I. OPENING

CALL TO ORDER: The Planning Commission meeting of Lower Saucon Township Council was called to order on Thursday, February 21, 2008, 7:02 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. John Landis, Chair, presiding.

ROLL CALL: Present: John Landis, Chair; Hazem Hijazi, John Noble, Craig Kologie, John Lychak, Tom Maxfield; Dan Miller, Engineer; Chris Garges, Zoning Officer; Linc Treadwell, Solicitor; Absent – Fran LaBuda, Vanessa Segaline, Jr. PC Member.

PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Vanessa Segaline arrived. The time was 7:04 PM.

III. BUSINES ITEMS

A. CORNERSTONE DEVELOPERS – ESTATES AT STONEHURST AT SAUCON VALLEY MAJOR SUBDIVSION PRELIMINARY PLAN MAJ 05-06 – 1905 WALDHIEM ROAD – TIME LIMIT 03/12/08

Present – Stephen Heiss, Owner, Attorney Richard Schrader, Art Swallow, and Chris Brown.

Mr. Swallow said he thinks they've run the mile here and as of the last reviews they received from Boucher & James and HEA, they think they addressed all of the technical issues to move on to the next forum. They've been successful in obtaining the permits from DEP for sewage, LVPC for the storm water management which has been satisfied, and he expects the Erosion Control permit in 35 days. He thinks they are in very good shape right now.

Mr. Landis said on the Boucher & James letter…Mr. Tralies said it's not necessary to go through the entire letter. He will address their summary of issues, No. 2 of page 2 of their letter. Their biggest issue with the plan was that they could be beyond their permitted disturbance of steep slopes. In talking to Chris and a colleague, it appears that the difference here may come from when they did their review, they were basing their disturbance on the limit of disturbance line shown on the plan rather than an actual area of disturbance. The conservation area asked them to show a puffed up area of disturbance, so they don't think they are violating any of their steep slope disturbance at this point. Chris submitted a plan, but Mr. Tralies didn't get to look at it today. He thinks they will be able to show they are okay on that.

Mr. Landis asked if there was anything on the HEA letter. Mr. Swallow said up to today they were talking with Dan. Mr. Miller said there are a couple technical issues that need to be resolved. We need feedback from the PC if you want the basin to be on three lots and be maintained by the HOA. Mr. Landis said that's almost a Council question. It's an issue of how that works. They are responsible for it. We could debate this all night.

Mr. Swallow said they have been doing this on a lot of projects with detention basins, and a lot of municipalities don't want this, so it's pretty common practice to place just the facilities in a

Homeowners Association (HOA). With Stonehurst, the HOA also gets the open space. We have almost 14-1/2 acres of open space that goes along to be enjoyed by the HOA. There's a little bit more than with just the detention basin. Talking about the three lots, the basin does span three lots, but as criteria developed, the slope actually moved back somewhat, and they felt they didn't have to change the lot lines It's just a small strip in the back of Lot 3 that contains the basin. It's well within the easement. It's almost an imaginary line. They didn't feel it would be that big of an issue. A couple of months ago when they asked for a couple of waivers, when they were discussing them, the PC said if you put the fence up, we'd be a little more willing to recommend the waiver on this lot. We actually proceeded over the last couple months on that direction.

Mr. Kologie said it looks like the majority of the basin is on the open space side, so it would have been maintained by the HOA anyway. There's grading that extends on two other lots as a result. Mr. Miller said the fence extends on those lots also.

Attorney Treadwell said they have seen the HOA agreements, and they can button it up legally with the basin on those three lots. Mr. Maxfield said the disposition hasn't been discussed at Council level yet. Mr. Swallow said he started in August soliciting proposals from Heritage Conservancy and the Wildlands of being a third party or take a conservation easement or a third party involvement. He thinks they've been successful in working with the Wildlands. Diane Gehringer met with them. They've been having conversations. He's providing legal descriptions and sketches. They've been doing a lot of behind scenes to address this.

Mr. Landis said we'll do the waivers first.

