

**I. OPENING**

**CALL TO ORDER:** The Planning Commission meeting of Lower Saucon Township Council was called to order on Thursday, August 20, 2009, 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. John Landis, Chair, presiding.

**ROLL CALL:** Present: John Landis, Chair; Tom Maxfield; John Noble; Haz Hijazi; Dan Miller, Engineer from Hanover Engineering; Chris Garges, Zoning Officer; Kevin Kochanski, Planner from Boucher & James and Linc Treadwell, Solicitor. Absent: John Lychak and Craig Kologie.

**PLEDGE OF ALLEGIANCE**

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

None

**III. REORGANIZATION**

**A. ELECTION OF SECRETARY**

Mr. Landis said Fran LaBuda has resigned. He had some medical problems, but he is getting better. We need somebody to be Secretary. The Secretary only requires signing the documents of the plans.

**MOTION BY:** Mr. Hijazi moved to nominate John Lychak as Secretary of the Planning Commission.

**SECOND BY:** Mr. Maxfield

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

**ROLL CALL:** 4-0 (Mr. Lychak and Mr. Kologie – Absent)

**IV. BUSINESS ITEMS**

**A. EDWARD & DELORES HILL – SCENIC VIEW APARTMENTS SITE PLAN #SP 01-08 – 2021 SCENIC VIEW LANE (TIME LIMIT 09/21/09)**

Attorney Joe Piperato was present, Counsel for Mr. & Mrs. Edward Hill. Doug Hunsicker, Project Engineer, was present from Keystone Engineering. Mr. Hill was also present. Mr. Landis said this is for a site plan so you can go to the Zoning Hearing Board (ZHB). Attorney Piperato said that is correct. Mr. Landis said you realize we deemed it is a land development plan. Attorney Piperato said yes, they are aware.

Attorney Treadwell said just for clarity, the site plan is here tonight as part of the special exception request. Your recommendation will go to Council and Council will then have an opportunity to decide if they want to take a position or not in front of the ZHB regarding the special exception. If the special exception use is approved at the ZHB, it will then come back here as part of the land development application. Attorney Piperato said that is correct.

Mr. Landis said you've received letters from Hanover Engineering (HEA) and Boucher & James. Let's start with the Boucher & James and talk about the things you primarily have questions about or things you don't think you can comply with.

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Attorney Piperato said for the members of the Planning Commission (PC) that were here a year ago, this matter had been before you for a site plan review. We went before the ZHB for a special exception and there were a number of variances that were necessary as well. Those variances were denied by a 2-2 vote. They then came back and revised the plan. The plan now takes into account the removal of four parking spaces. This is an existing garden apartment complex. The Hill's desire is to construct one additional building of four units. The original plan for those four units showed eight exterior parking spaces. That plan has now been revised to reduce that to four; however, to the rear of the building, they have added four garages and have picked up those four parking spaces. The result of that is now the earth moving activities, in terms of the square footage, it is reduced by some 40% and the amount of fill that is being required by cubic feet is being reduced by almost two-thirds. The Hill's felt that was a better plan. We're here before you this evening for the site plan review. We go to Council in another week or two, and then we will be before the ZHB on the special exception. There are twenty-one of the forty-nine units which are located in Lower Saucon on approximately 7.71 acres. That consists of five apartment buildings that have four units in each building and one single family dwelling. The zoning ordinance permits a lawful pre-existing nonconforming use be expanded up to a maximum of 25%, which he doesn't think anybody disagrees that this is. That means the Hill's would be permitted, assuming they meet all the other requirements of the zoning ordinance, to expand this pre-existing nonconforming use by approximately five units. They are proposing an expansion of four units in one building. This development was originally constructed when it was a residential agricultural zoning district. Garden apartments were permitted at that time. In looking at the various review letters, many of the comments in the review letters apply to the pre-existing status of the project. For instance, a number of the comments in the review letter indicate talk about separation distance and separation distances for well, septic systems, etc. We can tell you today the building that is being proposed meets all required separation distances that are enacted in today's ordinance whereby DEP. He doesn't know whether or not they need to specifically address some of the comments that pertain to the pre-existing use. Their position is you can't change the location of the existing septic systems. You can't change the locations of the existing wells. You can change the location of these existing buildings. That's what creates a lawful pre-existing nonconforming use. Unless there are specific items to address in that regard, there are a couple of things we just wanted to get some clarification on and address them.

