

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

Minutes of November 10, 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, November 10, 2022, in the Township Building. The meeting was live streamed to allow for virtual attendance.

ROLL CALL

The following members were present: Jay Benfield, Scott Sylvainus, Kelly-Jo Smith (virtually), Zoning Officer John Soloe, and Recording Secretary Deanne Werkheiser. Also present were Township Manager Lisa Klem (virtually) and Township Engineer Sean Dooley. James Campana and Pamela Berlew were absent.

APPROVAL OF AGENDA

Motion was made by Jay Benfield, seconded by Scott Sylvainus to approve the November 10, 2022, meeting agenda. Motion approved unanimously.

APPROVAL OF MINUTES

Motion was made by Jay Benfield, seconded by Kelly-Jo Smith to approve the September 8, 2022, meeting minutes. Motion approved unanimously.

NEW BUSINESS

MorningStar Senior Living conditional use application review. Attorney Ted Lewis and Engineer Chris Brown were present. Ted Lewis stated the Miranda property, 191 Biel Avenue was acquired. The sale is complete. Currently a single-family home. The home would be demolished in order to erect two homes in its place. Would access the existing internal road structure. The total units would still be less than was approved. Chris brown stated the original design included for the possible future purchase of the two properties on Biel Avenue. The two additional cottages would be part of phase 5 & 6. There is adequate frontage on Freedom Circle and adequate stormwater capacity. A plan amendment will be done if approved. No other changes to the project. Chris displayed map of the project. Sean Dooley stated he had no objections as this was anticipated in the original plan. It also takes a driveway off of Biel Avenue. John Soloe stated he had no comment. Lisa Klem stated she had no questions. No comments from the audience. Kelly- Jo Smith and Jay Benfield had no questions. Scott Sylvainus asked what they would do if they get the last lot that is still privately owned? Chris Browns responded possibly one cottage or open space or continuation of the trail.

Motion was made by Jay Benfield, seconded by Kelly-Jo Smith to recommend approval of the Conditional Use application per Keystone's October 12, 2022, letter. Motion approved unanimously.

Scenic View Estates III streetlight layout plan modification. Jim Chrin was present for Kay Builders. Jim Chrin stated they have modified the streetlights from 26 to four. The plans have been revised and submitted. Residents (of Scenic View Estates III) were notified of this meeting. Sean Dooley stated this was looked at before. Would amend approved plans. He has no objections as it is in the townships best interest. Have we received any resident comments? Not that we are aware of. John Soloe stated that 26 is high but four seems too low. He stated he is not sure what infrastructure was put in place for this. Jim responded that he just

recently took over this project. Sean Dooley stated we went with precedent, with previous developments. Resident Robert Cooperman, Danbury Drive, stated it is mostly young families in the area. Lighting is a deterrent of crime. He stated may need more than four lights at the corners. He asked when work would start. Jim Chrin replied next year. We still need permits with the electric company, etc. Robert asked what the cost would be to the residents. Sean Dooley responded the cost would be paid through the municipality not the HOA. Resident Brian Sayago asked to look at the map. The original plan was approved with 26 streetlights. What warrants the substantial reduction? Sean Dooley responded it came from internal review and precedent. Brian responded but what warrants the reduction, what is the standard? Scott Sylvainus replied that there are 31 houses in the development that is an excessive amount of lights almost one per lot. He questioned if it made sense to add several more lights.

Jay Benfield asked what is the distance between lights in the original plan? Sean Dooley responded approximately 100 feet. The original plan called for colonial lighting. Scott Sylvainus stated the long stretch of road is about 1,500 feet. What type of light is being proposed. Jim Chrin replied LED. Sean Dooley stated that urban street lighting depends on what is being required. We asked internally. Why the need for that many lights? It varies by area. Areas being lit are based on vehicular safety. Rural lighting and urban lighting vary. Lisa Klem had no questions. Jay Benfield stated he understands the need for lighting throughout and for at intersections. What is the grade, the steeper areas, is it lit? Sean replied at the intersections, curve, and pumping station. This has been our standard. Kelly-Jo Smith commented that it is a big jump from 26 to four. She stated she is having a hard time hearing the discussion. Scott Sylvainus explained the original plan, with a light approximately every 125 feet. The township has always required lights at intersections and for vehicular safety, not to the amount originally proposed. The development below them has the same set up as what is being proposed. He stated he is not sure that there are any in the Bushkill Township portion of the development. The plan would cut down on having a light in almost every lot. There are no sidewalks in the development. Kelly-Jo responded we do not need more light pollution.

