

PALMER TOWNSHIP BOARD OF SUPERVISORS
August 8, 2022
7:00 PM
GENERAL BUSINESS MEETING

The Palmer Township Board of Supervisors held a general business meeting on Monday, August 8, 2022, at 7:00 p.m. in the Municipal Building meeting room. The following were in attendance: Vice Chairman Michael Brett, Supervisors K. Michael Mitchell, Ann-Marie Panella and Joseph Armato. Chairman Jeffrey Young was absent. Also in attendance were the Township Manager, Police Chief, Public Services Director, Finance Director, Fire Commissioner, Township Solicitor, and the Assistant Township Manager.

1. PLEDGE TO THE FLAG

2. CONSENT CALENDAR

A. Approval of Minutes - August 1, 2022

INFORMATION

The Board needs to approve/disapprove the minutes of August 1, 2022.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

B. Disbursement of Funds - August 8, 2022

INFORMATION

The Board is requested to approve the disbursement of funds for August 8, 2022.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

3. NEW BUSINESS

A. Public Hearing - Easton Senior Living - Conditional Use Application for Building Height in PI/C District

INFORMATION

3701 Corriere Road - K8-10-A5A-5

PI/C District

Request by Easton Senior Living, LLC

The Palmer Township Planning Commission considered the above-referenced item at their regular meeting of June 14, 2022.

The applicant is proposing construction of a 4-story 30,092 SF 131-bed senior lifecare facility. The property is located on the south side of Corriere Road, within the Planned Industrial/Commercial (PI/C) zoning district.

The applicant is requesting conditional use approval for construction of a building greater than 2-1/2 stories or 40 feet. The building is proposed to be 4 stories and 50 feet high.

The applicant is seeking conditional use approval under the following provisions of the Zoning Ordinance:

- §190-126.H - Maximum height: 2-1/2 stories or 40 feet, whichever is more restrictive, except that structures up to 60 feet may be permitted as a conditional use, provided that fire protection measures above and beyond those normally required would be provided as the Supervisors determine are necessary, after providing the Township Fire Commissioner with an opportunity for review.

The proposed use was permitted by variance by the Zoning Hearing Board in August 2021.

The property to the north across Corriere Road is zoned High Density Residential (HDR) and is developed with low and mid-rise apartment buildings. The property to the east is zoned HDR and contains a maintenance building for the apartment complex. The property to the west is zoned Planned Industrial/Commercial (PI/C) and is improved with a medical office use. The property to the south is zoned (PI/C) and is unimproved utility open space.

Recommendation: At their meeting on June 14, the Planning Commission unanimously recommended approval of the conditional use by the Board of Supervisors, subject to the following conditions:

1. Comments of the Engineering review letter dated June 9, 2022 are satisfactorily addressed.
2. All conditions of the Zoning Hearing Board decision letter dated August 16, 2021 are incorporated by reference.

Deadline: The conditional use application was received on March 22, 2022. The Board of Supervisors has a deadline of September 30, 2022 to hold a conditional use hearing.

DISCUSSION

Community Development Director, Cyndie Kramer, introduced Sean Policelli from Gilmore and Associates. Kramer said that Sean did the engineering review on this project because Pidcock had a conflict. Kramer said, the use itself was previously approved by the Zoning Hearing Board about a year ago. The parcel is located within the PI/C zoning district. They are requesting conditional use approval as it relates to section 190-126.H for the height of the building. Up to 60-feet may be permitted as a conditional use. The Planning Commission recommended approval subject to meeting all conditions of the engineering review letter and all conditions of the Zoning Hearing Board decision letter dated August 16, 2021.

