

LOWER TOWAMENSING TOWNSHIP PLANNING COMMISSION MEETING MINUTES

Thursday, August 10, 2023 at 7:00 p.m., Township Office
595 Hahns Dairy Road, Palmerton, PA 18071

Call to Order:

The meeting was called to order at 7:08 pm by Chairperson Angela Farrell.

Roll Call:

Officials Present: Angela Farrell, Jay Mullikin, Gerry Madden, Daniel Royer, Duane Dellecker, Zoning officer and Jill Smith, Township Engineer.

Minutes:

Ms. Farrell made a motion to accept the Planning Commission Minutes from May 11, 2023, June 8, 2023 and July 13, 2023. Mr. Mullikin seconded the motion. All in favor, motion carried.

Business from Persons Present:

Architectural Polymers – Chery Mueller, John Fisher & Marshall Walters

Mr. Walter stated how they were looking to get their permit to start their construction project, which was previously approved in 2019. Ms. Farrell stated how they needed revised Land Development plans and a revised developer's agreement. Ms. Mueller stated how they had submitted that to the Zoning officer. Mr. Dellecker stated that what they gave him were not revised land development plans, they were building permit plans. Ms. Smith stated that it was her understanding that the building was going on the parcel of land that was part of the land development plans, which were approved, but the area was originally shown as a parking/storage area. Mr. Walters stated how they would be placing it in the disturbed area, instead of disturbing any other area. He stated how they re-did the water management slightly for around the building, which was an improvement.

Ms. Smith stated that if it was going to be part of the original subdivision/land development plant – phase #2, they would have to show the changes on the land development plans and revise the developer's agreement, which would now include the cost to construct the building. She stated how the plans had already been recorded and they did not show a building. Ms. Smith stated how they had submitted plans for a building permit, but not for the revised land development. Ms. Mueller stated how the developer's agreement had included a cost estimate for all three phases.

Ms. Smith stated about an inlet or storm-sewer that might need to be revised on the land development plan. Mr. Fisher stated how the storm-sewer was east of the proposed building. Ms. Smith stated how the land development plan that was recorded, had to be updated to show a building and it may warrant a re-recording of the plans, because of the improvements. She stated how the Township had a right to look at the developer's agreement every year, because cost increase and/or if they had completed phase #1, they could ask for a partial release of the securities.

Ms. Smith stated about the retaining wall and how they will have to show the grading for the retaining wall. Mr. Fisher stated how they had received engineered plans for the retaining wall and the building. He stated how the back part of the building was part of the retaining wall; 12" concrete wall – cast in place. Mr. Mullikin asked if there was a design of the retaining wall outside of the limits of the building. Mr. Fisher stated "yes". Mr. Dellecker stated how the wall will require a separate permit.

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Ms. Mueller stated how they had met with Mr. Dellecker and Mr. Green about 6 weeks ago with the engineered plans. Mr. Dellecker stated how they have to submit an application with nine copies of the plan. Ms. Farrell stated how the plans did not only need to be revised for the Township but for the Carbon County Conservation District, Chris Storm, which would be regarding the stormwater also had to be amended. Ms. Smith stated how it might just have to be a red line amendment for the County Conservation, so they can update the permit. Mr. Mullikin asked about the retention pond beyond the wall. Ms. Mueller stated how all of that was shown on the updated plans. Ms. Farrell stated about getting their engineer to print another set of plans to be submitted to the Township. Ms. Smith stated how there was a sequence of construction that they had to follow, which would be checked by the County Conservation. Mr. Dellecker stated about the building plans for the wall and how he had given them a packet – to fill out the application and return it to him. Mr. Mullikin stated about the plans for the wall showing the retention pond, because of the additional load on the wall.

New Business:

- CBI – Land Development Plans

CBI – John Horne, Harley Shurp, Lew Rauch

- Hanover Review Letter #1
- Lehigh Engineering – Wavier request letter – SALDO § 390-18.E – to allow them to submit the plans as a Preliminary/Final Plan

Ms. Farrell made the motion to recommend the request to grant the waiver (review comment #1) SALDO § 390-18.E – to allow them to submit their plans as a Preliminary/Final Plan. Mr. Mullikin seconded the motion. All in favor, motion carried.

Mr. Rauch questioned review comment #10. Ms. Smith stated how they could disregard that review comment, because it had already been addressed. Mr. Rauch stated how he did not have any other questions on the review letter comments.

