

TOWNSHIP OF SOUTH WHITEHALL
LEHIGH COUNTY, PENNSYLVANIA
PLANNING COMMISSION

REGULAR SESSION

MINUTES

JUNE 17, 2021

The Regular Session of the South Whitehall Township Planning Commission was held on the above date at the South Whitehall Municipal Building Public Meeting Room located at 4444 Walbert Avenue, South Whitehall Township, Lehigh County, Pennsylvania.

Members in attendance:

William H. MacNair, Chairman
Brian Hite, Vice-Chairman
Alan Tope, Secretary
Diane E. Kelly
Matthew Mulqueen
David Wilson

Staff members in attendance:

Gregg Adams, Planner
Anthony Tallarida, Assistant Township Engineer
Jennifer Alderfer, Assistant Township Solicitor

AGENDA ITEM #1 – CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman MacNair called the meeting to order at 7:37 p.m. He announced that all meetings are electronically monitored. He then led the assembled in the Pledge of Allegiance.

AGENDA ITEM #2 – APPROVAL OF MINUTES

Chairman MacNair announced that the minutes of the April 15 and May 20, 2021 meetings were distributed prior to this evening's meeting for review and comment. Chairman MacNair asked the members if they had any changes to the minutes of the April 15, 2021 meeting. Hearing none, Chairman MacNair called for a motion to approve the minutes as submitted. Mr. Hite made a motion to that effect. Mrs. Kelly seconded the motion and it passed unanimously, 5-0, with Mr. Tope abstaining. Chairman MacNair then asked the members if they had any changes to the minutes of the May 20, 2021 meeting. Mr. Tallarida stated that, at the top of page 9, "...speak to the Public Safety Commission..." should be changed to "... speak for the Public Safety Commission..." Mr. Hite stated that, in Item 6, his statement about PennDOT skipping the bridge over US 22 should be amended to add "for now". Hearing no more changes, Chairman MacNair called for a motion to approve the minutes as amended. Mr. Hite

made a motion to that effect. Mr. Tope seconded the motion and it passed unanimously, 4-0, with Mrs. Kelly and Mr. Mulqueen abstaining.

AGENDA ITEM #3 – COMPREHENSIVE PLAN UPDATE SUMMARY

Mr. Manhardt stated that the upcoming Working Groups Kick-Off meeting on June 29th would introduce the five working groups, the economic and traffic models and then roll out the rough schedule for the Working Groups meetings. He stated that there would be three meetings for each of the five Working Groups, all of which would culminate with a final meeting of all the Working Groups to report out on their findings and recommendations. The findings and recommendations would then be delivered to the Planning Commission. He stated that the July 29th meeting would be on the GoToMeeting platform, but the individual Working Group meetings may shift to in-person if the individual Working Group agrees. He stated that the second Working Group meetings, likely during the week of July 21st, will likely be virtual due to the requirements of the LVPC.

AGENDA ITEM #4 – SUBDIVISION REVIEW

A. 3926 LIME KILN ROAD MINOR PLAN 2020-203 REQUEST FOR PRELIMINARY/FINAL PLAN REVIEW

Chairman MacNair polled the audience for interested parties other than the developer regarding the application to subdivide the property located at 3926 Lime Kiln Road. There was no response.

At the request of Chairman MacNair, Mr. Adams read the Community Development Department's recommendation into the record. The Department recommended that the Planning Commission recommend preliminary/final plan approval to the Board of Commissioners subject to the applicant complying with the following conditions. A completed *Waiver From The Time Limitation To Review The Plan* will be required if revised plans are not submitted by July 27, 2021 and deemed to be sufficiently "clean" for presentation to the Board of Commissioners at or before their August 18, 2021 meeting.

1. If deemed to be necessary, the applicant shall execute subdivision improvement, security, maintenance and indemnification agreements acceptable to the Township and its Solicitor, be executed, that sufficient security in a form acceptable to the Township be posted, such security shall be available for draws/presentation no further than 60 miles from the Township's office, and evidence of necessary insurance coverage shall be provided prior to the plan being recorded.
2. That the applicant shall address to the satisfaction of the Township Engineer, the comments of Mr. Anthony Tallarida, as contained in his review dated June 11, 2021.