Bruno said, Mr. McLean is the Attorney for the Applicant. Bruno explained that the first

item on the agenda is their Conditional Use request. The second item is their Preliminary/Final Land Development Plan. It has been advertised for public hearing tonight for the Conditional Use hearing. Bruno said, many times when we have a Conditional Use Hearing comments that are made are also related to the Land Development discussions. Bruno gave the Applicant the opportunity to have a transcript of both agenda items, then if there is any overlap, it is all in one proceeding. McLean agreed. Bruno entered the following exhibits to the record:

- T1 - The Conditional Use Application
- T2 - Location Map
- T3 - Building Renderings
- T4 - Submitted Site Plan
- T5 - Township Engineer Letter dated June 9, 2022
- T6 - Township Geotechnical Engineer Letter dated August 3, 2022
- T7 - Lighting and Landscape Plan dated June 2, 2022
- T8 - Lehigh Valley Planning Commission Review Letter dated March 18, 2022
- T9 - Township Departmental Comments and Fire Commissioner Comments dated June 13, 2022
- T10 - Zoning Hearing Board Decision Letter dated August 16, 2021
- T11 - Waiver Request Letter dated May 23, 2022
- T12 - Draft Planning Commission meeting minutes dated June 14, 2022
- T13 - Published Legal Notice for July 25, 2022
- T14 - Published Legal Notice for August 1, 2022

Bruno explained the process for the hearing tonight and Stenographer Mondello swore-in those interested in speaking.

Attorney Chris McLean passed out his exhibits to the Board. McLean called Michael Hoagberg of Headwaters Development and owner of the senior living project to testify. Hoagberg said he is a Developer that focusses on multi-family buildings for senior living. He verified the Applicants exhibits, A1 - Deed for the Property and A2 - Purchase Agreement and then he reviewed the zoning district and described the renderings of the proposed Palmer Senior Living community. Hoagberg said there will be various levels for independent living for active seniors, assisted living and dementia care. Hoagberg said, we've had a lot of communication the last several months in bringing this project to life and we received a lot of feedback along the way. The type of building we are proposing is friendly for traffic flows. Not everyone in this building will drive and those that do aren't travelling during normal times. Our original proposal was a 75-foot structure with a fifth floor. This is a four-story building and we've been working with the Fire Marshall regarding limitations with their trucks and on the safety of staff and residents. Hoagberg verified exhibit A4 - the Zoning Hearing Board Stipulation of Counsel and stated that the higher they can go, we can shrink the length of the corridors. The idea is that we don't have very long hallways for the residents to travel. That is the model we've studied and is what works best. Hoagberg reviewed the roof structure and noted it is in accordance with the zoning ordinance. One elevator shaft slightly exceeds the height but is still under the 60-foot ordinance requirement. Hoagberg said, this is the average height of our other buildings that we operate. We've done shorter and higher buildings and have never had any life saving issues. Hoagberg added, they meet all fire protection measures and they meet code for fire separations. The building has sprinklers and alarms that will identify any event

and will isolate any event. Hoagberg said, the Planning Commission gave us a favorable recommendation and I don't want to speak for the Fire Commissioner, but he was satisfied with the height.

Panella asked if the parking lot on the plan is the only parking? Hoagberg said, there is parking underground as well. We are based out of Minnesota and it is standard for our buildings to have parking under the building.

Armato asked how they will handle immobile patients? Hoagberg said, they will not all be immobile in the building. We have staff that would handle them and they have monthly practice drills. We also place a Wifi mobility pendant on each immobile resident. Armato asked what the areas of rescue are? Hoagberg said they are typically in the stairwell systems. Armato asked about outdoor green space? Hoagberg said, they will have a memory care garden that will be secured with a fence and WanderGuard. There will also be an exterior area for non memory care residents. Armato said, I assume the units with balconies are for independent living residents. Hoagberg said, yes. Armato asked if there will be separation between assisted living and independent living residents? Hoagberg said the independent living can co-exist through the building.

Brett said, it looks like a grade differential from one end of building to the other. Hoagberg said, for the most part it is on grade and goes into the hill. Brett asked about the staggered roof line and asked if the highest is 50-feet. Hoagberg said, yes. Mitchell said, the township usually asks for a voluntary traffic contribution from developers to address traffic in the area of the project. Your project is expected to generate 33 peak p.m. trips and we typically receive \$1,000 per trip, which would be a total contribution of \$33,000. Hoagberg said he could agree to a voluntary traffic contribution.

