

UPPER MILFORD TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
FOR THE MARCH 4, 2024 MEETING

Members Present: Luke Lichtenwalner, Chairman; Anthony Koneski, Jr., Vice-Chairman; Charles Peters, Jr., Secretary; Ronald Guth; Philip Hartranft; Angelika Forndran; Ellen Larmer, Alternate Member; John Zgura, Alternate Member

Absent Member: Matthew Hunter

Also Present: Brian Miller, Planning Coordinator; Eric Strauss, Planning Commission Solicitor; Zachary Mitchell, Ott Consulting Engineers; Kyle Walbert, Office Assistant; Cynthia Kuhns, Administrative Assistant

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

Minutes

1. Meeting Minutes of January 29, 2024

Motion:

Angelika Forndran made the motion to approve the minutes as recorded. **Ellen Larmer** seconded the motion. All were in favor. No one opposed, and no one abstained from voting.

Time Extensions: None

Zoning Submissions for Discussion:

1. 3320 Main Rd. E. Tina Schwenk & Craig Allen Special Exception Request
 - Letter dated 2/27/2024 from Alan Brokate, Zoning Officer / Building Code Official
 - Information Packet

Present were: Tina Schwenk & Craig Allen of 3020 Main Rd. E.

Tina Schwenk said she is a dog groomer by profession. She said they have a detached accessory building on their property where she would like to operate her dog grooming business from. She said she would groom approximately 3 to 4 dogs per day which is a bit of a setback from what she currently does at her current place of employment. She said she would only groom one dog at a time so there would not be multiple customers

coming to the property at the same time. She said that her business would be run by appointment only. The client would drop their dog off and pick them up once they are done getting groomed.

Angelika Forndran asked Tina Schwenk what type of training or licensing was required to become a dog groomer.

Tina Schwenk said currently you do not actually have to have any training to be a dog groomer. She said she currently works at PetSmart as a dog groomer and has been there for almost 13 years. She said she was trained at PetSmart. She said that they are looking into licensing Pet Groomers but as of right now nothing is required. She said she did have CPR Training and took an on-line Safety Certification training course in addition to her training from PetSmart.

Charles Peters, Jr. asked what the detached accessory building was currently being used for.

Tina Schwenk said that when they purchased the property in June of 2020 the detached accessory building was in disrepair, and they have been fixing up the building for the past few years so that she could use the building for her dog grooming business. She said the former owner operated a tool sharpening business from the detached accessory building.

Charles Peters, Jr. asked what type of sewer and water was on the property.

Tina Schwenk said that the property is connected to the public sewer system through Lehigh County Authority, and they have a well. She said she already had Lehigh County Authority come out to approve connecting the detached accessory building to the public sewer system.

Anthony Koneski Jr., asked Tina Schwenk if she was going to have a grooming bathtub for the dogs as well.

Tina Schwenk said she was going to have a hydraulic bathtub to wash the dogs in. She said she is getting older and does not want to have to lift some of the larger dogs in and out of the bathtub.

Charles Peters, Jr. asked where she would keep the dogs when they are not being groomed prior to the owner picking up their dog. He asked if she was going to have an outside run for the dogs.

Tina Schwenk said that the dogs would be kept inside the building. She said there would be a gate right inside the exterior door so that should someone open the exterior door a dog could not escape out the door. If need be, she will have a kennel inside the building to keep the dog in till the owner picks up the dog.

Ellen Larmer asked Tina Schwenk if she provided additional services besides grooming such as a spa or exercising.

Tina Schwenk said the other type of service she would provide would be nail trimming but no boarding or anything like that.

Ellen Larmer asked Tina Schwenk if she would be selling any products in conjunction with the dog grooming business.

Tina Schwenk said no.

Angelika Forndran asked if there was parking provided for customers.

Tina Schwenk said they have repaved the driveway and large square parking area since they purchased the property which will provide ample parking for her customers.

