

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES**

**7:30 PM
May 8, 2012**

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, McKitish and Beck. Also present were Attorney Ashley, Township Solicitor; Mr. Tetterer, Township Engineer; Ms. Sopka, Director of Planning & Zoning and Mr. Soriano, Township Manager. Commissioners Schreiter and Hebelka were not present (excused).

CALL TO ORDER

Mr. Beck called the meeting to order.

APPROVAL OF THE MINUTES

On motion of Mr. Hassick, seconded by Mr. McKitish, the Planning Commission voted 5-0 to approve the April 10, 2012 Planning Commission Meeting Minutes as submitted. All in favor.

3145 LEHIGH STREET - CONDITIONAL USE APPLICATION

Conditional Use Application review of the proposed temporary use by TNT Fireworks to conduct retail sales of sparklers and firework novelties in the parking area of 3145 Lehigh Street, Allentown, PA located (C3) General Commercial District.

Present was Deborah Ivans, Area Manager for TNT Fireworks.

Ms. Ivans requested a Conditional Use for the sales of sparklers and firework novelties allowed by Pennsylvania law for the year 2012 and 2013. The tent request would be in the same location with same conditions as approved last year.

Mr. Miller inquired about the size of the tent. Ms. Ivans stated that the tent size depends on the availability of the rental company. Their size preference is 20' x 40' framed tent. The ABC fire extinguishers will be placed near the cash register and the center of the tent.

Small discussion ensued regarding the products being sold. Ms. Ivans stated that she can only sell what the State of Pennsylvania allows. The products have not changed.

A motion was made by Mr. Miller, seconded by Mr. McKitish, the Planning Commission voted 5-0 to make a recommendation to the Board of Commissioners to accept the two year request for the Temporary Use of selling fireworks subject to the conditions that the only devices sold will be limited to those that could be legally sold to Pennsylvania residents, subject to review by the Salisbury Township Police Chief and the Township Fire Inspector and must adhere to all Federal, State and Local regulations. All in favor.

3117 LEHIGH STREET – KOST TIRE AND AUTO SERVICE

Review sketch plan submission for proposed Land Development for Kost Tire and Auto Service; review proposed Lot Subdivision from 2200 31st Street SW, Allentown owned by Marse Associates equal to 8,931 S.F. and Lot Consolidation to 3117 Lehigh Street that will collectively equal at 34,308 S.F. parcel.

Present were Mr. Erwin Kost, Owner, Mr. James Preston, Esq., Counsel, and Ms. Anna Martins, Project Manager and Engineer from Van Cleef Engineering Associates.

Mr. Tettemer highlighted the Township Engineer's review letter dated May 2, 2012. Mr. Tettemer reviewed the plan and provided guidance for the necessary requirements for the future development. Mr. Tettemer stated that because this is a sketch plan submission the developer should be aware that the comments and the Planning Commission discussion is for the purpose of information for the future use for preliminary plan preparation only. Mr. Tettemer stated that because this is a sketch plan, no action is required by the Planning Commission.

Ms. Sopka highlighted her comment review letter and concurred with the Township Engineer's letter. Ms. Sopka stated that this property location is in a C3 General Commercial District and because it is automobile services, it will require a Zoning Hearing Board decision by Special Exception.

The facility would have a closed dumpster, seven bays for vehicles to be serviced and 40 parking spaces including the five employee parking spaces. Mr. Beck stated that any deliveries must be made off street and not near the entrance way. Ms. Martins stated that there will be off street loading because there would be two to three deliveries per week. The facility will have one full access and exit with a left turn restriction to Lehigh Street.

Ms. Sopka stated that the building placement and parking must be clarified per the Zoning Ordinance which requires a 40 foot building setback. However, there is an allowance that gives the opportunity that if there is no parking between the building and street you can come forth 20 feet from the right-of-way.

Mr. Miller inquired if the applicant was proposing to install either above or underground storage tanks. They are proposing to install an above-ground, in-door waste storage tank. Oil waste and antifreeze will be disposed in drum containers and will be picked up for removal.

Mr. Miller inquired about the existing structure and if it will be demolished and if a management plan will be provided. Ms. Martins stated that the structure will be demolished and at that time any requirements necessary will be provided to the township.

**CONTINUATION UPDATES TO THE FOLLOWING: COMPREHENSIVE PLAN; ZONING
ORDINANCE; AND SUBDIVISION AND LAND DEVELOPMENT (SALDO)**

Continue review of the Salisbury Township Comprehensive Plan with a presentation by Pidcock Engineering on proposed berms for the LVHN (Lehigh Valley Hospital Network); the pre-blasting agreement and additional items addressed by LVHN.

