

UPPER MT. BETHEL TOWNSHIP

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THE MEETING MINUTES FOR THE UPPER MOUNT BETHEL TOWNSHIP PLANNING COMMISSION WEDNESDAY, May 18, 2016

1. CALL TO ORDER: Chairman Arner called the meeting to order at 7:00 p.m. Present in addition to Chairman Arner were Commissioner Friedman, Commissioner Kull, Commissioner Klein, Township Solicitor Ronold Karasek, and Engineer Mike Kukles. Commissioner Ackerman was absent. The Pledge of allegiance was recited.

II. Approve Minutes- April 20, 2016. MOTION by Commissioner Klein, seconded by Commissioner Freidman to Table the minutes of April 20, 2016. No comments. Vote: 4-0.

III. Planning Modules: None

IV. Land Development Plans:

a. Air Liquide (Voltaix) Demi Road/Final Plan. Nate Oiler, P.E. was present on behalf of the applicant. Mr. Oiler is making revisions to the plan and preparing the final design. He asked that the plan be tabled. Solicitor Karasek asked if an extension of time is needed. Mr. Oiler responded “no” the plan will expire July 19, 2016. **MOTION** by Commissioner Klein seconded by Commissioner Freidman to table the plan until the June 15, 2016 Planning Commission meeting. No comments. Vote: 4-0.

V. Subdivisions

a. Hallett – Minor Subdivision – 247 East Shore Dr. Scott Policelli, P.L.S asked that this be tabled they are in the process of acquiring land from the township and also granting the township an easement for access to the T-ball field. Mr. Policelli indicated that he is waiting to hear back from Chip Turtzo about appraising the property. Mr. Policelli signed an extension of time that will last until September 20, 2016. Mr. Policelli noted that the township needs an easement prepared for access to the T-Ball field. Chairman Arner asked if the reserve site was tested on lot 2. Mr. Policelli noted that testing was unsuccessful by way of probes and that the remaining land does not need a reserve site. He also noted that all three lots are improved upon. Chairman Arner asked Mr. Policelli for clarification on sewage planning. Commissioner Freidman asked about the suitability of the airstrip access. Mr. Policelli stated that there is suitable access. Chairman Arner asked about the graphic scale, “it still says 80”. Mr. Policelli said he will make the correction and remove the waiver request. **MOTION** by Commissioner Klein seconded by Commissioner Kull to table the plan until the June 16, 2016 Planning Commission meeting. No comments. Vote: 4-0

b. Vigliotti –Minor Subdivision - Orchard Rd & Gap View Lane – Nate Oiler, P.E. was present on behalf of the applicant. Mr. Oiler reviewed the plan with the Planning Commission and he indicated that the plan is really a lot line adjustment but because that ordinance has not been adopted that the plan must proceed with a minor subdivision. Mr. Oiler reviewed the following waiver request with the Planning Commission 1. SALDO 302.4.4.1.2- Plan requirements for Remaining Lands. Mr. Oiler noted that this waiver would be on hold because of seasonal high water table and also needs soil probes.

Chairman Arner noted that it is not based on soil mapping and that there are other factors involved. She also talked about the one good acre in the R-1 zone and referred to Reimer vs. Upper Mount Bethel Township. That case deals with Minimum Lot size, Exclusionary Zoning Uniformity requirements and Preemption. She noted that based on actual acreage there is a big concern and that they will never meet the 10 acre requirement.

2. SALDO 302.4.3 A & C- The location of all natural features on the entire site and within 100 feet of the site and significant natural resources of the site or within one half mile of the site should be shown on the plan. Chairman Arner talked about the ponds, wetlands, and the zoning issues and it appears that it does not meet environmental constraints. The Planning Commission suggested putting the house on the 3 acres in the front of the property. Commissioner Freidman noted that years ago another applicant wanted to build on the front property. The applicant asked for an extension on the plan until July 19, 2016 **MOTION** by Commissioner Klein, seconded by Commissioner Freidman to table the Vigliotti Minor Subdivision to the June 15, 2016 Planning Commission meeting. No comments. Vote:4-0.

