

**I. OPENING**

**A. CALL TO ORDER:** The Planning Commission of Lower Saucon Township was called to order on Thursday, May 24, 2024 at 7:00 p.m. in Town Hall at 3700 Old Philadelphia Pike, Bethlehem, PA, with Jennifer Peters, presiding.

Attorney Steve Goudsouzian stated as the members of the audience can tell, we're a little short staffed today. We have a quorum, so we're ready to proceed. We've had the fortune of having four people here, but the somewhat, I don't want to call it misfortune but some of whom who've not sat solo on the Planning Commission. So, I'm going to be running it a little bit to an extent. So, the first thing we normally do is to do a roll call.

**B. ROLL CALL:** Present were Jennifer Peters, Secretary; Thomas Bartek, Veronica Gress and Shorav Kaushik, Members; Steven Goudsouzian, Solicitor; and Brien Kocher, Engineer.

Absent were Craig Kologie, Chairman; Chris Nagy, Vice Chairman; and Jeffrey Schmehl, Member.

**C. PLEDGE OF ALLEGIANCE**

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

None.

**III. BUSINESS ITEMS**

**A. SHEETZ STORE-SAUCON VALLEY SQUARE PRELIMINARY/FINAL LAND DEVELOPMENT #LD 01-24/Sheetz, Inc. – 3727 PA Route 378 – Time Limit 07/23/24**

Blake Marles stated I'm Attorney Blake Marles on behalf of the applicant. Last time where were here we were woefully unprepared because we had people who were sick and we couldn't sit close to one another or talk to one another. But, fortunately since then, there's been a lot of correspondence and had a pretty significant amount of correspondence back and forth between your engineer's office and Mr. Spray. And, so we're here to address the questions in this letter and the issues in this letter. The last time we were here, we weren't really prepared with a presentation. I think you got the gist of t by the time the meeting was over. But basically, this is putting a 6,000 square foot Sheetz on a redevelopment site. The bank is part of a larger shopping center that has not done well and this is the beginning of its reformation. But, it's a leased area, so what Sheetz controls is basically a postage stamp on an envelope. The envelope being much bigger than the postage stamp. One of the reasons for coming to a Plannign Commission to begin with is to spit ball issues that may impact the community and I think we at least got started with that last time. The questions that were raised there, we took back, we took a look at them. Most of them relate to the envelope, not to the postage stamp. Some of them relate to the postage stamp and those are the ones I think that are reflected in the Hanover review letter. So, with that relatively short presentation, shall we start with a response to Mr. Kocher's letter or do you want to hear from Mr. Kocher as to the issues that are still outstanding from an engineering standpoint?

Attorney Steve Goudsouzian stated I think it would make sense to go through the letter like we would normally would do; however, prior to doing so because we have some newer members on the Board, perhaps Brien could just give a little background on one or two or three of the issues that arose. In

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particular, one of the issues was with regard to parking. I guess you may recall the concern of some of the members of the Planning Commission were was there adequate parking for the Sheetz compared to adequate parking for the shopping center; and, Brien perhaps you can help us with that a little bit.

Brien Kocher stated so, before Jim Young left, there were three zoning issues that he researched and communicated to me and I did put that in this letter. The first of which was to classify the use which he's done so that we know what fits within the bounds of the Zoning Ordinance. He took a look at the overall parking calculations of the shopping center and found that there's more spaces on the shopping center than the ordinance even allows. So, he was satisfied that the parking spaces for Sheetz are sufficient. There was also a question that we talked about last time of the driveway in where the traffic light is and between some back and forth, as Blake said, between our office and their engineer's office, and they have agreed that after the store is open and sometime during the 18 month period after that, they will do a traffic study to determine whether their assumptions of the capacity of that signal and the timing of that signal are adequate and are not negatively affected by the Sheetz store. So, they will be doing a follow-up study to confirm their assumptions after the store is opened.

Attorney Steve Goudsouzian stated and then I think there was a concern also from a citizen about how it would affect the neighborhood and so you're going to talk about that a little bit; and, explain to the Planning Commission what opportunities we have to control traffic from Route 378, in particular what opportunities we really don't have to control any traffic from 378.

