

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

MINUTES OF JANUARY 12, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday January 12, 2017, in the Township Building. Present were; Chairman, Scott Sylvainus; Vice-Chairman Stephen Bacak, Pamela Berlew; Jay Benfield and Wilhelmina Donnelly. Township Zoning Officer John Soloe was also present. Township Manager, E. J. Mentry, Township Engineer, Al Kortze, and Township Solicitor, Gary Asteak were not present.

Reorganization

Mr. Benfield nominated Mr. Sylvainus for Chairperson, Ms. Donnelly seconded; vote passed with a count of 4-0 Mr. Sylvainus abstained.

Ms. Donnelly nominated Mr. Bacak for Vice-Chairperson, Mr. Sylvainus seconded; vote passed with a count of 4-0 Mr. Bacak abstained.

Ms. Donnelly nominated Ms. Berlew for Secretary, Mr. Benfield seconded; vote passed with a count of 4-0 Ms. Berlew abstained.

A **motion** was made by Ms. Donnelly to approve the minutes from the December 15, 2016, meeting, Mr. Sylvainus seconded the motion and the **motion passed** 4-0 Mr. Bacak abstained since he was not present at the meeting.

Old Business

SALDO Revisions – Mr. Kortze followed up after the meeting with revisions for the February Meeting.

Park, Recreation and Open Space Plan – A grant has been obtained, however advertising for project has not commenced.

Official Map – Lower Macungie’s Map was reviewed.

New Business

Nothing at this time.

A **motion** was made by Mr. Bacak to adjourn the meeting. Ms. Donnelly seconded the motion and the **motion passed** 4-0.

The meeting was adjourned by Mr. Sylvainus at 7:26 PM.

Respectfully submitted,
Pamela A Berlew, Secretary

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MINUTES OF MARCH 9, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:06 PM on Thursday March 9, 2017, in the Township Building. Present were; Chairman, Scott Sylvainus; Vice-Chairman Stephen Bacak arrived at 7:20, Pamela Berlew; Jay Benfield and Wilhelmina Donnelly. Township Zoning Officer John Soloe, Township Manager, E. J. Mentry and Township Solicitor, Gary Asteak were all present. Township Engineer, Al Kortze was not present.

A **motion** was made by Ms. Donnelly to approve the minutes from the January 12, 2017, meeting, Mr. Benfield seconded the motion and the motion passed 4-0 Mr. Bacak was not present at time of vote.

Old Business

SALDO Revisions – Mr. Kortze was not present so the Revisions were tabled till next meeting.

Park, Recreation and Open Space Plan – Mr. Mentry reported he received the grant paperwork today.

Official Map – Mr. Mentry reported he submitted a grant to LV Greenways for this project. The LV Greenways mini grant is a matching grant.

New Business

Morning Star Conditional Use Presentation

Attorney Lewis explained Morning Star Senior Living, Inc. has purchased 139 W Beil Avenue from Mr. & Mrs. Serfas, and is requesting the land be allowed to be used as a Continuing Care Facility. He indicated all of the surrounding land has been granted approval for the use. He indicated that they were not requesting a revision to the Phase 1 approval at this time nor were they requesting approval on the revised layout.

Mr. Brown reiterated that their request is for the use and not approval of the conceptual layout. He indicated that adding the 3.3 acres will increase the units in the development. However, would still be less than allowed with current zoning.

Mr. Sylvainus remarked he was disappointed they had requested to start construction without all agreements in place.

Attorney Asteak commented that the next steps would be to get land development approval and amend Phase 1.

Mr. Sylvainus expressed concern with the potential of Phase 2 being developed without access and to the remaining tract of land. He indicated if sales did not

progress and sold the land, the potential developer would be required to install a bridge for the Morningstar development which is expected to be gated.

Mr. Sylvainus read the criteria from the Application for approval and the use met most of the requirements. Attorney Asteak noted the application and the ordinance, however, similar do differ.

A **motion** was made by Ms. Donnelly recommend the supervisors grant approval for the Conditional Use, Mr. Bacak seconded the motion and the motion passed 5-0.

