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UPPER MOUNT BETHEL TOWNSHIP
PLANNING COMMISSION MEETING MINUTES
WEDNESDAY, APRIL 17, 2024 – 7:00 PM

I.

Commissioner Teel called the meeting to order at 7:00 pm.

The Pledge of Allegiance was recited.

Present were Commissioner Teel, Commissioner Crane, Commissioner Potter, Commissioner Klein, Commissioner Sarisky, Township Engineer Coyle, Township Solicitor Karasek and Recording Secretary Cindy Beck.

Public Comment

Fred Clark, Crystal Terr., read his public comment, which will be made part of the official record. Fred commented on why we hire and listen to our experts.

Mark Mezger, Scenic Ct., commented on the RPL plans, has the Board reviewed them.

Commissioner Teel stated that all RPL plans will be tabled this evening.

Frances Visicaro, N. Delaware Dr., asked about the official action expiration dates.

II.

APPROVE THE MINUTES

- a. March 20, 2024-**MOTION** by Commissioner Klein to approve the March 20, 2024, meeting minutes, seconded by Commissioner Crane. Vote: 4-0-1.
Commissioner Teel abstained.

III.

SUBDIVISIONS

- a. River Pointe Logistics Center LLC-Final Subdivision
Roadway & Infrastructure- **MOTION** by Commission Teel to table, seconded by Commissioner Klein. Vote: 5-0.
-Submitted on September 18, 2023
-Official Action Expires on May 29, 2024
- b. Philip Jones Minor Subdivision No. 2-Scott Policelli, on behalf of the applicant, discussed the plan to subdivide the 5.9 acres into 3 lots and ultimately convey

them back to one lot in 3 years. Engineer Coyle discussed his review letter of April 16, 2024. A proposed dwelling and a septic system are shown on Lot 1A. There are water and wetland constraints on Lots 1B and 1C, which do not appear to be buildable lots. The plan has been revised to demonstrate a 33-foot access from lot 1A to lot 1C. Engineer Coyle recommends the Zoning Officer to review and comment on the revised plan. Engineer Coyle reviewed SALDO items/waiver requests:

SALDO Section 302.4.2.6 location map scale-**MOTION** by Commissioner Klein to grant the waiver request, seconded by Commissioner Teel. Vote: 5-0.

SALDO Section 400.4.1 all lots shall abut on a street- 33 ft access easement-**MOTION** by Commissioner Crane to recommend SALDO Section 400.4.1 waiver request to the Board of Supervisors, seconded by Commissioner Sarisky. Vote: 5-0.

SALDO Section 400.4.5 provide a fully tested and approved primary and fully tested and approved replacement absorption area for on-lot sewage. Engineer Coyle stated that he is just looking for a written recommendation from the alternate SEO. **MOTION** by Commissioner Potter to recommend SALDO Section 400.4.5 waiver request to the Board of Supervisors, seconded by Commissioner Klein. Vote: 5-0.

SALDO Section 302.4.7.9 driveway location for each lot-**MOTION** by Commissioner Klein to recommend SALDO Section 302.4.7.9 waiver request to the Board of Supervisors, seconded by Commissioner Crane. Vote: 5-0.

Engineer Coyle clarified with Solicitor Karasek that this is minor subdivision, whereas waivers do not have to be sent to abutting property owners.

MOTION by Commissioner Teel to table, seconded by Commissioner Klein. Vote: 5-0.

-Resubmission on March 27, 2024

-Submitted on February 19, 2024

-LVPC Letter Received on March 11, 2024

-Official Action Expires on June 25, 2024

- c. Lot Line Adjustment-Kyle Dutt & Jeffrey Dutt-Brian Pysher, Stateline Engineering discussed the submitted Lot Line Adjustment Plan. There is no new development planned. Engineer Coyle discussed his review letter of April 16, 2024. The intent is to subdivide a parcel and merge a portion thereof with the adjacent parcel. The remaining land shall retain its current single-family residential use. The area to be merged with shall become an integral part of said parcel and shall not be transferred separately in the future. There are no zoning issues. Engineer Coyle recommends Conditional Preliminary/Final Plan Approval. Solicitor Karasek discussed the Conditional Preliminary/Final Plan Agreement form. **MOTION** by Commissioner Klein to

grant the plan scale waiver, seconded by Commissioner Sarisky. Vote: 5-0.
MOTION by Commissioner Teel to recommend Conditional Preliminary/Final Plan Approval, seconded by Commissioner Klein. Vote: 5-0.

