

**I. OPENING**

**CALL TO ORDER:** The Planning Commission meeting of Lower Saucon Township was called to order on Monday March 13, 2006, at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with, Chairman, John Landis presiding

**ROLL CALL:** Present: John Landis, Chair, Gerry Szakmeister, Vice Chair; Fran LaBuda, Secretary; Hazem Hijazi, Craig Kologie, Tom Maxfield; Jim Birdsall, Engineer; Chris Garges, Zoning Officer; Judy Stern Goldstein, Township Planner; and Solicitor, David Shafkowitz. Absent - Stephanie Williams, Jr. PC Member and John Noble.

**PLEDGE OF ALLEGIANCE**

**II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Nothing

**III. BUSINESS ITEMS**

**A. MARIE FILLER – FILLER MAJOR SUBDIVISION PLAN MAJ 01-06 – 1839 SKIBO ROAD (TIME LIMIT 05/14/06)**

Dennis McCarthy, Attorney, Heritage Building Group and Nina Seidel, Heritage Building Group were present. Attorney McCarthy said they received the HEA letter, but not the Boucher & James letter.

Referring to HEA's letter, Attorney McCarthy said there is not a need to discuss any comments and they will address each one of them in the next submission. Mr. Landis said there is some issue with the right-of-way dedication. When you subdivide this one lot off, where the Fillers live, when the other section gets developed, there are going to be improvements that are going to be required, and one of the things discussed was the realignment of the road, and how that would fit in with the rest of the subdivision. He's not quite sure how you would ultimately be putting an intersection in there to serve the rest of the other lot. He would hate to see us not have some idea of how you were going to do that. Such as when you came to do it, you couldn't do it because when you stick another road in against where Meadows hits Skibo. To develop that other lot, it seems that you are going to have a road intersecting going through on the other side, and how that works with the property when you subdivide it as it looks like you'd have to come through lot no. 1 to get to lot no. 2 to have access off Skibo Road. If you try to go any further over, you're going to have the problem that you're within so many feet of another road. Attorney McCarthy said they will make sure the Engineers address the coordination between this plan and the other major subdivision plan for the big tract to make sure there are appropriate easements reflected on this plan to capture the improvements that are included on the other plan. Mr. Landis said that's fine to address it when you come back to make another submission. Mr. Birdsall had no comments.

Mr. Landis said we have Judy's letter. Ms. Stern Goldstein said there's one major issue, and that is site capacity calculations have not been performed for the site, so they have not been able to prove yet that the smaller lot that remains will actually be a complying lot with respect to impervious coverage, since they haven't done the site capacity calculations. That needs to be done before the Planning Commission can really acknowledge that there is a bonafide lot. They need to do that. Attorney McCarrthy said he understands.

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Mr. Landis said there is also another letter from LST to the LSA. It was just received tonight. Attorney McCarthy said they will address each of the comments and review them and be ready at the next meeting.

**MOTION BY:** Mr. Maxfield moved to table.

**SECOND BY:** Mr. LaBuda

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

**ROLL CALL:** 6-0 (Mr. Noble – Absent)

Ms. Szakmeister said one of the neighbors in the community next to this area emailed her and asked her why there are signs hanging up on that property that say that there was a deemed approval, and they look very official. They say a deemed approval because the PC did not meet the deadline in making a decision, yes, no, or otherwise, and that did not happen. She is curious to know where those signs came from and what they are about. Attorney McCarthy said they came from him at the direction of his client and they are notices of deemed approval of a plan concerning this site that was filed back in the summer, and it's Heritage Building Group's position that they have a deemed approval. Under the Municipalities Planning Code, if you are going to take that position, you need to post the property, so that's why they are there. Ms. Szakmeister said you feel there was a deemed approval? Attorney McCarthy said yes. Mr. Landis said it's a legal matter. We all sat here and know what we did and what we didn't do. Ms. Szakmeister said that doesn't make happy people.

**B. LEHIGH GAS CORPORATION – LEHIGH GAS CORPORATE OFFICE LAND DEVELOPMENT FINAL PLAN LD 02-05 (TIME LIMIT 05/14/06)**

Mr. Joe Topper, applicant, was present. Mr. Landis said we have the Boucher & James letter and the HEA letters about the final land development plan. Ms. Stern Goldstein said they are pretty clean and there's nothing they can't comply with. Mr. Birdsall said he agrees, there are just minor clean up details. Mr. Topper said the one question was Judy's comment about signs. He can't give you this as he doesn't know what they are doing. They will comply with the ordinances. Ms. Stern Goldstein said that could easily remain a condition of approval that they either have to meet the ordinance or get a variance for them. Mr. Topper said he'll definitely need a variance.

Attorney Shafkowitz said he doesn't have the HEA letter. If the Board was inclined to make recommendation of final, and the motion would be considered, the Board would recommend final land development approval conditioned upon compliance with the Boucher & James March 8, 2006 review letter, the March 7, 2006 review letter of Hanover Engineering, and that if necessary, the applicant file the necessary applications for either a signed permit or variance as presented.

**MOTION BY:** Mr. Landis moved for final approval as stated above by Attorney Shafkowitz.

**SECOND BY:** Ms. Szakmeister

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

**ROLL CALL:** 5-1 (Mr. LaBuda – No; Mr. Noble – Absent)

**C. BETHLEHEM RENEWABLE ENERGY LLC – BETHLEHEM RENEWABLE ENERGY LAND DEVELOPMENT PRELIMINARY PLAN LD 06-05 – 2335 APPLEBUTTER ROAD (TIME LIMIT 04/08/06)**

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Attorney Jim Preston; Dennis Dobry, Engineer from Blousoky and Associates, and Vincent Scire from BRE were present. Attorney Preston said they have the Boucher & James letter and they have the letter from HEA. They've also had an opportunity to meet with representatives of Boucher & James and HEA earlier today to go over some of the comments, and they essentially have no objection to what's in these letters. They do have some waiver requests that they could identify. There was an issue, and he has to make a representation to Jim Birdsall and Judy, as to a potential encroachment into a wetland buffer area. They needed some clarification as to the extent of that, and if he understands it correctly, they are encroaching less than 5% into that wetlands buffer area. The ordinance allows up to a 15% encroachment. They'll get that in writing to them to confirm that.

