

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

Minutes of March 14, 2024

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 14, 2024, in the Township Building.

ROLL CALL

The following members were present: Pamela Berlew, Jay Benfield, Scott Sylvainus, Robert Williams, Zoning Officer John Soloe, and Assistant Zoning Officer Angela Strohl. Township Manager, Lisa Klem, attended virtually. Township Engineer Kevin Horvath and Township Solicitor Gary Asteak were also present. Jim Campana was absent. Recording Secretary Deanne Werkheiser was absent.

APPROVAL OF AGENDA

Motion was made by Robert Williams, seconded by Jay Benfield to approve the March 14, 2024, meeting agenda. Motion approved unanimously.

APPROVAL OF MINUTES

Motion was made by Pamela Berlew, seconded by Robert Williams to approve the February 8, 2024, meeting minutes. Motion approved unanimously.

Nazareth Borough Yard Waste and Recycling Drop-Off Facility:

Solicitor Al Pierce, Chairman of the Boroughs Environmental Steering Committee Charles Donello and Council President Dan Chiavaroli presented the plan to the Commission members. Mr. Donello distributed copies of the Borough's reply to Keystone's review letter. The plan shows a site of 5 acres located at the end of Gracedale Ave. The current facility sits on approximately .1 acres. Originally bought this land with this plan in mind. Currently working on outside permits.

On review letter, comment number 10 under Stormwater Management regarding the detention basin. SALDO calls for 4:1, would like to do 3:1. Kevin stated that this ratio is due to safety and ease of maintenance. If fenced, will alleviate the safety concern, as well as the Borough having the reasonable capability to keep it maintained. Pam asked for confirmation that the basin won't be an attractive nuisance to children. Mr. Donello stated no, especially with the fence. He showed all the planned gates on the plan.

Comment number 9 under Landscaping-Dumpster Screening. Mr. Donello showed the plan, would like to have access on both sides of the dumpster to make it easier for residents to get to the dumpster. John stated that that part of the ordinance is more for commercial uses that have garbage collection so that the dumpsters would be somewhat disguised. There will be trees along the berm that will provide screening. Scott asked how far the dumpster is from the street, Mr. Chiavaroli stated approximately 300 feet from the road. Kevin stated that on page 2 of his review letter there is a comment regarding the fencing. Recommend an 8 ft fence with mesh fabric on the inside to provide screening, along with additional planting in front of the fence. Kevin stated typical street trees may not be ideal due to power lines, recommend some smaller trees and possibly shrubs. Mr. Donello stated that they are willing to put the fencing up, along with some nice looking flowering trees.

Comment 1 under Miscellaneous regarding Curbing delineating off-street parking. Mr. Donello asked for clarification of this comment. Kevin stated that this is used to delineate the parking area from other areas where parking is not wanted. This usually includes the curbing and some islands in the middle of the parking lot. Robert asked why they don't want curbing? Attorney Pierce stated that the curbing will work against us, as the parking lot is up against a field, Mr. Donello stated that the parking is not close to the street.

Comment 2 under Miscellaneous, regarding traffic. John stated that the facility would be closed for the AM peak hours. Kevin stated that it will be such a low number, but that the number would be used to determine a traffic impact fee. PennDot may need the count as well to determine the appropriate type of driveway opening onto their road. Mr. Donello stated that the current facility gets approximately 15-20 cars in a day, but they do not keep an exact count. They only use a ledger to determine whether the person dropping off the yard waste is a resident of the Borough.

Comment 7 under Conditional of Plan Approval regarding recreation fee. Mr. Donello stated that they are not building houses, and there are fields right next to the current soccer fields.

Comment 4 under Planning/Zoning Comments regarding a bike-walk path. Mr. Donello described the area surrounding the facility. We don't want people walking through the facility. We have nothing planned to connect to our park, as it already has a trail going around the park. We have no future plans to connect anything to this current trail. Pam stated the Multi Municipal Comprehensive Plan shows trails, we want connectivity through the Township and the other municipalities. Robert asked what the hardship was regarding the trail. Mr. Chiavaroli stated that where the official map shows the trail, it would go through the dumpsters and the facility. Gary stated that a lot of time and creative energy was spent on the official map, and we know what we want to do with our Township. Discussion ensued regarding a bike-walk path and where it should go.