Matthew Franco, 116 Scotty Drive, asked how many of each category of patients will you have? Hoagberg said it will be based on community demand but typically 50 independent and 50 assisted with a total of 102 units. Franco asked about the healthcare workers travelling back and forth. Hoagberg said, there will be about 40 full-time employees and three different shifts. There will be a maximum of 20-workers in the building at one time and we have parking for them. Franco asked if they did a traffic study? Hoagberg said, peak hours there will be 33 trips. Franco asked if that included workers. Hoagberg said, yes. Franco said, a mile and half down the road there is a new development and I have their traffic report from 2021 that says it will have 800 trips going into that development. Bruno noted this conditional use hearing is to determine the height of the building. Your question is not relevant at this time.

There were no further questions for Mr. Hoagberg.

McLean introduced Seth Gahman from Bohler Engineering. Gahman reviewed his experience and qualifications. Gahman described exhibit A7- Aerial overview of the property and exhibit A8 - the plan showing a 30,000 square foot building and parking areas. Gahman said, the parking calculations are based on the number of beds and the required staffing. 106 spaces are required by ordinance and we have 107. 71 are under ground and the rest are above ground. Gahman then reviewed the grass area and the emergency access around the building. Gahman said, we believe we meet all

required conditional use requirements and the plan promotes public health, safety, and welfare of the community. We comply with all township ordinances, State and Federal laws and we believe the plan is suitable for this site. Gahman said, the detailed storm water management plan has been submitted and the Applicant intends to meet all requirements addressed by the Township Engineer. Gahman reviewed the neighboring properties and roads and said they believe this will transition well from Route 248 to the other residential uses in the neighborhood. There is no fire or toxic health concerns.

There were no further questions from the Board or the audience. McLean moved for admission of the Applicants exhibits. Bruno asked the Applicant if they are in agreement with all conditions related to the conditional use approval? McLean said, yes.

Bruno recommended to the Board of Supervisors that they close the record for deliberation and then come back on the record for a motion. Supervisor Mitchell made a motion to close the record to deliberate. The motion was seconded by Supervisor Panella.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

After deliberation, Supervisor Armato made a motion to approve the conditional use application as requested, subject to the following conditions: 1. The comments from the Township Fire Commissioner dated June 13, 2022 are satisfactorily addressed; 2. All conditions of the Zoning Hearing Board decision letter dated August 16, 2021 are incorporated by reference; 3. The Applicant agreed and accepted to make a voluntary traffic contribution based on 33 peak p.m. trips at \$1,000 per peak trip for a total of \$33,000.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

B. Easton Senior Living - Preliminary/Final Land Development Plan

INFORMATION

3701 Corriere Road - K8-10-A5A-5

PI/C District

Request by Easton Senior Living, LLC

The Palmer Township Planning Commission reviewed the above-referenced item at their

regular meeting on June 14, 2022.

The plan proposes construction of a 4-story 30,092 SF 131-bed senior lifecare facility on a 4.36-acre lot. The property is located on the south side of Corriere Road, within the Planned Industrial/Commercial (PI/C) zoning district.

The property to the north across Corriere Road is zoned High Density Residential (HDR) and is developed with low and mid-rise apartment buildings. The property to the east is zoned HDR and contains a maintenance building for the apartment complex. The property to the west is zoned Planned Industrial/Commercial (PI/C) and is improved with a medical office use. The property to the south is zoned (PI/C) and is unimproved utility open space.

Requested Waivers:

- §165-59(l)(1) - minimum outside radius of a cul-de-sac; 40 feet required, 35 feet and alternative design proposed
- §165-59(l)(2) - minimum approach radius of a cul-de-sac: 25 feet required, 10 feet and alternative design proposed

Recommendation: At their meeting on June 14, the Planning Commission voted unanimously to recommend approval of the plan by the Board of Supervisors, subject to the following conditions on the plan:

1. Comments of the Engineering review letter dated June 9, 2022 are satisfactorily addressed.
2. Township Departmental comments dated June 13, 2022 are satisfactorily addressed.
3. Comments of the Township Geotechnical Engineer dated March 7, 2022 and any additional comments are satisfactorily addressed.
4. Comments of the Township Landscape & Lighting Consultant dated June 2, 2022 are satisfactorily addressed.
5. Comments of the Lehigh Valley Planning Commission letter dated March 18, 2022 are satisfactorily addressed.
6. Waivers are approved by the Board of Supervisors as requested.
7. All conditions of the Zoning Hearing Board decision letter dated August 16, 2021 are incorporated by reference.
8. The conditional use request is approved by the Board of Supervisors.

