

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

**REGULAR SESSION**

**MINUTES**

**DECEMBER 16, 2021**

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

Members in attendance:

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

Staff members in attendance:

Gregg Adams, Planner  
David Manhardt, Director of Community Development  
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 7:33 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 November 18, 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. Mrs. Kelly made a motion to that effect. Mr. Hite seconded the motion and it passed 4-0, with Mr. Wilson abstaining.

**AGENDA ITEM #3 – COMPREHENSIVE PLAN UPDATE SUMMARY**

Mr. Adams noted that the first Comp Plan Workshop is scheduled for Tuesday January 11<sup>th</sup> at 6 PM.

## **AGENDA ITEM #4 – SUBDIVISION REVIEW**

### **A. Dorneyville Shopping Center Fast Casual Restaurant Major Plan #2021-107 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 properties located at 3327 Hamilton Boulevard. 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 Scott Pasterski of Keystone Consulting Engineers accompanied Mr. Haresh Joshi to present the plan and answer questions. He reviewed the plan, noting that the project area is located in a typically unused portion of the parking field and will result in a reduction of 1,800 square feet of impervious surface. He stated that the applicant is seeking direction on a few key issues. He noted that the design proposes 11 parking spaces along Hamilton Boulevard, a pick-up window on the north side of the building and an "escape lane" to the east of the drive-through lane. He noted that there are several zoning comments to address but he believes that he can address most of them. He noted that the applicant may need zoning relief from the required number of parking spaces. He opined that the proposed restaurant is a low traffic generator. He stated that he will have to go to PennDOT regarding the driveways. He stated that new water and sewer services will be required for the restaurant from Haines Mill Road, which would require a Highway Occupancy Permit for the utility work.

Chairman MacNair inquired as to the traffic circulation around the building.

Engineer Pasterski stated that the proposed circulation is two-way in the parking lot area and one-way around the building.

Mr. Leuthe stated his preference for one-way flow all around the building. He stated that such flow would eliminate possible confusion at the parking lot entrance.

Mr. Hite inquired as to whether the sit-down traffic or the take-out traffic would be the majority.

Engineer Pasterski opined that they would be similar but that he didn't know the exact breakdown.

Mr. Wilson inquired as to whether the storm sewer would be re-routed from under the building.

Engineer Pasterski stated that the applicant would prefer not to due to the expense and noted that it is a private storm sewer.

Mr. Wilson noted safety concerns and structural aspects to the proposed design. He stated that he would prefer not to see a collapsed pipe or a potential sinkhole under the building.

Mr. Hite noted that if an emergency arose, he was confident the South Whitehall Township services could take care of the issue.

Mr. Leuthe inquired as to whether gas was onsite.

Engineer Pasterski stated that it was, noting that the line was near the property line with Dunkin Donuts. He stated that electric service was along Hamilton Boulevard.

Mr. Leuthe inquired as to when the applicant would submit plans to PennDOT.

Engineer Pasterski stated that he would submit soon in order to determine if a scoping meeting is required.

Mr. Wilson inquired as to the construction of sidewalk.

Engineer Pasterski stated that the plan proposes sidewalk along Hamilton Boulevard in the immediate area of the restaurant. He stated that the applicant is proposing to build the sidewalk in front of the restaurant and then submit a detailed plan for the remainder of the frontage based on future development.

Mr. Wilson stated that he would like to see the sidewalk constructed along Hamilton Boulevard now while deferring along the Bypass for a short time.

Engineer Pasterski inquired as to whether the future sidewalk construction could be phased with future improvements.

Mrs. Kelly stated her preference that the Hamilton frontage be improved as part of this project.

Mr. Hite noted that any future development plans may run afoul of zoning requirements for parking.

Engineer Pasterski stated that the applicant is trying to gauge the Township's priorities and cost/benefits.

Mr. Hite noted that the restaurant could be a destination for students at Cedar Crest College and opined that the Haines Mill Road frontage may be a higher priority for sidewalk than Hamilton Boulevard, as it would connect to existing sidewalk along the Bypass.

Mr. Leuthe and Mr. Tope agreed with Mr. Hite.

Mrs. Kelly noted that the last deferral for frontage improvements was 22 years ago.

Engineer Pasterski reviewed the waiver/deferral requests.

Mr. Tallarida stated that if the sidewalk is proposed the applicant should also show existing sidewalks, crosswalks and similar relevant features near the project.