Mr. Kochanski said he's not clear on which separation items you are referring to in their review letter of August 12? Attorney Piperato said it's actually the Hanover letter of August 12. A couple of the comments pertain to water service and septic service. They have documentation from DEP that indicates that the wells that service this facility are capable of pumping up to 149,000 plus gallons per day. The current use is in the area of 6,200 and the additional four units will create an increase to about 7,000. As you can see, they have great capacity in terms of capability to service the units through existing wells on the site. He's happy to submit to you this evening, documentation pertaining to that.

Attorney Treadwell said if we are going to do this one issue at a time, maybe that's easier for everybody. The question that Hanover had is there documentation from anybody saying it's adequate. If you are saying you have it tonight, then that might resolve that issue. Attorney Piperato said they have the 2009 report indicating that the well has been tested annually by DEP and that it meets all required standards and is capable for the project. Mr. Landis said let's stay Boucher & James letter first, and then go to Dan Miller from HEA next.

Attorney Piperato said one of the issues Boucher raised was the site capacity calculations. There's a little bit of a difference of opinion here. Based on the site calculations that Mr. Hunsicker has prepared, it results at about 5.23 acres of net buildable site area. If you apply the 40,000 square foot requirement for a minimum lot, in the R40 district, that results in one number. If you apply the seven units per acre that is permissible for a garden apartment, it results in a drastically

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different number in which the applicant is in compliance. The real question here is the applicability of the net buildable area and if Kevin would agree that the number you use is really the garden apartment number, and not the 40,000 square foot single family dwelling number. Mr. Kochanski said he would agree that you are required to do, under the current ordinance requirements, the district in which the property is located in. If there's been a determination that you can utilize the previous use and the area, then that is something that we can discuss. It's his understanding you are using current district requirements. Attorney Piperato said the non-conforming ordinance in LST allows this lawful pre-existing nonconforming use to be expanded by 25%. If it allows you to do that, how can you then take away that by applying a net building area that applies to single family dwellings. Attorney Treadwell said maybe he can make this a little bit easier. Is there a reason why those calculations can't be done? He doesn't think anyone is saying that once they are done, that creates another problem. You are already asking for a variance for the maximum permitted number of dwelling units, which is already going to the ZHB. Is there a reason why we can't do the site capacity calculations the way they are listed in the zoning ordinance just to do them? The review letter from Boucher & James appears to state that they are summarized on sheet 3, but those are not the way the calculations would be performed under our zoning regulations. Mr. Kochanski said that is correct. Attorney Treadwell said you may disagree with them, but is there a reason you can't perform those calculations? Mr. Hunsicker said he has done those calculations, and that's how they arrived at the 5.23 acres. It's based on the slopes above 8% and wooded slopes above 8%. We have that area and we've done those calculations. They weren't put on the plans. Mr. Kochanski said the site capacity calculations are dealing with two issues that we are asking for in our review letter. The number of permitted dwelling units and the maximum amount of impervious surface coverage - you've not provided the information based on the calculations as laid out in the ordinance and as required by the ordinance. Attorney Piperato said one of the reasons they haven't done that is we don't know which number applies. When you talk about the maximum number of permitted dwelling units, Mr. Hunsicker has indicated that on the plan, at seven dwelling units per acre, it results in one number and with 40,000 square feet per unit, it results in another number. Do we agree he has calculated the net buildable area, or is Mr. Kochanski saying he has not done that? Mr. Kochanski said he believes he has calculated it, but that's all he has calculated. He hasn't calculated density off of that and he has not calculated the maximum permitted impervious surface coverage off of that as required by the ordinance. Attorney Piperato asked Mr. Hunsicker if he could do that or has he done that? Mr. Hunsicker said we can do it. Attorney Piperato said you've done the maximum permitted dwelling units, have you not? Mr. Hunsicker said yes, and they have in fact asked for a variance. Attorney Treadwell said you've asked for a variance for the maximum number of permitted dwelling units, so he doesn't think it matters what that number is because you are asking for a variance anyway and you already have the fact that it's a nonconforming use and you get the 25% with the special exception approval, so whatever that number comes to, it doesn't matter, it just needs to be shown on the plan. The second issue, more importantly is the maximum impervious surface coverage number, which he doesn't believe is shown on the plan and if you need a variance from that, it probably would be in the applicant's best interest to know that upfront so you don't have to go back a second time. That is the bigger issue. Attorney Piperato said to Mr. Hunsicker, have you made that calculation? Mr. Hunsicker said the ordinance is a bit confusing in that the definition says one thing and the calculation says another thing. Mr. Garges said he thinks we cleared that up at the last meeting. Mr. Hunsicker said we talked about it last meeting, but it's still confusing. Mr. Kochanski said the calculations speak for themselves. The definition is impervious surface ratio. We're dealing with impervious surface coverage and that's the section we are calling out where the calculations determine impervious surface coverage. We're not asking anything on an impervious surface ratio. Attorney Piperato said they will be happy to comply with that. It's 22.15 acres on the site and he failed so see how the maximum impervious surface coverage could be violated. Attorney Treadwell said it may not be. The only thing that we're asking for is to show us it isn't. Do the calculations. Mr. Kochanski said they've been provided with a net buildable site area, but they were not provided with any information to confirm that, nor have they been provided with

