

**TOWNSHIP OF SALISBURY  
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION  
MEETING MINUTES  
September 12, 2017**

**START TIME 7:30 PM**

The regularly scheduled public meeting of the Salisbury Township Planning Commission commenced at the Township Municipal Building located at 2900 South Pike Avenue, Allentown, Lehigh County, Pennsylvania.

**CALL TO ORDER**

Mr. Stephen McKitish called the meeting to order.

**ROLL CALL**

Glenn Miller  
William Licht (excused)  
Richard Schreiter  
James Brown (excused)  
Richard Hassick  
Stephen McKitish, Vice-Chairman  
Charles Beck, Chairman (excused)  
John Ashley, Township Solicitor  
David Tettermer, Township Engineer  
Cynthia Sopka, Director of Planning and Zoning

**APPROVAL OF THE MINUTES**

**On motion of Mr. McKitish, seconded by Mr. Miller, the Planning Commission voted 4-0 to approve the August 8, 2017 Planning Commission Meeting Minutes as submitted. All in favor.**

**2686 SOUTH FOURTH STREET, SALISBURY TOWNSHIP PA**

Review the proposed Sketch Plan for the Land Development for Roche Painting located on 2686 South Fourth Street, Allentown PA. The site is vegetated with some steep slopes within the site. The property is located in the C-2 Zoning Neighborhood Commercial District and also includes a portion of the land located in the R-4 Zoning Medium Density Residential District.

Present Mr. Edward Schlaner, PE, PLS, of Martin H. Schular Co. and Mr. Aaron Roche of PO Box 208, Breiningsville.

Mr. Tettermer highlighted his review letter dated August 21, 2017. He expressed 18 general items for discussion as this is a sketch plan. The zoning officer should comment on Z.O. 601, Table 6.1, the plan proposes 8 parking spaces. The requirement for general office use is 1 space per 350 square feet, the size of the building should require 12 parking spaces, Z.O. 803.2.A.2 buffer yards and plantings meeting this section shall be provided. Noted is the

buffer yard requirement for this use is 30 feet from a residential lot line (side yard) and proposed setback is approximately 21 feet on the south side and 17 feet on the north side of the proposed building. If the plan cannot be revised to meet this requirement, it appears a variance to this section is required.

Other items for discussion are SALDO 1012 for side walk and curb installation along arterial streets or a deferral to this section is required. Notation is made that there is curb but no sidewalk north of this site along South Pike Avenue which is a Penn Dot street.

In conclusion this is a Sketch Plan, the above information and comments by the Planning Commission should be taken under advisement by the Developer and considered a design in preparation of any Preliminary and Final Plans.

Ms. Sopka highlighted her review letter dated August 28, 2017. She stated that she has reviewed the comments made by the Township Engineer in regards to the proposed sketch plan. She stated that she agrees with the review of the Township Engineer dated August 21, 2017 relative to Zoning as referenced.

She stated the project does require 12 parking spaces based upon square footage of the building however if the applicant will propose 8 parking spaces on site a variance will be required with the Zoning Hearing Board or a redesign will be required.

The current sketch plan also appears to disturb 25% slopes for the proposed building, driveway and parking areas. The Township will need to be provided the square footage of the steep slope that would be impacted within the 25% range or greater that would be disturbed. If it exceeds 400 square feet the project shall be submitted to the ZHB for their determination to provide relief to the applicant to address the issue of the steep slopes during construction.

Ms. Sopka stated that the Township Engineer regarding general drafting items shall be corrected or added on the plan such as maximum building coverage, maximum impervious coverage. A copy of the amended Table of requirements for this is included as an attachment to this review.

Mr. Schlaner inquired the Planning Commissions thoughts on a sidewalk on South Pike Avenue. Mr. Schreiter stated that most likely some kind of curbing should be placed. Sidewalks are a difficult situation as it is a tight area and dangerous location.

Mr. Schlaner inquired about the 8 parking spaces as oppose to the 12 spaces. Mr. Tettermer stated that official documentation needs to be submitted as what portion of the building they are using. Therefore, if you sell the building in the future, the future buyer knows that there is only a certain amount of unit itself that can be used for office and parking spaces. There was also concern about the reconfiguration of the building in the future and what will be available to that square footage of leasable space.

Mr. Schlaner inquired about the 30 foot buffer as they cannot comply with, it basically doesn't leave any or very little usable area therefore they would have to go to the ZHB. Mr.

McKitish advised if that is the case the ZHB must approve this prior to the Planning Commission moving forward.

The slopes were discussed and stated that they are man-made slopes on the north side. Mr. Tettermer indicated the slopes are man-made and believes a variance would not be necessary for that area.

