

**TOWNSHIP OF SALISBURY
LEHIGH COUNTY, PENNSYLVANIA**

**PLANNING COMMISSION
MEETING MINUTES
November 14, 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. Charles Beck called the meeting to order.

ROLL CALL

Glenn Miller

William Licht

Richard Schreiter

James Brown

Richard Hassick

Stephen McKitish, Vice-Chairman (excused)

Charles Beck, Chairman

John Ashley, Township Solicitor

David Tettemer, Township Engineer

Cynthia Sopka, Director of Planning and Zoning

APPROVAL OF THE MINUTES

On motion of Mr. Miller, seconded by Dr. Licht, the Planning Commission voted 6-0 to approve the September 12, 2017 Planning Commission Meeting Minutes as amended. All in favor.

415 Mountain Boulevard, Salisbury Township, PA 18103

Review the proposed Preliminary Plan for the Minor Subdivision of 415 Mountain Boulevard, Salisbury Township PA. The site consists of approximately 28.25 acres. There are two residential properties located on the tract of land. The property consists of two zoning districts such as the R-1 Rural Residential and the R-3 Medium Low Density Residential zone. The Minor Subdivision will have a square footage of 87,120 SF referenced as Lot #1 that consists of two (2) acres. Lot #1 consists of two existing buildings that have been in existence for many years. The Single Family Dwelling is a 1.5 story home that was built in 1850 that includes an out building.

Present was Mr. Jason Buchta, P.E., from Ott Consulting Inc. and Mr. Jeff Likeshaker, Esquire for the land owner, and Mr. Stuart Rodgers of 2520 Riverbend Road, Allentown.

Mr. Tettermer highlighted his letter dated November 8, 2017. Mr. Tettermer has 7 general comments that need discussion and approval. Mr. Tettermer stated a site capacity Analysis shall be completed and submitted, new lots should have frontage and direct access onto a public street a variance appears to be required, minimum required width at the street right-of-way line in an R-1 district is 25 feet they are proposing 15 feet a variance would be required, plan drawn at scale, slope shading, a Plan Note 2 intends to re-define the work certify so either this needs to be removed from the Plan or a waiver to SALDO 201.1.E is required, a copy of the recording information for the proposed access easement across the Chaplis property shall be provided to the Township prior to Plan recording, and the existing sewer and water services for Lot 1 shall be shown on the plan including utility easement.

The Board of Commissioners signature block shall be removed from the plan since this is a Minor Subdivision Plan. The full deed of the existing property needs to be submitted for review.

The Plan also shows the extension of Mountain Road as being owned by William Chaplis. Township records indicate the right-of-way was or was intended to be dedicated to Salisbury Township as part of a previous subdivision. This needs to be noted on the Plan.

In conclusion, until the developer has satisfied all items addressed they would not recommend engineering approval on this minor subdivision plan.

Ms. Sopka highlighted her review letter dated November 7, 2017. The property is located at 415 Mountain Blvd, Salisbury Township. The property is located in Rural Residential (R-1) zoning district of Salisbury Township. A majority of the property is adjacent to the lands of Wildlands Conservancy. In addition the property is also adjacent to Glenwood Street located in Emmaus Borough.

The application indicates the front yard of Lot #1 is located on the western side of the proposed Lot #1 which required a 50 foot front yard setback as well as a 50 foot rear yard. The two side yards require 20 foot side yard setbacks. The two structures listed on the Lot #1 have been in existence for many years. The original house was constructed in 1850 which predates zoning or SALDO. The other remaining structure was a garage that was converted into a living quarter in 1998.

The Township Engineer has indicated a site capacity analysis would be warranted as referenced in §308 of the Zoning Ordinance. The analysis would be relevant if the additional 31.25 acres of land were proposed to be developed. It is the Townships' understanding that the remaining lands are to remain as farmland and forested land otherwise known as a natural state. Therefore the Site capacity analysis is not required.

The Township Engineer also indicated that any new lot shall have frontage and direct access onto a public street without traversing through or over another lot. According to records dating back to January 1976, the Salisbury Township Board of Commissioners addressed a request for a minor subdivision equal to 1.1560 Acre Parcel.

Ms. Sopka inquired from Attorney Ashley if he had any comments regarding the site not having frontage onto a public street since it is a requirement of the Zoning Ordinance. It was recommended that the project proceed to the Zoning Hearing Board.

According to the site plan as prepared by Ott Consulting the referenced 50 foot right of way was dedicated to Salisbury Township however the plan indicates it is N/F lands of William Chaplis PIN# 549581841023. A copy of the site plan that indicated the 50 foot right of way was to be dedicated to Salisbury Township. A copy of such plan will be available at the Planning Commission meeting.

Mr. Tetteimer stated that there is no length for a driveway however only a cul-de-sac. His comment was geared to the distance between the new lot and the existing lot. He stated that access rights across the Chaplis property road right-away needs to be clarified.