Ellen Larmer asked Tina Schwenk how she would get her customers.

Tina Schwenk said through advertisements, Facebook, and some of her current customers will follow her to her new location once she is open for business. She said as far as signage goes; she may put up a small sign on her property to let people know where she is located.

Angelika Forndran asked if the Planning Commission needed to make a recommendation to the Zoning Hearing Board concerning this Special Exception Use.

Motion:

Anthony Koneski, Jr. made the motion to recommend to the Zoning Hearing Board that the Planning Commission sees no issues with this proposal and recommend that the Zoning Hearing Board grant approval. **Philip Hartranft** seconded the motion. All were in favor. No one opposed. No one abstained from voting.

Subdivision & Land Development

1. The Fields at Twin Run Final Plan

- Plan dated 2/14/2024 (last revised) & supporting documents from Keystone Consulting Engineers
- Township Engineer; Jeffrey Ott, review letter dated 2/26/2024
- Township Traffic Engineer; Pete Terry, review letter dated 3/1/2024

Present were: Alan Fornwalt, Keystone Consulting Engineering
James Preston, Broughal & DeVito, LLP Attorney for Kay Builders
Richard Brooks, Kay Builders

Alan Fornwalt said since the last time they were before the Planning Commission they have received the PA DEP Planning Module update. He said they were going back and forth with PennDot and cleaned up a lot of those items. He said they have met with Lehigh County Authority and done all the fire hydrant testing and everything is good on that and expect conditional approval from Lehigh County Authority any day now. He said the existing water and sanitary laterals are going to be shown as to be removed on the demolition plans.

Philip Hartranft had a question regarding the dedication of the 1.37 acres of Recreation area to the Homeowners Association.

Alan Fornwalt said the area has changed slightly since the last time they were before the Planning Commission and there is a .06 acres difference so that works out to be 2,613 square feet that is now spoken for as spray irrigation area as opposed to recreation area. That can be worked out as far as the fee in lieu of recreation area is concerned.

Alan Fornwalt said that the existing easement along Indian Creek Road goes with the Lot Line Adjustment Plan between the adjoining Engleman property and the subject property that will be adjusted accordingly for the label and provisions to transfer the existing easement to the Township after the maintenance period is complete.

Alan Fornwalt said there was an adjustment to the water line and storm line. He said that they will need to make sure that there is a 10-foot separation between the water line, storm line, and the trees in that area as shown on the plan.

Alan Fornwalt said they had submitted the legal metes and bounds, the descriptions, and the boundary closures to the Township Engineer back in January and they are currently under review.

Alan Fornwalt said minor grading and drafting for the ADA Ramps are being updated. The buffer fencing along lots 15-20 needs to be included in the O & M Agreement and will be the responsibility of the Homeowner's Association.

Alan Fornwalt said that the Township will be copied on all related correspondence for the PennDOT HOPs. He said that they are making some adjustments to the language in the covenant for the clear sight triangles to make the PennDOT triangle stand out a little bit more and adjusting the Township intersection clear sight triangle. He said the existing tie in of a pipe coming from the Engleman's property will be shown more explicitly on the plan to show that the tie in is constructable. The grading adjacent to lots 10-13 will be shown more clearly on the plan. Some of the upstream and downstream stormwater facilities will be added to the roadway profile plan as they were missing from the plan.

Alan Fornwalt said he felt that they had submitted the tailwater analysis to the Township Engineer and will make sure that the Township Engineer is happy with what they had submitted.

Alan Fornwalt said the water line replacement along the frontage for a section was added but they just need to bring that up to speed with the other ones and show some additional information.

Alan Fornwalt said they are adding some fencing details as was requested as they only previously provided gate details.

Alan Fornwalt said the legend on the plan addresses the swale details that the Township Engineer was concerned about.

Alan Fornwalt said the anti-seep collar details ("S" dimensions) will be fixed on the plan.

