

PALMER TOWNSHIP BOARD OF SUPERVISORS
March 28, 2017
7:00 PM
GENERAL BUSINESS MEETING

The Palmer Township Board of Supervisors held a general business meeting on Tuesday, March 28, 2017 at 7:00 p.m. with the following in attendance: Chairman David Colver, Vice-Chairman Kendall Mitchell and Supervisors Ann-Marie Panella, Robert Smith and Jeffrey Young. Also in attendance were the Township Manager, Public Services Director, Planning Director, Township Engineer, Police Chief and Attorney Ryan Fields. The Township Solicitor arrived late.

1. PLEDGE TO THE FLAG

2. CONSENT CALENDAR

A. Approval of Minutes - March 13, 2017

INFORMATION

The Board needs to approve/disapprove the minutes of March 13, 2017.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 4-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Young

Supervisors voting Abstain: Smith

B. Disbursement of Funds - March 28, 2017

INFORMATION

The Board needs to approve/disapprove the disbursement of funds for March 28, 2017.

DISCUSSION

Colver said since we have some time while we wait for our Township Solicitor to arrive, I see we have some Easton Area High School students attending tonight. Colver introduced the Board members and Township Staff and explained how the local government works.

Supervisor Smith made a motion to approve the Disbursement of Funds.

Motion: Approve, Moved by Supervisor Robert Smith, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

3. NEW BUSINESS

A. Lands of Clarence & Carol Fehnel - Minor Subdivision Plan

INFORMATION

2120 Newlins Mill Road - K8-13-1

MDR Zoning District

Request by Carol Fehnel

The Palmer Township Planning Commission considered the above-referenced matter at their rescheduled meeting of March 21, 2017.

The minor subdivision plan proposes the subdivision of a 44.7-acre tract of land into two lots containing 41.7 and 2.9 acres. The property is located at the southeast corner of Newlins Mill Road and Tatamy Road in the Medium Density Residential (MDR) zoning district. The site is currently improved with a detached dwelling and associated farm structures, which are proposed to be maintained on the 41.7-acre lot for agricultural use. The 2.9-acre lot is proposed to be improved with a new single-family dwelling. To the north, west and south of the property are existing agricultural uses; to the northeast are single-family dwellings and to the east is the Palmer Township bike path and the Bushkill Creek, which forms the border with Forks Township. The Township Comprehensive Plan designates this area for medium density residential use.

Recommendation: At their meeting, the Planning Commission recommended approval of the minor subdivision plan, subject to the following conditions:

1. Comments of the Township Engineer's letter dated March 1, 2017 are satisfactorily addressed.
2. Township Departmental comments dated March 9, 2017 are satisfactorily addressed.
3. Any comments of the Township's Geotechnical Consultant are satisfactorily addressed.
4. Waiver and deferrals are approved by the Board of Supervisors as deferrals only.
5. The proposed amount of recreation contribution is approved by the Board of Supervisors.
6. The need for any voluntary traffic contribution is addressed to the satisfaction of the Board of Supervisors.

Requested Waivers:

- §165-75 - placement of concrete monuments at all exterior property corners

Requested Deferrals:

- §165-59.F(1) - pavement widening on Tatamy Road (Lot 1)
- §165-59.F(1) - right-of-way dedication along Tatamy Road and Newlins Mill Road (Lot 1)
- §165-69.A - sidewalk construction along Newlins Mill Road and Tatamy Road (Lots 1 & 2)
- §165-75 - curbing on Tatamy Road (Lot 1)

DISCUSSION

Derrick Herman, Keystone Consulting Engineers, was in attendance representing the

Fehnel's. Herman said they are here for a minor subdivision and they are requesting some deferrals.

Planning Director, Cyndie Kramer, said the subdivision plan was reviewed by the Planning Commission and they are recommending approval. The Planning Commission had some discussion regarding their deferral requests. Originally they were requesting a waiver for the placement of the concrete monuments at all exterior property corners and I had recommended it be a deferral because some time in the future we may need to do work at that intersection. Kramer said they didn't survey lot one, so they didn't have the proposed right-of-way of the boundaries. Kramer said the Planning Commission agreed and are recommending it as a deferral.

Colver said he didn't have an issue with paying the recreation fee for one lot, as has been done in the past. Colver said the fee will be \$3,000.