3. That the applicant shall address to the satisfaction of the Community Development Department, the comments of Mr. Gregg Adams, as contained in his review dated June 8, 2021.
4. That the applicant complies with the January 12, 2021 recommendation of the Parks and Recreation Board and contributes fees in lieu of parkland dedication in the amount of \$2,500.00 in order to meet the parkland and open space requirements of the Subdivision and Land Development Ordinance.
5. That the applicant complies with the forthcoming recommendation of the Landscape and Shade Tree Commission.
6. That the applicant reconciles all open invoices for Township engineering and legal services prior to the plan being recorded.
7. That the plans are to be revised and deemed to be "clean" prior to them being presented to the Board of Commissioners.

Surveyor Mark Bradbury accompanied Anthony Hanna to present the plan and answer questions. He started by distributing the revised Waiver Request letter. He stated that, to address the landscaping plan waiver request, the property is mostly bounded by woodlands except for the existing houses.

Mr. Wilson stated that he had driven by the property and noted dense woodlands and that the western house has between four and six trees in the immediate area. He noted that the only open area is around the eastern house. He suggested that it would be fair to defer the requirements for the Landscaping Plan and the street trees until such time as a land development is proposed.

Surveyor Bradbury stated that he would amend the landscaping request to be a request to defer. He stated that he will add a note to the plan to require an HOP if new dwellings are proposed.

Solicitor Zator suggested an additional plan note, worded to the satisfaction of the Township Engineer and Township Solicitor, that the Township has not investigated the environmental status of the property and that the Developer and future owners of the properties agree to hold the Township harmless from any claims arising from the approval of the subdivision of the land.

Surveyor Bradbury noted that the Environmental Covenant currently in place on the property has been recently reviewed and expanded by the site monitors.

Solicitor Zator requested that the afore-mentioned note be placed on the plan.

Surveyor Bradbury stated that he would place the note on the plan. He submitted the updated Environmental Covenant. He stated that the Environmental Covenant was recorded at the Lehigh County Courthouse. He noted that it was lengthy but easy to access.

Mr. Hite inquired as to the request to waive the requirement to submit a plan to LANTA.

Surveyor Bradbury stated that the plan proposes no new dwelling units, hence no new LANTA riders.

Mr. Wilson inquired as to the request to waive the requirements to dedicate Open Space.

Surveyor Bradbury stated that the largest property is an environmentally restricted area. He stated that the leachate from the landfill is mostly controlled and the methane emissions have subsided. He suggested that the area could be used for recreational purposes, but the Township was offered the site and rejected it.

Mr. Adams pointed out that Lot 3 could potentially be used as a dwelling lot.

Mrs. Kelly inquired as to how the site is currently monitored.

Surveyor Bradbury stated that there is an active monitoring station onsite. He noted that there are seven or eight corporations paying to monitor and maintain the site.

Chairman MacNair inquired as to whether the monitoring data is available online.

Surveyor Bradbury stated that it was not, and that the information would likely be released only to approved agencies.

Chairman MacNair requested question or comments from the public. There was no response.

Chairman MacNair moved to the waiver/deferral requests.

Mr. Mulqueen made a motion to support the waiver of the requirements of Section 312-12(a)(14) and Section 312-14(a)(10) (revised to Section 312-23(a)(13)) regarding the requirement to submit a plan to LANTA.

Mrs. Kelly seconded, and the motion passed unanimously, 6-0.

Mr. Mulqueen made a motion to support the waiver of Section 312-36(c)(4)(A) regarding the 110-foot separation distance between a driveway and an intersection along an Arterial Road.

Mr. Tope seconded, and the motion passed unanimously, 6-0.

Mr. Mulqueen made a motion to support the waiver of Section 312-36(c)(5)(B) regarding the maximum 20-foot residential driveway width at the right-of-way line.

Mr. Tope seconded, and the motion passed unanimously, 6-0.

Mr. Hite made a motion to support the deferral of Section 312-40 regarding the requirement to install street trees.

Mr. Wilson seconded, and the motion passed unanimously, 6-0.

