

Williams Township Board of Supervisors
July 10, 2019

The monthly meeting of the Williams Township Board of Supervisors, 655 Cider Press Road, Easton, PA 18042 was held on the above date and called to order at 7:00 p.m. by Chairperson Mark Ernst. Mark led the audience in the pledge to the flag. Others present were Vice Chairperson Raymond Abert, Supervisor Michael Bryant, Township Solicitor Jonathan Reiss, Township Manager Mikal Sabatine, Township Engineer Ronald Madison, Public Works Director Michael Strawn and Assistant Township Manager Melody Ernst.

Mark stated there was an Executive Session held before tonight's meeting to discuss personnel issues and legal matters.

Mark asked Ray and Michael if they had any corrections to the Minutes of June 12, 2019. There being none, Mike made a motion to approve said minutes, second by Ray. There being no comments, motion carried 3-0.

Melody presented the Expense Report of July 10, 2019 and the June Treasurers Report to the Board. Michael made a motion to approve the Expense Report, Treasurers Report and pay the bills, second by Ray. There being no comments, motion carried 3-0.

Manager's Report – Mikal submitted his report of July 10, 2019 to the Board for review.

Mikal stated that he received a letter from Meals on Wheels of the Greater Lehigh Valley for the Board to consider a financial donation to their program. There have been other communities throughout the Lehigh Valley that have made contributions ranging from \$1,200.00 to \$6,500.00. Mikal asked the Board how they would like to proceed. Mike stated his concern is that everyone will come to the Township for donations and stated he is inclined to have a fund for people that live in the Township for the need of food or heat. Ray asked if they had followed the procedure and supplied the information that the Township now requests. Mikal stated that about ninety (90) percent of the information was provided. Ray made a motion to donate \$1,000.00 if the Township is still under budget, second by Mark for discussion purposes. Sally asked if the Meals on Wheels is of the Lehigh Valley. Mikal stated it is the greater Lehigh Valley and it is his understanding that they work in conjunction and that Township residents benefit from it. Polly Clark stated the program tends to help low income and elderly people that are no longer capable of making meals. Motion carried 1-2. Mark and Michael opposed. Mark feels they need to fill out the proper paperwork like everyone else.

Mikal stated that Alura Business Solutions notified him that the Township firewall protection has termed on its end of life updates and support will no longer be available. They are recommending the Township upgrade and purchase a license for SonicWalls for our firmware updates and hardware replacements if an issue were to arise. The last replacement was in 2012. The cost for the upgrade is \$3,512.53 if the Board so wishes to move forward. Michael asked if this is required. Michael made a motion to spend \$3,512.53 for the upgrade of our computer firewall, second by Ray. There being no comments, motion carried 3-0.

Public Works – Mike Strawn read the report for May 8, 2019 to July 10, 2019.

Mike asked for the Board's permission to replace another set of doors at the Public Works Building. The installed cost would be \$6,597.00 from General Supply. Ray made a motion for the installation of the doors at a cost of \$6,597.00, second by Michael. There being no comments, motion carried 3-0.

Mike asked the Board how they would like to proceed with the purchase of the New Mack Truck by either obtaining a five-year lease or look at the investment reserves for payment. Mike stated that the first payment of the truck was included in the 2019 budget. After a brief discussion, the Board decided to table this matter until August.

The white goods pick up was discussed and Mark commented that perhaps the Township can advertise this event next year. Ray commented that he can place it on the sign at the old Public Works Building.

Zoning Hearing Board - The report from June was received from Keller Zoning and accepted by the Board. There will be a Zoning Hearing Board meeting on Wednesday, July 24, 2019 at 7:00 p.m. for the following:

1. **TH MINIT MARKETS, LLC** - 15-155 Morgan Hill Road-Seeking Variances

Planning Commission Report - None.

Land Preservation Report - Bob Schmidt gave the report for June. Bob stated their next meeting is July 23, 2019.

Recreation Board - Judy commented that 150 children registered with the recreation program. Judy stated the Recreation Board is asking permission for the Connie Mac Team to use the ballfield. She further stated that they would line and drag the field. Mikal asked if there is appropriate insurance. The Board is fine with them using the fields.

Judy stated that the Greater Easton Area Baseball League would like permission to use the Raubsville Field. She stated that they would just use the fields and porta johns. Mike asked if they would be lining their own fields. The Board commented they can use the fields as long as it does not conflict with any schedules and the appropriate insurance is received.

