

**BETHLEHEM TOWNSHIP PLANNING COMMISSION
REGULAR PUBLIC MEETING
JANUARY 22, 2018**

CALL TO ORDER

Mrs. Snover called the meeting to order at 7:00 p.m. The following members were present: Leslie Walker, Harold Powell, Joseph Soresi, Mark Grandinetti, Don Wright, Jim Daley and Lee Snover. Also present were Wendy Nicolosi, Township Solicitor, Brian Dillman, Township Engineer, Nathan Jones, Planning Director and Laura Zapata, Recording Secretary.

REORGANIZATION OF THE PLANNING COMMISSION

Township Solicitor Wendy Nicolosi called for nominations for the office of Chairperson of the Planning Commission. Mr. Wright nominated Mrs. Snover. The nomination was seconded by Mr. Daley. There being no other nominations, the nominations were closed. Mrs. Snover was thereupon unanimously elected Chairperson by voice vote. Solicitor Nicolosi then turned the meeting over to Mrs. Snover, who called for nominations for Vice Chairperson of the Planning Commission. Mr. Wright nominated Mr. Daley and Mr. Grandinetti seconded the nomination. There being no other nominations, the nominations were closed. Mr. Daley was thereupon unanimously elected Vice Chairperson by voice vote. Mrs. Snover called for nominations for Secretary of the Planning Commission. Mr. Daley nominated Mr. Wright and Mr. Powell seconded the nomination. There being no other nominations, the nominations were closed. Mr. Wright was thereupon unanimously elected Secretary by voice vote.

COURTESY OF THE FLOOR

Mrs. Snover stated she would take general comments during "Courtesy of the Floor" on anything that does not deal with the agenda; however, anyone with specific, technical questions on an agenda item should wait until that agenda item is discussed to offer their comments or questions.

Barry Roth, 4323 Chetwin Terrace

Mr. Roth asked the members to use their microphones as the public seated in the last row could not hear them.

APPROVAL OF MINUTES

Mr. Powell made a motion, seconded by Mr. Soresi, to approve the minutes of the December 19, 2017 regular public meeting of the Planning Commission with amendment. The motion carried by a 6-0 vote. (Mr. Wright abstained.)

CORRESPONDENCE

Mrs. Snover noted the correspondence as listed on the Planning Commission agenda of January 22, 2018 and asked that any member of the Planning Commission that did not receive any of the correspondence to please contact staff. She noted new correspondence from Liberty Engineering, dated January 22, 2018, granting an extension for the new commercial building at 4217 Fritch Drive.

ADMINISTRATIVE REVIEW

- **NORTHAMPTON COUNTRY CLUB TERRACE, PRELIMINARY/FINAL SITE PLAN**

Mrs. Snover said that the applicant was required to provide justification for a stormwater improvement waiver. Keith Lawler from Keystone Consulting Engineering said that the plan shows that increased measure will not result in additional run off. Mr. Walker said that he has reviewed the material and is satisfied that it does not change the impervious calculation. Mr. Wright was concerned about major flooding at the intersection of Chipman Road and William Penn Highway. Mrs. Snover said that the country club has a full time staff that takes care of the greens and services flooding. Fred Ricky, General Manager said that staff does many things to mitigate the flooding several times a year. Brian Dillman, Township Engineer said that he has no concerns and that the information provided is sufficient. He also noted that flooding in that area should be tracked by staff now and that moving forward, the baseline should be as it exists today. Mr. Jones said that this would be factored into the resolution approval for general information.

Kenn Edinger, 5030 Freemansburg Avenue

Mr. Edinger believes the request should be a deferral and not a waiver. Solicitor Nicolosi said that the waiver or deferral is project specific.

Mr. Walker made a motion to waive stormwater improvements based on the Township Engineer's review letter. The motion was seconded by Mr. Soresi and carried unanimously.

- **4217 FRITCH DRIVE NEW COMMERCIAL BUILDING, PRELIMINARY/FINAL PLAN**

Mr. Jones said the applicant was granted a time extension as they continue working through their stormwater issues.

