



**UPPER MACUNGIE TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES**

January 18, 2023

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, Tim Helmer, Chris Walls, Mike Werst, Aubrie Miller, Andrew Eck

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

Chairman 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 made an announcement that due to technical difficulties, the Planning Commission Meeting would not be live streamed this evening.

II. ANNUAL REORGANIZATION

A. Miller made a motion to retain the officers from 2022 to carry into 2023. The motion was seconded by M. Werst. The motion passed 7-0.

Charles Deprill will remain Chairman, Paul McNemar will remain Vice-Chairman, and Aubrie Miller will remain Secretary of the Planning Commission.

III. ACTION ITEMS:

C. Walls made a motion was made to approve the December 21, 2022, meeting minutes. It was 2nd by A. Miller, and the motion passed unanimously (7-0).

IV. ADDITIONS/DELETIONS TO AGENDA

Chairman Deprill asked if there were any changes to tonight's agenda. J. Toner noted that Docket No. 2304B has requested to table themselves this evening and will be back before the Planning Commission at a future meeting.

V. PLAN REVIEW

Docket #2351 – 9518-9520 Newtown Road Minor Plan, Lot Consolidation Plan; the applicant is proposing to consolidate the two existing parcels into one new contiguous lot totaling 1.14 acres. There are no site improvements as part of this proposal. The project is located entirely within the Township's R1 – Low Density Residential Zoning District.

J. Toner introduced the application noting that the applicant was supposed to be before the Planning Commission at the December 2022 meeting. Staff suggested to the applicant to table themselves to address comments from review letters and request the required waivers for the proposal. D. Alban noted that he has no issues with the waivers being requested as they are associated with site improvements and construction which is not being proposed on this plan.

There was no public comments.

C. Walls made a motion to recommend approval of waivers 1 – 8 based on the comments found within the Township Engineer's review letter. The motion was seconded by M. Werst and passed 7-0. The recommended waivers are:

- 1. A Waiver from Section 22-403.4.K(6) to allow the applicant to not provide the required water, sanitary sewer (including Township standardized manhole numbering), storm sewer lines (and other drainage facilities) with the size and material of each indicated and any proposed connections with existing facilities.**

2. **A Waiver from Section 22-403.4.K(17) to allow the applicant to not provide A plan indicating slopes in percent at increments of 5%, based on a minimum of two-foot contour intervals, with the locations of streets and homes or commercial and industrial buildings.**
3. **A Waiver from Section 22-403.5.C to allow the applicant to not provide an erosion and sedimentation control plan and narrative as set forth in Subsection 1 of § 22-709.**
4. **A Waiver from Section 22-403.5.D to allow the applicant to not provide the required landscape plan.**
5. **A Waiver from Section 22-403.5.E to allow the applicant to not provide the required utility plan showing storm, sanitary sewer, waterline, gas, electric, cable and lighting.**
6. **A Waiver from Section 22-403.5.F to allow the applicant to not provide the required storm drainage plan.**
7. **A Waiver from Section 22-403.5.k.(2) to allow the applicant to not provide Township SEO approval of the Sewage Facilities Planning Module.**
8. **A Waiver from Section 503.9 to allow the applicant to not show the location the proposed potable water supply well locations and applicable isolation distances.**

T. Helmer made a motion to recommend to the Board of Supervisors approve Docket No. 2351, 9518-9520 Newtown Road Lot Consolidation, conditional upon Township Staff and Engineer Review Letters dated January 16, 2023. The motion passed 7-0.

Docket #2348 Tercha Minor Subdivision Plan, Subdivision, 9230 Long Lane, the applicant is proposing to subdivide the existing +/- 74-acre property into two properties. The new lot is proposed to be +/- 54 acres. The property is located entirely within the Township's R1 – Low Density Residential Zoning District.

J. Toner introduced the plan noting that this application is in a similar situation as the previously reviewed plan as they too tabled themselves, at Staff suggestion, to address comments in Staff reviews and request the required waivers for the application. D. Alban noted again that these waivers are needed due to the plan not proposing construction or site improvements.

