



**UPPER MACUNGIE TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES**

May 18, 2022

I. CALL TO ORDER/PLEDGE TO THE FLAG:

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

MEMBERS PRESENT: Chairman; Charles Deprill, Vice Chairman; Paul McNemar, Aubrie Miller, Chris Walls, Tim Helmer, Kim Snelling

STAFF PRESENT: Director of Community Development; Daren Martocci, Township Solicitor; Andrew Schantz, Township Engineer; Dave Alban, Permits Clerk; Roxann Colfer

Chairman Charles 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. D. Martocci updated the Planning Commission on MPC Timelines and noted that the Planning Commission does not need to take action on any applications this month.

II. ACTION ITEMS:

A motion was made to approve the April 20, 2022, meeting minutes. Motion was made by C. Walls, to approve the Minutes. It was 2nd by P. McNemar, Motion passed unanimously (5-0).

III. PLANNING DOCKET REVIEW TIMETABLE:

Projects in Review		
Docket	Project	90 or 45 Day Period (MPC Section 508)
2337	Sam Adams Parking Lot Additions – Final Land Development	6/8/2022
2305	5239 W Tilghman Street Addition – Land Development	6/9/2022
2324	Glenlivet Drive W Extension & Subdivision – Sub/LD Plan	6/12/2022
2316	Fallbrooke – Preliminary Sub/LD	6/13/2022
*2317	<i>1001 Glenlivet Drive – Prelim/Final Land Development</i>	<i>6/14/2022</i>
*2339	<i>Air Products Redevelopment of Cetronia Road Site – Preliminary Land Development</i>	<i>7/26/2022</i>
2326	Carriage East – Preliminary Sub/LD Plan	8/12/2022
2330	Taco Bell – Prelim/Final LD Plan	8/22/2022
2202	6500 Chapmans Road – Land Development	8/24/2022

**Projects being heard in May*

IV. OTHER BUSINESS

#2305 5239 W Tilghman Street Addition (Heeps), discussion of previously requested/recommended waiver that would allow the applicant to not have a fire hydrant within a 300-foot distance to any portion of the building. *Section 22-706 Water Supply Systems.*

D. Martocci updated the Planning Commission on this item noting that this no longer needs to be considered as the application has agreed to comply with the ordinance and is currently working with the Director of the Bureau of Fire on the placement of the fire hydrant.

V. PLAN REVIEW

A. **#2317 1001 Glenlivet Drive, Preliminary/Final Land Development, 1001 Glenlivet Drive**, the plan proposes to construct a 39,870 sqft warehouse featuring five (5) loading docks, three (3) loading spaces, and one (1) lounge space. The plan also includes stormwater and other site improvements. The proposed plan is located within the Township's LI – Light Industrial Zoning District.

D. Martocci explained the plan noting that the Planning Commission reviewed and commented on this plan multiple times citing discussions of woodland preservation on the site being a concern of the Planning Commission. The applicants engineer, Nicole Galio, explained the revised woodland preservation plan. She noted that the ordinance requires at least 50% of the sites woodlands to be preserved, the unique shape of the property requires some of the woodlands to be removed however the applicant is proposing to replace those trees, onsite, to be above the 50% threshold to comply with the ordinance. The trees being replaced will be placed along the eastern portion of the property providing an additional buffer to the Wrenfield Development across the street. D. Alban agreed and noted that the applicant would still need a waiver since the replacement would take place outside the building restriction line however the intent of the ordinance is being met so Staff would see no issue with this request.

P. McNemar asked for clarification on what this would do to the existing waiver requests stating that with the revised woodland calculations it would eliminate the need for waiver #2 in the original request, but the applicant would need to request another waiver, which has not been submitted in writing yet. D. Alban stated that was correct. D. Martocci asked A. Schantz if a protective covenant can be placed on the plan to protect the new woodlands being planted since they are outside the building restriction line. He said that they could. P. McNemar stated that since a waiver for the revised calculations and woodland's locations haven't been officially submitted, he suggests having the Board of Supervisors act on that motion without a Planning Commission recommendation. The Planning Commission agreed.

P. McNemar made a motion to recommend to the Board of Supervisors approve the following waiver and deferral requests based on comments found in a letter from the Township Engineer, Dave Alban, dated May 16, 2022:

1. A Waiver from Section 22-503.1: to allow the applicant to submit the application as a combined Preliminary/Final Land Development Plan
2. A Waiver from Section 22-709.3.B: the Planning Commission took no action on this request as it is no longer applicable to the application
3. A Waiver from Section 22-704.4(C)(2)(h): to allow the applicant to have the bottom of the proposed stormwater basin has a grade of less than 1%

The motion was seconded by T. Helmer. The motion passed 6-0. There was no public comment on the waivers/deferrals.

