

MINUTES
UPPER SAUCON TOWNSHIP PLANNING COMMISSION
Regular Meeting
Tuesday, January 6, 2015 - 6:30 p.m.
Township Municipal Building

Call to Order/Pledge of Allegiance

Ms. Falcone called the meeting to order at 6:30 p.m. with the reciting of the Pledge of Allegiance.

Roll Call

Members Present: **Samantha Falcone, Chair**
 Gerry Anthony, Vice-Chair
 Bryan Macfarlane
 Tony Roman
 Roderick Chirumbolo

Staff Attending: **Joanna Slagle, Secretary/Director of Community Development**
 Thomas Dinkelacker, Township Solicitor
 Ronald Gawlik, Township Engineer for Special Projects

Reorganization

Ms. Falcone stepped down as Chair to allow Mr. Dinkelacker to open the floor for nominations for Chair. Mr. Macfarlane nominated Ms. Falcone for Chair and was seconded by Mr. Anthony. There being no other nominations presented a vote to appoint Ms. Falcone as Chair was unanimous in favor.

Ms. Falcone requested nominations for Vice-Chair. Ms. Falcone nominated Mr. Anthony which was seconded by Mr. Macfarlane. There being no other nominations, a vote to appoint Mr. Anthony Vice-Chair was unanimous in favor.

Ms. Falcone requested nominations for Planning Commission Secretary and nominated Ms. Slagle, which was seconded by Mr. Anthony. No other nominations were put forth and a vote to appoint Ms. Slagle secretary was unanimous in favor.

Minutes

Ms. Falcone cited one addition to the draft minutes. Motion was made by Mr. Macfarlane and seconded by Mr. Anthony to approve the minutes of the December 2, 2014 Planning Commission meeting as amended; the vote was unanimous in favor of the motion.

Subdivision and Land Development Reviews

DeSales University Athletic Facilities 2014 - Final Plan #40783

Representatives from DeSales University included Jim Mazeika, P.E. from Barry Isett & Associates, Attorney Erich Schock and Bob Snyder from DeSales University. The Final Plan and subsequent review letters from Township staff were discussed, which included:

- Zoning Officer Review from Trent Sear memo dated December 31, 2014
- Pidcok Engineer Review memo prepared by Ron Gawlik, P.E., dated December 30, 2014
- Leidos Geotechnical Review memo prepared by Kent Littlefield, P.G., dated December 22, 2014
- Schreiter Engineering Associates memo prepared by Karl Schreiter, P.E., DEE dated December 19, 2014.

Attorney Schock represented that the Final Plan made no substantive changes to the Preliminary Plan the Board approved last month. Initially DeSales intended to phase the plan, however it was determined that phasing was not necessary because all public improvements were being installed at the beginning of the project. The development is specific to athletic fields thus phasing is not necessary.

Mr. Gawlik stated that all the conditions of approval identified in the preliminary plan remain.

Mr. Dinkelacker identified that the applicant intends to phase the installation of the riparian buffer. This condition was identified during the preliminary plan discussion and conditions of approval.

Mr. Macfarlane inquired as to why the Lehigh County Conservation District (LCCD) commented on the riparian buffer. Mr. Mazeika stated that the LCCD reviews all riparian buffer plans as outlined in the Township's ordinance. Mr. Mazeika also indicated that the design and specific phasing details still need to be identified.

Mr. Dinkelacker stated that the Township agreed to allow phasing of the riparian buffer and that the specific details of that agreement will be outlined in the Improvements Agreement and a note added to the recorded plan.

Mr. Macfarlane identified that Mr. Littlefield's letter stated that issues in the preliminary plan had not been addressed for the final plan submission. Attorney Schock stated that those items were conditions of approval and will be done prior to recording of the plan.

No further questions or comments being made, the Commission proceeded to review the conditions of final approval.

A motion was presented to recommend approval to the Board of Supervisors subject to the following conditions:

- 1) Condition #2 identified in Trent Sear's December 31, 2014 letter
- 2) Conditions set forth in Kent Littlefield's December 22, 2014 letter
- 3) Conditions set forth in Snyder Hoffman's December 2, 2014 letter stating that there will be no illumination after 11 pm and that the times of illumination during hours of darkness be identified on a month-by-month basis.
- 4) Conditions #1 and #2a., b. and c. set forth in the December 30, 2014 letter from Ron Gawlik, P.E.

A motion to approve the Final Plan with requested conditions was made by Mr. Macfarlane and seconded by Gerry Anthony, which was unanimously approved by the Commission.