Solicitor Zator noted that the title policy for the point of purchase should ease the title search.

Mr. Joshi stated that he expects to construct some sidewalk with this project but that requiring sidewalk along the entire frontage for a 2,400 square foot building doesn't make financial sense.

Mr. Leuthe suggested bringing sidewalk along Haines Mill.

Mr. Wilson stated that he can't make a definitive statement on the required sidewalk now, but he wants to impress upon the applicant the importance of sidewalk along Haines Mill Road and Hamilton Boulevard.

Mr., Hite noted that, if the sidewalk was deferred for Dunkin Donuts, it may be called in with this project.

Mr. Joshi stated that any sidewalk required beyond that which was proposed would be economically unfeasible.

Mr. Manhardt suggested that the applicant also review the internal pedestrian circulation.

Engineer Pasterski noted that the Zoning Officer made a similar comment. He stated that if the number of pedestrians to visit the restaurant was projected to be small, then they could walk along the driveway aisles. If more are projected, than a separate walkway may be needed.

Mr. Hite opined that actions on the waiver requests would be premature.

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, 6-0.

**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. 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:

1. That the applicant shall execute subdivision improvement, security, maintenance and indemnification agreements acceptable to the Township and its Solicitor, 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 address to the satisfaction of the Township Engineer, the comments of Mr. Anthony Tallarida, as contained in his review dated December 10, 2021.
3. That the applicant address to the satisfaction of the Township Water & Sewer Engineer, the comments of Mr. Jason Newhard, as contained in his review dated November 5, 2021.
4. That the applicant address to the satisfaction of the Township Geotechnical Consultant, the comments of Mr. Chris Taylor, as contained in his review dated December 3, 2021.
5. That the applicant address to the satisfaction of the Community Development Department, the comments of Mr. Gregg Adams, as contained in his review dated December 10, 2021.
6. That the applicant address to the satisfaction of the Public Works Department, the comments of Mr. Herb Bender, as contained in his review dated December 8, 2021.
7. That the applicant obtains a letter from the Lehigh County Conservation District approving the Soil Erosion and Sedimentation Control Plan pursuant to Section 312-39(e) of the Subdivision and Land Development Ordinance.
8. If deemed to be necessary, the applicant shall obtain a letter from the Pennsylvania Department of Environmental Protection and/or the Lehigh County Conservation District approving the NPDES Permit application pursuant to Section 312-39(e) of the Subdivision and Land Development Ordinance.
9. That the applicant obtains a letter from the Pennsylvania Department of Environmental Protection approving a sewage facilities planning module.
10. That the applicant contributes fees in lieu of parkland dedication, in the amount of \$3,113.50 in order to meet the parkland and open space requirements of the Subdivision and Land Development Ordinance.
11. That the applicant complies with the forthcoming recommendation of the Landscape and Shade Tree Commission.
12. That the applicant addresses all issues and obtains all approvals deemed necessary by the South Whitehall Township Board of Commissioners in so far as matters pertaining to the Township's water and sewer service are concerned.
13. That the applicant shall dedicate to the Township additional right-of-way along the frontage of Hausman Road at a width acceptable to the Township. The dedication shall occur prior to the plan being recorded. The dedication shall be by Deed of Dedication in a form acceptable to the Township Solicitor, and an Opinion of Record Title prepared by applicant's counsel indicating that the dedication is free and clear of liens and encumbrances that would affect the Township's use of said property. The applicant shall furnish to the Township Solicitor a description for the dedication that has been approved by the Township Engineer, a copy of the current deed for the property showing current ownership and recites the deed book volume and page reference.
14. That the applicant shall dedicate to the Township a utility easement of sufficient size in an area acceptable to the Township for accessing the water meter pit. The dedication shall occur prior to the plan being recorded. The dedication shall be by Deed of Easement in a form acceptable to the Township Solicitor, and an Opinion of Record Title prepared by applicant's counsel indicating that the easement is free and clear of liens and encumbrances that would affect the Township's use of said property. The applicant shall furnish to the Township Solicitor a description for the easement that has been approved by the Township Engineer, a copy of the current deed for the property showing current ownership and recites the deed book volume and page reference.

