



UPPER MACUNGIE TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES

June 13, 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, Chris Walls, Tim Helmer, Kim Snelling, Mike Werst

STAFF PRESENT: Director of Community Development; Daren Martocci, Planning & Zoning Specialist; John Toner, 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. J. Toner updated the Planning Commission on MPC Timelines and noted that the Planning Commission does not need to take action on any applications this month.

Chairman Deprill wanted to make a statement regarding a Facebook post that made certain accusations against the Planning Commission and Township Staff that they “blindly approve plans” regarding the Millipore Sigma Application which is on June’s Agenda and is being reviewed for the first time by the Planning Commission.

Chairman Deprill wanted to make it clear that the Planning Commission is a volunteer board that goes to trainings and continuing education courses to make sure they know how to make recommendations on plans in accordance with State Law. He also noted that the Planning Commission, under the law, must make a positive recommendation on applications if they are abiding by Township Ordinances. Solicitor Shantz reiterated what Chairman Deprill stated and noted that he has worked with multiple Township Planning Commissions, Board of Supervisors, Zoning Officers, Directors of Departments, and other Township Staff through the years at Upper Macungie Township and to claim that plans are “blindly approved” at the request of the applicant is simply untrue and insulting. Township Staff and various Boards put in time and effort into their reviews and continuing their education on the subjects at hand. He did state that the Facebook post was amended to further clarify what that individual meant, however the original statement is out there, and he commends Chairman Deprill for putting his statement on record.

Chairman Deprill addressed the audience stating that if anyone ever has questions on the planning process they may reach out to Planning Commission Members, the Township Engineer, or Township Staff.

II. ACTION ITEMS:

A motion was made to approve the May 18, 2022, meeting minutes. Motion was made by C. Walls, to approve the Minutes. It was 2nd by K. Snelling, Motion passed unanimously (6-0).

III. PLANNING DOCKET REVIEW TIMETABLE:

Docket	Projects in Review	
	Project	90 or 45 Day Period (MPC Section 508)
2339	Air Products Redevelopment of Cetronia Road Site – Preliminary Land Development	7/26/2022
<i>*2326</i>	<i>Carriage East – Preliminary Sub/LD Plan</i>	<i>8/12/2022</i>
2330	Taco Bell – Prelim/Final LD Plan	8/22/2022
2202	6500 Chapmans Road – Land Development	8/24/2022
2305	5239 W Tilghman Street Addition – Land Development	9/7/2022

2324	Glenlivet Drive W Extension & Subdivision – Sub/LD Plan	9/10/2022
<i>*2328</i>	<i>Millipore Sigma Distribution Center – Prelim/Final Land Development</i>	<i>9/10/2022</i>
2317	1001 Glenlivet Drive – Prelim/Final Land Development	9/12/2022
2341	Newtown Road Subdivision – Prelim/Final Subdivision	9/13/2022

****Projects being heard in June***

IV. PLAN REVIEW

A. #2317 #2328 Millipore Sigma Distribution Center, Preliminary/Final Land Development Plan, 7034 Ambassador Drive, the applicant is proposing the construction of a 154,000 sqft warehouse, associated parking, and stormwater management facilities at the site. The project is located within the Township’s LI – Light Industrial Zoning District.

J. Toner explained the proposed plan noting that the proposed use would require a Special Exception review by the Zoning Hearing Board, which the applicant has made a submission for. The Special Exception Hearing will be held on Wednesday, July 13, 2022, at 6:30pm in the Township Public Meeting Room. J. Toner continued that at the Special Exception Hearing is where the Zoning Hearing Board has an opportunity to make reasonable conditions and safeguards on the application which would become a condition of approval on the land development plan when submitted.

Erich Shock, the applicant’s attorney, reiterated the proposed plan noting that what Millipore Sigma is proposing is an expansion of their current use, just in a different building on a different lot, stating that they have been doing so for many years within the Township. Tom Kotula, the applicant, explained that the company provides lab equipment, technology, and chemicals. The inventory depends on whatever the laboratory may need at that time. He explained that the proposed building is very similar to what exists on the other site, directly next door, except will be modernized and have enhanced safety features that are required by today’s standards. C. Walls asked if within the years that Millipore Sigma has operated within the Township, has there been any fires in related to combustibles that are stored on site. Mr. Kotula said no, the only incident he recalls was a contractor welding, but nothing to do with combustibles.

