

**LOWER MILFORD TOWNSHIP PLANNING COMMISSION  
LEHIGH COUNTY, PENNSYLVANIA  
MONDAY, APRIL 4, 2022  
REGULAR MEETING MINUTES**

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

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

1. The meeting was called to order at approximately 6:34PM

2. All stood for Pledge of Allegiance

3. Review and Approve Minutes of the March 7, 2022 Planning Commission Meeting.

A. **Motion** by Linde to approve the March 7, 2022 meeting minutes as presented.

**Seconded** by J. Bannon. **Carried unanimously.**

4. Geryville Materials, Inc. – Final Land Development plan submitted July 1, 2015. Expires April 30, 2022. Action Due April 4, 2022. 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 March 8, 2022 letter from Steve Harris for an extension of time until September 30, 2022.

1. **Motion** by C. Bannon to accept the developer’s extension of time until September 30, 2022. **Seconded** by Linde. **Carried unanimously.**

5. Limeport Commons Preliminary Land Development Plan. Submitted August 13, 2021. Expires March 8, 2022. Action Due: March 7, 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. Koplin questioned the design of the emergency access road, referencing a “loop road” design that was previously discussed. Koplin advised that the loop road would eliminate the need for a waiver on the cul-de-sac length. Art Swallow, plan engineer, responded that PennDOT reviewed the design and did not find it to be beneficial. Swallow provided reasoning for the waiver request, citing the allowable density in the Village Center zoning district.

B. Strothers announced that the Planning Commission (PC) had received for review from Arthur A. Swallow Associates, LLC a Response to Engineering, Zoning and Planning Comments letter dated March 4, 2022, a Waiver Request Updated letter dated March 4,

2022, an Environmental Impact Assessment Summary dated March 4, 2022 and a Preliminary/Final Plan set dated August 10, 2021 and last revised March 4, 2022.

C. Strothers read the March 23, 2022 Cowan Associates, Inc review letter aloud. Discussion was generated on the following:

1. The Township will need to determine if sidewalks are required on the opposite side of Hoffman Lane and Limeport Pike and if the streetscaping is adequate. Cappuccio clarified that the Board of Supervisors would make the determination but can utilize the PC's recommendation. The PC agreed that no additional sidewalks or streetscaping should be required.
2. Gadek questioned if SALDO comment 7 regarding the discovery of archaeological artifacts was enforced by "honor system" only. Strothers responded that inspectors will be on site, but it is ultimately the responsibility of the contractor to report anything found. Swallow added that a note is included on the plan about the archaeological features.
3. Strothers stated an Opinion of Title was to be submitted when determined necessary by the Solicitor. Koplin and Strothers advised an Opinion of Title was not previously required for sewer easements. Cappuccio questioned if an Opinion of Title was completed during the recent transfer of the land from its previous owners to SJC Hoffman Lane Holdings, LLC. Swallow replied that one had been completed and it will be submitted to Cappuccio to satisfy the requirement.
4. Koplin questioned if the property was in the Township's MS4 area. A blanket stormwater easement will be required for the Township to inspect the stormwater facilities. Cappuccio advised an Operations and Maintenance agreement will be needed with an attachment showing the stormwater facilities.
5. Strothers stated she had no issue with allowing street trees to be planted at 2.5" caliper due to a guarantee from the developer that they will be replaced if a problem arises. Discussion was held on the type of trees being planted and their hardiness. Gadek stated that she thinks the grouping of the trees will be attractive and that it would be visually pleasing to not have the trees directly across from one another on the roadway.
6. Koplin questioned how the well pumps will work and how electricity will be billed. Swallow replied that will be outlined in the Homeowner's Association agreement, which is being currently being crafted.
7. Swallow informed the PC that the Highway Occupancy Permit is in progress.
8. Strothers stated that the Environmental Impact Assessment report adequately meets the Ordinance's intent.

D. Strothers read the March 4, 2022 waiver request letter from Arthur A. Swallow Associates aloud.

1. **Motion** by C. Bannon to grant the requested waivers for Subdivision and Land Development Ordinance (SALDO) section 502.G.3, requiring a 5' radius at driveways, based on the Township engineer's opinion that it is not needed on the driveways, which have a flared, concrete apron;

SALDO section 503.A.11 requiring traffic calming measures, because the roadway will be a private dead-end of less than 1,000 feet with minimal traffic;

SALDO section 503.A.12 requiring acceleration and deceleration lanes off of Hoffman Lane, based on the conclusion of the submitted traffic study that states they are not required, the short distance between intersections and the low volume of vehicles on Hoffman Lane;