MOTION BY: Mr. Maxfield moved for Section 145-33.c.2, No. 4 on HEA's letter, a waiver on all existing features within 500 feet must be shown on the plan.
SECOND BY: Mr. Hijazi
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Hijazi moved for waiver of SALDO Section 145-43 c.1 to allow the basin to span three properties.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Noble moved for preliminary approval per Boucher & James and Hanover's letters.
SECOND BY: Mr. Hijazi
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

Mr. Maxfield said did we discuss the roadway? Mr. Tralies said EAC recommended reducing the roadway to 22 feet. Mr. Swallow said they got it down to the 28 feet, with 14 feet and 14 feet for cars to pass, they are comfortable with that plus if you have someone has a party, then you have family and friends over, there's parking along there, you want some room to pass there. Mr. Maxfield said if you have a 28 foot wide road, you are going to have a wider road than the access road. He is not comfortable with 28 feet. He's not even in favor of the curbing.

Mr. Heiss said they did all this work with the 28 feet. Mr. Maxfield said this was discussed earlier and we had asked you to do 22 feet.

They compromised to do the road 22 feet with curbs. They just have to change some pipes and some grades.

MOTION BY: Mr. Noble amended his motion and moved for preliminary approval per Boucher & James and Hanover's letters and the roads be 22 feet with curbs.

SECOND BY: Mr. Hijazi amended his second

Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.

ROLL CALL: 6-0 (Mr. LaBuda - Absent)

B. BRANDON KAZAN – KAZAN MINOR SUBDIVISION MIN 04-07 – 4133 LOWER SAUCON ROAD – TIME LIMIT 03/19/08

Present – Brandon & Angela Kazan, Steve Boell, and Darrin Heckman.

Mr. Boell said at the last meeting, they were to look at the lot configuration so the lot would be more regularly shaped.

Mr. Heckman said in going in and adding the third lot, it does not meet the length and width requirements. He added a waiver, as the length and width exceeds three to one. They are requesting a waiver for that section.

Mr. Heckman said going through the Boucher & James comments, the only question he had was the steep slopes and natural features. They are well within the guidelines of that ordinance. They could do it when the go for their grading plans and depict all the slopes and natural features at that point. Mr. Tralies said the jest of our letters are natural resource protection calculations and site capacity calculations. They are proposing to do one additional house here. He doesn't think one additional house is going to push them past their resource protection or site calculations. The township has been in a position where they don't think anything is going to be a problem, but it's a requirement of the zoning ordinance that they do these calculations. He doesn't see that the actual outcome of these calculations will be a major problem, but they have to see the calculations. When they spoke on the phone, Mr. Tralies would like to check the calculations from a CAD drawing without providing a whole second sheet if that's okay with the township. Mr. Garges said we should have something eventually in the file so we have delineations. Mr. Tralies said the plans they have been submitting shows a survey with the contour lines. He's not checking all the distances between the contour lines, so he doesn't know where the steep slopes are. They are showing us everything out there, but not showing us graphically clear enough. Mr. Swallow said with the CAD drawing, they can do that.

Mr. Heckman said under landscaping they are asking for a waiver. They are providing an additional setback, and in the front is major woods, and they want to put plants in the wooded area and are requesting the waiver of street trees and the buffer.

Mr. Heckman said the HEA letter, they have shown on the plan a revised house and driveway location in an effort to keep it under 10,000 feet. He had a conversation with Dan Miller from HEA and he will get him those calculations. Item 5, there's a couple of items, but it sounds it gets deferred until they apply for the grading plan.

Mr. Boell said Item 6, his client wants clarification on the easement that he's dedicating. LS Road is a PennDOT road and the Township typically requires for right-of-way, it just is prohibiting building within there. We'll talk to our client about that.

