



**UPPER MACUNGIE TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES**

December 21, 2022

I. CALL TO ORDER/PLEDGE TO THE FLAG:

Meeting called to order at 7:00 PM by Vice-Chairman Paul McNemar

MEMBERS PRESENT: Vice Chairman; Paul McNemar, Tim Helmer, Chris Walls, Mike Werst, Aubrie Miller

STAFF PRESENT: Asst. Township Manager/Director of Community Development; Kalman Sostarecz, Planning & Zoning Specialist; John Toner, Township Consultant Daren Martocci; Jonathon Kiechel, Keystone Consulting Engineers, Township Solicitor; Andrew Schantz, Permits Clerk; Roxann Colfer

Vice-Chairman McNemar opened the meeting and asked all present to join him in the Pledge of Allegiance to the Flag of the United States of America.

Vice-Chairman McNemar asked if there were any changes to tonight's agenda. J. Toner noted that Docket No. 2349 and Docket No. 2351 have requested to table themselves from tonight's meeting and is expected to make a resubmission for a future meeting.

II. ACTION ITEMS:

C. Walls made a motion was made to approve the November 16, 2022, meeting minutes. It was 2nd by M. Werst, and the motion passed unanimously (5-0).

III. ADDITIONS/DELETIONS TO AGENDA

Vice-Chairman McNemar asked if there were any changes to tonight's agenda. J. Toner noted that Docket No. 2349 and Docket No. 2351 have requested to table themselves from tonight's meeting and is expected to make a resubmission for a future meeting.

IV. OTHER BUSINESS/DISCUSSION

#2339 Air Products Redevelopment of Cetronia Road Site – Pathway Discussion ONLY

K. Sostarecz explained on October 19, 2022, the Planning Commission made a recommendation to approve the Air Products Redevelopment of the Cetronia Road site to the Board of Supervisors with the recommendation including a pedestrian access easement throughout the site. During further review, discussions of the proposed pathway and easements between the applicant, Township Staff, and Township Solicitor occurred citing safety concerns. The applicant noted that the internal pathway's intended users are for the employees of the site. Although the proposed plan is in accordance with Township Ordinance without the easement, the applicant looked into the Planning Commission's request. The applicant is coming before the Planning Commission as a courtesy, before seeking approval from the Board of Supervisors, to discuss the other options, if any, with the Planning Commission.

Township Staff & Consultants explained that Air Products looked into different areas of the site to incorporate this pathway however it would either pose a safety concern or negatively impact stormwater basin locations. A. Schantz noted that he has concerns about a Township easement on the property and it could open the door to litigation if someone from the public were to get hurt while using it. The applicant also noted those same concerns and added that a railroad easement is present on the property which added more to the safety concerns. He did clarify again that an internal sidewalk is being constructed for the use of the sites future employees to use. He also added that due to Monday night's workshop discussion the Planning Commission pointed out pedestrian conflict points and the Air Products team can adjust the plan to make it better. P. McNemar commended the team however noted that the Township is going through the Trails & Connectivity Study noting this connection. T. Helmer asked if Uline's pathway is open to the public. K. Sostarecz noted that Uline's pathway is private however does recognize the public uses it at their own risk.

Mr. Ben Dobil, resident of Cetronia Road, asked for clarification on where the sidewalks will be installed and whether it would affect his property. The Planning Commission, Staff & Consultants discussed the reasons for the sidewalks,

pedestrian connections, and road improvements along Mr. Dobil's property. P. McNemar asked Mr. Dobil asked him to contact Township Staff to meet with him in the field to show them exactly where his concerns are.

Tim McDonough, General Manager of Uline, asked for clarification on whether the sidewalk would connect into the Uline pathway, which it would be. He did caution Air Products that regardless of a pedestrian easement exists, the public will use it. He also asked if PennDOT has given any comments for the Cetronia Road improvements. D. Martocci noted that a scoping meeting has taken place but no formal comments have been given yet.

A. Miller made a motion to amend the October 19, 2022, motion to remove the requirement of the pedestrian easement on the proposed plan. The motion was seconded by T. Helmer. The motion passed 4-1 with P. McNemar voting nay.