Mike Houston, ASA Associates, represented the plan. He asked for clarification on D. Albans comment regarding Karst features on the plan. What D. Alban thought were closed depressions on the site were supposed to be elevations. He spoke with M. Houston on the phone earlier and any miscommunications were clarified. M. Houston stated that spot elevations will be added to the plan to correct that before going before the Board of Supervisors.

P. McNemar made a motion to recommend to the Board of Supervisors approve Waivers 1 – 10 based on comments found within the Township Engineer's review letter. The motion was seconded by A. Miller. The motion passed 7-0. The recommended waivers are:

1. **A Waiver from Section 22-403.1 to allow the applicant draw the plan at a scale of 1"= 100' instead of the minimum 1" = 50'.**
2. **A Waiver from Section 22-403.4.H to allow the applicant to not show existing underground utilities within 200 feet of the proposed subdivision tract.**
3. **A Waiver from Section 22-403.4.K(6) to allow the applicant to not provide the required water, sanitary sewer (including Township standardized manhole numbering), storm sewer lines (and other drainage facilities) with the size and material of each indicated and any proposed connections with existing facilities.**

4. **A Waiver from Section 22-403.5.C to allow the applicant to not provide an erosion and sedimentation control plan and narrative as set forth in Subsection 1 of § 22-709.**
5. **A Waiver from Section 22-403.5.D to allow the applicant to not provide the required landscape plan.**
6. **A Waiver from Section 22-405.5.E to allow the applicant to not provide the required storm drainage plan.**
7. **A Waiver from Section 22-403.5.F to allow the applicant to not provide the required storm drainage plan.**
8. **A Waiver from Section 22-403.5.K.(2) to allow the applicant to not provide Township SEO approval of the Sewage Facilities Planning Module.**
9. **A Waiver from Section 22-503.5.A.(3) to allow the applicant to not provide the required contour grading plan for minimizing erosion and sedimentation.**
10. **A Waiver from Section 22-503.9 to allow the applicant to not show the location the proposed potable water supply well locations and applicable isolation distances.**

P. McNemar made a motion to recommend to the Board of Supervisors approve Docket No. 2348, Tercha Minor Subdivision Plan, conditional upon Township Staff & Engineer Review letters dated January 16, 2023. The motion was seconded by C. Walls. The motion passed 7-0.

Docket #2334 BlueTriton Semi-Trailer Entrance, Preliminary/Final Land Development, 405 Nestle Way, the application is proposing modifications to the access road around the site. Improvements on the site include, widening of internal roadways, reconfiguring internal traffic patterns, and improving an abandoned roadway. (*Previously Fogel Road*) The project is located within the Township's LI -Light Industrial Zoning District.

J. Toner introduced the application noting that on Monday night's workshop it was explained that the applicant will need zoning relief for the proposed roadway improvements to the rear of the property. This was relayed to the applicant but they wanted to come before the Planning Commission to discuss other items noted within Staff and Engineer's review letters.

Patrick Boggs represented the plan as the engineer. He reiterated what J. Toner explained and asked the Planning Commission if he could go over some of the waivers requested. Larger discussion occurred for the requested deferral of sidewalk installation along the Nestle Way frontage. J. Toner noted that in the Comprehensive Plan, there is a proposed connection along this frontage, in addition to multiple LANTA bus stops along this route. P. McNemar stated that on Monday night, a suggestion of obtaining an easement for an internal pathway and deferring the construction of the path was had. P. Boggs stated that they are open to having that discussion with Staff. P. McNemar also noted the requirement to have a pathway from the parking lot to the right-of-way for future submissions.

Discussion of the waiver from the landscaping plan requirement was had. D. Alban noted that he wants to see what is being proposed as new, he understands that this is an existing site with landscaping present already. P. Boggs asked if a waiver could be considered for having a registered landscape architect design the landscaping plan. D. Alban and P. McNemar agreed that it would be considered since the new landscaping would be minor and the Board of Supervisors has acted favorably on that request before.

