

**EAST ALLEN TOWNSHIP
PLANNING COMMISSION
November 5, 2009**

CALL TO ORDER

The recorded meeting was called to order 7:43PM by J. Eberts who led the pledge of allegiance.

ROLL CALL

Commissioners present were C. Milot, absent. T. Shehab, D. Miller, J. Eberts. Others present were Township Engineer, J. Roethke, Township Solicitor, J. Leeson. Recording Secretary, Jenny Snyder.

APPROVAL OF MINUTES

MOTION made by D. Miller to approve the October 1, 2009 meeting minutes. Seconded by J. Eberts. Vote: T. Shehab, abstained; D. Miller, yes; J. Eberts, yes. TWO IN FAVOR. MOTION CARRIED.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS:

Farmhouse Mews Preliminary/Final Plan – 2/28/2010

MOTION made by J. Eberts to table Farmhouse Mews Preliminary/Final Plan until the December 3, 2009 meeting. Seconded by D. Miller. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

King's Acres Self Storage Land Development – 02/28/2010

MOTION made by J. Eberts to table King's Acres Self Storage Land Development until the December 3, 2009 meeting. Seconded by T. Shehab. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

Storm Water Management LOT 10 Preliminary/Final Plan – 12/31/2009

MOTION made by J. Eberts to table Storm Water Management LOT 10 Preliminary/Final Plan until the December 3, 2009 meeting. Seconded by D. Miller. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

Paul and Phyllis Pagel Final Plan – 12/01/2009

MOTION made by D. Miller to recommend denial of Paul and Phyllis Pagel Final Plan unless an extension is received prior to November 12, 2009 due to outstanding conditions from Hanover Engineering's letter dated September 28, 2009. Seconded by T. Shehab. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

Culpepper Ridge Conditional Use #2009-02 – 12/31/2009

MOTION made by J. Eberts to table Culpepper Ridge Conditional Use #2009-02 until the board receives withdrawal letter from applicant. Seconded by T. Shehab. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

NEW BUSINESS

Lehigh-Northampton Airport Authority Lot Consolidation Plan – 01/09/2009

Joseph Civitella of McTish, Kunkel & Associates representing the applicant explained the plan. Applicant submitted a lot consolidation plan that proposes to consolidate thirty-eight (38) tracts of land located within five (5) different Municipalities into one (1) single overall parcel of approximately one thousand one hundred forty four (1,144) acres, exclusive of road right-of-

way. The portion of the site that is in East Allen Township is located along both sides of Weaversville Road, extending north from the vicinity of North Halbea Street. There are no proposed improvements, and not looking to do anything to the properties. J. Civitella explained this plan is more for record keeping. A year and a half ago they did this. This will make it easier for the Authority to report to the County for tax purposes or to the FAA for funding they can give a few sheets of paper instead of stacks of paper of what they own. D. Miller asked since this will be one parcel, will it be sectioned by road ways at points. It is up to what the individual municipality wants. J. Roethke commented on road right of ways. J. Leeson suggested having a note on the plan that the applicant agrees, that if at any time in the future the Township requests either a simple conveyance or right of way conveyance along all the public roads. That the applicant agrees on a conveyance of one dollar (\$1.00) amount. That way the Township does not have to take now, but if it is ever needed in the future. J. Civitella asked if J. Leeson would send him the specific language in which they would like it written. D. Miller mentioned Lehigh Valley Planning Commission was favorable on this plan. J. Eberts asked if there will be a continuous deed written up. J. Civitella answered yes. J. Eberts also asked if it would be proper note on the deed to refer to the recorded plan for easements in East Allen Township. The applicant has two municipality approvals already, and two municipalities tabled the plan. J. Eberts asked what the waivers were. J. Civitella explained the waivers were the plan scale, existing and man-made features, contours, the scale, etc.

MOTION made by D. Miller to recommend waiver requests as requested by Lehigh-Northampton Airport Authority relative to item numbers 2, 5, 7, 9, & 10 on Hanover Engineering's review letter dated October 28, 2009. Seconded by J. Eberts. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

MOTION made by J. Eberts to table Lehigh-Northampton Airport Authority Lot Consolidation Plan until the December 3, 2009 meeting. Seconded by D. Miller. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