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information to the overall impervious surface coverage. That's the information we've been asking for that we have not been able to verify yet. Attorney Piperato said very well, they will provide the maximum impervious surface coverage for you so you can make that analysis.

Mr. Garges asked Mr. Kochanski if he needed part of the background information, how he arrived at the net buildable site area? Mr. Kochanski said correct, that's the overall calculations. They provided a summary yet, the information to get to that we have a number, but we don't know what factors were put into that which are required by the ordinance to be provided that resulted in that net buildable site area. We were not able to confirm that yet. Attorney Piperato said what you are saying is the individual subsections of the ordinance that apply to, result at the net buildable site area, you don't have that information? Mr. Kochanski said the ordinance provides a calculation and a chart that can be annotated right on the plans which would be easy to follow. This is this number, this is this number, and that's how we got to that number, and that can be verified with the natural resources that are on the site. Mr. Hunsicker said they will provide them.

Attorney Piperato said Item b, he doesn't think we require any additional information on that.

Attorney Piperato said Item c, required the plans to show all existing major trees. He knows there are 22 acres there. Mr. Hunsicker said they've used the aerial photography which does show all the trees on the site. We have in fact shown from the survey, the trees around the proposed building. Every tree on the site is shown on the aerial photo. Mr. Kochanski said at the bend of the existing road, there's a fairly mature stand of existing vegetation, and while some of that information is shown on the aerial, that information has not been provided on the site plan. He needs the disturbance that is proposed. They do not know how that is going to impact the vegetation in and around the building that currently exists. He can check on the plans they received to see if that information is on there. The comment was in Boucher & James review letter and it was based off of not having adequate information in that area. What the plans show is a vague tree line that is quite frankly shown in the middle of the drive aisle. He doesn't believe it is accurate with the findings of their site visits out there, nor do they see the individual trees and how those individual trees are going to be impacted. Attorney Piperato said are you talking about trees that are located within the site of the area where the new multi building is going to be constructed? Mr. Kochanski said from the building through the bend in the existing road and then the existing vegetation which is along the proposed septic system and reserve areas for the septic systems. Mr. Hunsicker said they are shown, but not identified. That's probably the problem. Attorney Piperato said what Mr. Kochanski is referring to is the bend in the road. Mr. Kochanski showed them on the plan what he was talking about. The vegetation exists out in the field, but is not depicted on the plan. Attorney Piperato asked Mr. Hunsicker if they are going to show this area of vegetation and whether or not that area of vegetation is going to be impacted by the grading plan and the construction that is going to occur on site. That's the issue. Correct? Mr. Kochanski said there are mature trees in that area. Attorney Piperato said you want to see if they are going to be impacted by the construction, which includes areas of grading, etc. Mr. Kochanski said it's what the ordinance requires as far as all trees being shown on the plans that need to be delineated and we need to know what impact there will be to that vegetation. Attorney Piperato said that's the only area you are concerned about? Mr. Kochanski said he had also mentioned around the septic system.

Attorney Piperato said Item d, is there any issue you have with that, Mr. Hunsicker? Mr. Hunsicker said we've asked for the variance for the contours on the entire site. Attorney Piperato said yes, that is the subject of a variance because it's 22 acres in size, so we will be seeking a variance from the ZHB on that issue. Attorney Treadwell said d, Kevin, are you saying even though they are asking for a variance, they need to show the limits of disturbance so the ZHB knows what the amount of the variance is? Mr. Kochanski said their request was to provide that information. They have chosen to ask for a variance.

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Attorney Piperato said Item e, the plans should be revised to include proposed height, numbers of floors, building total floor area, lot coverage, and the required calculations. Mr. Hunsicker said they can comply and provide that.

Attorney Piperato said Item f requires plans to include a signature of the property owner, and obviously, they will comply.