Brien Kocher stated yeah, all of that because 378's a PennDOT road, they have to deal with PennDOT and satisfy, ultimately satisfy PennDOT. There's not a lot in that regard that the Township can do. I think the concerns raised by the resident or residents at the last time we looked at this was the emergency access to Raders. And, I don't know if you've looked at that any further, Blake or Brian.

Blake Marles stated we've contacted the landlord because that's land that we don't lease, we don't control and I don't know what follow-up the landlord has done with the Township. But, we've explained, I think clearly explained, what the concerns were of the neighbor. Because you recall at the last meeting it took us a long time to figure out what that was in the context of Sheetz. Our people don't get back there, don't go back there, it's not part of our leased area. But, we understand the concern and the landlord indicated that they would follow-up. That's, I think, about what we can do.

Attorney Steve Goudsouzian stated if there's anything specific from Planning Commission members, normally what would happen now is they'd go through the actual letter that Hanover provided and sort of address those issues so then you have an opportunity to see them comprehensively as to what as happened.

Molly Bender stated Steve, I just wanted to mention apparently there was a May 17<sup>th</sup> Hanover letter, I didn't get it, so the Planning Commission, to my knowledge, did not get it.

Attorney Steve Goudsouzian stated we can handle that one of several ways.

Brien Kocher stated the May 17<sup>th</sup> letter really doesn't raise any new issues that wasn't in the letter from the last Planning Commission meeting. It's just that they went and satisfied some of the comments in the April letter. So, all this is is a letter that has removed some of the comments that they actually satisfied. So, it doesn't hurt that it didn't get out because if you read the letter from the last meeting you are already aware of what was in it.

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Thomas Bartek stated so I have a question about the 18 month traffic study, when does that start, after it is completed?

Brien Kocher stated after the store is open.

Thomas Bartek asked and then, is there escrow being held for that?

Brien Kocher answered yeah, part of the requirement is that when they do their improvement agreement and post their financial security, that line item to do that traffic study will be one of those items.

Thomas Bartek asked and then if the traffic study says that intersection needs to be improved, that falls on Sheetz?

Brien Kocher stated any improvements that'll be done to that intersection are related to the timing of that signal. I don't think there's any physical improvements that we can even envision. So, there will be, the way the comment is in the letter is that they'll include that as a line item in their cost estimate including doing the retiming if it's necessary.

Attorney Steve Goudsouzian asked does that make sense? Thomas Bartek answered yes.

Attorney Steve Goudsouzian stated with that I will turn it over to you if you want to address the letter and go through it.

Brian Spray stated sure, now I am going through the May 17<sup>th</sup> letter. Again, they are relatively the same. But, I'll just go in order. My name is Brian Spray and I am with Civil and Environmental Consultants, I'm the engineer of record for this site. So, starting with the Subdivision and Land Development comments, the first comment is a direction to the Township just saying that you may have emergency personnel look and there's nothing for us to respond to on there. Item #2 is we are asking for a waiver.

Brien Kocher asked did the Police Chief or the Fire Chief issue a comment memo like they normally would?

Molly Bender answered not recently, if we got one with the first submission, that would have been sent out. We got one with the first submission

Brien Kocher stated alright great.

Brian Spray stated so Item #2, we are requesting a waiver is just to allow preliminary plan and final plan to be either reviewed at the same time or a waiver of preliminary plan being complete. For a project this size, we feel that that is reasonable. Item #3 is a certificate of insurance, that's just a standard thing for after approval before recording. A copy of the DEP sewage planning modules. The Township has a complete copy of that. LVPC has signed off, the City of Bethlehem has provided all of their information, it's now in your hands. A resolution needs to be signed and then forwarded on to DEP.

Brien Kocher stated that's an item for Council, we'll address that with Council. There's nothing Planning Commission has to do.

Blake Marles asked do you need anything from us in order to move that forward with the Township?

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Brien Kocher answered I don't know. I have it now, so I'll look at and I'll let you know if there's anything to add to it.

Brian Spray stated a copy of the water and sewer agreement, we have actually applied, we have paid all of our fees, but I believe they're waiting for the planning modules before they can give us the permit. So, there's nothing more for us to do until the planning modules come back. A copy of the agreement for BMP's, we have our NPDES permit now. We've achieved that and so, generally after approval prior to recording, we go through a whole series of O&M paperwork, there's nothing for us to do now.

Blake Marles stated if I may, if we have new members of the Planning Commission, the NPDES permit relates to stormwater control and that's regulated principally by DEP. That process has been completed, they're satisfied with it.