Ms. Stern Goldstein said the remaining items they have in our review letter are all items they can comply with, and we had discussions, at length today, to make sure they will be able to comply and they understand what compliance will mean. The only reservation she had was the wetlands buffer encroachment issue, but they suggested they take it back and look at the full site, and they've done that. She feels confident in what they've represented. It's just dotting I's, crossing the T's, and revising plans before they come back to Council. Mr. Birdsall said he is of the same opinion that the engineering items are minor and he's satisfied with the meeting this afternoon that they understand the scope of the changes and can easily comply prior to Council receiving the preliminary plan.

Mr. Maxfield said he'd like to report what the EAC said. There were a couple of comments. One was a repeat from an earlier letter of use of native vegetation when planning the site and another was, the need in the letters here for the BMP's. We thought if the basin could be naturalized and planted, that probably would serve as one of your BMP's that you would need to meet the ordinance. He said this will be in a letter. Mr. Birdsall said that was discussed at some length, and they are on the right track.

Mr. Landis said the other items are the waivers. Are there any comments about the waivers? Mr. Birdsall said the only reservation he has is on the width of the entrance driveway. They'd like to make sure if they are willing to grant that waiver, it would be subject to the LSA being acceptable of the 16 feet in width that they propose. The ordinance requires 24 feet, they are asking for 16 feet. We have no objection to making it narrower to serve just their needs, and 16 in his opinion, is all right for the limited use they have, but since the LSA shares this, he'd like them to leave this door open so that they can weigh in on the issue. Mr. Landis said the fence was moved so they could turn the truck around. Attorney Preston said they believe Mr. Birdsall's concerns are reasonable.

Mr. Landis said the first waiver is on the drafting standards, which essentially the ordinance requires one, equals 100 feet and Jim and Judy feel it is adequate.

**MOTION BY:** Mr. Kologie moved to accept the waiver for the drafting standards presented in letter of February 13, 2006.

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

**ROLL CALL:** 6-0 (Mr. Noble – Absent)

Mr. Landis said next they have the waiver on the existing features. Again, this is the 500 foot thing.

**MOTION BY:** Mr. Maxfield moved for approval on the existing features.

**SECOND BY:** Ms. Szakmeister

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

**ROLL CALL:** 6-0 (Mr. Noble – Absent)

Mr. Landis said roadway improvement waiver.

**MOTION BY:** Mr. LaBuda moved for approval of the roadway improvement waiver.

**SECOND BY:** Ms. Szakmeister

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

**ROLL CALL:** 6-0 (Mr. Noble – Absent)

Mr. Landis said the lot access waiver. We would agree to the waiver subject to approval of LSA.

**MOTION BY:** Mr. Hijazi moved for approval of the lot access waiver subject to the approval of LSA.

**SECOND BY:** Mr. Kologie

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

**ROLL CALL:** 6-0 (Mr. Noble – Absent)

Mr. Landis said the next waiver is on the reduction of detention basin.

**MOTION BY:** Mr. Maxfield moved for approval on the reduction of the detention basin.

**SECOND BY:** Mr. LaBuda

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

**ROLL CALL:** 6-0 (Mr. Noble – Absent)

Mr. Landis said the waivers are all taken care of for the Preliminary Land Development plan itself, subject to Boucher & James letter of March 8, 2006 and HEA's letter of March 7, 2006.

Attorney Shafkowitz said if the board is inclined to recommend preliminary land development approval, the suggested conditions would be compliance with the March 8, 2006 letter from Boucher & James and the March 7, 2006 HEA letter.

**MOTION BY:** Mr. Hijazi moved for approval as stated above by Attorney Shafkowitz.

**SECOND BY:** Mr. Kologie

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

**ROLL CALL:** 6-0 (Mr. Noble – Present)

**D. AGENTIS BROTHERS LLC – AGENTIS CAR WASH AND RESTAURANT FORMAL SKETCH PLAN – ROUTE 378 AND I-78**

Attorney Jim Preston, Bob Agentis, and Tom Buss, Base Engineering were present. Attorney Preston said we have gotten the review letters. There are quite a few comments that would suggest that this is either a poorly thought out project or a problem site. It's actually the latter. It's a problem site. We were in here for sketch plan. What they have is a collection of smaller lots, eleven all together. What they are trying to do is develop all eleven with just two permitted uses. In the process, it sort of bumps up against the zoning ordinance in terms of coverages. They are proposing two uses, both of which are permitted uses in this district. One is a car wash and one is a sit down restaurant. Mr. Landis said that issue alone is it's two uses on the same site. Attorney Preston said that's if we were to merge all these lots. We can merge some of the lots, and not

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others, and really end up with two lots. Mr. Landis said just with the standpoint of later development or exchange of properties, somebody buys the restaurant and then you have the car wash and they are on the same lot, he would think maybe it would be a good idea to do it now, but it's totally up to them. Just from that kind of complexity of having two different things on the same lot and two functions, and then all of a sudden, now you want to change one of the functions and uses, and it's a mess. Attorney Preston said your ordinance does permit this type of development, but in another district. Mr. Buss said the major problem is two uses on one lot. The zoning ordinance doesn't allow it. Either one of the uses is permitted, but not both of them on one lot. Mr. Landis said his only point is your own problems with having two buildings with two different uses, and ultimately, maybe wanting to sell one and not the other, you may have complications later on for yourself. Attorney Preston said there was some discussion originally that this may be a better way to do it by having the two uses on a single lot with coordinated ingress and egress and traffic and parking. This was discussed at sketch plan, and they understand the non binding nature of sketch plan comments, absolutely. They thought it was a good idea and that was what led them this far.

Mr. Buss said this site is located at 378 and 78. It's on the southwest quadrant of the intersection of those two roads. What has happened is through the condemnation process. A big portion of this lot was condemned and taken as right-of-way for I-78. What it did was create a pie shaped or triangular shaped lot. The original process was to put a car wash on the lot. They were here maybe two years ago with that. As it evolved, Mr. Agentis was able to get parcels next to the existing parcels, and then they went into the thought process of expanding the use to include a sit down restaurant. Then it becomes an issue of do you do it on one lot or two lots. They met with staff over a year ago and went over some of these issues. They seemed to lean towards putting two on one and then go for the necessary variances and/or waivers that would be required to carry this out. The reason being, coming up with a better design as far as the traffic and minimizing entrances and such off of 378. Basically what we have here tonight is the combination of the two uses on the one lot.

