

**TOWNSHIP OF SOUTH WHITEHALL**  
**LEHIGH COUNTY, PENNSYLVANIA**  
**PLANNING COMMISSION**

**REGULAR SESSION** **MINUTES** **SEPTEMBER 16, 2021**

The Regular Session of the South Whitehall Township Planning Commission was held on the above date in a virtual meeting held on GoToMeeting.com.

Members in attendance:

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

Staff members in attendance:

Gregg Adams, Planner  
Anthony Tallarida, Assistant Township Engineer  
Joseph Zator, Township Solicitor

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

Chairman MacNair called the meeting to order at 7:35 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 July 19, 2021 meeting 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. Hearing none, Chairman MacNair called for a motion to approve the minutes as submitted. Mr. Mulqueen made a motion to that effect. Mrs. Kelly seconded the motion and it passed unanimously, 5-0.

### **AGENDA ITEM #3 – SUBDIVISION REVIEW**

#### **A. DUNKIN ALLENTOWN DRIVE-THRU MAJOR PLAN 2021-105 REQUEST FOR PRELIMINARY/FINAL PLAN REVIEW**

Chairman MacNair polled the audience for interested parties other than the developer regarding the application to further develop the property located at 4793 Tilghman Street. 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 take the plan under advisement to afford the applicant the time necessary to address the reviewing agencies' comments, contingent upon the applicant granting the Township a waiver from the timeframe in which to act upon the plan.

Engineer Anthony Caponigro of Kinley Horn was present to present the plan and answer questions. He reviewed the location of the Dunkin Donuts store, noting that it has been onsite for more than thirty years. He stated that drive-throughs are more necessary than ever. He noted all of the reviewing agencies' concerns with regard to the traffic flow in the immediate area. He stated that there is more than adequate stacking proposed. He stated that most Dunkin Donuts stores stack between ten and eleven cars and there is stacking proposed for between seventeen and eighteen cars. He stated that the side-by-side ordering is now customary and the bulk of the stacking is between the order board and the pick-up window. He noted that vehicle access to the rear of the building is an issue and the plan proposes a "Don't Block the Box" striping pattern. He stated that Dunkin Donut's prime hours of operation are between 5 AM and 9 AM. He stated that Dunkin Donuts is the peak generator for traffic for the shopping center during those hours.

Mr. Wilson stated his concern for the sight line after the pick-up window.

Engineer Caponigro stated that he would look into it.

Mr. Mulqueen inquired as to the impact of a completely occupied K-Mart building.

Engineer Caponigro stated that the K-Mart building had been considered.

Mr. Hite inquired as to where the two dumpsters located near the access point to the rear of the building would be relocated.

Engineer Caponigro stated that he is working with the tenant to find an acceptable location but it appears that they will likely be relocated near the other dumpsters at the rear curb line.

Mr. Hite inquired as to frontage improvements along Tilghman Street. He stated that there is a LANTA bus stop located to the west of the nearby driveway entrance and that he would like to see a sidewalk connection to that stop.

Mr. Wilson noted that sometimes cars will back up into the proposed “Don’t Block the Box” area while waiting at the traffic light onto Tilghman Street. He also noted that the proposed striping is on top of existing turning markings.

Engineer Caponigro stated that he would work with the Township Engineer on the timing of the traffic signal.

Mr. Wilson noted that there are many pedestrians coming from the Westfield Medical Center and inquired as to how the applicant would address pedestrian access.

Engineer Caponigro stated that he would review the issue.

Mr. Hite suggested marking “No Parking” in the queuing area along the south side of building.

Engineer Caponigro stated that he would review the issue.

Mrs. Kelly inquired as to 3 PM closing time and whether that was a COVID feature.

Engineer Caponigro stated that the store does close at 3 PM and it had done so pre-COVID.

Mr. Mulqueen inquired as to the size of the travel paths.

Engineer Caponigro stated that the drive aisle is thirteen feet wide and the remaining driveway is twenty-five feet wide.

Mr. Mulqueen stated that the area in question is a tough intersection with a blind corner.

Engineer Caponigro noted that most of the Township Engineer’s comments can be complied with. He stated that he must work out specifics on traffic and queueing. He stated that he hopes to return with a better review in the future.

Mr. Hite inquired as to whether there would be a single pick-up window.

Engineer Caponigro stated that there is only one window proposed, which would serve as both cash and pick-up window.

Solicitor Zator inquired as to the extent of the PennDOT review.

Engineer Caponigro stated that PennDOT will review the Traffic Signal Plan and likely recommend a timing change.

Mr. Wilson inquired as to whether the signals have count down arrows.

Engineer Caponigro stated that he did not believe so.

Chairman MacNair inquired as to whether alternative designs had been considered.

Engineer Caponigro stated that he did but there are no other good options except a new building. He stated that a new building is not an acceptable option to the applicant.

Chairman MacNair inquired as to whether the plan had been presented to PennDOT.

Engineer Caponigro stated that it had not but would be the next week.

Mr. Hite inquired as to whether a guiderail is proposed for the retaining wall.

