

NORTH WHITEHALL TOWNSHIP PLANNING COMMISSION
3256 LEVANS ROAD, COPLAY, PA 18037

PLANNING COMMISSION MINUTES OF MARCH 26, 2024

Meeting brought to order, followed by the Pledge of Allegiance to the flag and a moment of silence at 7:00 p.m., on Tuesday, March 26, 2024 by Chairman Brian Horwith

Attendance:

Supervisor Al Geosits	Vice Chairman Robert Korp
Township Manager Randy Cope	Secretary Richard Semmel
Township Director of Operations Jeff Mouer	Bruce Stettler
Township Zoning Officer Aubrie Miller	Jeff Johnson
Township Engineer Steve Gitch	Richard Fuller
Township Solicitor Tom Dinkelacker	Kathy Crawford
Township Planning Administrator Jane Kelly	Alternate Sean Ziller
Chairman Brian Horwith	

Minutes of the February 27, 2024 meeting were approved. Motion made by Jeff Johnson seconded by Richard Fuller; all others agreed.

1. **Views at Fells Creek** – NWT-21-021, Revised Final, 3054 & 3061 Neffs Laurys Rd, AR Zone, Parcels 5560 7474 2192 & 5560 8335 7945, 40.3072 Acres, 27 proposed lots. Engineer Lew Rauch and Jaindl Land Co Representative Rocco Caracciolo presented the plan.
 - a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated March 21, 2024.
 - b. Zoning Officer's review is contained in his letter dated March 12, 2024.
 - c. The "will service" letter and design system approval has been received from NBMA.
 - d. Modifications will be needed to their NPDES permit due to the changes in the plan.
 - e. The stormwater management system proposed to be outside of the Township ROW will be owned and maintained by the HOA.
 - f. Lots 25 through 27 are proposed to have individual mailboxes and lots 1 through 24 are proposed to have a cluster mailbox possibly located around lots 7/8 or 20/21.
 - g. There is a small sliver of land along Meadow Lane that is proposed the HOA will maintain.
 - h. **Township Supervisor Al Geosits** questioned connecting the stub street Fells Creek Road to Majestic View Drive for a pedestrian pathway connecting the two subdivisions. The developer does not want a pathway over private property, there is also a 6' to 8' drop between these two streets and stormwater and septic issues involved.
 - i. **Planning Commission Vice Chairman Robert Korp** believes there is a way to make pedestrian connection between the existing cul de sac to the east and the proposed road, but he also understands there is no Township requirement to do so.
 - j. **Planning Commission member Bruce Stettler** questioned if the cluster mailboxes will be in the Township ROW?
 - k. **Planning Commission member Richard Fuller** questioned if the 3:1 basin will have fencing? Lew stated yes.
 - l. **Planning Commission member Kathy Crawford** stated there was an error on page 2 of 20, listing Fairland Sewer Co, needs to be corrected. Kathy also requested a "School Bus Stop Ahead" sign along Neffs Laurys Rd for the stop at Majestic View Road and Neffs Laurys Road. The Developer stated they will request the sign from PennDOT.
 - m. **Planning Commission Chairman Brian Horwith** questioned who shovels and salts the bus stop pad? Brian questioned with a smaller development of 20-30 homes who is in charge of the HOA? The developer stated the HOA will take care of the snow maintenance and the residents are in charge of the HOA. Chairman Horwith also expressed concern over the viability of self-governing HOAs; how is compliance ensured? Who is in charge of governance. He further suggested that the township should create criteria for accepting HOAs which would include these items as well as capital/funding requirements to ensure these developments with planned HOAs do not create future burdens to the township.
 - n. **Planning Commission Secretary Richard Semmel** questioned how long it takes for the HOA to be active? **Township Solicitor Tom Dinkelacker** stated the HOA will be active after a certain percentage of homes are sold.
 - o. **Township Supervisor Al Geosits** requested the cluster mailboxes are placed outside of the Township ROW.