Attorney Preston said another thing we should put into the record is that the additional lots that were purchased which are down near the Upper Saucon side near East Oakhurst Drive were purchased primarily for us to get a sewer connection to the part that was already owned, which was the car wash. We then picked up those additional properties. Rather than developing them as an individual land development, unless the PC tells us that's the way they'd like to see it done, that was the genesis for two uses on a single lot.

Mr. Landis asked if it was not possible to have that with two lots and use the same easements and those kinds of things? Ms. Stern Goldstein said it could be possible, however, in this case, if they had two separate lots, their list of variances would be longer than it is now by providing them on one lot. They have all sorts of dimensional variances that would be required to do this plan. If they create two separate lots, they are increasing their magnitude of non conformance by two or three fold. It made sense, in this case, to talk about, in general terms, to propose one coordinated development wherein access, ingress/egress, parking, everything all worked together. They are not quite there. They've shown both uses and some circulation. They have a lot of concerns about the circulation and maneuvering aspects around the site. No matter what they do on this site, they will need some sort of relief just because of the nature of the site itself. At some point, they are going to need to go to the ZHB. They are here tonight to get some general comments and reactions from the PC. Attorney Preston said that's a fair comment.

Mr. Maxfield said the usage issue, how defined will the usages be from the Township's viewpoint? If a business were to change, would they have to come back for relief of any kind in order to change the business? Ms. Stern Goldstein said it depends on how the variance is granted by the ZHB. They are asking for relief to have two uses on one site. The ZHB has the option of attaching

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conditions to that such as things you've outlined, but they can also grant it outright or deny it. We can't comment on what they may or may not do.

Mr. Garges said we actually have a similar situation two miles from this project when you go down Friedensville. It used to be Frank's. He actually has somewhat of a strip mall, one building, but he has a certain number of specific uses that the ZHB granted and said this is what you can and what you cannot do. It may be something they want to entertain. What type of uses do we see. Attorney Preston said he thinks they would have to do something like that because they don't necessarily know what the tenant is going to be for this building that they are calling the restaurant building. They need some flexibility with regard to that. There are other ways to do this, so these uses could be put on single lots or combination of lots as single or separate uses. We believe they are lawfully existing non-conforming lots and there's eleven of them. That's problematic, from the Township's point of view, and from their point of view, as how to develop these. In terms of a variance, it would probably be easier to develop the existing lots than it would be to try to create a new lot in terms of a hardship. He's not sure how that would work, but it seems to him if you have the pre-existing lot, and you stay with it, that's probably an easier sell legally than to in essence create a new lot which is what they are trying to do. It sort of muddies it a little bit which is why they would welcome your support in that endeavor if we can do that.

Mr. LaBuda said if this supposedly restaurant was attached to the car wash, would that make a go of it and be a single use? You have the Mobil that has a car wash. Attorney Shafkowitz said they would have to prove it's an accessory. Along those lines, there is a difference to having a pre-existing non-conforming lot and a pre-existing non-conforming use. Mr. Buss said it's hard to see which is better because they haven't seen the alternative. It's difficult to make an opinion as to say this plan is the better approach. Mr. Landis said the only thing he sees is minimizing the number of entrances and exits on to 378. Ms. Stern Goldstein said even if they came in as separate easements on separate lots, you still could request that they have common access and there could be easement set up for that. The issues of combining circulation and egress and ingress does not necessitate two separate lots.

Mr. Agentis said they had a meeting with PennDOT on this site and there was some concern on PennDOT's part that a single driveway may create some congestion on 378, so they almost favored the two driveway approach early on.

Mr. Maxfield said we are talking about the two uses on the single lot. The other nine lots, those will eventually be all incorporated into one large lot, is that the plan? Attorney Preston said that is the plan. Mr. Maxfield said any circulation problems or any circulation calculations that you go through with these two entrances dealing with these two businesses, will not include any future possible development? Attorney Preston said no.

Mr. Mike Stern, resident, said here we go again – wrong business, wrong place. There is no storm sewage. There is no residential sewage on either side of the road. Now, if the Township can't afford to put in the storm sewage, like it was originally intended years ago when they put sewage in through the whole township, we wouldn't be having this problem. We have the water runoff problem at the present time that's bad enough without adding to it with a business that is going to use a lot of water. Not only the water, they are going to end up using a lot of chemicals. Don't tell me you are going to have a holding tank that's going to capture all of this because it's not. When cars drive away, they are dripping and it's going to go on the lower properties which is on the opposite side of the road. Now, the other problem you are going to have over in that particular area is that on the corner of 378, at Oakhurst Drive, for over 20 years they had a sinkhole in the one corner. He doesn't know who was taking care of it, but they finally got it stabilized somewhat. With the new building that is going on in the Stabler area, he thinks this is going to create an added problem. Stabler is already creating a traffic problem. You have cars backed up from 4:30 PM to

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6:00 PM on the few buildings that are there now. He would think if you would change from a car wash to some other type of business, you probably wouldn't have that much of a problem. We wouldn't have a water runoff problem. He's wondering if anybody is going to be willing to pay for flood insurance for the seven properties that are on the opposite side of the road. Supposedly you ended up buying properties so you could hook into Upper Saucon Township. How did you manage that? It's out of our township. How did you guys manage to get approval to hook into Upper Saucon? They ended up getting sewage part way on Oakhurst so they could hook up. How many properties are you going to be razing? There's a tax base there that's going to be lost and he's sure this car wash and restaurant isn't going to provide you with the revenue that you're now getting from those buildings that are being taxed at the present time. The other problem, that place is going to be opened 24 hours. You are going to have people going into these bays every night and they usually have loud music on, that's going to be a high noise maker. It's also going to bring a lot of people. Are you going to add to the police force patrolling that particular area? We have enough problems on these properties because it's on the downside of the proposed car wash. The water table has come up since the zinc mines went out of business, and it's way up. We don't need to get a whole lot of rain to create a problem. Wrong business – wrong place.

Attorney Preston said the car wash is a permitted use. We could probably put it there, by right, and if we were to combine all those properties and surrender all eleven uses, so he doesn't know that it's the wrong use. The Township Council doesn't think that it is. They've assigned this as a use that is permitted. The issue here is a simple one. They are trying to develop the property in what they believe is a reasonable fashion without surrendering all the value that would accrue to having eleven individual lots. They are trying to reach an accommodation as to how best to develop that property and they think that's a reasonable project. The uses are permitted at this site, but as Judy pointed out, we will need some dimensional relief with respect to this development.

