

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION
LEHIGH COUNTY, PENNSYLVANIA
MONDAY, OCTOBER 4, 2021
REGULAR MEETING MINUTES**

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

Others Present: Emily Fucci (Zoning Officer/Planning Administrator), Mark Cappuccio (Township Solicitor) and 4 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 September 13, 2021 Planning Commission Meeting.

A. J. Bannon pointed out a small typographical error.

B. **Motion** by Harbove to approve the September 13, 2021 meeting minutes with the small correction. **Seconded** by Linde. **Carried unanimously.**

4. Spurlock Subdivision – Preliminary Plan. Submitted April 7, 2021. Expires October 30, 2021. Action Due: October 4, 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 September 28, 2021 letter from Barry Isett and Associates, Inc, requesting a 90-day extension for action on the Spurlock SD.

1. **Motion** by C. Bannon to accept the 90-day extension on the Spurlock Subdivision, extending the expiration date for action due from October 30, 2021 to January 28, 2022. **Seconded** by Harbove. **Carried unanimously.**

5. Review and Recommendation of Conditional Use Application CU-2-21 requesting vehicle repair or automotive services, specifically an automotive window tinting facility, at 6341 Hoffman Lane

A. Gadek announced that the Planning Commission (PC) had received in their packets a copy of the conditional use public notice, conditional use application, neighbor mailing list and a colored print of the property site plan. Fucci provided the PC with a general summary of the application and the PC's role in reviewing the application, per the Zoning Ordinance.

B. Cappuccio announced that Koplin will be recused of any vote and will not be taking part in the review of the application, as she sits on the Board of Supervisors and will hear the application at the October 7, 2021 hearing.

C. Chris McClean, attorney for the applicant, introduced the application and business operator, Travis Yohe. McLean clarified that the application does not include a body shop, painting, oil changes, the sale of gas or rental of vehicles. McLean briefly read through the list of regulations and requirements in the Zoning Ordinance for a vehicle service station.

D. Discussion was held amongst the PC members and specific questions were asked of the applicant on the business operation.

1. Harbove questioned where the discharge from the car washing goes. Yohe replied that a gutter brings the wastewater to the exterior of the building, where it discharges onto the pavement. The effluent does not enter the sewer system. Harbove raised concern with the contents of the effluent and the method of discharge.

2. J. Bannon questioned if respirators were used in any of the operations. Yohe stated that to the best of his knowledge, none of the products used require a respirator.

3. Gadek asked how the tinting film sticks to the windshield and what material it is made of.

E. Gadek questioned Sal Rizzuto, property owner, on how long the business had been in operation. Rizzuto stated that it had been in operation for a year, since September of 2020. Gadek asked why the business had begun operation prior to receiving approval from the Township. Rizzuto replied that he did not know the business needed approval.

F. Cappuccio suggested that the applicant may want to look at the previous conditional use decision for the property, as the building had been designated for the use of storage.

G. Discussion was held amongst the PC on making a recommendation of the business.

1. **Motion** by Harbove to forward the application to the Board of Supervisors, informing the Supervisors that it has been reviewed by the PC at length and they would not like to recommend the application at this time. The PC would like to advise the Board of Supervisors to look at the previous conditional use application for the property and take measures to ensure that the proposed use does not create an environmental hazard or violation with DEP on the effluent discharge.

Seconded by J. Bannon. **6 ayes. 1 recusal.** Motion carried.

6. LVPC Correspondence – Posh Properties (Daycare & Self-Storage Facility) – Lot Consolidation and Land Development – Lower Macungie Township, Lehigh County

A. Gadek announced receipt of the September 16, 2021 letter. No comments received from the PC at this time.

7. LVPC Correspondence – Liberty Bell Elementary School – Land Use Regional Significance – Borough of Coopersburg and Upper Saucon Township, Lehigh County

A. Gadek announced receipt of the September 29, 2021 letter. No comments received from the PC at this time.

8. Public Comments

A. None received.

9. Adjourn Meeting

A. **Motion** by C. Bannon to adjourn the meeting. **Seconded** by Stever. **Carried unanimously**. Meeting adjourned at 7:45PM.

Respectfully Submitted,



Emily A. Fucci
Lower Milford Township
Planning Commission Secretary

APPROVED