Pam stated that the basin, fencing around the entire facility with mesh backing are waivers? Kevin replied yes. Scott stated that the curbing would be ok with a waiver. Asked about traffic. Gary stated the ITE manual may be able to help with that. Al stated that they will do a traffic count until the plan comes to fruition. Mr. Donello stated that if they don't get the grant for this, they may push the plan back until next year. Scott stated that the recreation fee can be worked on. The plan was tabled until at least additional trip count and bike-walk path can be added to the plan.

Overlook Estates Conditional Use Application.

Phil Malitsch explained the application. Zoning calls for Conditional Use hearing on steep slopes of 15% but less than 25%. The main reason for this is for grading on the slopes. The Commission was informed at the December 14, 2023 meeting that due to sewage planning, the lots may be shuffled around a bit, which is why some lots have moved. We have tried to the best of our ability to avoid the steep slopes. Kevin stated that from an engineering perspective, slopes should generally be avoided, but there is no real concern here, there is no evidence of corrosive conditions. We classify steep slopes as natural resources, there may be run off issues, but in this case the vegetation will probably make the slopes more stable than they are today.

Motion to recommend approval of Conditional Use Application made by Robert, seconded by Pam. Motion approved unanimously.

Overlook Estates West.

Phil Malitsch explained the plan, they are providing a bike path along Sterner Rd to Michaels School Rd, to connect to the east side of Michaels School Rd. Some comments on the original letter from Keystone have been resolved and removed, some are still there. We are working on the NPDES permit, it is in process. Will work with Kevin to whittle down the letter. Mark Thompson from Taylor Wiseman and Taylor explained the movement of some of the lots. Septic fields are the main reason. We are showing the cul de sac, would be a waiver request for the 40 ft radius in lieu of the 50 ft that SALDO calls for. There is a 50 ft PennEast Pipeline easement showing on future lot 13, would only be built upon if/when the easement is vacated. Phil stated that there are a few options for this lot, it could be a non-building lot and left as is, it could be an open space lot, but that would not count towards the calculated Open Space, or it could become an oversized lot if combined with lot 12, with a provision for possible future subdivision. In the case of the last scenario, it would be a general easement on the oversized lot. Gary stated the dilemma is what will happen in the future- moving forward as the plan stands today would make it a non-conforming lot. Will need a creative solution. Phil stated he will work with Kevin and Gary down the line in that regard. Discussion ensued about the pipeline easement. Mark stated that he has working

with Kevin, does not object to anything in the review letter. We will be realigning Michaels School Rd, will be working with Gary and Kevin with the cost sharing aspect of that. We will be requesting 2 design waivers, one with the cul de sac, section 22A705.7.B.1 putting a 40 ft radius in lieu of 50 ft. Second one is regarding identification of trees 6 inches in diameter or greater, section 22A-711.2.B.(2). Most of the trees are in tree rows, there are 3-4 trees that will be identified on the plan as they will be disturbed. Kevin stated that as long as they are within the protected tree line, he has no objection to the waiver. John stated that he and Angela spoke to the Fire Chief today, and he recommends holding off on the waiver regarding the cul de sac until the Fire Chief gives his report. Discussion ensued regarding the open space and access to said open space. There will be mowed trails, and maintained by an HOA. Pam stated that they should clean up the technical items and work with Gary and the Commission in regard to lot 13.

Estates at Silvercrest.

John McRoberts from Pidcock Company introduced and explained the plan. 47 acres in Upper Nazareth Township, 302 acres in Lower Nazareth Township. There are 139 lots in total, with 127 of those in Lower Nazareth, and 14 in Upper Nazareth. In Upper Nazareth, there are 7 lots in the R-2 District, and 7 lots in the AC District. There are multiple points of access along Silvercrest Rd and Newburg Rd, and also access onto Werner Rd. There is no access to Georgetown Rd as there are parcels between the land owned and Georgetown Rd. With regard to stormwater, it will be draining to the south east. The East Branch of the Monocacy runs down the middle of the entire subdivision, separating it into an east and west side. All stormwater will be handled in Lower Nazareth, and we plan on having an association be responsible for it, will not be dedicated. Will be requesting to pay a recreation fee in lieu of dedicating land, there is a small park directly across from the subdivision on Silvercrest Rd. It will be difficult to address the review letter from Keystone until Lower Nazareth has their meeting on the subject project. Kevin stated that it would be best to have coordination with Lower Nazareth Township to help clarify overlapping issues. Stormwater will be deferred to Lower Nazareth. Address assignments would be best to be decided in a group setting, we will still have comments. John asked about traffic on Silvercrest, there are 3 intersections being added? Kevin stated that he has general comments on traffic. Mr. McRoberts stated that the streets may shift and will work with Kevin and Lower Nazareth on that. Stayed away from access onto Township Line Rd, felt it was better to stay on Silvercrest and Newburg.