Chris Williams, the applicants engineer, spoke to the layout of the plan explaining traffic circulation, stormwater, and parking. He noted that the traffic study has shown that there will be 30 truck per day equating to 60 truck trips, however not all of those trucks are tractor trailers. C. Walls noted that a residential homes are directly to the north of the proposed development and is concerned about light and noise for those residents. C. Williams noted that the loading docks are located on the south side of the building which would not project noise towards the residents’ direction. He continued to state that the lighting within the parking lots will be in accordance with the UMT ordinance and have shields that project the light down into the parking lot and not out towards the street or the residents. A discussion regarding the requested waivers was had. P. McNemar asked if the recent waiver requests were reviewed by Staff and Engineer, they were. P. McNemar asked questions regarding the proposed pedestrian connection from the internal parking lot to the existing LANTA bus stop and whether the connection needed to be ADA Accessible and why the applicant chose not to extend it all the way to the sign. C. Williams noted that there is an existing fire hydrant that would need to be relocated if the sidewalk were to extend all the way to the sign. P. McNemar stated that the plan doesn’t propose curbing along the western portion of the parking lot near the driveway radii. He noted problems with other developments about how cars cut that radii and drive onto the grass, he would want to see curbing there but agree with the requested waiver for the rest of the parking lot to allow for stormwater infiltration.

Supervisor Ghai asked the applicant if there would be any processes or equipment that would be located outside as there are residents not far from the proposed site and he cites noise complaints in the past. C. Williams stated that the only item that he is aware of that would be located outside would be a generator in the event of a power outage, but all day-to-day processes will be taking place inside the building. Mr. Kotula added that the building will have your normal HVAC systems on the roof. He continued to ask questions regarding truck trips, stormwater, flammable materials, and safety measures in the event of a fire within the building. He also made a suggestion that if the sidewalk was not going to be extended to the LANTA bus sign, to at least install a concrete pad at the end so riders don't have to stand in the grass when its raining, snowing, muddy, etc.

Further public comment was pertaining to the additional truck trips that this proposal would add to the area. C. Williams noted that a traffic study was performed on seven (7) different intersections for this proposal and the study confirmed that there will be no significant changes to the level of service at those intersections with, or without, the construction of this building. D. Alban stated that this will go under review prior to the Special Exception Hearing to confirm those findings.

P. McNemar made a motion to forward Staff and Engineer Review letters to the Zoning Hearing Board prior to the Special Exception Hearing for this application.

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

B. #2326 Carriage East, Preliminary Subdivision/Land Development, 5137 Schantz Road, the plan proposes the subdivide and develop the lot into 11 buildable lots for single-family detached dwellings. Additionally, the plan proposes to extend Surrey Court to provide access for the lots as well as have the lots served by both public sewer and water. The proposed plan is located within the Township's R2 – Low Density Residential Zoning District.

J. Toner explained the plan noting that the Planning Commission has seen this application at their February 2022 Meeting where topics of stormwater basin locations, lot sized and depths, and sidewalk placement took place. Marty Smith, Pany & Lentz Engineering, represented the plan on behalf of the applicant. He further explained the plan noting that they have taken comments from the Planning Commission & Staff from the previous submission and worked those into the plan before the Planning Commission this evening. He noted that he has received Staff & Township Engineer Review letters and has no objections to the comments and doesn't see an issue about revising the plan based on them.

C. Walls asked for clarification on the reasoning behind the placement of the stormwater basins and if they need to be across multiple lot lines. The plan right now states that the individual homeowner will be responsible for maintenance of their portions of the basins and his concern is if a homeowner doesn't maintain their section, it effects the entire development. M. Smith noted that right now the plan is preliminary, and that concern may be addressed when the final plan is submitted for review. C. Walls highly suggested the establishment of some form of HOA to take care of the basins citing additional concerns for the Township in the future for Zoning and Code Enforcement having to enforce the maintenance of the ponds if anything were to go wrong. P. McNemar stressed this further noting that the maintenance of the pond across Lots 1, 2, and 3 would take in relatively clean water and require "normal" maintenance whereas the basin on lot 7 would be taking in water off the roadway, sediment, trash, etc. and is concerned that pond maintenance may be too much for just one homeowner. He suggested combining the basin on Lot 7 with Lots 5 & 6 to possibly give Lot 5 more backyard space so they could fit more accessory structures if they chose too. M. Smith noted that options were being investigated on how to maintain the ponds whether through an HOA or some form of maintenance company but that would be addressed during final plan review.

