

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION  
LEHIGH COUNTY, PENNSYLVANIA  
MONDAY, JULY 1, 2024  
REGULAR MEETING MINUTES**

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

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

1. The meeting was called to order at approximately 6:35PM by Gadek.
2. All stood for Pledge of Allegiance
3. Review and Approve Minutes of the June 3, 2024 Planning Commission (PC) Meeting.
  - A. **Motion** by C. Bannon to approve the June 3, 2024 meeting minutes as presented.  
**Seconded** by Linde. **Carried unanimously.**
6. 6341 Hoffman Lane Land Development Plan. Submitted October 19, 2022. Expires August 5, 2024. Action Due: August 5, 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. Cappuccio provided the PC with an update on the pending litigation affecting the property. Cappuccio explained the Court ordered a resubmission of the plans and additional time was requested with a stipulation agreement, requiring plans to be submitted for review at the July 1, 2024 Planning Commission and action due at the August 5, 2024 meeting.
  - B. Matt Deschler, attorney for the application, presented the PC with a waiver request letter dated July 1, 2024, to supplement their submission dated June 5, 2024. Deschler stated that each waiver request had the same rationale and explained his position that the requested waiver items not applicable to the site because the buildings were previously in existence on the 2005 Village Center Subdivision Plan. Cappuccio provided a definition of land development plan and explained how the changes that had been made to the site constitute as land development. Koplin commented on the number of commercial uses that had been added to the site since the prior plan approval.
  - C. Smith read the June 12, 2024 Cowan Associates Zoning Ordinance review letter aloud and discussion was held on the following:
    1. Koplin questioned if the maximum impervious from the 1997 Ordinance or 2009 Ordinance should be followed. Cappuccio confirmed the impervious coverage should be brought into compliance with what was presented on the Village Center subdivision plan.

2. J. Bannon questioned the presence of RV campers parked on the property. Rizzuto confirmed he will be removing the campers once review of the land development plan is complete.

3. Koplin stated that parking within the right of way on Hoffman Lane must be removed, including the pavement. Houston commented that the pavement is currently proposed to be left, with only markings removed. Koplin stated the presence of pavement creates an enforcement issue for parking within the right of way. Houston thought the occupying tenant should be responsible for enforcing. Fucci provided copies of the Village Center subdivision plan, which show the area as being grass. Houston stated they can remove the pavement and restore it to grass, but requested they can leave an ADA accessible route. Stever questioned if the ADA accessible route must also be the shortest route, based on the proposed length route from the parking spot to the entrance. Smith replied that it must be the most accessible, not the shortest.

4. Koplin commented that the occupants of building 2 may not be in compliance with the conditions set forth in their prior special exception. Fucci will pull a copy of the decision for review.

5. Houston stated they did not have time to address lighting on the plan and that doing so would take at least six months. Koplin asked if there was any way to show lighting to some degree on the plan. J. Bannon commented on the nuisance created by the lights to the surrounding area. Deschler stated he did not think lighting fell under land development. Cappuccio and Smith confirmed that lighting is part of land development and must be shown.

6. Gadek suggested utilizing the July 15, 2024 workshop meeting to discuss the various waiver requests, as the applicant did not provide satisfactory reasoning for why the PC should grant each request. Houston agreed a revised waiver request list can be prepared for July 15<sup>th</sup>.

7. Cappuccio commented that an extension from the Court may be needed to act on the plans, provided that certain items cannot be done in time. Cappuccio and Deschler will discuss a new stipulation agreement following the meeting.

8. Koplin questioned the comments contained in the letter on the sewer and reiterated that the use of porta potties is not permitted. Rizzuto questioned why porta potties cannot be used and why the tenants cannot share the existing bathroom. Smith stated that each tenant must have its own facility. The PC was in agreement that porta potties are not acceptable. Cappuccio and Smith confirmed that each tenant needs a bathroom connected to the Limeport WWTP.

9. Houston commented that building plan violation plans are outside of the scope of expertise of his office and have not been submitted due to a lack of time.

D. Smith read the June 12, 2024 Cowan Associates SALDO review letter aloud and discussion was held on the following:

1. Gadek requested all waiver request items be skipped, as they will be reviewed on July 15<sup>th</sup> with updated rationale from the applicant.

2. Smith confirmed there is no easement for the second grinder pump on the property as it was installed without Township approval. Smith recommended a private locator company may be used to find the location of the line. Smith confirmed specifications on the line must be provided, but the Township will not take ownership.

3. Smith asked if the grease trap was installed in building 3. Rizzuto stated the grease trap will not be needed once the tenant, Black Glass Tinting, leaves. Koplín stated it needs to be removed or capped if the use is to be restored to storage. Smith commented that the drain running along the front of the building collects stormwater and sends it to the basin across Dekrane Drive. Smith noted that the drain can still collect debris, materials and chemicals from the storage uses and requires either a snout or separator. Smith confirmed this is a DEP regulation and cannot be waived by the Township.

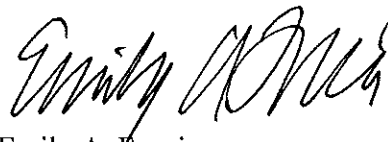
8. Public Comment

A. None received

11. Adjourn Meeting

A. **Motion** by J. Bannon to adjourn the meeting. **Seconded** by C. Bannon. **Carried unanimously**. Meeting adjourned at approximately 9:08PM.

Respectfully Submitted,



Emily A. Fucci  
Lower Milford Township  
Planning Commission Secretary