

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION  
MEETING MINUTES**

**7:00 PM**

**February 10, 2015**

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.

**CALL TO ORDER**

Mr. Beck called the meeting to order.

**ROLL CALL**

Glenn Miller

William Licht

Richard Schreiter

Joseph Hebelka

Richard Hassick

Stephen McKitish

Charles Beck

John Ashley, Township Solicitor

David Tettermer, Township Engineer

Cynthia Sopka, Director of Planning and Zoning

**APPROVAL OF THE MINUTES**

**On motion of Dr. Licht, seconded by Mr. Hassick, the Planning Commission voted 7-0 to approve the January 13, 2015 Planning Commission Meeting Minutes as submitted. All in favor.**

**3300 LEHIGH STREET SOUTH MALL – CONDITIONAL USE**

**Mr. James Pompa of Cornerstone Consultant Co. LLC seeks approval under Zoning Ordinance Section 807.3 which requires temporary uses to be heard as Conditional Use to set up and operate the “Flower Tent” within Salisbury Township parking area of South Mall.**

Mr. James Pompa of Cornerstone Consultant Company/The Flower Tent was present.

The installation of the tent will be March 20, 2015, prior to the operation because of the flower delivery schedule. The sales of flowers will begin March 26, 2015 thru April 6, 2015, and April 29, 2015 thru June 22, 2015. The location of the Flower Tent location will be in the South Mall parking lot within the boundary of Salisbury Township.

**A motion was made by Mr. Schreiter, seconded by Mr. Hassick, the Planning Commission voted 7-0 to make a recommendation to the Board of Commissioners to approve the Conditional Use of the Flower Tent at 3300 Lehigh Street for the calendar year 2015. Upon the history of the Flower Tent at the South Mall, the Planning Commission also made recommendation to the Board of Commissioners to extend the length of time to five (5) years. All in favor.**

**1452 EAST EMMAUS AVENUE MINOR LOT SUBDIVISION**

**Review the proposed Minor Lot Subdivision that incorporates the subdivision of one existing parcel with two residential structures currently constructed on the one parcel. The property is located in the R-3 Medium Low Density Residential District. The intent is to subdivide the land to allow each structure to conform to zoning by providing each primary structure to be located on individual parcels.**

Present was Mr. Edward Schlaner, Jr. PE/PLS of Martin H. Schuler Company.

Mr. Tetterer highlighted his review letter dated February 4, 2015. The applicant has requested the following waivers in regards to location of natural features within 100 feet of the tract, existing man-made features within 100 feet of the tract, cart-way width, side lot lines, and depth of residential lots. A request for a deferral is for the sidewalk and curbs.

Ms. Sopka highlighted her review letter dated February 3, 2014. She stated that the 90 day time review expires on February 10, 2015; therefore, a time extension is required. Ms. Sopka stated that both lots 1 and 2 do not meet the required building setbacks. However, the Zoning Ordinance section 806.2 addresses continuation of non-conformity in use, structure or lot as defined and may be continued, sold and continued by new owners. Ms. Sopka agrees with the assessment of Keystone Consulting Engineers.

**On motion by Mr. McKitish, seconded by Mr. Miller, the Planning Commission voted 7-0 to make recommendation of approval for the Preliminary/Final Minor-Lot Subdivision Plan subject to any conditions stipulated by the Township Engineer's correspondence of February 4, 2015 and the Planning Director's correspondence of February 3, 2015 and compliance with all required Federal, State and Local regulations. All in favor.**

**On motion by Mr. McKitish, seconded by Dr. Licht, the Planning Commission voted 7-0 to approve the requested waivers for the following items: SALDO section 7.3.C, 7.3.E, 10.4.D.1, 10.6.A.1 and 10.6.A.3 and deferral 10.13 respective of both Lots #1 and Lot #2. All waivers and deferrals shall be listed on the Plan. All in favor.**

**SOUTHBURY PARK FORMALLY REFERENCED AS 1511 BLACK RIVER ROAD PRELIMINARY/FINAL SUBDIVISION AND LOT CONSOLIDATION**

**Review the proposed Preliminary/Final Plan for Lot Consolidation and Subdivision of several lots within the previously approved Major Lot Subdivision of Southbury Park that received approval from the Township of Salisbury in 2007 and was recorded in Lehigh County on April 21, 2009.**

Present was Mr. Gregory Dimovitz, P.L.S. of Survey One and Mr. Myron Haydt of Myron R. Haydt Developer Inc.

Mr. Tetterer highlighted his review letter dated February 4, 2015. The Plan proposes to consolidate and re-subdivide lots. The requested waivers shall apply to existing contours within 100 feet of the site, existing man-made features within 100 feet of the site and to the minimum centerline radius for local streets and depth of residential lots.

Ms. Sopka highlighted her review letter dated February 3, 2015. She stated that the site is located in the Conservation Residential (CR) District and was recorded in 2009. The seventeen (17) properties were afforded their addresses and parcel identification numbers resulting in 1511 Black River Road

as no longer existing. The original project subdivided the land into seventeen (17) parcels is now twelve (12) parcels.

Ms. Sopka stated that she concurs with the recommendations presented by the Township Engineer.

