

LEHIGH TOWNSHIP PLANNING COMMISSION

Minutes of May 12, 2025

Present: David Shulman, Chairman
Todd Rousenberger, Vice Chairman
Bill Jones, Secretary
Tim Bartlett
Cynthia Miller
Liz Amato, Zoning Officer
Michael Corriere, Solicitor
Lori Lambert, Planning & Zoning Secretary
Mike Muffley, Township Engineer

Absent:

CALL TO ORDER

READING OF THE MINUTES

Todd Rousenberger made a motion to approve the minutes and waiver the reading of the minutes from the April 14, 2025, Planning Commission meeting. Cindy Miller seconded the motion. All voted aye. Motion carried.

ADVISORY TO ZONING HEARING BOARD

Bonnie Horwith, owner of 3464 West Walker Road, Walnutport, PA, is requesting special exception approval and variance relief to allow the construction of an accessory apartment within the A/RR zoning district.

Bonnie Horwith was present to discuss this request.

Liz Amato stated that this is a special exception request for an accessory apartment and a variance to have it detached from the house. Bonnie Horwith stated that her property is 5.6 acres and is a flag lot. She would prefer to build the accessory apartment next to her existing pole barn rather than attach it to the existing house due to the location of the parking. If required, she would attach it to the existing pole barn. The existing house will be purchased by her son and daughter-in-law and she will reside in the accessory apartment.

A review letter has been received from the Township Sewage Enforcement Officer, Ian Stout of Keystone Consulting Engineers dated May 6, 2025. Information will need to be provided to show that the existing sewage system can handle the additional flow.

Bill Jones made a motion to send a recommendation letter to the Zoning Hearing Board stating that the special exception and variance be approved with the conditions that the applicant provide proof that there are sufficient septic flows to meet the comments in Keystone Consulting Engineers letter

of May 6, 2025, or that there is sufficient area that has been tested for the expansion of the existing system. Proof shall be supplied that Mrs. Horwith is occupying the in-law apartment and it cannot be used as a rental unit. Cindy Miller seconded the motion. All voted aye. Motion carried.

Jose Loor, owner of 3607 Lehigh Drive, Northampton, PA 18067, is requesting special exception approval to operate a podiatry practice as a home occupation within an existing single-family dwelling in the A/RR zoning district.

Dr. Jose Loor, Attorney Stephen Strack from Steckel and Stopp and Brian Gasda from Lehigh Engineering were present to discuss this request.

A review letter has been received from the Township Sewage Enforcement Officer, Ian Stout of Keystone Consulting Engineers, dated May 6, 2025. Dr. Loor stated that he had the tank inspected approximately 2 years ago, the tank is approximately a 1,000-gallon tank. The requirements of this letter will be complied with.

Attorney Strack stated that Dr. Loor and his former spouse own the property located at 3607 Lehigh Drive; the existing dwelling is approximately 3,400 square feet and the property is a 5.05-acre lot. The proposed 500 square foot podiatry office will be contained within the existing dwelling, there will be no exterior modifications and will be handicap accessible (on grade with driveway). All ADA and building code requirements will be complied with. They will adhere to the sign requirements. Dr. Loor and his current wife run the practice; in the future if business expands, they may add one additional employee. There will be one patient seen at a time; there will be 8-12 patients a day. Dave Shulman stated that one handicap parking space shall be provided along with one parking space per employee. Mike Muffley did not have a concern with the drawing provided showing the proposed parking arrangement.

Cindy Miller stated that this is a commercial business; not a home occupation. She has a difficult time passing this as a home occupation, we have no idea how big this practice will grow. People will be pulling out onto Route 248 which is a busy road, which is a safety concern with people turning left. Brian Gasda stated that they have submitted to PennDOT for an HOP, it is for a low volume driveway. PennDOT provided a comment letter; off to the right there is brush that will need to be cleared out, this may or may not require grading. The site distance will be confirmed with PennDOT; there is adequate site distance looking to the left but they were short by seventeen feet on the site distance to the right (where the brush is located).

Dave Shulman questioned if a doctor's office is listed under the special exception uses. Liz Amato stated that a home occupation is not specific to what type of business, it is a commercial home-based business. Michael Corriere stated by law; it is a permitted use subject to conditions. Cindy Miller stated that this will turn into an enforcement issue. Dave Shulman questioned the hours. Dr. Loor stated that they would 10 am to 4 pm, Monday through Friday. If there were an urgent matter, he would see a patient on a Saturday or Sunday. There would be no new patients on Saturday or Sunday. Mike Muffley stated that specific site improvements would not be required for a home-based business. Things that should be considered: make sure that the earth disturbance ordinance is being adhered to, appropriate layout for the parking, compliance with PennDOT, grading and stormwater requirements.

