

Lower Macungie Township  
Planning Commission Workshop Minutes  
April 19, 2011

The April 19, 2011 joint workshop meeting was called to order at 7:00 p.m. by Chairman Irv Keister. The Board of Commissioners who attended were: Roger Reis, Ryan Conrad, Doug Brown, Ron Eichenberg, and Joe Pugliese. The following Planning Commission members were in attendance: Irv Keister, Ann Bartholomew, Tom Beil, Neill Dekker, Kevin Drake, and Brent McNabb. Also in attendance were Bruce Fosselman, Township Manager, Sara Pandl, Director of Planning and Community Development, James Lancsek, Zoning Officer; William Erdman, Township Engineer, Peter Lehr, Planning Commission Solicitor, Richard Somach, BOC Solicitor, and Bobbie Brown, Keystone Consulting Engineers, Inc.

Mr. Keister welcomed the Board of Commissioners and thanked them for attending.

Ms. Pandl reviewed the agenda prepared for this meeting and began the discussion by asking for input from the BOC regarding the requirement that applicants for SALDO submissions include estimated costs of waivers for such items as sidewalks, trees, buffers, etc. Mr. Brown explained that the Township would not know what they were waiving without these costs being provided. It was stated that the developers engineer prepares the estimate of the costs for the waivers being requested and the Township engineer reviews it in conjunction with review of the plans. Atty. Somach explained the differences between a waiver and a deferral. Mr. Erdman also gave his explanation of the differences from the engineer's point of view. The Planning Commission has the flexibility to require a cost estimate for the waivers. After further discussion, Mr. Reis stated that the consensus of the group was they did not feel it should be a requirement.

Ownership of Township Roads - Currently the Township accepts an easement, the alternative would be fee simple dedication. Mr. Lehr stated that he and Mr. Somach were in contact with Atty. Blake Marles' office, a previous Township solicitor, and were told they advised the Township to take right-of-way with an easement to provide liability protection. Grim, Biehn & Thatcher, the most recent Township solicitor, was in favor of fee simple title. The concerns with this method are that the Township is obligated to maintain the right-of-way. Mr. Lehr suggested there may be a way to deal with the maintenance issue and still get fee simple title. If there are any waivers requested for a subdivision, work with the developer and ask that in granting those waivers he would agree to maintain the right-of-way area. It was noted that PennDOT is considering requiring fee simple dedication for State roads. Mr. Erdman explained the differences between an easement and a deed regarding right-of-way along Township and State roads. Mr. Dekker suggested for the interim to require fee simple title for State roads and for Township roads it would be a judgment call. After discussion, Mr. Somach advised that all right-of-way should be taken by fee simple title, but secure in writing that the homeowner will maintain the right-of-way area. He and Mr. Lehr will work with Mr.

Lancsek to develop a requirement for this issue. Mr. Erdman agreed, but asked that a note also be added to the plan. Mr. Lehr also suggested this item be on the list for the plan approval resolution.

Priorities for Ordinance Revisions being contemplated:

1. Timber Harvest – Most has been completed for the new ordinance.
2. Hills at Lockridge Overlay – Should be completed soon.
3. Alternative Energy Facilities (including solar panels for residential; commercial solar power should be looked into.) This item can be added as conditional use.
4. Shopping Center Regulations – Should be completed soon.

The above prioritized list has been discussed by the Planning Commission at previous workshops and is basically completed. The two remaining items include:

Cluster/Conservation Design: Ms. Pandl stated that we have a model ordinance for cluster/conservation design from the Lehigh Valley Planning Commission and information from the Natural Lands Trust and Growing Greener Projects from last months meeting.

Village Center Commercial Overlay: This would require map changes and discussion. Everyone agreed this is top priority. There are areas in the Township surrounded by residential subdivisions. Walkable commercial sites would work well in that setting. The 10-acre Daytimers parking lot could possibly be converted into a Village/Town Center.

Other Issues of Concern or Interest: Private ownership of detention and retention ponds. Homeowner Associations are basically inheriting problems left after developments are completed. (Village at Farmington & Hills at Lockridge) Private roads in residential subdivisions are also turned over to the homeowners association (Legacy Oaks).

Mr. Drake expressed concern regarding recreation as a problem. Try to come up with space where adults can play. Need to do whatever we can to work with developers. Recreation could use “unusable” land.

Mr. Reis thanked everyone for attending and thanked the Planning Commission for having these joint meetings to discuss important Township issues. The next workshop meeting is May 17, 2011 at 7:00 PM. Meeting adjourned at 8:45 PM.

Respectfully submitted,  
Bobbie Brown,  
Keystone Consulting Engineers, Inc.