



UPPER MACUNGIE TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES

September 18, 2024

I. CALL TO ORDER/PLEDGE TO THE FLAG:

Meeting called to order at 7:00 PM by Vice-Chairman Paul McNemar and asked all present to join him in the Pledge of Allegiance to the Flag of the United States of America.

MEMBERS PRESENT: Paul McNemar, Vice-Chairman; Chris Walls, Secretary; Timothy Helmer; Ray Boronyak, and Haikeem Nelson, Members. Absent – Charles Deprill, Chairman.

STAFF PRESENT: Kalman Sostarecz, Asst. Township Manager/Director of Community Development; Meredith Keller, Township Planner; Dave Alban, Township Engineer; Jonathan Kiechel, Keystone Consulting Engineers; Andrew Schantz, Township Solicitor.

II. MINUTES

Secretary Walls moved to approve the meeting minutes of August 21, 2024. Seconded by Commissioner Nelson. The motion passed 4-0. Commissioner Boronyak abstained.

III. ADDITIONS/DELETIONS TO AGENDA

Mr. Sostarecz asked whether Vice-Chairman McNemar would prefer to rearrange the order of the two plan reviews, since the vice-chairman would need to recuse himself from one of the reviews. Vice-Chairman McNemar opted to keep the reviews in the order identified on the agenda.

IV. MPC TIMELINE REVIEW

Vice-Chairman McNemar noted that all extensions have been granted and confirmed that no additional action was needed.

V. PRESENTATIONS

A. Simone-Collins Presentation: Parks, Recreation, and Open Space Plan.

Anita Nardone of Simone-Collins presented an overview of the plan, providing information on the project scope, project timeline, reconnaissance work, public opinion survey, and work to be completed. Vice-Chairman McNemar proffered a few corrections to the amenities listed under Russet Park and Kay Brook Swim Club.

VI. WAIVER REQUESTS

A. Docket #2299 – Hidden Meadows Phase 3, Waiver Request, 600 Wereley Road – a waiver request for T.I.C.S. 22-611.11-A and 22-611.11-g to allow the applicant to proof roll the subgrade immediately before installing stone and asphalt in the roadways, instead of installing stone backfill 180 days prior to the permanent bituminous base course or pavement as required by the SALDO.

Steve Lampmann of Sal Lapio Homes and Macungie Property LLC represented the application. Mr. Lampmann stated that he agrees to the conditions presented in the engineer's review letter, noting that the road will be private. Mr. Alban remarked that he has no issues with the waiver request, since the applicant agrees to the conditions included in the letter.

Motion by Commissioner Boronyak to recommend that Docket #2299, Hidden Meadows Phase 3, 600 Wereley Road, Waiver Request, be approved, conditioned on the comments of the Township Engineer's review letter dated September 13, 2024, with the additional condition that the applicant provide an 18-month maintenance bond or maintenance security with the proposed HOA. Seconded by Secretary Walls. The motion passed unanimously (5-0).

B. Docket #2084A – Lehigh Hills Phase 2, Waiver Request, 1670 PA Route 100 – a waiver request for SALDO Section §22-704.2.D to allow the applicant to eliminate curbing along a portion of Nursery Street. The applicant

proposes to collect stormwater runoff from the roadway by installing several inlets within the right-of-way and lot line utility easements.

Brent Tucker of the Pidcock Company represented the application. Mr. Alban stated that he reviewed the revised plan with staff and Public Works and that all parties are in support of the waiver.

Motion by Vice-Chairman McNemar to recommend that Docket #2084A, Lehigh Hills Phase 2, 1670 PA Route 100, Waiver Request, be approved, conditioned upon the Township Engineer's review letter. Seconded by Commissioner Helmer. The motion passed unanimously (5-0).

VII. PLAN REVIEW

- A. Docket #2347 – 110 PA Route 100 Warehouse, Preliminary Land Development, 110 PA Route 100 –** The applicant is proposing the construction of a 150,400 square foot warehouse building and associated site improvements including parking and stormwater facilities. The project is located within the Township's LI – Light Industrial Zoning District.

Vice-Chairman McNemar recused, owing to his involvement with the developer in a project in another municipality. He remarked that he would continue to chair the meeting but would not participate in the discussion or vote.

Jennifer Guckin of Prologis and Rick Roseberry, P.E. of Colliers, represented the application. Ms. Guckin stated that she is in agreement and will comply with all conditions in the review letters. She noted that according to the engineer's review letter, the waiver would not be necessary.

Mr. Alban commented that the plans propose to install a pathway along Route 100 and Schantz Road, adding that the Vision Zero Action Plan (VZAP) identifies the Schantz Road frontage as an area for a sidepath, which is 10- to 14-feet wide. He contended that a path of that width may not be appropriate for that location, noting that the ordinance requires either sidewalk or a 6-foot bituminous path. He clarified that the requirements are stipulated by the ordinance and that the township could request but not require that the applicant provide the path as recommended in the VZAP.

Mr. Roseberry responded that the stormwater design has been completed and that he has submitted for the NPDES permit. At a minimum, he continued, the plan could be designed to allow for the necessary easements so that a widening of the sidewalk could be considered in the future. The Planning Commission discussed whether to request that the applicant to show the easements for the wider sidepath, but determined that it cannot be required but would be at the applicant's discretion.