IV.

LAND DEVELOPMENT

- a. Lamtec Corporation Building Addition Project-**MOTION** by Commissioner Crane to table, seconded by Commissioner Potter. Vote: 5-0.
-Submitted on February 20, 2024
-Official Action Expires on May 21, 2024
- b. River Pointe Logistics Center LLC-Final LD Plan Roadway & Infrastructure-**MOTION** by Commissioner Teel to table, seconded by Commissioner Klein. Vote: 5-0.
-Submitted on September 18, 2023
-Official Action Expires on May 29, 2024
- c. River Pointe Logistics Center LLC-**Lot 1**-Final LD Plan- **MOTION** by Commissioner Teel to table, seconded by Commissioner Potter. Vote: 5-0.
-Submitted on September 18, 2023
-Official Action Expires on May 29, 2024
- d. River Pointe Logistics Center LLC-**Lot 2**-Final LD Plan- **MOTION** by Commissioner Teel to table, seconded by Commissioner Crane. Vote: 5-0.
-Resubmission on March 27, 2024
-Submitted on September 18, 2023
-Official Action Expires on June 25, 2024
- e. River Pointe Logistics Center LLC-**Lot 6**-Final LD Plan- **MOTION** by Commissioner Potter to table, seconded by Commissioner Crane. Vote: 5-0.
-Submitted on September 18, 2023
-Official Action Expires on May 29, 2024

V.

SITE/SKETCH PLAN-None

VI.

ADJOURNMENT

MOTION by Commissioner Teel to adjourn the meeting at 7:45 pm, seconded by Commissioner Klein. Vote: 5-0.

Good evening, Fred Clark, Crystal Terrace, Upper Mount Bethel. Thank you for the opportunity to speak.

Today, I would like to speak about why we hire and listen to our experts.

In preparing for a DEP hearing on a proposed development, I spent a lot of time reviewing the supporting documentation prepared by the applicant's engineering firm. As a degreed engineer with a lifetime interest in geology and other sciences, I was able to understand much of the material, but a substantial amount of it was outside of my areas of expertise and I lacked the experience to validate the calculations and the conclusions presented to the DEP. Indeed, even the very capable engineering firm for the developer had to hire experts in hydrogeology, soils, environmental assessments, etc. to prepare the package of information. Given that experienced engineers were challenged by the scope of the analysis required to develop and evaluate the plan's environmental risk, it was clear how important it was for those reviewing and approving such plans to have experts on staff that can provide guidance on the adequacy of supporting documentation and how to mitigate the risk the proposals present.

When dealing with real estate transactions, sellers rely on the expertise of their licensed real estate agent to set the best price and lenders rely on the expert opinions of their appraisers to ensure they are lending based on a market supported value for the property to minimize their risk. When insurance agencies write policies, they rely on professional actuaries to ensure they have properly evaluated the risk in the policies. In all these cases, the individuals recognize the limits of their knowledge and assess risk based on the guidance of their designated expert.

I have noticed that the town website does not have "PE" (licensed professional engineer) listed in any of the voting Planning Commission member's titles. Of course, it is not necessary for anyone on the Commission to have that certification because you have hired someone to apprise you of the engineering risk inherent to plans presented to you, Justin Coyle. When it comes to some process reviews with large inherent risks, this Commission has sided with a developer's experts over their own in more than a few cases. This is like a lender siding with the seller's opinion on the market value of a home over that of their own appraiser. ***The risk to the town is unbounded if this pattern continues.*** To quote a famous line, "A man's got to know his limitations". ***Please recognize yours and defer to your expert, not theirs.*** Since the Board of Supervisors is likely to follow the guidance of your shared engineer when reviewing recommendations from this Commission, logic follows that approvals could be gained in a timelier manner if your decisions followed his guidance, as well.