Kramer said it was noted on the plan that the lot was surveyed. Herman said for us to dedicate land we would have to survey the property and the Zoning ordinance states we don't need to survey the property. So we are not sure how we would dedicate property.

Dillman said it is unclear from the notes what was surveyed. We understand they plotted from the Deed and created a subdivision from the deed plot. At some point you want to register what is in the field by a survey. Dillman said it is okay to go with what they have, it is not unheard of. Colver said we all know there have been numerous accidents at the intersection of Newlins Mill Road and Tatamy Road. Dillman said he is not sure what the state right-of-way is, probably not much more than 30 feet total right-of-way. Dillman said, it is not unusual for the township to have right-of-way and if something gets done down the road you would have to allow PennDOT access to the right-of-way. Kramer said they are providing right-of-way for the new house and parcel.

Colver confirmed the new lot has public water and sewer. Herman said yes. Young said if there are no improvements the voluntary traffic contribution would be \$1,000. Herman said the future property owner currently lives at the northwest corner of Newlins Mill and Tatamy Road and will be the resident in the new home, therefore, the traffic will remain the same as the existing condition. Herman reviewed with his client that they would agree with a \$1,000 voluntary traffic contribution, and they agreed.

The Board reviewed the existing sidewalk and curbing in the area.

Young made a motion to approve the Minor Subdivision Plan for the Land of Clarence & Carol Fehnel with the following conditions:

1. The applicant complies with the Township Engineer's letter dated March 1, 2017.
2. The applicant complies with the Township Departmental comments dated March 9, 2017.
3. Requested waivers and deferrals are approved by the Board of Supervisors as deferrals only until such time as the remaining lands are further developed, as

listed below.

4. A recreation contribution is approved as required by ordinance in the amount of \$1,500 for the newly created lot.
5. A voluntary traffic contribution is accepted in the amount of \$1,000 to be held for use toward any future improvements required at Tatamy and Newlins Mill Roads.
6. The applicant enters into a public improvements agreement and posts improvement security to the satisfaction of the Township Solicitor, as may be determined necessary.

Deferrals:

- §165-59.F(1) - Minimum required cartway width on Tatamy Road - 34 feet required, existing width proposed
- §165-59.F(1) - Minimum required right-of-way width on Tatamy Road - 80 feet required, 65 feet proposed
- §165-59.F(1) - Minimum required right-of-way width on Newlins Mill Road - 60 feet required, 55 feet proposed (Lot 1) • §165-59.M(3)(a) – Widening of Tatamy Road
- §165-59.M(3)(b) - Right-of-way dedication along Tatamy Road and Newlins Mill Road (Lot 1)
- §165-69.A - Sidewalk construction along Newlins Mill Road and Tatamy Road
- §165-75 – Installation of curbing on Tatamy Road
- §165-74 - Placement of concrete monuments at all exterior property corners

Colver clarified the recreation fee is \$1,500 not \$3,000 as he mentioned earlier in the discussion.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

B. Discussion of Sanitary Sewer Repair - Audubon Avenue

INFORMATION

The Public Utilities Department is requesting Board of Supervisors authorization to make an emergency repair to the sanitary sewer main in Audubon Avenue. The project would involve the replacement of 876 linear feet of pipe and 13 lateral connections. A quote for services was received from Joao & Bradley for a total amount of \$79,746.00. There are sufficient Sewer Capital funds to cover this expense.

Board Action is requested.

DISCUSSION

Christman said the Public Utilities Department detected a leak on Audubon Avenue. It is leaking, but is still operational at this time. It will involve replacing 876 linear feet of pipe. Christman said there are funds available in the Sewer Capital Fund to cover the cost of \$79,746.00. Dillman said Audubon is also on the street paving project list for this summer so we would like to replace the piping prior to having the streets paved.

Dillman said it will take approximately one week to complete the project.

Colver suggested the original notification of the project to the homeowners include notification that the street will be repaved later in the season.