Mrs. Kelly made a motion to support the waiver of Section 312-23(b)(21) regarding requirement to show all sidewalks, trails, streets, easements, and rights-of-way within 400 feet of the tract.

Mr. Hite seconded, and the motion passed unanimously, 6-0.

Mrs. Kelly made a motion to support the waiver of Section 312-23(b)(16) regarding the requirement to show all buildings within 100 feet of the tract.

Mr. Hite seconded, and the motion passed unanimously, 6-0.

Mrs. Kelly made a motion to support the waiver of Section 312-23(b)(7) (revised to Section 312-23(b)(31)) regarding the requirement to submit a Landscaping Plan.

Chairman MacNair pointed out that the Zoning Officer had difficulty interpreting the plan.

Surveyor Bradbury stated that he would clarify the frontage measurements with a chart.

Mr. Wilson seconded, and the motion passed unanimously, 6-0.

Surveyor Bradbury withdrew his request to waive Section 312-36(d)(4) regarding the requirement to dedicate Open Space or submit fees in lieu of land dedication.

Mr. Hite made a motion to recommend preliminary/final plan approval to the Board of Commissioners subject to the applicant complying with the following conditions:

1. If deemed to be necessary, the applicant shall execute subdivision improvement, security, maintenance and indemnification agreements acceptable to the Township and its Solicitor, be executed, that sufficient security in a form acceptable to the Township be posted, such security shall be available for draws/presentation no further than 60 miles from the Township's office, and evidence of necessary insurance coverage shall be provided prior to the plan being recorded.
2. That the applicant shall address to the satisfaction of the Township Engineer, the comments of Mr. Anthony Tallarida, as contained in his review dated June 11, 2021.
3. That the applicant shall address to the satisfaction of the Community Development Department, the comments of Mr. Gregg Adams, as contained in his review dated June 8, 2021.
4. That the applicant complies with the January 12, 2021 recommendation of the Parks and Recreation Board and contributes fees in lieu of parkland dedication in the amount of \$2,500.00 in order to meet the parkland and open space requirements of the Subdivision and Land Development Ordinance.
5. That the applicant complies with the forthcoming recommendation of the Landscape and Shade Tree Commission.
6. That the applicant reconciles all open invoices for Township engineering and legal services prior to the plan being recorded.

7. That the plans are to be revised and deemed to be “clean” prior to them being presented to the Board of Commissioners.
8. That an additional note be placed upon the plan, worded to the satisfaction of the Township Engineer and Township Solicitor, that the Township has not investigated the environmental status of the property and that the Developer and future owners of the properties agree to hold the Township harmless from any claims arising from the approval of the subdivision of the land.

Mrs. Kelly seconded, and the motion passed unanimously, 6-0.

**B. RIDGE FARM
MAJOR PLAN 2017-101
REQUEST FOR PRELIMINARY PLAN REVIEW**

Chairman MacNair polled the audience for interested parties other than the developer regarding the application to develop the properties located at Huckleberry Road PIN 548746422139 (111.1787 acres zoned TND Residential Cluster Overlay), Huckleberry Road PIN 548767544734 (4.7220 acres zoned TND Residential Cluster Overlay), 2523 Huckleberry Road PIN 548767273685 (1.5152 acres zoned TND Residential Cluster Overlay), 2582 Huckleberry Road PIN 548757625489 (12.1020 acres zoned TND Residential Cluster Overlay), 1802 North Cedar Crest Boulevard (31.9644 acres zoned R-4 and TND Residential Cluster Overlay), Huckleberry Road PIN 548727343134 (15.9785 acres zoned RR-2), Cedar Crest Boulevard PIN 548726571146 (13.6657 acres zoned RR), Huckleberry Road PIN 548727303984 (0.4063 acres zoned RR), Cedar Crest Boulevard PIN 548726323076 (6.6854 acres zoned R-2), 1926 Cedar Crest Boulevard (2.2555 acres zoned R-2) and 1928 Cedar Crest Boulevard (0.3138 acres zoned R-2). The following individuals indicated interest:

Shawn Hubler	1115 North 30 th Street
David Kennedy	3727 Pheasant Hill Drive
Janis Mikofsky	2320 West Congress Street
Lee Solt	3731 Manchester Road
David Tomasic	1636 North 28 th Street
Ron Washburn	1806 Roosevelt Street

At the request of Chairman MacNair, Mr. Adams read the Community Development Department’s recommendation into the record. The Department recommended that the Planning Commission take the plan under advisement to afford the developer time to address the reviewing agencies’ comments.

