

**PLAINFIELD TOWNSHIP  
PLANNING COMMISSION REGULAR MEETING  
November 21, 2022**

A regular meeting of the Plainfield Township Planning Commission was held on Monday, November 21, 2022 at the Plainfield Township Municipal Building located at 6292 Sullivan Trail, Nazareth, PA 18064.

Chairman Paul Levits, called the meeting to order at 7:00 P.M.

The Pledge of Allegiance was performed.

**ROLL CALL:**

The following Commissioners answered roll call: Paul Levits, Robin Dingle, Robert Simpson and Glenn Geissinger; Terry Kleintop was excused.

Also present were Secretary and Zoning Officer, Sharon Pletchan; Solicitor, David Backenstoe; and Township Engineer, Jeffrey Ott.

**APPROVAL OF MINUTES:**

1. Approval of the November 14, 2022 Special Planning Commission Meeting Minutes:

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Dingle to approve the November 14, 2022 special meeting minutes. *Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.* No comments. Motion approved. Vote 3-0 (1 abstention: Geissinger).**

**OLD BUSINESS:**

1. PC-2021-015- N.A.P.E.R. Development, Inc. Site Grading Plan Land Development Application

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Geissinger to approve an extension to March 31, 2023 for application PC-2021-015. *Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.* No comments. Motion approved. Vote 4-0.**

**ACTION: Motion was made by Commissioner Dingle and seconded by Commissioner Simpson to table PC-2021-015; *Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.* No comments. Motion approved. Vote 4-0.**

2. PC-2021-009- CRG Services Management, LLC. (905 W. Pennsylvania Avenue, Pen Argyl, PA 18072)- Land Development / Subdivision Application

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Dingle to approve an extension to January 31, 2023 for application PC-2021-009. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.** No comments. **Motion approved. Vote 4-0.** Solicitor Backenstoe clarified to the Commission that an extension to March 31, 2023 was requested to allow for sufficient time for the Commission and Board of Supervisors to act on the application. The Commission may have to make a motion to deny at the January Meeting if the 25-page review letter has not been adequately addressed.

**ACTION: Motion was made by Commissioner Dingle and seconded by Commissioner Geissinger to table PC-2021-009 to the December 19, 2022 meeting; Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.** No comments. **Motion approved. Vote 4-0.**

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Dingle to establish as Special Meeting on January 9, 2023 at the Plainfield Township Volunteer Fire Hall at 7:00PM to discuss application PC-2021-009; Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.** Commissioner Dingle clarified from Secretary Pletchan that Commissioner Kleintop would be available for this meeting. **Motion approved. Vote 4-0.**

Secretary Pletchan summarized the status of each of the remaining old business applications:

3. PC-2022-005- Grand Central Sanitary Landfill- 910 W. Pennsylvania Avenue, Pen Argyl, PA 18072- Land Development Application  
Tabled until 12/19/22 meeting. Resubmission has been received and the Applicant will be appearing before the Commission at the 12/19/22 meeting.
4. PC-2022-015 - JVI, LLC/Green Knight Economic Development Corporation (45-65 Beers Way)- Land Development Application  
Tabled until 12/19/22 meeting. Resubmission has not yet been received, an extension will be required which is proposed to be discussed with the Commission at the 12/19/22 meeting.
5. PC-2022-014 - Crossroads OXO, LLC (5664 Sullivan Trail) - Special Exception Application  
Tabled until 12/19/22 meeting. Resubmission has not yet been received; application does not expire under February 28, 2023 so an extension is not required at this time.
6. PC-2022-009- Posh Properties (6669-75 Sullivan Trail)- Land Development Application -  
Tabled until 12/19/22 meeting. Resubmission has been received and the applicant will be appearing before the Commission at the 12/19/22 meeting.