There was no public comment.

No action was taken on this application as zoning relief is required.

Docket #2354 Estates at Woodmere, Sketch Plan, Ash Lane & Mertztown Road, the applicant is proposing to develop 100 single-family detached home lots and associated site improvements. The project is located within the Township's R1 – Rural Residential Zoning District.

J. Toner introduced the application noting that on Monday nights workshop meeting discussions of pedestrian connections, woodland conservation areas, road configurations, fire department comments, and phasing of the proposal were had. J. Toner explained to the Planning Commission that this project was deemed approved in 2007. Under the Municipalities Planning Code (MPC), the developer has five years to begin construction of the project otherwise the approval will be rescinded. The developer has not started construction; therefore, the approval would have been rescinded in 2012. This means that the proposal before the Planning Commission now, will be reviewed as a brand-new plan.

Harold “Bud” Newton represented the proposal as the engineer of the project. He explained what is being proposed and the history of the project. He recognizes that this plan will be looked at as new, as J. Toner explained, however wanted to discuss the former layout with the Planning Commission before formal engineering design of the plan is started. Conversations regarding cul-de-sac length and block length were had. B. Newton noted that the cul-de-sac length is longer than what is allowed for lot configuration, but also at the time of the first proposal the Township did not want a connection to Dorney Road. D. Alban noted that the land adjacent to the proposed cul-de-sac is preserved farmland that the Township owns and would not be open to a connection.

B. Newton was present on Monday night's workshop and heard concerns about the stormwater basins crossing property lines in the Wotring North section of the project. He noted that there will be an HOA for this development, and they will be responsible for the maintenance of the pond. There will also be easements present on a formal submission. B. Newton wanted to ask if a waiver would be possible for the horizontal curvature of the roadways being at 200' instead of the required 225'. P. McNemar asked what the hardship would be for that waiver as it seems the road can be designed at 225', the developer would have to redesign some of the lots.

Discussion of a proposed pedestrian connection was also had. The Comprehensive Plan depicts this within an existing PP&L easement, J. Toner explained. He further noted that historically, PP&L does not like having pedestrian pathways within their easements however he believes it is worthy of discussion. He also noted that the applicant is going to be requesting a deferral for sidewalks throughout the development. If PP&L does not allow for a connection within their easement, J. Toner noted that sidewalks should be present throughout the development. B. Newton stated that a discussion can be had between the applicant and Township Staff.

P. McNemar noted that a discussion of the alignment of proposed Ash Lane and the reasoning for the “S” curve design. B. Newton explained that the north side of proposed Ash Lane would line up with the proposed Wotring Lane. This design proposed existing Bacon Lane to be vacated and a new “T” intersection proposed. P. McNemar asked if the homeowner who uses Bacon Lane to access their property now will have continued access or be built a new access? B. Newton stated that they have discussed this with the homeowner prior and they will be giving nee access to the property.

Discussion of lot designs for future homeowners was had. J. Toner pointed out that there is an assumption that with larger lot sizes will come larger home sizes and Staff wants to make sure that there would be adequate room for future accessory structures such as pole barns, patios, pools, sheds, etc. Specifically, he pointed out the lots that have Woodland Conservation easements on the plan in addition to stormwater basins on the lots. T. Helmer asked if the developer could look at those lots again to ensure there is adequate space for these structures in the future. B. Newton stated that the developer and Township Staff could have a discussion about that. B. Newton expressed desire to have the Planning Commission make a recommendation on the waivers so they could go to the Board of Supervisors. J. Toner advised the Planning Commission stating that since this application was submitted as a sketch plan, he didn't recommend making a recommendation on the waivers without seeing more detailed information on a formal plan submission. They agreed.

No action was taken as recommendations are not required on a sketch plan submissions.

VI. PUBLIC COMMENT

There was no public comment.

A. Miller made a motion to adjourn the meeting at 8:01PM. The motion was seconded by M. Werst. The motion passed 7-0.