



**UPPER MACUNGIE TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES**

April 21, 2021

I. CALL TO ORDER/PLEDGE TO THE FLAG:

Meeting called to order at 7:00 PM by Chairman Chuck Deprill

MEMBERS PRESENT: Chuck Deprill, Chairman; Paul McNemar, Vice-Chairman; Christopher Walls; Kim Snelling, Aubrie Miller, Mike Werst

STAFF PRESENT: Director of Community Development Daren Martocci, Assistant Director of Community Development Dan DeMeno, Planning & Zoning Specialist John Toner, Engineer Dave Alban; Solicitor Andrew Schantz

Chairman Chuck Deprill opened the meeting and asked all present to join him in the Pledge of Allegiance to the Flag of the United States of America. Chairman Deprill noted the presence of many Township residents in the audience and stated that public comment will be heard when recognized by the Planning Commission in order to maintain an orderly meeting and ensure everyone is heard.

Prior to Plan Discussions, D. Martocci and J. Toner updated the Planning Commission on last minute agenda item changes. The applicants for Docket No. 2062; Hassen Creek Estates and Docket No. 2084A; Lehigh Hills, Lot 5, Phase II Supplemental Grading, have requested to table themselves to revise their plans and come before the Planning Commission at a later meeting and will not be heard tonight.

II. ACTION ITEMS:

A motion was made to approve the March 2021 meeting minutes. Motion was made by C. Walls, 2nd by A. Miller, Motion passed unanimously (6-0).

III. PLANNING DOCKET REVIEW TIMETABLE:

	Projects in Review	
Docket	Project	90 or 45 Day Period (MPC Section 508)
2311	10543 Schantz Road – Minor Subdivision Plan	5/18/2021
2312	*Estate of Evelyn M. Werley – Minor Subdivision Plan	5/18/2021
2202	6500 Chapmans Road – Land Development	6/1/2021
2265	Shoppes at Trexler Plaza – Land Development Plan	6/3/2021
2062	*Hassen Creek Estates – Subdivision Plan	6/3/2021
2315	*Sam Adams Keg Cooler Addition – Land Development Plan	6/12/2021
2305	Sheetz Convenience Store – Conditional Use	6/13/2021
2292	*Sheetz Convenience Store – Sub/LD Plan	6/14/2021
2306	5239 W Tilghman Street Addition – Land Development	6/14/2021
2175A	Lehigh Hills Apartments – Amended Final Land Development Plan	6/15/2021
2299	Hidden Meadows Phase III – Land Development	6/15/2021

2084A	*Lehigh Hills, Lot 5, Phase II Supplemental Grading Plan – Amended Final Plan	7/20/21
1999A	*Weilers Road Townhouse Development – Preliminary/Final Plan	BOS Conditionally Approved on 3/4/2021

*Projects being heard in April

IV. PLAN REVIEW:

- A. #1999A Weilers Road Townhouse Development, Preliminary/Final Land Development Plan, Waiver Request, the project proposes to construct 36 buildings which will contain 144 townhouse units. The applicant is before the Planning Commission for a recommendation on an additional waiver request. The property is located within the R3 – Medium Low-Density Residential Zoning District;

D. Martocci explained that the Planning Commission has reviewed and recommended this plan for approval at their November 16, 2021 meeting. The Board of Supervisors Conditionally Approved this plan at their March 4, 2021 public meeting. The applicant is before the Planning Commission to seek a recommendation for an additional waiver request from Section 22-707.4.C.1 regarding a basin detention dewatering time.

D. Alban explained that this section of the ordinance is currently under review by Township Staff for revisions to be consistent with the Act 167 ordinance requirements which allows for dewatering times between 12 and 72 hours. Staff is in support of this waiver request.

There was no public comment.

P. McNemar made a motion to recommend that Board of Supervisors grant approval of the requested waiver. The motion was 2nd by M. Werst. The motion passed unanimously (6-0).