Thomas Bartek stated okay.

Brian Spray stated item number 7, an improvements agreement, this is what was discussed before about providing a cost estimate for building costs and future improvements. And, so this is something that generally happens again after approval prior to recording. We've started on this but have not presented that to the Township yet. Again, waiting to make sure nothing else changes. All signatures and seals, this is just a general comment. My plans are sealed; but, when we go into recording, there's lots of other people who have to sign as well. The Council must review and approve the treatment allocation for proposed sanitary sewer connections. Again, we are proposing a singular lateral to an existing private sewer which then connects to the public system further on. But, we're connecting in the shopping center. So, this is for Council, we're not doing anything on the public side.

Blake Marles stated I think we're assuming that the sewer allocation for the center is adequate for this and other things that happen. So, I'm not sure we need a new allocation. But, as Brian said, that's an issue for Council to determine.

Brian Spray stated item number 10, open space is required for this development. Again, this is an existing shopping center. We're suggesting a fee in lieu of that the Township can use wherever they need. Stormwater comments, any to go back to before I move on to stormwater? Item number 1 is just a note indicating the scope of the Township Engineer's review. Item number 2 is an indication that no disturbance can happen until the Township approves the plan. Item number 3 is requesting a series of notes that are within the Township ordinance be placed on the plan which we'll comply with, they're just notes. Item number 4, BMP operations and management plan, again as I was discussing after approval prior to recording, there's some paperwork that needs to be done and this is done with witnesses to affirm to. That's all the stormwater. Do you have any questions on stormwater at all?

Thomas Bartek answered no.

Brian Spray stated going into zoning. Item number 1, minimum lot area, it's actually on this plan up on the screen right now, we forgot a zero. It says 4,000, it needs to be 40,000. This plan up here shows it's already fixed, but on the final set, we'll fix the typo. So, item number 2 references to what Brien was discussing earlier about the use of the site, and the gas station being appropriate. Item number 3 asks us to the word site, add the word site to our plan description. And, we, actually on this plan here you can see we've done it, it says now a land development site plan versus just a land development plan. Item number 4 asks us to take the letter that we provided and have it signed by a PG and there's some notes that they want us to add to the plan, both of which are fine, they were done by PGs. We have no problem with that. Item number 5 is requesting a slight adjustment to our lighting design. There's

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another company who specializes in lighting and they will handle that one, that's a will comply. Item number 6 is requesting some notes from the traffic study be added to the recorded plan which is fine, we'll add that to the recording plans. No, it's not on that sheet.

Brien Kocher stated that comment also covers putting the signal retiming study in the cost estimate.

Brian Spray stated no problem, which we already discussed and that's okay. Thank you Brien. Item number 7, the second paragraph is the one with the action items, they were requesting some additional signage on the first entrance. So, if you're looking at the plan, where we come in at the bottom of the site, that's the main entrance, and you turn up, we have a drive aisle right there. Now the intent of that drive aisle is simply for fuel delivery trucks. And, so we have stop by there, we have some do not enter one way signs, they are requesting additional signage which are actually added on the plan on your screen at the moment.

Thomas Bartek asked I have a question, is this drive by aisle in line with the drive by aisle that's in front of where MaxFitness is, is that the same drive by aisle?

Brian Spray stated they are not lined up precisely and especially since this is a one way out, that's okay because we don't want to encourage traffic, people coming from that side going in. The drive aisles here are set up so that they, and I believe Eric gave testimony last month on this one here, but they're set up based off of truck turning needs for safety and other safety regulations. They don't line up perfectly.

Thomas Bartek asked just to be clear we're talking about this one here.

Brian Spray stated the one right there, right. So, we're only coming out there. So, they don't line up exactly, they're only off by a little bit but again, we don't want to encourage traffic to come from the MaxFitness side to go to our side because it is one way.

Thomas Bartek asked is there a larger site that shows all that? Like do you have a larger site plan that shows all that?

Brian Spray asked all the turning movements?

Thomas Bartek answered yes. Like all the, how the roads your roads are aligning.

Brian Spray stated there's an overall plan that shows the entire shopping center, if that's what you're asking.

Thomas Bartek stated right.

Brian Spray stated yeah, there's one of those in the plan set, yes.