Mr. Rauch stated about PennDOT holding them up, because they need the Township signature on the curb and sidewalk. He stated how they would really like to get the sidewalk installed. Ms. Smith asked if there was a separate permit for the sidewalk and a separate permit for the storm or/and would PennDOT be issuing a permit for the sidewalk, without the driveway permit and the storm-sewer permit, because there were questions and concerns with the stormwater management. She stated that she was not opposed to the sidewalk as long as PennDOT was allowing it, but because of the comments that they had for the stormwater, the Township was not ready to sign off since PennDOT was saying that the Township was agreeing that they had reviewed and approved the stormwater management for the site. Mr. Rauch stated how he thought that it was all one. Mr. Horne read from a PennDOT letter that he had received “as stated in the submission letter, separate applications in the name of Township were required for the sidewalk installation and the storm connection”. He stated how they want that area addressed because it was not safe. Ms. Smith asked them to confirm it with PennDOT, because that would be a Board of Supervisors decision – the Supervisors would have to sign off on the application. Ms. Farrell stated how they would have to get the information to the Board of Supervisors for the September 5th meeting. She stated how they did not have any objections to the PennDOT permit for the sidewalk. Mr. Mullikin stated how they were only submitting for the sidewalks not the stormwater.

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- CBI Lounge, LLC – to construct 19' x 40' addition

Mr. Dellecker stated how Covered Bridge Inn (CBI) Lounge, LLC, 4300 Little Gap Road wants to construct 19' x 40' addition on existing patio. He was located in V-C (Village Center) zoning district. The Ordinance requires a minimum front setback of 20'. Mr. Dellecker stated how Mr. Horne was requesting a zoning appeal hearing from the denial letter, because he would be increasing the size of the non-conforming area. He stated how he was seeking a variance to enable the enclose upon the existing non-conforming footprint. Mr. Dellecker stated how the setback line ran through the existing patio. Ms. Smith stated how the patio was impervious coverage; whereas, the addition would be considered building coverage. She stated how building coverage would be included in the square footage of the entire building. Ms. Smith stated how a patio was also considered an accessory structure and there were different set backs for an accessory structure. She stated how she agreed with Mr. Dellecker that they were expanding their non-conforming use.

Mr. Mullikin stated that the Planning Commission in their review, had no objection to the application submitted; however, they were recommending that a condition of "the Arborvitae wall existing along Hahn's Dairy Road be maintained or replaced and further landscaping should be increased in general on the property" be placed on any favorable consideration.

- Mark Shipwash – construct 50' x 50' Pole building

Mr. Dellecker stated how Mark Shipwash, 1170 Wintergreen Road wants to construct a 50' x 50' pole building. He has 2.33 acres located in a R1 (low density residential) zoning district. The ordinance limits the size of accessory structures on a lot less than 3 acres to a maximum length of 40'. Mr. Dellecker stated how Mr. Shipwash was requesting a zoning appeal hearing from the denial letter. He stated how his property was one of the last properties in the township. Mr. Dellecker stated how it looked like there was a tractor-trailer sitting on his property. Ms. Farrell asked what the maximum percent of lot coverage. Mr. Dellecker stated how he thought that it was 25%. Ms. Smith stated about stormwater management and if there would be 10,000 square feet of impervious coverage, they would need a stormwater management plan to be in compliance with the Township's ordinance. Ms. Farrell stated how that would include all of his structures (existing house & garage, etc.). She stated how they would require documentation as part of a condition of an approval.

Ms. Farrell stated that the Planning Commission in their review, had no objection to the application submitted; however, they were recommending that a condition of "a detailed site plan be submitted showing all impervious coverage on the lot and should the impervious coverage reach 10,000 square feet in coverage, a Stormwater Management Plan shall be submitted in accordance with the requirements of Act 167" be placed on any favorable consideration.

Mr. Dellecker stated how they had received notification that PPL was going to be upgrading their transmission lines, both of them, which run through the township.

Ms. Smith stated that Everstream Fiber Optic had submitted an application for fiber optic line on Hahn's Dairy Road. She stated how they were in the planning stages requesting information about the sewer system so they could avoid any utilities.

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Old Business:

Ms. Farrell asked if they had any additional communications with Brian Stroup. Mr. Dellecker stated how he had received a request from his engineer (Keystone Engineering). He stated how the Township had informed him that he had to start all over. Ms. Smith stated how he never met the conditions of his plan approval, the plan was never recorded, they did not have a developer's agreement and they had started construction (storm sewers and swales). Ms. Farrell stated how his approvals were in 2010.

Planning Commission Business/Miscellaneous:

Ms. Farrell stated how she had received a phone call from Doyle Heffley – someone was complaining to him about water quality on Stoney Ridge.

Ms. Farrell asked Mr. Dellecker if he had any more information about the well at the Fairgrounds. Mr. Dellecker stated how they wanted the 6" wells for their own use. Mr. Mullikin asked if they were 6" casings or 6" pumps with 6" lines. Mr. Dellecker stated how he did not know.

Adjournment:

Ms. Farrell made a motion to adjourn the meeting at 8:49p.m. Mr. Mullikin seconded the motion. All in favor, motion carried.

Respectfully submitted,

Steve Meining
Planning Commission Secretary