Ron Madison stated that he was asked by Ray about the RFP for the infield at the fields and would like a consensus as to what direction they would like him to move forward. Mark asked what is the cost involved. Ron stated it would be for getting the specifications out and getting bids. Ray made a motion for Ron from Maser Consulting to put the specifications together for the RFP for the grass infield, second by Mark. Michael commented that he has second thoughts regarding the grass infield. There was a brief discussion regarding how many games are planned on the fields and having the funds come out of the recreation account. There being no further comments, the motion was carried 2-1. Michael opposed.

Engineer Report- Ron Madison briefly reviewed his July 9, 2019 memorandum.

Turkey Hill Minit Market - PennDot - Ron Madison stated that they have received a revised PennDot Traffic Impact Study Application dated June 11, 2019 which included a revised site sketch plan dated May 24, 2019 including a proposed traffic circle rather than a traffic signal at Belmont Street. Ron stated that Maser Consulting provided a preliminary traffic review memorandum to the Board dated July 9, 2019 highlighting concerns. Ron stated he still has concerns regarding the traffic circle and would still like to have a traffic signal evaluated. Michael asked if it is feasible to place everything that they are proposing on the property. Ron stated there are five lots that are being combined and it does create a large lot, but there is a lot to fit within that lot. He stated his concern regarding the vehicle and pedestrian traffic and at the scoping meeting that he attended he expressed the support of a traffic light. Ron stated that he is looking for a motion from the Board to move forward and send PennDot the July 9, 2019 memorandum from Maser Consulting. Michael made a motion to allow Maser Consulting to send the July 9, 2019 memorandum to PennDot regarding the Turkey Hill project, second by Ray. Sally Hixon asked if this was in front of planning and if there was a recommendation for Maser Consulting to do a traffic study. Ron stated that a sketch plan was in front of Planning and until Turkey Hill submits a preliminary plan application to the Planning Commission or resubmits the current sketch plan to the Planning Commission, there is no reason for discussion or for the Planning Commission to meet. Mark commented that Ron is asking for approval because of the PennDot meetings. Ron commented that the City of Easton was not involved in the April PennDot pre-scoping meeting. Mark commented that it is coming close to an acquisition and development which the Board authorized Maser Consulting to get involved. There being no further comments, motion carried 3-0.

Turkey Hill Minit Market ZHB Application – Ron Madison stated that he submitted to the Board a memorandum regarding Turkey Hill Development, Zoning Hearing Board Application dated July 9, 2019. Ron stated in his letter that he outlined the two special exception uses which would be a car wash and two fast food restaurants. He further stated there are a total of five separate uses. The Zoning Hearing Board application includes a Variance request to allow more than two (2) principal uses for the project.

Ron asked the Board if they would like the Township Engineer and the Township Solicitor to attend the Zoning Hearing Board. If you would like the professionals to attend then you should give them a clear direction as to what you would like them to oppose and not oppose on the Zoning Hearing Board application or support the project but perhaps not all the uses. The Board could also recommend conditions on the uses. Mark stated that they will go before the Zoning Hearing Board asking for a special exception and variance uses to allow the five principal uses. If the Zoning Hearing Board grants that with no representation by the Board of Supervisors they still have to go through the planning process. Mark then asked Ron and Jonathan if it is valid to have the professionals attend the Zoning Hearing Board meeting to represent the Township because they are only asking for uses. Jonathan stated that it is a policy decision for the Board to make at this point. He commented the Board could advise them what uses they are comfortable and not comfortable with or conditions they would like to see implemented. Jonathan stated that when they came before the Planning Commission they did discuss and represented to the Planning Commission that there would be no overnight parking and there would be liquor sales and a discussion as to how that would be policed. Mark is not objecting the use but he feels the design of the use is terrible. Mark stated that his suggestion would be no more than twenty truck parking spaces and if they eliminated the additional twenty truck parking spaces, perhaps they would be able to do something better with the driveway access point. Mark commented to Ron and stated that he is looking at the Township Engineer to represent the Township to do the best job so that there are no traffic problems there. Ron explained the uses and what is permitted by right and the special exception use and explained the dual drive throughs for the restaurants and the added congestion. Ray would like to move the parking away from the houses. Michael would like to see more information on how they are going to fit all the uses on the property. Mark made a motion to allow Jonathan and Ron to represent the Township at the Zoning Hearing Board meeting. They are not to argue the special exception or the variance uses but to discuss the forty parking spaces to reduce them to twenty parking spaces moving them away from the residential area. If something is brought up at the Zoning Hearing Board meeting that is not in the best interest of the Township that the professionals speak up prior to the Zoning Hearing Board decision, second by Ray. There being no further comments, motion carried 3-0.

