

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION
LEHIGH COUNTY, PENNSYLVANIA
MONDAY, JANUARY 11, 2021
REGULAR MEETING MINUTES**

Members Present: Gail Linde, Alicia Johnson, Lois Gadek, Ellen Koplín, Cathleen Bannon and John Harbove

Others Present: Mark Cappuccio (Township Solicitor), Cheryleen Strothers (Township Engineer), Emily Fucci (Zoning Officer) and 3 members of the public.

1. The meeting was called to order by Cappuccio at approximately 6:32PM.
2. All stood for Pledge of Allegiance.
3. Organize Commission

A. Cappuccio opened the Organization meeting and called for a temporary Chair.

Motion by Koplín to nominate Gadek as temporary Chair. **Seconded** by Johnson. **Carried unanimously.**

Motion by Johnson to nominate Fucci as temporary Secretary. **Seconded** by Gadek. **Carried unanimously.**

B. Gadek requested nominations for the 2021 Planning Commission Chair.

Motion by Koplín to nominate Gadek as Chair for 2021. **Seconded** by Linde. **Carried unanimously.**

C. Gadek requested nominations for the 2021 Planning Commission Vice-chair.

Motion by Koplín to nominate Bannon as Vice-chair for 2021. **Seconded** by Linde. **Carried unanimously.**

D. Gadek requested nominations for the 2021 Planning Commission Secretary.

Motion by Johnson to nominate Fucci as Secretary for 2021. **Seconded** by Koplín. **Carried unanimously.**

E. Harbove introduced himself to the Planning Commission (PC) members. Harbove was appointed at the 2021 Board of Supervisors (BOS) Organization meeting one week prior. Harbove is looking forward to being on the PC and expressed his interest in open space preservation and conservation.

4. Set Meeting Dates & Times for 2021

A. **Motion** by Johnson to set the PC meetings for the first Monday of every month, with

the meeting being moved to the second Monday of the month in the event of a holiday, beginning at 6:30PM. **Seconded** by Bannon. **Carried unanimously.**

2021 PC meeting dates are set as follows:

Monday, January 11, 2021
Monday, February 1, 2021
Monday, March 1, 2021
Monday, April 5, 2021
Monday, May 3, 2021
Monday, June 7, 2021
Monday, July 12, 2021
Monday, August 2, 2021
Monday, September 13, 2021
Monday, October 4, 2021
Monday, November 1, 2021
Monday, December 6, 2021

B. Motion by Johnson to set the Workshop meetings for the Third Monday of every month at 6:30PM, held as needed. **Seconded** by Koplin. **Carried unanimously.**

2021 PC Workshop meetings are set as follows:

January 18, 2021
February 15, 2021
March 15, 2021
April 19, 2021
May 17, 2021
June 21, 2021
July 19, 2021
August 16, 2021
September 20, 2021
October 18, 2021
November 15, 2021
December 20, 2021

Motion by Koplin to close the Organization meeting and open the Regular meeting. **Seconded** by Bannon. **Carried unanimously.**

5. Review and Approval of minutes from the December 7, 2020 Planning Commission Meeting.

A. Gadek requested that a change be made on page three, number 8 to add "curb" in front of the word "depression" to provide clarity.

Motion by Johnson to approve December 7, 2020 minutes as amended. **Seconded** by Bannon. **Carried unanimously.**

7. Zapach Subdivision – Extension of Time for Final Plan Submission Request.

A. Gadek announce the letter dated January 6, 2021, received from Arthur A. Swallow, to grant an extension of time from March 2, 2021 to March 2, 2022 for the applicant to make a Final Plan submission for the Zapach Subdivision.

Motion by Johnson to accept the letter from Arthur A. Swallow for an extension of one year on the Zapach Subdivision. **Seconded** by Koplín. **Carried unanimously.**

8. Gehman Subdivision (SD) – Preliminary/Final Plan submitted December 14, 2010. Expires April 11, 2021. Action Due: April 5, 2021. Owner: Gehman Family Corporation. Property consisting of 133.793 acres, located at 2072 Cassel Road in the Agricultural Conservation (AC) District. Proposed two (2) lot subdivision, creating a 132.667-acre lot (lot 1) and a 1.00-acre lot (lot 2).

