



UPPER MACUNGIE TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES

February 2/26/2024

I. CALL TO ORDER/PLEDGE TO THE FLAG:

Meeting called to order at 7:00 PM by Chairman Charles Deprill and asked all present to join him in the Pledge of Allegiance to the Flag of the United States of America.

MEMBERS PRESENT: Charles Deprill, Chairman; Paul McNemar, Vice Chairman; Chris Walls, Secretary; Raymond Boronyak, Timothy Helmer, and Michael Werst, Members.

STAFF PRESENT: Kalman Sostarecz, Asst. Township Manager/Director of Community Development; Dave Alban, Township Engineer; Jonathon Kiechel, Keystone Consulting Engineers; Andrew Schantz, Township Solicitor; Meredith Keller, Township Planner; Roxann Colfer, Permits Clerk; Marvin Walton, Keystone Consulting Engineers.

II. ADDITIONS/DELETIONS TO AGENDA

Mr. Sostarecz reported that there were no additions or deletions to the agenda.

III. MPC TIMELINE REVIEW

Chairman Deprill asked if any action was necessary of the Planning Commission regarding active MPC Timelines on applications. Mr. Sostarecz responded that no action was necessary.

IV. PLAN REVIEW

- A. Docket #2304B – Trexler Point Residential Subdivision – Weilers & Schaefer Run Roads, Revised Final Land Development Plan** – This development was previously approved and is currently under construction. The applicant is proposing changes to the already recorded plan. The property is located within the Township's R3 – Medium Low Density Residential Zoning District.

Brian Spray, P.E. of Civil & Environmental Consultants, Inc., represented the application and stated that he has reviewed the Staff, Engineering, and Zoning review letters and will comply. Mr. Alban commented that most of the issues in his review letter related to drafting and general items.

Motion by Vice-Chairman McNemar to recommend that Docket #2304B, Trexler Point Residential Subdivision Revised Final Land Development Plan, be approved, conditioned on the comments of the staff and Township Engineer's review letters. Seconded by Secretary Walls. The motion passed unanimously (6-0).

- B. Docket #2344 – Americold Expansion – 7150 Ambassador Drive, Preliminary Land Development Plan** – The applicant is proposing an expansion of their existing facility by 326,842 square feet along with associated site improvements such as parking and stormwater facilities. The site is located within the Township's LI – Light Industrial Parking Zoning District.

Graham Simmons, Esq. of Norris McClaughlin, P.A., and Fidel Gonzalez, P.E. of Langan, represented the application. Mr. Gonzalez explained the request for a waiver pertaining to sidewalks and curbs. He noted that an initial waiver was requested to accommodate manholes but that now the waiver is being requested instead to avoid the critical root area of multiple trees and fire hydrants. Mr. Alban commented that a second waiver is also requested for curbing along Mill Road.

Public Comment:

Chris McLean, Esq. of Fitzpatrick, Lentz & Bubba, represented the Friends of Lochhaven and stated that his clients in the Lochhaven subdivision have had internal discussions with the applicant to install directional signage to prevent trucks from entering Mill and Hilltop Roads. He added that they also discussed installing sound barriers and methods to address aesthetic concerns, such as screening trash areas and mechanical units. Attorney Simmons responded that the applicant will accommodate the requests for signage and that they will comply with the noise and zoning ordinances. He noted that there has been continued dialogue regarding a sound barrier.

Vice-Chairman McNemar moved to recommend that Waivers 1 and 2 be approved. Seconded by Commissioner Werst. The motion passed unanimously (6-0).

Vice-Chairman McNemar moved to recommend that Docket #2344, Americold Expansion Preliminary Land Development Plan, be approved, conditioned on the comments of the staff and Township Engineer's review letters. Seconded by Commissioner Boronyak. The motion passed unanimously (6-0).

- C. Docket #2372 – V Parkland Residential – Long Lane & Tillage Road, Preliminary/Final Subdivision & Land Development Plan** – The applicant is proposing to subdivide one parcel into twelve lots and the construction of detached single-family dwelling units to be served by public water and on-lot septic. The site is located within the Township's R1 – Rural Residential Zoning District.

Brian Gasda, P.E. of Lehigh Engineering Associates, represented the application and clarified that the application is a preliminary subdivision and land development plan only and that any references to preliminary/final would be revised. He then discussed the road improvements on Long Lane and Tillage Road, noting that the plans do not propose widening the full frontage on Tillage Road. He commented that Long Lane has a culvert that would need to be replaced in its entirety to accommodate two lanes and that it would be the largest expense. He remarked that the developer's responsibility would be to replace half the culvert and inquired whether the Township would allow them to forgo other improvements on Long Lane if they replace the entire culvert. The Planning Commission further discussed the designation of the roads as collector roads and whether the roads are used for school busses. Mr. Alban stated that he would contact Parkland School District to learn whether the roads serve bus routes, adding that Public Works is amenable to the applicant's proposal to replace the culvert on Long Lane and include a modest widening of the road to 14-feet instead of 18-feet.