Engineer Caponigro stated that a protective fence is proposed rather than a guide rail.

Mr. Hite made a motion to take the plan under advisement to afford the developer the time necessary to address the reviewing agencies' comments, contingent upon the applicant granting the Township a waiver to the timeframe in which to act upon the plan.

Mrs. Kelly seconded and the motion passed unanimously, 5-0.

**B. LONG'S WATER TECHNOLOGY  
MAJOR PLAN 2021-106  
REQUEST FOR PRELIMINARY/FINAL PLAN REVIEW**

Chairman MacNair polled the audience for interested parties other than the developer regarding the application to further develop the property located at 1567 Hausman Road. The following individuals indicated interest:

Bonnie Bortz                                1551 Hausman Road

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 applicant the time necessary to address the reviewing agencies' comments, contingent upon the applicant granting the Township a waiver from the timeframe in which to act upon the plan.

Engineer Adam Smith of Barry Isett and Associates accompanied Mr. Jim Carroll of Lang's Water Technology to present the plan and answer questions. Mr. Carroll started by stating that he's owned the business since 1998 and that the business has been in the Township since 1988. He stated that his lease at his current location is not to be renewed and will expire in October 2022. He stated that he first proposed the new building in 2006, but after financial difficulties put the lot up for sale. When the lot did not sell, her reviewed the 2006 plan and resubmitted it. He stated that he's looked into other location in the area. He stated that his current location is difficult to access and the proposed site has traffic lights entering onto PA Route 309 to the north and south of the site. He opined that the proposed use will fit well into the neighborhood.

Engineer Smith stated that the project received approval in 2008 and noted that the proposed design is the same as the 2008 plan. He stated that he has received the

comment letters from the reviewing agencies and that he could comply with the comments. He reviewed the required public improvements and noted that the improvements would trigger NPDES permit requirements and that would substantially lengthen the approval process. He stated that the lot has 180 feet of frontage. He noted that he did size the stormwater management to accommodate all of the required improvements. He proposed a note on the plan requiring the installation of curbing and sidewalk should the neighboring properties install them.

Chairman MacNair stated his understanding of the issues.

Mr. Hite noted that the nearby PPL property has sidewalk installed. He inquired as to the width of Hausman Road.

Engineer Smith stated that he did not know the exact width but that he did know it was quite narrow.

Mrs. Kelly pointed out that the prior plan required variances, that they are likely expired and that they would again be needed.

Engineer Smith stated that the Zoning Ordinance has been amended since then and the variances are no longer needed.

Ms. Bonnie Bortz of 1551 Hausman Road stated that she wanted to review the plan. She stated her concerns for her privacy and with stormwater.

Engineer Smith stated that the proposed basin discharges into the roadside swale, which conveys the water into a underground pipe downstream. He stated that there is a double row of evergreens proposed as a screening buffer against the Bortz property.

Mr. Hite inquired as to the height of the proposed building.

Mr. Carroll stated that the height is proposed to be 32 feet at the peak.

Mr. Mulqueen opined that Mr. Carroll was not against installing the sidewalk, rather that he was concerned with the delay that securing an NPDES permit would cause to the project. He suggested that the sidewalk be deferred for 12 months to allow the building to be built and occupied.

Engineer Smith stated that Mr. Mulqueen's assumption was correct, but that the requirements for NPDES permit could be triggered if the site is still under construction and not stabilized.

Mr. Tallarida stated that the LCCD would make that determination and that the requirement may not be triggered if the site is stabilized or it could be a five-year window in which any improvement may trigger the requirement.

Engineer Smith stated that if the LCCD requires an NPDES permit after the building is occupied, the applicant has no issue. He noted that Mr. Carroll is open to securing the sidewalk to ease the concern of calling in the deferral.

Solicitor Zator inquired as to how the LCCD would react to the improvements being shown on the plan.

Engineer Smith stated that the stormwater management improvements need to be shown on the plan but that he may need to retrofit the facilities for the road widening. He stated that the NPDES permit may not be triggered after three years after completion.

Mr. Wilson inquired as to how the right-of-way improvements could be separated from the site improvements with regard to the stormwater management facilities.

Engineer Smith stated that the right-of-way improvements could be accounted for through spray irrigation or other such means. He suggested that the facilities could be retrofitted after getting the NPDES permit.

Mr. Hite inquired as to how that may impact the landscaping.

Engineer Smith stated that it would not, as trees would benefit from spray irrigation.

Chairman MacNair inquired as to where the spray irrigation might be installed.

Engineer Smith stated that the western and northern sides of the lot are available for spray irrigation.

Mr. Wilson suggested that the applicant's team have a conversation with the LCCD on the matter.

Engineer Smith stated that he would and requested some direction for the Planning Commission and staff.

Mr. Hite stated that the proposal is better than the last project proposed for the lot and better than what currently exists on the lot.

Mr. Mulqueen stated that he supports the installation of sidewalks but wants to keep the applicant in the Township.

Chairman MacNair agreed.