P. McNemar made a motion to recommend to the Board of Supervisors grant conditional approval of 1001 Glenlivet Drive, Preliminary/Final Land Development based on the following conditions:

1. The applicant shall address all questions, comments, concerns, or conditions listed in the Upper Macungie Township Planning Commission Memo from John Toner, Planning & Zoning Specialist, dated May 16, 2022.
2. The applicant shall address all questions, comments, concerns, or conditions listed in the Engineering Report from Dave Alban, P.E., Keystone Consulting Engineers, dated May 16, 2022.

The motion was seconded by A. Miller. The motion passed 6-0. There was no public comment.

B. #2339 Air Product Redevelopment of Cetronia Road Site, Preliminary Land Development Plan, 7201 Hamilton Boulevard, the applicant is proposing to redevelop the existing industrial campus. The project consists of the demolition of existing structures and associated underground utilities and the development of three (3) commercial warehouses an associated waterline, sanitary sewer, storm sewer, and stormwater management facilities.

D. Martocci explained the plan noting that warehousing is a permitted use, by Special Exception, within the LI Zoning District where the project is located. There are multiple steps to this submission as the first step is for the applicant to receive a decision on the use itself by Special Exception, which is reviewed by the Township Zoning Hearing Board, before the Planning Commission makes any recommendations on the plan itself prior to going before the Board of Supervisors. The Zoning Hearing Board will hear the Special Exception request on June 8, 2022, at 6:30pm tentatively at the Township Building in the Public Meeting Room, if a larger venue is required the Township will make arrangements and send notifications out accordingly. D. Martocci went on to explain the Special Exception process noting that the applicant must comply with all local, State, and Federal laws. The applicant is present tonight seeking recommendations on waiver and deferral requests to be in compliance with that requirement.

Mr. Blake Marles, on behalf of Air Products, reiterated what D. Martocci explained noting that they are not present tonight seeking recommendations on the site plan or a review of the site plan. They are present tonight to receive a recommendation on the requested waiver and multiple deferrals. He stated that Air Products can comply with all the Township ordinances, however they feel the waivers are justified to be able to get a better plan.

Mr. Pat Garay, Air Products & Chemicals, Inc. explained that the sale of the former headquarters site was always a plan however wanted to be fully occupied within the new headquarters that was just built. He noted that the sale was open to multiple different uses however the market is heavily geared towards warehousing/distribution for a site such as this. He also noted that Air Products plan is to receive a Special Exception for the use of the site, and if approved by the Board of Supervisors, get Preliminary approval of the plan to sell to the new owner of the site who will take over the development process at that point. He further explained that it is Air Products intention to sell to a responsible developer who will be a "good neighbor" for the Township.

Mr. Bruce Anderson, the applicants engineer, reiterated much of what Mr. Garay had explained but showed various exhibits noting various access points to the proposed site, the realignment of Cetronia Road to eliminate the "S" curve, and the proposes "Street A" to allow for existing residents to be able to access their homes after the realignment. He also explained the reasonings behind the requested waiver and deferrals noting, again, that the applicant can comply with all ordinances, however, to provide an exceptional plan some relief is needed. A waiver is being requested to allow for a horizontal curve that is less than Township requirements for the proposes "Street A" and the deferrals refer to road widening to allow for the applicant and the Township to petition to PennDOT to allow for narrower shoulders to deter truck parking along Cetronia Road, and to defer curb placement in various area until deemed appropriate.

B. Anderson explained other various portions of the proposal such as landscaping berms that surround almost the entirety of the site. The exhibits shown were at a ground level to provide details to the Planning Commission, Township Staff, and surrounding Township Residents the details of the berms, their heights and landscaping to shield them from the buildings and, in some areas, Cetronia Road. Other details discussed included the proposed sidewalk system along Cetronia Road and Hamilton Blvd, in addition to an internal pathway that continues from Uline's existing pathway to allow a connection to Hamilton Blvd.

B. Anderson explained the traffic study that was conducted for this proposed project noting truck trips in and out of the site and intersections studied. The study concluded that there were no detrimental effects on the intersections. He did note that the intersections that were not studied were on Route 100 due to the inconsistent numbers and conditions with ongoing construction. C. Walls expressed his concerns regarding traffic flows at the intersection of Cetronia Road and Route 100 citing the Sheetz, that is currently under construction, at the intersection. The traffic study did take those numbers into consideration.