- B. #2312 Estate of Evelyn M. Werley, 7327 Cetronia Road, Subdivision Plan, the project proposes to subdivide the approximately 4.7-acre parcel to create an additional lot (Lot 1). The project is located within the Township’s R2 Low Density Residential Zoning District;

D. Martocci explained that the proposed plan was for the subdivision of approximately a 5-acre parcel into two parcels. The applicant was notified that the proposed lots were not in compliance with the Township Zoning Ordinance. The applicant received the necessary zoning relief from the Zoning Hearing Board at their regularly scheduled meeting on April 14, 2021.

The Applicant and the Applicant’s Engineer were present and stated that they were able to comply with all conditions, comments and questions included in a memo from J. Toner dated April 19, 2021 and a letter from D. Alban dated April 19, 2021.

There was no public comment.

P. McNemar made a motion recommending that the Board of Supervisors grant Final Subdivision Plan Approval to Docket #2312 conditional on Staff and Engineering review letters dated April 19, 2021. The motion was 2nd by K. Snelling. The motion passed unanimously (6-0).

C. #2292 Sheetz Convenience Store, 951 Trexlertown Road, Waiver Requests, the project proposes the subdivision and land development of the property to construct a +/- 6,070 SF Sheetz convenience store with fuel sales and associated improvements such as parking, stormwater and other utilities. The project is located within the Township's LI-Light Industrial Park District Zoning District. The applicant is before the Planning Commission to seek recommendations on several waiver requests to the Board of Supervisors in order to begin the Conditional Use Process.

D. Martocci explained that an Auto Service Station is a use, by condition, within LI-Light Industrial Zoning District. Part of the Conditional Use process is to abide by all Federal, State and Local Laws prior to seeking approval from the Board of Supervisors. The applicant is seeking multiple waivers from Township Ordinance which would need approval before moving forward with the Conditional Use Process.

The first requested Waiver from Section 22-503.1: to allow the applicant to submit the Subdivision & Land Development Plan as a Preliminary/Final Plan. Much Public Comment was had regarding this waiver request and what it meant for the plan. P. McNemar explained if this waiver was granted by the Board of Supervisors, they applicant could submit a combined plan instead of two separate plans as required by ordinance. Public comment included a request to deny this waiver and have the applicant proceed with the plans as required by Township Ordinance.

P. McNemar made a motion to recommend approval that the Board of Supervisors grant Waiver #1 from Section 22-503.1: to allow the applicant to submit the Subdivision & Land Development Plan as a Preliminary/Final Plan. The motion was seconded by A. Miller and passed unanimously (6-0).

Requested Waiver #2 was formally withdrawn by the applicant therefore no action was taken.

The third requested waiver is from Section 22-703.F.2(a) to allow the proposed right in only driveway along Trexlertown Road to be located closer than 300 feet from the Ruppssville/Cross Creek intersection. Much discussion was held with Public Comment to review the need for this waiver. Multiple residents expressed concerns with traffic and the potential for queuing issues from the SR 222 Bypass interchange noting the timing of traffic lights may cause congestion in the area. The traffic lights were not included in the T.I.S study due to the distance from the site. The applicant stated that the T.I.S. will be updated to reflect the new right in only driveway configurations.

P. McNemar made a motion to recommend approval that the Board of Supervisors grant Waiver #3 from Section 22-703.F.2(a) to allow the proposed right in only driveway along Trexlertown Road to be located closer than the 300 feet from the Ruppssville/Cross Creek intersection. The motion was seconded by C. Walls and passed unanimously (6-0).

The fourth request waiver is from Section 22-710.5.C to not plant the required street trees along the frontage of Ruppssville, Trexlertown and Cetronia Roads. All required street trees will be planted elsewhere on the site. D. Alban explained that since road improvements may be required in the future on Ruppssville and Cetronia Roads, dependent on future development, and multiple utility lines located on Trexlertown Road, this waiver would be appropriate.

A. Miller made a motion to recommend approval that the Board of Supervisors grant Waiver #4 from Section 22-710.5.C to not plant the required street trees along the frontage of Ruppssville, Trexlertown and Cetronia Roads. All required street trees will be planted elsewhere on the site.

