

**MINUTES**  
**UPPER SAUCON TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting**  
**Wednesday, July 12, 2023 – 6:30 p.m.**  
**Township Municipal Building**

**Call to Order/Pledge of Allegiance**

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

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

**Staff Attending:** Trisha Lang, Secretary/Director of Community Development  
Charlie Unangst, Hanover Engineering  
Thomas Dinkelacker, Township Solicitor

**Board of Supervisors Meeting Actions**

June 12, 2023 Conditional Approval of :  
Erwin Forrest Builders, LLC Project No. 2022-02  
Radle/Pospischil LLA Project No. 2022-16

**Minutes**

The Commission members voted 5-0 to approve the June 6, 2023, meeting minutes subject to correction of a typo related to the next meeting date. Chairperson Falcone abstained due to her absence from the meeting.

**Subdivision and Land Development Reviews**

**A. Stack Storage Conditional Use Project No. 2022-09CU**

Attorney Chris McLean of Fitzpatrick, Lentz, and Bubba and Andrew Bertolazzi of Gilmore & Associates, Inc represented the developer. They summarized the proposal and detailed the application's consistency with the provisions of Zoning Ordinance Section 905.B.

Planning Commission members reviewed the materials presented and the testimony provided related to the project. Based on this discussion, the Commission voted 5-1 to recommend that the Board of Supervisors approve the Conditional Use Application subject to the conditions listed below:

1. Approval and Execution of the Settlement Agreement

2. Satisfaction of all conditions related to approval of the Land Development Plan
3. Recordation of the Land Development Plan and,
4. A determination by the Township as to the need to restrict turning movements from the site such that trucks are prohibited from turning right onto Old Bethlehem Pike.

**B. Stack Storage Preliminary/Final Subdivision Plan Project No. 2022-09**

The applicant was represented by Attorney Chris McLean and Andrew Bertolazzi of Gilmore& Associates, Inc.

Gretchen Elton of SAA Architects described the changes to the building design that were completed in response to discussions with the Planning & Zoning Committee and Mr. Bertolazzi detailed the updates to the site plan. The applicant identified a willingness to comply with all comments generated by the Township's consultants.

The Commission took the following actions on the plan:

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

1. Subdivision and Land Development (SALDO) Sections 502.N and 518.B requiring the installation of street trees at a maximum of fifty feet (50') on center. The condition imposed is that the required landscape strip which is also located along the frontage of the property incorporate one shade/ornamental tree every one hundred feet (100') in lieu of the five hundred foot (500') distance specified in Zoning Ordinance Section 321.C.2 and that such trees be identified as street trees on the landscape plan and,
2. 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 and,
3. Ordinance 108-B Sections 308.B, 308.B.5.1, and 309.A.1 requiring installation of a low flow channel, draining of the basin within a 24-hour period, and use of the Rational Method. The condition of approval requires that the Developer obtain an approved NPDES permit.

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

1. Subdivision and Land Development (SALDO) Section 510 requiring the installation of sidewalks along all streets and access drives. The requested relief is specific to frontage along Route 378 only.

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

1. Satisfaction of the following comments contained in the June 1, 2023 Hanover

- Engineering Associates review letter:
- a. Comments B. 1-20, 23, 24, and 26-28
  - b. Comments C.1-3, 5, 9, and 11-14
2. Satisfaction of comments 2-4 contained in the May 16, 2023 Hanover Sanitary Sewer review
  3. Satisfaction of comments 2, 3, and 5 contained in the May 31, 2023 review letter from the Zoning Officer;
  4. Compliance with the conditions established by the Zoning Hearing Board;
  5. Satisfaction of comments 3, and 4 contained in the May 30, 2023, review by Hydro-Terra Group;
  6. Satisfaction of all comments contained in the May 18, 2023 review by Chief Castetter of the Upper Saucon Township Volunteer Fire Department #1 prior to occupancy of the building;
  7. Approval of the Conditional Use Application for the project;
  8. Approval and execution of the Settlement Agreement as approved by the Board of Supervisors at their meeting on July 10, 2023;
  9. Payment of the applicable Transportation Impact Fee to the Township's Transportation Capital Improvement Fund;
  10. Execution of a subdivision and land development improvements agreement to the satisfaction of the Township;
  11. Execution of an Ordinance 108-B Agreement to the satisfaction of the Township;
  12. 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;
  13. 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,
  14. Payment of all review fees due and owing.

**C. Medical Office Building Preliminary/Final LDP Project No. 2021-09**

The applicant was represented by Michael Nolf and Elisa Highley of Keystone Consulting Engineers. In response to a request by the Chair, the applicant summarized the changes completed since the last time the proposal was reviewed. These included a reduction in the size of the building, the addition of sidewalk, and a reduction in the number of practitioners to occupy the building. The applicant did not have any questions or concerns regarding the reviews prepared by the Township's consultants.

The Commission took the following actions on the plan:

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

1. Subdivision and Land Development (SALDO) Section 302.D.4(a)-(p) which requires that the plan identify a variety of natural and cultural features located on and within 200' of the subject property. The condition imposed is that the information associated with items (e), (f), (g), and (l) be provided for a distance of

- 50' from the boundary of the subject property in lieu of the entire 200' distance and,
2. Subdivision and Land Development (SALDO) Section 302.D.5(a)-(p) which requires that the plan identify a variety of man-made features located on and within 200' of the subject property. The condition imposed is that the required information be provided for a distance of 50' from the boundary of the subject property in lieu of the entire 200' distance and,

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

2. SALDO Section 511 requiring the installation of curbing along all streets and access drives where there is parallel sidewalk
3. Ordinance 108-B Section 305.D.1.b which limits the amount of annual rainfall that may be discharged using direct discharge to a maximum of 30%.
4. Ordinance 108-B Sections 308.B.4, and 309.A.1 requiring that a basin bottom have a minimum slope of 2% and draining of the basin within a 24-hour period.

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

15. Satisfaction of the following comments contained in the June 29, 2023 Hanover Engineering Associates review letter:
  - a. Comments B. 1-3, 4.b, 6-13, 15, 16, and 18-22
  - b. Comments C.1, 2, 4, and 6-8
16. Satisfaction of comments 1-8 contained in the Hanover Sanitary Sewer review revised July 6, 2023;
17. Submission of the liner design as specified on page 2 of the Hydro-Terra Group letter dated June 6, 2023;
18. Satisfaction of comments 1-6, 8, and 9 contained in the July 6, 2023 review letter from the Zoning Officer;
19. Compliance with the conditions established by the Zoning Hearing Board;
20. Satisfaction of all comments contained in the December 15, 2023 review by Chief Casterter of the Upper Saucon Township Volunteer Fire Department #1 prior to occupancy of the building;
21. Payment of the applicable Transportation Impact Fee to the Township's Transportation Capital Improvement Fund;
22. Execution of a subdivision and land development improvements agreement to the satisfaction of the Township;
23. Execution of an Ordinance 108-B Agreement to the satisfaction of the Township;
24. 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;
25. 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,
26. Payment of all review fees due and owing.

**Discussion/Action Items**

None.

**Public Comment**

None.

**Adjournment**

There being no further business, the meeting adjourned at 8:35 p.m. The next regular meeting is scheduled for August 1, 2023, at 6:30 p.m.