetterer recommended approval of all waiver requests and stated that if the waiver requests were approved and the statements were added to the plans, he would have no engineering objections to approving the plans.

Ms. Rabold reviewed the letter received by the Township from Samantha Smith, Chief Community Planner, at Lehigh Valley Planning Commission dated June 5, 2020. LVPC has stated that:

This minor proposal is not a matter of regional concern and is generally consistent with “FutureLV: The Regional Plan”.

Motion was made by Ms. Klocek to grant approval for the waiver requests for comments #2, #3, #6, #9, and #10 as stated in Mr. Tetterer’s review letter dated June 1, 2020. Mr. Miller seconded the motion. The Planning Commission voted 7-0 in favor.

Motion was made by Mr. Schreiter to approve the preliminary/final resubdivision plan subject to the statements to be added to the plan as discussed. Ms. Klocek seconded the motion. The planning Commission voted 7-0 in favor.

886 FLEXER AVENUE – PRELIMINARY MAJOR SUBDIVISION PLAN (19-11520)

Mr. Jeff Beaven of Bohler Engineering, engineer, and Ms. Maria Diaz-Joves, of Plot 886, LLC, property owner/applicant, were present to discuss the proposed preliminary major subdivision at 886 Flexer Avenue.

Mr. Tetteimer discussed his review letter dated May 22, 2020 and went over his 11 comments. Mr. Tetteimer noted that with the exception of comment #9 concerning street trees, all other issues have been resolved and waivers have already been requested and recommended for approval. Mr. Beaven presented a letter dated June 4, 2020, which includes a request for a waiver per Mr. Tetteimer's outstanding review comment. Mr. Tetteimer recommended approval of the additional waiver request and stated that if the waiver request was approved, he would have no engineering objections to recommending approval of the preliminary plans.

Mr. Bohler stated that an NPDES permit has already been obtained for the subdivision

Mr. Schreiter asked about the proposed retention basins and Mr. Tetteimer stated that all were reviewed by DEP and all of DEP's requirements have been met. Mr. Miller asked who would be responsible for the stormwater management post construction and Mr. Tetteimer stated that it would be the responsibility of the individual property owners. An agreement would be recorded detailing the maintenance requirements.

Mr. Joseph Wolf, owner of 2882 East Texas Boulevard and its adjacent vacant land parcel, asked about the retention basin proposed for Lot 4 and how it will affect his property when there is overflow and if the property owner does properly maintain it. Mr. Beaven stated that the overflow is designed to flow towards Mosser Drive. He also stated that the retention basin will be 5 five from the property line and underground with no fencing around it. Mr. Tetteimer stated that the retention basin meets all DEP requirements. A permit from the DEP has not been issued yet but is expected. Mr. Schreiter asked if the Township has any responsibility or liability relating to the retention basins and Mr. Tetteimer stated "No".

Mr. Wolf asked about the price point of the proposed homes. Ms. Diaz-Joves stated that the homes will be priced per the market. She also stated that her current homes for sale in other developments sell for between \$600,000 and \$1,000,000.

Mr. Beaven requested, as stated in his letter dated June 4, 2020 that the plans be considered for final approval since the only outstanding issues are minor and all clerical.

Motion was made by Mr. Kijak to recommend approval for the waiver request for comments #9 as stated in Mr. Tetteimer's review letter dated May 22, 2020. Mr. Hassick seconded the motion. The Planning Commission voted 7-0 in favor.

Motion was made by Ms. Klocek to recommend approval of the preliminary plan. Mr. Hassick seconded the motion. The Planning Commission voted 7-0 in favor.

Motion was made by Ms. Klocek to recommend approval of the final plan as requested in the letter by Bohler Engineering dated June 4, 2020. Mr. Miller seconded the motion. The Planning Commission voted 7-0 in favor.

REVIEW OF PROPOSED CHANGES TO SALISBURY TOWNSHIP ZONING ORDINANCE §27-807 PERTAINING TO TEMPORARY TENTS, STRUCTURES, AND USES

Ms. Rabold presented the proposed changes to §27-807 of the Salisbury Township Zoning Ordinance. These changes are recommended to allow the Zoning Officer a greater ability to approve zoning applications by allowing more temporary tents, structures, and uses as permitted-by-right. The proposed changes also establish more safety regulations in regards to these temporary tents, structures, and uses.

Mr. Thomas Hart, Salisbury Township Fire Inspector, spoke about the added safety measures and newly required fire inspections for certain temporary tents, structures, and uses. Ms. Rachel Berosh of the South Mall (3300 Lehigh Street) asked what the fee would be for the required inspections. Mr. Hart stated that it has not been determined yet but we would inquire into it.

Mr. Beck suggested that requirements for bathroom facilities be added to the amendment.

Mr. Daniel Desh, owner of the South Mall Mercantile at South Mall (3300 Lehigh Street) asked what the Township is doing to help business owners during the current pandemic and asked if there would be a way to open his business sooner than as ordered by Pennsylvania State Governor Wolf. Mr. Desh also asked about lifting parking restrictions at the rear of his store to allow tenants to load and unload. Mr. Ashley stated that both of those issues should be brought to the next Board of Commissioners' meeting.

Motion was made by Ms. Klocek to recommend approval of the proposed Zoning Amendment to §27-807, as amended. Mr. Miller seconded the motion. The Planning Commission voted 7-0 in favor.

REVIEW OF DEP REQUIRED INTERIM ACT 537 SEWAGE PLAN FOR KLINE'S ISLAND TREATMENT PLANT

Mr. Tettermer reviewed the project and events in recent history. He has stated that the sewer capacity has been exceeded due to excessive rain and the DEP is requiring corrective action to address this. The Interim Act 537 will be through 2025.

Planning Commission members discussed the plan and Salisbury Township's role within the inter-municipal agreement. This agreement only pertains to the water that flows to the Allentown plant.

Mr. Tettermer asked that members submit any comments they may have to him prior to a public meeting scheduled in July 2020.

COURTESY OF THE FLOOR

Nothing presented.

AJOURNMENT

On motion Mr. Schreiter, seconded by Mr. Miller, the meeting was adjourned.