Engineer Jason Engelhardt and Attorney James Preston were present to present the plans and answer questions. Attorney Preston started by noting that the applicant was only seeking two actions – a recommendation on the waiver request and clarification on the Mobility Easement.

Engineer Engelhardt stated that this is the third submission of the Preliminary Plan. He noted that the plan revisions are now mostly technical and engineering in

nature. He noted that the plan was before the Public Safety Commission in April and before the Parks and Recreation Board the week before. He noted that some open space was added to the plan in the northwest corner of the development. He reported that the Parks and Recreation Board requested a pedestrian connection to Guth Road and the future Jordan Greenway. He reported that the Public Safety Commission gave a favorable recommendation to the proposed Chalmette Road Traffic Calming improvements, including ramps, crosswalks and stop bars in the area of the park. He stated that the project is proposed to be phased over at least ten years. He reported that the E&SC Plan has been submitted to LCCD, that the plan has been resubmitted to the LVPC for their Act 167 review, that the applicant has coordinated with the US Postal Service regarding the mailbox locations, and that the applicant had previously coordinated with Parkland School District on their bus stops and with LANTA on the Walbert Avenue bus stop. With regard to the waiver request, he submitted a plan exhibit showing the changes in the curves in Rod I and described the changes, noting that the changes produce a roadway closer to SALDO compliance but still requiring a modification of the previously-approved waiver request.

Mr. Hite inquired as to whether the adjoining retaining wall had been lengthened with the change and what the maximum height of the wall was proposed to be.

Engineer Engelhardt stated that the retaining wall will approach twenty feet in height but will retain the fencing and guardrail.

Mr. Hite inquired as to the height of the fence.

Engineer Engelhardt stated that he would expect the fence to be about four feet in height.

Mr. Hite suggested that a four-foot fence could be scaled and that a better design could be implemented.

Engineer Engelhardt stated that the fence has not yet been designed but he would review the design.

Mrs. Kelly inquired as to the present length of the retaining wall.

Engineer Engelhardt stated that the retaining wall is proposed to continue further to the east now that units were relocated into the area of the wall.

Mr. Wilson made a motion to recommend approval of the requested modification to the previously approved waiver to SALDO Section 312-35(b)(3)(A)(v) to permit a minimum centerline radius of a local street of 100 feet and a minimum tangent between a curve and street intersection of 77 feet.

Mr. Mulqueen seconded and the motion passed 5-1, with Mrs. Kelly dissenting.

Mr. Hite inquired as to whether the top of the retaining wall is at a consistent height above grade.

Engineer Engelhardt stated that the height to the top of the wall does vary. He moved to the Mobility Easement issue. He noted that the Planning Commission appears to prefer a roadway connection between the commercial village and the top of the ridge while the Public Safety Commission prefers to maintain the Mobility Easement as an emergency access only. He stated that the current plan shows a forty-foot right-of-way and twenty-foot cartway. He stated that he had reviewed the Conditional Use condition of approval #5 and generated an exhibit, which he submitted.

Mr. Wilson noted that the exhibit proposed access controls at both ends of the easement and more width. He stated that the exhibit is an improvement.

Mrs. Kelly noted that the grade is still between 9.5% and 10% and inquired as to how the applicant will meet the Public Safety Commissions comment if the Township is interested in opening it as a public road.

Attorney Preston stated that the exhibit is only to demonstrate compliance with Conditional Use condition #5.

Attorney Zator stated that the Zoning Officer must judge if the exhibit meets the Conditional Use condition #5.

Mr. Lee Solt of 3731 Manchester Road inquired as to how long it would take for EMS personnel to negotiate the gates.

Engineer Engelhardt stated that the applicant will work with the Township to provide EMS with what they need.