7. PC-2022-011- Daniel Zavala (1799 Pen Argyl Rd.)- Change of Use/Site Plan –  
Tabled until 12/19/22 meeting. Resubmission has been received and the Applicant will be appearing before the Commission at the 12/19/22 meeting.
8. PC-2022-012- WTDWG, LLC (271 E. 1<sup>st</sup> St. and 1564 Church Rd.)- Minor Subdivision -  
Tabled until 12/19/22 meeting; resubmission has not yet been received, an extension will be required which is proposed to be discussed at the Commission at the 12/19/22 meeting.
9. PC-2022-018 – Rep. Ann Flood Office (962 W. Pennsylvania Ave.) – Site Plan Application/Change of Use  
Tabled until 12/19/22 meeting; resubmission has not yet been received. The applicant will be appearing before the Zoning Hearing Board on November 23, 2022 requesting Site Plan variance. If granted the Site Plan application may be withdrawn from the Planning Commission.
10. Winery Definition – Agenda item was moved under Current Business by Chairman Levits after Application PC-2022-016. Chairman Levits stated that with the absence of Commissioner Kleintop, he would request to table the discussion until Commissioner Kleintop is able to attend the meeting to assist with the discussion.  
**ACTION: Motion was made by Commissioner Dingle and seconded by Commissioner Simpson to table matter to the December 19, 2022 meeting; Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.** Commissioner Simpson confirmed with Secretary Pletchan that there were no time restrictions for this action. Discussion ensued concerning emailed public comments received. **Motion approved. Vote 4-0.**

### CURRENT BUSINESS

11. PC-2022-010- RPM Metals Recycling (701 N. Broadway, Wind Gap, PA 18091)- Special Exception/Site Plan

Chairman Levits asked Michael Deschler, attorney for George Miller and RPM Metals, to present the project. Attorney Deschler apologized stating that the design engineer was not available to attend tonight's meeting so he could only provide a limited overview of the project. Revised plans were submitted after the deadline for tonight's meeting, but the Applicant wanted to introduce the project to the Commission since the application has been on the agenda for some time. Secretary Pletchan confirmed that the resubmission was received, will be reviewed and will be placed on the December 19, 2022 agenda. Chairman Levits asked Engineer Ott for comments. Engineer Ott asked if the applicant had any specific comments about the letter. Attorney Deschler stated that he was not able see the August 8, 2022 review letter until late last week. Engineer Ott summarized that the Site Plan review and recommendation to the Zoning Hearing Board is required for a Special Exception and asked for comment concerning the apparent conflicts with the CRG warehouse project land development application which is before the Commission as well. Attorney Deschler summarized that there is a legal action pending with the Northampton County Court of Common Pleas involving the shareholders of RPM and

Naper Development to determine whether there is an enforceable lease for the property which allows RPM to continue to occupy it. If this legal action is successful, the applicant has every right to pursue this application. Engineer Ott pointed out that the proposed expansion would preclude access for CRG. Attorney Deschler responded stating that depending on the court decision, RPM has right to the expansion which would preclude CRG moving forward with the current plan. Solicitor Backenstoe stated that CRG counsel assures this Commission that RPM is closing. Attorney Deshler responded stating that RPM is not going anywhere unless the court tells them they have to go. Solicitor Backenstoe asked Secretary Pletchan to prepare an extension of time. Chairman Levits asked for an overview of the operation and application. Applicant, Mr. George Miller, Jr., summarized the operation as is a metal processor whose primary business is a shredding facility. They take in scrap metal, break it down for the shredding process, sort it and then re-sell it. They buy all types of metals (ferrous and non-ferrous) from wholesalers and retailers, other scrap yards and from the public. Chairman Levits asked how RPM is different from JFR, another similar Township operation. Mr. Miller stated that JFR is just a general scrap yard without the ability to shred and sort mechanically. Shredding operation improves the price of the material whereas a salvage yard would just crush cars and bring them to a shredding facility for further processing. Chairman, Paul Levits, asked if there were any comments from the governing body or the public. Commissioner Dingle clarified that new review letters would be issued for the December 19, 2022 discussion of the revised plan.

Public Comment: Daniel Leiber asked for clarification of the end product; Mr. Miller explained the sorting process. Jay Astheimer stated that there is noise from RPM but they are getting used to it, so he welcomes them to stay.