Posh Property - New Sketch #40861

Mr. Preston, Esq., Joseph Posh and Michael Jeitner, P.E. represented Posh Properties and presented the proposed sketch plan. Mr. Jeitner provided an overview of the property and proposed plan. The applicant proposes two one-story buildings on the property; a 10,000 square foot day care facility and a 14,000 square foot office building. The property was the subject of a prior application to the Zoning Hearing Board and was approved relief in 2013 for setbacks. The applicant will be required to seek additional relief from the Zoning Hearing Board for two principal uses on the same lot and for parking setback.

Mr. Dinkelacker stated that the Township's ordinance does allow for two uses on the same lot provided the lot is large enough to accommodate each uses required lot area. This lot is undersized and does not meet that requirement.

Ms. Falcone inquired if zoning relief would be required if the two uses were in the same building. Mr. Dinkelacker stated that they would not need to seek a variance, however, in this case they are asking for two separate buildings which triggers the need for variance relief.

Mr. Dinkelacker also stated that the property adjoins the R-2 District to the east which requires a significant landscaping buffer.

Ms. Falcone asked if the applicant considered any alternative building placements to try and alleviate the need for variance relief. Mr. Jeitner responded that the building placement was designed so that each building would have their own access and appear independent of each other despite being on the same lot.

Mr. Anthony asked what the maximum capacity of the daycare facility is. Mr. Jeitner stated that the facility would accommodate a maximum of 110 students and 10 to 14 employees.

Mr. Anthony inquired about the type and frequency of deliveries to the site, including food deliveries for the daycare. Mr. Posh stated that the deliveries would be weekly for food and they would not require more than a box van or smaller delivery vehicle. Mr. Posh indicated

that the kitchen facilities would be primarily for heating and snack preparation and not a full kitchen.

Mr. Posh indicated that the type of daycare facility contemplated for this site would include infant through kindergarten or school age children.

Ms. Falcone asked if the daycare might partner with other adjoining uses for programming, such as the Swim-in Zone or Penn State, or connect driveways or pathways to other uses. Mr. Jeitner indicated that utilizing other facilities might be a possibility but connecting driveways may be difficult giving the topography and steeply sloping areas, however, pathways or sidewalks may be possible.

Mr. Anthony asked where trash enclosures were to be located. Mr. Posh stated they had not determined the best location for enclosures at this time.

Ms. Falcone asked how many tenants are proposed for the office building. Mr. Posh indicated that two to three tenants are proposed. Mr. Dinkelacker asked if they were considering condominiums. Mr. Posh stated that may be a possibility but not contemplated at this time.

Mr. Anthony asked about the entrance and exits. Mr. Jeitner reviewed that proposed access with a right-in and right-out only along Saucon Valley Road and open entrance and exit along Saucon Creek Road.

Mr. Macfarlane asked if the play area was located under the existing overhead power lines. Mr. Jeitner stated that the play area was not located under the power lines. In addition, the play area would be fenced and secured.

Mr. Macfarlane stated that this area has several mineshaft and surface and subsurface drainage issues. Mr. Jeitner stated that they will be conducting geotechnical studies and review information provided by Mr. Littlefield. They will adjust their site design accordingly.

Ms. Falcone reiterated the need for caution on the site given the areas mine shafts and previous sinkhole issues. In particular when siting the play area.

Mr. Macfarlane again stated if any shared driveway and pathway opportunities existed to consider those in an effort to reduce impervious coverage.

Ms. Falcone asked if any bussing would occur for the daycare school age students. Mr. Posh indicated that the type of daycare provider contemplated for the site might include a supplemental kindergarten program. If such a program was included than bussing from the public schools to the facility may occur. They may also do afterschool programing until age 7, or second grade.

There being no further discussion the presentation was concluded and no action was taken on the Sketch Plan.

Discussion

Mr. Macfarlane inquired about Kay Builders application on Old Bethlehem Pike and the petition for the AQC overlay that was discussed at the Board of Supervisors meeting the previous night. Mr. Dinkelacker responded that Kay builders has petitioned the Supervisors for an AQC overlay which was sent to the Planning and Zoning Committee for review and consideration. Mr. Macfarlane asked if the Planning Commission can be involved in the process or offer input on the proposal. Mr. Dinkelacker indicated that it was appropriate for the Planning Commission to provide any input they deemed appropriate and advise the Planning Commission to reach out to the Planning and Zoning Committee on the matter.

Environmental Advisory Council

No discussion from the Environmental Advisory Council.

Public Comment

No public was present.

Adjournment

There being no further business, the meeting adjourned at 7:30 p.m. The next regular meeting is scheduled for **February 3, 2015, at 6:30 p.m.**

Respectfully submitted,

Joanna Slagle,
Secretary