A **motion** was made by Mr. Benfield to adjourn the meeting, Ms. Donnelly seconded the motion and the **motion passed** 5-0.

The meeting was adjourned by Mr. Sylvainus at 8:20 PM.

Respectfully submitted,
Pamela A Berlew, Secretary

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MINUTES OF APRIL 13, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday April 13, 2017, in the Township Building. Present were; Chairman, Scott Sylvainus; Vice-Chairman Stephen Bacak; Pamela Berlew; Jay Benfield and Wilhelmina Donnelly. Township Zoning Officer John Soloe and Township Engineer, Al Kortze; were present. Township Manager, E. J. Mentry and Township Solicitor, Gary Asteak were not present.

A **motion** was made by Mr. Benfield to approve the minutes from the March 9, 2017, meeting, Ms. Donnelly seconded the motion and the motion passed 5-0.

Old Business

SALDO Revisions – Mr. Kortze went over the final suggested revision to the SALDO. A Final version will be prepared for review.

Park, Recreation and Open Space Plan – Mr. Mentry reported the following via e-mail: No Update at this time. I have reached out to DCNR and am still waiting to hear back from the project manager to finalize the contract and begin preparing the RFP.

Official Map – Mr. Mentry Mr. Mentry reported the following via e-mail: No update at this time. I expect to receive an award decision in May.

New Business

A **motion** was made by Ms. Donnelly to adjourn the meeting, Mr. Benfield seconded the motion and the **motion passed** 5-0.

The meeting was adjourned by Mr. Sylvainus at 8:10 PM.

Respectfully submitted,
Pamela A Berlew, Secretary

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MINUTES OF MAY 11, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:04 PM on Thursday May 11, 2017, in the Township Building. Present were; Vice-Chairman Stephen Bacak; Pamela Berlew; Jay Benfield and Wilhelmina Donnelly. Township Zoning Officer John Soloe and Township Manager, E. J. Mentry were present. Chairman, Scott Sylvainus; Township Engineer, Al Kortze; and Township Solicitor, Gary Asteak were not present.

A **motion** was made by Mr. Benfield to approve the minutes from the April 13, 2017, meeting, with the deletion of the 2nd Mr. Mentry under the Official Map comments. Ms. Donnelly seconded the motion and the motion passed 4-0.

Old Business

SALDO Revisions – A final review will be performed and presented to the Supervisors for approval.

Park, Recreation and Open Space Plan – Mr. Mentry reported he anticipated a conference call for criteria for the RFP, May 12, 2017.

Official Map – Mr. Mentry reported he anticipated to receive the grant May 1, 2017.

New Business

Mr. Soloe updated the Planning Commission on current real estate offerings.

A **motion** was made by Ms. Berlew to adjourn the meeting, Ms. Donnelly seconded the motion and the **motion passed** 4-0.

The meeting was adjourned by Mr. Bacak at 8:40 PM.

Respectfully submitted,
Pamela A Berlew, Secretary

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MINUTES OF JUNE 15, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday June 15, 2017, in the Township Building. Present were: Chairman, Scott Sylvainus; Vice-Chairman Stephen Bacak; Pamela Berlew and Jay Benfield. Township Zoning Officer John Soloe and Township Manager, E.J. Mentry; Township Engineer, Al Kortze; and Township Solicitor, Steve Mills were present. Wilhelmina Donnelly was not present.

A **motion** was made by Mr. Benfield to approve the minutes from the May 11, 2017, meeting, Mr. Bacak seconded the motion and the motion passed 3-0. Mr. Sylvainus abstained, since he was not present at the May meeting.

Old Business

SALDO Revisions – A final review will be performed and presented to the Supervisors for approval.

Park, Recreation and Open Space Plan – Mr. Mentry reported the next step would be to approve the creation of a study committee. Mr. Mentry indicated that the commitment would be for about 18 months.

Official Map – Mr. Kortze distributed a base map. The Planning Commission will review this base map and prepare comments for the next meeting.

New Business

Duke Realty – Lot Consolidation. Representing Duke Realty was Steve Walsh, Mike Davis and Attorney James Kratz.