- **MEALS ON WHEELS SITE ADDITION, PRELIMINARY/FINAL PLAN**

Mr. Jones said the applicant was granted a time extension and will return before the board in the near future.

PLANNING DEPARTMENT REPORT

- **ZONING ORDINANCE UPDATE DISCUSSION: BREWERIES, DISTILLERIES, WINERIES & FOOD TRUCKS**

Mr. Jones said that Township Staff and the Township Solicitor's office have coordinated the draft language for the proposed Zoning Ordinances for Food Truck Uses and Breweries, Distilleries and Wineries. Mr. Daley said that there is a food truck that has been operating in front of Lowe's for the last 2 years and asked if that was private property. Mr. Jones said that their license is issued by the State and will check to see if the former Zoning Officer issued a permit. If they are in place before the ordinance passed then they are protected under the old ordinance.

FOOD TRUCKS

Mrs. Snover read an excerpt from page 2 which indicates that the vendor should not broadcast loud music. Mr. Jones said that it is not to exceed a certain decibel. He said that Angela Kelly, Township Fire Marshal has a decibel meter but they have not gotten many noise complaints. Solicitor Nicolosi said it would be handled in the same manner that restaurants are. Mr. Daley commented that the person making the complaint has to prove that it is loud. Mr. Wright said that the owner for the Food Truck got a larger one and asked if the proximity of the truck from Lowe's can be enforced. Mr. Jones replied that it is enforceable. He said that the reason they are drafting the ordinance is because there are many that want to come into the Township to conduct such business which is an allowed use. Mr. Walker asked staff to check the owner's insurance to verify that Bethlehem Township is listed as additionally insured.

Barry Roth, 4323 Chetwin Terrace

Mr. Roth said that the food truck should be driven in and out daily. Mr. Jones said that is a policy decision of the board. Mrs. Snover asked that language should be added to the proposed ordinance to include that it must not be a permanent fixture.

Kenn Edinger, 5030 Freemansburg Avenue

Mr. Edinger suggested that staff look at other municipalities to see how they handle such vendors. Solicitor Nicolosi said they have looked at 10 other ordinances and that the one before the board was modeled after the one from Carlisle. She said they don't want them on public streets and in the right of way. Solicitor Nicolosi said they are permitted on private property with the owner's written permission.

Mr. Daley made a motion to approve and present the Mobile Food Vendors Ordinance with minor amendment to the Board of Commissioners. The motion was seconded by Mr. Wright and carried unanimously.

BREWERIES, DISTILLERIES & WINERIES

Mrs. Snover asked why section 9, 10 and 11 of the proposed ordinance was grouped brew hub. Solicitor Nicolosi said it is a different use that goes along with where restaurants are permitted. Mrs. Snover asked if KRE, Madison Farms developer is aware. Mr. Jones said they have discussed this with them. He said there is a light production of it at Madison Farms.

Mr. Walker said he was concerned that a brew hub could pop up on a corner near a residential area in the Neighborhood Commercial District. Mr. Jones said there would have to be a hearing. He said they would have to be permitted in Neighborhood Commercial Zones not Neighborhood Enhancement. Mr. Wright suggested making it consistent. Mr. Jones said that they have received outreach from 2 distilleries which are looking at a concept to have a seated area for food and a brewery provided they are permitted by the Liquor Control Board. Solicitor Nicolosi said that would be a different license.

Mr. Wright made a motion to send the Breweries, Distilleries & Wineries ordinance to the Board of Commissioners. The motion was seconded by Mr. Soresi and carried unanimously.

ADJOURNMENT

Mr. Soresi made a motion to adjourn the meeting at 7:52 p.m. The motion was seconded by Mr. Grandinetti and carried unanimously.

NEXT PLANNING COMMISSION MEETING

Monday, February 26, 2018 – Regular Public Meeting

Respectfully submitted,

Laura Zapata
Recording Secretary

Nathan D. Jones
Director of Planning