Motion: Approve, Moved by Supervisor Jeffrey Young, Seconded by Supervisor Robert Smith. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

4. PUBLIC COMMENT

Doug Janowicz, 3351 Nazareth Road, said he was originally told Northwood Farms was going to be on the agenda tonight and, then, when I called the Municipal Building, I was told it was not on tonight's agenda. Colver confirmed Mr. Janowicz was the owner of Kasper's Pool Supplies on the corner of Route 248 and Van Buren Road. Janowicz said that is correct. Janowicz said he would like to discuss a few items tonight for the Board to keep in mind. He asked if the project has already been approved. Bruno said it received preliminary plan approval from the Planning Commission.

Janowicz said it is about 72 acres and some of it is already zoned medium density, but when considering changing the existing low density to medium density you need to consider the existing comprehensive plan that was done 14 years ago, and still exists today, it was supposed to be zoned low density residential. Mr. Tuskes bought the property knowing that already, so why would we change it now just for him? Janowicz said I realize the day after the past snow storm there was a comprehensive plan update meeting and a presentation was given, however I was unable to attend. The survey results that were shared all talked about traffic safety, and how people want to see future development at a slower pace. There were goals and objectives talking about density patterns and a slide talks about lower density development. I would like you to consider not changing the zoning for this community.

Janowicz said he also has a few items specific to his property at 3351 Nazareth Road, which is on the corner of Route 248 and Van Buren Road. On the plan that was discussed last week there was no adequate buffer between our commercial use and the residential use. We are supposed to meet with Mr. Tuskes to come up with a reasonable accommodation and I will need your backing to support an adequate buffer between us. I've been told they will have a homeowners association and I want to alleviate the issue of residents complaining about our business. We have dumpsters that get emptied at 4 a.m. and we've been here for 20 years. I really want that buffer in. Also, the traffic proposal to make the intersection at Route 248 and Van Buren Road a right in and right out, I would like to seriously express my disapproval. It severely impacts how we do business. We have to get our stock from the downstairs of the back of the building up to the store front. We would have to go out to Kingston Avenue and around to get back to the front of the store. Thirteen or fourteen years ago they talked about a traffic signal at the intersection and it still isn't there. I prefer you do nothing there because I'll lose parking spaces, but if you have to do something, the best solution would be a traffic signal.

Colver said we will take your comments under advisement. The plan will be before the Planning Commission again for final approval and then will be before this Board as well.

5. REPORTS

Township Manager

Christman said at our last meeting we discussed the FOG program and I wanted to report that the letters were mailed last Friday and were sent out certified mail.

Christman had three personnel items for executive session.

Planning Director

Kramer asked if the Board had any comments or issues with the upcoming Zoning Hearing Board agenda. There were no issues.

Township Engineer

Dillman said he was asked to discuss the bike path and sidewalks proposed at the community center site with the Board. Colver said the township is completing the project at the community center that will include walking trails, a turf field, grass fields, and additional parking. At a previous meeting, we talked about deferring the sidewalks along Bethman Road and then, after reconsidering, we thought we should include the sidewalks. After reviewing where the sidewalk will go, we thought it should be tied into the walking trail on the site at the northwest corner of the fields. Dillman said it is a 16-foot connection for the sidewalk to connect the walking trail. Board members agreed to add the 16-foot connection of sidewalk.

Colver said on the western side of the parcel at Bethman Road where the sidewalk ends we also discussed if there should be a connection. Dillman reviewed the plans with the Board showing where the state bridge over Route 22 exists. The bridge is 60 to 70 years old and does not have pedestrian access. Dillman said you will want to make sure your site is ready when PennDOT is ready to make pedestrian access available on the bridge. Dillman said we could take the path up to a certain point and then you will meet the guide rail. Dillman said you don't want to direct traffic toward the bridge until it has pedestrian access. Dillman said it is approximately \$7,500 to add this section up to the guide rail. Colver asked to have The Pidcock Company put a plan together with the total cost and bring it back to the Board for a decision.

Public Services Director

Adams announced the bids for road materials will be opened tomorrow morning and recommendations will be ready for the April 3rd Board meeting and, if that meeting is canceled, it will be on the April 10th agenda.

Supervisors

Supervisor Young asked if the comprehensive plan slides from the last meeting were on the township website. Kramer said she needs to get them to Brenda to be placed on the website.

6. ADJOURNMENT

The meeting was adjourned at 8:02 p.m. with three personnel items for executive session.

Motion: Adjourn, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Colver, Mitchell, Panella, Smith, Young

Respectfully submitted,

Christopher S. Christman
Township Manager