

UPPER MILFORD TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
FOR DECEMBER 29, 2025

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

Absent Members: Matthew Hunter, Luke Lichtenwalner

Also Present were: Brian Miller, Planning Coordinator; Andrew Hoffman, Planning Commission Solicitor; Zachary Mitchell, Ott Consulting; Kyle Walbert, Office Assistant; Cynthia Kuhns, Administrative Assistant

The Meeting was brought to order at 7:28 P.M.

Election of Officers:

Motion:

Angelika Forndran made the motion to nominate Anthony Koneski, Jr. as Chairman, Charles Peters, Jr. as Vice Chairman, and Matthew Hunter as Secretary for Calendar Year 2026.

It was discussed that Matthew Hunter who was not present at the meeting expressed in an email to Brian Miller that he would not like to be reappointed as an officer on the Planning Commission for Calendar Year 2026. After this discussion there was no second to the Motion. There being no second Angelika Forndran withdrew her original motion.

Motion to nominate a Chairman:

Ellen Larmer made the motion to nominate Anthony Koneski Jr. as the Chairman to the Planning Commission for Calendar Year 2026. **Ronald Guth** seconded the motion. All were in favor. No one opposed. **Anthony Koneski, Jr.** abstained from voting.

Motion to nominate a Vice-Chairman:

Anthony Koneski, Jr. made the motion to nominate Charles Peters, Jr. as Vice-Chairman to the Planning Commission for Calendar Year 2026. **Philip Hartranft** seconded the motion. All were in favor. No one opposed. **Charles Peters, Jr.** abstained from voting.

Motion to nominate a Secretary:

Angelika Forndran made the motion to nominate Ellen Larmer as the Secretary to the Planning Commission for Calendar Year 2026 pending the Board of Supervisors appointing her as a voting member on the Planning Commission at their Reorganization Meeting on January 5, 2026. **Charles Peters, Jr.** seconded the motion. All were in favor. No one opposed. **Ellen Larmer** abstained from voting.

Minutes:

November 3, 2025 Regular Meeting Minutes

Motion:

Charles Peters, Jr. made the motion to approve the November 3, 2025 Regular Planning Commission Meeting Minutes. **Philip Hartranft** seconded the motion. All were in favor no one opposed. **Anthony Koneski, Jr.** abstained from voting as he was not present at that meeting.

November 11, 2025 Planning Commission Workshop Meeting Minutes

Motion:

Charles Peters, Jr. made the motion to approve the November 11, 2025 Planning Commission Workshop Meeting Minutes. **Ronald Guth** seconded the motion. All were in favor. No one opposed.

Time Extensions: None

Subdivision & Land Development:

6331 Batman Road Land Development Plan

- Plan dated 12/10/2025 from Newton Engineering
- Response letter dated 12/10/2025 from Newton Engineering
- Review Letter dated 12/22/2025 from Ott Consulting
- Waiver Requests Letter dated 10/15/2025 revised 12/10/2025 from Nikola Enterprises

Present were: Thomas Barlow of Newton Engineering
Jim Lazaridis from Nikola Enterprises, LLC

Thomas Barlow said that they made the requested changes to the Plan as discussed at the November 3, 2025 Planning Commission Meeting. He said he provided the Planning Commission with an updated waiver request letter dated December 29, 2025, which is more specific than the previous waiver request letter. He said in terms of the Subdivision and Land Development requests, the biggest one was regarding the right-of-way along Chestnut Street and Batman Road. He said based on input from the Township he felt that the preference was to not offer right-of-way along Chestnut Street. He then went on to say they would offer the right-of-way along Batman Road and not have it officially dedicated but put a note on the plan that the right-of-way was being offered to the Township. He said Jim Lazaridis erected a split rail fence along Chestnut Street behind the right-of-way to block off that entrance to the property. He said Jim Lazaridis is requesting not to remove the blacktop at this entrance as it would require him to obtain a Highway Occupancy Permit to do work within the Penn DOT right-of-way. He said with respect to the driveway entrance on Batman Road Jim Lazaridis is not proposing to make any changes to this driveway entrance, and plans to maintain the existing driveway as it currently exists. He said they were requesting a waiver for providing perimeter easements. He did not think for a project like this perimeter easements were necessary.

Brian Miller said he did not think the Township would want perimeter easements.

Charles Peters, Jr. asked if the Planning Commission wanted to discuss item 17 in the Ott Consulting review letter dated December 22, 2025 regarding grading on the property. He said he remembers there were some concerns regarding the grading from Township Staff's perspective. There was a concern with respect to ADA Compliance and what the plans were for inside the building regarding steps versus the ramp outside the building. There was also concerns with grading behind the building because the existing well is close to the adjoining property.