Jim Chrin asked for recommendation of approval per Keystones review letter. A brief discussion ensued on what streetlighting infrastructure is in place and that there is no lighting in the Bushkill section of the project. Lisa Klem asked Jim how difficult it would be to add additional lights if four is found to be insufficient. Jim replied it is better to decide now since we have to work with the power company to decide if there is sufficient power. Scott Sylvainus suggested adding one to three more lights. John Soloe suggested staggering in an additional four more lights on the opposite side of the road John marked on the plan his suggested locations. A brief discussion ensued over types and length of streetlights and distances they will cover, as well as creating hot spots.

Brian Sayago asked if residents were queried? Jim Chrin responded that certified letters were sent. They were directed to contact the municipality. Brian responded the engineer should present what is best and what the coverage is. Sean Dooley replied that 26 lights would be considered pedestrian lighting. Four lights would be considered vehicular lighting. We need to set the standard for what we want from them. The Township has always used vehicular safety as our standard. Jim Chrin stated this issue was brought to us by the Township about a year ago. Scott Sylvainus stated that the four streetlights are based on what we have done previously, vehicular safety (for lighting). This development is not a town setting. There are no sidewalks. Sean's explanation makes sense.

Motion was made by Kelly-Jo Smith, seconded by Jay Benfield to recommend approval of the proposed streetlight layout plan modification. Motion approved unanimously.

Zoning Ordinance review. Caroline Yeagle from Environmental Planning & Design (EPD) attended the meeting virtually. She stated she works with AJ. They will be attending in person next month. Caroline stated that since the last discussion with Lower Nazareth, they have met with Chapman. They will be meeting with Lower Nazareth next week. All three are in step.

She would like to highlight a few sections in the presentation, which everyone received prior to the meeting. In the draft land uses table, Upper Nazareth has 11 uses that are distinct from the other two municipalities. All together there are 31 distinct uses. Caroline showed a map of the municipalities. She asked if there were any questions from the last meeting? There were none.

Currently updating definitions. If not permitted uses by right, they would be special exceptions or conditional use? Caroline explained that special exceptions would go before the Zoning Hearing Board. Conditional use would go before Planning Commission and the Board of Supervisors. Scott asked for any example. Caroline gave medical Marijuana grower as an example. Would this be special exception, going before the Zoning Hearing Board, or conditional use, going before the Planning Commission and Board of Supervisors? John Soloe replied if it is in an agricultural zone then it is allowed. If it

is in a building, then it is a different story. Not concerned with internal use, concerned if the building does meet requirements for the zoning use. Caroline responded the criteria is about arrangement and impact on the district not on the internal use. John replied yes, that is correct. Caroline asked if there was a list of general provisions that are most important, ranked from the most to least important, an example would be lighting, what is the most important for conditional uses that would come before you? Scott and John replied they are pretty equal across the board. Caroline asked if there needs to be a land development plan with conditional use. John replied yes. She asked what would need to be included. John replied there is a list of eight items in the current ordinance. Caroline stated those will be retained in the update.

Caroline asked Lisa Klem if she would like the ordinance update to come all at once or in components? John suggested all at once so we can see it working together. The sooner we get the definitions the better. That will probably be the biggest changes.

Caroline asked if they would like tracked changes as well as a clean copy? Scott replied yes. Caroline responded that she would share both with instructions so that everyone can be prepared for the December meeting. There will be another joint discussion in December or January.

Brian Sayago stated he had two questions. Can we get copies of today's slides? Caroline responded yes; she will send them to Lisa. Brian stated he attended a PSATS meeting. At one of the sessions, an urban planner made a statement that there was a responsibility to increase our housing. Do you share the opinion that we need to increase our housing stock? Caroline questioned if it was about quantity or having varying options? She did not know if it is an obligation to the state as a whole since different areas need different things. Increasing the types of housing has been discussed and is being addressed in this effort. If you increase the quantity, do you have the infrastructure to support it. Caroline asked Brian to send her the information he had regarding this subject since she knew of no state requirement for this. Scott Sylvainus responded that seems opposite of fairness to other uses. Caroline replied that he is correct. There is an understanding of balance within a community. Brian stated he just would like to know what the rules are. The MPC sets them. Caroline stated it will come down to what a community can accommodate. There needs to be a balance and community character. Caroline reviewed the next steps in the process. She has an upcoming review with Lisa Klem. The draft will be forwarded. At the December meeting, the draft will be reviewed and discussed.

OLD BUSINESS

Scott Sylvainus stated there was nothing at this time.

COURTESY OF THE FLOOR

Scott Sylvainus stated there was nothing at this time.

ADJOURNMENT

Motion was made by Jay Benfield, seconded by Kelly-Jo Smith to adjourn the meeting at 8:40 p.m. Motion approved unanimously.

Respectfully submitted,

Deanne Werkheiser,
Recording Secretary