Thomas Bartek stated I didn't see that.

Brian Spray stated I believe it's on the aerial.

Thomas Bartek stated this is just the store.

Brian Spray stated it's a different one. He doesn't have the proposed but that's the existing use.

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Thomas Bartek stated I'm just confused of where this road is in line with the existing roads that kind of or the drive aisle that, so it's not gonna cause any confusion or more traffic impact inside the parking area.

Brian Spray stated I might be able to utilize this if you don't mind. This is just an aerial, this is within the traffic study. This is an aerial of the existing site. And so, you've got the bank here, here's the existing aisle that shows . . .

Thomas Bartek stated now, I'm looking at this one.

Brian Spray stated yes, this line here is the line up there, we're moving these traffic islands out a little bit so it actually gets a little wider.

Thomas Bartek stated okay, I'm fine. That was very helpful, thank you.

Victoria Opthof-Cordaro stated I have a random question about the traffic, just with respect to the parking, is there contemplation that people who would be visiting the Sheetz would park, I guess if you were facing the shopping center, on the right hand side to get to the Sheetz that would be on the left hand side? Or are you envisioning that people parking would all be able to park on the left hand side where the center, where your facility will be.

Brian Spray stated in general most of the parking is going to be right up against the building. It's their experience with these sites. And, you know, I'm not gonna say that people who are visiting other parts of the shopping center won't also walk over. But, in general the cars park right in around there unless they're all full. I believe we shared some aerial photography of similar sites previously, and it shows that most of the time those parking spaces are not completely full.

Victoria Opthof-Cordaro stated thank you.

Jennifer Peters asked can I ask just one question about the drive through? There's only the one drive through lane on the far right there, correct?

Brian Spray answered correct. Yeah, the idea is is off to the right there, there's a separate lane that handles some of the stacking as well as where the ordering occurs, and then you go across the drive aisle and then there's additional room for stacking and the window to pick up your order. So, 8 is again referring to what Brien discussed earlier about his conversation with Jim Young. Number 9 is again what Brien was referring to earlier. Number 10, sign permits is a separate permit, obviously we know we're gonna have signs here but it's a separate permit and he's calling that out. We will have to apply for that when we're all set. The number of ADA spaces, this was a minor adjustment we had to make to one of our details which is fine to do that. And, that's the entire letter.

Blake Marles asked Brien, do you want to comment before I hop back in at all?

Brien Kocher stated I don't have anything to add, he went through all the comments and it looks like they'll take care of everything.

Blake Marles stated I just wanted to make a comment about the procedure and Mr. Goudsouzian will certainly correct me if I'm wrong because he always does. So, the reason why we're requesting the waiver of going through the 2 plan process, preliminary and final, is that this is a fully designed plan, so it meets all of the final plan requirements. And, the comments that are in Hanover's letter would be

the same for the final plan. So, if you don't grant that waiver, basically we'll be back to you again with exactly the same plan the month after the Council acts on the preliminary plan. So, it just seemed to be an efficient way to go through the process. It's entirely up to you, you can make us go through the 2 step process but it didn't make a whole lot of sense. There are several things that will be outstanding when the Council acts on the plan whether it's preliminary or final even final. Things that are regulated by third parties like PennDOT, like DEP. They can be conditions of approval because you don't control the time, we don't control the timing. We do have the NPDES permit already. We don't have the PennDOT permit yet.

Brian Spray stated we don't have the PennDOT permit, we need the planning modules.

Blake Marles stated that will be later and the planning modules, the Township has not yet approved so we can't send that to DEP to get that resolved. The agreements that are referenced in the Hanover letter are actually agreements that are prepared by the Township and they occur after the plan approval because until the plan approval occurs, you don't know what the content of the agreements are. So, is that a fair statement of where the process will go?

Attorney Steve Goudsouzian stated that what would happen in a different type of plan is you would provide preliminary approval and you'd want them to go through and then change it again. You'd see that more often if you have a bigger subdivision or you have 20 houses or 50 houses or so on. But, Attorney Marles is correct in the sense of there's not a lot to be gained by having them come back twice. And, normally we would rely on Hanover and Hanover and Brien please correct me if I'm wrong, your position is it's appropriate to have preliminary and final, a recommendation for preliminary and final approval now.

