

LOWER MACUNGIE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING – July 13, 2021

The July 13, 2021 meeting of the Lower Macungie Township Planning Commission was called to order by Chairman Tom Beil at 7:02 p.m. in hybrid format. Commission members in attendance: Tom Beil, Jon Hammer, Amy Miller, Rudy Fischl, Bob Rust, and Wesley Barrett. Also, present were Nathan Jones, Director of Planning and Community Development, Brian Cisak, Township Engineer, CKS Engineers, and David Brooman, Township Solicitor.

Meeting Minutes

Minutes from the June 8th meeting will be reviewed at a later time.

Guardian Storage Lower Macungie, LLC- Cedarbrook Road Preliminary/Final Plan Submission

From the applicant's team in attendance are Attorney Kate Durso, Engineer Michael Lardy. William Cray Guardian Self Storage.

Mr. Jones provided an overview of the project. This plan shows proposed a 3-story storage facility at the corner of Cedarbrook Rd and Service Rd. #2. Applicants are proposing this structure in the place of current residential homes. This plan has been before the commission as well as internal reviews previously. Technical and planning comments have been suggested and at this time planning and zoning items have been addressed. The remaining technical items will be discussed with the Township Engineer.

Mr. Cisak states that there are a few minor technical items to be reviewed. There are concerns with the widening of Cedarbrook Rd. due to the collector nature of the road. There is discussion on the conclusion to widen the road to 14.5ft. This is acceptable to both the Township Engineer as well as the applicant team.

Mr. Beil calls for comments or questions from the Planning Commission to which there is none.

Mr. Beil calls for public comment to which there are none.

Motion was made by Mr. Hammer to approve Preliminary/Final Plan with the stated conditions and waivers/deferrals. Seconded by Mr. Rust.

Discussion by Planning Commission for approvals. Attorney Brooman wants to add a condition that applicant receives conditional use approval from the Board of Commissioners. Mr. Hammer amends his motion to add this. Seconded by Mr. Rust. The applicant questions the sidewalk/curbing deferral or waivers. It was decided to have both deferred.

Motion Carries 6-0.

3510 Macungie Road Residential Subdivision- Sketch Plan Resubmission

Mr. Jones states that this project has been in from of the commission before as a sketch plan for flag lot and shared driveway homes. It is now before the commission as a 42-unit townhome subdivision with proposed open space, storm water management, and access off of Macungie Rd. and Indian Creek Rd. Though there are more units proposed for this sketch there are less driveways onto Macungie Rd. This option would need zoning relief, but it is a cleaner plan to allow development on this lot.

Mr. Cisak addresses that there are a few items to be addressed. The detention basin needs to be looked at, as well as the trail along the frontage. He is also wanting to see what PENNDOT has to say regarding the frontage. Mr. Jones does state that the applicant will be planting additional trees for privacy to adjoining neighborhoods.

In attendance from the applicant team are Attorney Erich Schock, Reese Rosenthal from F&R Macungie, and Blake Frantz from F&R Macungie.

The applicant team has visualizations shown of the existing property, the formerly proposed site, as well as a similar site that the applicant will model this subdivision after. A potential rendering is shared as well that is being considered by the applicant. There is a proposed walking path as well as access to an existing township park. The applicant will have to create an HOA to take over snow removal, landscaping, etc. Under the former proposal there would be a chance of a mature tree line removal, however, with this proposal there is more of a chance to save them.

Mr. Beil asks for comments from the Planning Commission. Mr. Hammer questions the number of homes in the model that was shared. There are 3 homes to a cluster in that one, but this is offering a 4-home cluster. Per the applicant, based on their sales research, the 4-home cluster sizing works better in our area. Mr. Beil is concerned about the density of the number of homes proposed. His suggestion would be twin homes as opposed to townhomes. The applicant team feels that if it were to be twin homes, this would not be a feasible product. The applicant will look at a possibility of a 3-home cluster and the possibility of changing a grouping as well as the landscaping plans. This will also accommodate the existing home community and their privacy.

Mr. Barrett gives his opinion from a real estate sales perspective regarding the size of the homes. Mr. Rust discusses the storm water basin and maintenance of this. The HOA would take over the maintenance of this, which would bring benefit to the township.

