

**MINUTES**  
**UPPER SAUCON TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting**  
**Tuesday, July 7, 2020 – 6:30 p.m.**

**Call to Order/Pledge of Allegiance**

Ms. Falcone called the meeting to order at 6:32 p.m.

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

**Staff Attending:**            **Trisha Lang, Secretary/Director of Community Development**  
                                         **Thomas Dinkelacker, Township Solicitor**  
                                         **Kevin Chimics, Township Engineer**

**Board of Supervisors Meeting Actions**

*None*

**Minutes**

**The minutes of the June 2, 2020 meeting were reviewed and unanimously approved.**

**Subdivision and Land Development Reviews**

**Estates at Saucon Valley Subdivision Plan #2019-07A**

Township Solicitor, Attorney Thomas Dinkelacker, outlined the process for consideration of the plan application by the Planning Commission and the expectations for citizen input during the meeting. Afterwards, Chairperson Falcone introduced this agenda item and requested that the Developer provide a brief summary of the plan and any changes made since it was last considered by the Planning Commission.

Rob DeBeer of Peron Development and Jeff Bevan, P.E. of Bohler Engineering, PA LLC were in attendance to discuss the details of the proposal. Elements of the design discussed included the provision of a trail system through the site that will ultimately provide connection to the Saucon Rail Trail, the construction of off-site public water infrastructure with a connection at Pa Route 309, and an indication that the stormwater infrastructure for the project is designed to accommodate full build out of every lot. Commission members posed questions about the stormwater design, sanitary sewer velocities, open space disturbance and trail connections. Additionally, the need for signage at the proposed intersection with Flint Hill Road was discussed.

The Commission received the following input from the public attending the meeting:

**Nancy Cygan** (2816 Forest Drive) – requested information on whether a traffic study had been done and if so, did it include the spillover impacts to parallel roads like Forest Drive. The developer responded that a traffic study had been performed in December of 2019 and updated in March. Seven (7) intersections were studied but not any parallel roadways. Jim Milot of Hanover Engineering indicated that the intersections that were studied were those where the biggest impact would be seen and that there was insignificant bleed to other roads near the site.

Ms. Cygan asked that the Commission consider the impacts to the Southern Lehigh School District and also requested an update on the status of the Township’s efforts to plan for preservation of open space.

**Maryann Mattiola** (2786 Flint Hill Road) – identified her disagreement with Jim Milot’s analysis of the traffic impact associated with the project and voiced concern for the safety of the children, and the addition of bus trips, delivery vehicles, and construction vehicles on the roadways. She implored the Commission to prevent the developer from installing sidewalks along Flint Hill Road due to her belief that it would encourage people to walk along this unsafe roadway. Additionally, Ms. Mattiola expressed her concern for the disturbance to wildlife in the area, including bears and coyotes. Finally, Ms. Mattiola indicated that she had a suggestion that would make the project better and safer. She recommended having the developer realign an existing curve in Flint Hill Road while moving the Flint Hill Road entrance to the project to provide a clear and unobstructed view.

The developer responded that the number and location of entrances from Flint Hill Road had already been evaluated and the single remaining access point was at the safest location.

**Kathy Rampsbacher** (2854 Flint Hill Road) – Ms. Rampsbacher indicated that her home was located directly across from the proposed entrance onto Flint Hill Road and that she would like to see the landscape buffer installed first. She voiced concern over the impact of headlights as well as lighting of the streets.

**Peter Staffeld** (6984 Wards Lane) – Mr. Staffeld’s comments also included a desire to minimize the street lighting within the project, a concern that Ward’s Lane will be impacted by cut-through traffic, and satisfaction that the disturbance of mature tree cover on the site had been minimized.

**Henry Lahneman** (3046 Taylor Drive) – expressed his belief that the traffic in this area is already bad and that additional traffic presented a huge concern. He indicated that the roads are dangerous, and that speeding is a problem. For this reason, he reiterated that sidewalks would be a bad idea. Mr. Lahneman was also worried about the impacts of additional water runoff due to the development.

Additionally, public comment was received by email prior to the meeting. Comments received included the following:

**Duane Jones** (3164 Flint Hill Road) – “Township residents should not cover any costs related to this development”

**Aaron Landis** (6878 Wards Lane) – expressed concerns related to the relationship between the required 30’ perimeter buffer and the location of mature wooded areas as well as a desire for the developer to minimize the removal of trees in areas where residential lots are proposed.

**Michael Stubblefield** (2514 Flint Hill Road) – identified three issues of concern including the noise and dust associated with the proposed construction, the safety of having to cross Flint Hill Road to retrieve mail, and the narrow, windy condition of Flint Hill Road which poses a safety risk. Mr. Stubblefield requested that trees be installed prior to the start of any construction, that the location of resident’s mailboxes be addressed, and that Flint Hill Road be straightened to remove the blind curve.

**Bernadette Woodring** (3056 Flint Hill Road) – also expressed concern about the existing safety of Flint Hill Road due to speeding cars and blind curves and requested that the road be straightened to

remove the blind spot and that the entrance from Flint Hill Road be moved to provide a clear and unimpeded view of all traffic. In addition, Ms. Woodring requested that a berm and trees be installed before construction begins to reduce the impact of noise and dust associated with construction.

