

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES**

**7:30 PM
March 12, 2013**

A Regular Meeting of the Planning Commission of the Township of Salisbury was held at the Township Municipal Building located at 2900 South Pike Avenue, Allentown, Lehigh County, Pennsylvania. Present were Commissioners Miller, Licht, Hassick (late), McKitish and Beck. Also present were Attorney Christopher Gittinger, Alternate Township Solicitor; Mr. Tetterer, Township Engineer; Ms. Sopka, Director of Planning & Zoning. Mr. Soriano, Township Manager. Commissioners Schreiter and Commissioner Hebelka were not (excused) present

CALL TO ORDER

Mr. Beck called the meeting to order.

APPROVAL OF THE MINUTES

On motion of Mr. McKitish, seconded by Mr. Miller, the Planning Commission voted 4-0 to approve the February 12, 2013 Planning Commission Meeting Minutes as submitted. All in favor.

2051 Bevin Drive – Legacy Place Land Development.

Review the proposed Preliminary/Final Land Development presented by Posh Properties for the construction of a Personal Care Home often referred to as Assisted Living/Memory Care Facility within the Office-Laboratory (C1) District located along the corner of Bevin Drive and Regent Court. The site incorporates 2.45 acres of vacant land.

Present were Mr. Joseph Plunkett, Esquire; Mr. Erick McRoberts of RLPS Architects; Mr. Jeffrey Ott of Ott Engineering; Mr. David Zmijewski, P.E. Technology Associates, and Ms. Debby Skeans, Senior Advisory with Speery Van Ness Imperial Realty.

Mr. Plunkett provided an overview of the proposed project which is an Assisted Living Facility/Long Term Memory Care Facility. The concept of this facility is to make it more as a home like setting as opposed to an institution.

Mr. McRoberts started with a brief history of the company and provided a power point presentation on the proposed project. This project is designed as an Assisted Living Facility and an Assisted Living Memory Care Facility. Two one story buildings are proposed. The Memory Care Facility will include 12 rooms. The Assisted Living Facility is divided into two 10 room assisted living quarters. He stated that they are breaking down large nursing homes and turning them into what is called a “small house” to provide a sense of community.

Mr. McRoberts described the floor plans which included residential living rooms, dining rooms, kitchens, parlors, studio apartments, one bedroom apartments, and porches. The buildings each have a residential exterior. There is a row of mature trees along Regent Court that will be removed during construction for re-grading, but that tree line can be replanted. There is a slight slope from Lehigh Street to Regent Court so one of the two buildings will have a daylight basement on the back side. The 16 space parking lot is located in between the two facilities. There will be two caregivers per household.

Discussion ensued in regards to grading, street and parking lot lighting, security lighting, residential privacy, and traffic flow.

Mr. Tetterer highlighted 23 plan items on his review letter dated March 6, 2013. Mr. Tetterer stated that he has engineering concerns in regards to the proposal. He is requesting the developer to provide a Geological Report that address specific.

The items he is addressing includes that passive recreation which includes outdoor seating and pedestrian walkways, shading requirements, limits of tree removal, a proposed 16' high slope along the west side of the property along Regent Court, sidewalks, and existing easement clarification. The plans does not show that off street loading is proposed and the developer needs to address the type of deliveries and how they will be made.

Mr. Tetterer advised of the developers requested waivers that have been submitted in writing which include:

1. A separate preliminary plan/final plan submission
2. Grading of the right-of-way at the approved cross section; it needs to be graded to a three percent slope to allow for current or future sidewalks. Mr. Tetterer recommended taking no action at this time.
3. Infiltration basins/percolation test rates at the bottom of infiltration bed and depths to bedrock provided.
4. Gravity drains and storage facilities.
5. The minimum base of the bottom slope is two percent. Mr. Tetterer stated documentation needs to verify that the basin areas are suitable for infiltration.
6. Basin is to have an impervious liner when proposed for sinkhole prone soils. Mr. Tetterer stated documentation needs to verify that the basin areas are suitable for infiltration.

In conclusion, Mr. Tetterer stated that until all of the above items are satisfactorily addressed he does not recommend engineering approval of any of the above requested waivers or land development plan.

Ms. Sopka highlighted her review letter dated March 7, 2013. She concurs with the Township Engineers correspondence dated March 6, 2013. Ms. Sopka advised that the Salisbury Township Police Department provided correspondence in regards to the traffic associated with the proposed use and did not express any issues. She is awaiting response from the Fire Department.