15. That a Declaration of Covenants and Easement for Maintenance of Stormwater Management Facilities prepared by the Township Solicitor be executed for the maintenance of the on-site stormwater management facilities.
16. That the applicant reconciles all open invoices for Township engineering and legal services prior to the plan being recorded.
17. That the plans are to be revised and deemed to be "clean" prior to them being presented to the Board of Commissioners.
18. That a complete design plan for the improvements portrayed on Plan Sheet RP-1 Future Right-Of-Way Improvements shall be reviewed and approved by the Township prior to the commencement of the construction of the improvements proposed.
19. That a complete design plan for the improvements portrayed on Plan Sheet RP-1 Future Right-Of-Way Improvements shall be reviewed and approved by the Lehigh County Conservation District prior to the commencement of the construction of the improvements proposed.
20. That the improvements proposed on Plan Sheet RP-1 Future Right-Of-Way Improvements shall be secured as part of the project, in a manner acceptable to the Township.
21. That the improvements proposed on Plan Sheet RP-1 Future Right-Of-Way Improvements shall be deferred until the completion of the proposed building and the stabilization of the site, as determined by the Lehigh County Conservation District (LCCD). Work on said improvements shall commence not more than 12 months after such determination by the LCCD or the issuance of the Certificate of Occupancy for the building, whichever is first.
22. If deemed to be necessary, that the Applicant shall be required to provide the Township with an engineered record plan of Plan Sheet RP-1 Future Right-Of-Way Improvements, signed by the Applicant and sealed by a registered professional engineer and/or professional land surveyor, as applicable, to be recorded with the Lehigh County Recorder of Deeds Office prior to the release of performance guarantees.

Engineer Adam Smith accompanied Mr. Jim Carroll to present the plan and answer questions. He stated that he has reviewed the Township Engineer's review letter and will comply with the comments.

Mr. Leuthe inquired as to whether the conditions of approval were acceptable.

Mrs. Kelly asked the Township Engineer to confirm that the stormwater management details proposed were adequate.

Mr. Tallarida stated that a full set of engineered plans will be furnished and the plans submitted to date are adequate.

Chairman MacNair inquired as to whether the Lehigh County Conservation District was okay with the plans.

Engineer Smith stated that the LCCD found the plans acceptable. He noted that they have been getting easier to deal with in the last few years.

Chairman MacNair reviewed the waiver/deferral requests.

Mr. Wilson made a motion to support the applicant's request to waive the requirement of Section 312-12(b)(15) of the Subdivision and Land Development Ordinance pertaining to the showing of existing and proposed contours on the entire tract and adjacent land within 400 feet of the tract.

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

Mr. Wilson made a motion to support the applicant's request to waive the requirement of Section 312-12(b)(21) of the Subdivision and Land Development Ordinance pertaining to the showing of the locations and widths of all sidewalks, trails, driveways, streets, easements, and rights-of-way within 400 feet of the tract.

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

Mrs. Kelly made a motion to support the applicant's request to defer the requirement of Section 312-35(b)(3)(A)(i)(1) of the Subdivision and Land Development Ordinance pertaining to the requirement for the installation of curbing on all public and private streets and for the ingress and egress of all parking lot access drives and non-residential driveways, specifically for the frontage of Hausman Road, until such time as required by Condition 21.

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

Mr. Hite made a motion to support the applicant's request to defer the requirement of Section 312-35(b)(3)(A)(ii)(1)(A) of the Subdivision and Land Development Ordinance pertaining to the requirement for sidewalks within all subdivisions, specifically for the frontage of Hausman Road, until such time as required by Condition 21.

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

Mrs. Kelly made a motion to support the applicant's request to defer the requirement of Section 312-35(b)(3)(C)(i) of the Subdivision and Land Development Ordinance requiring that Collector Streets be constructed in accordance with Township Standard Construction Documents (latest revision) for Collector Streets, specifically for the frontage of Hausman Road, until such time as required by Condition 21.

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

Mrs. Kelly made a motion to support the applicant's request to defer the requirement of Section 312-41(a)(1)(A) of the Subdivision and Land Development Ordinance that the developer shall be responsible for making necessary arrangements with the municipality and the public service company involved for street lights as approved by the Board of Commissioners and shall further be responsible for providing utility easements for lighting standards and fixtures.

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

Mrs. Kelly made a motion to support the applicant's request to defer the requirement of Section 312-35(b)(3)(A)(iii) of the Subdivision and Land Development Ordinance that concrete curb ramps shall be constructed at all crosswalk locations and between the parking area and sidewalk area of commercial, industrial, institutional and public buildings, and that such ramps shall be constructed or installed in accordance with the Township Standard Construction Documents (latest revision), the designs and

specifications currently utilized by the Pennsylvania Department of Transportation, the Americans with Disabilities Act, and the International Building Code (as applicable).

