

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION  
MEETING MINUTES**

**7:30 PM  
November 13, 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, Hebelka, Hassick, 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 McKitisch were 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 5-0 to approve the October 9, 2012 Planning Commission Meeting Minutes as submitted. All in favor.

**Review the recommendation made by Mr. Steve McKitish regarding the request of KidsPeace to adjust zoning language relative to the campus located on Broadway Street. The recommendation was made to reinstate the original wording from the 1993 Zoning Ordinance limiting the age group of 18 and under to receive treatment at KidsPeace. Several Planning Commission members departed early and were not available to discuss/vote on the recommendation.**

Small discussion ensued. Mr. Hebelka and Mr. Hassick clarified that all members were present for the vote. Mr. Hebelka stated that the October 9, 2012 meeting minutes reflect the vote accurately. Mr. Hassick stated it was not approved because there was not a majority vote for approval.

Ms. Sopka inquired if the current Ordinance for the age group up to 18 years of age remains? Mr. Beck believed the Ordinance remains as is. Mr. Schmehl gave a brief history of the last two discussions with KidsPeace. Attorney Ashley stated that KidsPeace deed restriction supersede our zoning. Ms. Sopka gave a brief history of KidsPeace zoning history. Prior to the 1992 Ordinance change the KidsPeace land was a CR district which is more restrictive than the now R4 zoning district, which in turn is now being changed to an R5 zoning district.

**Review correspondence from Attorney John Ashley regarding Waldheim Park currently zoned R-4 and recommended by URDC to R-5. Review 10/12/2012 correspondence from Atty. Ashley regarding CR District comments; review 10/12/2012 correspondence from Atty. Ashley regarding Tree Harvesting Provisions.**

Correspondence was reviewed from Attorney Ashley. Discussion ensued. If a community has existing deed restrictions, which Waldheim Park does, these deed restrictions remain in place and supersede the zoning. The Township is not enforcing deed restrictions.

The manufactured homes were a great concern to the residents of Waldheim Park. At the present time there are two mobile home parks available in the Township. Attorney Ashley states in his correspondence that Salisbury Township is highly developed and research needs to be made to see if there is available space for development and if they are in the logical path of development for this type of housing.

**Continue review of the Salisbury Township Zoning Amendments as prepared by URDC dated 11/2012 that include revision changes made since 9/2012. Please note the Salisbury Township EAC will be reviewing and commenting on the Environmental Component of the draft Zoning Ordinance.**

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

Mr. Schmehl reviewed the recent revisions that have been made per comments and recommendations of the Planning Commission. He stated that once the Planning Commission is comfortable with the bulk portion of the draft Zoning Ordinance it is then to be presented at a public meeting. The Environmental Advisory Council (EAC) and Lehigh Valley Planning Commission (LVPC) will also review the Zoning Ordinance for recommendations. Mr. Schmehl stated that he is expected to have a final draft of the Zoning Ordinance by year's end which is a requirement under the Lehigh County grant, which is funding this update.

Mr. Schmehl stated that they are also finishing up the draft Subdivision Ordinance. He will provide this to the members and staff within the week for review and comment prior to the December Planning Commission meeting.

Mr. Schmehl did state that a complete draft of the Subdivision Ordinance must also be completed by years end to comply with the Lehigh County grant.

Ms. Sopka inquired about the definition of an outpatient drug and alcohol facility. She inquired if that definition would be considered the same as a treatment center. She stated that there are two separate definitions which need to be reviewed and presented at a later date. Small discussion ensued. Mr. Schmehl will review.

Mr. Schmehl began his review and started with provisions of vernal pools, wetlands and flood plains. Additionally, per Ms. Sopka's request, restrictions have been placed on buildings on or near flood plains. Mr. Schmehl stated the realization that the 100 year flood plain is not accurate considering there have been two 40 year storms and a 50 year storm in a three year period. In that, provisions have been added to ensure new buildings will not be allowed to be built in a flood plain.

A provision has been put in place that the Township has the authority to require a study of an area that is suspected to be a flood plain. The suspected flood plain areas will be reviewed even if the area is not designated a flood plain on a federal map. Ms. Sopka stated that since the Lehigh County reassessment, she has had frequent calls by residents expressing concerns about flooding due to streams flowing through their property. Ms. Sopka indicated these watercourses are NOT delineated on the FEMA flood maps or any township maps.

Mr. Schmehl provided recommendations for the areas around Trout Creek. The Township can require a determination of the extent of the high water table of properties prone to water saturation. The Township can require that the lowest floor be elevated above the high water table. Basically what this is stating is that in some residential areas basements should not be built. This also helps to minimize the need for pumping.

Placement of above ground swimming pools will also not be allowed in a flood plain as the concerns of the pools catching debris and causing backups in flood plains.

Mr. Schmehl proposed another tree harvesting update and stated that their revision is targeting their efforts towards making sure the majority of the land continues to be covered by forest area but not over regulating the removal of one or two trees. The number of trees allowed to be cut will be determined on the size of the acreage. Attorney Ashley recommended that these forest provisions be distributed for review. Ms. Sopka recommended that these revisions be reviewed by DCNR's Regional Forester for his recommendations and comments. Ms. Sopka referenced Upper Saucon's Zoning Ordinance which incorporates a sustainable forestry management plan. She stated that this type of plan should be in incorporated into Salisbury Township's tree harvesting provisions.

In addition, a property survey will be required to prevent any neighboring properties trees from being cut down accidentally. Notice to the adjacent properties owners prior to tree harvesting has been incorporated. Forestry buffer zones are also being established. URDC is recommending a 75 foot buffer from property lines and a 100 foot buffer from the primary bank of a creek. There will be no tree harvesting in a wetland.

Discussion also included maintaining tree density on properties. However, the Planning Commission recommended the Environmental Advisory Council for the Township provide additional review and comment on the environmental component of the zoning ordinance.

POD storage container provisions were reviewed and discussed. The right-of-way was a concern. Provision will be put in place for the portable storage unit. Residents can place a POD on their property but will have a 60 day limit in a two year period unless needed for active construction on the site.

Wind turbine provisions were discussed. It was recommended that wind turbines will be required to be placed on about one per acre. Noise limits, setbacks and height limit were discussed and restrictions will apply. It was noted that there would not be multiple wind turbines on South Mountain Conservation area. Therefore the Township is limited to the industrial district if multiple turbines are necessary, however this is a low point and wind turbines should not be placed low point.

Mr. Schmehl concluded and stated that the next goal is to concentrate on the SALDO Ordinance.

**Review and provide comments regarding the November 5, 2012 correspondence from Lower Macungie Township regarding a proposed amendment to their SALDO. The proposed Ordinance amends the administrative review procedure for non-residential subdivision and land development plans which propose less than 10,000 SF of additional impervious surface and less than 10,000 SF of additional building area and the minor subdivision submission procedures of the SALDO.**

Ms. Sopka stated that Mr. Tetteimer, Township Engineer has received and reviewed this correspondence. Ms. Sopka stated that she brought this to the attention of the Planning Commission in case they would like to provide Lower Macungie Township any recommendations.

**OTHER BUSINESS**

None

**ADJOURNMENT**

On motion of Dr. Licht, seconded by Mr. Hassick, the Planning Commission voted 5-0 to adjourn the meeting. All in favor.