

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION  
LEHIGH COUNTY, PENNSYLVANIA  
MONDAY, DECEMBER 6, 2021  
REGULAR MEETING MINUTES**

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

Others Present: Emily Fucci (Zoning Officer/Planning Administrator), Mark Eastburn (Township Solicitor), Cheryleen Strothers (Township Engineer) and thirty two members of the public.

1. The meeting was called to order at approximately 6:38PM
2. All stood for Pledge of Allegiance
3. Review and Approve Minutes of the November 1, 2021 Planning Commission Meeting.

A. **Motion** by Stever to approve the November 1, 2021 meeting minutes as presented.  
**Seconded** by Linde. **Carried unanimously.**

4. Limeport Commons Preliminary Land Development Plan. Submitted August 13, 2021. Expires December 12, 2021. Action Due: December 6, 2021. 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 Planning Commission (PC) had received the September 21, 2021 Hydrogeological Report from V.F. Britton. Strothers provided an overview of the letter, stating that the hydrogeological study "appears complete and technically sound" and there will be no adverse impacts of surrounding wells.

B. Gadek announced the PC had received the November 8, 2021 submission from Arthur A. Swallow Associates, which including an appeal for a cul-de-sac. A November 30, 2021 review letter was issued from Cowan Associates in response to the submission.

C. Strothers read the November 30, 2021 review letter form Cowan Associates, Inc aloud. Discussion was generated on the following:

1. Swallow explained his rationale for the appeal to the PC for a cul-de-sac, stating a cul-de-sac is the only viable way to serve the proposed dwellings. Swallow requested input from the Lower Milford Township Fire Company on the design, although not required by the SALDO, and will be complying with their request to eliminate the planting in the center of the cul-de-sac.

a. Koplin suggested that the proposed emergency access lane extending from the cul-de-sac onto Limeport Pike become a through street, alleviating traffic at Hoffman Lane and shortening the length of the cul-de-sac. Koplin thought this could create better traffic flow. Swallow stated it was not an unreasonable proposal and would investigate the possibility.

2. Strothers clarified that a Phase I Archaeological Study cannot be required by the Township. However, should any artifacts be discovered on the site, work will be required to stop, and the PA State Historical Preservation Office will be notified.

3. Strothers suggested, in lieu of asking for a waiver on the submission of an Environmental Impact Assessment, an outline of all reports already completed is put together into a comprehensive report. Swallow expressed that he could reiterate and summarize the reports, as requested by Strothers.

4. Stever questioned the possibility of a sinkhole opening at some point in the future. Koplín asked if a “hold harmless” agreement for the development could be created for the Township. Eastburn advised this is something the Township can discuss.

5. Swallow stated that he felt he had a solid understanding to move forward with revised plans and begin the process for a conditional use application, resubmission of the Act 165 plans to the LVPC and begin discussions with PennDOT on the access lane.

**D. Motion** by Harbove to accept the developer’s extension of time, dated November 29, 2021, extending expiration from December 12, 2021 until March 8, 2022. **Seconded** by Koplín. **Carried unanimously.**

5. Spurlock Subdivision 1B– Preliminary Plan. Submitted April 7, 2021. Expires January 28, 2022. Action Due: January 10, 2022. 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. Gadé announced that the PC had received a request from Barry Issett and Associates to table the discussion of the Spurlock Subdivision until the January 10, 2022 meeting. No further discussion was held.

6. 1200 Beverly Hills Road Preliminary Plan. Submitted October 27, 2021. Expires January 30, 2022. Action Due: January 10, 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. Gadé announced the new preliminary plan submission of 1200 Beverly Hills Road and requested the developer introduce the plan. Ed Murphy of Mar Mar Builders and Mark Havers of Pickering, Cortis and Summerson were present. Following the review of a sketch plan in 2020, Mar Mar has submitted a preliminary plan application with consideration to the comments made on the project during the sketch plan submission. The Plan proposes 18 new single-family homes, in addition to the single existing residence, with open space parcels. The open space parcels would provide walking trails. Murphy provided an overview of the Plan design to the PC.

B. Gadek inquired as to who would be maintaining the proposed open space. Havers replied that either the Township or a HOA will maintain the space, with the PC having the option to choose.

C. Murphy stated that he was comfortable without the Cowan review letter being read aloud. Murphy believed time would be better served by waiting until the plans were revised and submitted for a second review, due to the extensive number of technical comments made in Cowan's review letter. Strothers was unable to make formal comments on several items in the plans due to the lacking first submission. Murphy stated that he was aware of the action due date and will be offering an extension of time in January 2022.

D. Koplin commented on the lack of information included in the plan submission and the inability to perform a proper review.

E. Residents Beverly Rickles, Steve Cox, Jennifer Wilson, George Retseck, Brian Naisby, Elaine Perez and Darren Slattery provided an extensive presentation on various points of concern with the development including increased traffic, the impact on existing traffic patterns, the location of the proposed street on Beverly Hills Road and traffic hazards, the effect on stormwater runoff to neighboring properties, the present flooding issues along neighboring Tara Lee Estates, the potential use of the trails and open space creating a trespassing issue on neighboring farms, hydrogeological impacts on surrounding wells and the proposed homeowners' association.

a. Property co-owner Maryann Godshall provided information on three natural springs located on the property, in defense of concerns regarding the impact on surrounding wells.

*\*It is noted that all but one member of the public left the meeting after the review of 1200 Beverly Hills was completed.\**

#### 7. LVPC Correspondence – Emmaus Central Fire-Ambulance Station – Lot Line Adjustment – Emmaus Borough, Lehigh County

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

#### 8. LVPC Correspondence – Emmaus Hall and Police Station – Lot Consolidation – Emmaus Borough, Lehigh County

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

#### 9. LVPC Correspondence – Comprehensive Plan Update – Comprehensive Plan 2020 – Upper Saucon Township, Lehigh County 9. Public Comments

A. Gadek announced receipt of the November 10, 2021 letter. Gadek suggested that further discussion is held at the January 2022 meeting and that a response to Upper

Saucon Township is prepared, referencing the LVPC letter. Gadek requested any thoughts be sent to Fucci, to begin preparing a response letter.

10. Public Comments

A. Lowell Linde asked what a "PNDI" study was, having been referenced during the discussion for 1200 Beverly Hills Road. Strothers responded it stood for "Pennsylvania Natural Diversity Inventory".

11. Adjourn Meeting

A. **Motion** by Harbove to adjourn the meeting. **Seconded** by Steyer. **Carried unanimously.** Meeting adjourned at 9:07PM.

Respectfully Submitted,



Emily A. Fucci  
Lower Milford Township  
Planning Commission Secretary

APPROVED