Mr. McKitish opened the floor for comment.

A few residents stated their concern about additional buildings be put on South Pike including more vehicle traffic considering it is steep slope street. Water consumption was also a concern and resident was advised that the owner takes care of his own consumption.

Mr. Roche stated that they are a contracting business with seven employees and they do not do physical work, this area is an office space and warehouse with latex based supplies.

#### **400 EAST MOUNTAIN ROAD, ALLENTOWN, PA**

Review the proposed Sketch Plan for property located within the Conservation –Residential (CR Zoning District) of Salisbury Township that consists of 18 acres of land. The property once served as an Outdoor Recreational facility that included a clubhouse, Pavilion, and an indoor facility to host events. The proposed project would include four (4) story residential buildings that would equate to 144 dwelling units as well as include a club house and outdoor recreation area.

Present were Mr. Joseph ElChaar, Owner; Mr. Thomas Schlegel, Fitzpatrick, Lentz and Bubba, P.C. and Mr. Jason Buchta, P.E., Ott Consulting Inc.

Mr. Tettermer highlighted his review letter dated September 5, 2017. There are 28 general comments to help give recommendations for future plans. There are a number of items that he would like to bring to attention starting with the proposal of 6-4 story apartment buildings, however the Ordinance states no more than three stories that are not permitted in this C-R district, minimum lot area per dwelling unit, the maximum impervious coverage for C-R tract is 15 percent, a site capacity to be provided, since the proposed use is not an approved by right use a Zoning Variance to portions of this project may be required, the developer shall provide a Wetlands and Vernal Pools and Springs report for the site of the project especially for drainage issues, location of waste containers, parking lot lighting, building setbacks, landscaping, off-street loading spaces, signage, traffic study, additional improvements to street widening, cartway width, etc., right-of-ways on East Mountain Road, cul-de-sac must have a fully paved turn around, PA DEP planning module will be required, water system analysis, easements for proposed water lines, 10,000 square feet of impervious coverage therefore the Lehigh Valley Planning Commission (LVPC) drainage approval for the Little Lehigh Creek Watershed Act 167 Plan is required, determine installation of sidewalks and curbs, and street trees.

Also determination needs to be made whether a land dedication or the payment for fees shall be required to meet the Open Space and Recreation Area requirements of this section.

In conclusion, since this is a Sketch Plan, the above information and any comments by the Planning Commission should be taken under advisement by the developer and consider in the design and preparation of the Preliminary/Final Plans.

Ms. Sopka highlighted her review letter dated September 5, 2017. The site is currently made up of an extensive parking lot with cracked macadam. The existing house remains in very poor condition along with the remaining structures. The remainder of the property is woodlands, steep slopes, streams located near the roadway of East Mountain Road.

The developer is recommending 144 units for age restricted residential apartment complexes that would include six – four story residential buildings along with an additional recreational area that would include a club house and also outdoor recreation.

The developer is proposing 189 parking spaces as well as 30 garaged parking spaces. The site incorporates 18 acres some of which have been previously developed. The developer also proposes to provide municipal sewer and municipal water facilities to accommodate all structures.

Ms. Sopka reviewed the Zoning Ordinance (ZO) and has 14 items for addressing. She stated that the plan proposes the construction of four story residential buildings which is not permitted by right in the CR zoning district nor in any zoning district of the Township. According to section 301.4 of the ZO the plan as represented proposes six four story apartment buildings which are not permitted in a CR Zoning District. Ms. Sopka stated that the intent of the CR District is to provide detached housing at very low densities and conservation oriented land use that recognizes the importance of the existing natural features of the lands associated with South Mountain.

The maximum impervious coverage in the CR District is 15 percent and 10 percent building coverage. This information is crucial to determine compliance with the requirements of the ZO. However, the ZO indicates that Single Family Dwellings (SFD) and modular homes are allowed and permitted by right in the CR District. This has a requirement of 2 acres per home and might require more land depending upon the slope within the construction site.

The Township instituted the Site Capacity Analysis for lots within a subdivision or land development, the purpose of the analysis is to determine the appropriate intensity of the use to specific tract by exploring features that might not be usable or have restrictions such as steep slopes.

All structures shall have adequate provisions for access by emergency vehicles and this shall be shown on the plan.

A map of the natural resources and the natural resource city capacity calculations shall be submitted by the applicant to determine the ability of the site to support the density/intensity of development.

South Mountain is known for sensitive areas such as ground water seeps, vernal pools, first order streams, and wetland throughout the area. As indicated by the Township Engineer the ordinance requires a minimum of a 50 foot setback that shall apply to the features references as sensitive areas. The project will require an environmental review to see if these features are located within the property. This information shall be provided on the proposed site plan.

