

LOWER MACUNGIE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING – NOVEMBER 8, 2011

The November 8, 2011 meeting of the Lower Macungie Township Planning Commission was called to order by Chairman Irv Keister at 7:00 p.m. in the Lower Macungie Township Municipal Building, 3400 Brookside Road, Macungie, Pennsylvania. Commission members in attendance: Ann Bartholomew, Thomas Beil, Kevin Drake, Irv Keister, Brent McNabb and Maury Robert. Also present were Sara Pandl, Director of Planning and Community Development;; Peter Lehr, Solicitor to the Planning Commission; William Erdman, Township Engineer, Keystone Consulting Engineers, Inc.; and Melissa Zellner, Keystone Consulting Engineers, Inc. Neill Dekker, James Lancsek, Zoning Officer and Alan Fornwalt, Assistant Township Engineer were absent.

On a motion of Mr. Robert, second of Mrs. Bartholomew, all in favor the October 11, 2011 regular meeting minutes were approved with an abstention by Mr. McNabb.

Alburtis Crossings Industrial Park
Land Development
2929 Schoeneck Road
Application Date: 10/17/11

Joe Baran of Bohler Engineering appeared before the Commission. Sara Pandl gave an overview of the project and stated that this is an amended plan and there is currently an approved preliminary/final plan and the changes proposed are minor. Ms. Pandl questioned the landscape plan with the stormwater pipes which would need to be clarified through notes on the final plan. Mr. Erdman said that two significant things would result from this plan. The intersection of Route 100/Schoeneck Road would be improved. There is also a problem with trucks stacking on Schoeneck Road and this plan would change the circulation. Ms. Pandl said there is a comment in the Zoning Officer's letter stating the Planning Commission should make a determination whether this change is a substantive change or minor. Mr. Baran said that with respect to Parcel A the parking will be shifted from one side of the building to the other. The majority of the traffic will now be coming off of Schoeneck Road as originally it was coming from Alburtis Road. With respect to Parcel C (Allen Distribution), it is a separate plan but it is shown on this plan since Bohler Engineering is the engineer on both projects and since this plan will be recorded it seems practical to include all the current changes. Mr. Robert asked a question regarding the waiver being requested conditional upon offsite improvements and Mr. Lehr stated that the Planning Commission has wide latitude with respect to the granting of waivers and legally it can be done. Mr. Erdman said when PennDOT issued the Highway Occupancy Permit there were two conditions. The improvements at Route 100/Schoeneck Road have to be approved prior to the certificate of occupancy for the second building and they also need to be constructed prior to the certificate of occupancy for the third building. Dan Hudson of Panattoni then appeared before the Commission and stated that they would like to get started on this building as soon as possible. They are under agreement with Jaindl Land

Company to complete the intersection improvements. He cannot start this building until the improvements are approved since he has no guarantee of getting a certificate of occupancy. Jaindl hopes to have approval around March from PennDOT. Mr. Keister asked if this is a substantial change and the Commission agreed that it was not. Mr. Drake inquired if there would be any truck traffic on Alburdis Road and Mr. Erdman stated that it will not divert all of the truck traffic but most of it. Mr. Baran said that some roadway improvements have already been done such as the curve where Alburdis Road and Orchard Road intersect. In addition, widening on Parcel B and Alburdis Road/Schoeneck Road has already been done.

On a motion of Mr. Robert, second of Mr. Drake, to view this plan as a minor plan revision, all in favor.

On a motion of Mr. Robert, second of Mrs. Bartholomew, to recommend acceptance of the waiver for SALDO 741.6 requiring widening of Alburdis Road to not require the full widening but only the improvements that have been done and shown on the plan conditional upon the construction of the new Schoeneck Road/Route 100 intersection as documented in an e-mail dated November 8, 2011 from the Applicant's engineer (copy attached), all in favor.

On a motion of Mr. Robert, second of Mr. Drake, to recommend approval of the modifications to the plans last revised 10/14/11 and conditional upon the acceptance of the request for a waiver, all in favor.

Faith Evangelical Free Church
Land Development
6528 Hamilton Boulevard
Application Date: 10/17/11

Bud Newton of The Newton Engineering Group and Pastor Jack Wilson from Faith Evangelical Free Church appeared before the Commission. Ms. Pandl said this plan is for an expansion of the existing facility. The Applicant is looking for a recommendation to the Zoning Hearing Board on the variances they have requested. The Applicant is asking for a variance to exceed the maximum square footages for uses in a "Place of Worship", a variance for the 25-foot buffer and a variance to increase the amount of impervious cover above the 60% allowed in the ordinance. They also are asking for a special exception to allow for shared parking as the uses at the facility are at different times. Mr. Erdman said in comparing the current Zoning Hearing Board appeal, they are asking for the exact same variances that were previously granted by the Zoning Hearing Board. Mr. Newton said the Church would like to do away with the temporary modular facilities that are currently on the site. Mr. Newton said the difference in this proposal from the one submitted in 2010 is that this would be approximately 140,000 SF but it occupies a larger footprint. The Zoning Officer suggested that they come before the Planning Commission again since the plan has changed. Mr. Newton said the amount of office space increased, religious education space decreased and social gathering area increased quite a bit, and the miscellaneous area has increased. The sanctuary area has changed and the church