Mr. Landis asked if this was a 24 hour operation? Mr. Agentis said it's a self serving car wash. He doesn't know how you could restrict it. Mr. Landis said you do have a commitment with Upper Saucon Authority for water and sewer? Attorney Preston said what they do have is an easement agreement with Stabler to get the lines through their properties. That's how it gets back there. We don't have a signed agreement with their Authority yet. Mr. Landis said what happens with our Authority in terms of don't they have first rights? Mr. Birdsall said it's actually a two fold planning issue when it comes to sewer. Our LSA is going to have to look at the mechanics and whether it's reasonable and whether they are willing to release that customer to it. It's also a Council decision because it involves planning on the Act 537 plan of the township. When it gets to Council, he's sure they will be asking questions about sewer service not only to this property, but also what happens with properties across the street, what and if, they need public sanitary sewer. He's sure the global aspect of what is appropriate for this area will be reviewed in detail by both LSA and the Council. Some of those issues may come back to this board as well. Mr. Agentis said he's had a meeting with Upper Saucon Township, and as long as our project is partly in Upper Saucon Township, they've agreed to provide the sewage. That being said, he's had at least three or four phone calls to the LSA and discussed the situation of availability of sewage being brought to this property and as much as he's been told by your Chairman, was that it was not economically feasible for LST to run a sewer line all the way up the highway to service. At that point, it would only be three houses. Those three properties are 3510, 3506, and 3502. The rest of the properties are in Upper Saucon Township being on the west side of the highway. On the east side of the highway where Mr. Stern lives, you again encounter the same problem unless you are bringing the sewer from the back up along Colesville Road or somewhere in that direction. The problem you have is how do you service the other side of the street without crossing 378. The problem that is there with Upper Saucon, some of the systems are failing. Those people have every right to connect into this line. Mr. LaBuda said since he is concerned with the water problem, what do you have in your mind about a water problem? Mr. Agentis said there is no water problem. The water problem is in his mind. Mr. LaBuda asked if the water is recycled from the car wash? Mr. Buss

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said some of the water is recycled, but for the most part, it's going to be pumped into the sanitary sewer system. On the issue of storm water, what they would propose to do here would have an aligned underground system so the detention would actually be underground probably in the forward portion of the lot underneath the asphalt. The outlet of that system would directly be piped into the PennDOT system. They already had discussions with PennDOT. There are PennDOT pipes inlets and outlets out there. It wouldn't be an above ground storm water system. It would be all underground and outletted to the existing system that's already under 378. It's not a holding tank, it's a detention system. It's the same as an above ground, only it's under ground. Here we have a carbonate geology problem, so you want to minimize the infiltration here. This is an environmental overlay. This would have to be a system that basically wouldn't allow the infiltration aspect of storm water detention. What it does is serve as a big enough area to hold the designed storm and then outlet it to the existing pipes. Mr. Landis said they did this with Valley Central Landscaping. It was the same thing, an underground detention.

Mr. Maxfield asked if they were aware of the old sink hole next to the highway? We have setbacks from carbonate features. Mr. Buss said yes, that's why he says it will be a lined system. Mr. Maxfield said the development itself? Mr. Stern said it was relatively close to the corner. Mr. Agentis said the sinkhole was on the south side of Oakhurst in Upper Saucon Township. They take every precaution in the carbonate area. Ms. Stern Goldstein said in their review letters, they've noted the carbonate requirements of the ordinance and the need to map the carbonate features, and then comply with the ordinance requirements, such as setbacks and separation from those features. That's something they need to address before they get to land development. They've been put on notice about that by letter, and now by you, which is good.

Attorney Preston said there is one other component so the PC is aware of everything that is going on. There is also a road or an unopened street that is still part of the analysis. The way the plan is drawn, it looks like a single unified lot, but underneath there, if you were going to existing conditions, you'd see Lincoln Street down the center, and then lots on either side of Lincoln Street, so we would have to deal with possibly the vacation of that. They've had some discussion with the Township on that and the Township has stated they have interest to reserve easements and they have no problem with that.

Mr. LaBuda said do we give these people any direction? Mr. Landis said use is the big thing here. We don't get to decide that anyway. That's a ZHB issue. Attorney Preston said we understand that. Ms. Stern Goldstein said one of the issues you might want to comment on is the true planning issue and that's the circulation on site. She finds it to be a little problematic the way it is designed now. She's sure they'll be taking it back to revise it, but if anyone has comments, this would be the appropriate time to chime in. The problem she has as you use the car wash bays going into and coming out, there seems to be a lack of true direction and maneuverability for that area. That coupled with the parking for the restaurant is that there is too much going on in some parts of the site without clear definition. Mr. LaBuda said isn't that a hard problem to give you a comment on it as you don't know what this property will be used for. Ms. Stern Goldstein said you can comment on the way the sketch has been presented to you so far. The sketch plan you have right now needs to be reworked. Mr. LaBuda said he thinks traffic is a problem. Mr. Landis said again, it depends on what kind of traffic you are going to have, what kind of sit down restaurant and the traffic they generate. Ms. Stern Goldstein said at this point you have to assume that if a restaurant is proposed, it's a successful restaurant and cars will be there. You have to make sure you feel comfortable with the circulation patterns. Mr. Landis said there's a lot of difference between a McDonald's and a sit down one. Mr. LaBuda said he has the horse, but not the cart yet. Ms. Stern Goldstein said she just thought you have the plan, now is the time for comments. If not, you can wait for the horse and the cart.