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

Mr. Tallarida pointed out that the next waiver request referred to the concrete driveway apron more typical of residential driveways. He noted that they are much less common on non-residential driveways.

Mrs. Kelly made a motion to support the applicant's request to waive the requirement of Section 312-35(b)(3)(A)(iv) of the Subdivision and Land Development Ordinance pertaining to the requirement for concrete aprons.

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

Mr. Hite made a motion to support the applicant's request to defer the requirement of Section 312-40 of the Subdivision and Land Development Ordinance to plant street trees within the right-of-way of streets along the perimeter of the property until such time as required by Condition 21.

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

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

1. That the applicant shall execute subdivision improvement, security, maintenance and indemnification agreements acceptable to the Township and its Solicitor, 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 address to the satisfaction of the Township Engineer, the comments of Mr. Anthony Tallarida, as contained in his review dated December 10, 2021.
3. That the applicant address to the satisfaction of the Township Water & Sewer Engineer, the comments of Mr. Jason Newhard, as contained in his review dated November 5, 2021.
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6. That the applicant address to the satisfaction of the Public Works Department, the comments of Mr. Herb Bender, as contained in his review dated December 8, 2021.
7. That the applicant obtains a letter from the Lehigh County Conservation District approving the Soil Erosion and Sedimentation Control Plan pursuant to Section 312-39(e) of the Subdivision and Land Development Ordinance.
8. If deemed to be necessary, the applicant shall obtain a letter from the Pennsylvania Department of Environmental Protection and/or the Lehigh County Conservation District approving the NPDES Permit application pursuant to Section 312-39(e) of the Subdivision and Land Development Ordinance.



9. That the applicant obtains a letter from the Pennsylvania Department of Environmental Protection approving a sewage facilities planning module.
10. That the applicant contributes fees in lieu of parkland dedication, in the amount of \$3,113.50 in order to meet the parkland and open space requirements of the Subdivision and Land Development Ordinance.
11. That the applicant complies with the forthcoming recommendation of the Landscape and Shade Tree Commission.
12. That the applicant addresses all issues and obtains all approvals deemed necessary by the South Whitehall Township Board of Commissioners in so far as matters pertaining to the Township's water and sewer service are concerned.
13. That the applicant shall dedicate to the Township additional right-of-way along the frontage of Hausman Road at a width acceptable to the Township. The dedication shall occur prior to the plan being recorded. The dedication shall be by Deed of Dedication in a form acceptable to the Township Solicitor, and an Opinion of Record Title prepared by applicant's counsel indicating that the dedication is free and clear of liens and encumbrances that would affect the Township's use of said property. The applicant shall furnish to the Township Solicitor a description for the dedication that has been approved by the Township Engineer, a copy of the current deed for the property showing current ownership and recites the deed book volume and page reference.
14. That the applicant shall dedicate to the Township a utility easement of sufficient size in an area acceptable to the Township for accessing the water meter pit. The dedication shall occur prior to the plan being recorded. The dedication shall be by Deed of Easement in a form acceptable to the Township Solicitor, and an Opinion of Record Title prepared by applicant's counsel indicating that the easement is free and clear of liens and encumbrances that would affect the Township's use of said property. The applicant shall furnish to the Township Solicitor a description for the easement that has been approved by the Township Engineer, a copy of the current deed for the property showing current ownership and recites the deed book volume and page reference.
15. That a Declaration of Covenants and Easement for Maintenance of Stormwater Management Facilities prepared by the Township Solicitor be executed for the maintenance of the on-site stormwater management facilities.
16. That the applicant reconciles all open invoices for Township engineering and legal services prior to the plan being recorded.
17. That the plans are to be revised and deemed to be "clean" prior to them being presented to the Board of Commissioners.
18. That a complete design plan for the improvements portrayed on Plan Sheet RP-1 Future Right-Of-Way Improvements shall be reviewed and approved by the Township prior to the commencement of the construction of the improvements proposed.
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20. That the improvements proposed on Plan Sheet RP-1 Future Right-Of-Way Improvements shall be secured as part of the project, in a manner acceptable to the Township.
21. That the improvements proposed on Plan Sheet RP-1 Future Right-Of-Way Improvements shall be deferred until the completion of the proposed building and the stabilization of the site, as determined by the Lehigh County Conservation District (LCCD). Work on said improvements shall commence not more than 12 months after such determination by the LCCD or the issuance of the Certificate of Occupancy for the building, whichever is first.