Old Business

1. Air BnB Discussion – Mark asked the Board if they would like to come up with a definition of Air BnB, leave it under the Bed and Breakfast definition or make it a special exception use. Jonathan stated you can make it a special exception use, conditional use or a by right use. Jonathan stated if you do not do anything it is only allowed as a bed and breakfast in certain zoning districts and a bed and breakfast in the zoning district are special exceptions. Mark stated that any area that proposes to come before the Township would go through the Zoning Hearing Board as a special exception. And the Zoners based on the location of the property and structure make conditional uses on the property. Mark is in favor of it being a special exception use so that they would need to come before the Zoning Hearing board. Ray agreed with Mark. Ray made a motion to leave it as is and have it come before the Zoning Hearing Board for each application, second by Michael. Jonathan stated a special exception for a bed and breakfast is in the moderate density residential district and the agricultural district. George commented that he feels it would be helpful to put a definition of an Air BnB. Michael commented that was brought up at a recent Zoning Hearing Board meeting. Jonathan stated that he would need guidance if the Board would want to set up a separate short-term rental use or a transient rental use. He further stated that the Board would need to advise what zoning districts they would want it to be allowed and what use they would want. He also stated that the Board may want to look at the issues there were in the memorandum that Will prepared from his office and consider addressing some of the issues. Ray withdrew his previous motion. There was a brief discussion regarding the definition and commenting regarding bedrooms, maximum days of stay, sewer capacity, licensing requirements and enforcement issues. Jonathan will draft and circulate a document for feedback at the August meeting. Mrs. Allen stated that she hopes everyone knows what an Air BnB actually is. Haldan stated that his insurance company requires him to check to see if they are sex offenders. Mrs. Allen asked how the Township knows where an Air BnB is being run in the Township.

2. Comprehensive Zoning Plan Update – It was stated that Jonathan’s office took the final draft and incorporated all the amendments that have occurred since then and they will add the Air BnB as well. Sally commented that is already out dated. Mark commented that he is not ready to move forward. The consensus of the Board is to table the matter.

New Business

1. Approve and Authorize Release of Land Development Agreement-270 Cedarville Road-Self Storage – Jonathan stated there is a new owner of the self-storage and when the title search was done it found an Improvements Agreement. Ron checked the Township file and all the Public Improvements have been installed at this time. Jonathan stated he would need a motion for the Board to approve the Release and to authorize the Chairman of the Board to sign the Termination and Release and then it

would be given to the attorney for the new owner to record. Ray made that motion, second by Michael. There being no comments, motion carried 3-0.

2. Air BnB – 2760 South Delaware Drive – Mark stated that the applicant who came before the Zoning Hearing Board for the Air BnB does not own the property and there is no letter from the owner that was received when the application was submitted. Jonathan stated the Decision has not been written and instead of a special exception, the Zoning Hearing Board issued them a use variance. Mark made a motion to have Jonathan appeal the Decision of the Air BnB, second by Michael. There being no comments, motion carried 3-0.

3. Turkey Hill Minit Market – PennDot and ZHB Application – Discussed under Engineer Report.

4. Planning Commission Alternate Member Appointment – Joe Schiller stated that he interviewed Mr. Munch and recommends that he be appointed to the Planning Commission as an alternate member. Michael made a motion to accept Resolution 2019-18 for the appointment of Michael Munch as an alternate to the Planning Commission, second by Ray. There being no comments, motion carried 3-0.

Supervisor Remarks

Ray commented the Carnival starts on July 22nd and they are always looking for volunteers to work the stands.

Mark apologized to the Zoning Hearing Board not because of the decision they made regarding the Air BnB application, but because the gentlemen that came before the Board was not the owner of the property and did not have written consent from the property owner.

Audience Comments

There being no further business, meeting was adjourned at 8:42 p.m.

Respectfully Submitted,

Melody A. Ernst, Asst. Manager/Secretary
Williams Township Board of Supervisors