

MINUTES
UPPER SAUCON TOWNSHIP PLANNING COMMISSION
Regular Meeting
Tuesday, June 4, 2019 – 6:30 p.m.
Township Municipal Building

Call to Order/Pledge of Allegiance

Ms. Falcone called the meeting to order at 6:31 p.m. with the reciting of the Pledge of Allegiance.

Members Present: **Samantha Falcone, Chair**
 Gerry Anthony, Vice Chair
 Dennis Aranyos
 George Bloeser
 Rod Chirumbolo
 Antonio Roman

Staff Attending: **Trisha Lang, Secretary/Director of Community Development**
 Tom Dinkelacker, Township Solicitor
 Charles Unangst, Township Engineer

Board of Supervisors Meeting Actions

The Chair identified the Board’s approval of the Mindler Subdivision Plan at their meeting on May 13, 2019.

Minutes

The minutes of the May 7, 2019 meeting were tabled until the next meeting.

Subdivision and Land Development Reviews

Brinley Court Phases 2 & 3 Final Land Development Plans #2019-02 and #2019-03

Representatives for the project included Brian Grant, Select Properties, Inc., Dan Humes, P.E. Van Cleef Engineering Associates, and Kimberly Freimuth, Esq., Fox Rothschild, LLP. The **Phase 2** proposal includes the construction of seventy-four (74) additional townhouse units and the installation of a temporary emergency access. Ms. Freimuth indicated that nothing had changed since the Commission recommended approval of the Preliminary and Phase 1 Final Plan back in January. She addressed concerns raised about the cooperation of Coopersburg Borough in approval of the use and alignment of the proposed temporary emergency access; indicating the intent to move forward with the alignment that would connect to Borough property and exit onto Route 309. She indicated that, if they could not reach an agreement with the Borough, they would propose an alternative. Commission members questioned the applicant about the comments provided by the fire chief and the Township’s geo-technical consultant. The applicant indicated an intent to comply. Ms.

Falcone questioned whether the number of street trees shown on the plan complied with the ordinance criteria and was assured that the full number of required trees were to be planted.

The Commission took the following actions with the respect to the Plan for Phase 2:

The PC voted unanimously to recommend **conditional approval** of the **Plan**, subject to the following:

1. Satisfaction of all comments associated with conditional approval of the Preliminary Land Development Plan;
2. Satisfaction of all comments associated with conditional approval of the Final Land Development Plan for Phase 1;
3. Satisfaction of the following comments contained in the March 27, 2019 Hanover Engineering Associates review letter:
 - a. Comments B.1-8, 9(a)-(e), 10-15, 16 (A), (b), 17, 18, 19(a), (b), 20, 21(a), (b), and 22-27;
 - b. Comments C.1-3;
4. Revision of the Plan to satisfy comments 1 -5 contained in the April 30, 2019 memorandum of Trent Sear
5. Revision of the Plan to satisfy both items identified in the March 26, 2019 review letter from Leidos;
6. Satisfaction of the comments contained in the Hanover Engineering Associates Sanitary Sewer review letter dated March 27, 2019 related to plan sheets 14 and 24 of the thirty-six (36) sheet plan;
7. Satisfaction of the comments related to signage for on-street parking and the temporary emergency access contained in the March 26, 2019 review letter from the Chief of the Upper Saucon Volunteer Fire Department #1;
8. Revision of the record plan to identify with specificity each waiver or deferral granted, the purpose/impact of the waiver or deferral, the conditions/terms of each waiver or deferral and the date of the grant of relief by the Board of Supervisors and,
9. Execution of a subdivision and land development improvements agreement to the satisfaction of the Township;
10. Execution of an Ordinance 108-B Agreement to the satisfaction of the Township;
11. Provision of an irrevocable stand-by letter of credit in a form and amount satisfactory to the Township to secure completion of all required improvements;
12. Payment of all review fees due and owing.

The **Phase 3** proposal includes the construction of the remaining seventy-seven (77) townhouse units as well as the installation of the permanent emergency access out to S. Main Street. The applicant questioned staff comments related to the condition of the existing portion of the permanent emergency access; indicating that they did not believe there was any obligation to address the condition of this cartway. The applicant indicated that a water line was to be installed along this cartway and that it was to be used to allow heavy construction equipment to access the site; suggesting that this would document that it would be satisfactory to support fire

vehicles. Mr. Bloeser suggested the use of pavers which have been installed as an acceptable alternative in other emergency access drive locations in the Township. The applicant agreed to meet with the fire chief to determine what type of material will be acceptable. In addition, because the HOA will ultimately be responsible for maintenance of this access, it was agreed that specific information would be included in the HOA documents to expressly indicate what standard of construction is expected should repairs to the cartway be necessary.

Ms. Falcone again questioned the value of the open space on the site and how it would be maintained since it is inaccessible from the homes and streets in the project. The applicant identified the intent for this acreage to remain in a meadow condition with no active or passive uses anticipated.