Present were Mr. J. Scott Pidcock of the Pidcock Company, Engineer for LVHN; Ms. Susan J. Hoffman, LVHN Vice President of Marketing & Public Affairs; Mr. Craig C. Onori, LVHN Vice President of Support Services; Mr. Tim Siegfried, Esq., Counsel of Tallman, Hudders and Sorrentino Law Firm and Mr. Charles Schmehl of Urban Research Development Corporation (URDC).

Ms. Hoffman presented overview of their proposed communication plan known as the Neighborhood Council through LVHN. This proposal would bring together hospital officials and neighboring residents that directly abut the hospitals property. This proposed council will improve communication with the neighboring residents and work out differences and concerns prior to any proposed construction projects in the hospitals new Health Care Overlay District.

Ms. Hoffman discussed the council, stating that the Neighborhood Council membership would include LVHN officials and adjacent property owners to meet twice a year. The meetings this year would be held in June and September. In subsequent years the meetings will be proposed for March and September schedule because it coincides with the growing season. A meeting notice will be sent four weeks prior to each meeting. The resident members are welcome to review the notice and add agenda items for discussion. These items would be accepted two weeks prior to the meeting to finalize the agenda.

Ms. Hoffman stated that the meetings will not be open to the public because they are not a decision making body. However, minutes will be taken to keep tract of discussion and activity, and would be shared with the Township if

requested. The meetings would include discussion topics such as hospital construction updates, grounds and maintenance. The hospital would provide the adjacent property owners with a pre-construction protocol, advising the residents what the construction could include. Any member is welcome to provide their email address for project updates, scheduling updates and inquires. A monitored hotline will also be made available.

Mr. Pidcock stated that they are trying to address surrounding resident's concerns with a "pre-construction" protocol. He reviewed the protocol's topics and the related types of construction including berms, parking facilities, infrastructure as well as building activities. The protocol is to facilitate communication with the abutting residents for projects contemplated and moving into construction.

This protocol would inspect the abutting resident's property conditions before and after construction at the expense of LVHN. The property and home inspections would be done by a third party inspection professional.

Mr. Pidcock outlined buffers and berms. He discussed the existing berms, future projected berms and the berm elevation for a visual barrier for the abutting property owners.

Mr. Pidcock outlined the design plans for five berms along the perimeter of the abutting homes. He discussed the elevation difference for each berm, existing and future, and how each berm design should reflect this. He reviewed where the berms should be installed and the type of landscaping. The existing berms would be modified with new landscaping and in some areas of the berm a fence would be installed.

Mr. Onori addressed the three aspects of the operations and ground maintenance portion for the existing and future berms and buffers. They are proposing a once a year walking tour of the existing landscaping and buffer areas along the residential lot lines. This walking tour would take place with representatives of the hospital, the Township zoning office and the abutting residential property owners.

The next proposal is the modification improvements that need to be made to the existing landscaping and buffers. These improvements would be the responsibility of LVHN. Discussion regarding the improvement modification to existing buffering improvements and associate time lines would be discussed at the Neighborhood Council meeting. The implementation of buffering improvements would then follow the "pre-construction" protocols.

The last proposal is new landscaping and buffering improvements closest to the Fish Hatchery Road area. The new buffering improvements and associated timelines for implementation would again be discussed at the Neighborhood Council meeting and then approved by Salisbury Township. The improvements would also follow the "pre-construction" protocol.

Attorney Siegfried addressed the Neighborhood Council. He suggested that the Neighborhood Council documents be discussed at a Township public meeting. He also suggested each finalized document be approved by resolution by the Board of Commissioners. This document is then detailed and recorded for future reference and compliance.

Mr. McKitish inquired about construction protocol, not relating to construction, but maintenance and unplanned maintenance. He stated that the unplanned maintenance and/or emergency maintenance, e.g. air condition systems, utility systems, etc., will not allow for the proposed 60 day notification. Mr. McKitish suggested that this unplanned/emergency maintenance be specified in the proposed protocol. Mr. Onori stated that they would provide a definition of a construction protocol that would state the review process.

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

Many residents expressed their thoughts and concerns about the responsible parties of the proposed pre-construction protocol. Some expressed the nice gesture of the hospital to propose such a council.

Mr. Jeff Reed of 3505 Pleasant Avenue inquired about the pre-construction protocol and if any damage is done to abutting neighbor's home and/or property. Mr. Pidcock stated that the hospital would be the responsible party if damage would be found by the inspection professional.

Ms. Adele Clemmer of 3619 Sunset Ave and former Planning Commission member provided research and documentation she gathered for the proposed changes in the Zoning Ordinance regarding the Healthcare Overlay District.

Mr. Schmehl provided an update for next month's meeting. Mr. Schmehl stated that the revisions that have been requested have been made and are available for review. He advised that at the next meeting he would like to focus on Article 4 (Part 4) in the Comprehensive Plan.

OTHER BUSINESS

None

ADJOURNMENT

On motion of **Mr. McKitish**, seconded by **Mr. Hassick**, the Planning Commission voted to adjourn the meeting. Meeting adjourned.