

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION  
LEHIGH COUNTY, PENNSYLVANIA  
MONDAY, DECEMBER 2, 2024  
REGULAR MEETING MINUTES**

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

Others Present: Mark Cappuccio (Solicitor), Emily Fucci (Zoning Officer/Planning Administrator), Michael Smith (Township Engineer) and 8 members of the public.

1. The meeting was called to order at approximately 6:38PM by Gadek.
2. All stood for Pledge of Allegiance.
3. Review and Approve Minutes of the November 4, 2024 Regular Planning Commission (PC) Meeting.

A. **Motion** by Stever to approve the minutes as presented. **Seconded** by Harbove and **unanimously approved**.

4. Geryville Materials, Inc. – Final Land Development plan submitted July 1, 2015. Expires December 31, 2024. Action Due: December 2, 2024. Equitable owner: Geryville Materials. Property consists of 628.482 acres located along King’s Highway, West Mill and Buhman Roads in the Agricultural Conservation Zoning District (formerly Agricultural-Rural Zoning District).

A. Gadek announced receipt of the November 19, 2024 extension request letter from Stephen Harris on behalf of Geryville Materials for an extension of time until June 30, 2025.

1. **Motion** by J. Bannon to accept the developer’s extension of time until June 30, 2025. **Seconded** by C. Bannon and **unanimously approved**.

5. 1200 Beverly Hills Road Preliminary Plan. Submitted October 27, 2021. Expires December 15, 2024. Action Due: December 2, 2024. Owner: 1200 Beverly Hills, LLC. 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 4 open space lots.

A. Gadek announced receipt of the November 22, 2024 extension request letter from Begley, Carlin & Mandio, LLP submitted on behalf of Mar Mar Builders for an extension of time until March 2, 2024. Gadek noted that the request contains a typo and should be for March 2, 2025. Cappuccio requested Fucci contact the applicant about the mistake.

1. **Motion** by Harbove to accept the developer’s extension of time until the corrected date of March 2, 2025. **Seconded** by J. Bannon and **unanimously approved**.

6. 6341 Hoffman Lane Land Development Plan. Submitted October 19, 2022. Expires December 2, 2024. Action Due: December 2, 2024. Owner: S.J.C. Development Group, LLC. Property consisting of 1.5 acres located at 6341 Hoffman Lane in the Village Center zoning district. Plans

presented for review of modifications present on the property that were completed without prior approval and differ from approved Village Center Subdivision Plan of June 17, 2005.

A. Mike Smith read through the November 27, 2024 Cowan Associates, In review letter and discussion was held.

1. Houston confirmed he will make the plan revisions listed under comments 1 and 2.
2. Smith advised that the plans do not comply with the requirements of Ordinance No. 131. Koplin asked if the plan qualified under Act 167 and Smith responded it does. Smith commented that not enough information was received for the stormwater review. Koplin commented that the plans must be submitted to the Lehigh Valley Planning Commission (LVPC) for review. Houston stated the plans were submitted to the Lehigh County Conservation District (LCCD) in the prior week. Discussion was held on the length of time that will be needed for the LCCD to review the plans.
3. Smith stated that the plans now comply with the vegetation standards. Koplin asked if lighting was shown on the plans, and Smith responded that isometric lines were included on page 5. Houston stated they will replace all existing lighting and put up new lighting that complies with the Zoning Ordinance (“Ordinance”).
4. Houston confirmed they will be updating the note on the plan regarding the waiver for the traffic impact study. Koplin questioned if the waiver was granted when Rizzuto had stated building 3 would remain as a storage use or after he stated he would like to move in future tenants. Discussion was held on the impact of the future uses and deliveries on the property and surrounding area. Rizzuto stated it will remain as only storage for “right now” and he will come in for any future changes of use.
5. Smith stated that the existing and proposed monumentation on the plans do not comply with the Ordinance, which requires concrete monumentation. Houston responded that the pins set for the 2005 Village Center plan are still in place today. Discussion was held on what types of pins are appropriate at the site and if the current pins can be replaced with concrete. Gadek asked Houston if the purpose of the pins is understood. Houston stated his professional opinion was that the existing pins are adequate and he cannot legally remove pins set by a different surveyor. Gadek asked if Smith found the pins acceptable, and Smith responded he is not a professional licensed surveyor and would typically have qualified staff at Cowan review but the Plans were not submitted in enough time.
6. Koplin noted the loading zone was located in the right-of-way for Hoffman Lane and must be relocated. Fucci read the applicable section of the Ordinance aloud.

7. Deschler presented a waiver request dated December 2, 2024 for Subdivision and Land Development Ordinance (“SALDO”) sections 513.A,E and G requiring concrete monumentation. Deschler justified the waiver request by stating that steel pins are already in existence at the required locations and the steel pins meet the intent of the SALDO. Deschler further stated the removal of the pins would present a hardship to remove and relocate, as Houston will be unable to legally remove them. Discussion was held on the types of survey pins typically used and the benefits of concrete monumentation over iron pins.

A. **Motion** by Harbove to waive SALDO Sections 513.A, E., and G requiring monumentation be placed over and in replacement of the existing steel pins based on the legality of removing pins and because the steel pins are a sufficient substitution and meet the intent of the Ordinance. **Seconded** by Bannon and **unanimously approved**.

8. Deschler stated they will comply with the establishment of an Improvements and Financial Security agreement.

9. Stever questioned if a resolution was found to the loading zone. Koplin responded that it needs to be relocated. Houston will revise the plans to show an appropriate location. Harbove questioned what would happen to the Plans if approved by the PC, but changes are required by the LVPC or LCCD. Discussion was held on how the PC would be unable to amend the plans for outside agency changes once they grant approval. Rizzuto suggested asking the Judge for more time. Houston thought that was not necessary. C. Bannon stated she was not comfortable with conditional approval. Stever agreed.

10. Cappuccio called for a recess in the meeting to allow him to individually poll the Board of Supervisors.

11. Cappuccio announced that the Board of Supervisors are agreeable to an extension in front of the Judge to allow for additional time for the PC to approve the Plans. Stever questioned when an update would be received next regarding the LCCD approval, LVPC approval and loading zone.

12. Smith revisited the September 25, 2024 Cowan Associates, Inc review letter to confirm what items have been addressed and are still outstanding. J. Bannon asked if a title report was received and Houston replied that it was received and showed a new PPL easement, which is now marked on the plans

13. Houston stated all LCCD and LVPC reviews will be forwarded to Fucci, so the PC can be made aware. Discussion was held and an agreement was reached that an extension would be granted until May 5, 2025 and a progress report would be held in March 2025.

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14. **Motion** by Stever to accept the developer's extension of time until May 5, 2025. **Seconded** by C. Bannon and **unanimously approved**.


7. Public Comment

A. Gadek wished Koplin an early Happy Birthday. Koplin noted that Gadek's birthday is also in December.

8. Adjourn Meeting

A. **Motion** by C. Bannon to adjourn the meeting. **Seconded** by Stever and **unanimously approved**. Meeting adjourned at approximately 9:05PM.

Respectfully Submitted,



Emily A. Fucci  
Lower Milford Township  
Planning Commission Secretary

APPROVED