K. Snelling asked for clarification on buildings heights in relation to the proposed landscaping berms noting that when Air Products sells the property/plan to the new owner they would come and request a greater height than what is being proposed. B. Anderson noted that for the types of warehousing being proposed, they would not need a building height higher than 50-feet to operate efficiently. D. Martocci stated that in the past, a condition of Special Exceptions has been restrictions on building height and asked the applicant if the applicant was willing to offer that at the Special Exception Hearing. The applicant and B. Anderson said they would consider that.

P. McNemar noted that the traffic report was based on the ITE land use code for high-cube warehousing which limits the traffic counts. He asked how that gets enforced when the property is sold. B. Anderson explained that will be part of the testimony for the Special Exception Hearing and the enforcement would be committed to then as the land use approval would be based on that testimony. P. McNemar asked if the thought of utilizing the existing railway was considered. B. Anderson said that it was not out of the question, however, railway use for distribution and warehousing is very specialized and it wasn't economically feasible to build the infrastructure for this project. The plan does allow for the future use of the railway if a tenant wanted to utilize it and be feasible. P. McNemar continued to ask questions regarding the design of the plan such as turning movements, stormwater controls and long-range planning comments on roadway connections regarding Lower Macungie Road.

A. Miller expressed her concerns with the traffic studies and inconsistencies encouraging the developer and their engineer to be prepared to discuss traffic with the Planning Commission, the Board of Supervisors, and members of the public numerous times throughout the process.

T. Miller asked what the plan was for the newly created berm between proposed "Street A" and Cetronia Road. B. Anderson explained that it is intended to be dedicated to PennDOT as additional right-of-way. T. Miller's concern was who would be responsible for maintenance. P. McNemar noted that even though it would be PennDOT property, they would not mow it so maintenance would come down on the residents.

P. McNemar asked for clarification on the deferral for shoulder widths stating that he wants to be sure that the language is worded correctly for just shoulder width and the deferral couldn't change to apply to roadway width in the future. B. Anderson stated that the intent of the deferral was for shoulder width only. Solicitor Schantz confirmed that the language is acceptable and if a resolution is drafted, that language would capture the deferral to be just for shoulder width.

Multiple residents expressed the same concerns regarding truck traffic, traffic study inconsistencies, independent traffic studies and asked questions regarding the Special Exception process, which D. Martocci explained in great detail.

Ms. Donna Gregory expressed concerns for her neighbors noting that she is benefitting from the proposed road however, other residents are not, especially the homes that sit close to Cetronia Road currently. She encouraged the developer to redesign Cetronia Road to be able to include all the homes along Cetronia, to the best of their abilities, so they could also be protected. She also questioned the impact on the intersection of Cetronia Road and Route 100. She also expressed concerns over how the buffers, berms, and other requirements will be upheld once Air Products sells the property. D. Martocci & A. Schantz explained that if the new owner strays from the originally granted Special Exception, and all other conditions that may be applied, the new owner must return for a new Special Exception for an additional review where those items can be addressed.

Mr. Ben Dobil, Cetronia Road, expressed concerns regarding the truck traffic increase due to the proposed project noting that his home is extremely close to the existing roadway. He stated that today, truck traffic can be felt throughout his home when they pass by his property, and he is concerned with how worse conditions, and quality of life, could get if the plan is approved and constructed. He asked the Planning Commission to take a careful and detailed look into the plan and even consider using decision powers, if any, that the Planning Commission has regarding this proposal.

P. McNemar made a motion to recommend to the Board of Supervisors approve the following waiver and deferral requests based on comments found in a letter from the Township Engineer, Dave Alban, dated May 16, 2022:

1. A Waiver from Section 22-704.3(B)(1): to allow the applicant to have a horizontal curve of 175-feet on proposed "Street A" instead of the required 225-feet.
2. A deferral from Section 22-704.9.C: to allow the applicant to not install curbing in the following locations until the Township deems it appropriate:
 - a. A small segment along the northwestern portion of Hamilton Blvd
 - b. Along the frontage of Hamilton Blvd
 - c. Along the entire frontage of proposed "Street A"
3. A deferral from Section 22-704.1(H) & Section 22-704.2(A): to allow the applicant to reduce the proposed shoulders along Cetronia Road to 6-feet based upon discussion between PennDOT and the Township.

The motion was seconded by C. Walls. The motion passed 6-0. There was no public comment on the requests.

K. Snelling made a motion to adjourn the meeting at 9:26 PM. The motion was seconded by A. Miller and approved 6-0.