Duke presented the need for the lot consolidation due to PA American Water's requirements for Fire Suppression system requirements. Mr. Walsh indicated that a Condominium Plan is in place for the purposes of shared amenities. Mr. Kortze indicated his comments were minor issues. Attorney Mills, E.J. Mentry and Mr. Soloe had no comments.

A motion was made by Mr. Benfield and Seconded by Mr. Bacak to recommend approved based upon all comments from Mr. Kortze's review letter be addressed. Motion passed 4-0

Heritage Village Sketch Plan – Representing Heritage Village was Mr. Christian Brown, and Ms. Sue Drabic.

Mr. Brown presented the Sketch of the Heritage Village Sketch Plan senior friendly development. Mr. Brown indicated construction has started on Phase 1 and

Phase 2 would be started rather quickly. Mr. Sylvainus asked what the Time Frame for the completion of the project is. Mr. Brown indicated a marketing study was performed in 2013 and will be updated periodically. Mr. Brown indicated that Phase 2 should start in the Fall of 2018. Ms. Drabic indicated they have contracted with Blue Valley Builders for construction. Ms. Berlew asked if the Plan which depicted the previous Phase 1 had been recorded. Mr. Brown indicated it had been. Ms. Berlew asked if the plan was going to be withdrawn due to the fact the new plan appears significantly different. Mr. Soloe indicated to Mr. Brown that they are at the wrong board and the Planning Commission is an advisory agency, and that the Supervisors need to authorize the revisions without withdrawing the recorded plan.

A **motion** was made by Mr. Bacak to adjourn the meeting, Mr. Sylvainus seconded the motion and the **motion passed** 4-0.

The meeting was adjourned by Mr. Sylvainus at 8:30 PM.

Respectfully submitted,
Pamela A Berlew, Secretary

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MINUTES OF JULY 13, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday July 13, 2017, in the Township Building. Present were: Vice-Chairman Stephen Bacak; Jay Benfield, Pamela Berlew and Wilhelmina Donnelly, Chairman, Scott Sylvainus arrived at 8:20; Township Zoning Officer John Soloe and Township Engineer, Al Kortze; Township Manager were also present; E.J. Mentry and Township Solicitor, Gary Asteak were not present.

A **motion** was made by Mr. Bacak to approve the minutes from the May 11, 2017, meeting, Mr. Benfield seconded the motion and the motion passed 3-0. Ms. Donnelly abstained, since she was not present at the June meeting.

Old Business

SALDO Revisions – A review of edits to date was performed.

UPDATE July 14, 2017 – Mr. Soloe suggested Waivers and Modification; Phases Developments; and Rec/Open Space sections need revisions.

Park, Recreation and Open Space Plan – No additional updates.

Official Map – Mr. Mentry indicated he will set a meeting with Bryan Cope (Northampton County Open Space Coordinator). The Planning Commission requested the addition of Open Space and Protected Farm Lands to the map.

UPDATE July 19, 2017, Mr. Bryan Cope (Northampton County Open Space Coordinator) will be attending the September 14, 2017 Planning Commission meeting.

New Business

Nothing at this time

A **motion** was made by Ms. Donnelly to adjourn the meeting, Mr. Sylvainus seconded the motion and the motion passed 5-0.

The meeting was adjourned by Mr. Sylvainus at 8:55 PM.

Respectfully submitted,
Pamela A Berlew, Secretary

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MINUTES OF AUGUST 10, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday August 10, 2017, in the Township Building. Chairman, Scott Sylvainus; Vice-Chairman Stephen Bacak; Wilhelmina Donnelly, and Jay Benfield; Township Zoning Officer John Soloe; and Township Engineer, Al Kortze; were present. Pamela Berlew; Township Manager E.J. Mentry, and Township Solicitor were not present.

A **motion** was made by Jay Benfield to approve the minutes from the July 13, 2017, meeting, Wilhelmina Donnelly seconded the motion and the motion passed 3-0. Scott Sylvainus abstained.

Old Business

SALDO Revisions – Minor corrections were made by Al Kortze and the revisions are currently in review by Township Solicitor. After this they will go to the LV Planning Commission for comments and then the UNT Board of Supervisors.