Attorney Piperato said Item g just requires the information on the type of surfacing that is going to be in the parking area and the circulation drives, and provide protected volumes of vehicular and pedestrian traffic. He thinks they have vehicular traffic volumes that they can provide to you this evening. Mr. Hunsicker said he is okay with this item. The ITE manual, lo-rise apartments generate 6.59 trip ends per dwelling units, which makes 323 for the existing units and the four additional units are 349, which gives us a total of 26 additional trips. Attorney Treadwell said he thinks the question is, is that number on the plan? Attorney Piperato said they have it now and Mr. Hunsicker is providing it, and they will comply with that as well.

Attorney Piperato said Item h requires the plans to show the location, size, and type of proposed landscaping and buffer plantings, and the designations of those areas of natural vegetation not to be disturbed, have you done that? Mr. Hunsicker said they haven't provided any. The site is wooded and it is buffered. Attorney Piperato said you are not proposing in this plan any additional plantings or buffering because it's a heavily wooded site, is that correct? Mr. Hunsicker said correct. Mr. Kochanski said the second part of that comment is dealing with the amount of vegetation that exists, what is being preserved, and what is being removed, which gets us back to our comment 1c, with the limits of disturbance. We're showing disturbance in areas where there are mature trees, it doesn't appear those trees can be saved and we need to know what that information is so we can analyze it. Attorney Piperato said to determine whether or not they have to be replaced and that type of thing? Mr. Kochanski said correct.

Attorney Piperato said Item i, is there going to be any exterior parking lot and garage lighting? Mr. Hunsicker said there is no new lighting. The existing lighting is shown on the plans. Attorney Piperato said is there going to be any new lighting on the garages that are going to be constructed with the units? Mr. Hunsicker said they are not proposing any new lighting. There's existing yard light across the street from the proposed building. Mr. Kochanski said if they are not providing any lighting, then a note should be provided. Attorney Treadwell said you should put a note saying "no new lighting is proposed". Attorney Piperato said anything that's on this review letter that we are not complying with or not capable of complying with is to be the subject of a note on the plan. Attorney Treadwell said if they are proposing any new lighting, you could either put a note on the plan "no new lighting is proposed" or Doug could prepare a response letter to the Boucher & James letter and on item 2k, can say "no new lighting is proposed" and that resolves that comment. Attorney Piperato said have you prepared a response to their review letter? Mr. Hunsicker said no, not this one.

Attorney Piperato said item j requires the plans to include a description and elevation view of all proposed structures. Have you provided that information? Mr. Hunsicker said they have provided photographs of the existing structure which will be matched by the new structure. Attorney Piperato said are you able to provide that information to them in numbers? Mr. Kochanski said what we are getting at with that comment is just to let the Township know that the intent is to match the existing stuff. We're not asking for any additional information. The ordinance asks you to provide some additional information and you've provided it that the proposed building will match the style of what currently exists.

Attorney Piperato said item k requires the plans to show the location, type, size, design, color and illumination of all signs. If there are no signs, let's say there are no signs. Are there any additional

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signs that are being proposed? Mr. Hunsicker said no. Attorney Piperato said we need to say that in a response letter? Mr. Kochanski said a response letter or a note on the plan.

Attorney Piperato said item l requires the plans to include the location and description of the water supply. The plans indicate that the site is served by an existing on-site public water supply system. It gives a permit number. Additional information should be provided regarding the adequacy of this system to support the additional of proposed dwelling units. He will provide the information to you which is on the DEP website. You'll let us know if that is acceptable or if you need any additional information. Mr. Hijazi said do you have an operator for this water system? Mr. Hunsicker said yes, and he's named in the annual report. Attorney Piperato said can you give us the name of whom it is, is he certified by DEP? Mr. Hunsicker said yes.

Attorney Piperato said Item m requires certification that the utilities to be provided are adequate for the intended use. The plans should be revised to include this information. We have to indicate that the utilities that are there and the well water, septic system, electric lines, whatever utilities are there, are adequate to service. Obviously they've done some soil testing on the septic systems. We've provided the water information to you this evening. What additional information would you need to establish that the utilities are adequate? Mr. Kochanski said from the water and sewer standpoint? Attorney Piperato said from any utilities standpoint? Mr. Kochanski said for electric, an "intent to serve" letter is always helpful so we know the utility companies have the ability to provide additional service to this.