The applicant team is looking for direction on how many homes in a cluster would be more acceptable for the commission. The chance of twin homes is not feasible for them, but they are willing to look at other possible configurations.

Mr. Beil opens the floor to public comment. Ira Lehrich, owner of Indian Creek Self Storage questions the location of the sewer line in order to possibly obtain connection for his property. He requests that it is a requirement for the developer to have connection in the street for this ability. Mark Lichtenwalner of 4939 Indian Creek Rd. has a concern of the density increase on the property. Katherine Lichtenwalner of 4939 Indian Creek Rd. has a concern like the previous speaker of density as well as traffic. The Lichtenwalner's preserved their farm to promote open space and this will take away from that. The applicant states that this plan does have more open space than the last plan they had offered. Charles Hunsicker of 3380 Macungie Rd. states his concerns over the traffic at Indian Creek Rd. and Brookside Rd. and the number of cars that this subdivision will bring. Charlie Harris of 3412 Macungie Rd. thanks the commission for their comments so far. He has concerns over the traffic and density as well. Xavier Faura of 3429 Watermill Dr. states his concerns over the density of this proposal as well as the traffic on the roads. Gregory Hilt of 3403 Watermill Dr. asks for more information on the zoning variance that would be needed in order for the townhomes to be constructed in this area. Steve Palmer of 3415 Watermill Dr. shares his concerns over the density as well as his concerns over the saving of the tree lines. Dan Allen of 3263 Watermill Dr. states his concerns over the density as well as of his feelings of townhomes not fitting in the area and that the Watermill development will lose their view of the open space. He also questions the sewer and water line extensions and the rates that will occur. Comments from the Zoom forum are read regarding concerns over the proposed subdivision and the wanting to preserve the property. Debbie McConnell of 3391 Watermill Dr. states that the tree line is on private property and not the proposed property. Concerns over traffic, flooding, and over population are read from the Zoom forum.

Mr. Beil states that this property will more than likely be developed, and that the Planning Commission is trying to get the best development that they can. The township does not have the budget to buy every open property for preservation. It would not be realistic to expect for this to happen. The options that are preferential to the commission are the 3-home clusters, twin carriage homes, and a striking of 16 of the homes to make more open space. Further discussion is held on the previous plans that have been submitted compared to the present submission.

Mr. Beil calls for any other public comment. Charles Hunsicker comes for further comment on the development. He states that he understands that this will be developed but he feels that there should be emphasis on the rulings of the property and what it can become. More comments from the Zoom forum are read regarding the water run-off.

No action is required as this was just a sketch plan.

Buckeye Macungie Terminal Solar Project- Conditional Use Plan

Mr. Jones states that this project is at the Buckeye Tank Field to build a solar field. Due to several easements and the creek area, there are some significant setbacks that are required under the zoning ordinance for environmental protection purposes. In the center of the project there is a sinkhole that turned into a wetland that will require setbacks as well. There is a proposed transformer station as well as the solar panel field. The area will be fenced in for security purposes. This is allowed under a conditional use under the zoning ordinance. From a planning perspective

Mr. Jones feels that this is a cut and dry plan. It is recommended that the fence that is installed is to be black mesh vinyl fencing and the possibility of flowering areas be under the solar arrays.

Mr. Cisak states that there are only a few items to discuss. There is discussion over the access for and the types of roads that will be used for Emergency Services. Impervious surface will not include the solar panels as there will be ground cover beneath them. Paved roads and pads for transformers will count and the engineers would like to see where the storm management will be.

In attendance from the applicant team are Atty. Erich Schock, Justin Manchester Buckeye Partners.

The applicant team states that they will be fine with the fencing and that there will be further discussion regarding the ground cover landscaping. All of the surrounding properties belong to Buckeye; however, they are all separate entities therefore there is not a lot consolidation being considered. A joint venture partnership may be looked into in order to have a better look at the ling setbacks between each lot.