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Attorney Preston said what about the number of access points? Mr. Landis said two probably make more sense than one. Mr. Birdsall said they would like to see a little bit more of a traffic generation use and the kind of traffic volumes. Normally they discourage multiple driveways on a given property so they'd have to be convinced that two are better than one, otherwise, they will be recommending one. With regard to the internal circulation, they are not sure why there's a path to travel around on the south side of the restaurant. That question was not responded to in our memo of November 8, 2005, and by bringing the traffic around on the south side of the restaurant, it creates a conflict point where cars are coming in. The most difficult situation probably on the site is that you want to make sure cars that are coming in at a fairly rapid pace do not wind up being in an intersection or near an intersection when another car is trying to maneuver left or right. It might end up with rear end collision with a second car coming in behind the first car, and the first car not being able to get out of the way. Normally, PennDOT would want to see a bigger separation between the edge of the closest lane from Wyandotte and 378 and the closest lane of the driveway internal to the circulation. Those are some of the questions. The south bound lane in front of the car wash, we're not exactly sure why there's a south bound lane there. If a car is coming in on the north entrance, and then making the left hand turn in front of the car wash, it may create a little bit of congestion as another car tries to pull off of Wyandotte. If that car could come straight in up in the back and slow down, it could come around and decide where they want to go. Mr. Landis said this is some guidance and it is a good point. He doesn't know why you are coming around on the south side either. You may be robbing yourself some parking spaces. That's an issue brought up and that may give you some guidance in terms of the internal flow and then Jim's point is a good one that you have to show there's a reason to have more than one driveway. One of the best reasons is PennDOT says so.

Mr. Agentis said having the parking behind the restaurant use creates that problem. If the parking was permitted to be in the front of the building, you wouldn't have that problem. People wouldn't have to get to the back of the restaurant. People going behind the car wash are not going to come in from the other direction. That's where you are going to have a lot of conflict and that's why they have the one entrance at the north end and this entrance at this end so you can allow circulation between both the car wash and the proposed restaurant use. The driveway on the south side, we could do without and find another use for it. We can put dumpsters or something in that particular area. This would be the only use on 378 that would be restricted.

Mr. Maxfield said also the fact that it's a one way road. People come into a car wash and would expect to be told where to go, but people coming out of a restaurant are going to go the quickest way out of there and not obey the one way. Mr. Agentis said if you look in the back where they provided the additional vacuum systems, if someone is back there using that system, and wants to get back into the car wash, if there is a line of traffic in there, and they go in there and squeeze somebody off, that kind of circulation will provide that individual the ability to go around the car wash without having to exit out on 378. This was one of the comments he got from the PennDOT engineers that he sort of favored that idea as opposed to have the car having to exit 378, go out, turn left and go north and then turn left again to get into the car wash.

Mr. Maxfield said he also agrees with Jim about the south bound lane he referred to in front of the car wash because he keeps thinking about the kind of facility it is and people want to pull out. Their windshield will be covered with water and before you know it, you're in the traffic lane. Attorney Preston said south bound in front of the car wash. This is different, you're talking about south bound, but in front of the car wash? Mr. Maxfield said yes. They will be pulling out in front of the building. Mr. Agentis said the way they are hoping they are going to come in is come around the back, and then they are going to turn right and exit at the southern driveway, and then make a right hand turn to go down 378. The north bound lane of the car wash would be appropriate. Mr. Buss said what we could do was restrict the upper end of the south bound portion so that anybody coming into the car wash wouldn't be able to make that left turn in front and the

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people coming out of the car wash could make the right and get out that way. We could also do that. That also is why that striped “no parking area” is in the front so people in the car wash can pull out and have vision. Mr. Landis said obviously there are some circulation problems and some exits we are concerned about. There are some issues with the use we’ve discussed. Attorney Preston said they will work on the above stated concerns.

**E. SMITH BROTHERS DEV., LLC. – DRAVITZ MAJOR FORMAL SKETCH PLAN – 2845 COUNTY LINE ROAD**

Terry & Dan Smith from Smith Bros., Dev., LLC and Kevin Horvath, Keystone Consulting Engineers were present. Mr. Horvath said they are proposing a four lot major subdivision on County Line Road. It’s about a 22 acre parcel. They are looking at subdividing into what ranges from 2 ½ acres to up to over 9 acres. There’s an existing dwelling on the property, farmhouse and some auxiliary building, which they are proposing to remove in order to construct four new homes. They are proposing a cul-de-sac off of somewhat of an unusual curve in the road of County Line Road, so that is an issue they’d like to discuss tonight as brought up by HEA. Mr. Maxfield said the US GS map you used for the inset map, has a lot of wrong names on the roads. Can we get it labeled properly sometime so we know where this place is? Mr. Horvath said there’s also a location map in the upper left corner of his plan. They will clarify the roads on the map.

Ms. Stern Goldstein said she had a comment that will not surprise anyone on the PC. It’s a unique site. She thinks there are some great opportunities and there are some constraints on the site. Those opportunities and constraints are both related to the topography, the amazing views you can see from this site and the environmental resources on the site. For those reasons, she thinks it would be an excellent site for a cluster. We do have the cluster option in the ordinance and that would address many of the issues she has listed in her review letter. If we could look at the areas of the site that make it special and she’s sure that those same qualities, if we could make sure they are preserved as a chunk of open space within a cluster, then you cut out the lots smaller, less lot frontage, the home sites could still take great access and opportunities from those views. You could have the same type and style of home, but just be on smaller lots with all of that open space they can share to look out on forever.

Dan Smith said they did, in fact, take a look at the cluster option and one of their problems with that is it goes against the zoning ordinance. It requires, from their understanding, public sewer, and obviously, that is not within that realm right now. Ms. Stern Goldstein said not in the RA district. In the RA district, you are permitted to have on lot sewer with the cluster. Dan Smith said sorry, he meant public water. Ms. Stern Goldstein said that’s not quite true either. You can have on lot water and sewer in the RA district with the cluster. Dan Smith said he must have read it wrong. Mr. Maxfield said they had a misprint at one time and then it was corrected. Dan Smith said he may have the old misprint then. Dan Smith said there are a lot of other reasons as well. With the cluster housing, they just don’t get the possibility to maximize the aesthetic and scenic views that are potential in a high end home. We want to make sure we can provide the kind of high end home. Ms. Stern Goldstein said the cluster can still afford you plenty of building room. Dan Smith said he understands. He doesn’t know what they paid for their lots, and from an economic perspective, it really limits them in terms of what they can do. Ms. Stern Goldstein said you don’t need a five acre lot to do that. Terry Smith said that’s true, but he actually wants more room for these houses. Mr. Maxfield said do you really think this is the appropriate area for homes of that size? Terry Smith said absolutely. We already have Clover View Estates which are in the \$600,000 to \$1 million range. Mr. Maxfield said Clover View is only like two acres, they are not excessively large lots either.

