

UPPER MILFORD TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
FOR MARCH 3, 2025 MEETING

Members Present: Anthony Koneski, Jr., Chairman; Matthew Hunter, Secretary; Ronald Guth; Angelika Forndran; Philip Hartranft; Ellen Larmer, Alternate Member; John Zgura, Alternate Member

Absent Members: Charles Peters, Jr., Vice Chairman; Luke Lichtenwalner

Also Present: Brian Miller, Planning Coordinator; Kyle Walbert, Office Assistant; Jeffrey Ott, Ott Consulting Engineers, Township Engineer; Eric Strauss, Planning Commission Solicitor; Cynthia Kuhns, Administrative Assistance

The Meeting was brought to order at 7:30 P.M.

Minutes

Planning Commission Meeting Minutes of February 3, 2025

Motion:

Angelika Forndran made the motion to approve the minutes as recorded. **Philip Hartranft** seconded the motion. All were in favor. No one opposed. **Anthony Koneski, Jr. and John Zgura** abstained from voting.

Time Extensions - None

Subdivision & Land Development

5330 Macungie Mountain Road, Jonathan David & Michelle H. Karmazyn Subdivision

- Plan dated 6/26/2024, latest revision 1/31/2025 from Authur A. Swallow & Associates
- Response letter dated 2/4/25 from Michael A. Houston, PLS
- Township Engineer Review letter dated 2/25/2025 from Jeff Ott, P.E.
- SALDO waiver request letter, to be supplied at the meeting
- DEP Planning Module Municipal Planning Agency Consistency Approval

Present was: Michael Houston, owner of AASA Land Surveyors

Michael Houston said that he is working for the property owner of 5330 Macungie Mountain Road. He said he developed the Plan that is before the Planning Commission which is for a 2-lot subdivision. He said that lot one of the 2-lot subdivision will consist of

26,200 acres and the newly created lot 2 will consist of 2.0 acres. He said that the property owner's son and his family live in the farm house located on lot 1 of the subdivision. He said his client wants to live closer to his son's family hence the reason for the subdivision. He said that they have received their Penn DOT Highway Occupancy Permit for the new lot. He said that they show the proposed stormwater on the Plan and have done all the necessary perc testing for a primary septic system and an alternate site for a septic system. He said he did not have any significant objections to the Ott Consulting review letter dated February 25, 2025.

Jeffrey Ott said that this is a pretty simple 2-lot minor subdivision. He said that the Planning Commission will need to discuss the right-of-way dedication along Macungie Mountain Road which is a State Route. He said in talking with Brian Miller earlier today, he indicated that the Township Board of Supervisors may not require dedication of the right-of-way along Macungie Mountain Road which makes sense. He said as a rule the Township does not want to accept dedication along a State Route as kind of a liability issue for the Township. He said that there was nothing major in his review letter dated February 25, 2025. He said that there is some coordination with the Lehigh County Conservation District. He said that there are some stormwater management comments in the letter, nothing really insurmountable though. This is a pretty run of the mill minor subdivision creating one new lot.

Michael Houston said he did not have time to prepare his waiver request letter prior to the meeting but said he will get a waiver request letter to the Township on Tuesday, March 4, 2025.

Brian Miller said that the Planning Commission could go through the Ott Consulting Review letter dated February 25, 2025 and Michael Houston could point out the items in the letter that he would be requesting waivers to.

Michael Houston said he would get the stormwater items that need to be addressed over to his stormwater engineer for him to clean up the items that need to be addressed. Otherwise, he had no major issues with the remainder of the Ott Consulting review letter dated February 25, 2025.

Jeffrey Ott said the applicant may wish to request a waiver to item 13, SALDO Article 8 regarding an Improvements Guarantee, Improvements Agreement, Performance Guarantee, and Maintenance Agreement.

Brian Miller said that the applicant can request a waiver to this item and this item could be tied into obtaining a Certificate of Occupancy Permit to occupy the newly constructed dwelling once it has been constructed.

Jeffrey Ott said the applicant could potentially request a waiver to item 16, SALDO 1004.C2 & 1004.F.1-2 & 1004.L & Zoning 405 regarding the right-of-way dedication.

Michael Houston said since it sounds like the Township does not particularly take dedication of the right-of-way along a State Route he would ask for a waiver to this item.

Brian Miller said that the Township has no interest in holding a right-of-way along a State Route. He said that there would be a 15-foot easement as shown on the Plan. There still would be a utilities easement along Macungie Mountain Road for utilities.

Jeffrey Ott said he felt that a waiver would be appropriate to item 17, SALDO 1004.E.1. which deals with a Highway Occupancy Permit through Penn DOT.

Michael Houston said that the Highway Occupancy Permit has already been obtained through Penn DOT.

Jeffrey Ott said that the applicant may wish to request a waiver to item 18, SALDO 1004.E.11 which deals with driveway radii requirements.

Jeffrey Ott said that the Stormwater Management section of the review letter just needs to be cleaned up and there is nothing significant that will cause any major problems.

Brian Miller said that the applicant may want to discuss a waiver to item 21, SALDO 1007 regarding recreation fees being required in-lieu of land.