V. PLAN REVIEW

Docket #2316 – Fallbrooke Subdivision, Final Land Development Plan, 9160 Schantz Road & 410 Twin Ponds Road; the proposed project is located at 9160 Schantz Road and 410 Twin Ponds Road, respectively, bordering the Veterans Memorial Elementary School property on all sides. The proposal is for a 90-lot single family subdivision. The applicant is utilizing the Conservation by Design requirements in Part 9 of the Zoning Ordinance. The project is located entirely within the Township's R1- Rural Residential Zoning District.

J. Toner explained the plan and noted that the applicant has received Preliminary Plan approval from the Board of Supervisors which did include six (6) waivers and two (2) deferrals. He noted on Monday night's workshop that Staff did not have any major concerns with the plan and let the applicant's engineer explain the plans further.

J. McRoberts, the Pidcock Company, noted that the discussion of 5 foot passing areas on the sidewalks that were had on Monday night are present on the plan, which Staff and the Planning Commission did not see. J. McRoberts did point out the passing zones on the plans, they were sufficient. P. McNemar asked if this can be corrected in a SLDO amendment to require the sidewalks be 5 feet in width. Staff indicated that is what the ordinance says now, this plan came through prior to that amendment. J. McRoberts also added that they had no concerns with Staff or Engineer review letters and will comply with them.

Public comment included questions about the vacant land along the Long Lane frontage of this property and whether there was development being proposed there. J. McRoberts explained that they do not intend to develop there, however it is developable and cannot guarantee that development wouldn't happen there at some point in the future by another property owner.

P. McNemar made a motion to recommend Final Plan approval conditional upon Staff & Engineer comment letters dated December 19, 2022, and to clearly label 5 foot passing zones on the plan to the satisfaction of the Township Engineer. The motion was seconded by C. Walls. The motion passed unanimously 5-0.

Docket #2324 – Glenlivet Drive W Extension & Residential Subdivision, Final Land Development Plan, 8363 Main Street, 8557 Main Street, & 1260 Church Street; the project proposes the construction and development of 52 single family residential dwellings. Additionally, the development will consist of the construction of waterlines, sanitary sewer, access driveways, storm sewer, stormwater management facilities and associated roadway improvements. The proposed plan is situated within the Township's R1 – Rural Residential Zoning District.

J. McRoberts, the Pidcock Company, explained the plan and noted that they are in receipt Township Staff & Engineer review letters and have no major concerns with the comments and intend to comply. He was present at the Monday night workshop meeting where discussion of parkland dedication was had in lieu of the fee being presented to the Township. He pointed out that the Church Street Park, the property being requested for dedication, is leased to the Township by the Jaindl Land Company and they would like to continue this lease agreement at least until that parcel where the park is located is developed where the park would get dedicated at that time. They would request that the Planning Commission

consider the fee in lieu of for this project. K. Sostarecz noted that Staff would be in favor of parkland dedication rather than the fee in lieu of.

P. McNemar wanted to discuss the sidewalk connections on Church Street at the southeast corner of the site. J. McRoberts explained that what is on the plans is what ordinance requires, knowing that there is a portion of another site where there is no right-of-way where sidewalk cannot be placed. If there ever comes a time if the Township acquires the right-of-way the developer would install the sidewalk at a future time with a possible contribution in a developer's agreement. P. McNemar asked if all waivers and deferrals were approved by the Board of Supervisors; they were with the submission and approval of the Preliminary Plan in June of 2022.

There was no public comment.

P. McNemar made a motion recommend Final Plan approval to the Board of Supervisors conditional upon Staff & Engineer Review letters dated December 19, 2022, in addition to recommending to the Board that the applicant make parkland dedication rather than the fee in lieu of for this project. The motion was seconded by A. Miller. The motion passed unanimously 5-0.

VI. PUBLIC COMMENT

There was no public comment.

C. Walls made a motion to adjourn the meeting at 8:01PM. The motion was seconded by M. Werst. The motion passed 5-0.