22. If deemed to be necessary, that the Applicant shall be required to provide the Township with an engineered record plan of Plan Sheet RP-1 Future Right-Of-Way Improvements, signed by the Applicant and sealed by a registered professional engineer and/or professional land surveyor, as applicable, to be recorded with the Lehigh County Recorder of Deeds Office prior to the release of performance guarantees.

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

#### **AGENDA ITEM #5 – TRANSPORTATION INFRASTRUCTURE UPDATE**

Mr. Tallarida stated that there were 4 projects have been infused with Infrastructure Bill money:

- The Tilghman Street/PA Route 309 Interchange projected between 2022 and 2025. He noted that it is considered to be the #1 safety issue in the Lehigh Valley and will result in traffic signals at the end of each off/on ramp.
- The Mauch Chunk Road Signals Upgrade, which will improve both intersections in the area.
- The PA Route 309 Resurfacing Project (formerly the PA Route 309 Betterment Project) from north of US 22 into North Whitehall Township, including mostly resurfacing with some widening and reconfiguring of lanes.
- The Huckleberry Road Bridge in Guthsville (part of a bridge package).

Mr. Hite noted that PennDOT is trying to find a number of bridges of similar design to bundle into a single project so that the contractor can build the same design of bridge in multiple locations.

#### **AGENDA ITEM #6 – COMPREHENSIVE PLAN UPDATE**

Director Manhardt stated that staff is determining how to design the workshops so that common outcomes result from all of them. He reviewed the progress to date with the Guiding Principles, the Where Should We Grow, the How Should We Grow, and the results of the Working Groups. He stated that, for each subject area, staff will review each Working group's results and develop bullet points and graphics. Staff will then refine the goals and objectives, identify implementable actions and combine the three into a matrix for each subject area.

Mr. Adams stated that the workshop packet will be delivered to the Planning Commission members on the Friday before the workshop.

Chairman MacNair noted that the 2009 Comprehensive Plan and the 2019 Update to date is available on the Township website.

Director Manhardt stated that Resource Protection will be the first subject area reviewed after the introduction.

Mrs. Kelly inquired as to which developments are included in the Economic Model.

Director Manhardt stated that certain projects that were in the pipeline at the time of the roll-out of the Economic Model were not included, but the model has since been refined and can include those developments in the pipeline.

Mrs. Kelly inquired as to whether those projects will be included before the first workshop.

Director Manhardt stated that they will be included when the projections are required.

Mrs. Kelly inquired as to an email list of stakeholders to invite to the workshops.

Director Manhardt stated that staff has built up a robust email list over the entire process, including residents who signed up on the website and blog, social media and attended any workshop or meeting.

Mrs. Kelly inquired as to virtual components of the workshop.

Director Manhardt stated that there will be and that staff is continuing to refine them.

Chairman MacNair noted that the public meeting room works well for the virtual platform so long as everyone speaks into their microphone.

Mrs. Kelly inquired as to when the emails to the stakeholders would be sent.

Mr. Adams stated that they could be emailed weekly until the first workshop.

#### **AGENDA ITEM #7 – ELECTION OF OFFICERS**

Solicitor Zator opened the floor to nominations for the office of Chairman.

Mr. Tope nominated Mr. MacNair.

Mrs. Kelly nominated David Wilson.

Mr. Leuthe made a motion to elect Mr. MacNair Chairman of the South Whitehall Township Planning Commission for the year 2022.

Mr. Tope seconded the nomination.

There were no further nominations.

Solicitor Zator called for a vote and Mr. MacNair was elected 5-1.

Solicitor Zator opened the floor to nominations for the office of Vice-Chairman.

Mr. Tope nominated Mr. Hite and made a a motion to elect Mr. Hite Vice-Chairman of the South Whitehall Township Planning Commission for the year 2022.

There were no further nominations.

Mrs. Kelly seconded the motion.

Solicitor Zator called for a vote and Mr. Hite was elected unanimously, 6-0.

Solicitor Zator opened the floor to nominations for the office of Secretary.

Mr. MacNair nominated Mr. Tope and made a motion to elect Mr. Tope Secretary of the South Whitehall Township Planning Commission for the year 2022.

There were no further nominations.

Mrs. Kelly seconded the motion.