Commissioner Dingle asked for a schedule for the court decision as there are three applications pending before the Township relying on this decision for property access. Solicitor Backenstoe stated while this is odd and confusing, the Township must continue under the standards of the MPC; pointing out that the engineers are certifying under oath that they have legal access and ownership of the property. Attorney Deschler followed-up stating that there has not been an actual trial on the merits so there is no schedule to provide. Engineer Ott also pointed out that the land development plan must be signed stating that there are no pending law suits, so with this information, the Applicant would not be able to sign accordingly.

Public comment: Jay Astheimer then asked for clarification for the location and reasoning behind the expansion plan. The Applicant stated that the proposed expansion is for employee parking.

Commissioner Simpson asked for the termination date of lease, which was declared to be part of the court decision. Chairman Levits asked for public comment, none was heard.

**ACTION: Motion was made by Commissioner Geissinger and seconded by Commissioner Dingle to approve an extension to March 31, 2023 for application PC-2022-010. *Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.* No comments. Motion approved. Vote 4-0.**

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Dingle to table application PC-2022-010 to the December 19, 2022 meeting. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. No comments. Motion approved. Vote 4-0.**

12. PC-2022-016 – Dell’Alba (1226 Mill Rd.) – Minor subdivision

Discussion ensued as to whether an extension would be needed; Secretary Pletchan was asked to begin drafting the extension. Applicant’s engineer, George Collura, was asked to summarize the application. He stated that this was a minor two lot subdivision for the addition of a lot to construct a single home with the majority of the project being in Washington Township. Engineer Ott clarified the location of the project and that conditional approval has been provided by Washington Township. He then pointed out that his letter consists of minor drafting items. Plainfield Township must sign-off on the subdivision plan so a formal process is necessary. The November 14, 2022 Ott Consulting review letter was discussed and the Applicant attested that they would be able to address all comments. Solicitor Backenstoe asked for clarification of the deeds for review which was confirmed by the Engineer Ott to just be ‘deeds of dedication’. Discussion ensued concerning Plainfield Township’s involvement with the project. It was clarified that Mill Rd. is a state highway. Engineer Ott recommended that the Commission conditionally approve the minor subdivision plan. The October 24, 2022 zoning review letter was then reviewed by Zoning Officer Pletchan. Solicitor Backenstoe clarified that the lot size would not be governed by the Plainfield Township zoning code. The other zoning comments were stated as minor and the Applicant attested that they would be able to address all other comments. Solicitor Backenstoe hand-drafted a letter of conditional approval so the project could move forward.

**ACTION: Motion was made by Commissioner Dingle and seconded by Commissioner Geissinger to conditionally approve application PC-2022-016 based on compliance with the Township Engineer’s and Zoning Officer’s review letters. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. Chairman confirmed that extension would not be required with tonight’s action. Applicant signed the conditional approval letter at the meeting and provided it to Secretary Pletchan who she stated that she would draft the letter and provide a copy via email. Motion approved. Vote 4-0.**

13. PC-2022-017 – Clever Girl Winery (Pen Argyl Rd.) – Land Development Application

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Dingle to approve an extension to March 31, 2023 for application PC-2022-017. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. Secretary Pletchan was instructed to have the document ready for signature before they leave tonight’s meeting. Motion approved. Vote 4-0.**

Applicant’s engineer, Ryan Engler, stated that the Applicant, Donald Andreas, revised the plan according to the comments received during the previous sketch plan application.

He provided an overview of the preliminary project. Keystone Consulting Engineers has been contracted for the required PennDOT HOP, Stormwater Plan and NPDES permit application. Engineer Ott was asked to go over his November 14, 2022 review letter. Conversation ensued concerning the need for street trees along a state route. Engineer Ott stated that he would support a waiver request for street trees but the parking lot trees would be required (two lines of trees would not be needed). Engineer Ott brought focus to comment #29 which addressed the point of curvature of the access road impeding on the 10' set-back requirement. It was then discussed that this would not be an issue as there is nothing proposed in this location. Engineer Ott asked if there were any comments regarding the SEO letter; Ryan stated that he had no comments at this time and they were waiting for testing to come back.

