

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION  
LEHIGH COUNTY, PENNSYLVANIA  
MONDAY, JULY 12, 2021  
REGULAR MEETING MINUTES**

Members Present: Gail Linde, Lois Gadek, Ellen Koplin, Cathleen Bannon, John Harbove and Kara Stever.

Others Present: Zac Sivertsen (Township Solicitor), Emily Fucci (Zoning Officer) and 5 members of the public.

1. The meeting was called to order at approximately 6:35PM
2. All stood for Pledge of Allegiance
3. Review and Approve Minutes of the June 7, 2021 Planning Commission Meeting.

A. Gadek noted that she had found a few minor typos in the minutes.

1. **Motion** by Harbove to approve the June 7, 2021 minutes with the minor correction of typographical errors as submitted by Gadek. **Seconded** by Bannon. **Carried unanimously.**

4. Spurlock Subdivision – Preliminary Plan Submitted April 7, 2021. Expires August 1, 2021. Action Due: July 12, 2021. Owner/Developer: John W. and Lisa L. Spurlock. The property consists of 19.0180 acres and is located in the Rural Residential-2 (RR-2) district at 2797 Church View Road. Proposed two (2) lot subdivision, creating a 14.8336-acre lot (lot 1A) and a 4.1844-acre lot (lot 1B).

A. Gadek announced receipt of the July 2, 2021 letter from Barry Isett and Associates, Inc, requesting a 90-day extension for action on the Spurlock SD.

1. **Motion** by Linde to accept the 90-day extension on the Spurlock Subdivision, extending the expiration date for action due from August 1, 2021 to October 30, 2021. **Seconded** by Stever. **Carried unanimously.**

5. Review and Recommendation to the Board of Supervisors for Conditional Use Application CU-1-21, requesting conditional use approval for a landscape service yard and a multi-use development at 6348 Hoffman Lane

A. Discussion was held on why the conditional use application was before the PC, as it was reviewed during the May 2021 meeting. Art Swallow, Plan engineer, stated that he had created a site plan to supplement the application and address the concerns previously expressed by the PC.

B. Sal Rizzuto III, the applicant of CU-1-21, testified that he operates Allscape Services, utilizing about 1,500 square feet of the property for the storage of materials and vehicles. All uses associated with the landscape business are located outside of the floodplain, as

delineated on the site plan. Rizzuto III stated that no hazardous chemicals are stored on the property, nor are they used in his general business operation. Rizzuto III stated that employees arrive at the property at approximately 8:00AM to 9:00AM and prepare for the day, returning around 4:00PM to 5:00PM. The employees do not utilize the property aside from staging for the work day.

C. Koplín informed the PC that the Yandle property, also located on Hoffman Lane, operates a similar landscaping business. Koplín thought that a landscaping business was not an unusual use for the Village Center zoning district.

D. Rizzuto III clarified that no trucks requiring a CDL are used in his business and all traffic generated from the business comes from light-weight trucks.

E. Gadek asked if Allscape has any plans to expand their business. Rizzuto III responded that he is not interested in making any large additions to the business and would be agreeable to requesting additional relief if the business changes in the future.

F. Bannon asked if the business operates seasonably. Rizzuto III responded that Allscape operates from spring through fall, with very little activity in the winter.

G. Siversten asked the PC if they would like to make a recommendation to the Board of Supervisors, as allowed for in the Township Zoning Ordinance.

1. Gadek stated that she is comfortable with a favorable recommendation based on the applicant's detailed site plan, the absence of hazardous chemicals on the property, the consistency of the business with the VC zoning district and Rizzuto III's statements that the business does not plan to expand the operation substantially.

2. **Motion** by Stever to make a favorable recommendation for the approval of conditional use application CU-1-21, requesting a conditional use for a landscape service yard and multi-use development, from the Board of Supervisors.

**Seconded** by Linde. **5 ayes and 1 abstention.** Koplín, who sits on the Board of Supervisors, did not take part in the vote.

6. Zapach Subdivision – Final Plan. Submitted February 26, 2021. Extension of time granted without expiration. Owner: Lois and Theodore Zapach. Developer/Equitable Owner: SJC Development Group, Inc. The property consists of 32.13 acres and is located in the Village Center (VC) district along Hoffman Lane and Limeport Pike. Proposed two (2) lot subdivision, creating a 17.39-acre lot (lot 1) and a 14.73-acre lot (lot 2).

A. Fucci provided the PC with an update on the zoning violations on the property. Fucci and Strothers recently visited the property and found that all illegal uses have been removed from the property, with the exception of the landscape service yard, which is pending conditional use approval.

B. Strothers stated that she had received a revised copy of the Zapach SD plans and informally reviewed them. The plans were not submitted in enough time to generate a

formal review letter to the PC, but Strothers had found that the plans appeared to adequately meet all comments stated in her March 15, 2021, review letter. Strothers stated the only outstanding items she found during her review were the payment of the sewer tapping fees and an action on the deferment of streetscapes and sidewalks.

C. **Motion** by Koplin to grant Conditional Final Plan approval of the Zapach Subdivision with the following conditions:

- Streetscaping and the installation of sidewalks is deferred and to be considered at a future time at which the Limeport Commons Land Development Plan is submitted.
- A letter of adequacy is received from Cowan Associates, Inc stating that all corrections, as noted in the March 15, 2021, review letter have been addressed.
- A letter from the Zoning Officer is received stating that all previously noted zoning use violations have been removed and corrected.
- Conditional Use approval is obtained for the landscape service yard.
- The sewer connection tapping fees are paid.

**Seconded by Bannon. Carried unanimously.**

7. LVPC Correspondence – 118 North 2nd Street – Subdivision, Emmaus Borough, Lehigh County

A. Gadek announced receipt of the June 24, 2021 letter. No comments received from the PC.

8. Planning Commission Letter of Interest from John Bannon

- A. Gadek announced receipt of the letter of interest and summarized its contents.
- B. Discussion was held amongst the PC on if a conflict of interest exists between having a husband and wife on the same board.

9. Planning Commission Letter of Interest from Philip Wright

- A. Gadek announced receipt of the letter of interest and summarized its contents.
- B. Discussion was held amongst the PC on if a conflict of interest exists between having a son appointed to the PC while the mother is a elected official.
- C. Gadek suggested that the PC may want to request that an alternate seat is created, as two candidates have applied to the vacancy.

10. Public Comments

A. Lowell Linde asked if the interested residents should be interviewed by the PC prior to their appointment. Gadek requested that both applicants are invited to attend the August meeting and hold a brief interview.

11. Adjourn Meeting

A. **Motion** by Bannon to adjourn the meeting. **Seconded** by Gadek. **Carried unanimously**. Meeting adjourned at 7:50PM.

Respectfully Submitted,



Emily A. Fucci  
Lower Milford Township  
Planning Commission Secretary

APPROVED