Robert Garcia, Silvercrest Rd, Bob Wilhelm, Silvercrest Rd, Scott Kittling, Werner Rd, Michael Bronisz, Nathaniel Dr, Bob Hornberger, Silvercrest Rd, and Mike Venanzi, Silvercrest Rd all had questions for Mr. McRoberts.

Robert Garcia asked what the timeline looks like for this project. Mr. McRoberts stated 12-18 months before they would even have a shovel in the ground.

Bob Wilhem stated that he understands that it is Jaendl's land and it is their right to develop, however he is devastated. Has been living here for 14 years, is there anything the township can do to convince Jaendl to continue farming, if even for a few more years. Don't want to say stop. Traffic is dangerous, you have to be careful driving on Silvercrest. Will there be a buffer zone from the creek? Have been cleaning the stream bed for years.

Scott Kettling stated that the entrance onto Werner Rd would be directly across from my house. That means headlights will be shining directly into my home. Werner Rd cannot handle any extra traffic, it's only 16 ft wide. Trying to get onto Newburg Rd from either side is very dangerous, there has been several fatal accidents since I've lived here. My yard floods as it is, the road is pitched towards my house. Don't see how any of it will work. Scott stated that safety is a concern for everyone. Traffic will be the biggest issue aside from water.

Michael Bronisz stated that traffic is very relevant. The intersection of Silvercrest Rd and Township Line Rd is a mess. Trucks regularly knock out poles. Nathaniel Dr is already a cut through for people wanting to avoid that intersection. Your reason is not sufficient for why there are no access points on Township Line Rd as that is the best route to Route 22, which I would assume a lot of people would need access to for work. There is a lot of speeding on Township Line, would speed humps be installed? The majority of the lots are in Lower Nazareth, but Upper Nazareth gets the issues. It's not fair for the residents to endure.

Bob Hornberger asked the width of Silvercrest Rd. Are there going to be berms? Will Silvercrest be widened? Are speed bumps going to be put in? Are you going to improve the bridge on Silvercrest? How will you handle the traffic on Silvercrest?

Mike Venanzi asked why not access on Township Line Rd? Mr. McRoberts stated that this is a general layout, there are stormwater concerns, but will take into consideration. Mike asked about the schools, will they have a say in this? Pam stated that no, unfortunately by law they do not have say.

Robert stated that this is the 2nd time this has been before the Planning Commission, hope that next time the plan can be refigured, we have to keep the residents in mind. Health safety and welfare are all concerns we have. We want to try to meet in the middle. Pam stated that she agrees with everything that has been said tonight, don't know if entrances can be moved? Would think that a parcel would be available for purchase on the east side of the subdivision to provide access to Georgetown Rd. Scott stated the traffic is an issue especially on the east side. Is this going to impact our MS4? Kevin stated it would be minimal, most of the water is flowing to Lower Nazareth. Would depend on impervious surfaces. Scott asked about ideas on meeting with other municipality, and when would the plan come back? Mr. McRoberts stated possibly June or July.

NEW BUSINESS

Nothing at this time.

OLD BUSINESS:

Nothing at this time.

COURTESY OF THE FLOOR

Nothing at this time.

Next meeting for zoning ordinance update is March 28, 2024, at 7:00 PM.

Next regular meeting is April 11, 2024, at 7:00 PM.

ADJOURNMENT

Motion was made by Jay Benfield, seconded by Robert Williams to adjourn the meeting at 9:10 PM. Motion approved unanimously.

Respectfully submitted,

Angela Strohl, Assistant Zoning Officer