



# LOWER NAZARETH TOWNSHIP

## PLANNING COMMISSION

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### **Planning Commission**

Linda Crook, Chairperson  
Hugh Harris, Vice Chairperson  
Tara Capecci, Secretary  
Bert Smalley  
Edward Dulac

## **Planning Commission Minutes April 17, 2023**

Chairperson, Linda Crook, called the meeting to order at 6:30 p.m. Commission Members Tara Capecci, Bert Smalley and Ed Dulac; Engineer Keith Lawler, and Lori Seese, Planning & Zoning Administrator were present. Commission member Hugh Harris was not present.

Township Manager, Lori Stauffer and Township Solicitor Gary Asteak were present.

### **APPROVAL OF THE AGENDA**

Motion to approve the agenda as posted was moved by Ed Dulac and seconded by Bert Smalley. The motion carried unanimously.

### **APPROVAL OF MINUTES**

Motion to approve the minutes of the February 27, 2003 meeting was moved by Ed Dulac and seconded by Bert Smalley. The motion carried unanimously.

Motion to approve the minutes of the March 20, 2003 meeting was moved by Ed Dulac and seconded by Bert Smalley. The motion carried unanimously.

There were no items of discussion under **CORRESPONDENCE & ANNOUNCEMENTS.**

### **SUBDIVISION/LAND DEVELOPMENT**

#### **Nazareth Real Estate Management, Ford Pro Service Building– Special Exception Advisory Review, Zoning Appeal 2023-06**

Present for the Application: Holly Evans, P.E., and Thomas Koch, Applicant

Holly Evans reviewed the proposed project. The automobile repair use is permitted by Special Exception. The use will primarily serve cars and trucks. Keith Lawler reviewed his April 13, 2023 letter. The Applicant can comply with all items from the Keystone Consulting Engineers letter. Hours of operation, location and the potential for charging stations were reviewed with the Planning Commission. The Applicant confirmed they are planning ahead and providing access for any future extension of Broad Street. The Planning Commission had no additional comments.

#### **Northampton Farms, LLC, 4215 Lonat Drive – CU2023-02 Conditional Use & Preliminary Land Development Plan**

Present for the Application: Erich Schock, Esq., Mark Kaplan, Esq., John McRoberts, P.E., David Jaindl and Luke Jaindl.

The proposed project was reviewed. Traffic was discussed at length. Keith Lawler noted additional intersections must be included in the Applicant's traffic study. Ed Dulac stated a concern about how traffic will get to Routes 22 and 33. The Applicant stated they will demonstrate their burden of proof regarding traffic at the Conditional Use hearing. Attorney Kaplan stated traffic from the development will use public roads. Mr. Jaindl has creative ideas to reroute traffic. Attorney Asteak noted the Applicant has the burden to prove they won't affect traffic pursuant to Article 1, Section 118.D.3 of the Zoning Ordinance. Traffic discussion continued. Compliance with the criteria of Section 118.D was discussed.

John McRoberts reviewed the proposed plan. Landscaping and lighting were discussed. John stated they can supplement the plantings and increase the berm height. Further testing is required for stormwater infiltration.

The extension of Lonat Drive will be included for when the township decides to extend the road. They will include a design in a future submission to follow the eastern property line.

They have now started working with the Township Sewage Enforcement Officer (SEO) regarding septic installation. The timeline for approval from DEP is 6-8 months.

John McRoberts stated he cannot name a tenant. Ed Dulac stated the Planning Commission cannot impose the criteria without knowing the tenant. Discussion returned to traffic. Attorney Kaplan stated Mr. Jaindl is willing to put a limit on the truck traffic by putting deed restrictions on the property.

The floor was opened to public comment.

Gary Read, 491 Nazareth Pike asked if the study distinguishes between tractor trailers and vans? John McRoberts stated a van is a passenger vehicle. This use would not be an "Amazon" delivery type use. This is a different ITE code. Mr. Read suggested there would be problems with trucks being rerouted.

Andrea Brock, 199 Nazareth Pike stated she works from home and is concerned the increased truck traffic will inhibit her ability to get out of her driveway.

Jim Cahill, 4364 Highview Drive commented on the evening traffic on Route 191. He also stated a concern about the displacement of wildlife.

George Godiska, 4194 Gradwohl Switch Road inquired about the detention pond. Mr. Godiska has lived at his present address since 1971 and is aware of multiple sinkholes over time. John McRoberts explained how the stormwater management system will work.

Jim Godiska, 108 Bushkill Street, Stockertown spoke on behalf of his parents' property at 4194 Gradwohl Switch Road. Mr. Godiska asked about the life of the detention pond. John McRoberts stated maintenance is required pursuant to Lower Nazareth and PADEP through a NPDES permit.

