

MINUTES
UPPER SAUCON TOWNSHIP PLANNING COMMISSION
Regular Meeting
Tuesday, March 7, 2023 - 6:30 p.m.
Township Municipal Building

Call to Order/Pledge of Allegiance

Chairperson Falcone called the meeting to order at 6:33 p.m. with the reciting of the Pledge of Allegiance.

Members Present: **Samantha Falcone, Chair**
 Gerry Anthony, Vice Chair
 George Bloeser
 Diana Inglis
 Tony Roman
 Bryan Macfarlane
 John Zelena

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

Board of Supervisors Meeting Actions

February 13, 2023 - Good Shepherd Revised Preliminary/Final Land Development
Plan Project No. 2020-09RFP

Minutes

The Commission members voted 7-0 to approve the February 7, 2023 meeting minutes with changes proposed by Chairperson Falcone and Commission member Inglis.

Subdivision and Land Development Reviews

A. APS/CSV Preliminary/Final Subdivision Project No. 2022-05

Adam Citrullo of Bohler Engineering requested that this item be pulled from the agenda.

B. Stack Storage Preliminary/Final Land Development Plan Project No. 2022-09

Mike Schwartz and Drew Bertolazzi of Gilmore Associates Engineering and Nache Nielson of Stack Storage were present to discuss the proposal. Mr. Nielson indicated that his company only builds the project which will then be leased to a third-party operator. He anticipates that the facility will be open from 6 a.m. to 9 p. m. daily. Since the proposal requires Conditional Use approval, Attorney Dinkelacker raised concerns regarding the applicant's intent to discuss the specifics of the land development plan without first addressing compliance with the provisions of Section 905.B. Mr. Schwarz responded that he believes there will be no issues with the project's ability to comply with these criteria.

Commission member Bloeser raised concerns about the review provided by Hydro-Terra and specific grading comments in the Hanover review letter. It was noted that an adjacent property owner that attended the Zoning Hearing Board meeting for the project raised concerns about run off and flooding in the area. Other issues discussed with the Commission included whether sidewalks should be installed as required by the Ordinance, whether any roadway improvements would be necessary, the type of fencing to be installed, and the Commission's desire for the construction of the building to appear less industrial and to be more complementary to the surrounding area. Since there are issues that remain to be addressed, the Planning Commission took no action on the proposal. The project will be rescheduled for consideration after the plans have been appropriately updated to address the current list of deficiencies.

Discussion/Action Items

A. Ordinance 141-X relating to Forestry uses and Electric Vehicle Charging Stations

The Planning Commission reviewed proposed Ordinance 141-X, which amends the Upper Saucon Township Zoning Ordinance to delete in its entirety section 517 relating to "forestry uses" and substitutes therefore a new set of regulations based upon the Pennsylvania State University model ordinance including regulations relating to enforcement; amends article 2 "zone provisions" to delete sections 200.j, 201.k, 210.g, and 211.f in their entirety and substitutes therefore in each section new regulations requiring a timber harvesting plan so as to conform to amendments to section 517 relating to forestry uses.

In addition, Ordinance 141-X will add to article 4 "specific criteria" a new Section 494 to establish specific criteria for electric vehicle charging stations as an accessory use to non-residential principal uses and to add regulations relating to their establishment and operation; and to amend section 113 relating to "definitions" to add new definitions relating to forestry and electric vehicle charging stations. The Ordinance was reviewed in accordance with Sections 609 (c) and (e) of the Municipalities Planning Code.

There were no residents in attendance to speak in favor of or in opposition to the proposed amendment. The Commission briefly discussed the comments set forth in correspondence from LVPC dated March 2, 2023 which did not recommend any specific revisions to the proposed regulations.

The Commission voted 7-0 to recommend adoption of Ordinance 141-X.

B. Ordinance 141-Z relating to an amendment of Section 464.B of Ordinance 141-W and Section 103.3 of Ordinance 141.

The Planning Commission reviewed proposed Ordinance 141-Z, which amends the Upper Saucon Township Zoning Ordinance to revise section 464.b relating to the responsibilities of persons authorized to keep chickens for noncommercial purposes as an accessory use in the rural residential (R-1) and suburban residential (R-2) zoning districts and adds a requirement that such persons are responsible for extermination of insects, rodents, vermin, or other pests in areas occupied by chickens, and to revise section 103.3 relating to the applicability of the zoning ordinance to the Township to further clarify situations in which the Township is exempt from the zoning ordinance. The Ordinance

was reviewed in accordance with Sections 609 (c) and (e) of the Municipalities Planning Code.

There were no residents in attendance to speak in favor of or in opposition to the proposed amendment. The Commission briefly discussed the comments set forth in correspondence from LVPC dated February 22, 2023 which did not recommend any specific revisions to the proposed regulations.

The Commission voted 7-0 to recommend adoption of Ordinance 141-Z.

Public Comment

None.

Adjournment

There being no further business, the meeting adjourned at 7:47 p.m. The next regular meeting is scheduled for April 4, 2023, at 6:30 p.m.