John Soloe asked for a review of phase development definition and refer to MPC, also to review recreation and open space since they will need revisions and these will be relayed to Al Kortze.

John Soloe started a discussion for future concerns of short term public events and possible need for a permitting process. This could be deemed a business use. Examples could be charity race or other farm / agricultural events. They may be required to have certification of insurance and proper sanitation. This also can get into entertainment or amusement tax. Also some other areas are seeing short term events in converted barns.

Official Map – Al Kortze presented a cleaned up version of the map. Future open space, park lands, conservation greenways and farm land preservations were added. We will review again at the next meeting. Also looking at a separate bike/walk and collector street overlay map to include Stockertown to Nazareth school complex.

New Business

No new business.

A **motion** was made by Wilhelmina Donnelly to adjourn the meeting, Stephen Bacak seconded the motion and the **motion passed** 4-0.

The meeting was adjourned by Mr. Sylvainus at 8:10 PM.

Respectfully submitted,
Stephen Bacak

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MINUTES OF SEPTEMBER 14, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:30 PM on Thursday September 14, 2017, in the Township Building. Chairman, Scott Sylvainus; Vice-Chairman Stephen Bacak; and Jay Benfield; Township Zoning Officer John Soloe; and Township Engineer, Al Kortze; Township Manager E.J. Mentry; and Township Solicitor Gary Asteak were present. Pamela Berlew; and Wilhelmina Donnelly were not present.

New Business

Heritage Village – Revised Preliminary Plan / Phase 2 Final Plan

Christian Brown – He introduced the plan and progress to amend Phase 1, Phase 2 final plan, and the master plan. The inclusion of the Serfass tract which is an additional 3.3 acres to the total plan. Also 8 homes in phase 1 are currently under construction. In Phase 2 there will be 29 units (11 cottages and 18 town homes) and the creation of a club house out of the Serfass farmstead. The bridge will also be constructed during this phase. Attorney Gary Asteak - When will there be an objective standard when the closure of the temporary entrances? Phil Malitsch – He noted the driveway behind the clubhouse will be a separate staff / service entrance. The barn ramp and access to Beil Ave is needed to remain to have access to 2nd floor of the barn. Attorney Gary Asteak noted that proper signage posted for service and staff only entrance and parking. Sue Drabic said that this will be for access for catering events. John Soloe was concerned with the sight triangle from this entrance. Phil Malitsch said about sequence timing on closure of the temporary and driveway access to Beil Ave. Christian Brown noted that this will be worked into the Beil Ave access plan. Al Kortze commented to add into the plan when is the construction of the parking lot is to be completed. John Soloe discussed the traffic impact with the holding or with additional fees. Phil Malitsch said the updated trip generation report were submitted to Al Kortze. The plan for the traffic impact is by phase and it will incorporate the change from 143 units to 153 units. John Soloe asked to have this defined in the preliminary plan on how this will be handled. EJ Mentry said the traffic plan will be recorded with phase 1 and each unit correction. Phil Malitsch confirmed this. Christian Brown went on to explain that there is a legal consolidation of the lots to clean up and