Alan Fornwalt said there has been an ongoing discussion as far as the exact elevation of the spray line coming in verses the top grate. He said they are going to comply and lower that by 9 inches for the pipe and 6 inches for the top.

Alan Fornwalt said that there were some concerns with curb ramps, depressed curbs, concrete top unit, and inlet boxes which he said they have identified and are adjusting this to meet the concerns of the Township Engineer.

Alan Fornwalt said nonwoven geotextile will be used instead of woven geotextile.

Alan Fornwalt said that they are providing additional drafting details on the plan to demonstrate that the winter bypass line works.

Alan Fornwalt said that they spoke with Lehigh County Authority regarding the Authority's ability to be able to adequately serve the development and that the proposed water and sanitary systems are acceptable. He expects to receive conditional approval from Lehigh County Authority within the next couple of days.

Alan Fornwalt said that the Attorney for Kay Builders is working on the legal documents regarding the HOA and Deed of Dedication and the Improvements and Maintenance Agreements and will provide those to the Township once completed.

Alan Fornwalt said the grading adjacent to lots 10 – 13 will redirect the runoff to the rear of these lots.

Alan Fornwalt said it is his understanding that the Township gave a copy of the Plan to the applicable Emergency Services for them to review and provide any comments they may have.

Alan Fornwalt said they are willing to put any reasonable requested notes on the plan regarding the fill areas outside the right-of-way.

Alan Fornwalt said he felt that there were enough inlets on Samantha Lane before its southern intersection with Indian Creek Road to meet the Ordinance requirements.

Alan Fornwalt said they will add a note on the plan that the developer will be responsible to make sure that they have the right to install the sidewalk tie-in to make it a complete sidewalk connection to the adjoining Indian Mill Creek Subdivision.

Alan Fornwalt said they are adding additional spot elevations by the cluster mailboxes to be ADA compliant.

Charles Peters, Jr. asked if there was anything outstanding from the Township's perspective that would prevent the Planning Commission from making a recommendation to the Board of Supervisors to grant Final Plan Approval.

Brian Miller replied no. He said all the legal documents must be submitted to the Township. He said that they are working with the outside agencies and the Fire Department has reviewed the plan and had no comments.

Zachary Mitchell said as far as he can see there are just some drafting issues still needing to be cleaned up on the plan and the legal documents still need to be submitted to the Township and they are still working with outside agencies on some issues, and they will comply with most of that stuff.

Anthony Koneski Jr. said it sounds like once they comply with all the items mentioned by Brian Miller and Zachary Mitchell, they should be ready for Final Plan Approval. He then asked if the Planning Commission could make a motion to recommend that the Board of Supervisors grant Final Plan approval with some contingencies.

Motion:

Anthony Koneski Jr. made the motion to recommend that the Board of Supervisors grant Final Plan Approval contingent upon addressing all the outstanding items listed in the Ott Consulting Engineers Review letter dated February 26, 2024, and meeting the requirements of all outside Agencies. **Ronald Guth** seconded the motion. All were in favor. No one opposed. No one abstained from voting.

Lot Line Adjustments: None

Other Business:

Reminder: Luke Lichtenwalner announced Tuesday May 14, 2024 at 7:30 P.M. will be our Zoning & SALDO re-write kick off meeting at the Township Building.

The next regularly scheduled meeting of the Upper Milford Township Planning Commission will be held on Monday, April 1, 2024, at 7:30 P.M. in the Upper Milford Township Building, Old Zionsville, PA.

Brian Miller announced that there are two items on the next scheduled Planning Commission Meeting Agenda so far.

Adjournment:

Motion:

Anthony Koneski, Jr. made the motion to adjourn the meeting. **Charles Peters, Jr.** seconded the motion. All were in favor. No one opposed. No one abstained from voting.

The meeting was adjourned at 8:05 P.M.

Date _____

Luke Lichtenwalner, Chairman