Brien Kocher stated yeah, because you don't get two bites of the apple any way. Once they get preliminary plan approval, their layout is approved. You can't come back when they submit a final plan and make them change it. There's really nothing to gain, a preliminary/final process is more to the advantage of the developer if they want to get everything locked in in one submission.

Thomas Bartek stated yeah, I'm somewhat okay with that. There's an existing structure there that we know you're just replacing. So, my other question is do you have a landscaping plan or aren't we allowed to see it? I'm big on trees and I don't know what you do with providing shade over all these parking lots. If you do that, if it's something you do do or have to do.

Brian Spray stated so, we do have a landscaping plan in the set. It wasn't on the 2 sheets for the Board up here, but it is in the set. There's a requirement for street trees and there's a requirement for trees per square footage of additional impervious. Since this is a redevelopment, there's not a whole lot of extra impervious. So, we are adding a number of additional trees in the islands along the access road that we're talking about, we're addition some trees through there. I think we are replacing a tree or two up by the street for the street tree requirement. Sheetz is doing their own landscaping within their islands, I don't know if you've been to one, but they tend to do a fairly decent job but we are adding some trees. And there is a plan in there, I just did not bring it for the Board.

Shorav Kaushik stated I have a couple of questions unless anyone else has any. Will there be an outdoor eating section at this particular Sheetz?

Brian Spray stated yeah, in the, it's hard to see on that screen, but in the outside building there's room for tables and chairs. They generally have some seating out there.

Shorav Kaushik stated that'll have some sort of shade over it? I'm just curious.

Brian Spray stated no.

Shorav Kaushik stated one of the things we talked about at the last . . .

Jessica Urbas stated some of the tables might have an umbrella.

Shorav Kaushik stated one of the things we talked about at the last meeting was pedestrian access from the road. I can see a Sheetz like this in maybe incentivizing people to walk down 378 to buy a pack of cigarettes or something like that and I think one of the things we discussed was once you get off the bus stop, there's not a walkway into the parking lot. Was there any consideration given to facilitating pedestrian access from 378 into the parking lot or to the Sheetz just to make it a little bit safer for people especially if they're doing this walk at night?

Brian Spray stated so there is an existing sidewalk that's there that we do reconnect to our site to maintain that. In general for a road as busy as 378, we tend not to encourage pedestrian traffic. So, we haven't or we're not showing anything additional.

Shorav Kaushik stated okay.

Jennifer Peters stated on that same note, we talked about at our last meeting the review letter from LANTA encouraging access to safe pedestrian walkways; and, the bus stop that's currently there that's really just a sign right on 378. I don't see that illustrated in your plans.

Attorney Blake Marles stated there were several conversations with LANTA as a result of the Planning Commission meeting and I think, and correct me if I'm wrong, I think the outcome is LANTA wants to look at this with PennDOT in a bigger context for this whole sector. So, this isn't, from their standpoint, this isn't necessarily the location or the time to do that because right now they have virtually no ridership there. They presume that they can do better with ridership if they did something different. So, I think that's probably gonna be a subsequent discussion; and, I don't know whether it will be with our landlord or at some other location after PennDOT and LANTA complete the discussion

Jessica Strittmatter stated I can add a little bit more to it. So, our traffic engineer did talk to Molly at LANTA several times, a lot of emails were exchanged and they went back and forth like you said, there's a lot of concerns from PennDOT with putting in that bus stop. Also, we had some concerns with putting a crosswalk right into our canopy and encouraging pedestrians just to walk straight into where people pulling in and out of gas. We had a lot of follow-up between the two of them, I know we gave Molly, the landlord's, phone number to talk about the potential of maybe changing some of the routing, and then we talked about routing into the center and that's what Blake's saying there was not enough ridership for that. But, she wanted to reach out to them because, like he said, as a whole they're looking at everything as a whole, I don't know if they have a master plan, but something in that context. So, we put her in contact with the landlord.

Attorney Blake Marles stated I think there were three conversations with LANTA.

Jessica Strittmatter stated yeah, there were several.

Jennifer Peters asked and is the landlord open to . . .



Attorney Blake Marles stated no idea.

Jennifer Peters stated because I would think there'd be costs associated with that.

