

PALMER TOWNSHIP PLANNING COMMISSION  
PUBLIC MEETING                      DECEMBER 14, 2010                      7:00 P.M.

The regular monthly meeting of the Palmer Township Planning Commission was held on Tuesday, December 14, 2010 at 7:00 p.m. with the following in attendance: Chairman Thomas Grube, Vice Chairman Virginia Rickert, members Ron Grandinetti, Bob Blanchfield, Jo-Ann Stoneback and Chris Briglia. Also present was Planning Director Cyndie Carman, Engineer Brian Harman, and Solicitor Charles Bruno. Grube convened the meeting by leading those present in the Pledge to the Flag.

Minutes of Public Meeting of November, 2010 - On motion by Rickert, seconded by Grandinetti, and agreed by five, Stoneback abstaining, the minutes of the meeting were approved.

OLD BUSINESS

1.     TPI ENVIRONMENTAL – South 27<sup>th</sup> St. – M9-30-2A  
      Preliminary/Final Plan – Requested by TPI Environmental (Finelli Consulting Engineers)  
      – This plan proposes the construction of an office and equipment storage building with associated parking and site improvements. The plan also provides for future expansion of the building, parking and storm water management.

Owner Frank Fendler was present along with his engineer Domenick Colangelo of Finelli Consulting Engineers. They discussed the township engineer's letter of December 10, 2010. Colangelo submitted a letter to Cyndie Carman on the grading and paving and the sanitary force main within the Met-Ed easement located on this property. Colangelo commented on the issue of the status of the railroad easement that is shown on this plan. He stated they had made contact with the railroad and they have no problem signing an agreement to extinguish this right-of-way. Bruno informed the applicant that he will need to review this document. There needs to be proof of ownership of the other party and they need to sign off on this easement. Township departmental comments were reviewed and it was noted that the building size does not meet the requirements for sprinklering the building so this will not be done but the Knox Box will be provided. Carman stated that the township geotechnical engineer did a review of the proposal to infiltrate the storm water and this was satisfactory. There was also a letter from the township's environmental consultant which found no issues of concern. There being no further comments or questions by the applicant and/or commission members the Chairman called for a motion. Blanchfield motioned to recommend final approval of the TPI Environmental plan subject to the engineer's letter dated December 10, 2010 being complied with; township staff comments dated December 10, 2010 being satisfactorily addressed; waivers as presented being approved by the Board of Supervisors; and recreation fees and voluntary traffic contribution being addressed by the Board of Supervisors. Also that the letters and/or reports from the township geotechnical engineer and environmental consultant be satisfactorily addressed. Motion was seconded by Rickert. Grube called for a vote which was approved by all.

2.     FIRST BAPTIST CHURCH OF EASTON – 177 N. Greenwood Ave – L8SE2-8-16

Conditional Use and Site Plan – Requested by First Baptist Church of Easton (Finelli Consulting Engineers) – The applicant is seeking conditional use approval under the following provisions of the Zoning Ordinance:

- §190-39.B. – Public or privately owned school in the MDR district
- §190-210.B(27)(a) – A minimum tract area less than 10 acres for a public or private school