Mr. Ott addressed the three percent slope grading waiver request. He explained that they did not want to grade the property beyond the construction portion of the property towards the east because it is a small portion and they were trying to keep the earth disturbance to a minimum. Mr. Tetterer stated that the need for grading would be if a sidewalk is required. A deferral would be requested as opposed to a waiver for current or future sidewalk construction. It was stated by the members that a sidewalk may be beneficial making it easier for a person walking or who is wheelchair bound to enjoy the outside.

Discussion regarding the infiltration system and infiltration bed liner was discussed and a waiver was requested for this item. Mr. McKitish inquired if it is relative to the on grade basin or underground basin. Mr. Tetterer stated that it is for three infiltration basins and three storage areas for the gravity drains.

Discussion ensued in regards to the passive recreation, off street delivers will not take place, vehicular traffic for service trucks may take place later in the day if necessary, and the arrangements will be made for trash and recycling disposal.

Mr. Tetterer recommended that no action be taken on any of the waivers at this meeting.

Mr. Beck opened the floor for **public comment**.

Mr. Miguel Diaz, 3541 Regent Court, stated that he is going to see the building from his swimming pool. He stated that there is not enough shrubbery and expressed how he wants to protect his privacy. He is concerned about the lightening through the evening shining on his property.

Ms. Jane Fischer, 3529 Regent Court, expressed her concern regarding construction. She advised that in early February there were large amounts of silt flowing down into her property as there were no barriers to hold the silt. She expressed she would like protection of her property.

Mr. Chris Kinsella, 3513 Regent Court, expressed his concern regarding grading, drainage and water runoff, and sinkholes. He stated he has no water issues now and does not want any in the future.

Many residents from that area expressed their concerns regarding the lack of landscaping, privacy, tree removal, disposal of silt once construction begins, future refuse and medical waste, drainage, sinkholes, vehicle traffic, waste management, deliveries, service trucks, backup generators, noise levels, and medical emergencies.

Mr. Tetterer stated that the Township has serious concern in regards to sinkholes and advised that the Township will be working very closely with LCCD and PA DEP to review the plans and testing that is required is completed for the safety all property owners.

Mr. McKitish brought attention to the requisite 16 parking spaces proposed. However, two of the 16 parking spaces are credited for one on the inside of the garage and one on the outside of the garage. One space is going to preclude the use of the other potentially including the ability to have deliveries. Mr. McKitish suggested reconfiguring the parking and gaining an extra two spaces on the outside to avoid this congestion point. Discussion ensued and the parking will be considered.

On motion of Mr. Hassick, seconded Mr. McKitish, the Planning Commission voted 5-0 to table the plan. All in favor.

Review of SALDO amendments Draft 2/2013 as prepared by URDC.

Mr. Tetterer stated since his review of the Legacy Place project he is now aware that certain aspects of NPDES requirements need to be revised into the Township SALDO. He has added additional comments to his March 6, 2013 review letter of the SALDO storm water management portion that need to be addressed and incorporated. There are areas specific areas to the Township's Ordinances that needs to be "tightened up".

There were concerns with the storm water injection wells that Legacy Place is proposing to install. Mr. Tetterer stated that what they are proposing are six injection wells, which are also known as gravity drains. Mr. Tetterer expressed his concern in regard to these injections wells. Mr. Hassick questioned what keeps the water clean. Ms. Sopka stated that is what the Township is questioning as well and asked Legacy Place for base line studies, etc. What is the pretreatment prior to injection? She also stated that these issues will also be raised with the LCCD and State. Mr. Tetterer stated that PA DEP regulates ground water and Legacy Place has a lot of testing to do as there are things that need to be addressed with PA DEP before approval will be considered. Mr. Tetterer stated that he wants the Ordinance in place, not only for guidance of future projects, but to give the Township the authority when working with PA DEP to advise them that the Township has specific requirements that must be followed.

Mr. Tetterer advised Mr. Schmehl that he would like the injection regulations recommendations incorporated into the storm water portion. He stated that his March 6, 2013 letter is self-explanatory for proper documentation placement.

OTHER BUSINESS

None

ADJOURNMENT

The Planning Commission voted to adjourn the meeting. Meeting adjourned. All in favor.