Attorney Blake Marles stated well, they need to redevelop the whole center, you know anybody that sees it knows that. And, so I think the nature of ridership will be determined in large measure by what goes in there. And when something goes that's gonna require a lot more ridership and we have two or three employees at the time. So, you know our employees won't go in and out, the people who use our services or get off the bus aren't gonna go to Sheetz and get back on the bus. And, it just doesn't, it isn't suited to the use. So, presumably, by the time the next section of the center develops, LANTA will be further along in this conversation with PennDOT about what to do along 378.

Jennifer Peters stated so timing wise, would they by the time you start construction, would they move that where that sign is currently located? Because right now people are right there congregating for the bus.

Attorney Blake Marles stated I don't know because right now they're not congregating. I think that was the point that LANTA was making. Maybe they'll take the sign down and not have a stop there, I don't know.

Jessica Strittmatter stated yeah, they don't have a lot of ridership there. Like you said, they are in discussions with PennDOT to work something out along other areas through your region.

Thomas Bartek stated so, I think that LANTA bus stop would be for, not because of you, but for how to address the overall development that's currently there in getting people to and from.

Attorney Blake Marles stated yeah, I mean if they put a large grocery store in, for example, then that would dictate a different kind of ridership and they have a lot more employees, many of whom might be bus riders. And then they would put that bus stop at a location that's suited for that.

Jessica Strittmatter stated yeah, and I don't know if it's along 378 right into our canopy if that were the case.

Attorney Blake Marles stated my guess actually is it would probably be further south on the road. But, we don't know that. That's not our call unfortunately.

Shorav Kaushik stated I have one more question. My understanding is that emergency services have reviewed this plan and approved it. I understand the position you're in with the right to the landlord and I know the last time we were here there were a lot of public comments and I think comments expressed by . . .

Attorney Blake Marles stated it was one couple that made the comments.

Shorav Kaushik stated well, then there was a letter too.

Attorney Blake Marles stated it was the same couple, I think.

Shorav Kaushik stated it was.

Attorney Blake Marles stated yeah.

Shorav Kaushik stated okay. I thought there was a letter that Ms. Opthof-Cordaro read. Anyway, there were comments regarding the access road. Has emergency services reviewed this application in light of those comments that were made?

Jessica Strittmatter stated we did not receive anything additional. But I know a lot of pictures were sent. It does look like it's more of like an enforcement issue like the gate needs to be closed if they're worried about access unless it's emergency vehicles. A lot of it seems like it's distribution trucks sitting there that could obviously easily be moved if there was an emergency, I'm sure they'd be aware. I don't think geometry changes, I know that's what they wanted are gonna fix that. Every time we look, that gate is opened, so we can pass that along to the landlord and give them our feedback on that.

Attorney Blake Marles stated this is way it lays out. This is 378 and that's the entrance and we're way up here. It's this driveway and that alignment probably can't change because of what's around it and that's really tight. So, the issue is the gate isn't closed and trucks sit right here.

Thomas Bartek stated I understand and you don't want people to use that because then that would cause a traffic jam up at this end. I guess what the worry would be since that gate's open will that allow . . .

Victoria Opthof-Cordaro stated I just wanted to provide like follow-up because I know I asked the question or we had the question. So, I have met with the fire service, fire chief and for other reasons, but I did discuss this project and asked him and he had referred to the comment about the fire hydrant, what that was their primary comment was like to review whether the water services were sufficient to provide for an emergency. But, that specific emergency route would be like a different part of the land, it's part of the overall shopping center. So, I don't, there's nothing we can ask this developer to do because he's like a tenant on a different section of the lot that he's not using. But it is like something and I think there's like other issues that what people have also talked about in general with that we can have, try to facilitate further discussion with the landlord to see what can be done to make sure that this, you know, this, we don't have more people trying to access the road and the emergency access to that section really services other parts of the shopping center like in the back. So, it's really that that's the issue. But, I do wanna, I want you to know that I did speak with fire and that's basically what we have right now.

Thomas Bartek stated you finished my point and I wasn't going in that direction.

Victoria Opthof-Cordaro stated I'm so, so sorry.

Thomas Bartek stated I wasn't going that direction. The direction I was going with that gate is always left open. So, when it's open, it will allow others to find a back road into here and cause traffic for those residents that are there. It's not their problem, it's a Township, it's a developer problem that owns that development. How do we control that gate? When there's an emergency there, that gate is locked. You gotta have a key and you gotta have a key right away to open up that gate. So, that is something that's on the landlord and the Township fire crew. So, that's really, how's that, how's that impact those neighbors who are saying they don't want to see all this traffic. That's all. And, it is not their problem.