Mr. Solt inquired as to whether a SALDO-compliant road could be provided.

Chairman MacNair inquired as to the grade of Cedar Crest Boulevard.

Engineer Engelhardt stated that Cedar Crest Boulevard reaches grades of 11% or more.

Mr. Wilson observed that the Planning Commission has been discussing the issue for months. He opined that the Mobility Easement needs to be a public road to reduce traffic on roads that already exceed the proposed grade.

Mr. Adams stated that the applicant is only interested in meeting Condition #5 and that the proposed Mobility Easement can only be opened as a public road if the Township so desires. He noted that the Mobility Easement is to be designed and constructed so that converting it to a public road incurs minimal costs to the Township.

Mr. Wilson stated that he lives in a neighborhood with an HOA and that said HOA sets aside money for capital expenses. He opined that the Ridge Farm HOA may be able to convert the Mobility Easement to a public road if the money is available.

Attorney Zator opined that such nuances will have to be placed on the plan and within the HOA agreements.

Mr. Tope opined that opening the gates for a week may be an interesting experiment.

Engineer Engelhardt noted that the roads to the north and to the south of the Mobility Easement are intended to be in private ownership.

Attorney Preston opined that if the Township wants to take the Mobility Easement as a public road, they must look at the roads to the north and to the south and may wind up taking the entire north/south road as publicly-owned.

Mr. Tope inquired as to the length of the roadway within the Mobility Easement from gate to gate.

Engineer Engelhardt opined the length to be about 700 feet.

Chairman MacNair inquired as to the endpoints of the connecting roads.

Engineer Engelhardt stated that Road A ends at Huckleberry Road and the southern road ends at Walbert Avenue. He noted that the southern road was modified for a cartway of thirty-two feet so as to be uniform with the roadway in the Mobility Easement.

Ms. Shawn Hubler of 1115 North 30th Street stated that she lives in Muhlenberg Estates and that all of the streets in her neighborhood are owned by the Township and questioned the quality of private streets over public streets. She stated that the project has excessive impacts and will change the nature of the neighborhood. She opined that HOAs are not needed. He stated that the project is not a good fit for the Township.

Mr. Hite stated his preference for the Zoning Officer to rule on the consistency with Conditional Use condition #5 before the Planning Commission makes a recommendation on the matter.

Mrs. Kelly asked the developer to reconsider the Mobility Easement and redesign it to work.

Attorney Preston stated that he has no issues with getting the Zoning Officer's review. He stated that the roadway will not comply with the Township grade standards, just as many of the Township's own roads do not comply, including some recently-approved roads.

Mrs. Kelly pointed out that she never voted to approve roads that did not meet Township standards.

Engineer Engelhardt stated that he is making good progress on complying with the reviews but there are still some outstanding issues regarding stormwater management.

Chairman MacNair stated that the applicant must still show legal access to Buchman Street.

Attorney Preston stated that the applicant is working on securing legal access to Buchman Street and will provide it at the appropriate phase of the Final Plan.

Mr. Adams stated that the confirmation will be required for Preliminary Plan approval to ensure the required proportionality of dwelling types and density credits.

Mr. Tope made a motion to take the plan under advisement to afford the developer the time necessary to address the reviewing agencies' comments.

Mrs. Kelly seconded and the motion passed unanimously.

Ms. Hubler inquired as to the stormwater management issues. She questioned the wisdom of replacing the existing fields with detention basins. She stated that the development will wreck the geology of the area.

Mr. David Tomasic of 1636 North 28th Street inquired as to the improvements to Cedar Crest Boulevard near Huckleberry Road

Engineer Engelhardt stated that the crest of Cedar Crest Boulevard would be reduced several feet and the intersection with Huckleberry Road would be signalized.

Mr. Tomasic observed that traffic is terrible at the intersection of 28th Street and Walbert Avenue as well as on Cedar Crest Boulevard.

Mr. Ron Washburn of 1806 Roosevelt Street stated that there are disabled individuals in his neighborhood and inquired as to how the proposed development will impact them.