Mr. Maxfield said you might be thinking of cluster a little too narrowly. You might want to explore the option a little bit more. Terry Smith said it’s a challenge for them and they did look at

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it. Ms. Stern Goldstein said it kind of seems a waste to build a road that long. Terry Smith said the only incentive for the cluster development is reduction of the length of the cul-de-sac and for the savings in the construction cost. Mr. Horvath said his clients feel that the sale price will outweigh those savings. They will look at it again now knowing sewer and water are permitted on lot. They have to be comfortable with their investment. They will look at it and consider it again.

Terry Smith said he builds a very custom home and it has a lot of natural features, like stone, things that represent this area. He doesn't believe in cookie cutter homes. With the clusters, it may end up looking like a cookie cutter. Ms. Stern Goldstein said it will not look like a cookie cutter.

Mr. Maxfield said from a planning perspective, we are not really concerned about your profit. We're concerned about how the township looks and we're not really into estates, so we are going to push you to do cluster. He urges them to look at this again. The possibilities are greater than what this plan offers right now.

Mr. Kologie said it's a 20 foot road and it's a very wide road. Mr. Horvath said they can narrow the road. Mr. Kologie said you should look at where your road can go, where your home can go, and then where the lot line can go after that. Dan Smith said they feel they did with maximizing the views. If they do cluster, he feels he has to bring the road out almost as long as what it is to get that open view that they have on the top of the hill looking eastward. It's a spectacular view. If you do a cluster, you'll lose that view. Mr. Kologie said that's now what we're saying. Ms. Stern Goldstein said look at the house first, then look at lots which can go with that house placement, and then connect them with the roadway. There are many ways to respect those natural features and adding value to your site. There are many ways to do it. Map those features first, look at your house placement and do it in layers. Dan Smith said he had a question. He said Ms. Stern Goldstein said to map the features, and he thinks the maps carries all these features. They have the slopes all marked. Ms. Stern Goldstein said you didn't map the slopes. You have to map out and shade or color those areas and then you actually do an analysis of the whole site. Ms. Stern Goldstein said you have to think how much of the site you are disturbing to get to that house. Mr. Kologie said a cluster gives you more flexibility with the lots. Mr. Maxfield said he's sure there's a place we can all arrive at where everybody will be happy.

Mr. Birdsall said along the same lines, you looked at some of the aspects and that is certainly a great start with the sketch plan. As you start to think about the amount of impervious cover and disturbing, you have to look at what you are going to do with your storm water management and make sure the downstream property owners are not affected. This will have an impact on your land in the way of grading, so you must think this all the way through to the end product and master a plan.

Mr. Landis said the entrance is problematic. Mr. Horvath said it could be a hard left through the garage which was his initial thought with a stop sign, but a right hand turn which is common to the area. This was a little bit different as they took advantage of the slope, without impacting the hill going through the garage. Mr. Landis said it is problematic. If there is a site problem, and it affects the driveway, you have to deal with it one way or another. They need to revisit the intersection. It's a blind corner.

Ms. Stern Goldstein said there's one more issue and that's the reference on the site, the existing barn, dwelling and garage and she would like comments from the PC. There are also two other structures and she was curious to what they were. Mr. Horvath said they are storage sheds from the property behind them. They have to ask them to move them. He doesn't think they'll be a problem moving them. Ms. Stern Goldstein said any comments from the PC on the house and barn coming down? Mr. Maxfield said we don't really have any information on those structures. Mr. Horvath said it's about 100 years old. The barn is just cinderblock. The barn is run down. The second

floor of the house is caved in. Mr. Maxfield said the existing driveways will all be removed then? Mr. Horvath said he doesn't believe there is an existing driveway. They want to know if PC prefers the intersection to be a line that has a T or as they have it shown? Mr. Birdsall said they don't like intersections that come in on a curb. They should be part of the intersection or non-existent. It's too difficult for a car to negotiate a turn all at the same time. We would prefer it to go straight through, one way or the other. Mr. Landis said the curve is bad, he must think they have a lot of crashes there. Mr. Birdsall said another thing with cluster is if it is a private driveway, we could more flexible in design standards as far as achieving trying to stay at an existing grade rather than cutting it in to the qualifications of the public road. Mr. Horvath said they will look at the cluster option.

Mr. Horvath said improvements to the frontage along County Line Road, would the township desire improvements there? Mr. Birdsall said this is way too early to discuss it at this time. Mr. Horvath said no. 4 of HEA's letter, is there an existing storm water issue that they should be aware of or is it just a general comment regarding that issue. Mr. Birdsall said yes, be very careful.

**F. CORNERSTONE DEVELOPERS INC – ESTATES OF STONECROFT AT SAUCON VALLEY INFORMAL SKETCH PLAN – 1905 WALDHEIM ROAD**

Chris Brown and Steve Heiss were present.

Ms. Stern Goldstein said this is just an informal review. Mr. Landis said one item that is pretty clear is the cul-de-sac length. It is 950 feet. Mr. Brown said the way they determine the cul-de-sac is to measure the impervious length. He said from the center line of the road, it is 600 feet. Mr. Garges said you have to read the ordinance then get straight on the definition. Mr. Brown said it's the furthest length along the center line. Mr. Garges read the definition, single access streets have a minimum length of 250 feet, maximum length of 600 feet. These lengths should be measured along the center line from the right-of-way line of the intersection to the center point of the cul-de-sac turn around. If the single access road branches off and is in two or more segments turning in a cul-de-sac or continuing in a loop intersection, the land should be measured to the center point or along the center line of a single access street. Mr. Maxfield said it's pretty clear.

Mr. Brown said comment no. 1, they would be whatever is necessary with the wetland delineation. They'd like to update the site capacity accordingly.

Mr. Garges said the ordinance says if two practical lot lines should be at a right angle to the street, the straightened street lines are radial curved street lines. Mr. Landis a lot of this is going to change. Mr. Garges said the property in the back the LSA has purchased for emergency. They should also pursue the cluster option and it would help the value of these homes. Mr. Landis said they probably heard the conversations on the cluster earlier tonight.

Mr. Maxfield said it's an interesting site too. It's got some real possibilities and some real problems to deal with, but cluster would give us that kind of freedom. If the site capacity calculations are right, you end up with the same number of lots. The township, from past experience, is very interested in preserving sloped areas like that, especially wooded sloped areas. We could use maximum infiltration as it's out of the carbonate area. Mr. Garges said maybe we could come up with a happy medium with them. Mr. Maxfield asked what are all the structures? Mr. Brown said they don't exist anymore. There is one three car garage though and they thought they would remodel it.