Victoria Opthof-Cordaro stated yes, and I will confirm with them again.

Thomas Bartek stated it is something that will have to be addressed.

Victoria Opthof-Cordaro stated yes, thank you.

Thomas Bartek stated that's all.

Attorney Blake Marles stated Mr. Bartek, it's just, I don't want to bog down on something that's not our problem. Where does Oak go? In other words, connected to 378, but where does it go on the other end? Where does traffic come from if it's coming up Oak and would access this center and not go to 378?

Thomas Bartek stated that I don't know.

Attorney Blake Marles stated because after the last meeting I drove in there and I should've kept going because I wanted to see where it was going because there weren't any cars on it. So, I was just curious.

Thomas Bartek stated now, you can turn right, but I don't know where that goes, that right. But I can't imagine it's a lot. But, I'm just addressing their concern that people can find rather than try to beat a light. And, they want to be able to turn there and everyone's, you know that's just how it goes. It's just, it's not your issue.

Attorney Steve Goudsouzian stated so I think therefore I can summarize the developer's position with regard to the Hanover letter, everything is either something you will, to the extent that you have to respond to it, you're willing to comply with it. The only waiver you're asking for is the preliminary and final approval or recommendation for preliminary and final approval now rather than having to come back. And, I think, although you've eluded to it, you certainly would accept a condition to obtain all third party approvals to the extent that they're not already outlaid in the Hanover letter. You would be responsible for third party approvals. And for the members of the Planning Commission, that would be PennDOT approvals or other approvals from other authorities or organizations, not us. So, I don't want to, is there anything else from the Planning Commission before we move forward? So, the next, is there anything from the developer before we move forward?

Attorney Blake Marles answered no thank you.

Attorney Steve Goudsouzian stated so, if a member of the Planning Commission was willing, one could make a motion to recommend preliminary and final plan review approval subject to the Hanover Engineering letters dated April 24, 2024 and May 17, 2024 and subject to all third party approvals. If somebody was willing to make that motion.

**MOTION BY:** Jennifer Peters moved to recommend Preliminary/Final plan approval of the Sheetz Stor-Saucon Valley Square Land Development #LD 01-24 subject to compliance with the items listed in the Hanover Engineering review letters dated April 24, 2024 and May 17, 2024 and subject to all third party approvals.

**SECOND BY:** Thomas Bartek

Attorney Steve Goudsouzian stated now we'd open for discussion if anyone from the Planning Commission wants to discuss further. I'm not suggesting it's necessary, but if you wanted to, we could.

Thomas Bartek stated I think what I've seen you guys do on 412 with the new Sheetz down there, it's very nice and it's laid out, I drove through it and saw the parking and what not, although that was a brand new developed site. Here it's already developed. You're just replacing it, so I'm okay.

Shorav Kaushik stated I think it'll be nice to have a Sheetz.

Attorney Blake Marles stated that's music to their ears.

Attorney Steve Goudsouzian stated so, if there's nothing else, then we would take a vote on it, and I think we roll call them here too, do we not or do we with the Planning Commission?

Molly Bender stated we just do all in favor.

Attorney Steve Goudsouzian stated very well.

Molly Bender stated all in favor.

**ROLL CALL:** 4 ayes – 0 nays – 3 absent (Kologie, Nagy & Schmehl)

Attorney Steve Goudsouzian stated for the record we'll reflect it's a four to zero vote.

#### **IV. MICELLANEOUS BUSINESS ITEMS**

##### **A. Review of Draft 2025-2028 Transportation Improvement Program (TIP) –**

<https://www.flipsnack.com/9A575F88B7A/draft-2025-2028-tip-made-easy/full-view.html>

Attorney Steve Goudsouzian stated the next item on our agenda is the Transportation Improvement Summary that you have received. You can take a look at but you don't necessarily have to take any position on it. You certainly can. You can certainly either, you can handle it in your discretion. You can say we've reviewed it, we can pass it on, I don't think we have any time deadlines, Molly, correct?

Molly Bender stated no, you don't even have to review it or make comments if there are none. It's just a draft, I guess they're looking to put together

Thomas Bartek stated okay, I haven't seen it yet.