Deadline: The land development plan was accepted for review on March 8, 2022. The Board of Supervisors has a deadline of September 30, 2022 to render a decision on the plan.

DISCUSSION

Attorney McLean said that they will comply with all comments. Brett asked about the Lehigh Valley Planning Commission (LVPC) comment regarding the building being in a floodplain. Gahman said, the building is outside of the flood plain and above the flood plain elevation. He added they plan to resubmit to the LVPC.

Sean Policelli noted that the emergency access is in a 100-foot easement and as long as they agree that the Township is owner of that easement they should be able to proceed. Brett asked the Applicant if they agree they will need a letter of compliance from LVPC. The Applicant said they agreed. Brett said typically he would discuss

and review open space but I see this is different and since you are making space available for your residents, you address that need.

There were no further questions from the Board or the audience.

Supervisor Mitchell made a motion to approve the preliminary/final plan as requested subject to the following conditions: 1. Comments of the Engineering review letter dated June 9, 2022 are satisfactorily addressed; 2. Township Departmental comments dated June 13, 2022 are satisfactorily addressed; 3. Comments of the Township Geotechnical Consultant dated August 3, 2022 are satisfactorily addressed; 4. Comments of the Township Landscape & Lighting Consultant dated June 2, 2022 are satisfactorily addressed; 5. Comments of the Lehigh Valley Planning Commission letter dated March 18, 2022 are satisfactorily addressed; 6. Waivers are approved by the Board of Supervisors as requested; 7. All conditions of the Zoning Hearing Board decision letter dated August 16, 2021 are incorporated by reference; 8. The conditional use request is approved by the Board of Supervisors; 9. The recreation fee contribution is approved by the Board of Supervisors. Per the Township fee schedule in place at the time of submission, the required amount would be \$1,500 per dwelling unit x 33 units = \$49,500; 10. The applicant enters into a public improvements agreement and posts improvement security in a form that is acceptable and to the satisfaction of the Township Solicitor.

Charles Diefenderfer, 2918 Hay Terrace, asked about the recreation fees. Brett said we are accepting them in lieu of space. They are not dedicating public space, they are providing public space for their residents.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

C. Appointment to the Environmental Steering Committee

INFORMATION

Chairman Young and Supervisor Armato met with Bill Hartin to discuss his interest in volunteering on the Township Environmental Steering Committee. They are requesting approval from the Board to appoint Bill Hartin to a current vacancy, with a term to expire December 31, 2022.

One vacancy still exists on the ESC with the recent resignation from Deanne Werkheiser.

DISCUSSION

Bill Hartin, 1375 Van Buren Road, said that he is very involved and interested in the environmental health of our beautiful township and he is looking forward to working with the committee and bringing some positive help and he is looking forward to getting oriented.

Supervisor Panella made a motion appointing Bill Hartin to the vacancy on the Environmental Steering Committee with a term to expire December 31, 2022.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

D. Traffic Safety Committee Recommendation - Stephens Street

INFORMATION

The Traffic Safety Committee is recommending for the Board's consideration that a "No Parking Here to Corner" sign be posted at 2915 Stephens Street.

DISCUSSION

Adams said he had four traffic safety items on tonight's agenda. This is for a "No Parking Here to Corner" sign on Stephens Street by the intersection of Carolyn Street. There is a site distance issue when a resident is pulling out of their driveway. The committee reviewed and is recommending approval by the Board.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

E. Traffic Safety Committee Recommendation - Allen Street

INFORMATION

The Traffic Safety Committee is recommending for the Board's consideration that a "Watch Children" sign be placed on Allen Street heading towards the cul-de-sac.

