

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

Minutes of May 12, 2022

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, May 12, 2022, in the Township Building.

**ROLL CALL**

The following members were present: Jay Benfield, Pamela Berlew, Jim Campana, Kelly-Jo Smith, Scott Sylvainus, and Recording Secretary Deanne Werkheiser. Also present were Zoning Officer John Soloe, and Township Engineer Dr. Sean Dooley. Solicitor Gary Asteak was absent.

**APPROVAL OF AGENDA**

Motion was made by Pamela Berlew, seconded by Jim Campana to approve the May 12, 2022, meeting agenda. Motion approved unanimously.

**APPROVAL OF MINUTES**

Motion was made by Kelly-Jo Smith, seconded by Jim Campana to approve the April 14, 2022, meeting minutes. Motion approved unanimously.

**NEWBUSINESS**

Overlook Estates four lot subdivision Preliminary/ Final Plan submission.

Salvatore Caiazza and Phillip Malitsch were present and representing the applicant.

Scott Sylvainus stated the developer will speak first, then our Engineer, Zoning Officer, and Planning Commission members, and then any members from the public.

Salvatore Caiazza stated the submission is a subdivision of the parcel into four lots, two lots will be two acres, two lots will be six acres, and includes realigning of an existing lot. There are no proposed new roadways. None of the lots are "flagpole lots," all have the minimum 135-foot required frontage. Soil testing and perc testing are done. They just received infiltration testing results. No zoning variances are required.

Salvatore Caiazza stated they would like to discuss what kinds of roadway improvements will be required and the Trailway that is being required. Your engineer is requiring a trail along Lot #3. This is an alternate trailway location. Shoulder widening to fourteen feet, sidewalks, and curbing are items we would like to address.

Engineer Sean Dooley stated that the Planning Commission members should keep in mind this is the beginning of development in this area. Sean Dooley gave a synopsis of his May 5, 2022, review letter. Having well water is fine. Need to discuss turn around for delivery trucks, public works, etc. There is a right of way to connect the paper road (Fox Rd.) in that area. Resident Rose Laurito stated garbage trucks have to back down the road, have almost hit neighbors. Sean responded we will come back to this issue. Sean Dooley stated that the Official Map does call for Trailways in this area. No traffic study required but traffic impact fees will be assessed. Sidewalks can be discussed further. Road widening to be fourteen feet on each side of the road for a total width of twenty-eight feet. They have met the required frontage widths for the lots, no flagpole lots. Street signage is being suggested that included speed limit signs and road name signs. For

the Board of Supervisors, he is suggesting streetlights at Rt. 248 and Michael School Rd. and Sterner Rd. and Michael School Rd. to improve visibility.

Scott Sylvainus asked about the infiltration rates. Sean Dooley responded this can be addressed and controlled. There is shale around the edge, rates are high.

Zoning Officer John Soloe stated he had nothing at this time.

Resident Rose Laurito stated that streetlights may not help. There is a blind spot when turning left off of Michael School Rd. onto Rt. 248., making it a very hard turn. It is not easy to get in or out of that road.

Resident Michelle Martin stated run off along the roadway will come right into their property. Are former required improvements still in play? Can they have animals? How will we be protected and protect those on the Trail since we have an electric fence. John Soloe responded that larger lots can have animals per Ordinance. Sean Dooley responded the Township would own the Trail. Fencing will be put up to protect those on the trail and keep them off your property.

Michelle asked how close the driveway will be to the property line? Salvatore Caiazzo responded approximately thirty-five feet due to the proximity to the intersection (Sterner Rd). Sean Dooley responded we can look at this more since there is a stop sign at Sterner Rd. Might be able to move the driveway up. Pam Berlew responded it would be better to have the driveway further away from the trail for safety. The trail should have a gate, etc. Salvatore Caiazzo and Sean Dooley will work on this matter.

Resident Rena Mack stated she lives on the near by farm. If this is approved, you will be responsible for killing someone. The intersection at Rt. 248 is extremely dangerous. Michael School Rd. needs to be made wider so that people can get in and out safely. The road is very slanted, and people do not stop at Sterner Rd. Once the fields are planted and grown you cannot see. You are changing a beautiful rural area into a suburb. There should be a different way to do this. She asked about the paper road. Salvatore Caiazzo responded it is a fifty foot right of way with an old bridge. They have no interest in doing anything with it. Scott summarized Rena Mack's concerns as traffic, visibility, and preserving area farmland.

Resident Michelle Martin mentioned hazardous conditions caused by water runoff of buildings onto Michael School Rd. The roadways get easily snowed in. Rena Mack stated that people turn around on her property all the time. She owns and maintains a quarter mile of roadway. People do not read or abide by the posted signs.

