

**UPPER NAZARETH TOWNSHIP  
PLANNING COMMISSION  
100 NEWPORT AVENUE  
NAZARETH, PA 18064**

Minutes of March 12, 2020

The regular meeting of the Upper Nazareth Township Planning Commission was called to order by Chairman Scott Sylvainus at 7:00 p.m. on Thursday, March 12, 2020, in the Township Building. Present were: Pamela Berlew, Jay Benfield, Scott Sylvainus, Jim Campana, Township Manager Lisa Klem, Zoning Officer John Soloe, Township Solicitor Gary Asteak and Township Engineer Dr. Sean Dooley. Absent: Wilhelmina Donnelly.

**APPROVAL OF MINUTES:**

Motion was made by Mrs. Berlew and seconded by Mr. Benfield to approve the February 13, 2020 meeting minutes. Motion carried with Mrs. Berlew, Mr. Benfield and Mr. Sylvainus voting aye and Mr. Campana abstained.

**COURTESY OF THE FLOOR:**

Jason Mohap of 3600 Gun Club Road wondered if there was any thought to postponing this meeting because of the coronavirus. Mr. Sylvainus explained it was considered, but felt it was ok to meet. Mr. Mohap also asked about the warehouse on Gun Club Road and it being a permitted use. It was explained to him that the Zoning Officer has rendered an interpretation with regards to the use.

**NEW BUSINESS:** None

**OLD BUSINESS:**

**Schoeneberger Extension Letter:**

Mr. Campana made a motion to recommend to the Board of Supervisors to accept the extension request letter from Hahn Surveying, representing John Schoeneberger, executor for the Estate of John & Delores Schoeneberger dated March 9, 2020, extending the review time to June 30, 2020, seconded by Mr. Sylvainus. Motion carried with all voting aye (4-0).

**Project Tadmor -- Preliminary Plan/Minor Subdivision Resubmission.**

Jim Vozar of JVI, LLC, the developer for Project Tadmor, explained that last month they were here to review KCE's letter and go through other questions to the proposed project. As a follow up to that meeting he went to the NBMA Board Meeting and is awaiting their approval. The Fire Department Letter was received and we intend to comply with the letter and working with the Chief.

Nicole Galio of Maser Consulting Engineers explained they had received a letter from the LVPC dated February 21, 2020, with a handful of comments that they have addressed. Also from the County Conservation District on our MPS permit dated March 9, 2020 and it has the comments related to administrated completeness. We also submitted on March 6, 2020 to the DEP for a chapter 105 permit for the stream enclosures discussed at last month's meeting and we sent KCE a copy of our HOP plans for the intersection with rt248. Mr. Asteak explained that the HOP submission will be deferred until it comes before the Board of Supervisors.

Atty. Kate Durso of Fitzpatrick, Lentz and Bubba reviewed the KCE letter section by section dated March 10, 2020 and the UNT Fire Department letter received March 3, 2020.

Mrs. Berlew commented that all of the references in the KCE March 10, 2020 letter that reference the KCE Letter dated February 11, 2020 are only concerning the final plans and so that all of the preliminary plan comments have been addressed to KCE's satisfaction.

Mr. Sylvainus asked about the stormwater compliance, the relocating overhead wires, utility poles and the signs for the u-turn. An explanation was given concerning the LVPC. Mr. Dooley explained that the wires and poles would not affect the PC and the signage would be placed on the drawings when completed. He also asked about the wet lands and Mr. Vozar explained that it is recognized by the DEP and ourselves and it will be protected.

Mr. Asteak commented on the fact that we had asked them to come back because of the comments with regard to preliminary planning were to numerous. They have now trimmed it down to a manageable list of items to primarily either drafting issues or outside agency reviews. So it appears as that has been resolved. When it comes to the zoning issue which has come up many times, this past week a zoning appeal was filed by Mr. Mohap and others, submitted to the Zoning Hearing Board raising fundamentally the issue of whether or not the Zoning Officer erred with regard to designating this as a warehouse and the Zoning Hearing Board Solicitor directed a letter to the applicants' council indicating that it was filed late and directing the Zoning Officer to return the application along with the filing fee check. So the zoning issue has been resolved pending any further appeals.

Russ Beatty of 3361 Gun Club Road commented that he is getting calls from upset people about the warehouse so they were putting some of the blame on him. He had the DEP, Army Core of Engineers and the County come out to check and he has letters from all of them that his property is ok.

Mr. Mohap asked about the letters from the applicant to outside agencies be postponed until a later date. He was informed that at that time of the request till now there would be a lot of changes which there have been. Currently the applicant is waiting for NBMA sewer authority, Fire Department compliance Letter, LVPC, DEP, Pen Dot, authority for the utilities and the Northampton County Conservation District. Mr. Dooley explained that state law dictates that we cannot hold up a plan approval because of third party reviews however, construction cannot begin until all parties give their approval.

Mrs. Berlew made a motion seconded by Mr. Campana to recommend to the Board of Supervisors conditional preliminary plan approval for Project Tadmor subject to all outside agencies, including NBMA, LVPC letter dated February 21, 2020, KCE letter dated March 10, 2020 and the Fire Department letter dated March 3, 2020 approval. Motion carried with all voting aye (4-0).

**Public Comment:**

No Additional Comments.

Mr. Sylvainus mentioned the next Planning Commission meeting is April 9, 2020 and the submission deadline is March 19, 2020 at 3:00 p.m.

**ADJOURNMENT:**

**Motion** was made by Mrs. Berlew and seconded by Mr. Campana to adjourn the meeting at 8:02 p.m. Motion carried 4 - 0.

Respectfully submitted,  
Jay Benfield, Secretary