incorporate into a master plan with phasing lines at Al Kortze request. All relevant factors are down with the new master plan to include, density and impervious cover and an increase in open space while maintaining the village concept. Sue Drabic brought up that the bridge will have a barrier and Phil Malitsch said there is going to be a temporary turnaround on the other side of the bridge. He also confirmed the UNT fire chief approved Phase 2. Sue Drabic said their financials are in order at this time for Phase 2. John Soloe asked about when in phase 2 is the bridge going to be built. Christian Brown stated that there will be a temporary bridge for construction purposes and there will be a utility crossing as well. Al Kortze noted that there are four waiver requests with phase 2. The improvement agreement will remain and some changes in phase 2. Also a one sheet master plan preliminary approval. Scott Sylvainus asked if fees are paid. EJ Mentry and then Sue Drabic confirmed paid. EJ Mentry noted escrow accounts are set up. John Soloe said phase 1 are in escrow account. Attorney Gary Asteak stated to EJ Mentry to recommend in the project to come up with a minimum balance based on this unique project. Jay Benfield noted Beil Ave and the condition of the current patch work. Phil Malitsch said this is going to be worked into the phases. Stephen Bacak noted the patch work continues over Main St ext as well and Phil Malitsch confirmed that this was their utility hook ups. Jay Benfield noted the Bushkill side houses and the align to the driveways. Scott Sylvainus asked about the village green areas and if there will be any future structures. Christian Brown said there will be hose bib and electric in those areas and maybe a pergola. Stephen Bacak asked if there is currently any future land acquired. None noted currently by the Christian Brown. EJ Mentry asked about the walking path. It was stated this will be 4.5 feet and gravel, plus sidewalks in the community. Christian Brown said the plan is with the conservation district review with grading for phase 2. Phil Malitsch discussed units in waiver (units 125, 126, 128) since they are too close to intersection. A discussion of timing with planning commission and supervisor meeting approval timing occurred. Scott Sylvainus asked if there were any comments from surrounding municipalities. Phil Malitsch stated no comments from Bushkill Township nor the Nazareth Boro. The plans were submitted and they actually never responded through the entire project to date. Planning Commission in general would like to see a plan in place for the closure of the temporary accesses to Beil Ave and it should also include a final paving plan as well.

A **motion** was made by Jay Benfield and seconded by Stephen Bacak to recommend that the Board of Supervisors approve Heritage Village Preliminary / Final Subdivision and Land Development Plan Phase 2 with the condition of a detailed plan of the closure of the temporary accesses to Beil Ave and final roadway paving. The **motion passed** 3-0.

A **motion** was made by Stephen Bacak and seconded by Jay Benfield to recommend that the Board of Supervisors to approve Heritage Village Preliminary / Final Subdivision and Land Development Plan Phase 2 consolidation. The **motion passed** 3-0.

A **motion** was made by Stephen Bacak and seconded by Jay Benfield to recommend that the Board of Supervisors to approve Heritage Village Preliminary Master Plan Subdivision and Land Development Plan Phases 3 – 6. The **motion passed** 3-0.

A **motion** was made by Jay Benfield and seconded by Stephen Bacak to recommend that the Board of Supervisors approve waiver for Heritage Village Preliminary Master Plan Subdivision and Land Development Plan Phases 3 – 6 – SALDO 424.9 – Requires that Preliminary Plan submissions contain specific information such as street widths, utility designs, deed restrictions, covenants, etc. The **motion passed** 3-0.

A **motion** was made by Jay Benfield and seconded by Stephen Bacak to recommend that the Board of Supervisors approve waiver for Heritage Village Preliminary Master Plan Subdivision and Land Development Plan Phases 3 – 6 – SALDO 425.2– Requires that Preliminary Plan submissions contain detail grading, landscaping and soil erosion control designs. The **motion passed** 3-0.

A **motion** was made by Jay Benfield and seconded by Stephen Bacak to recommend that the Board of Supervisors approve waiver for Heritage Village Preliminary Master Plan Subdivision and Land Development Plan Phases 3 – 6 – SALDO 425.3– Requires that Preliminary Plan submissions contain detail street and utility plan / profile designs and street light plans. The **motion passed** 3-0.

Old Business

Saldo update -

Al Kortze provided final draft with updated language for recreation and phase developments.

A **motion** was made by Scott Sylvainus to recommend amendments to the UNT SALDO to the Board of Supervisors, Jay Benfield seconded the motion and the motion passed 3-0.

A **motion** was made by Stephen Bacak to recommend an invasive species bamboo ordinance to the Board of Supervisors, Jay Benfield seconded the motion and the motion passed 3-0.

Al Kortze will provide some samples of bamboo ordinances.

Park, Recreation and Open Space update –

EJ Mentry noted PA state spending bills which may hinder some funding. Bryan Cope will reschedule with planning commission in the near future to discuss the official map. Also exploring other opportunities with trail systems in the area. The goal is to have the official map completed by July 2018.