A. Gadek announced the application for the Gehman Subdivision, which proposes subdividing a one-acre lot off an existing 133.793-acre parcel. Barry Gehman and Brent Gehman introduced themselves to the PC. Barry Gehman explained that his son, Brent, would like to build a home on the one-acre lot.

B. Koplín questioned the application, which is titled as a final plan application. The PC cannot approve a final plan without first approving the preliminary plan. Cappuccio asked the Gehmans if they would agree to amend the application to a preliminary plan application. Barry Gehman agreed to amend the application to a preliminary plan application.

C. Strothers read the January 4, 2021 Cowan Associates review letter aloud. Discussion was generated on the following:

1. Strothers explained the normal requirements for calculating site capacity involve conducting a physical analysis of the property, but the Gehman SD used a different approach and utilized a Web Soil Survey due to the size and lack of disturbance on lot 1. Strothers does not have a problem with the approach and found it to be adequate per Ordinance requirements.

2. Koplín clarified that the plan was being reviewed as a “Limited Agricultural Subdivision” and requested this be made clear on the plan by being list under the zoning data.

3. Discussion took place on the dedication of right-of-way for lot 1. The right-of-way for lot 1 was not shown on the plans. Koplín thought the Township may not wish to take dedication for lot 1 at this time. Gadek spoke on the PC’s intent to treat farming uses encouragingly. Cappuccio suggested that a partial waiver can be requested for the Township to only accept dedication of the right-of-way for lot 2. Koplín further suggested that if a partial wavier is granted, a note be added to the plan that any future SD would expect for the lot 1 right-of-way to be dedicated at that time. Strothers stated the plans would still need to show the right-of-way and suggested that in lieu of a survey, the right-of-way area be

calculated by referencing the property deed and aerials.

4. Strothers paused review of the January 4, 2021 Cowan letter to address the January 11, 2021 review letter from John Kortvely. Strothers read Kortvely's letter aloud and clarified the procedure the applicants must follow to submit the Sewage Facilities Planning Module to DEP.

5. Upon returning to the January 4, 2021 Cowan Associates review letter, discussion arose about the dedication of right-of-way for lot 2. The Gehmans will need to request a partial waiver on the submission of an opinion of title, as they will be required to submit an opinion of title for dedication of right-of-way for lot 2.

C. Plan engineer Jay Musselman was unable to attend the PC meeting. Strothers will contact him directly to discuss the amendments needed on the plan. Strothers is willing to review the second plan submission for the February PC meeting if the plans can be submitted by January 20, 2021.

Motion by Koplin to waive the requirement that a preliminary plan be submitted for review at least 28 days prior to a Planning Commission meeting to be placed on the agenda, per Lower Milford Township Subdivision and Land Development Ordinance Article III, Section 303, Subsection B5. **Seconded** by Harbove. **Carried unanimously.**

9. Planning Commission Letter of Interest – Kara Stever

A. Gadek announced a letter of interest was received from Township resident Kara Stever. Gadek complimented the letter as being sincerely written and in alignment with the Township's goals and ideals.

B. Stever spoke on how she believes being appointed to the PC will be a nice opportunity for her to get involved in the local community. Stever is not originally from the Township and has an appreciation of the its rural characteristics, and the convenience it offers through proximity to highways and surrounding towns.

C. Bannon asked what the next step will be for Stever to be appointed. Gadek informed the PC and Stever that her letter of interest will be put before the BOS for appointment at their next meeting.

10. Public Comments

A. Gadek informed the PC on a conversation she held with Lori Sickenberger, Chair of the Recreation and Open Space (R&O) Board, on the R&O Plan update. Sickenberger informed Gadek that the R&O Board was directed to update their plan by the BOS. The R&O Board does not have a clear grasp on what an update of the plan should entail and is requesting guidance from the PC. Koplin suggested the R&O Board go back before the BOS for direction on the plan update. Gadek does not want the PC to end up in

the middle of a disconnect between the BOS and R&O Board. Bannon thought that the PC should not be involved in the R&O plan update at all, especially if the R&O Board does not have an understanding on what they are doing.

11. Adjourn Meeting

Motion by Bannon to adjourn meeting. **Seconded** by Koplin. **Carried unanimously.**
Meeting adjourned at 8:30PM.

Respectfully Submitted,



Emily A. Fucci
Lower Milford Township
Planning Commission Secretary

APPROVED