

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES**

**7:30 PM
September 11, 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, Hebelka, Hassick and Beck. Also present were Attorney Ashley, Township Solicitor; Mr. Tettemer, Township Engineer; Ms. Sopka, Director of Planning & Zoning and Mr. Soriano, Township Manager. Commissioners Licht, Schreiter and McKitish were (excused) not present.

CALL TO ORDER

Mr. Beck called the meeting to order.

APPROVAL OF THE MINUTES

On motion of Mr. Miller, seconded by Mr. Hassick, the Planning Commission voted 4-0 to approve the August 14, 2012 Planning Commission Meeting Minutes as submitted. All in favor.

3117 LEHIGH ST – KOST TIRE & AUTO SERVICE

Review proposed Land Development and Preliminary/Final Plan for Kost Tire and Auto Service; review proposed Minor-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. 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 September 5, 2012. He stated that this development plan has two parts; the first part being a minor subdivision plan that adds property to an existing lot which allows land development. The second part is the actual land development plan. He reviewed the waivers that will be required for this minor subdivision plan, SALDO 7.3.C.1, existing contours and SALDO 7.3.C.2., slope shading. The two waiver requests have been received in writing from the developing party. Mr. Tettemer stated that he would have no engineering objection to granting these waivers.

The land development has three comments that need to be discussed. The first, Section 603.4.F, deferral was originally requested for sidewalks; however, the PennDOT permit plan they submitted shows sidewalks. The second, Section 3.2.A.3, separate preliminary/final plan submission is required. The last, Section 10.10.B.1.C, requires concrete piping and they are proposing high density polyethylene piping for the drainage system which is PennDOT approved. Mr. Tettemer stated that he would have no engineering objection to granting these three waivers.

The members inquired on a few questions pertaining to the waivers and land development plan. Mr. Tettemer concluded that he was satisfied with the information provided by the developer.

Mr. Hebelka inquired about the boundaries not being shown on the plan. Ms. Martins stated that the municipal boundaries will be shown on the final plans.

Ms. Martins reviewed sidewalks, and their intention is not to place sidewalks along Lehigh Street until such a time that the Township would require sidewalks to be installed.

Mr. Hassick inquired about the tree plantings. Ms. Martins stated that their landscape architect reviewed the Township's street tree list and tried to incorporate some of these trees, but on a smaller scale. Mr. Hassick provided recommendation of different trees that would be better natured for the area of planting and easier to maintain.

Mr. Hebelka inquired about the vehicle's exiting the property to Lehigh Street. Ms. Martins stated that PennDot indicated it will be a right turn only. Mr. Tettermer stated signage will be located at this exit.

Ms. Sopka stated that a memo has been received from Salisbury Township's Chief of Police and the City of Allentown. Ms. Sopka stated that the Chief of Police is stating restriction from crossing northbound traffic and the signage placement. Ms. Sopka will provide copies of the memos for the developer's review. Ms. Sopka also offered that the Fire Department does have copies of the plan for review.

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

A motion was made by Mr. Hebelka, seconded by Mr. Miller, the Planning Commission voted 4-0 to grant the requested waivers for SALDO 7.3.C.1, showing existing contours and SALDO 7.3.C.2, slope shading requirements. All in favor. Commissioners Licht, Schreiter and McKitish were not present for vote.

A motion was made by Mr. Hassick, seconded by Mr. Miller, the Planning Commission voted 4-0 to accept the plan approval for the minor subdivision conditioned on meeting the Township Engineer's and Director of Planning and Zoning memorandum as applicable. All in favor. Commissioners Licht, Schreiter and McKitish were not present for vote.

A motion was made by Mr. Hebelka, seconded by Mr. Miller, the Planning Commission voted 4-0 to accept the waiver request to SALDO 3.2.A.3, a separate preliminary/final plan submission. All in favor. Commissioners Licht, Schreiter and McKitish were not present for vote.

A motion was made by Mr. Miller, seconded by Mr. Hassick, the Planning Commission voted 4-0 to make recommendation to the Board of Commissioners to grant the waiver request to SALDO 10.10.B.1. C, to use HDPE pipe in lieu of concrete pipe and that the pipe table in sheet 6 should be revised to reflect HDPE pipe as stated in the Township Engineer's letter dated September 5, 2012. All in favor. Commissioners Licht, Schreiter and McKitish were not present for vote.