The Planning Commission took a motion on each waiver separately:

- **Waiver of SALDO 502.A.1** to authorize plan review as a preliminary/final plan, Jeff Johnson motioned for a favorable recommendation, second by Richard Semmel, vote taken all agreed.
- **Waiver of SALDO F.04.F** to authorize the design of the outside basin slopes for each basin at 3:1, Robert Korp motioned for a favorable recommendation, second by Richard Semmel, vote taken all agreed.
- **Waiver of SALDO 375.J.1 and Appendix C** to authorize concrete curbs rather than swales, Jeff Johnson motioned for a favorable recommendation, second by Richard Semmel, vote taken all agreed.
- **Waiver of SALDO 375.57.A.5** to authorize limited street connections to existing stub streets as depicted on the plan, Robert Korp motioned for a favorable recommendation, second by Jeff Johnson, vote taken all agreed.

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Richard Fuller motioned to send a recommendation to the Board of Supervisors to approve the plan with all conditions as listed below, Jeff Johnson second the motion, vote was taken, all agreed.

Township Solicitor Tom Dinkelacker offered the conditions listed below for the Planning Commission's motion on action on the plan:

1. Satisfaction of comments Section II 1, 2, 4, 5, and 7 - 11 from the KCE review letter, dated March 21, 2024.
2. Satisfaction of General Planning Comment 2 from the North Whitehall Twp. review letter, dated March 12, 2024.
3. Compliance with all requirements of the NBMA for providing water service to the project, and if not already provided to provide a "will serve" letter.
4. Payment of traffic and recreation fees to the Township prior to plan recording.
5. Execution and recording of a Stormwater Management O&M agreement to the satisfaction of the Township Solicitor and Engineer.
6. Execution and recording of a Land Development Improvements Agreement, to be secured by an irrevocable standby letter of credit, all to the satisfaction of the Township Solicitor and Engineer.
7. Payment of all review fees due and owing.
8. Addition of a note to the record plan sheet identifying all waivers /deferrals approved and the impact of the same on the project.
9. Provision of HOA governance documents to the Solicitor for review and approval.
10. Provision of a letter to the Township withdrawing all prior plans associated with the property.
11. If authorized by PennDOT, the addition of signs warning of a bus stop ahead at appropriate locations on Neffs Laurys Road.
12. Construction of a school bus stop at the intersection of Majestic View Drive and Neffs Laurys Roads.
13. Location of cluster mailboxes to the satisfaction of the Township.

2. **Timberidge Luxury Apartments Phase II** – Land Development, NWT -240-24-001, Preliminary/Final, Parcel 5479 9723 9527, 2356 Levans Road, C Zone, 6.7627 Acres, 12 dwelling units, 72 apartments units, Waiver Request from SALDO Article 3.02.A and Deferral Request from SALDO Section 503.E.7, Section 503.G.8 through 14, 19 & 20 and Section 10.06.A.7. The plan was presented by the Developer Lee Goldstein and Engineer Lew Rauch.