King's Acres Self Storage Petition to Amend Zoning #2009-02

Abraham Atiyeh was representing himself. He explained the Board of Supervisors rezoned the parcel to Light Industrial Business Park and the neighboring property owner appealed this and it was zoned back to Agricultural Rural Residential. A. Atiyeh explained the rezoning to PC-2 that was done across the street at Amore Farms. A. Atiyeh knows that the site is contaminated with arsenic, and not suitable for Residential or Agricultural (farming) either. A. Atiyeh is looking for the Planning Commission to recommend rezoning the property to PC-2 like Amore's property. D. Miller asked if PC-2 allows the Self-Storage, it does not. A. Atiyeh explained he would like to bring a tenant in there that will be productive in the Township. D. Miller said down the road they will have to look into buffering. J. Roethke mentioned with any rezoning, it is good to look at the Comprehensive Plan and the neighborhood instead of one property. D. Miller explained with the history and the arsenic on the property he doesn't want to see anything residential. J. Eberts questioned if the planning commission should make another motion to have the Board of Supervisors look at the continuation of the PC-1 and PC-2 district along Route 512. D. Miller agreed. D. Miller mentioned all properties that front on Route 512, south to the Hanover Township border. Depth to be determined. The retail commercial frontage mixed with higher density. Discussion ensued on the continuation of Planned Commercial Zoning. J. Leeson requested that the Planning Commission send a memo to the Board of Supervisors indicating that in response to the Township Managers' memo dated September 25, 2009. The Planning Commission is not recommending PC (Planned Commercial) zoning amendments for other properties along Route 512 at this time. The Planning Commission will be reviewing this over the next few months, and will be submitting something in 2010. MOTION made by J. Eberts to recommend the approval of King's Acres Self Storage Petition to Amend Zoning #2009-02 rezoned as PC-2, since it is not favorable for residential use. Seconded by D. Miller. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

Review Conservation Zoning District Guidelines

D. Miller mentioned East Allen Township is more rural, graduate size of building for side of lot. J. Roethke was wondering how agricultural buildings would be handled, there is no blanket or exception for agricultural buildings. J. Eberts mentioned if the property is twenty-five (25) acres, what size an average pole building would be on that type of property than come up with a square foot. D. Miller commented that property owners could get a variance, if a larger building is needed. J. Leeson went over current ordinance, accessory buildings on J. Roethke's transmittal letter dated October 28, 2009. An accessory building larger than 144 square feet, shall not exceed fifty percent (50%) of the floor area of the principle building. For example, if someone has a larger house, five thousand (5,000) square feet, the accessory building can exceed 2,500 square feet. But if more, than the township will be lowering their current standards. The reason for this review was a suggestion on a rural property and conservation zoning district that we should be allowing more than less. J. Eberts suggested the township just keep what they have, if it's over a certain acreage it should not be allowed to exceed a certain square footage then. Discussion ensued on acreage and square footage. J. Leeson suggested finding out what will remedy the one property in question, keep the ordinance that already exists, and get background on Stoudt's Zoning Hearing file for an example. Then come back and discuss how to remedy this. In the example of the Stoudt property he has an accessory building to store equipment necessary for use to maintain his property. MOTION made by J. Eberts to recommend any parcel in any zoning district, all parcels that exceed fifteen (15) acres in size be permitted accessory use. The residential buildings will up to a maximum of three thousand (3,000) square feet, with the height that shall not exceed twenty (25) feet. Seconded by D. Miller. Vote: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.

CORRESPONDENCE

City of Bethlehem – Public Water Service District

J. Roethke explained the City initiated this last year. The City is looking to expand their water customer base/service and asked if the Township was interested in this. There were a couple meetings with the Township Supervisors, Hanover Engineering, East Allen Township Municipal Authority and the City Of Bethlehem. East Allen Township Municipal Authority applied for loans and grants but that is very competitive, and hard to come by. The City of Bethlehem would like to do business in East Allen Township. J. Eberts asked if Bethlehem would have a better chance of getting those grants. J. Roethke said he does not know. J. Leeson mentioned the City's argument is that it can render water service on a large scale and take advantage of having a bigger system and staff, which will provide lower costs to residents. J. Leeson believes that J. Birdsall's comments in letter are directed to be worth considering. J. Roethke commented that a lot of the small water systems are pretty well removed from existing City water lines. Whether the City would end, or have to extend water service to them will happen when financially feasible. J. Roethke believes the Water Authority has operated each of those systems as a separate financial entity. That it is not fair to have different residents paying for other areas water. J. Leeson mentioned the City of Bethlehem is regulated by the PAC and has to charge the same rate to all customers. J. Eberts believes the City may not go for this idea because they may not be able to take responsibility to have clean water. J. Roethke handed out maps of Bethlehem Water Service for review by Planning Commission. Discussion ensued on City of Bethlehem Water Service. D. Miller question is there is a meeting set up. The meeting is scheduled for December 9, 2009 at 7:30PM.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

MOTION made by J. Eberts to adjourn the meeting at 9:11PM. Seconded by D. Miller. VOTE: T. Shehab, yes; D. Miller, yes; J. Eberts, yes. THREE IN FAVOR. MOTION CARRIED.