Mr. Beil questions if a waterline had been run through the property due to previous concerns from the Fire Department. The applicant states that this will be addressed on this plan and they have a meeting set with the fire department to address their concerns. Discussion is held on the amount of power that the system will produce. The system will power the grid for distribution and not power the pipeline system. Discussion is held on the occurrence of the system going down and not working properly. The applicant states that there are processes in place to be sure that the field will continue to work properly. Discussion was held on the existing sinkhole, the team states that there has been a study on it and would like to discuss setback relief for more arrays in the area.

The applicant is looking for the Planning Commission to make a recommendation to the Board of Commissioners on the conditional use application. They are aware that they would address the zoning issues as well.

Mr. Beil opens the floor to public comment. A question is asked via Zoom as to how the panels are shut down in case of fire. The applicant states that each string in each array can be shut off or the entire panel.

A motion to recommend to the board of commissioners the approval of the conditional use was made by Mr. Hammer based upon the stated conditions.

A second was made by Ms. Miller.

No further comment.

Motion carries 6-0.

One Year Zoning Lookback- Review of Correspondence

5254 & 5244 Lower Macungie Road request from "S" Zone to "ETV3" Zone.

Bennett Renda, owner of the above stated properties as well as the Brookside Deli/Shell Station is requesting that the zoning of the properties be changed from "S" to "ETV3". Mr. Renda states that his property at the corner of Brookside Rd and Lower Macungie Rd. is currently "ETV3" but his neighboring properties are zoned as "S". He does not currently have a plan as to what he wants to do currently with those properties, but he would like the opportunity to more with them in the future by rezoning them.

From a planning perspective, Mr. Jones states that if they were to be rezoned, there would have to be caution of zoning creep moving from lot to lot. The "ETV3" zone was not meant to follow down the road. The original intent of "ETV3" when it was established was to keep it as it currently stands.

Discussion was held with the commission members as to the "ETV3" village concept and adding more properties into it. The current structures on these two properties are single family dwelling rentals. There could be potential zoning issues such as parking problems for these current lots.

The applicant states that with the 2019 rezoning, one of his properties was zoned "ETV3" as well as other surrounding properties, but his residential properties were zoned as "S". Attorney Brooman asks the applicant if what he is asking for is to have his properties rezoned and the applicant agrees that this is what he is asking for.

Mr. Jones explains the process as to what will happen moving forward with this request. A recommendation will not be made at this meeting, but it will be taken under advisement to look at with the rest of the lookback. Attorney Brooman states that this request will now be added to the lookback and the applicant will be given an answer as an estimate within 90-120 days.

The applicant states his understanding and thanks the commission for their time.

Liberty Lane Zone Change Request to allow for attached Single Family Homes (Townhomes)

This request is to rezone the property at 4950 Liberty Lane from "S" to "U" to allow for the development of townhomes. The rezoning of "U" is based on the recommendations of Mr. Jones and Mr. Best.

From the applicant team are Jeff Fleischaker and Jason Buchta.

The property is in the area of Liberty Ln. and Brookside Rd. Rezoning to the "U" district would allow for a higher density of residential units. The urban zone is currently across the street from this parcel. Per the Zoning Officer, there would be other parcels that front onto Brookside Rd. to change to "U" as well to create a transitional section. The parcel currently exists as an empty parking lot.

The applicant states that the townhomes in the area are non-conforming uses. They are requesting to conform the use in the "U" zone to afford the ability for the project. The applicant states that at one point this lot was an accessory parking lot that is no longer required by zoning, and is sitting empty. The proposal would be for 12 townhomes with an accessory garage. Attached townhomes are currently not allowed in the "S" zone. The intent of the townhomes would be to be comparable in size with the current townhomes in the area.

There will be no decision made at this time, but it will be looked at further at a later time.

The applicant thanks the commission for their time.

Department Report

Mr. Jones states that there is no report at this time. There will be no July workshop meeting. No workshop meeting in August as well. The next regular meeting will be held August 10th, and depending on the load of applicants it may be two meetings.

There being no further business, a motion was made by Mr. Hammer, second by Mr. Barrett, all in favor, the meeting was adjourned at 9:14 p.m.

Respectfully submitted,
Kimberly Boyer, Permit Clerk
Lower Macungie Township