**On motion by Mr. McKitish, seconded by Mr. Schreiter, the Planning Commission voted 7-0 to make recommendation to approve the Preliminary-Final Plan for the Re-Subdivision/Lot Consolidation of Southbury Park formally referenced as 1511 Black River Road. The Planning Commission provided conditional approval for the Re-subdivision/Lot consolidation subject to all conditions stipulated by the Township Engineer's correspondence of February 4, 2015; the Planning Director's correspondence of February 3, 2015; a satisfactory review by the Lehigh County Planning Commission (LVPC) and compliance with all required Federal, State and Local regulations. All in favor.**

**On motion by Mr. McKitish, seconded by Mr. Miller, the Planning Commission voted 7-0 to accept the requested waivers of SALDO sections 7.3.C, 7.3. E, 10.4.F.2 (a), and 10.6.A.3. All requested approved waivers shall be placed on the Plan. All in favor.**

**2875 COUNTRY CLUB ROAD MINOR SUBDIVISION AND LOT CONSOLIDATION**  
**Review the proposed Preliminary/Final Plan for a Minor Subdivision of land between Lehigh County Club and Laurene and William Ryan located at 2875 Country Club Road.**

Present was Mr. & Mrs. William Ryan, owner, Richard L. Schreiter, P.L.S. and Attorney Andrew V. Schantz of Davison & McCarthy.

The proposed project incorporates two properties which is land owned by Lehigh County Country Club and the adjoining property owned by William and Laurene Ryan located at 2875 Country Club Road. The project proposes a subdivision of a 25 foot strip of land from the Country Club to be conveyed to the Ryan property. There will not be any new construction, proposed roadways or new residential lot created for either lot.

Mr. Tetterer highlighted his review letter dated February 4, 2015. The following waivers requested shall apply to the perimeter property line of the Lehigh County Club tract, providing the names and address of adjoining property owners including those across adjacent roads, existing natural features and contours within 100 feet of the site, existing man-made features within 100 feet of the site, side lot lines shall be to right angles to straighter street lines. The deferral request applied to curbing installed along all streets.

Ms. Sopka highlighted her review letter dated February 3, 2015. She concurs with the Township Engineers recommendations.

Ms. Sopka is in receipt of a letter from the Lehigh Valley Planning Commission (LVPC), dated February 6, 2015, and it states that this project does not conflict with the County Comprehensive Plan.

**On motion by Mr. McKitish, seconded by Dr. Licht, the Planning Commission voted 6-0-1 to make recommendation of approval for the Preliminary/Final Minor-Lot Subdivision Plan subject to any conditions stipulated by the Township Engineer's correspondence of February 4, 2015 and the Planning Director's correspondence of February 3, 2015 and compliance with all required Federal, State and Local regulations.**

**On motion of Dr. Licht, seconded by Mr. Miller, the Planning Commission voted 6-0-1 to approve the requested waiver for SALDO 7.3.A.8. All requested waivers shall be placed on the Plan.**

**On motion of Dr. Licht, seconded by Mr. McKitish, the Planning Commission voted 6-0-1 to approve the requested deferrals for SALDO 10.12.A and 10.12.E. All requested waivers shall be placed on the Plan.**

**950 SOUTH OTT STREET RE-SUBDIVISION PLAN**

**Review the Sketch Plan for the Re-Subdivision Plan for the Western Salisbury Volunteer Fire Company, Inc. (WSFD) and Swain School, Inc.**

Mr. Joshua Wells, Fire Chief and Mr. Gerald Royer of WSFD, Mr. Amit Mukherjee, P.E. of Base Engineering, and Attorney Richard Somach of Norris, McLaughlin & Marcus P.A. were present.

Mr. Tettermer highlighted his review letter dated February 4, 2015. Their review of this proposed project is broken down into two sections, the re-subdivision and the land development. The sketch plan proposes a re-subdivision of property owned by the Swain School to transfer 3,501 feet of undeveloped land to the WSFD for use as parking for a proposed building expansion of the Fire Company. This portion of land is being donated by the Swain School. Mr. Tettermer reviewed 14 general items and stated because this is a sketch plan no action is required.

Ms. Sopka highlighted her review letter dated February 3, 2015. The site is located in an R-2 low density zoning District of Salisbury Township. The review relates to zoning issues associated with this project.

Section 306.2 of the Zoning Ordinance requires the proposed use of an Emergency Service Station that includes fire stations requires approval by Special Exception with the Zoning Hearing Board (ZHB).

Ms. Sopka stated that the building requirement is 50 feet but is proposing a 12 foot setback which in turn normally requires a variance. However, the variance stays within the land and because the use is not changing there would be no need to go back for another variance.

As part of the proposed project WSFD plan to consolidate operations and close and sell the 3425 Eisenhower Avenue facility. Funding for this project will be from the sale of the Eisenhower Station and a capital campaign.

**On motion of Mr. McKitish, seconded by Mr. Hassick, the Planning Commission voted 6-1 to make recommendation to authorize a letter from the Township Planning Commission to the Township Zoning Hearing Board, recommending support to the fire company's proposed plan.**

**OTHER BUSINESS**

NONE

**ADJOURNMENT**

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