**G. KERRY CLAIR VENTURES LP – PENN'S VIEW ESTATES MAJOR 02-05 – BANKO LANE – (TIME LIMIT 04/09/06)**

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Joe Fitzpatrick Attorney, and Brian Reagan from Penn View Estates were present. Mr. Fitzpatrick said they are here for direction. They had a discussion at the February meeting to reengineer the plan. Their engineer is not here tonight. There are 19 plus acres, proposing six lots. They came in with a plan, in October, that had a cul-de-sac slightly in excess of three or four feet of the maximum cul-de-sac length permitted. At that time, it was suggested they would reduce the cul-de-sac length. They reengineered the plan, got the cul-de-sac length down to about 500 feet. They needed variances on two cul-de-sac lots and a small variance on one of the southern lots. Again, they thought that was what the PC wanted them to do. They applied to the ZHB for a hearing in mid-February and were notified on the date of the hearing that Council opposed the variance request and the consequence they went through. They were somewhat frustrated as they did what they thought the PC wanted them to do – cutting back the length of the cul-de-sac and have the plan reengineered to reflect that. Their engineer is in another municipality tonight. They are here for some conversation and direction having taken two shots at a plan which would have been permitted by right, but for exceeding length for three or four feet, and needing a waiver for that on the basis of what they thought they heard. They went back, reengineered, came down to 500 feet and it got as far as Council level. We can reengineer the plan to eliminate a few feet and get the cul-de-sac under 600 feet and be a permitted length with conforming lots, but if we do that and incur those expenses and time passage, we don't want to be in a position where we come back next month as in the same spot in October. We're really here to the PC for direction. We have studied the ordinance and studied alternative housing types, given the location in the township, surrounding areas as it is a rural area. They are right on top of the Bucks County line. There are similar developments.

Mr. Maxfield said the objection of Council was their discussion centered around the fact that the actual calculations for the natural resource protection weren't demonstrated on the plan. They weren't adversed really to granting a shortened cul-de-sac. They just didn't know exactly what it is they were given a variance for at that point. Council felt that the case hadn't been provided for the protections that were shown on the map or at least it wasn't demonstrated to us on the map itself. The calculations aren't there. Ms. Stern Goldstein said there were things that still needed to be corrected and amended. They were not yet correct or complete. She was very specific. She spoke to Phil Siebert from Ott Consulting. She is not satisfied as nothing has been resubmitted. They need to come back, so she can't say it's right or wrong yet.

Mr. Maxfield said the nature of the variance is that you grant a variance for a piece of property, and if conditions change, that variance still existed. Council wasn't sure if we wanted to grant a variance to conditions that were that nebulous. That's exactly what they were thinking. Mr. Fitzpatrick said would it make sense for them to come back to Council? They are at a point where they would engineer two plans, in good faith, thinking they were doing what they were instructed to do. The bigger question is were they way off the mark when they came back with the plan? Mr. Maxfield said no, he doesn't think Council was adversed to that. If Judy is going to be satisfied with the calculations she sees, Council will get that message before you get back to Council again for any sort of variance you might need. They'll know that. If she is satisfied, Council will be too. It simply might be demonstration that these things have occurred, but it isn't documented at this point.

Mr. Birdsall said on the same line, they raised the question that they want to see more information about the way they are going to infiltrate. They are very concerned their plan will be changing once they do the soils and once they analyze what they need to do to achieve permeable results and to recharge some of the water. Yes, these regulations are complicated. Yes, they all sort of have to work together, but that makes it very difficult to jump ahead with a zoning variance or make final decisions about lot lines until all these conditional investigations are pretty well settled. Judy's concern is the same as his on different ends of the issue. Mr. Landis said Council is afraid to go ahead with any kind of variance. Mr. Fitzpatrick said Brian understands. The Engineer has to talk to you first and do the work and get satisfying results. The PC, assuming the technical

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compliance is achieved, prefer to go with the 500 foot length or the 600 foot length. We have to go with one or the other and you are the advisory body. Council will follow your lead most of the time. Ms. Stern Goldstein said if the issue here is in the cul-de-sac length, that is not what they are asking for. They are asking for the configurations and it hasn't been demonstrated yet with the limits of disturbance. The issue is not length of cul-de-sac. The issue is a variance for lot width.

Mr. Maxfield said basically they've entered into that kind of situation, it's almost like a self created kind of situation. Mr. Fitzpatrick said he agrees with Ms. Stern Goldstein on the variance they need for three lot widths, two on the cul-de-sac had to be 100 around the arc and they were both 59 and one of the lots along the straight away was about 170, and it had to be 200. There's no question about that. The characterization of our understanding was "hey guys, it's rural, cut back on the impervious coverage", and that's what they tried to do. What they didn't try to do when they realized you didn't want to give a waiver for 603 or 604 feet was try to take it down to 595 and comply with all the lot widths required. It was really in good faith effort to reengineer our plan thinking we were doing what you wanted us to do.

Mr. Maxfield said he's wondering how much that recommendation that cluster be investigated because if you are shortening it like that and creating that kind of situation, there's got to be a reason to do it.

Mr. Maxfield said somebody made a statement that reconfiguration of the lots could result in not needing variances, is that right? Ms. Stern Goldstein said it may not need variances, but it's not the configuration they have chosen at this point.

Mr. Kologie says you might be able to avoid needing this variance. Mr. Fitzpatrick said they didn't want to see a variance in the first place. Mr. Maxfield said we're looking for more impervious coverage, shorter driveways, and those sort of things. Mr. Garges said they did have a neighbor across the street. Did you hear anything from him? Mr. Fitzpatrick said they have spoken to Mr. Cressman, who is the adjoining property owner, who raised questions and they satisfied him. Mr. Garges said another neighbor, the Klines have called, and they are concerned about whatever storm water management you have, it's going to discharge into their driveway, so that should be looked into. Mr. Maxfield said they had a concern about, not storm water, but all the exiting cars headlights going right into that house. They couldn't tell from the plan if the house situation across the street was exactly across the road or not. They couldn't tell if there was any vegetation in between or not, but that was one of the possible concerns.