Engineer Domenick Colangelo was present along with Solicitor Paul Harak and Pastor Gilmore for approval of a requested conditional use. At the last meeting the township was going to do some research on the permitting of this property. Carman sent Harak information on this. She reviewed what she sent to him. She felt it is relevant to have the engineers look at the impervious area of the modular building and parking in terms of storm water management. The Township engineer needs the numbers to review and confirm. Harak stated that they hope there is not an impact and that this should have been researched when the parking lot was installed. Pastor stated he felt disconcerting since he asked the township what to do years prior and he did what was necessary and he is being penalized. He went to the zoning officer and received permission. Bruno stated there is a use issue that has to be approved and we should start here and go forward not backwards. There has to be a site plan review. The engineers will get together on the storm water issue. Departmental comments were reviewed specifically the zoning officer's comments. Harak stated the play area has been there and he didn't think there had been any problems with the neighbors. He stated he may ask for a waiver for this. Bruno informed him that it is a zoning issue so it can't be a waiver. He will have to go before the Zoning Hearing Board for relief of this issue. The fencing around the detention basin was discussed and the engineers do not recommend this. There were various views from Commission members on this issue. Carman brought up the retaining wall and whether there was a permit for this. She reviewed the file and there was no permit issued for this. Bruno, Carman and Harak agreed that in lieu of this there is to be an indemnification to protect the township from any issues. Blanchfield felt the basin and wall are minor issues. At the November meeting there was information that was requested by the Commission such as hours of operation and information in regards to the certification of the church. A letter was received by the township and solicitor from Harak. They do have a registration with the state but did not receive any type of proof/certificates. Harak asked Pastor Gilmore if he contacted the state could he receive a certificate. This will be worked on. Briglia asked if the fence is not required could something be added in the indemnification letter to protect township. Bruno suggested members think on the safety end of the issue not the liability. Stoneback asked the age of the children in the school and was told grades K through 12 so probably 5 to 17. Children can access this section of the property, walk right into it, there are no steep slopes. After discussion ended Grube asked for any further comments. No one had anything further so he called for a motion. Blanchfield motioned that the conditional use be approved conditioned that the township engineer's letter dated December 10, 2010 be satisfactorily addressed; departmental comments dated December 10, 2010 be satisfactorily addressed, that the necessary review for the storm water issue be satisfied between the two engineers, the indemnification issue for the wall be satisfactorily addressed by the township solicitor and that waivers 1 through 5 be approved by the Board of Supervisors along with waiver #6 in regards to the fence not being recommended. Bruno suggested that before a vote is taken the Chairman may wish to informally poll the members to see how they feel about the fence issue. Grube felt this was a good idea and proceeded to do

this. An informal poll showed the Commission was tied 3-3 on this issue. Bruno recommended that this issue be referred to the Board of Supervisors for a decision. Blanchfield amended his motion to state that the fence issue will be referred to the Board of Supervisors for a decision with no recommendation from the Commission. Grube called for a second. This amended motion was seconded by Rickert and agreed by all.

### NEW BUSINESS

3. WOODRIDGE FALLS III LOT 4 – Wayne Street & Timber Ridge Rd. – M93-1A-3 Preliminary/Final Development Plan – Requested by Palmer, LP (Finelli Consulting Engineers) - The plans propose the subdivision of Lot 4 in the Woodridge Falls III development into three single-family lots.

Domenick Colangelo of Finelli Consulting Engineers and David Harte, Vice President of Land Development for Brookside Construction were present with a land development for Woodridge Falls III. This subdivision is in the southwest corner of the property and is proposing 3 single family lots. The Township engineer's letter was reviewed. Colangelo stated that in all their calculations for the overall plan for storm water, the numbers for those lots were included. All calculations were done based on the three lots being there, even though they were pulled off after the first submittal, the numbers were not changed. Harman stated they do not need more calculations but what they do need is the documentation showing they have been addressed. Colangelo stated there were no problems with the remaining comments. Township departmental comments were reviewed and the zoning comments were discussed. Colangelo explained a few of these issues noting that there is a limit to the amount of disturbed area that deals with a steep slope. He was asked the size of the slopes and was told in the construction area it is 8 ft. on the front and side of the proposed building with 30 feet in the rear. Lot 1 will have a significant slope but will have a walk out basement with the drop off in the rear. They will need to get this resolved. Colangelo questioned if Timber Ridge Road is a township street since it is a stub street and with regards to the zoning ordinance it has to be a minimum footage length to receive liquid fuels moneys. He was asking this in regards to the setback for a home. Carman asked him to discuss this with the zoning officer and Bruno felt that the liquid fuels didn't enter into this issue. Carman recommended that Colangelo meet with the Zoning Officer and if any issues needed to go to the Zoning Hearing Board that should be done before resubmitting any plans. There were no further questions or comments. Grube called for a motion. On motion by Rickert, seconded by Stoneback, and agreed by all, the Commission voted to table action on this plan.

### ADMINISTRATIVE REVIEW

4. PALMER VIEW - Van Buren Road - K8-11-3 and K8-10A-5 – For Commission's information. Carman stated this is still under review by township staff.

PLANNING DIRECTOR'S COMMENTS – Carman wished everyone a Merry Christmas and a happy holiday season.

PUBLIC COMMENT - None.

On motion by Blanchfield, seconded by Grandinetti, and agreed by all, the meeting was adjourned at 8:15 p.m.

Diane Grube, Secretary