SALSO section 503.B.1, requiring a 50 foot street width right-of-way, based on the adequacy of the proposed 46 foot right-of-way which includes the cartway, sidewalk and street trees on the private street;

SALDO section 503.C.3, requiring a minimum street radius of 150 feet, based on the irregular configuration of the lot and low volume of traffic on the private street;

SALDO section 503.C.6, requiring a straight course of 100' at the intersection, based on the irregular shape of the lot, the low volume of traffic, the low speed of travel and the absence of a stacking issue at the intersection;

SALDO section 503.C.2a, requiring street trees planted 10-15 feet behind the right-of-way, based on the Township engineer's opinion that the placement meets the zoning ordinance intent and allows for the trees to line the street, rather than be located in yards; and

SALDO section 508.C.3a, requiring the minimum size of street trees to be 3.5" caliper, based on lack of availability of trees this size and the guarantee for the planting of a healthy 2-2.5" caliper trees.

**Seconded** by Koplín. **Carried unanimously.**

2. **Motion** by Stever to deny the waiver request for SALDO section 503.F.4, requiring cul-de-sacs serve a maximum of 15 dwellings, due to concerns with the availability of parking for the number of dwellings. **No second received.**

3. **Motion** by C. Bannon to grant the waiver request for SALDO section 503.F.4, requiring cul-de-sacs serve a maximum of 15 dwellings, based on the consideration that the cul-de-sac will serve 13 structures and that the proposed density is allowable within the Village Center zoning district. **Seconded** by J. Bannon. **5 ayes. 1 nay. Motion carried.**

E. Swallow requested the PC to consider granting Preliminary Plan approval. Strothers stated she was not comfortable with recommending a preliminary approval at this time. Discussion was held on the applicant's next submission.

F. Discussion returned to the Township's determination on whether the streetscape and sidewalks are adequate. Cappuccio requested the PC make an official motion for the Board of Supervisors to consider.

1. **Motion** by Koplin to recommend that sidewalks are not desirable on the opposite side of Hoffman Lane and Limeport Pike, noting that the applicant does not have control of the area outside of the right-of-way and there is no existing infrastructure to connect to. **Seconded** by Stever. **Carried unanimously.**

2. **Motion** by C. Bannon to recommend that no additional streetscape improvements be required, noting that additional streetscaping raises concern on future maintenance and provides no benefit to the Township. **Seconded** by Linde. **Carried unanimously.**

6. Review and Recommendation of Conditional Use Application CU-1-22, application of SJC Hoffman Lane Holdings, LLC for the Limeport Commons Land Development, requesting the conditional use approval of a multi-use development, the location of an access point located less than two hundred (200) feet from another access point along Hoffman Lane and parking in the front yard.

A. Fucci reiterated the role of the PC in reviewing the conditional use application and making a recommendation to the Board of Supervisors. Chris McLean, applicant attorney, provided an overview of the application.

B. J. Bannon questioned what the distance between access points was. McLean advised it was approximately 130 feet from the driveway on the same side of the road. McLean further explained that options to relocate the road had been considered, but would move it closer to the Limeport Pike intersection. Koplin stated that since the road was private, she found the distance to be adequate. Koplin stated that she will abstain from any motion, as she is a Supervisor.

C. Stever advised she would recommend the application, with the exception of the parking in the front yard, citing previously stated concerns on the availability of parking for the number of dwellings and the long-term aesthetic of the parking. Linde agreed with Stever.

D. **Motion** by J. Bannon to recommend the approval of the conditional use application to the Board of Supervisors. **Seconded** by C. Bannon. 2 ayes, 2 nays and 1 abstention. **Motion does not carry.**

E. Fucci will report to the BOS that the application was reviewed but no formal recommendation was made.

7. Public Comments

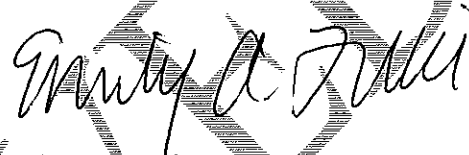
A. Koplín advised the PC that Board of Supervisors are going to be disbanding the Recreation and Open Space Board and assigning additional responsibilities to the PC.

B. Gadek reminded the PC members to submit their statements of financial interest to the Township Secretary by May 1, 2022.

10. Adjourn Meeting

A. **Motion** by Stever adjourn the meeting. **Seconded** by C. Bannon. **Carried unanimously**. Meeting adjourned at 9:09PM.

Respectfully Submitted,



Emily A. Fucci  
Lower Milford Township  
Planning Commission Secretary

APPROVED