Mrs. Kelly made a motion to take the plan under advisement to afford the developer the time necessary to address the reviewing agencies' comments, contingent upon you granting the Township a waiver to the timeframe in which to act upon the plan.

Mr. Hite seconded and the motion passed unanimously, 5-0.

**C. 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 <sup>th</sup> Street
David Tomasic	1636 North 28 <sup>th</sup> 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 applicant the time necessary to address the reviewing agencies' comments, contingent upon the applicant submitting a completed *Waiver From The Time Limitation To Review The Plan* form.

Attorney James Preston, Engineer Jason Engelhardt and Traffic Engineer Robert Hoffman were present to present the plan and answer questions. Attorney Preston stated that, in his understanding, there are three issues remaining to be resolved prior to preliminary plan approval: the status of the Mobility Easement, the securing of the Buchman Street access, and the stormwater management issues. He stated that the Zoning Officer has confirmed that the Mobility Easement shown on the plan is sufficiently similar to the street depicted on the Ridge Farm Sketch Plan last revised November 26, 2018, as required by Condition E of the Ridge Farm Conditional Use approval. He stated that the applicant has acquired the area needed for the Buchman Street right-of-way and that the easement across the LCA/City of Allentown property will be achieved soon.

Engineer Engelhardt stated that he is working out the stormwater issues with the Pidcock Company in conjunction with Traffic Engineer Hoffman for the roadway implications.

Mr. Tallarida confirmed that the applicant's engineer is working with the Township Engineer and agrees that the direction that the work is heading appears to be correct.

Attorney Preston opined that the outstanding issues are being resolved but not documented as of this evening. He stated that he would grant another waiver from the time limitation to review the plan.

Mr. David Tomasic of 1636 North 28<sup>th</sup> Street stated his concern for the lack of parking and narrow roads within the TND portion of the development.

Engineer Engelhardt stated that there is parking on-street and on the driveways off the alleys.

Mr. Tomasic inquired as to how large trucks would navigate the narrow streets and stated that there is no overflow parking available.

Ms. Shawn Hubler of 1115 North 30<sup>th</sup> Street stated he concerns with narrow streets, the weaker specifications of private roads, the open space on steep slopes, school bus access and the potential for HOA Failure.

Engineer Engelhardt stated that truck turning plans for the development have been submitted to the Township Engineer for review, the maximum grades of any private street is 7%, and the private road cross-section is per the Township road standard.

Mr. Hite 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, 5-0.

#### **AGENDA ITEM #4 – TRANSPORTATION INFRASTRUCTURE UPDATE**

There was no report.

#### **AGENDA ITEM #5 – COMPREHENSIVE PLAN UPDATE**

Mr. Adams reviewed the scheduling for Planning Commission Workshop meetings, noting that the first two weeks of the month are friendlier than the last two weeks of the month, given the holidays. He noted that a workshop may not require a quorum, as they will not make any formal recommendations. He stated that the final Comp Plan meeting can be either a regular or workshop meeting, so long as a quorum is present to make a formal recommendation to the Board of Commissioners.

Chairman MacNair inquired as to how many workshop meetings are being planned for.

Mr. Adams stated that six are now being planned, although there could be fewer if two topics could be combined into a single meeting. He stated that work for each meeting is planned to be a review of the Working Group's recommendations – to resolve conflicts and prioritize – and a review of the Planning Commission recommendations impact on the Land Use Map. He stated that each topic would build



on the previous so that when the last topic is completed, the chapters and the Land Use Map will be complete.

Mrs. Kelly inquired as to the models and, in particular, Ridge Farm's impact on the models.

Mr. Adams stated that staff and the consultants have not had time to look into Ridge Farm's impact on the models.

Mrs. Kelly inquired as to whether a hybrid in-person/remote workshop would be a possibility.

Mr. Adams stated that staff has not adequately addressed the technology issues with the current public meetings. He stated that staff could look into the options. He opined that having in-person participants also individually log into GoToMeeting on their own laptop to improve the remote experience may be a viable option.

Mrs. Kelly opined that all of the Planning Commission members should participate in each workshop.

Chairman MacNair suggested that we plan for one additional workshop per month so that participants don't become burnt out.

Mr. Adams agreed, but cautioned against spreading workshops beyond once every four weeks to ensure that participants maintain focus. He opined that Natural Resources would be the first topic and Traffic would be the last.

#### **AGENDA ITEM #6 – COURTESY OF THE FLOOR**

Mr. Tomasic opined that the monitors on either side of the room are too small for the audience to view easily. He also noted that the sidewalk issue should not stop the owner of Long's Water from keeping his business in the Township.

Mr. Adams stated that Ridge Farm and 1810 PA Route 309 will be on the Planning Commission agenda for October.

#### **AGENDA ITEM #7 – ADJOURNMENT**

Chairman MacNair requested a motion to adjourn at 9:09 p.m. Mrs. Kelly made the motion, Mr. Wilson seconded the motion and it passed unanimously.

**ADOPTED THIS DATE: October 21, 2021**

**ATTEST:**

---

**Secretary**

---

**Chairman**