Molly Bender stated so if you look on the agenda, the link I posted on the agenda will take you to what's up on the screen now. I did manage today to get it up and put it into PDF so we can get it up on the screen. I think it's 48 pages.

Attorney Steve Goudsouzian stated so there's nothing wrong with if the Planning Commission is willing to simply just take no action on this and we can just move on. If that's what you want to do.

Thomas Bartek stated so, let me just, the transportation improvement program, is this for a specific area or is it the overall /

Molly Bender stated I think it was with the Township, wasn't it just the Meadows Road area? It was multiple municipalities.

Thomas Bartek stated the 412, Meadows Road area.

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Attorney Steve Goudsouzian stated and nothing prevents us from putting this on a future agenda too. If you want to look at it in the meantime and then say you know I do have some comments or I do have some review, we can put it on the future agenda and discuss it then.

Shorav Kaushik stated no one found the Lehigh Valley Transportation representatives are here today to receive our comments any way, right?

Attorney Steve Goudsouzian stated correct. It would be we either send a letter saying we approve this, we don't approve it, we'd like to see something changed.

Brien Kocher stated if you want to understand how traffic improvements are funded from the State and the Federal government, it's an extremely complicated process and this document helps weed through it assuming you want to know what that process is.

Thomas Bartek stated so, this is in collaboration with many municipalities.

Brien Kocher stated yeah, it's the Lehigh Valley Transportation study which is essentially the decision making body for traffic improvements in Lehigh and Northampton Counties.

Thomas Bartek stated something's happening soon in Allentown.

Victoria Opthof-Cordaro stated I can provide also some general information that I learned from it. I attended the general assembly for Lehigh Valley Planning Commission just a couple weeks ago and they brought out this study and really was just to highlight some two, two major projects. One of them was, and I don't want to say the wrong words, but the 33-22 interchange area that the area that's all like mowed grass, they're looking to get funding to improve that whole area and allow for native plants and change the whole look of the area. And, so, they're gonna be having public meetings as part of, I think what's in this packet, talks about the Lehigh Valley Planning Commission having public meetings that different communities can come to and they're encouraging municipalities to jump on board to promote if they like it. They also talked about different corridors, I think for PennDOT, like the hill-to-hill bridge, 378-22 area would be like the closest thing to Lower Saucon that they're looking to promote. But, it's definitely something to look at, I would say, I would like you know look at the time, the dates on there, I can't remember off the top of my head what they are for the public comment. I think it's toward the beginning of the document, but, either way, if the Planning Commission is so inclined, I think Council would be interested to see if you have any recommendation on it. And, we can then perhaps participate in the process just by providing our Township's comments.

Molly Bender stated and I just found up on the screen where Lower Saucon Road bridge, that's where we're named in the document.

Attorney Steve Goudsouzian stated so, if there's not action to be taken, we can move on to the next agenda item if that's the consensus.

Shorav Kaushik asked can we table it for our future meeting, if we do have comments?

Attorney Steve Goudsouzian stated absolutely. You can do it formally, would you like to make a formal motion to table it or we can just simply not take any steps today and bring it back whenever necessary.

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Molly Bender stated just keep in mind we currently don't have any business for the next meeting, so, I don't know when we'll meet again. There's maybe still a little time for something to come in, but I think we're close to the deadline if not past it. I'm not sure.

Attorney Steve Goudsouzian stated so my recommendation for now we just simply take no action on it and, if necessary we will at a later date. That's permissible

Shorav Kaushik stated okay.

**B. Approval of Minutes – February 22, 2024**

Attorney Steve Goudsouzian stated then the next item is the approval of the Minutes from February 22, 2024, normally somebody would make a motion to approve those minutes.

**MOTION BY:** Shorav Kaushik moved to approve the Minutes of February 22, 2024 as presented.

**SECOND BY:** Veronica Gress

**ROLL CALL:** 4 ayes – 0 nays – 3 absent (Kologie, Nagy & Schmehl)

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

None.

**VI. ADJOURNMENT**

**MOTION BY:** Veronica Gress moved to adjourn the meeting at 7:49 p.m.

**SECOND BY:** Shorav Kaushik

**ROLL CALL:** 4 ayes – 0 nays – 3 absent (Kologie, Nagy & Schmehl)

Submitted by:

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Jennifer Peters, Secretary