would like to have two sanctuary spaces now. Pastor Wilson said the reason for the change was that they needed to address the ministry needs now. They would like to have more security and consolidation of the children that attend the Building Blocks Preschool program. This plan would also allow them to remove the four modulars they now have on the property. Their gathering space is severely limited and the proposed layout would dramatically increase this space. The third floor would be dedicated for the middle and high school children. They have two services on Sunday – a traditional service and a contemporary service. Mr. Robert stated that the biggest concern before was parking and that his concern has increased even more. Mr. Newton said the previous plan from last year showed 707 parking spaces. The church has a cooperative agreement with the school district for parking in that the school can use the church facilities for an emergency event and the church can use the school parking lot for larger services and bus the parishioners to the remote parking facility. The services are a contemporary service at 9:00 a.m., a traditional service at 9:30 a.m., children's classes start at 9:00 and last until 10:30 and then there is an 11:00 a.m. contemporary service. Right now they are not having an issue with parking and are not running out of spaces. Mr. Newton said they are proposing to re-stripe the parking lot which will create more spaces and the modulars will also be removed which will provide more spaces. Mr. Newton said they are trying to stay under one acre of earth disturbance on the site to avoid the NPDES permit which would substantially increase the cost of the project. Ms. Pandl said that the variances requested last year were based on 929 parking spaces and now it would be roughly 1,220 parking spaces which is quite a significant increase. Mr. Robert said he is not prepared to make a recommendation to the ZHB this month based on what he has heard so far and also given the fact that the Planning Commission was not given enough information. It was stated that there are 707 spaces and they would need approximately 1,220 spaces if all the uses would occur simultaneously. Ms. Bartholomew said she has concerns regarding impervious coverage. Mr. McNabb asked if they will be providing public water to the site. Mr. Newton said there is water to the site but it is not yet connected. It will be connected during this phase. Mr. McNabb asked if they will be installing fire hydrants and sprinklers. Mr. Newton said that this issue will need to be discussed with the architect.

On a motion by Mr. Keister, second of Mr. Drake, to make a recommendation to the Zoning Hearing Board to accept the Applicant's request for waivers of Zoning 201.149, Zoning 1006, Zoning 1007 and 1704.5 consistent with what was recommended in the letter from the Planning Commission to the Zoning Hearing Board on 02/19/10. With respect to Zoning 2000.D.1 and 2001.5, the Planning Commission recommends opposing any variance or special exception associated with parking at this time, all in favor.

On a motion of Mr. Robert, second of Mr. Drake, to table the Preliminary/Final Plan, all in favor.

Red Maple Acres Mobile Home Park Expansion
Land Development
1170 Grange Road
Application Date: 07/21/11

Larry Turoscy of Lehigh Engineering and James Preston, the Applicant's attorney, appeared before the Commission. Mr. Preston said the only open issue he is aware of is the recreation fee since the traffic impact fee has been resolved. Mr. Preston said there were to be two pavilions, some fencing and plantings. They would again offer the \$78,052 as the threshold to be offset by like-kind improvements on the property. The Applicant would like to modify the plan to expand the 20x30 pavilion to 20x40 and eliminate the east pavilion. Mr. Robert asked what total acreage of recreation is required for this expansion and the last expansion. It was stated that it is on the Recreation Plan. Mr. Erdman said the current proposal requires 58,000 SF. The previous proposal required one acre, or 43,560 SF, for a total of 101,560 SF. Mr. Robert said that since they are eliminating the one pavilion, that area should not count toward the square footage required for recreation. Mr. Turoscy said they think it is a better idea to take away the one pavilion and make the other one larger. They could provide park benches along the path and in the area where the other pavilion was proposed and is now being eliminated. Mr. Erdman said he listened to the tape of the meeting when the Applicant was previously before the Board of Commissioners and he recalled that Chairman Reis did not support giving dollar-for-dollar credit since it was on private property, Mr. Pugliese said it was a good idea for full credit, Ron Eichenberg did not make comments on the recreation issue, Ryan Conrad did not comment and may not have been at the meeting and Mr. Brown asked a question about it. Mr. Erdman's impression, although not totally clear, was that the Commissioners were not in favor of the proposal and remanded it back to the Planning Commission for a recommendation. Mr. Turoscy said they went to the recreation board for input and it was stated at a public meeting by the Zoning Officer that they would get 100% credit and that is the reason they proceeded with this plan. Mr. Lehr asked Mr. Preston what they are proposing. Mr. Preston stated \$78,052 would be the threshold and if they were under this amount then they would make a cash contribution. They would expand the front pavilion and eliminate the back pavilion. Mr. Robert asked if the Applicant would be willing to contribute \$15,000 towards recreation fees. Mr. Preston said no and Ms. Pandl said that there could be a contribution if there was a shortfall after the improvements were made to get to the \$78,052 total. Mr. Robert said there are a few options. First, forget about providing recreation space and just pay the cash in lieu of. Another option would be to contribute \$20,000 cash, eliminate the proposed pavilions to the west and not expand the east pavilion. The Applicant will eliminate the west pavilion and everything else on the plan will be built. Mr. Drake asked if a concrete floor will be put in the pavilion. Mr. Keister asked that the Applicant provide a time extension and Mr. Preston handed the Commission a time extension letter dated 11/08/11 which extends their project until 12/31/11. Mr. Preston then asked the Commission for a brief recess so he could confer with his client. Mr. Preston came back after meeting with his client and asked for a clarification for the floor of the pavilion and asked if blacktop would be an acceptable hard surface. Mr. Drake stated that would be fine. Mr. Preston then said for the record that his client proposes to eliminate the rear