Mr. Miller said this PC recommended they go to a third lot, and generally a recreation fee is collected for each lot at time of plan approval. They may have a good argument as they don't want to pay a lot fee for a lot they never wanted. Mr. Boell said the proposal is not a waiver, but a referral, and if anything is ever built on that lot, then it is paid, and they will put it on the plan. Comment 17, we're not sure what roadway improvements are contemplated. It would be a waiver. He said they'd like to request a waiver from that provision.

Their attorney had a conversation with Attorney Treadwell about the driveway that is going to serve the property and it is going to be modified. Attorney Treadwell said they just want to see what's actually there. Mr. Maxfield said if the plan proceeds, all major and minor things must be cleaned up before it goes to Council.

MOTION BY: Mr. Kologie moved for waiver 145-33.c1 existing features within 500 feet.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Maxfield moved for waiver for roadway improvements.
SECOND BY: Mr. Hijazi
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Kologie moved for waiver 145.52b for not providing street trees.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Noble moved for waiver 145.43 for the berm and the plantings only.
SECOND BY: Mr. Lychak
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Kologie moved for deferment of the rec fee until the lot is built on and also there needs to be a note on the plan.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

C. <u>PIERPONT SLATER PROPERTIES – PIERPOINT PROPOSED BANK FINAL LAND DEVELOPMENT 02-07 – 3493, 3495, AND 3497 ROUTE 378 – TIME LIMIT 05/21/08</u>

Present – August Anto, Andy Warner & Gregg Feinberg.

Mr. Warner said there isn't anything on the Boucher & James letter. Mr. Tralies said the only comment is they have to pay a rec fee. Mr. Warner said they have no problem with that.

Mr. Feinberg said we don't have any problems with the HEA letter what is outstanding other than the design of the corner of the street. Mr. Miller said that is correct, the only thing that needs to be

addressed is the traffic. Mr. Feinberg said the plans are essentially complete. There are a number of outside agency approvals they know they must obtain. There's a set of plans that will be delivered tomorrow which will hopefully eliminate any more letters. That's leaves us with the intersection which was the source of our dialogue and which lead to a meeting between our engineers, township engineers and our builder. There was a dialogue about the turning lane and the tear drop into the turning lane. There was a 100 x 4 foot shoulder that would be developed.

Mr. Miller said the physical improvements at this point are up in the air. They have some concerns about calculations on the report which may be in error. They don't really come out and recommend any length and they'd like to see your consultant recommend a length. There are two problems, the length and if it is desirable to proceed with a signal, what would be this project's responsibility with regard to this. The shoulder is on Colesvile Road. They are trying to address what is a failed intersection today to see if they can mitigate some of the traffic and provide a right turning lane. Mr. Noble said you want a right turn motion inhibited here with stacking. There were discussions with Mr. Miller on setting this up. The primary concern is stacking. Mr. Feinberg said there is a significant drainage ditch right there. With respect to the signaling of the intersection, it's in Upper Saucon and the shoulder is in Upper Saucon. They have said they are not interested in signaling at that time. Mr. Miller said he said he saw a letter that they didn't want to fund the signal. Mr. Warner said it doesn't meet the warrants to put a light there now and there haven't been enough deaths there. We can't force them to force us to do it. That's why we come to the means of the shoulder and hope that other corners get developed at some point and we can get a traffic light. Mr. Kologie said regardless where the boundary line is, that doesn't matter to us. Mr. Miller said a traffic signal is not a cure all. You said it won't meet warrants, but he doesn't know if that is correct. That is something that may or may not be feasible. Mr. Maxfield said is the 100 x 4 feet going to be enough for turning? Mr. Miller said the width is okay, but he's not sure about the length. Mr. Anto said the number they picked is currently for stacking of about four to five cars with 100 feet. Mr. Miller said are you referring to the report that was drafted two days ago? Mr. Anto said he got an email the other day. Mr. Miller said it can be addressed by the widening and the adding of a shoulder. We had concerns about how long the lane should be. Mr. Landis said that's an engineering issue. Mr. Maxfield said that length differentiation won't affect landscaping or anything like that? Mr. Warner said no.