DISCUSSION

Adams said this request is for a "Watch Children" sign on Allen Street. Adams said, again this was reviewed by the Traffic Safety committee and we believe it is a reasonable request and are recommending approval.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Joseph Armato. Passed. 4-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

F. Traffic Safety Committee Recommendation - Mine Lane Road

INFORMATION

The Traffic Safety Committee is recommending for the Board's consideration that two 25-MPH Speed Limit signs be placed on Mine Lane Road in both directions. The Police Traffic Unit did speed monitoring and made the recommendation to the Traffic Safety Committee.

DISCUSSION

Adams said this is a request for two 25-MPH speed limit signs. Chief Smith stated this will assist our traffic division with enforcement. Adams said there will be two signs northbound and two signs southbound.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

G. Traffic Safety Committee Recommendation - Hecktown & Fischer Roads

INFORMATION

The Traffic Safety Committee is recommending for the Board's consideration to have three Stop bars painted in all directions at the intersection of Hecktown Road and Fischer Road.

DISCUSSION

Adams said, this request is for three stop bars to be painted at the intersection of Hecktown and Fisher Roads. Adams said we continue to receive a lot of complaints of people rolling through this intersection. Adams said, they will be 12-inch wide painted bars.

Bruno said, if the speed isn't posted on township roads it is a 25-MPH speed zone. If your desire is to post signs because of enforcement issues that could arise, I would make a recommendation to adopt the change by ordinance and to do it sooner rather than later.

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

4. PUBLIC COMMENT

There were no public comments.

5. REPORTS

Solicitor

Bruno had two legal items for executive session.

Township Manager

Williams said, at our meeting last week the Board had a presentation from our Geotechnical Engineer, Shawn Casey. Two days later, Wednesday evening, a massive sinkhole opened up. Today we opened up the west side of the roadway and identified the areas where most of the water is coming from and we are pumping out the water now. We want to be cautious, but we may be able to repair the current culvert. The original culvert is intact. The issues are where the culvert was added on when Hollo Road was widened. We have received some assistance from Senator Boscola's office and we will arrange a meeting with PennDOT looking for financial assistance from the Commonwealth. A lot of trucks and out of town vehicles use that road. We are making some progress, but as we know that entire area is loaded with sinkholes. I want to be cautious since it is a sinkhole prone area. Some time after Labor Day, we may be in a position to reopen Hollo Road. What is unknown now, is if we are seeing all the issues.

Community Development Director

Brett said, Cyndie Kramer recently assumed a new role as Community Development Director. I am excited to have her take on additional responsibilities and am excited that Cyndie was interested in the position. Williams added, Cyndie is extremely intelligent and creative and is one staff member that is always coming up with solutions. She has a way of making something complex look very simple and we are excited to have her in this new position. Williams said, we have areas of our community where we need to develop in communication, outreach, park upgrading, county federal grants, etc. There is a lot we can do leaning forward rather than being reactive.

Kramer thanked Bob and the Board for their confidence in moving forward in this new direction. Kramer said, Bob touched on most, but she would add one thing, the Comprehensive Plan that we spent a lot of time on putting together includes a lot of direction in what needs to be done moving forward. As Planning Director I didn't have the time necessary to be able to work on those items. In this new role, I will have the time to devote to that and be able to go after grant funding. We are looking for a Land Use Planner to take over the Planning Commission and Land Development projects. Williams added, for years the township has been reactive and were unable to take advantage of some opportunities. Instead of reacting, we will begin to move forward.

Kramer said, the Planning Commission meeting is scheduled for tomorrow night and the Carson 100/200 project on Van Buren Road is on the agenda. Carolyn will also be at the meeting to review the public input received on the new zoning ordinance.

Kramer said, she is hoping to be able to move it forward.

Supervisors

Armato said he is pleased to see we are utilizing Cyndie to her full potential. He also thanked Bob Williams and Scott Kistler for handling residents concerns at our parks.

6. ADJOURNMENT

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

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

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella

Supervisors Absent: Young

Respectfully submitted,

Brenda DeGerolamo
Assistant Township Manager