(east) pavilion, make a cash payment to the Township in the amount of \$20,000 and install the rest of the improvements shown on the plan, without the requirement for a cost reconciliation. In addition, the pavilion (20x30) in the front will have a hard surface on the floor (blacktop in lieu of concrete) and the pathway will be six-foot wide and be blacktop.

On a motion of Mr. Robert, second of Mr. Drake, to recommend to the Board of Commission the recreational facilities shown on the plan be constructed with the exception of the east pavilion being eliminated and the Applicant make a cash contribution to the Township in the amount of \$20,000 for cash in lieu of recreation as full satisfaction of the recreational requirement, and conditional upon the items in the Township Engineer's letter dated 08/03/11 (copy attached), all in favor.

Pending Projects/Administrative Reviews

Nothing to discuss at this time.

Letter(s) of Extension

By motion of Mr. Robert, second of Mr. Drake, and a unanimous vote, the Planning Commission accepted the letter(s) of extension as follows and for the Big Bear Management Fund, Red Maple Acres project which was hand-delivered at this meeting.

<u>Project</u>	<u>Date of Letter</u>	<u>Date of Extension</u>
Bastian Company Land Development	10/18/11	06/30/12
Diocesan Pastoral Center Subdivision	10/18/11	06/30/12
Diocesan Pastoral Center – Lot 1 Land Development	10/18/11	06/30/12
Diocesan Pastoral Center – Lot 2 Land Development	10/18/11	06/30/12
Jaindl Land Company – Subdivision 1 Subdivision	10/17/11	03/31/12
Jaindl Land Company – Subdivision 2 Subdivision	10/17/11	03/31/12
Red Maple Acres Expansion Land Development	11/08/11	12/31/11

Romig Subdivision Subdivision	10/18/11	12/31/12
Trexler Business Center – Lot 1 Lot Line Adjustment & Land Development	10/18/11	06/30/12
Trexler Senior Living Center Conditional Use	10/17/11	04/30/12
Trexler Senior Living Center Land Development	10/17/11	04/30/12
Wescosville Commons (Eastern Industries) Land Development	10/17/11	04/30/12
Wotring II Estates Subdivision	10/18/11	06/30/12

Mr. Erdman discussed a few of the older projects and stated that he sent an e-mail to the owner of the Belle Chase project and has not gotten a response yet. He will send an e-mail inquiring about the status of the Wotring Estates project which is in both Lower Macungie Township and Upper Macungie Township. With respect to the Wescosville Commons project, he understands that Eastern Industries is working with Petrucci on an agreement to proceed with the project. Mr. Erdman will also make inquiries on some of the other older projects and report back at the next meeting.

Mr. Beil stated that a policy be considered for adoption giving the applicants a maximum of three years for time extensions. Mr. Lehr cautioned that plan deficiencies would have to be listed since rejection for simply not providing an extension letter raises legal concerns. Mr. Erdman said that the plan deficiencies would be in the last review letter which was done.

Miscellaneous

Ms. Pandl stated there is an Ordinance to amend Section 27-706 and Section 27-1007 of the Zoning Ordinance in order to correctly identify chart headings regarding minimum lot area, maximum structure height, maximum building coverage and to make other minor typographic corrections.

On a motion of Mr. Robert, second of Mrs. Bartholomew, to recommend approval of this ordinance to the Board of Commissioners, all in favor.

There will be a workshop meeting this month on November 15th. Ms. Pandl passed out information for this upcoming meeting.

There being no further business, by a motion of Mr. Robert, second of Mr. Drake, all in favor, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,
Melissa Zellner
Keystone Consulting Engineers, Inc.