

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION  
LEHIGH COUNTY, PENNSYLVANIA  
MONDAY, JUNE 6, 2022  
REGULAR MEETING MINUTES**

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

Others Present: Emily Fucci (Zoning Officer/Planning Administrator), Cheryleen Strothers (Township Engineer), Mark Cappuccio (Township Solicitor) and eighteen 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 May 2, 2022 Planning Commission Meeting.
  - A. **Motion** by C. Bannon to approve the May 2, 2022 meeting minutes as presented.  
**Seconded** by Stever. **Carried unanimously.**
4. Urffer/Bales Preliminary/Final Lot Line Change – Submitted April 26, 2022. Expires July 31, 2022. Action Due: July 11, 2022. Owners: Matthew Urffer and Jessica Bales. Lot 1 consisting of 54.3 acres at 8568 Shupps Lane in the Agricultural Conservation District. Proposing to transfer 11.4 acres from Lot 1 to Ash Tree Farms, LLC. The resulting change will create Lot 1 as 42.8 acres and Lot 2 as 45.31 acres. No development is proposed.
  - A. Gadek announced the application and the Planning Commission (PC)'s receipt of the following items for review:
    - Submission cover letter from Metz Engineers dated April 25, 2022
    - Final Plan Application
    - Preliminary/Final Plans
    - Waiver request letter from Metz Engineer dated April 25, 2022
    - Review letter from LVPC dated May 6, 2022
    - Cowan Associate's Review Letter dated May 17, 2022
    - Copy of Return Receipt from Neighboring Property Owners dated May 23, 2022
  - B. Strothers read the May 17, 2022 Cowan Associates, Inc review letter aloud. Strothers presented no objection to the waivers requested in Metz Engineers April 25, 2022 letter due to the minimal impact of the lot line change, the lack of proposed development and the Plan's consistency with the Township Ordinance.

D. **Motion** by Harbove to grant the following waivers due to the minimal impact of the Plan, its consistency with the Township Ordinance, the lack of development and the agricultural uses present on the property: Subdivision and Land Development Ordinance (SALDO) Section 402.A.1 regarding Plan scale, SALDO Section 402.B.21 regarding location of features within 100' feet of the site, SALDO Section 403.B.17 regarding listed of utilities, SALDO Section 403.B.18C regarding the submission of a landscape plan, SALDO Section 503.B3 regarding dedication of the ultimate right-of-way, SALDO Section 505 regarding curbs, SALDO Section 508 regarding sidewalks, SALDO section 509 regarding trails, SALDO Section 510.H.1 regarding a secondary sewer system, SALDO Section 513 regarding monuments, SALDO Section 518 regarding street trees and SALDO Section 300C regarding consideration of the plan as preliminary/final.

**Seconded** by C. Bannon. **Carried unanimously.**

E. Discussion was held on comment C.2 in the May 17, 2022 Cowan Associates, Inc review letter. Wert requested the PC waive the requirement to submit a non-building lot plan waiver. Strothers clarified it is not the Township's purview to waive a DEP requirement.

F. Strothers stated that the only outstanding items are minor plan revisions, and she has no objection to a conditional approval.

G. **Motion** by J. Bannon to grant conditional final approval of the Urffer/Bales LLC with the condition that compliance is achieved with the May 17, 2022 Cowan Associates, Inc review letter comments C.2 through 5. **Seconded** by Koplín. **Carried unanimously.**

5. Limeport Commons Preliminary Land Development Plan. Submitted August 13, 2021. Expires June 7, 2022. Action Due: June 6, 2022. Owner: Theodore and Lois Zapach. Developer: SJC Development Group, Inc. Property consisting of 17.3954 acres located along Hoffman Lane and Limeport Pike in the Village Center zoning district. Proposed 24 residential units with private road access.

A. Gadek announced the PC's receipt of a transmittal letter from Arthur A. Swallow Associates, Inc dated May 9, 2022 with land development design drawings, post-construction stormwater management drawings and reports and a Cowan Associates, Inc review letter dated May 27, 2022.

B. Strothers read the May 27, 2022 review letter aloud. Discussion was generated on the following:

1. Strothers confirmed that all required conditional use approvals were granted by the Board of Supervisors and a decision had been issued.

2. Discussion was held on the outstanding stormwater management comments, noting that the LVPC has yet to approve Act 167 compliance. Swallow stated once the LVPC review is complete, submission of the NPDES permit will be made to the Lehigh County Conservation District.

3. Koplin questioned the status of the potential purchase of a small piece of land that could be utilized to correct the Hoffman Lane and Limeport Pike intersection to the requests of PennDOT. Swallow stated they were contacting the estate that owns the property but have not secured the land.

4. Swallow advised the HOA agreement has been drafted and will be submitted to the Township for review once complete.

5. Gadek questioned how the stormwater infiltration works. Swallow provided an explanation of the spray irrigation and discharge into rain gardens.

C. Swallow requested conditional preliminary plan approval. Discussion followed.

D. Swallow presented an extension, dated June 6, 2022, granting an extension of time until August 1, 2022. **Motion** by Harbove to accept the developer's extension of time until August 1, 2022. **Seconded** by C. Bannon. **Carried unanimously.**

6. 1200 Beverly Hills Road Preliminary Plan. Submitted October 27, 2021. Expires September 30, 2022. Action Due: September 12, 2022. Owner: Julie Tostevin and Maryann Godshall. Developer: Mar Mar Builders. Property consisting of 64.06 acres located at 1200 Beverly Hills Road in the Rural Residential-2 (RR-2) zoning district. Proposed 19 residential lots and 3 open space lots.

A. Ed Murphy, representative of Mar Mar Builders and Mark Havers, Plan engineer, presented the PC with a draft design to address the development's access point on Beverly Hills Road and the preservation of the original homestead. Murphy provided background on the difficulties with PennDOT for the site distance at the previously proposed drive and the rationale for proposing an extension of Primrose Lane. Murphy also provided information on the decision to increase the lot with the homestead to five acres.

1. Koplin suggested that the homestead lot is left at a large enough size to permit livestock.

3. Strothers agrees with PennDOT's opinion that an access point on Beverly Hills Road is a dangerous access point.

4. Koplin requested that the location of the access drives be staked out for visual reference.

5. The PC generally agreed that traffic should be kept away from Beverly Hills Road, however expressed concerns with potential negative impacts of increased traffic on Primrose Lane and other local roads.

D. Two residents expressed concerns on the extension of Primrose Lane and the impacts on the Tara Lee Estates.

7. Ordinance No. 139 Authorizing the Planning Commission to update the Recreation and Open Space Plan and Make Recommendations concerning Recreation and Open Space

A. Gadek announced receipt of Ordinance No. 139. A brief discussion was held on the transfer of recreation and open space duties to the PC.

8. Review of Proposed Update to Upper Saucon Township Comprehensive Recreation and Open Space Plan

A. Gadek announced receipt of the May 5, 2022 letter from Upper Saucon Township. The PC had trouble viewing the Plan on Upper Saucon's website. Fucci will distribute the Plan in a different format and review will take place at a future meeting.

9. Public Comment

A. None received.

10. Adjourn Meeting

A. **Motion** by C. Bannon adjourn the meeting. **Seconded** by Harbove. **Carried unanimously.** Meeting adjourned at 9:21PM.

Respectfully Submitted,



Emily A. Fucci  
Lower Milford Township  
Planning Commission Secretary