The Commission took the following actions with the respect to the Plan for Phase 3:

The PC voted unanimously to recommend **conditional approval** of the **Plan**, subject to the following:

1. Satisfaction of all comments associated with conditional approval of the Preliminary Land Development Plan;
2. Satisfaction of all comments associated with conditional approval of the Final Land Development Plan for Phase 1;
3. Satisfaction of the following comments contained in the March 27, 2019 Hanover Engineering Associates review letter:
 - a. Comments B.1-15, 16(a), (b), 10-15, 16 (a), (b), 17-19, 20 (a), (b), and 21-27;
 - b. Comments C.1-3;
4. Revision of the Plan to satisfy comments 1 -5 contained in the April 30, 2019 memorandum of Trent Sear
5. Revision of the Plan to satisfy both items identified in the March 26, 2019 review letter from Leidos;
6. Satisfaction of the comments contained in the Hanover Engineering Associates Sanitary Sewer review letter dated March 27, 2019 related to plan sheet 23 of the thirty-six (36) sheet plan;
7. Satisfaction of the comments related to signage for on-street parking and the temporary emergency access contained in the March 26, 2019 review letter from the Chief of the Upper Saucon Volunteer Fire Department #1, as well as compliance with the Chief's indication of a satisfactory material for the existing portion of the permanent access drive intersecting with S. Main Street;
8. Revision of the record plan to identify with specificity each waiver or deferral granted, the purpose/impact of the waiver or deferral, the conditions/terms of each waiver or deferral and the date of the grant of relief by the Board of Supervisors and,
9. Execution of a subdivision and land development improvements agreement to the satisfaction of the Township;
10. Execution of an Ordinance 108-B Agreement to the satisfaction of the Township;
11. Provision of an irrevocable stand-by letter of credit in a form and amount satisfactory to the Township to secure completion of all required improvements;

12. Payment of all review fees due and owing.

Preliminary/Final Land Development for Lanark Commons III #2019-05

Representatives for the project included Tony Ganguza of Boyle Construction, and Rob DeBeer of PD Lanark, LP. Mr. DeBeer summarized the status of the prior construction on the site and identified that St. Luke's would also occupy the currently proposed second, smaller structure. Mr. Chirumbolo asked about the proposed architecture and whether the buildings would be complementary and Ms. Falcone inquired about the ability to address the parking requirements. The Commission evaluated the applicability of the previously granted waiver and deferral associated with the site and recognized the continuing applicability of both actions. Mr. Bloeser highlighted the sinkhole concern raised by the Leidos review letter dated May 30, 2019. In response to concerns raised by Ms. Falcone, the applicant reviewed how construction would occur without conflict with the operation of the existing facility and indicated that construction vehicles would enter from W. Valley Road.

The Commission took the following actions with the respect to the Plan:

The PC acknowledged prior **approval** of the following **waiver** which remains applicable to the site:

1. SALDO Section 510, Sidewalks.

The PC acknowledged prior **approval** of the following **deferral** which remains applicable to the site:

1. SALDO Sections 503.A.2, and 507, Requiring roadway widening along West Valley Road and the installation of the trail from the north side of the access drive to West Valley Road to the northern property line.

The PC voted unanimously to recommend **conditional approval** of the **Plan**, subject to the following:

1. Satisfaction of the following comments contained in the May 30, 2019 Hanover Engineering Associates review letter:
 - a. Comments B. 1-11, 12 (a), (c), and, 13-29.
 - b. Comments C. 1-6
2. Revision of the Plan to satisfy comments 3, 4, and 7, contained in the May 30, 2019 memorandum of Trent Sear;
3. Satisfaction of the bullet point items in the May 29, 2019 Hanover Engineering Associates Sanitary Sewer review letter;
4. Satisfaction of the comments contained in the April 23, 2019 review letter from the Chief of the Upper Saucon Volunteer Fire Department #1 prior to occupancy of the building;
5. Payment of the applicable Transportation Impact Fee to the Township's Transportation Capital Improvement Fund;
6. Execution of a subdivision and land development improvements agreement to the satisfaction of the Township;

7. Execution of an Ordinance 108-B Agreement to the satisfaction of the Township;
8. Provision of an irrevocable stand-by letter of credit in a form and amount satisfactory to the Township to secure completion of all required improvements;
9. Payment of all review fees due and owing.

Preliminary/Final Land Development for PSU LV Dining Hall Expansion #2018-05

Tammy Rae Leslie Barr, P.E. of Liberty Engineering, Inc. presented this project to the Commission. Ms. Barr summarized the proposal, indicating that the intent was to provide better services for existing students and not to increase capacity of the facilities. She identified the complexities of the project and the coordination with the maintenance building project that is also under review at this time. Multiple waivers have been requested to allow the proposal to move forward without meeting the applicable regulations. The Commission members provided feedback on these requests and provided specific guidance with regard to installation of the required street trees for the site. Mr. Bloeser raised concern about the review letter provided by Leidos and Attorney Dinkelacker suggested that the firms representing the two concurrent projects meet to coordinate their plans.

The Commission took no action on the proposal.

Public Comment

None

Discussion

Mr. Aranyos provided an update on the activities of the EAC

Adjournment

There being no further business, the meeting adjourned at 8:32 p.m. The next regular meeting is scheduled for July 2, 2019, at 6:30 p.m.

Respectfully submitted,

Patricia Lang,
Secretary