Attorney Piperato said item n, future plan submission should include a list of all appropriate permits and supporting documents required by state, federal and local governmental agencies. Is that something that can be deferred to the land development plan? Attorney Treadwell said he doesn't know if there are any permits that your client has or will be required to have, but he doesn't have a problem with the land development. Attorney Piperato said they will need their septic approval. The water approval they've already provided. Then we'll just need township permits for excavation. Attorney Treadwell said that's all later in the process in the land development. Mr. Kochanski said that could be handled in the response letter that the information will be provided at the appropriate time during land development.

Attorney Piperato said item o requires the plans to include the location, type and proposed soil erosion and sedimentation control devices, with appropriate narrative and approval from the Soil and Water Conservation District of said plan. This is one of the things we were going to ask for which requires a fair amount of investigation and work at this time. If the applicant is not successful at the ZHB, it would be an awful lot of information that would be required to be compiled at this time. Is this something that can wait until the land development stage? Mr. Kochanski said his only concern is that it's a requirement of the site plan and if the site plan is to go through, he wouldn't have a problem with seeing that at the land development, because as you say if it doesn't go anywhere with the ZHB, and the project is not moving forward, that information is not necessary. Mr. Garges said tack it onto your variance deferral, that type of thing. Attorney Piperato said he believes a variance has been requested for this, which is a traffic impact study. If they provide the Planning Commission with that information, they should be successful with that.

Attorney Piperato said you've asked us to give you a detailed response, which they haven't done yet. They will provide that based on the information they receive this evening.

Mr. Landis said let's go to Hanover's letter of August 12, 2009.

Attorney Piperato said Item 1, the Township may wish to receive input from Springfield Township. We probably wouldn't go to Springfield Township and ask them to approve a project in LST. Attorney Treadwell said he doesn't have a problem with that.

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Attorney Treadwell asked Dan Miller if there was anything in the HEA letter about the special exception question that is before the Planning Commission tonight or is it mostly land development things that may be addressed at another point? Mr. Miller said everything here is land development. It's just so that they know this is coming. Attorney Treadwell said he then thinks with the Planning Commission's permission, that we need to go through the HEA letter to talk about land development when we're here tonight for the special exception. He doesn't know what the applicant's proposal is going to be for the next step, but his recommendation is that they get the response letter and the plan revisions back before you ask for a recommendation from the Planning Commission. Attorney Piperato said they will need an extension as they are on the ZHB on September 21, so they will have an opportunity to come back here and to Council before that, or just the PC before that meeting? Attorney Treadwell said the Council is September 16 and the Planning Commission is September 17. You could go to the Planning Commission on the 17<sup>th</sup> and Council on the 16<sup>th</sup>, so you'd have to go to the October ZHB meeting. It would go to the September Planning meeting, the October 7 Council meeting, and then the October 19 ZHB meeting. Attorney Piperato said they will ask to be back on the Planning Commission agenda for September 17 and Mr. Hunsicker will need his revised plans and review letter by when? Mr. Kochanski said resubmission is thirty days. Mr. Garges said this is something smaller, so two weeks would be okay.

Mr. Kochanski said on the site capacity calculations, we had discussed what formula you use for the density, and you showed both calculations, one as it would be under the garden apartments and one as it is under the current zoning. If you address that comment and provide the information on the plans, that will be the subject of your relief at the ZHB. Attorney Piperato said we don't need to do anything further for the Planning Commission meeting? Mr. Kochanski said it will all be shown on the revised plans. You were asking how you comply with the density under the garden apartments? If you show both calculations from the density from garden apartments as it was pre-existing nonconformity and then what it would currently require, then it provides at least the information that can be analyzed by the ZHB. Attorney Piperato said you still need the information we had talked about? Mr. Kochanski said yes. Mr. Landis said having both will help you.

Mr. Landis said is there any other issues on any of the letters? Attorney Piperato said do we have a list of the variances? Attorney Treadwell said there's a list in the Boucher & James letter of three variances that were requested. The other one we talked about tonight 180-102.C(2)(s) is the soil erosion and sedimentation which the applicant was going to ask for a variance subject to performing those calculations as part of the land development process. Mr. Maxfield said the applicant is supposed to submit a letter condensing all of that information with just variances? Attorney Treadwell said right. It should be on the ZHB application, which he doesn't have in front of him now. Mr. Garges said if Attorney Piperato can just provide an update of one, it would be better for the ZHB as well. Attorney Piperato said an update of listed requested variances? Mr. Garges said yes. Send it in with the package so it goes through with the current list. Attorney Piperato said he will call Mr. Garges in the next couple of days.