In ZO section 504.3 it indicates no building, parking, commercial or industrial storage or display shall be located within 75 feet of the top of a minor surface waterway. The exact location of the top of the primary bank shall be determined by the Township Engineer. The site is located adjacent to a stream and therefore no excavation, grading, or filling shall occur within 75 feet of the top of the bank of the existing stream. However, the proposed sketch plan as presented shows that grading will occur within the 75 foot buffer. This grading will encroach into the streambank which does not meet the Low Impact Development that is stated in the Salisbury Township Stormwater Management Plan.

Any activity occurring within or near a stream will require review from the Lehigh County Conservation District (LCCD) as well as review by the PA DEP relative to permits.

The existing stream is a natural tributary to Trout Creek which is identified as a high quality watershed.

The sketch plan provided to the Township provided a grey shading slope table, making it the site difficult for review. It is difficult to assess based on the site plan provided. The developer needs to color code the slopes based upon percentage to allow adequate information to determine the appropriate impact. In addition the slope table indicated a value of 5500.00%.

The Township Engineer provided information relative to the Salisbury Township Board of Commissioners to determine whether a land dedication or the payment for fees shall be required to meet the Open Space and recreation Area requirements. Ms. Sopka states that it determined that it does not appear to be any non-development land available on site to meet the minimum requirements as noted in SALDO section 1017.1.E.

The current recreation fee for Salisbury Township is \$1500.00 per dwelling unit and shall include single family dwellings, single-family semi-detached (Twin home) dwellings, two-family dwellings, Townhouses (SFD) and apartment/condominiums (low rise)

Ms. Sopka also addressed the Township Engineers comments related to variances, as there are several variances that would be required to this project such as:

- a. ZO 306.2 regarding four story apartment buildings which are not permitted by right in the CR Zoning District. The guidance for Variances located in ZO 112.5.C.;
- b. ZO 307.2 minimum lot are in the CR district requires a minimum of two acres;
- c. ZO 307.2 maximum impervious surfaces for the CR District is 15 percent;
- d. ZO 503 the Township Engineer has provided a 50 foot setback required for existing wetlands areas, vernal pools, and ground water seeps if they exist within the boundary of the property to be developed.

Please be advised that if Variances are required, the request for the Variance to the Zoning Hearing Board (ZHB) should be submitted prior to the Planning Commission Review.

Ms. Sopka reviewed and agreed with the Township Engineers letter referenced in his correspondence dated September 6, 2017. In addition, she agreed with the comments provided in the Sketch Plan review. The Planning Commission does not have to take action on a Sketch Plan.

Mr. Schlegel provided a power point presentation, clarification and prosperity for the development of this property to the members and audience that attended the meeting.

Mr. ElChaar gave a brief description of how long and why the property became vacant including his interest in the property. He stated once the past owners vacant the property there was a lot of vandalism. At this point he stated the property is overgrown. He stated that he had a major cleanup at the property a few months ago.

Mr. Schlegel gave a description of the entrance and the layout of the proposed project. He stated that there would be a guardhouse at the entrance with related parking. The housing is age restricted which is a 55 years or older community. It would also be stated that this would be for rental units which are not for purchase.

They are proposing a 4,500 square foot club house with a recreation area. Mr. Schlegel stated that the footprint is basically completely over the entire impervious coverage that exists now. The idea is to have whatever development to come onto this property is actually replacing that impervious coverage. He stated that impervious coverage may be the issue with the water runoff /stormwater issues but has not been investigated into great detail.

It was stated that most of the slopes have been man-made.

They also stated elevators would be put in all of the buildings because it is age restricted. There will be some garages, parking spaces, there will be restrictions and limitations of what can and cannot be down at this living facility. This will help with tax benefits as there is limited space in Salisbury Township for constructions.

Mr. McKitish explained the variances and what needs to be addressed and what is critical.

Mr. McKitish opened the floor for comment.

There was concerned about the building being four stories high to provide a higher quality fourth floor which bigger units. As a visual the building is a great concern and the environment that surrounds it.

Eastern Salisbury Fire Department had a huge concern on well water, public safety and if a fire takes place there. He addressed that the fire hydrants are not working and the water lines that come in are the City of Allentown. Emergency personnel will receive a copy of the sketch plan.

Property value was a huge concern. An increase of traffic was a concern too. Egress and electricity was a concern, sewer lines, etc.

### **OTHER BUSINESS**

### **ADJOURNMENT**

**On motion of Mr. Schreiter, seconded by Mr. Miller, the Planning Commission voted to adjourn the meeting. All in favor.**