A motion was made by Mr. Hebelka, seconded by Mr. Hassick, the Planning Commission voted 4-0 to make recommendation to the Board of Commissioners to grant the plan approval for the Kost Tire & Auto Service Land Development Plan contingent upon compliance with recommendation and guidance of the requirements of the Township Engineer, the Director of Planning & Zoning, Township Solicitor and any/all other applicable entities, the City of Allentown, the Township's Chief of Police and Fire Department, and other applicable federal, state, county and local regulations. All in favor. Commissioners Licht, Schreiter and McKitish were not present for vote.

CONTINUED REVIEW OF THE SALISBURY TOWNSHIP ZONING AMENDMENTS AS PREPARED BY URDC.

Present was Mr. Charles Schmehl of Urban Research Development Corporation (URDC).

Mr. Schmehl reviewed the details of the last few items that were discussed at the public meetings. He would like to review Waldheim Park, Kids Peace and policy items.

Ms. Sopka stated she had a few items that need to be addressed. She stated that there were some areas of inconsistency when it relates to approved plan changes, the Zoning Hearing Board (ZHB) making site plan approvals as a special exception, minor changes and adjustments to site plans and its review process. Mr. Schmehl stated that the wording could be clarified.

Mr. Schmehl stated that **Waldheim Park** was a policy matter that the Township wanted to address. Mr. Schmehl stated that Waldheim Park's zoning district is an R4 and his suggestion is to change it to an R5. This changes only one thing, it adds manufactured home parks as another allowed use/option. A manufactured home park it is not a high density park, it allows about five homes per acre.

Ms. Sopka stated that she has been in communication with Waldheim Park Association and they advised her that Waldheim Park is a religious entity and it is predominated as a religious entity. They have an association that has a religious connotation. If they decide to abandon the use, they are required by their by-laws and through their religious order that it must be conveyed to another religious group. Part of their order is they cannot sell this park and it is to remain as is.

Mr. Schmehl reviewed **KidsPeace** and stated that there was no resolution at the last meeting. Ms. Sopka stated that the members need more information than what was proposed.

Mr. Tettemer provided a review of KidsPeace request and advised Mr. Schmehl that they basically want to take the kids out of KidsPeace. The biggest concern that this entails is will it then make this facility a treatment center. Do they need a special category in the ordinance that separates them from the definition that the Township already has for a treatment center? How is what they are requesting different from the treatment facility that already exists on Riverside Drive? Would the Township need a separate zoning classification just for KidsPeace?

Attorney Ashley clarified that residents were still going to be children and outpatient was going to be over 18 years of age, in addition to under 18 years of age. Ms. Sopka stated that there are no longer residents on site; as of now it is an outpatient basis facility.

Discussion ensued and this must be explored in further detail. The separation between KidsPeace and a treatment facility must be very clear. Mr. Schmehl stated that the wording needs to be clarified, at least for any adult services. Ms. Sopka offered to meet with KidsPeace and Mr. Schmehl for discussion. Ms. Sopka stated that they will be attending the October meeting.

Mr. Schmehl provided suggestions and provisions in regards to **forestry**. He stated the Township has very strict forestry and tree cutting provisions. He addressed clear cutting and stated that the Township does not allow it. Ms. Sopka inquired if the sustainable manage forestry/stewardship program be applicable to this. Discussion ensued and Mr. Schmehl stated he was going to leave this provision as is.

Mr. Schmehl inquired if a property line surveyor should be required if the forestry is over a certain size. The members were in agreement to have the property line survey requirement. Mr. Schmehl recommended additional tree preservation provisions which will allow protection during construction. Mr. Schmehl recommending controlling invasive species as land regenerates and to encourage residents to go into the DCNR sustainable forestry program.

Farming was discussed and a few recommendations were provided. Agriculture was suggested because crop farming is a by right use everywhere.

Mr. Schmehl stated that URDC will be writing a summary of the proposed ordinance and provisions that were discussed today. This will be distributed prior to the next meeting.

OTHER BUSINESS

None

ADJOURNMENT

The Planning Commission voted to adjourn the meeting. Meeting adjourned.