Todd Rousenberger stated that this is similar to a medical building; are there any other outside agencies that inspect. Dr. Loor stated that this practice is conservative, pre-surgery consults. All surgical or advanced matters have to go to a surgery center or hospital; they will not be done at his home office. He does not dispense medications. Dr. Loor stated that he would comply with any and all outside agencies if they were to have additional requirements on this practice.

Bill Jones made a motion to send a recommendation letter to the Zoning Hearing Board that the special exception be approved subject to the applicant complying with any requirements of the Department of Transportation for an HOP, that the practice be limited to one outside employee, that the practice be limited to 8-12 patients per day, the hours of operation be limited to 10 am to 4 pm Monday through Friday, except for emergencies, the intended bathroom in the office be ADA compliant, the applicant shall comply with all the comments in the Township Sewage Enforcement Officer's letter dated May 6, 2025, and provide proof of EDU requirements. Tim Bartlett seconded the motion. Bill Jones, Tim Bartlett and Dave Shulman voted aye. Cindy Miller and Todd Rousenberger voted nay. Motion carried.

PLAN REVIEW

***TOTM, Cornerstone Land Development, LLC, Preliminary/Final Lot Consolidation Plan
Expires: August 10, 2025***

Brian Gasda from Lehigh Engineering was present to represent this plan.

A review letter has been received from the Township Sewage Enforcement Officer, Ian Stout of Keystone Consulting Engineers dated May 6, 2025.

A review letter has been received from the Township Engineer, Mike Muffley of Hanover Engineering dated May 9, 2025.

Brian Gasda stated that the original plan had a cul-de-sac with 5 lots that utilized that cul-de-sac. The property owner did a cost analysis for building the cul-de-sac and stormwater infrastructure and the extra lots that they would be getting would cancel out the amount they are spending to construct the cul-de-sac. It was decided to combine lots, reconfigure the lot lines and lose two lots. This will make the lots larger and eliminate the cul-de-sac. Bill Jones questioned the access to Lot 32, there is a significant drop-off, off of Arrowhead Lane. Todd Rousenberger stated that his big hangup originally was this area of Arrowhead Lane; can we reconfigure the plan with this submission. Mike Muffley stated that there are concerns with access from Arrowhead Lane onto Lot 32. We are only looking at the lot lines right now, he is considering this the starting point on how to move this discussion forward. This submission should be done as an amendment to the approved and recorded Top of the Mountain plan. Amendments to the current agreements would be required. Input from the Northampton County Conservation District and DEP would be required in regards to permitting. The reconfiguration of the stormwater infrastructure shall be provided and how will this affect the Township stormwater requirements and the NPDES permit. Dave Shulman stated that the building sites and the driveways need to be shown on the plan. Mike Muffley stated that there are two new entrances coming out onto the Township Road instead of being internal.

Brian Gasda questioned how the next plan should be submitted. Mike Muffley stated that a full set of plans should be submitted for the Township records and Dave Shulman. Electronic submission of the plan set is okay for everyone else.

This plan was tabled.

GENERAL BOARD DISCUSSION

Lehigh Solar, for BWC Hokendauqua Creek, LLC, Preliminary/Final Land Development Plan, Courtesy review – Moore Township (KEC review letter dated April 24, 2025)

Mike Muffley stated that the Township hasn't received a submission; this is the fourth submission to Moore Township. Most of the comments have been reduced to; addressed or deferred to Lehigh Township. They have waivers and work to do with PennDOT.

No action required.

Ad Hoc Committee – Zoning/SALDO update

Liz Amato stated that the final draft has been received, she is in the process of reviewing it and will pass her comments on to Pennoni. Mike Muffley is hoping to have it back to everyone before Memorial Day. The next Ad Hoc meeting is scheduled for June 25, 2025, Todd Rousenberger and Bill Jones will not be able to attend. Mike Muffley is going to come up with a list of topics that need to be discussed and will provide to the Committee. The draft should be reviewed prior to the meeting and comments from the Committee members should be provided to Lori Lambert.

PUBLIC COMMENT

Cindy Miller announced that Liz Amato submitted her letter of resignation and thanked her for her years of service to the Township.

ADJOURN

Cindy Miller made a motion to adjourn. Todd Rousenberger seconded the motion. All voted aye. Motion carried.