Chairman Levits then brought attention to the waiver requests outlined in the October 14, 2022 waiver request letter and as outlined in the November 14, 2022 Ott Engineering review letter. The first waiver addressed was from 22-503.4.B, where the applicant has requested a waiver to allow a scale of 1"=2,000' for the location map in lieu of the required 1"=1,000'. Engineer Ott stated that he had no objection to the waiver.

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Geissinger to approve a waiver of the requirements of SALDO Sections 22-503.4.B to allow a scale of 1"=2,000' for the location map in lieu of the required 1"=1,000'. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. No comments. Motion approved. Vote 4-0.**

The second waiver was discussed regarding the requirement of street trees to which Engineer Ott had no objection as previously discussed.

**ACTION: Motion was made by Commissioner Dingle and seconded by Commissioner Simpson to approve a partial waiver of the requirements of SALDO Sections 22-1012 and 22-1019.1.G to allow the applicant to forgo installation of street trees with the condition that the trees proposed adjacent to the parking areas would be installed per plan. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. No comments. Motion approved. Vote 4-0.**

The third waiver discussed was regarding the use of curbing; the Commission discussed that this would be in line with the Farm and Forest district which predominately does not have curbing.

**ACTION: Motion was made by Commissioner Geissinger and seconded by Commissioner Simpson to approve a waiver of the requirements of SALDO Sections 22-1013.4.A.1 to allow the applicant to forgo the installation of curbing along the access drive. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. No comments. Motion approved. Vote 4-0.**

The Commission discussed comment #32 (22-1013.6.A) and the proposal of a gravel parking lot as opposed to pavement and agreed that a design and O&M plan would be required until the parking lot would be paved. Ryan confirmed that the first 200 ft. would be paved in accordance to the zoning ordinance. Clarification was requested for the design of the required “all-weather surface”. Ryan stated that the Applicant does wish to pave the parking lot dependent on available funds however a 4-inch base and 1.5-inch wearing course is proposed and a detail would be added to the plan accordingly. No relief or action was needed.

The Commission then discussed comment #34 (22-1015) in regards to requirements of sidewalks, pathways or bikeways. The Commission discussed that there would be no needed for these features to be in line with the surrounding area. Secretary Pletchan brought reference to the LVPC letter which would have discussed this need. No relief or action was needed.

The final waiver discussed was from 22-1020 where the applicant requested a waiver of the requirement for concrete monuments at all changes in direction of the boundary where existing monumentation does not exist. Engineer Ott recommended a partial waiver monumentation of Pen Argyl Road ROW at a minimum.

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Dingle to approve a partial waiver of the requirements of SALDO Section 22-1020 to allow the applicant to forgo installation of monumentation within the agricultural areas (four total monuments would be installed within Pen Argyl ROW). *Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public.* Engineer Ott asked for clarification as to where the Commission would like to see monumentation. **Motion approved. Vote 4-0.****

Chairman Levits then asked Zoning Officer Pletchan to provide comment on her November 9, 2022 review letter. She pointed out that a Special Exception is still required to be submitted for the proposed ‘public special event use accessory to the winery’. Ryan confirmed that this application would be provided prior to coming back before the Planning Commission. Officer Pletchan then discussed access for the proposed accessory agricultural use of the property. Ryan clarified that the farming operation would most likely be leased to the Rinaldi’s which take care of the surrounding land. Officer Pletchan reiterated that access would need to be clarified on the plan to support protection of stormwater management areas. She also reminded them of the required update to the Agricultural E&S plan. Officer Pletchan pointed out that a 20-foot buffer yard would need to be expanded beyond the parking lot to include the winery use. It was clarified that two rows would not be needed for the parking lot, so they can be shifted towards property line in accordance with the zoning ordinance. Officer Pletchan asked for steep slope disturbance to be supported on the plan to support that relief would not be required. Traffic impact analysis is still needed, the Use-Narrative would need to be updated to include an ADT. Comment 5 of the zoning letter states that additional zoning relief is required for the full build out of the plan as it relates to the public areas. Total zoning relief should be addressed when applying to the Zoning Hearing Board for Special Exception. Ryan questioned the definition of “floor area”; discussion ensued concerning