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

Attorney Treadwell said they are going to provide and ask for an extension to come back to your next PC meeting to address the issues that were discussed tonight. Attorney Piperato said he will waive, on the record.

Mr. Noble said is one of your biggest issues going to be your use? Mr. Hunsicker said yes. Mr. Noble said you already scheduled the ZHB this month? Attorney Piperato said yes. Mr. Noble said why don't you get that question answered before you go for all the other variances. Attorney

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Piperato said you are the only one municipality that requires this step before you go forward. Attorney Treadwell said he knows the procedure and process is a little different here, and the answer to that is Council will want to see a site plan before Council takes a position in front of the ZHB. Before they make that decision, they will want to see a site plan that meets the requirements of our zoning ordinance for a site plan submission. He would guess that Council will say with a site plan in front of them that doesn't meet the ordinance requirements, they have to oppose the application just because the site plan doesn't meet the ordinance requirements. That's the hurdle that the applicant is trying to get over with this. Attorney Piperato said it's real difficulty to the applicant, and the difficulty is the expense the applicant has to go through to simply compile all the information that is necessary to comply with the site plan review process, then you go to the ZHB and they say no and you are done because you don't have your use approved or the necessary variances to proceed. Not that they are trying not to comply, they will Mr. Kochanski all the information he needs, but they may come back the next month and there may still be three or four issues they haven't been able to comply with and they will try to explain the reasons why. But again, without the use approval and the special exception and variances, all of the detailed engineering information that goes into a site plan can be perilous. You get to a point and they say no and we have nowhere else to go. If that is the recommendation of the Planning Commission, then we will comply with that and we will do that.

Mr. Noble said the ability to expand 25%, has that been answered? Attorney Treadwell said the ability to expand by 25% comes with special exception approval. Mr. Noble said he needs that for approval, period? Attorney Treadwell said yes. Mr. Noble said you don't have it by right? Attorney Treadwell said no. A special exception is a permitted use provided that the applicant shows it doesn't harm the community in some way. It's less of a standard than trying to get a variance.

Attorney Piperato said they will come back next month. Mr. Landis said this will be tabled and they will come back next month. Get these things complete and then you can go to Council and the ZHB. The more complete you have it, showing calculations, is better. Attorney Piperato said he would request that Council not send Attorney Treadwell to the ZHB to oppose the application.

**MOTION BY:** Mr. Maxfield moved to table Scenic View Apartments agenda item.  
**SECOND BY:** Mr. Hijazi  
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-0 (Mr. Lychak and Mr. Kologie – Absent)

**V. MISCELLANEOUS BUSINESS ITEMS**

**A. APPROVAL OF MINUTES – MAY 21, 2009**

**MOTION BY:** Mr. Maxfield moved for approval of the May 21, 2009 minutes.  
**SECOND BY:** Mr. Noble  
Mr. Landis asked if anyone in the audience had any questions or comments? No one raised their hand.  
**ROLL CALL:** 4-0 (Mr. Lychak and Mr. Kologie – Absent)

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

Mr. Landis said that was the only plan that was on our agenda tonight. Is there any public comment? Someone in the audience said the Meadows. Mr. Landis said they got the original documentation, but it was taken off of the agenda. If you have anything to say, you are welcome to say what you came for. Someone asked if this would be rescheduled? Mr. Landis said yes, it will be. Attorney Treadwell said their last

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submission we had, we needed more time to review it, and there was a question as to the length of the review letters which were fairly long. There were things we were asking the applicant to clean up before they came back here again. Mr. Landis said it's a good idea to clean it up as you can see what you get in like tonight when an application is not complete.

Barbara Diehl, resident, said she and her husband are the very closest neighbors to the Meadows. Their property line is right next to the Meadows. There's been nothing done there other than improvements from what was there before. She can't say anything better about what they've done than that. She knows there have been some complaints, but it's not from their immediate neighbors who are most affected by what's going on there. The number of people he employs there wouldn't have a job anywhere else. Mr. Landis said you can call the Township office and they can let you know if it will be on the agenda. Attorney Treadwell said it will be up to the applicant if they will be on the Planning Commission's next agenda or not. Mr. Garges said the agendas are on the website.

**VII. ADJOURNMENT**

**MOTION BY:** Mr. Noble moved for adjournment. The time was 7:50 PM.

**SECOND BY:** Mr. Maxfield

**ROLL CALL:** 4-0 (Mr. Lychak and Mr. Kologie – Absent)

Submitted by:

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Mr. John Landis  
Chair