- a. Keystone Engineers have reviewed the plan and offered their comments and recommendations in a letter dated March 21, 2024.
- b. Zoning Officer's review is contained in his letter dated March 14, 2024.
- c. The community center is proposed to have a small kitchenette and a pet grooming facility.
- d. **Planning Commission Chairman Brian Horwith** questioned who was responsible for cleaning the community center and pet grooming area? Brian also questioned if they had any ideas on the landscaping yet, other than grass? The developer stated the maintenance staff would be taking care of the community center and the pet grooming area, he also stated they would be planting trees.
- e. There was a lengthy discussion on emergency access and whether this should be open or gated. Fire Chief Jim Steward suggested this access should be gated, locked, and have a Knox box. The fire company would have the key to unlock this box when it is necessary. The gate would be a manual gate.
- f. **Township Zoning Officer Aubrie Miller** stated there are two street names listed on the plan that are duplicate names to other streets in the Township, these streets would need to be renamed, Dogwood and Magnolia. Township staff could assist in making sure the new names are not duplicated.
- g. **Planning Commission member Kathy Crawford** questioned the location of the bus stop and who would be responsible for snow plowing? The developer stated the bus stop is located on Timberidge Town Center Drive on Phase 1 and the snow plowing would be the responsibility of the maintenance staff. Kathy also questioned if a traffic impact study was being done or traffic fees being paid? The developer stated they are paying the traffic fees.
- h. **Planning Commission member Jeff Johnson** questioned trash collection and how many agencies they called for prices?
- i. **Planning Commission member Richard Fuller** questioned Chestnut Way, what is this used for? Lew stated this is the access to the storage facility.
- j. **Planning Commission Vice Chairman Robert Korp** stated he was pleased with the pedestrian pathway connecting the two phases along Levans Road and continuing along Old Post Road to Kornfeind's.
- k. **Township Manager Randy Cope** requested a few painted crosswalks are added to the interior pathways, Dogwood, Birch, Chestnut and Magnolia.
- l. **Fire Chief James Steward** requested to see the FDC connection during the construction phase.
- m. **Planning Commission member Sean Ziller** questioned the parking spaces and where the handicap parking was located. Lew stated each apartment had 3 parking spaces and there was a handicap space at the community center.

Comments from the Residents:

Brooke Horwith, Walnutport, questioned what the rent amount would be for these apartments, the developer stated it was too early to know at this point.

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The Planning Commission took a motion on the waiver and deferral separately:

- **Waiver of SALDO 3.02** to authorize plan review as a preliminary/final plan, Richard Semmel motioned for a favorable recommendation, second by Jeff Johnson, vote taken all agreed.
- **Deferral of SALDO 503.E.7; 503.G.8 through 14, 19, and 20; and 10.06.A.7** to waive road improvements on Old Post and Levans Roads, both PennDOT Highways, conditioned upon construction of macadam pads as depicted on the plan, Richard Semmel motioned for a favorable recommendation, second by Jeff Johnson, vote taken all agreed.

Jeff Johnson motioned to send a recommendation to the Board of Supervisors to approve the plan with all conditions as listed below, Richard Fuller second the motion, vote was taken, all agreed.

Township Solicitor Tom Dinkelacker offered the conditions listed below for the Planning Commission's motion on action on the plan:

1. Satisfaction of comments Section II 1-3, 7, and 12-15 from the KCE review letter, dated March 21, 2024.
2. Satisfaction of General Comment 3 from the North Whitehall Twp. review letter, dated March 14, 2024.
3. Revision of street names to the satisfaction of the Township Zoning Officer.
4. Satisfaction of comment, relating to FDC connections, from the Neffs Volunteer Fire Co. review letter, dated January 16, 2024.
5. Compliance with all requirements of the NBMA for providing water service to the project.
6. Compliance with all Township requirements for providing sanitary sewer service to the project.
7. Payment of traffic and recreation fees to the Township prior to plan recording.
8. Execution and recording of a Stormwater Management O&M agreement to the satisfaction of the Township Solicitor and Engineer.
9. Execution and recording of a Land Development Improvements Agreement, to be secured by an irrevocable standby letter of credit, all to the satisfaction of the Township Solicitor and Engineer.
10. Payment of all review fees due and owing.
11. Addition of a note to the record plan sheet identifying all waivers /deferrals approved and the impact of the same on the project.
12. Painting of crosswalks across Town Center Drive along Levans Road and at street locations so as to connect sidewalks / paths to the proposed community center (Dogwood, Chestnut, White Birch and Magnolia Drives).

➤ **Any other items that may be discussed at the discretion of the Planning Commission**

Planning Commission Chairman Brian Horwith and Township Solicitor Tom Dinkelacker discussed/reviewed the general memo on PennDOT HOP's with the Planning Commission and when HOP's are required.

Planning Commission Chairman Brian Horwith adjourned the meeting at 8:35pm

Meeting Adjourned
Jane K. Kelly
Planning/Recording Secretary
North Whitehall Township