

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION  
LEHIGH COUNTY, PENNSYLVANIA  
MONDAY, FEBRUARY 7, 2022  
REGULAR MEETING MINUTES**

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

Others Present: Emily Fucci (Zoning Officer/Planning Administrator), Mark Cappuccio (Township Solicitor), Cheryleen Strothers (Township Engineer) and four members of the public.

1. The meeting was called to order at approximately 6:33PM
2. All stood for Pledge of Allegiance
3. Review and Approve Minutes of the January 10, 2022 Planning Commission Meeting.

A. **Motion** by Harbove to approve the January 10, 2022 meeting minutes as presented.  
**Seconded** by C. Bannon. **Carried unanimously.**

4. Urffer/Bales Sketch Lot Line Change Plan— Submitted on December 27, 2021. Owners: Matthew Urffer and Jessica Bales. Property consisting of 54.3 acres at 8568 Shupps Lane in the Agricultural Conservation District. Proposing to transfer 11.4 acres from Lot 1, owned by Urffer and Bales and currently sized at 54.3 acres, to Lot 2, owned by Ash Tree Farms, LLC and currently sized at 33.86 acres. The resulting change will create Lot 1 as 42.9 acres and Lot 2 as 45.3 acres. No development is proposed.

A. Jeffrey Wert, Plan engineer, introduced the plan to the Planning Commission (PC). Wert stated that the Plan proposes for 11 acres to be transferred between property owners. The transfer will relocate the existing poultry buildings onto one parcel and eliminate the nonconforming setback that currently exists to adjacent property lines. The Plan will not create any change to the existing agriculture and no development is proposed. Wert advised that the property is under Act 319 and that the property owners have already discussed the Plan with the County. Wert referenced his December 20, 2021 waiver request letter, which will be discussed in more depth by Strothers.

B. Gadek announced the January 20, 2022 review letter from the Lehigh Valley Planning Commission, which stated the Plan is not a matter of regional concern and is generally consistent with the Future LV regional plan.

C. Gadek announced the January 27, 2022 review letter from John Kortvely, Township Sewage Enforcement Officer. Strothers read the letter aloud. Kortvely stated that a non-building lot planning waiver may be applied for on the agricultural piece and that the lot with the residence should have a replacement site tested for. Strothers advised this was up to the PC and not generally waived, but it is not critical to have a replacement site tested for on a lot over 40 acres.

D. Koplin asked for confirmation that the other adjacent Ash Tree Farm lots were not under the same deeds. Wert confirmed all parcels were under different deeds. Koplin noted that the application was only signed by one property owner and will need the signature of both parties.

E. Strothers read the January 25, 2022 Cowan Associates, Inc review letter aloud. Discussion was generated on the following:

1. Strothers stated the ultimate right-of-way needs to be established and shown on the plans, even if not taken for dedication by the Township. Koplin compared the request to what was previously done on the Gehman SD. Strothers stated that an estimated right-of-way taken from the road centerline would be sufficient.

2. Koplin asked if there was a reason why the plan was submitted as a sketch plan. Wert responded that he likes to be safe with a review of any plans before they are submitted for a preliminary or final plan. Koplin advised that the application be amended as a preliminary/final so it can be moved through the process. Wert will resubmit the plans with all required changes.

3. Strothers asked for the PC to provide a consensus on the requested waivers, since the PC cannot take a motion on the waivers for a sketch plan.

a. The PC provided a consensus that they would not object to the granting of waivers to Section 402.A.1 regarding the scale of the Plan, due to the acreage of the parcels, and the items listed under Article V including curbs, sidewalks and trails with the request that the items be broken into separate waiver requests on the future submission.

b. The requested waiver for Section 401.B.7e regarding submission of a site capacity calculations cannot be granted by the PC, as it is a requirement of the Zoning Ordinance.

c. The requested waiver for Sections 401.B.10, submission of an ERSAP plan and Section 600, stormwater management, are not applicable to the lot line change plan and a waiver from the PC is not necessary.

5. Wert requested what wording is required by the Township for the signature blocks. Strothers will provide him with the language. Wert asked if the waivers are required to be written on the plan. Strothers responded that it is a requirement of the Subdivision and Land Development Ordinance.

F. Koplin asked if there was an easement for the high-tension lines. Strothers requested a copy of the PPL easement to review and verify if there are any additional requirements.

#### 5. LVPC Correspondence – Nonnemacher – Subdivision – Emmaus, Lehigh County

A. Gadek announced receipt of the January 26, 2022 letter. No comments received from the PC at this time.

6. Discussion on the Creation of an Alternate Planning Commission Member

A. Discussion was held on the creation of an alternate planning commission seat. Harbove expressed his opinion that it could be beneficial to have an alternate member. Koplin advised the PC on the requirements of creating the position under the MPC. Gadek thought that an alternate member would need to attend all meetings to stay up to date. J. Bannon agreed that they wouldn't be able to accept just anybody and the person would need to be informed and up to date. Koplin stated that it could be beneficial if something happens to an existing member, then the alternate would be able to immediately step in to fill the empty seat.

B. Gadek requested that if a person is interested, they should submit a letter of interest to the Board of Supervisors that they would be interest in a seat if it becomes open and see where it will lead.

7. Discussion of Potential Zoning Ordinance Amendments – Zoning map amendment to the Village Center (VC) Zoning District

A. Fucci led the discussion amongst the PC members on the rezoning of a property on Blue Church Road from the RR-2 District to the VC District. The property, which is connected to the Limeport WWTP and contains two commercial businesses and apartments, appears to be literally “out out” from the VC district on the map. Fucci thought the property had potentially been left out of the VC district by mistake. Koplin suggested that Brandywine Conservancy be contacted to verify if the property was indeed left out by mistake.

B. The PC was in consensus that the proposed zoning map amendment to the VC district should be included in the zoning ordinance amendment.

8. Public Comments

A. None received.

9. Adjourn Meeting

A. **Motion** by C. Bannon to adjourn the meeting. **Seconded** by J. Bannon. **Carried unanimously**. Meeting adjourned at 8:00PM.

Respectfully Submitted,



Emily A. Fucci  
Lower Milford Township  
Planning Commission Secretary