A discussion of the requested waivers took place between the Planning Commission & M. Smith. P. McNemar asked for clarification on which section numbers were being requested as Staff and Applicants are different. D. Alban noted that the applicants Section number was correct, and J. Toner noted that staff will adjust the section numbers on any

correspondence moving forward. P. McNemar asked D. Martocci if a deferral or waiver should be considered for sidewalks along the south side of proposed Surrey Court. D. Martocci stated that in his opinion, a waiver should be considered as the area is already built out and he doesn't anticipate any further connections being constructed on that side of the road. Further discussions were had regarding the sewer line being stubbed in Schantz Road, this is to anticipate any development across the street and that development could tie into the connection.

P. McNemar made a motion to recommend to the Board of Supervisors approve the following waiver requests based on comments found in a letter from the Township Engineer, Dave Alban, dated June 13, 2022:

1. A Waiver from Section 22-703.3.F(1)(a): to allow a driveway to be separated by less than 150' to a center line of a street intersection with an arterial street.
2. A Waiver from Section 22-704.1.H: to allow the applicant to not improve Schantz Road to meet arterial road standards. The road shall be improved as per the guidance of Upper Macungie Township Public Works.
3. A Waiver from Section 22-704.6: to allow the street separation between Jade Lane and proposed Surrey Court be less than 800-feet.
4. A Waiver from Section 22-704.9.A: to allow the applicant not install sidewalks along the southern frontage of proposed Surrey Court, only.

P. McNemar made a motion to recommend to the Board of Supervisors approve the following deferral request based on comments found in a letter from the Township Engineer, Dave Alban, dated June 13, 2022:

1. A deferral from Section 22-705.3.F: to defer the requirements of extending the sanitary sewer lines along the property's Schantz Road frontage until a time the Township deems it necessary. And for Staff to correct the referenced Section Number.

The motion was seconded by M. Werst. The motion passed 6-0. There was no public comment on the requests. P. McNemar made a motion to recommend to the Board of Supervisors approved the Preliminary Subdivision & Land Development Plan, Carriage East, on condition that the following items be satisfied before the Board of Supervisors review the plan:

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 June 13, 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 June 13, 2022.
3. Comments from the Planning Commission be addressed regarding sidewalk connections and the establishment of a Homeowners Association (HOA) for the maintenance of the proposed stormwater facilities.

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

V. OTHER BUSINESS

A. Recommendation of Proposed Zoning Amendments: Agricultural & Resource Conservation and Industrial Zoning Districts

D. Martocci explained the proposed amendment noting that it has been in the works for quite a while and stems from the UMT Comprehensive Plan for protection of agricultural and conservation zones. Also included in the amendment

is changes to the Township's industrial zones to allow for an industrial buffer zone, that abuts, or is closer to, residential areas which would limit the building size to 20,000sqft in certain areas. This allows for current developers and landowners to keep what they currently have but prevents the larger "big box" warehouses from moving into these zones. The more intense industrial uses along the Route 100, Route 222, and Route 78 corridors, will remain as more intense industrial uses. The remaining tier proposed in this amendment is similar to the LI(L) District today except it would allow for more uses, such as some commercial, personal services, restaurants, etc. The amendment also includes the goals and objectives of Community Development from the Comprehensive Plan as well as some housekeeping items that need to be addressed in the ordinance in the form of clerical errors.

K. Snelling made a motion to recommend to the Board of Supervisors approve the proposed zoning amendments as presented by Township Staff.

The motion was seconded by P. McNemar. There was no public comment.

T. Helmer made a motion to adjourn the meeting at 8:40 PM. The motion was seconded by M. Werst and approved 6-0.