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

The PC voted unanimously to recommend deferral of the installation of improvements associated with the following waivers:

1. SALDO Sections 510, 511, requiring the provision of sidewalk and curb along all streets only as it relates to Flint Hill Road. Installation of any sidewalk and curb is deferred until such time as there is a specific location for the anticipated trail crossing of Flint Hill Road.

The PC voted unanimously to recommend conditional approval of the following waivers:

1. Ordinance 108-B Sections 304.H requiring that the stormwater design allow for infiltration when the ground surface is frozen. The condition of approval requires that the Developer obtain an approved NPDES permit.
2. Subdivision and Land Development Ordinance (SALDO) Section 503.A.2,3 which requires that existing streets of improper width be improved. The condition of approval is that the Developer, or the HOA as the case may be, provide a 6' widening of the cartway in the area of the new intersection with Flint Hill Road and the new intersection with Taylor Drive.
3. SALDO Section 502.J.3 requiring the provision of a 28' X 20' snow drop off area in each cul-de-sac. The condition of approval is that the developer expand the diameter of the cul-de-sacs to 120' to accommodate vehicle movements when snow cannot be removed from the turnaround area.
4. SALDO Sections 302.E.2, and 502.D requiring that street signs and parking controls be provided. The condition of approval allows the developer to place the required signage in limited locations throughout the development; provided that the Developer, or the HOA as the case may be, shall install additional signage if and when the Township determines that the signage is necessary to enforce or control speeding, parking or other traffic violations within the development.

The PC voted unanimously to recommend approval of the following waivers:

1. Subdivision and Land Development Ordinance (SALDO) Sections 302.B.1, requiring that the plan be drawn to a scale no less than 100' to the inch
2. SALDO Section 302.D.5(a)-(p) requiring the provision of specific information within two hundred feet (200') of the site; unless the subject of a current or future imposed condition of approval.
3. SALDO Sections 510, 511, and 518.B requiring specific improvements to Taylor Drive and the associated right-of-way adjoining the Hurley property.
4. SALDO Section 501.A.4.d only as it relates to the requirement to provide a concrete low flow channel in a detention basin.
5. Ordinance 108-B Sections 308.A.4, 308.A.9, 308.B.11.a, 308.B.11.d, and 309.A.1 and C as they relate to specific stormwater design requirements.

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

1. Satisfaction of comments B.1-4, 7-18, 20-23, 25, 26(c), 27 (a)-(e), 30-33, 34-38, and C.1, 2, 4, 6, and 9-16 as contained in the July 2, 2020 Hanover Engineering Associates review letter;
2. Satisfaction of comments 2-6, 7, 9, 11, 12, 15, 22, 23, and 25 contained in the June 30, 2020 memorandum of Trent Sear;
3. Relocation of drywells B-603, B-606, and B-609 as set forth in the June 30, 2020 Hydro-Terra Group review letter;
4. Satisfaction of item 1 of the July 1, 2020 sanitary sewer review letter prepared by Andrew Bohl, P.E. of Hanover Engineering Associates
5. Satisfaction of comments 1-3 in the April 11, 2020 review letter by Snyder/Hoffman Associates, Inc.;
6. Submission of proposed Homeowners Association governing documents for review and approval by the Township Solicitor;
7. For any easement that involves the Township, submission of a metes and bounds description and plot plan of the easement area and timely execution of a Deed of Easement and Agreement with the Township and/or Authority as appropriate;
8. Payment of the applicable Transportation Impact Fee, if any, to the Township's Transportation Capital Improvement Fund;
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. 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;
13. Payment of all review fees due and owing.
14. Submission of deeds revised to reflect the Lot Line Adjustment and Lot Consolidation proposed as part of the project and,
15. Execution of an agreement to the satisfaction of the Township providing for the construction of off-site water lines to serve the Development and other nearby residences.

**Lanark III Preliminary/Final Land Development Plan #2020-03**

Mark Bahnick, P. E. and Rob deBeer represented the applicant for this project which was tabled at the Commission's June meeting. Discussion centered on the changes made to the project after the last meeting including the increased landscaping, pedestrian and employee amenities, and an agreement to limit and coordinate signage on the campus.

The PC voted unanimously to recommend **deferral of the installation of improvements associated with the following waivers:**

1. Subdivision and Land Development Ordinance (SALDO) Section 507.B.1 requiring the provision of recreation trails when designated on an official plan or map or otherwise required by the Township as it applies to the final 10' of the northern end of the trail proposed along W Valley Road. The developer shall be responsible for its continuation and connection to the northern property boundary at such time as the adjacent lot to the north is graded in a manner that allows for connection.

2. SALDO Section 510 requiring the installation of sidewalks along all streets and access drives only as it applies to sidewalk along PA Route 309. Any installation of a pedestrian accommodation along the frontage of the consolidated property where it abuts PA Route 309 is deferred until such time as the Township is able to determine the feasibility of bike/pedestrian crossing of this highway in the vicinity of the site. If a crossing becomes practical, the developer agrees to work with the Township and PaDOT to locate a walkway within the road right-of-way.