Michael Houston said that he was told that lot one of the proposed subdivision is being considered for agricultural preservation. He asked if this would meet the requirement of item 21 instead of having to pay the recreation fee.

Brian Miller said the recreation fee would be for the new 2-acre lot not the existing lot. He said the question is if the remainder of the property is being preserved could that be considered acceptable for the recreation fee for lot 2. He said the applicant may want to ask the Board of Supervisors if they would accept the preservation of lot 1 rather than a recreation fee for lot 2. The recreation fee is \$3,150.00.

Michael Houston said he will request a waiver to item 21 and see what the Board of Supervisors have to say about that.

Brian Miller said he would need to check with the Township Solicitor regarding this and asked Solicitor Eric Strauss if he would want to discuss this with Township Solicitor Marc Fisher.

Brian Miller said if lot one is going to be preserved he did not see a need for perimeter easements on this lot. He said he did not see a need for perimeter easements on lot two either. He said the applicant could ask for a waiver to item 24, SALDO 1011.B.2. for the interior perimeter easements, but he would keep the 15-foot perimeter easements along Macungie Mountain Road.

Motion:

Anthony Koneski Jr., made the motion to recommend that the Board of Supervisors grant waivers to the following items listed in the Ott Engineering review letter dated February 25, 2025:

1. Item No. 13, SALDO Article 8
2. Item No. 16, SALDO 1004.C.2, 104.F.1.2, 1004.I and Zoning Section 405
3. Item No. 17, SALDO 104.E.1.
4. Item No. 18, SALDO 104.E.11
5. Item No. 21, SALDO 1007
6. Item No. 24, SALDO 1011.B.2

Matthew Hunter seconded the motion. All were in favor. No one opposed. **John Zgura** abstained from voting.

Brian Miller said he has the Planning Module which has been reviewed and found to be consistent with the Municipal Zoning Ordinance and Subdivision and Land Development Ordinance and the Planning Commission needs to acknowledge that this has been reviewed and send it to the Board of Supervisors for their approval so that he can send the Planning Module to Pennsylvania DEP.

Motion:

Angelika Forndran made the motion to recommend that the Planning Module be signed by the Sewage Enforcement Officer, Brian Miller, and the Zoning Officer, Alan Brokate and that the Board of Supervisors grant approval to send the Planning Module to Pennsylvania DEP for their approval. **Matthew Hunter** seconded the motion. All were in favor. No one opposed. **John Zgura** abstained from voting.

Motion:

Matthew Hunter made the motion to recommend that the Board of Supervisors grant Preliminary Final Plan approval for the minor subdivision at 5330 Macungie Mountain Road contingent upon all items in the Ott Consulting Engineers review letter dated February 25, 2025 be met and all outside agency approvals being received by the

Township and any and all fees being paid to the Township. **Ronald Guth** seconded the motion. All were in favor. No one opposed. **John Zgura** abstained from voting.

Other Business:

DCNR Grant Support Letter Request from Edward Carter, Upper Milford Township Manager

Kyle Walbert said the Township is requesting a letter of support for a DCNR Grant for phase 2 of the Lenape Park Playground Restoration project. He said that the Planning Commission provided a letter of support back in 2023 for a DCNR grant for phase 1 of the Lenape Park Playground Restoration project. He said that the Township was awarded the first DCNR grant in the amount of \$250,000 in 2023 for phase 1 of the Lenape Park Playground Restoration to demolish the tennis courts, basketball courts, and rebuild 2 basketball courts and 2 tennis courts and add 2 overlay pickle ball court on top of the 2 tennis courts. He said the Township must match the \$250,000 grant awarded by DCNR. He said that the Township received seven bids and hopes the Board of Supervisors will award the bid for Phase 1 of the project at their next Board of Supervisors meeting and hopes to have the project started within the next month of two and have it completed by July 31, 2025. Phase 2 of the project is to demolish and replace the playground equipment and add a small section of walking trail through the play area. Completing the walking trail will complete a ½ mile closed loop walking trail and safely move the walkers out of the parking lot. He said the Township is in the process of applying for a second \$250,000 grant from DCNR for phase 2 of the project, hence the need for a letter of support from the Planning Commission. He said it will take at least 2 years to complete the entire project. The playground and walking trail will be ADA accessible and is a requirement of the DCNR Grant. There will be some new shade trees, and some shrubbery plants put in as well.

Motion:

Anthony Koneski Jr. made the motion to have the Planning Commission write a letter of support for the Phase 2 DCNR Grant for the Lenape Park Playground Restoration project. **Matthew Hunter** seconded the motion. All were in favor. No one opposed. **John Zgura** abstained from voting.

Anthony Koneski Jr. announced that the next regularly scheduled meeting of the Upper Milford Township Planning Commission will be held on Monday, March 31, 2025 at 7:30 P.M. in the Upper Milford Township Building.

Adjournment:

Motion:

Matthew Hunter made the motion to adjourn the meeting. **Ronald Guth** seconded the motion. All were in favor. No one opposed.

Date _____

Anthony Koneski, Jr., Chairman