Mr. Jeff Lishaker, Attorney for the land owner, stated this past year, six property owners including Mr. Chaplis did a shared right-away agreement for this specific right-away that is being discussed. Mr. Chaplis acquired the property in 1991 on a quick claim deed that included the language the deed of dedication for the road itself. The shared right-away agreement incorporates that specific language if the township would wish to have the road dedicated to the six parties with the agreement would indeed share the cost of dedication. He has an unsigned copy for the commissioners. There is a six party maintenance agreement and everyone shares costs.

The purpose of the subdivision and has been designated clean and green. There are three existing residential dwellings on the property now and the intent is that the County to do a two acre subdivision which is required by law under the clean and green act. The ultimate intention is that this is next store to Wildland Conservancy and would eventually donate the 28 acres to the Wildlands Conservancy. It's an effort to pull out the properties that already exists.

Mr. Tetteimer stated that the easement they are proposing a 15 foot wide access easement which is required as a 25 foot easement. A variance would be required. If the plan is adjusted to a 25 foot easement a variance would not be required. Mr. Tetteimer stated that if there is an increase to a 25 foot easement goes all the way down to the Chaplis property to Mountain Boulevard to the frontage. It would be satisfied.

There are two existing buildings and a home that was built in the 1800's on this property. There is a garage was built into a living quarters on the property in 1998. There is also a three garage with a living quarter on top. Two generations have been living on the property. All properties are serviced with existing water and sewer. Mr. Tetteimer would like the water and sewer connection shown on the plan.

A waiver was submitted in regards to SALDO 703.1.C the plan drawn to scale and SALDO 703.3.B for slope shading.

Per recommendation the sewer and water lines must be surveyed as they don't fall within the 15 feet. The line needs to be physically surveyed for an accurate location and placed on the deed.

The general items from the township engineer comments a through f will be corrected.

Ms. Sopka stated she walks the area and stated there is a fire hydrant in that area. Ms. Sopka stated that she concurs with the township engineers comments.

Ms. Sopka reviewed a letter she received from a resident who lives in that area agreeing with the minor subdivision to help preserve the land.

Ms. Sopka did advise that after all changes are submitted to the Plan they will provide a copy to the fire department for review.

On motion by Dr. Licht, seconded by Mr. Miller, the Planning Commission voted 6-0 to make recommendation for approval of the requested waiver for SALDO section 703.1.C and 703.3.B. All in favor.

On motion by Mr. Schreiter, seconded by Mr. Hassick, the Planning Commission voted 6-0 to table the project of 415 Mountain Boulevard Minor Subdivision. All in favor.

1724 GREENWOOD ROAD ALLENTOWN, PA 18103

Review the proposed Preliminary/Final Plan for the minor lot subdivision of Lot #1 referenced as 1761 Lehigh Parkway North. The project will convey approximately 2592.5 S.F. of land from lot #1 to Lot #2 referenced as 1724 Greenwood Road which will result with an increase of land equal to 3.68 Acres total. Both properties are located in the R-1 Rural Residential zoning district. Both properties have access to public water and sewer.

Present was Mr. Jay Musselman from Musselman Associates, P.L.S. and Mr. Robert Noecker, Owner.

Mr. Tettemer highlighted his review letter dated November 8, 2017. Mr. Tettemer stated that the following should be shown on the Plan. Existing contours, slope shading, high water table, water courses, floodplains, soil types, rock outcrops and wooded areas should be shown on the Plan or a waiver is required. Mr. Tettemer reviewed a few general drafting items that shall be added or corrected on the Plan.

In conclusion, when all items are either agreed to or completed, they would recommend engineering approval of this Minor Subdivision Plan.

Ms. Sopka highlighted her review letter dated November 7, 2017. Lot #1 referenced as 1761 Lehigh Parkway North is providing an additional amount of land equal to 0.059 acres to be conveyed to Lot #2 referenced as 1724 Greenwood Rd. It is recommended to provide the Lots with the appropriate mailing address and Parcel Identification numbers. There is no additional construction proposed for this minor subdivision. Ms. Sopka concurred with the Township Engineers recommendations.

Mr. Musselman provided all waiver requests. The Planning Commissioners approved the requested waivers prepared by Mr. Jay Musselman, P.L.S to SALDO section §703.3.A

through H. These waivers will be placed on the Plan. No construction on this property is planned.

On motion by Dr. Licht, seconded by Mr. Miller, the Planning Commission approved 6-0 to accept the waiver requests for SALDO section 703.3.A through H. All in favor.

On motion by Mr. Hassick, seconded by Mr. Brown, the Planning Commission approved 6-0 to the Minor Subdivision/Lot Consolidation plan subject to any conditions stipulated by the Township Engineer's correspondence of November 8, 2017, the Planning Director/Zoning Officers correspondence of November 7, 2017 and additional compliance with the Township Solicitor and all required Federal, State and Local regulations.

OTHER BUSINESS

ADJOURNMENT

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