Solicitor Zator called for a vote and Mr. Tope was elected unanimously, 6-0.

#### **AGENDA ITEM #8 – COURTESY OF THE FLOOR**

Mr. Adams stated that Ruhe Subdivision, Ridge Farm Final Plan Phase 1A, and 1810 PA Route 309 Wawa are tentatively on the January 20, 2022 Planning Commission agenda.

He also introduced a staff proposal for a Completeness Review process to be implemented for all land development applications to the Planning Commission. He stated that the current process is that the deadline for plan submissions for the Planning Commission are 4 PM on the afternoon before the Planning Commission meeting for the following month's Planning Commission meeting. He stated that staff would like to implement an application review process to ensure that all submissions are complete when they are formally accepted. He explained that a Filing Deadline for all applications would be set two weeks before the Planning Commission meeting (set for the first Thursday of the month). The staff would take a week or less to review the submission and issue a Completeness Review to the applicant, allowing the applicant one week to supplement their submission with the missing materials or request a waiver of those materials with justification. The package, with staff recommendation, would then be placed before the Planning Commission for their review at the Planning Commission meeting. Planning Commission would then either formally accept the submission or reject it as incomplete. The MPC-mandated time clock would then start for accepted submissions and those submissions would be delivered to staff for their technical review, which the Planning Commission would then review at the following month's meeting.

Mr. Leuthe inquired as to whether this process would be for initial submissions only or for all submissions.

Mr. Adams stated that the intent would be for at least initial submissions. He stated that staff would like to include a mechanism for expedited resubmissions for those re-reviews that required only small changes. He stated that any applicant wishing an expedited re-review would request it of the Planning Commission before leaving the meeting. This would allow the applicant to resubmit an application for re-review in less than a week after the meeting so as to appear at the following month's Planning Commission meeting.

Mr. Hite noted that such a process would remove the issues that the Commission has been wrestling with over incomplete submissions, late waiver requests, etc.

Mrs. Kelly inquired as to whether there would be a mechanism to ensure that plans are being submitted to the LVPC in a timely manner.

Mr. Adams responded that the Township cannot hold up an approval based upon the lack of an outside agency approval. He stated that an applicant may choose to submit to outside agencies after the Township approves the plan, but would do so at the risk of having to change the plan and return to the Township for a re-review and approval.

Mr. Leuthe stated that many developers may choose to submit to each agency at their own schedule based upon their own need.

Mr. Adams noted that the Township often conditions their plan approval on the approval of outside agencies.

Mr. Hite inquired as to whether the Township is considering requiring a sketch plan.

Mr. Adams stated that TNDs are now required to submit a sketch plan, and residential developments over fifty units are required to get a review from Parks and Rec Board and Board of Commissioners on the Open Space before submitting a Preliminary Plan to the Township.

Mr. Adams noted that the requirement of a Sketch plan, according to the PA MPC, does start the timeclock. He stated that he wouldn't recommend requiring a Sketch plan without a good reason. He stated that staff will continue to review and refine the process before rolling it out. He stated that there have also been issues with the financial aspects of plan review, as there are sometimes incorrect checks submitted which create difficulties. He also noted that application checks can take a circuitous path to the Finance Department, which has more points of failure. He stated that staff proposes a \$50 filing fee to be submitted with the application, at which point staff will determine the correct fee and escrow and can invoice the applicant for the correct amounts. He stated that staff intends to announce the new process months before implementing.

Mrs. Kelly inquired as to how the public will be notified.

Mr. Adams stated that announcements will be posted on the website, at every Planning Commission meeting, as well as sending to every engineering and legal firm in the Lehigh Valley.

Mr. Leuthe suggested spelling out the process in SALDO.

Solicitor Zator opined that now was a good time to start this change, as the SALDO update will occur after the adoption of the Comprehensive Plan.

Mr. Leuthe suggested that this process only apply to the initial submission, as it is difficult to turn a plan around between meetings already.

Mr. Wilson compared the process to the LCCD's Completeness Review and agreed with it in concept.

**AGENDA ITEM #9 – ADJOURNMENT**

Chairman MacNair requested a motion to adjourn at 10:26 p.m. Mrs. Kelly made the motion, Chairman MacNair seconded the motion and it passed unanimously.

**ADOPTED THIS DATE: January 20, 2022**

**ATTEST:**

\_\_\_\_\_  
**Secretary**

\_\_\_\_\_  
**Chairman**