AGENDA ITEM #5 – ZONING ORDINANCE AMENDMENT

No-Impact/Low-Impact Home-Based Business

Mr. Adams reviewed the most recent draft of the proposed Ordinance. He noted that, after reviewing the No-Impact Home-Based Business regulations within the PA Municipalities Planning Code, staff determined that the No-Impact Home-Based Business should be amended to more closely match the PA MPC's regulations. He then stated that the staff created the Low-Impact Home-Based Business section to expand the options for home-based business use, as well as provide a permitted use for those uses that would no longer be permitted under the No-Impact Home-Based Business section. He noted that the No-Impact Home-Based Business use would be permitted by right and would only require a Zoning Permit, while the Low-Impact Home-Based Business use would require a Special Exception approval by the Zoning Hearing Board. He stated that such an approval would allow the neighbors to be noticed and the use to be looked at in context with the neighborhood, as well as allow the Zoning Hearing Board to attach reasonable conditions to the operation of the Home-Based business and place those conditions on record with the Township.

Mrs. Kelly inquired as to whether existing home-based businesses would be required to be reapproved.

Mr. Adams stated that they may, as their current approval is predicated upon the same owner residing in the same dwelling. He stated that those uses that would become non-conforming as a result of the amendment would be permitted to maintain their approval as a lawful non-conformity, so long as those conditions were maintained.

He stated that, should the owner of the business move, the approval would come to an end and the business would have to be re-approved under the new regulations.

Mrs. Kelly inquired as to how a consistent standard for conditions could be set for the Zoning Hearing Board would be able to apply them throughout the Township.

Mr. Adams stated that the intent of the amendment was to be contextual rather than consistent across the Township, as each case should be reviewed within the context of its own business needs and the neighborhood around it.

Solicitor Zator stated that any standards to be applied across the Township are the objective standards and that they are included within the amendment. He noted that the subjective standards would be the standards to be determined by the Zoning Hearing Board to address the contextual issues particular to each case.

Mrs. Kelly inquired as to what a resident's avenue of appeal would be if they are not satisfied with the Zoning Officer's ruling on their application.

Attorney Zator replied that it would be the Zoning Hearing Board.

Mrs. Kelly inquired as to the avenue of appeal after the Zoning Hearing Board, the Court of Common Pleas?

Chairman MacNair expressed some concern for anyone working from home being required to pay \$50 for a Zoning Permit to continue their work. Chairman MacNair inquired as to why a Zoning Permit would be required for a No-Impact Home-Based Business.

Director Manhardt stated that the section would not apply simply to people working from home, but would be particular to those who are actually running a business from their dwelling. He stated that the permit is required to ensure that the business is registered and has a Business Privilege License.

Mrs. Kelly inquired as to why the Low-Impact Home-Based Business is limited to Single Family Dwellings.

Mr. Adams responded that the limitation was at the request of the Planning Commission.

Mr. Tope suggested removing subsection 350-48(h)(4)(E)(i)(b).

Mr. Adams stated that he has no issue with removing the single-family dwelling requirement, as the Zoning Hearing Board would look at the context of the neighborhood and the dwelling supporting the use. He suggested simply striking "Single Detached" from the above-mentioned subsection.

Solicitor Zator stated that the Zoning Hearing Board is used in a number of municipalities to make contextual decisions such as these.

Mrs. Kelly inquired as to why the Township could not simply continue to utilize the current Section and allow for variances.

Mr. Adams noted that there are standards that are to be met for the granting of a variance and that an applicant that did not meet the current No-Impact Home-Based Business standards would be unlikely to be able to meet the standards for the granting of the variance. He noted that a Special Exception is a permitted use and would permit the use with additional conditions.

Director Manhardt stated that the Zoning Officer already receives a number of calls related to this kind of use and she is currently forced to tell most of them that the use being proposed is not permitted.

Mrs. Kelly voiced her concern for a requiring too much for a resident who wants a use that is more than a No-Impact Home-Based Business. She voiced her concern for the expense of an attorney and wondered if there wasn't an avenue for the Zoning Officer to review a very-low impact home-based business.