Zachary Mitchell asked what type of foundation they were proposing.

Thomas Barlow said the idea was to have the foundation exposed to the back of the building and go down to the existing grade and just not trap water against the footing and have part of that act as a wall. He said they are still coordinating with the project architect to make sure they are okay with that much of a step between the buildings. He said they are trying to do as little grading as possible.

Zachary Mitchell asked if the step in between the buildings would become part of the foundation. He said once that is all figured out, he would be looking for notes on the plan to ensure that the grading doesn't go onto the adjoining property.

Thomas Barlow said they would work with the architect as far as the bays and the doors to make sure that they meet the 7-1/2 percent ADA grade for a ramp outside the building.

Charles Peters, Jr. asked if there would be a ramp inside the buildings to get from one building to the other building internally or would there just be a step.

Thomas Barlow said there was some discussion about eliminating one of the bay doors to be able to build a ramp so that you could get from one side of the building to the other along the walkway outside and not have a ramp on the inside of the buildings. They would then eliminate the interior door between the two buildings.

Brian Miller said if they got rid of one of the overhead garage doors it would give them room for slope.

Jim Lizaridis said that would be fine.

Zachary Mitchell said if ADA Access is changing, they would need to show an ADA path all the way down.

Charles Peters, Jr. asked if they would need ADA access to both the existing building and the proposed building.

Zachary Mitchell said they would need exterior ADA access to both buildings if there was no internal access from one building to the other.

Thomas Barlow said they are still working with the Architect on the ramp on the exterior and maybe providing a ramp on the interior of one of the buildings.

Kyle Walbert said they may need a handrail for the exterior ramp depending on the slope.

Charles Peters, Jr. said both buildings would need to be ADA compliant whether it is on the exterior or the interior of both buildings since this is a commercial business.

Brian Miller told Jim Lazaridis that the approved Land Development Plan would have to match the Building Plan that he submits with his Building Permit Application.

Angelika Forndran asked Jim Lazaridis if he thought about how he would gain access to the well that is in the back of the property. She asked if he would use the neighbor's property to gain access to the well if he needed to service the well.

Jim Lazaridis said at the last Planning Commission meeting they discussed putting a door on the back side of the building to provide access to the well located to the rear of the building.

Charles Peters, Jr. asked if the items in Zoning Section B of the Ott Consulting Review letter December 22, 2025 could be addressed by the Zoning Officer or is it something that the Planning Commission needs to address.

Brian Miller said the items in Zoning Section B of the Ott Consulting Review letter dated December 22, 2025 would need to be addressed by the Zoning Officer.

Charles Peters, Jr. asked if these items in Zoning Section B of the Ott Consulting Review letter dated December 22, 2025 could be contingent upon the Planning Commission making a recommendation to the Board of Supervisors to approve the Land Development Plan.

Charles Peters, Jr. asked if there was an issue with the proposed location of the dumpster.

Thomas Barlow said they would need to move the dumpster because it is shown within the right-of-way and the clear sight triangle.

Thomas Barlow said as mentioned previously they are offering additional right-of-way along Batman Road as opposed to dedicating the additional right-of-way with the understanding that the offer could be accepted at some time. He said they are requesting a waiver from requiring additional right-of-way along Chestnut Street.

Zachary Mitchell asked if the Planning Commission could make a recommendation to grant waivers that conflict with the requirements as part of the zoning decision made by the Zoning Hearing Board in the Waiver request letter dated December 29, 2025 by Nikola Enterprises. Specifically, items a,b,c, and e.

It was discussed that a note be put on the plan regarding the closed off driveway entrance along Chestnut Street. Penn DOT would require a new Highway Occupancy Permit should they ever decide to reopen the driveway along Chestnut. The applicant was asking for a waiver to SALDO Section 702.B.2 because he prefers not to remove the existing apron along Chestnut Street as that would require a Highway Occupancy Permit to do work along the Chestnut Street right-of-way.

Zachary Mitchell said he would be fine with a note on the plan regarding the Chestnut Street driveway access that has been fenced off.

Solicitor Andrew Hoffman said it appears that the applicants' two waiver request letters are not the same and asked if the applicant has officially withdrawn his first waiver request letter.

Thomas Barlow said they did not, but they would like to formally withdraw the first waiver request letter.