Mr. Roseberry requested to withdraw the waiver request.

Motion by Commissioner Helmer to recommend that Docket #2347, 110 PA Route 100 Warehouse, 110 PA Route 100, Preliminary Land Development Plan, be approved, conditioned on the comments of the staff and Township Engineer's review letters, with the comment that the applicant withdrew Waiver Request #1. Seconded by Secretary Walls. The motion passed unanimously (4-0).

- B. Docket #2334 BlueTriton Semi-Trailer Entrance, 405 Nestle Way, Preliminary/Final Land Development –** the application is proposing modifications to the access road around the site. Improvements on the site include widening of internal roadways, reconfiguring internal traffic patterns, and improving an abandoned roadway (*Previously Fogel Road*). The project is located within the Township's LI – Light Industrial Zoning District.

Patrick Boggs, P.E. of GHD, and Brent Clay of BlueTriton Brands represented the application. Mr. Boggs explained that the northern end of the property has a rail line and right-of-way which limits the ability to install sidewalks. He asked whether a waiver would be needed for that location. Vice-Chairman McNemar responded that a deferral should be requested.

Vice-Chairman McNemar stated that the Vision Zero Action Plan (VZAP) proposes a sidepath of 10- to 14-feet along Nestle Way, adding that the sidepath is a recommendation rather than a requirement, though the Vision Zero recommendations are a pending ordinance change. He asked for the applicant's cooperation and noted that the goal of the VZAP is to increase pedestrian walkability and connectivity. He then questioned whether a sidewalk connection could be included at the adjacent parcel where the right turn lane is proposed, adding that it would eliminate the gap created between the bridge and the remainder of the sidepath network. He then asked whether the adjacent parcel should be included in the land development application. Mr. Schantz responded that the land development is occurring on the main parcel and that the adjacent parcel is subject only to road improvements and is not part of the application.

Mr. Boggs expressed concerns over the addition of sidewalk at the adjacent parcel, which is not included in the main development, and noted that he would anticipate issues related to the additional impervious cover. He then argued against including a 10-foot-wide sidepath also because of issues related to stormwater requirements. He then contended that retaining the trees at the adjacent parcel is challenging, owing to the proximity of the stormwater basin and wetlands. Secretary Walls suggested moving the trees to another area of the site. Vice-Chairman McNemar asked that the applicant provide proof that the trees cannot fit on the slope of the basin.

The applicant and Planning Commission discussed the possibility of recommending the plan for preliminary approval. Mr. Sostarecz asked Mr. Boggs if he would be able to comply with all comments in the review letters, and Mr. Boggs affirmed that he could. The Planning Commission discussed whether the waiver requests could be addressed during the review of the final plan and whether action would need to be taken on the current waiver request. Mr. Schantz advised that the Planning Commission act on the waiver request, even if by tabling it. Vice-Chairman McNemar stated his concern that in approving the preliminary plan, the applicant would not need to install sidewalk at the north end of the property or the adjacent parcel. Mr. Schantz noted that the staff and engineer's letters include comments on extending the sidewalk to the northern property line.

Motion by Secretary Walls to recommend that Docket #2334, BlueTriton Semi-Trailer Entrance, 405 Nestle Way, Preliminary Land Development Plan, be approved, conditioned on the comments of the staff and Township Engineer's review letters, with the applicant to provide evidence that sidewalks cannot be installed at the northern rail crossing, and that Waiver Request #1 be tabled. Seconded by Commissioner Helmer. The motion passed by a vote of 4-1. Vice-Chairman McNemar dissented.

Mr. Boggs asked for clarification on the approval timeline. The Planning Commission and staff explained the timelines and approval process, noting that the soonest the applicant could receive preliminary approval by the Board of Supervisors would be November and that a final land development application could not be submitted prior to preliminary approval. Staff further clarified that a preliminary/final application could potentially allow for approval by the Board one month sooner than separate preliminary and final application approvals. Mr. Boggs requested that the Planning Commission reconsider the preliminary/final application and table it to allow him to address the outstanding comments and submit the application for the November Planning Commission meeting.

Motion by Vice-Chairman McNemar to reopen the record on Docket #2334, BlueTriton Semi-Trailer Entrance, 405 Nestle Way, Preliminary/Final Land Development Plan and reconsider the previously acted-upon motion. Seconded by Commissioner Helmer. The motion passed unanimously (5-0).

Motion by Vice-Chairman McNemar to table Docket #2334, BlueTriton Semi-Trailer Entrance, 405 Nestle Way, Preliminary/Final Land Development Plan, with the applicant to address the staff and Township Engineer's review letters and the Planning Commission's comments concerning the sidepath and connection between the southern driveway and bridge. Seconded by Secretary Walls. The motion passed unanimously (5-0).

VIII. OTHER BUSINESS

IX. PUBLIC COMMENT

There was no additional public comment.

X. ADJOURNMENT

Secretary Walls moved to adjourn the meeting at 8:02 p.m. Seconded by Commissioner Nelson. The motion passed unanimously (5-0).