A **motion** was made by Jay Benfield to approve the minutes from the August 10, 2017, meeting, Stephen Bacak seconded the motion and the motion passed 3-0.

A **motion** was made by Stephen Bacak to adjourn the meeting, Jay Benfield seconded the motion and the **motion passed** 3-0.

The meeting was adjourned by Mr. Sylvainus at 9:55PM.

Respectfully submitted,
Stephen Bacak

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MINUTES OF OCTOBER 12, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday October 12, 2017, in the Township Building. Present were: Chairman, Scott Sylvainus, Vice-Chairman Stephen Bacak; Jay Benfield, Pamela Berlew and Wilhelmina Donnelly, and Township Zoning Officer John Soloe. Township Manager; E.J. Mentry, Township Engineer, Al Kortze; and Township Solicitor, Gary Asteak were not present.

A **motion** was made by Mr. Bacak to approve the minutes from the September 14, 2017, meeting, Mr. Benfield seconded the motion and the motion passed 3-0. Ms. Berlew and Ms. Donnelly abstained, since they were not present at the September meeting.

Old Business

Grants are held up with the State Budget.

Various Bamboo Ordinances were reviewed and Mr. Soloe asked if the need and urgency existed vs the cost of creating an ordinance.

New Business

Nothing at this time

A **motion** was made by Ms. Donnelly to adjourn the meeting, Mr. Benfield seconded the motion and the motion passed 5-0.

The meeting was adjourned by Mr. Sylvainus at 7:56 PM.

Respectfully submitted,
Pamela A Berlew, Secretary

**UPPER NAZARETH TOWNSHIP
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MINUTES OF NOVEMBER 9, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday November 9, 2017, in the Township Building. Present were: Chairman, Scott Sylvainus, Vice-Chairman Stephen Bacak; Jay Benfield, and Wilhelmina Donnelly, and Township Zoning Officer John Soloe. Township Manager; E.J. Mentry, Township Engineer, Al Kortze; and Township Solicitor, Gary Asteak; Pamela Berlew were not present.

A **motion** was made by Mr. Bacak to approve the minutes from the October 12, 2017, meeting, Ms. Donnelly, seconded the motion and the motion passed 4-0.

Old Business

Park, Recreation, and Open Space Plan – no update

Official Map – no update

New Business

Received draft of subdivision and land development ordinance revision. This will be add to agenda in December.

January will be the reorganization.

A **motion** was made by Ms. Donnelly to adjourn the meeting, Mr. Benfield seconded the motion and the motion passed 4-0.

The meeting was adjourned by Mr. Sylvainus at 7:50 PM.

Respectfully submitted,
Stephen Bacak

**UPPER NAZARETH TOWNSHIP
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MINUTES OF DECEMBER 14, 2017

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday December 14, 2017, in the Township Building. Present were: Chairman, Scott Sylvainus arrived at 7:15, Jay Benfield, Pamela Berlew, Wilhelmina Donnelly, Township Manager; E.J. Mentry, and Township Engineer, Al Kortze. Vice-Chairman Stephen Bacak; Township Zoning Officer John Soloe and Township Solicitor, Gary Asteak were not present.

A **motion** was made by Mr. Benfield to approve the minutes from the November 9, 2017, meeting, Ms. Donnelly seconded the motion and the motion passed 3-0. Ms. Berlew abstained, since she was not present at the November meeting.

Old Business

Grant should be released and RFP will follow shortly for the Park, Recreation and Open Space Plan.

Mr. Brian Cope, from Northampton County will attend the January 11, 2018 to discuss the official map. The planning commission reviewed additional open space, trails for inclusion in the official map.

A **motion** was made by Ms. Donnelly recommend the Board of Supervisors approve the Subdivision and Land Development Ordinance, as amended, Mr. Benfield seconded the motion and the motion passed 4-0.

New Business

Palmer Township Comprehensive plan was reviewed and discussed.

A **motion** was made by Ms. Donnelly to adjourn the meeting, Mr. Sylvainus seconded the motion and the motion passed 4-0.

The meeting was adjourned by Mr. Sylvainus at 8:32 PM.

Respectfully submitted,
Pamela A Berlew, Secretary