the probable need for interpretation requested as it relates to the term “floor space”. The Officer stated that this application is being handled in the same fashion as the most recent special event application where the proposed covered porch area with proposed seating was counted as “floor area”. However, the patio area would require interpretation if seating will be proposed. Officer Pletchan asked for signage by the turn around area in the parking lot to ensure no parking would impede parked cars maneuverability. Truck turning templates were discussed to support loading space maneuverability. Bumpers are recommended for all spaces to comply with the zoning code which requires marking of spaces. The length of the parking aisle was then discussed confirming previous Township interpretation of the code which required 200-ft. length parking lot. Engineer Ott confirmed that islands typically create a separation, therefore Officer Pletchan felt that that zoning relief may not be required. She then asked for landscaping areas to be delineated in the resubmission to support the required 5% landscaping. Ryan feels that he would be able to support that on the resubmission possibly without a separate landscaping plan. Officer Pletchan then ran down the internal and outside approvals that remain for the proposal which were outlined in the review letter.

Solicitor Backenstoe clarified with Engineer Ott that an improvements agreement would be required. Discussion ensued asking the involvement of ‘Pamela Weeks’ as identified as the property owner, Mr. Andreas confirmed that she is his spouse.

Commissioner Dingle asked about environmental impacts of the project; Ryan drew attention to the Township’s Environmental Consultants, Hanover Engineering’s, review letter which stated that there were no concerns. Commissioner Dingle questioned altering hours of operation. Mr. Andreas clarified that the hours of operation would cease before dusk at first but they are planning out for parking lot lighting in case business changes. Commissioner Simpson pointed out that the Site Plan would need to then be altered as hours of operation must cease at dusk. Zoning Officer pointed out that there is a “future lighting plan” which meets zoning but Building code approval would still be required. Commissioner Simpson mentioned that the Special Exception application will need better defined hours of operation and can address hours without lighting and with future lighting. The Applicant agreed that the plan can be revised to be more clear to avoid the need for future re-review of the Site plan. Commissioner Dingle then asked for clarification of the location of the vineyard. Mr. Andreas stated that the vines would be located near the patio area within the lawn area. Commissioner Dingle asked for the location of the vineyard on the Site Plan and time frame for planting. Ryan stated that it will be very preliminary due to unknown stormwater management, but the plan can further clarify the vineyard. Discussion ensued concerning the need for clarity of this ‘agricultural use’ on the Site Plan.

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Geissinger to table application PC-2022-017. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. No comments. Motion approved. Vote 4-0.**



14. PC-2022-019 – BH Paving Inc. (Pennsylvania Ave.) – Land Development Application

Chairman Levits informed the Commission that the Applicant, William Hicks, requested to table. Solicitor commented that an extension would be required. Secretary Pletchan was asked to pursue an extension to March 31, 2023

**ACTION: Motion was made by Commissioner Simpson and seconded by Commissioner Dingle to table application PC-2022-019 to the December 19, 2022 meeting. Prior to the vote, Chairman Levits, asked if there were any comments from the governing body or the public. No comments. Motion approved. Vote 4-0.**

**PUBLIC COMMENT – AGENDA/NON-AGENDA ITEMS:**

Requested by Chairman Levits. No comments.

**ADJOURNMENT:**

**Having no further business to come before the Planning Commission, motion was made by Commissioner Simpson and seconded by Commissioner Geissinger to adjourn the meeting. Motion approved. Vote 4-0.**

The meeting adjourned at 8:42 P.M.

Respectfully submitted,

Sharon Pletchan  
Planning Commission Secretary  
Plainfield Township