John stated the berm would be 5 feet high. The building will be 35 feet high. They are not obligated to completely block the building. Mr. Godiska stated a concern about the ability to see the Indian \_\_\_ cemetery from his parent's property.

John McRoberts confirmed they have studied new intersections. They studied one day, Wednesday, April 12.

Brian Youpa, 4564 Meadow Drive suggested the Applicant sell the land back if he is so concerned about traffic.

Roberto Camacho, 3531 Sweetgum Drive stated economic concerns and questioned whether they have enough financing lined up to build the project.

Melinda, 505 Nazareth Pike expressed concerns about environmental impacts due to all the trucks on Route 191.

Bob Beam, 518 Nazareth Pike asked they consider the children and bus traffic.

\*\* A 15 minute break was taken at 8:25 p.m. Meeting resumed at 8:40 p.m. \*\*

Tim Messinger, 501 Nazareth Pike asked if they had conducted a vibrations study. He also stated a complaint about overgrown vegetation in the detention ponds at the Nazareth Speedway property.

Gary Read, 491 Nazareth Pike stated concern about warehouses being empty.

Motion by the Planning Commission: Based upon the lack of a complete traffic study, significant traffic concerns on Route 191, and the concern that this is not the right use for this location, the motion to not recommend approval of the Conditional Use application for 4215 Lonat Drive was moved by Tara Capecci and seconded by Bert Smalley. The motion carried unanimously. No action was taken on the Land Development plan.

### **Northampton Farms, LLC, 523 Nazareth Pike – CU2023-03 Conditional Use & Preliminary Land Development Plan**

Present for the Application: Erich Schock, Esq., Mark Kaplan, Esq., John McRoberts, P.E., David Jaindl and Luke Jaindl.

Mr. Kaplan reviewed the proposed project, noting the same comments as on the previous application.

John McRoberts discussed traffic, noting they used a different ITE code for this project. This project used ITE#154. They used code #150 for the Lonat Drive project. John noted there would be zoning compliance issue if they used code ITE#150.

Bert Smalley inquired about sanitary sewer. John McRoberts stated the project is not within the Township's sanitary sewer service area.

Keith Lawler inquired about the tenant for this building. They are proposing to use ITE Code #154; however, the more conservative number would be ITE#150. John McRoberts stated if the Township doesn't agree with this code, PennDOT will be the third opinion.

Linda Crook stated height restriction concerns with the High Cube classification.

Gary Asteak noted the truck trips would be over Zoning Ordinance limitation of 100 trips. Attorney Kaplan stated the Applicant is willing to restrict the limit with their tenant to insure it would be in compliance. Attorney Asteak noted that Lower Nazareth, Lehigh Valley Planning Commission, and PennDOT all would use #150. The Applicant needs to justify why they should be able to use ITE Code#154.

Ed Dulac stated that Mr. Kaplan's comments relative to Lonat Drive apply to this development, even more so because there are more houses. Ed Dulac stated his disagreement that the Applicant feels they don't have to prove their compliance until the building is already up.

Tara inquired about the parking for 230 cars, shift changes, etc. Potentially all 115 cars could be there all at once. Discussion followed about traffic and the proposed user.

Keith Lawler stated it is preferred they have a proposed use. The applicant is just picking a code to make the zoning work.

The Planning Commission wants the developer to use ITE Code #150 because it is a more conservative number. The Applicant did not agree.

Comment was opened to the Floor.

Delbert Buss, 518 Daniels Road stated concerns about the changing water table. He also stated concerns about noise from back-up beepers.

Zach Cobrinik, 4476 Briarwood Drive, stated concerns about sinkholes. Zach shared a personal experience with a sinkhole on a nearby property. There is an open lake approximately 200 feet down. They must be very careful with stormwater management, so they don't pollute drinking water.

Gary Read, 491 Nazareth Pike asked if there is a tree line on the berm. John McRoberts confirmed there is a tree line proposed on the berm.

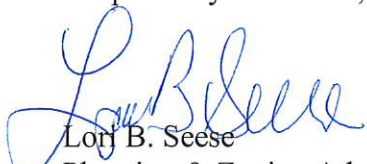
Motion by the Planning Commission: Based upon the lack of a complete traffic study, concern for the effect on the character of the neighborhood, and the need to use ITE code#150 in the traffic study as recommended by the Township Engineer, the motion to not recommend approval of the Conditional Use application for 523 Nazareth Pike and 578 Daniels Road was moved by Bert Smalley and seconded by Tara Capecci. The motion carried unanimously. No action was taken on the Land Development plan.

There were no additional comments under **COURTESY OF THE FLOOR.**

### **ADJOURNMENT**

The motion to adjourn was moved by Tara Capecci and seconded by Ed Dulac. The motion carried unanimously. The meeting adjourned at 9:45 p.m.

Respectfully submitted,

  
Lori B. Seese  
Planning & Zoning Administrator