c. Rabbat – Minor Subdivision – 198 Million Dollar Highway. Scott Policelli, P.L.S was present on behalf of the applicant. He noted that he is waiting for the Bog Turtle study and when we receive that report we can move forward with the planning module. Chairman Arner noted that in the A-1 zoning district that there is a 2 good acre minimum. She asked about the wetlands and environmental restraints and asked that the numbers be run, “there is shallow depth and seasonal high water table on that property”. Mr. Policelli noted that out of the 10 acres, approximately 40% is wetlands and that it will be close. Mr. Policelli indicated that he tested reserve on lot 2. Chairman Arner stated that the wetland buffer should be 50 feet and shown on the plan she also stated that we should see if the numbers relate to the good acreage. Mr. Policelli asked that the plan be tabled. Plan will expire on July 19, 2016. **MOTION** by Commissioner Klein, seconded by Commissioner Kull to table the Rabbat Minor Subdivision to the May 18, 2016 Planning Commission meeting. No comments. Vote: 4-0.

d. Air Liquide Preliminary Plan – Major Subdivision - 102 Demi Road. Nate Oiler, P.E. was present on behalf of the applicant. Mr. Oiler reviewed the plan with the Planning Commission and has requested various waivers. Solicitor Karasek asked if he notified the adjoining property owners 21 days before this meeting. Mr. Oiler indicated that he did not and that he would have to do that before the Planning Commission meeting on June 15, 2016. The Planning Commission reviewed Mr. Ott’s review letter dated May 12, 2016. Mike Kukles discussed #6 SALDO 304.3.4.4.5- the reserved area to be dedicated shall have an additional right of way along state road so it would not actually be dedicated. #25 SALDO 400.8- park, recreation and open spaces. Solicitor Karasek said that this fee is \$2000 per lot and he thought it was to be paid half up front and half when getting the permit. Mr. Policelli commented that in the SALDO they only charge park recreation and open space fees for residential lots and that commercial puts no pressure on recreation facilities. #27 SALDO 502.1- Storm water management site plan Mr. Oiler indicated that the storm water will be addressed with the land development plan. Solicitor Karasek said that they could possibly get conditional approval at the next planning commission meeting if they get the waiver requests to the adjoining property owners. Chairman Arner noted that the good acre does not apply and that this is public water and sewer and that there are environmentally sensitive areas. Mr. Oiler indicated that he will contact the adjoining property owners in writing with the following waiver requests. 1. SALDO 304.1 & 305.1 2. 1 – Preliminary & Final Plan application 2. SALDO 304.3.6.1.2 & 305.5.12 & 306.7.1.2, 304.3.4.2.6 & 306.4.2.6 & 304.3.4.3.3 & 306.4.2.2 – Topographic and Slope mapping extending 100 feet behind the tract boundary 3. SALDO 304.3.4.3, 306.4.3, 306.6.2 – Location of existing man-made features on the site and within 100 feet from the site. Nate indicated he will prepare his waiver requests in time for the next Planning Commission Meeting. 4. SALDO 502.1 Storm water management plan. 5. SALDO 400.5.1 Utility Easements. 6. SALDO 400.2.8 ultimate right of way along river road. **MOTION** by Commissioner Klein, seconded by Commissioner Kull to table the Major Subdivision to the June 15, 2016 Planning Commission meeting. No comments. Vote: 4-0.

VI. SITE / SKETCH PLANS – None.

VII. REFERRED FROM ZONING HEARING BOARD – None

VIII. NEW BUSINESS – None

IX. OLD BUSINESS

1. SALDO Ordinance Amendments – Jeff Ott, Township Engineer reviewed SALDO ordinance amendments and made some comments. Mr. Policelli indicated that he will revise and give a clean copy to the Board of Supervisors for their work session meeting on May 23, 2016. The Board needs to review Section 200 #3- Right of way is offered for dedication. Solicitor Karasek stated that it does not delay the process provided that the applicant prevails on the appeal. He also stated that there are conditions as part of conditional approval. There was also a review of Section 300 A, B, & H that the Board of Supervisors also needs to review. Mr. Policelli will make revisions and the revised draft will be sent to the Lehigh Valley Planning Commission.

2. Proposed Zoning Ordinance Amendments – None.

X. CORRESPONDENCE – None.

XI. ADJOURNMENT - MOTION by Commissioner Kull seconded by Commissioner Freidman to Adjourn the Planning Commission Meeting at 8:20 p.m. No Comments. Vote: 4-0.

Respectfully Submitted - Melissa Mastrogiovanni, Recording Secretary
Upper Mount Bethel Township