Mr. Adams stated that it would be difficult to create such an amendment, as judgement would have to enter into the decision and that is generally the jurisdiction of the Zoning Hearing Board rather than the Zoning Officer. He also noted that most residential appeals do not require an attorney to be present for the applicant.

Mr. Mulqueen confirmed that assertion.

A resident inquired as to whether a resident who receives notice of a application for such a home-based business would be required to attend a hearing. He noted that some residents may not wish to speak out against a neighbor unless it could be done anonymously.

Attorney Zator stated that the Zoning Hearing Board hearing (like all judicial hearings) requires that testimony be delivered in person, not anonymously. He stated that the court does not allow testimony that is not made personally, as it is considered hearsay.

Director Manhardt stated that the Special Exception requirement permits the neighbors to be noticed so that they are aware the business is being conducted at that property, and also puts the conditions and standards under which the home-based business is to operate on record, allowing for easier enforcement of the standards.

Mr. Solt inquired as to why the hours of business were stricken from the prior version of the amendment.

Mr. Adams stated that it was stricken as an objective standard because it was added under the items to be reviewed by the Zoning Hearing Board, which would allow the Zoning Hearing Board to make a determination as to whether the hours of operation proposed by the business are acceptable to the neighborhood surrounding it.

Mr. Solt inquired as to the appropriateness of the 300-foot notice requirements.

Mr. Adams stated that the 300-foot requirement is the standard for all Special Exception applications. He stated that the notice distance is actually a separate matter and is in the process of being addressed.

Mrs. Kelly inquired as to how the addresses are determined, particularly renters rather than property owners.

Mr. Manhardt stated that the notice lists are generated from utility billing information.

Mr. Adams stated that, at one point in time, notices were delivered both to property owners and to the renters.

Mr. Mulqueen made a motion to recommend approval of the amendment to the Board of Commissioners, with the change to strike "Single Detached" from Section 350-48(h)(4)(E)(i)(b).

Mr. Tope seconded and the motion was approved 5-1, with Mrs. Kelly dissenting.

AGENDA ITEM #6 – TRANSPORTATION INFRASTRUCTURE UPDATE

Mr. Tallarida stated that current traffic levels are now above-pre-COVID levels in the Lehigh Valley. He noted that there are now more trucks on the road than pre-COVID. He stated that the Township Engineer's office will review projects on the 2020-2024 TIP Cycle project list and will lobby for Township projects.

Chairman MacNair opined that the Comprehensive Plan timing is fortuitous.

Mr. Tallarida agreed.

Mr. Hite suggested looking at the LVPC Comprehensive Plan. He noted that the Long-Range Transportation Plan shows the projects. He stated that the projects for the TIP must be on the LTRTP list to be included in the TIP, unless they are safety-related. He stated that including projects in the SWT Comp Plan will give greater weight to a given transportation project.

Ms. Hubler stated that she is appalled with the trash littering US 22 and other larger roadways.

Mr. Tallarida noted that most of the trash issues are on State roads, as the Township maintains their own roads fairly well.

Mr. Hite stated that he works for LVPC and LVTS. He noted that he was on a conference call with the PA Secretary of Transportation and she noted similar concerns. He stated that the State stopped picking up trash with the onset of COVID and is now restarting the program.

AGENDA ITEM #7 – COMPREHENSIVE PLAN UPDATE

Mr. Hite inquired as to the composition of the Working Groups to date.

Director Manhardt stated that the Working Groups are fairly balanced at this point.

Mr. Adams noted that the 18-35 demographic tends to be underrepresented.

AGENDA ITEM #8 – COURTESY OF THE FLOOR

Mr. Tomasic noted his concerns with the lack of parking within the proposed Ridge Farm TND.

Mrs. Kelly inquired as to the number of comments from remote viewers of the evening's meeting.

Director Manhardt stated that there were no questions or requests on the chat function this evening. He noted that there were comments regarding the quality of the audio.

AGENDA ITEM #9 – ADJOURNMENT

Chairman MacNair requested a motion to adjourn at 10:33 p.m. Mrs. Kelly made the motion, Mr. Mulqueen seconded the motion and it passed unanimously.

ADOPTED THIS DATE: August 19, 2021

ATTEST:

Secretary

Chairman