Scott Sylvainus asked for Planning Commission member's input.

Jim Campana had no comments.

Jay Benfield felt that everything was covered.

Pam Berlew stated that while she feels for the residents the land is zoned for much more than they are proposing. We do not own it so we cannot control this.

Rena Mack spoke directly to the developers' representatives asking if they will be responsible when someone gets killed at Rt. 248 and Michael School Rd.? Salvatore Caiazzo responded no; it is a Township road. Ultimately the responsibility of the resident. Pam Berlew responded we can only require the developers to follow what is required by SALDO and Zoning Ordinance.

Kelly-Jo Smith asked if there will be fire hydrants and are the roadways wide enough for fire trucks? Salvatore Caiazzo responded no, wells only in this area. They will be widening the roadway.

Jay Benfield asked if the developers thought about the suggested turn around. Salvatore Caiazzo responded no; it is not required by the Ordinance.

John Soloe stated that this development does not make sense on a dead-end road. A bulb (turn around) needs to be in the design now. More houses are coming, and it will be an issue. Cannot have a development on a dead-end road.

Salvatore Caiazzo stated this can be discussed with the developer but is not required. Pam Berlew asked if the right of way (Fox Rd.) can be utilized for a turn around? Salvatore Caiazzo responded they do not own that area.

Scott Sylvainus asked if a time limit can be put in place for a turn around. Sean Dooley responded yes. Salvatore Caiazzo responded they can come up with a concept. John Soloe reminded them to think about snow plowing, etc. Salvatore Caiazzo stated they have not started the planning of the other two parcels. John responded we know what is coming, you have already submitted that. Phillip Malitsch responded there is no requirement for this (turn around). If you want this, it can be part of a future development/ open space. Sean Dooley responded we can work with this and open space to achieve what is needed. Phillip replied we originally planned for thirteen lots. Four lots is much better. We cannot be required to do improvements if that area is not being planned yet. Sean responded that a modified version of a hammerhead is another option. We can look into this further.

Scott Sylvainus asked about the intersections. Sean Dooley responded the Board of Supervisors can have KCE look at the intersections, dips, and high points of Michael School Rd. We can produce suggestions. There are issues outside their scope of work. The Police, Public Works, and Fire Department should be involved with this as well.

Phillip Malitsch stated that Sean is requesting a trail. We are not putting a trail in. We can work with the Township, possibly make some adjustments to fees, negotiations can be discussed, or easements could be put in place. We feel curbs are not required per the ordinance since this is an existing local roadway. The sidewalks are required. Type of material needs to be discussed. Sean responded that swales are required. Additional requirements regarding the level of the swale versus driveways, inlets, etc., would all be addressed and alleviated by putting in curbs. The Planning Commission prefers that curbs and sidewalks be put in. Salvatore Caiazzo responded that was not required for a similar development done in 2000. Scott Sylvainus responded that we learned from our mistakes. Phillip stated they are not required to put in curbs but can look to see if it is mutually beneficial.

Pam Berlew asked about the type of material for the trail. Sean Dooley responded he will work with the Open Space Committee on that, but he prefers concrete. This will also be discussed further with the developer. Sean Dooley reviewed the original sketch plan that was submitted. Deferrals can be discussed. John Soloe stated we need to plan for stormwater run-off. Phillip Malitsch stated waivers can be discussed regarding sidewalks, curbs, trail, etc. Scott responded he likes the waiver suggestion. John replied that the Planning Commission cannot suggest waivers. The developer submits waivers to the Planning Commission to decide on.

Scott Sylvainus stated that the Planning Commission is not required to take any action on this today. John Soloe stated the 90-day period starts today. He suggested that the developer submit letter of extension through the end of September so there are no issues. Salvatore Caiazzo stated they will not be able to meet the June meeting submission deadline but would like to come to discuss the project.

Phillip Malitsch officially granted extension on the Overlook Estates four lot subdivision Preliminary/ Final Plan submission until September 30,2022. A motion was made by Pam Berlew, seconded by Jim Campana to recommend the Board of Supervisors accept the extension on the Overlook Estates four lot subdivision Preliminary/ Final Plan submission until September 30,2022. Motion approved unanimously.

Scott Sylvainus stated this project is tabled.

#### **OLD BUSINESS:**

Nothing at this time.

#### **COURTESY OF THE FLOOR**

George Polak stated he would prefer removing resident before his name in the minutes since he does not know our definition of resident.

#### **ADJOURNMENT:**

Motion was made by Kelly-Jo Smith, seconded by Jay Benfield to adjourn the meeting at 8:32 p.m. Motion approved unanimously.

Respectfully submitted,

Deanne Werkheiser, Recording Secretary