Mr. Landis said the impact is if there is ever a traffic light. Mr. Warner said their newest traffic study is additional bank stacking. Down the road if there is a full blow traffic light, you might have to redo the intersection. Mr. Feinberg said he'd love to have a motion to send them off to Council now.

Mr. Mark Wirth said isn't a car wash going to go in there by the Agentis property and half is in Upper Saucon and half in Lower Saucon and they want to put in a Burger King. Mr. Landis said yes. Mr. Noble said the Agentis development, they don't tie into Colesvile Road on the opposite side. Mr. Garges said zoning won't put any driveway in there. They don't have the pad size. There are about 18 parking spaces, so no fast food can go in there.

Mr. Wirth said neighbors are concerned about the lighting at night for the bank and the water run off. Mr. Maxfield said the bank won't have hours at night. Mr. Wirth said what about the water run off. He's concerned about the future. Mr. Landis said the property itself does have detention infiltration that is going to stop the water. Mr. Warner said there is not going to be additional flow into the highway and provide less runoff in a short period of time. Mr. Landis said this was a requirement. There's detention there now which wasn't there. Mr. Wirth said there are invasive plants there that are growing and it's getting out of control. There are wetlands in there. Mr. Maxfield said the EAC will look into this. They will refer to the staff and have them get a status on it.

Mr. Landis said let's go over the waivers. Mr. Garges said the waivers were done at Preliminary. Mr. Kologie said what about the traffic issue? Mr. Noble said they are going to get with Mr. Miller and address the stacking issue with the latest traffic study. Mr. Miller said is the widening okay with you, to not pursue a signal? The PC said yes. Mr. Maxfield said this has to be all worked out before you come to Council.

MOTION BY: Mr. Noble moved for approval subject to the two letters, one from HEA and one from Boucher & James, and the agreement with our Engineers on how to do the Colesvile Road improvements to handle the traffic impact there and everything is complete before they go to Council.

SECOND BY: Mr. Maxfield

Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.

ROLL CALL: 6-0 (Mr. LaBuda - Absent)

D. RICHARD WOODRING – HILLS AT POLK VALLEY MINOR SUBDIVISION MIN 02-07 – POLK VALLEY ROAD – TIME LIMIT 04/08/08

Present, Scott Mease from Mease Engineering and Richard Woodring, Owner. Mr. Mease said this project was before you two times. The last occasion the conclusion of that study was the inlets along Polk Valley Road will be replaced and they will do that. At this point, other than the waivers, there are some drafting items that need to be cleaned up.

Mr. Landis said in terms of the Boucher & James letter, is there anything else? Mr. Tralies said the waiver and the recreation fee.

Mr. Miller said just the waivers and the drafting and engineering issues, but no drastic changes.

Mr. Greg Zahm, neighbor owns the old Fluck farm across the street, which was from 1852. He has concerns about the driveway, septic, curbing, construction practices, runoff and grading. They are right on the road, and what he understands from the plan, the driveway in the middle lot comes right out across from the living room of their home.

Mr. Mease said the middle lot is Lot 1 which the driveway comes across the street from your existing driveway. Mr. Zahm looked at the plans and discussed these issues with Mr. Mease and Mr. Woodring. Mr. Zahm said he would like to not see the driveways directly across from his house. He's has three kids and looking for as little traffic around his house as possible. He'd like for the buffering natural growth that is there and materials and style that will fit his house of 1852. Mr. Landis said under our zoning, they cannot tell them what kind of materials and style to use. Mr. Landis said the well of Mr. Zahm which is by the front porch on the west side of the building, very close to the road, will have no impact on the septic system of the development. Mr. Zahm said that's what he wanted to hear. He would like the driveway to be further away from his house. Mr. Miller said look at the dotted on the plans, the driveway isn't coming in front of your house. Mr. Zahm said it would be right across from the gravel driveway, but still would like to see if as far away from his house as possible.