The PC voted unanimously to recommend **conditional approval** of the following **waivers**:

1. Ordinance 108-B Sections 304.H and 308.B.4 requiring that the stormwater design allow for infiltration when the ground surface is frozen and that a basin bottom have a minimum slope of 2%. The condition of approval requires that the Developer obtain an approved NPDES permit.
2. Ordinance 108-B Sections 305.D.1.b and 308.B.5 requiring that impervious cover in excess of 33% of the site be directed to Evapotranspiration BMPs and that detention basins be designed to drain to a completely dry position within 24 hours. The condition of approval requires that the Developer obtain an approved NPDES permit.
3. SALDO Section 510 requiring the installation of sidewalk along all streets and access drives as it relates to the continuation of the recreation trail along W. Valley Road. The condition of approval would eliminate the extension of the trail along the north side of the access drive intersecting with W Valley Road and require installation of a painted crosswalk where the trail crosses this intersection.
4. SALDO Section 513.A.3 restricting encroachment into any easements as it relates to two easements located on the site. The condition of approval imposed is that any restoration of the area or improvements within the easement that becomes necessary shall be accomplished by the developer in a timely manner.

The PC voted unanimously to recommend **approval** of the following **waivers**:

1. (SALDO) Sections 302.D.2, and 302.D.5 requiring the provision of specific information within two hundred feet (200') of the site; unless the subject of a current or future imposed condition of approval.
2. Ordinance 108-B Section 308.B.13.c, requiring accessibility of underground detention facilities for periodic inspection and maintenance. The approval allows for the provision of five (5) manholes in lieu of the seventeen (17) required by the Ordinance.

The PC voted 5-1 to recommend **conditional approval** of the **Plan**, subject to the following:

1. Satisfaction of the following comments contained in the May 22, 2020 Hanover Engineering Associates review letter:
  - a. Comments B. 1, 2, 5, 6, 7-11, 12-15, and 20-21.
  - b. Comments C. 1-4, and 10-13.
2. Satisfaction of comments 2, 4, 5, 10, 13, and 22 contained in the May 20, 2020 memorandum of Trent Sear;  
With respect to the Developer's request for an increase in impervious cover pursuant to ZO Section 220.U, the Planning Commission recommends approval of impervious cover in the amount of 63% on the consolidated parcel; subject to the Developer providing the site amenities depicted on the Landscape Plan (sheet 8 of 12) last revised 6-12-20, and entering into an agreement with the Township confirming the sign package as set forth in the email from R. DeBeer to Township Staff, dated 6-26-20, which agreement shall be subject to the approval of the

**ZHB.**

The Planning Commission wishes to note that it did not find the architecture of the proposed buildings to be uniquely designed or complementary to Upper Saucon Township's historic character. Nonetheless, the developer has otherwise met the criteria set forth in Section 220.U.1 while providing both pedestrian and employee amenities throughout the site.

3. Satisfaction of comments 1-4 as well as the recommendation that HTG be provided with the results of the geotechnical investigation for the building and retaining wall for review when completed as set forth in the May 21, 2020 Hydro-Terra review letter;
4. Satisfaction of the comments set forth in the April 3, 2020 review letter of Chief Charles Castetter including verification of proper radii of all parking lot islands, provision of a dry stand pipe in the stairwell with markings on the outside of the building, provision of a Knox Box, and as-built drawings of the completed construction;
5. Satisfaction of comments 1, and 2 contained in the April 11, 2020 review letter of Snyder Hoffman Associates, Inc.;
6. Submission of a revised deed description to reflect the proposed Lot Consolidation element of the Plan and recording of such deed at the time of recording the Plan;
7. Payment of the applicable Transportation Impact Fee to the Township's Transportation Capital Improvement Fund;
8. Execution of a subdivision and land development improvements agreement to the satisfaction of the Township;
9. Execution of an addendum to the existing Ordinance 108-B Agreement to the satisfaction of the Township;
10. 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;
11. 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,
12. Payment of all review fees due and owing.

**Public Comment**

*None*

**Discussion**

Commission member Bloeser requested that the Planning Commission be able to review and comment on appeals to the Zoning Hearing Board. He noted that decisions by the Zoning Hearing Board have, at times, left the Planning Commission unable to fully apply the applicable Subdivision and Land Development regulations. Staff advised that the timing of the monthly meetings did not leave much opportunity for a review by the Commission at a public meeting. In addition, it was not clear whether the Commission members wanted to provide comment to the Zoning Hearing Board or to the Board of Supervisors. It would also be necessary to determine whether the Commission wanted the opportunity to comment on all appeals that are filed or just those that might result in the need to obtain subdivision or land development plan approval.

Staff agreed to look into the matter further to see if there would be an opportunity to provide a review within the established timeline.

**Adjournment**

There being no further business, the meeting adjourned at 10:02 p.m. The next regular meeting is scheduled for August 4, 2020, at 6:30 p.m.

Respectfully,  
Patricia Lang  
Director of Community of Development