Mr. Fitzpatrick said he will be in touch with the Engineer. Mr. Birdsall said it is almost as if the Engineer must make a choice. He's going to have to decide where he's going with it. Mr. Landis said there are a lot of details that need to be resolved and they get resolved when the Engineer works it out. Mr. Birdsall said this is a formal application and the deadline is approaching, so we may have to take some action unless there is an extension. Mr. Fitzpatrick said he sent an extension into Molly.

Ms. Genevieve Pearson, resident, said is here representing her son, Daniel Pearson. She said the road they want to bring out is right when they come down the hill, before it opens up. Traffic comes down there. A lot of time there are big trucks that come down that road. They use that road as a shortcut to go down Drifting Drive down to 412 and 212 to go down 611. She spent a lot of time over there as they gave that farmhouse to her son. She is there a lot and they see what goes on. Even the school bus goes down very fast. They want to put a stop sign there. Fawn Lane has a stop sign. When her son comes down with the tractor and has a load of hay, no way if they pull out of there, will her son be able to stop. There are two motorcycles that they come down that road every now and then and they speed. I mean really speed, like 70 to 80 MPH. They said the water is going to trickle out. She talked to one of the engineers when he was there measuring. She said

they'd better make sure that the water when it goes under the road at Banko Lane and comes out into our field below the farmhouse, it better not wash our ground away. When Ivan was here, her son had just planted near the woods, and it came down and washed everything out, and he had to put bales of hay and straw out there to stop it eroding the ground. There is a law in the State of Pennsylvania that if water runs off of anybody's property on to your land, and destroys your property, they can be sued. That is the new law, and she spoke to the man that was working there that day. She asked him if he knew about that, and he said yes, he does. We want to protect our land. We can't have a trickle. We don't know in the future, maybe this summer, maybe next spring, how much water is going to come. Did they know in Missouri or Arkansas what happened yesterday? Did they know this weather is changing? Our weather pattern is changing and we are not going to have our topsoil below the farm house washed away because of this development. She knows for a fact, you sell that property to these young people, and you have a stop sign there, they do not obey the stop sign. When she drives, she drives in front of her son when they deliver hay with the tractor and the wagon. They were told by the people up on Banko Lane near Fawn Lane that they don't even obey the stop sign. In fact, there was an accident there not too long ago. They look one way and they don't look the other way, and out they go. That's happened many times. Do you think these people are going to obey that stop sign. Can't they change that road where they want to come out of the development and put it down farther a little bit? That's what she is here to ask the question. Her son would like to know why must it be right across from them. Another thing she wants to say, Lower Saucon does not paint the line on Banko Lane down near Fawn Lane all the way down to Drifting Drive. They were told it was too narrow. They paint it on Lower Saucon Road almost up to Fawn Lane, but beyond that, they won't paint the lines. The Road Supervisor told someone the road is too narrow. She's going to measure it in front of her place and sees how wide the road is. That road was never painted. Mr. LaBuda said did you consult with our Zoning Officer? Ms. Pearson said my son did. He was here one day and did mention it. Mr. Garges said the Manager is aware of it and the Township is aware of it. Ms. Pearson said they said they are going to have the water come out over Drifting Drive. It's going to trickle. How can they be sure in the future the water is going to trickle out of these culverts? It's going to trickle. How can they come and tell you it's going to trickle and go past three properties and go under the pipe underneath Drifting Drive that goes down into the woods. Mr. LaBuda said the engineers do calculate impervious coverage and know the flow patterns. Your situation here, the PC can't resolve what you are telling them. We can't do anything about it, but will take it into consideration when we do. Mr. Landis said when you do something like this, there's a lot of engineering done, in terms of taking the water away, so actually it might be a better situation than what you have now. Ms. Pearson said she understands. If a car or George Rasich comes down with his big truck with the trailer and the back hoe on the back, and somebody pulls out of that road, he has to stop. He is going to either land on our property and upset and something is going to happen. You can't wait until an accident happens and somebody gets killed.

Attorney Shafkowitz said the applicant can be denied in front of Council subject to receiving an extension of 90 days. Mr. Fitzgerald said 90 days is fine.

#### **H. REVIEW OF COOK'S CREEK WATERSHED ZONING MAP OVERLAY**

Mr. Birdsall said you may have been reading, in the minutes, that the Cooks Creek Watershed Association, in conjunction with Springfield Township, is developing a ground water protection plan, things of that nature. They've been kind enough to share some of their early material with the Township and the Township staff realized one of their primary sources for the Springtown Water system is a well right near their fire company. Prior to this point in time, his knowledge of that system is that the springs fed it off the top of the hill and your fire zoning map showed a watershed protection zone all the way around the south side of the township in the area of the springs. What it didn't show was a similar watershed protection area on the rest of the Cooks Creek all the way up to Saddle Ridge which is the area tributary toward the well that they used substantially behind the

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fire company. What they are asking is that the zoning map be amended to expand the watershed protection zone to include the rest of the Cooks Creek Watershed that was not previously protected and that's what is before you. Council is going to the public hearing, but they are looking for your support on the expansion of that zone all the way to the top of the watershed on Cooks Creek. Ms. Szakmeister said section 3 on the last page, it says "work official" it should be "word official".

**MOTION BY:** Mr. LaBuda moved to recommend as stated 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. Noble – Absent)

**IV. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF MINUTES – FEBRUARY 13, 2006**

Ms. Szakmeister said at roll call, it's her fault, and she read it and didn't read his name, so she didn't put it down, so please add Craig Kologie to the roll call.

She said on page 7, Ashley Development, it has "No one was present", instead put "Withdrawn from the agenda".

**MOTION BY:** Mr. LaBuda moved for approval of the February 13, 2006 minutes, as corrected.  
**SECOND BY:** Ms. Szakmeister  
**ROLL CALL:** 5-1 (Mr. Landis – Abstained; Mr. Noble – Absent)

**V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**

- Mr. Garges said the Planning Commission meetings will be the third Thursday of every month starting in May.

**VII. ADJOURNMENT**

**MOTION BY:** Mr. LaBuda moved to adjourn. The time was 9:33 PM.  
**SECOND BY:** Ms. Szakmeister  
**ROLL CALL:** 6-0 (Mr. Noble – Absent)

Minutes Approved:

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John Landis, Chair