Mr. Maxfield said you could ask the applicant to increase the buffer, and work with the applicant and talk about buffering in a certain area where it would and would not affect you. You can work with the applicant, and ask for maybe just the thickening of the plantings. Mr. Woodring said he has no problem talking to Mr. Zahm. There are big lots there. Mr. Maxfield said it could be a lot worse. Mr. Zahm said he's grateful for that. As far as the grading goes, what will it look like? Mr. Noble said the plans have proposed grade lines there with the dark lines. Mr. Zahm said that's great and he appreciates that. How high is the berm? Mr. Mease said its about 2-1/2 feet. Mr.

Zahm said is it landscaped? Mr. Mease said it's grass. Mr. Zahm said he would want to make it fit as well as possible if he was designing homes. He'd love to discuss it with the applicant.

Mr. Woodring said this is the sixth subdivision he's done and he's never messed one up yet. You will have three nice houses in there. There are deed restrictions in there so it stays neat and clean. There is a catch basin by the driveway so there is no water running down the street.

Mr. Zahm said they will get a chance to speak to each other. Mr. Maxfield said the other buffer is something they can't mandate on. Anything else would have to be the result of private conversations between the two of you. Mr. Zahm asked what is the landscaping along the driveways? Mr. Landis said that is up to the owners who buy the property what the driveway will look like. We have no control about the driveway or the appearance of the house.

Mr. Wirth said he was concerned about the driveway that was 600 feet from the road and they were contacted by the Fire Chief that if there were a fire back there, it would be a hardship. Mr. Maxfield said they figured out it was less than 400 feet. Mr. Mease said one thing that is added to the plan is they brought the building setbacks forward and limited the setback. Mr. Maxfield said they figured out there would be additional disturbance if the houses were closer to the road.

Mr. Landis said we have some waivers, as follows, Number 3, 4, 6, 13 and 16 on HEA's letter:

MOTION BY: Mr. Kologie moved for waiver to make this preliminary final.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Maxfield moved for waiver 145.c1 – not to show all existing features within 500 feet subject to no existing wells within 100 feet of any approved septic and identify the existing wells for all the properties close by.
SECOND BY: Mr. Noble
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Kologie moved for waiver 145.33 d13 to not make the road improvements in performance with township standards and leave it like it is.
SECOND BY: Mr. Noble
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Maxfield moved for waiver 145.43 b2 requesting the planting screen and a partial waiver for 144.44a for the required berm to enhance the buffer and subject to the applicant working with Mr. Tralies to come up with some kind of screening and tree configuration.
SECOND BY: Mr. Lychak
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Maxfield moved for waiver from providing the township standard swale along Polk Valley Road.
SECOND BY: Mr. Lychak
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Kologie moved for waiver for 145.52a from Boucher & James letter to show all existing trees of 8"or greater on the plans.
SECOND BY: Mr. Noble
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

MOTION BY: Mr. Maxfield moved for approval of preliminary final subject to Boucher & James and Hanover Engineering letters plus clean the plan up before it comes to Council.
SECOND BY: Mr. Hijazi
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

E. EDWARD & DOLORES HILL – SCENIC VIEW APARTMENTS SITE PLAN SP 01-08 – 2021 SCENIC VIEW LANE – TIME LIMIT 05/21/08 – REVIEW FOR SPECIAL EXCEPTION SE 01-08

Present – Dennis Benner, Attorney, Douglas Hunsinger from Keystone Engineering, and Edward Hill, the applicant.

Mr. Landis said we don't grant approval for special exception.

Attorney Benner said this is the first step before they can go to the Zoning Hearing Board (ZHB). They would like to add one additional building to the Lower Saucon section of this particular property, which is over 20 acres. About 14 acres are in Lower Saucon and 7 acres in Springfield Township. There are structures on both municipalities. There are about 21 apartments in Lower Saucon and they want one additional structure which would make 25 apartments in LST. Mr. Benner said the Boucher & James letter indicates, from a planning point of view, there are no major issues involved here. There are some zoning ordinance and drafting kinds of issues. They have no issue with any of the requirements set in the Boucher letter with exception of 1c, and that is to show the topography for the entire site. There's a limited area of only one acre that is being contemplated there. They will do whatever the PC wants them to show what one additional unit will do to fit in with the land, but to do topography on 22 acres if a little excessive. He would ask Zoning for a variance from that provision. There's an additional requirement to show some vegetation. They can certainly put vegetation on the northern section of this. His client has thought about it and is willing to put a conservation on that while northern section and it will give the Township some level of comfort that there will be no disturbance there.