The fifth waiver request is from Section 22-704.1.H to not improve the frontage of Cetronia Road to the required cartway half width of 25 feet to meet the arterial roadway standards. Much discussion was held with Public Comment to clarify what this waiver means regarding the plan itself. P. McNemar and D. Alban explained that if the waiver is granted, no improvements to the road would take place and the Township would not receive any fees to make necessary improvements in the future. Denying the waiver would require the applicant make the necessary improvements or submit a fee.

P. McNemar made a motion to recommend denial to the Board of Supervisors for Waiver #5. The applicant shall make the necessary improvements or provide the fees in lieu of the roadway improvements. The motion was seconded by C. Walls and passed unanimously (6-0).

The sixth waiver request is from Section 22-704.9.A to allow the applicant not build sidewalks along the Ruppssville Road frontage and along a small portion of Cetronia Road within the vicinity of the existing pond. Multiple residents expressed the preference for having a sidewalk installed along the Ruppssville Road frontage of the property citing that safety concerns for children who wish to frequent the proposed Sheetz. A request by the public was also given to provide access into the site from Ruppssville Road along the proposed exit only access drive. D. Alban explained that Township Ordinance currently does not require the applicant to provide pedestrian access into the site.

P. McNemar made a motion to recommend a deferral for Waiver #6: Section 22-704.9.A. The deferral will only relate to the portion of sidewalk along Cetronia Road within the vicinity of the existing pond. However, the applicant shall provide sidewalks along the Ruppssville Road frontage of the property. The motion was seconded by K. Snelling and passed unanimously (6-0).

The seventh waiver requested is from Section 22-704.9B to not install curbing along the frontage of Cetronia and Ruppssville Roads. Public comment was held to discuss the purpose of this request and exactly how it would be called upon in the future. The Planning Commission members explained that if a deferral is granted for this, the Township can call upon the developer to install the curbing when it is deemed necessary. D. Alban noted that if a deferral is granted, the curbing would not be included in a boundary road upgrade fee. The applicant's engineer wanted to note that if curbing was installed, the Township would be responsible to maintain the stormwater associated with the installation. It was also noted that curbing would be subject to approval by PennDOT as Ruppssville and Cetronia Roads are PennDOT owned roadways.

C. Walls made a motion to recommend a deferral for Waiver #7: Section 22-704.9.B to allow the applicant to install curbing on Ruppssville and Cetronia Roads at a later date. The motion was seconded by P. McNemar and passed unanimously (6-0).

The eighth requested waiver is from Section 22-703.D.(3) to allow a 10 foot radii for the proposed exit access drive onto Ruppssville Road and to allow a 5 foot radius for the right in only along Trexlertown Road. The applicant's traffic engineer explained that this is proposed to deter traffic from making illegal maneuvers into these access drives. He noted that turning movements for box trucks and vehicles that may be towing have been conducted and can safely make the necessary turning movements. Both proposed radii are within PennDOT Standards.

There was no public comment.

P. McNemar made a motion to recommend approval to the Board of Supervisors grant Waiver #8 from Section 22-703.3.D to allow a 10 foot radii for the proposed exit access drive onto Ruppssville Road and to allow a 5 foot radius for the right in only along Trexlertown Road. The motion was seconded by A. Miller and passed unanimously (6-0).

The ninth requested waiver is from Section 22-704.1.H to not improve the frontage of Ruppssville Road to the required cartway half width of 18 feet to meet local roadway standards. Much discussion was held with public comment to discuss the review and purpose of this waiver. The Planning Commission and D. Alban explained that this request is the same as the request to not improve Cetronia Road. It was noted that Ruppssville Road is a PennDOT owned roadway and any improvements would be subject to PennDOT review and approval.

P. McNemar made a motion to recommend denial to the Board of Supervisors for Waiver #9. The applicant shall make the necessary improvements or provide a fee in lieu of roadway improvements. The motion was seconded by C. Walls and passed unanimously (6-0).