Zachary Mitchell said the first two waivers (a & b) requested in the December 29, 2025 letter from Nikola Enterprises are not necessary since the applicant did what was needed for these items. He asked the applicant if he wanted to withdraw these two items.

Thomas Barlow said they would formally like to withdraw the waiver request to SALDO Section 702.B.2. and SALDO Section 1004.E.6. He then asked if the same would apply to items c. SALDO Section 1004.E.11 and e. SALDO Section 1012.C.1.

Zachary Mitchell said he was not sure that the Township could waive items c. SALDO Section 1004.E.11, and e. SALDO Section 1012.C.1. since they were part of the Zoning Decision.

Brian Miller said if the Board of Supervisors allows the waiver for the radii and he is not violating the Zoning Decision then the Planning Commission could recommend the Board of Supervisors grant the waiver to item c. SALDO Section 104.E.11.

Zachary Mitchell said he was fine with that. He said they would still need waivers to item d, SALDO Section 1011.B.2., item e. SALDO Section 1012.C.1., and item e. SALDO Section 1012.C.1.

MOTION

Charles Peters, Jr. made the motion to recommend that the Board of Supervisors grant the following waivers as requested in the letter dated December 29, 2025 from Nikola Enterprises: SALDO Section 1004.E.11, SALDO Section 1011.B.2., SALDO Section 1012.C.1., SALDO Section 1004.C.2., SALDO Section 1004.F.1., SALDO Section 1004.F.2., and SALDO Section 1004.L and note that the waiver request to SALDO Section 702.B.2., and SALDO Section 1004.E.6. were both withdrawn at this meeting. **Anthony Koneski, Jr.** seconded the motion. All were in favor. No one opposed. **John Zgura** abstained from voting.

Ellen Larmar noted that on page 2 of the Plan Lower Milford Township was listed instead of Upper Milford Township which is a typo and should be corrected prior to submitting the final Plan to the Township.

Thomas Barlow said they will correct that on the Plan before resubmitting the final Plan to the Township.

MOTION:

Charles Peters, Jr. made the motion to recommend the Board of Supervisors grant Final Plan approval for the Nikola Enterprises Land Development Plan for 6331 Batman Road contingent upon the applicant completing all outstanding requests, and working with Township Staff, including updating the grading to meet ADA Compliance, and pending the Zoning Officer comments being addressed, and addressing all the comments in the Ott Consulting review letter dated December 22, 2025, and adding a note on the Plan regarding the Penn DOT Highway Occupancy Permit for the abandoned driveway along Chestnut Street. **Ronald Guth** seconded the motion. All were in favor. No one opposed. **John Zgura** abstained from voting.

Other Business:

4880 Churchview Rd. Planning Module Packet with Component 4A for Planning Commission review.

Anthony Koneski, Jr. said this item deals with a small lot that has an on-lot sewage system.

Brian Miller said the lot was less than an $\frac{1}{4}$ of an acre in size and there was no other location that they would be able to meet any other type of septic requirements. The soil is that bad and the water table is 10 inches. He said DEP visited the site and said the next step is to go through the Stream Discharge process.

Charles Peters, Jr. asked how many wells were on this lot as it looked like there were three wells shown on the plan.

Brian Miller said there are two wells on this lot. One of the wells was marked in the wrong location. He said that the homeowners' Engineer is addressing that and will provide the Township with an updated Plan. He said most of the property is considered borderline wetlands. He said there are wetlands on the County Land next door. He said there was a spring that starts right off the property line and runs down through the property. They are planning on dumping their filtered sewage into this stream using an eco-flow system.

Charles Peters, Jr. asked what happens to the existing septic system once the new system is in place.

Brian Miller said they would pump the tank, then they would collapse the existing septic system and fill it in.

Brian Miller said the eco-flow systems provide swimming quality water standards.

MOTION:

Angelika Forndran made the motion that the Planning Commission sees no issues with the Planning Module and to recommend that the Board of Supervisors grant approval of Component 4A of the Planning Module contingent that the Applicant revises the Plan per Brian Miller's comments regarding the well. **Charles Peters, Jr.** 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 would be Monday, February 2, 2026 at 7:30 P.M. in the Upper Milford Township Building.

Anthony Koneski, Jr. and Charles Peters, Jr. both announced that they would not be able to attend the February 2, 2026 Planning Commission Meeting.

Adjournment:

MOTION:

Charles Peters, Jr. made the motion to adjourn the meeting. **Philip Hartranft** seconded the motion. All were in favor.

The Meeting adjourned at 8:26 P.M.

Date _____

Anthony Koneski, Jr., Chairman