Mr. Tralies said that Mr. Benner stated, "that there are really no planning issues," but it is important to clarify that there are no planning issues at this time. That doesn't mean that there may not be issues in the future, during the land development process. While it may not be important for the applicant to show steep slopes or woodlands now, for their application for special exception, it will be necessary for them to provide that information in the future. The extents of the woodlands and steep slopes must be shown in order to provide the site capacity calculations, which are required by

the zoning ordinance in order to determine the permitted quantity of units and permitted amounts of impervious surfaces. Or they would need to seek a variance from the site capacity requirements.

Mr. Benner said he did not intend to imply they wanted to subvert the planning requirements here with regard to site plan at this time. He premised the whole introduction tonight that it's a preliminary exercise that needs to go to the ZHB and they have no issue with complying with design requirements. They'd like to know if the ZHB is going to issue a zoning relief.

Attorney Treadwell said if you go to the ZHB and get your special exception and you come back with the land development plan and the site capacity calculations are done at that time, and it shows you can't put another unit on there, then you need a variance again from that site capacity calculation section. It's whether your client wants to wait and go back to those issues when they are flushed out.

Mr. Hunsinger said with the changes in zoning, it's a non conforming use. If you do your site capacity calculations, they are over capacity now based on existing zoning, so you are saying we should ask for another variance relative to site capacity calculations. He's done calculations and we have a very good idea of what the site slopes are. They have an accurate enough number to do a site capacity calculation. It was RA zoning and a permitted use and the units fit in with that zoning. It's now changed to R40 and it's not a permitted use. Mr. Kologie said there's use and there's density. It sounds like you are applying for use, but not for the density. Mr. Hunsinger said they can do the calculations and ask for that as a variance also.

Mr. Kologie said when you go through this process, will we see that again? Attorney Treadwell said you normally would see that tonight.

Mr. Landis said going to Hanover's letter. Mr. Miller said his letter has some issues but doesn't affect the special exception.

Mr. Kologie said you are showing a sewage disposal area and a back up area. You are not showing the existing systems for the existing buildings. Mr. Hunsinger said okay. Mr. Noble said do those existing systems have back up areas? Mr. Hunsinger said the Lower Saucon systems do. They are north of the existing building in the Lower Saucon portion.

Attorney Benner said they are looking for a motion to forward it to the Zoning Hearing Board (ZHB) and we'd ask for a special exception relief subject to a final land development plan approval by the Planning Commission. Mr. Garges said the date for the ZHB meeting is March 17, 2008.

Attorney Treadwell said the motion would be to send the site plan on to the Zoning Hearing Board with two conditions, one that the applicant provide to the ZHB site capacity calculations and that they revise their site plan prior to the ZHB to show the primary and secondary septic systems for the existing units. Mr. Tralies will have to look at the calculations eventually, but not right now.

Attorney Treadwell said this will also go to Council before it goes to the ZHB and Council might take a position different from that of the PC.

MOTION BY: Mr. Noble moved for approval as stated by Attorney Treadwell above.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MINUTES OF JANUARY 17, 2008

MOTION BY: Mr. Lychak moved for approval of the January 17, 2008 minutes.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda - Absent)

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VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

Mr. Landis asked if there was any public comment? No one raised their hand.

VII. ADJOURNMENT

MOTION BY: Mr. Hijazi moved for adjournment. The time was 9:05 PM.
SECOND BY: Mr. Maxfield
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.
ROLL CALL: 6-0 (Mr. LaBuda– Absent)

Submitted by:

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Mr. John Landis
Chair