The tenth requested waiver is from Section 22-703.F.2(a) to allow the proposed exit access drive onto Ruppssville Road be located closer than 300 feet from Trexlertown Road. Much discussions was held with public comment to review the need for this waiver. Residents expressed concerns regarding cars queuing or getting backed up onto Ruppssville Road. The applicant's engineer stated that in a preliminary analysis there were no stacking or queuing issues along Ruppssville Road. He further explained the location of the access drive is to limit the impact on neighboring properties with potential headlight pollution. It was stated that the T.I.S. will be updated to reflect the driveway configuration change.

P. McNemar made a motion to recommend approval to the Board of Supervisors grant Waiver #9 from Section 22-703.F.2(a) to allow the proposed exit access drive onto Ruppssville Road be located closer than 300 feet from Trexlertown Road. The motion was seconded by K. Snelling and passed unanimously (6-0).

- D. **#2062 Hassen Creek Estates**, Hassen Creek Estates is a proposed residential subdivision plan which is comprised of three (3) separate tracts of land naturally subdivided by Hickory Lane and Becker Road. Existing parcels contain a total of 119.6 acres. The subdivision plan proposes the creation of nine (9) single-family detached residential dwelling building lots ranging in area from 10.3 acres to 15.7 acres. The project is located within the Township's RU3 Rural 3 Residential Zoning District.

On April 20, 2021, the applicant requested to be removed from the April Planning Commission Agenda and be placed on the May 2021 agenda to discuss road improvements with Township Staff and the Township Engineer. P. McNemar requested that it be put on the record that he personally thinks the applicant should make the necessary road improvements. Discussion continued regarding fire safety and whether it was feasible to extend public water into the area for fire hydrants. The Planning Commission requested that Township Staff research fire well requirements for such developments and report back at the next Planning Commission Meeting.

No actions were taken regarding this plan.

E. **#2084A Lehigh Hills Lot 5 Subdivision – Phase 2 Supplemental, 1670 PA Route 100**, the project is a revision to the prior Lehigh Hills Lot 5 Subdivision Plan to amend the grading throughout this phase of the development. The revised final plan, sheet 3 and sheet 41-48 (only), have been submitted to show recording of the proposed grading changes. The project is located within the Township's R3-Medium Low-Density Residential Zoning District.

On April 20, 2021, the applicant requested to be removed from the April Planning Commission Agenda until they meet with Township Staff and the Township Engineer regarding a memo from J. Toner on dated April 19, 2021 and a letter from D. Alban dated April 19, 2021.

V. OTHER BUSINESS

A. **Proposed Text Amendment to § 27-306 Table of Permitted Uses by District: to allow Pharmaceutical Manufacturing in the Limited Light Industrial – LI(L) Zoning District**, The proposed text amendment would allow for the permitted use, by right, of pharmaceutical manufacturing within the LI(L) Zoning District. The proposed amendment would include additional text to §27-202: Terms Defined and §27-402: Additional Requirements for Specific Principal Uses.

D. Martocci explained that the draft text amendment was before the Planning Commission for their review and comments. Once the Planning Commission has reviewed and made a recommendation, the Board of Commissioners will schedule a Public Hearing Date and the proposed amendment will be available for public review and comment. J. Toner noted that the addition of this use within with the LI(L) Zoning District would have less impact compared to the other allowable uses within the LI(L) Zoning District currently in regard to sounds, smells, traffic impacts, etc. A member of the public asked why this was being considered. It was explained that the Township was approached by a private citizen to possibly have this use added to the Zoning Ordinance and the Board of Supervisors authorized Staff to do further research on the matter.

K. Snelling made a motion recommending to the Board of Supervisors approve the text amended as presented by Township Staff. The motion was seconded by P. McNemar and it passed unanimously (6-0).

VI. **P. McNemar made a motion to adjourn the meeting at 9:15pm. The motion was seconded by M. Werst and passed unanimously (6-0).**