Vice-Chairman McNemar discussed the proposed sidepath on Long Lane and suggested extending the sidewalk from Moonlight Lane along all frontages on Tillage Road. He then questioned whether the subdivision to the south received a deferral or waiver for sidewalks along Tillage Road. Staff stated they would investigate.

The applicant discussed the infiltration control in the proposed stormwater basin, noting that the infiltration will be determined through testing. Mr. Sostarecz commented that homeowners often increase the impervious area following land development and asked whether additional impervious has been included. Mr. Gasda responded that there is roughly an additional 10% of impervious included.

No action was taken.

- D. Docket #2378 – Thind Realty – 832/840 Trexlertown Road, Conditional Use Application** – The applicant is proposing to utilize the property for the maintenance, repair, and storage of vehicles and equipment. The site is located within the Township's R3 – Medium-Low Density Residential Zoning District.

Mr. Sostarecz introduced the application and noted that it will be heard by the Board of Supervisors on March 12. Mr. Schantz explained the procedure for the Planning Commission's review of the conditional use application, noting that the applicant must meet the requirements set forth in the zoning ordinance.

Ryan Durkin, Esq., and Paul Szewczak of Benchmark Civil Engineering Services represented the application. Mr. Durkin stated that there is an outstanding appeal regarding a violation from the fall, though he contended that the owner is complying after taking ownership of the property. He added that the current use is a continuation of the previous use by the former owner, though the automotive repair would involve only fleet or private vehicles.

Mr. Szewczak clarified that the two parcels have no legal frontages and are surrounded by PennDOT property. He added that the property was formerly owned by LCA and used for storage and commented that an owner subsequent to LCA filled portions of the lot with stone, which the current owner is reversing to bring the property into compliance. He explained that the intent is not to develop the maximum allowed by zoning and that a significant amount of impervious surface will be removed, though the stormwater management plan has not been developed.

According to the traffic study, he continued, the trips would be less than the previous amount. He also contended that the use would not generate excessive noise. He then commented on the buffering, noting that there are existing trees between the site and the Cross Creek development to the south. He added that it would be impossible to eliminate any visibility to the site and remarked that vehicles would not be present at night and security lighting would be necessary. He suggested that a 6-foot solid fence could be installed.

Mr. Szewczak stated that the property is partially in the floodplain and access currently crosses PennDOT property. Mr. Alban noted that PennDOT provided the Township with a plan that shows an existing easement with the property at 852 Trexlertown Road. He added that PennDOT has some concerns about the use and the right-of-way plans for this property.

The Commissioners expressed concern over the site's access and having tractor trailers turn left onto Trexlertown Road when leaving the site. They then questioned the property owners, Mr. and Ms. Singh, about lighting, use, and storage of junk vehicles. The owners stated that all repair and maintenance would be light and would occur inside the building and that there would be no storage of junk vehicles on the site.

Mr. Walton stated that the property consists of two separate parcels and that both are non-conforming. He noted that if the lots were combined, the site would be conforming.

The Commissioners observed several issues with the application and plan, including the lack of photographs and lack of information on the plan.

Public Comment:

Steve Roth, 7829 Cross Creek Circle, stated that he and his neighbor Susan Rarich, 7831 Cross Creek Circle, own property adjacent to the site. Mr. Roth provided a brief history of the site's ownership and use, explaining that the previous owner operated at the property at all hours of the night and produced significant noise and light. The light, he continued, enters the rears of their buildings and both the light and noise are a nuisance for which he has contacted police numerous times. He questioned how the new owners will regulate the tenants to reduce noise.

Vice-Chairman McNemar commented that there had been substantial discussion regarding screening and inquired whether a solid fence would help. Ms. Rarich responded that a solid wall would not prevent light from shining onto their properties, and Mr. Roth added that the noise is a greater nuisance than the aesthetics.

Attorney Durkin stated that the previous owner allowed tenants to sublet the property, though he noted that the current owner intends not to allow subleases and will provide a statement prohibiting them on the lease agreement. He added that the owner will remove the light facing the Cross Creek properties and will limit business hours to 8:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 3:00 p.m. Saturday.

Vice-Chairman McNemar moved to recommend that Docket #2378, conditional use of 832/840 Trexlertown Road, be approved with the following conditions:

- **The applicant complies with the zoning officer's letter dated February 8, 2024;**
- **Work outside the building is prohibited;**
- **Lighting at the southern end of the property is shielded from the Cross Creek properties;**
- **Hours of operation are restricted to Monday through Saturday 8:00 a.m. to 6:00 p.m.;**
- **Language on the lease agreement prohibits subletting; and**
- **Entry to the property is gated.**

Seconded by Tim Helmer. The motion passed unanimously (6-0).

V. OTHER BUSINESS

A. 2023 Annual Report to the Board of Supervisors

No comments.

VI. PUBLIC COMMENT

There was no additional public comment.

VII. ADJOURNMENT

Commissioner Werst made a motion to adjourn the meeting at 9:09 p.m. Seconded by Chairman Deprill. The motion passed unanimously (6-0).