

## **EMMAUS PLANNING COMMISSION**

### **1. CALL TO ORDER**

Chairman Gibson called the November 13, 2025 Emmaus Planning Commission Meeting to Order at 7:00 p.m., with the following members present:

Michael Gibson	Chairman
Todd Ackerman	Member
Christian Didra	Member
Robert Toth	Member
Nigel Watt	Member
Jason Ulrich	Borough Solicitor
Jeffrey Ott	Borough Engineer
Brent Reed	Codes Official
Eric Fuhrmann	Director of Codes

Commissioner Raynock and Commissioner Grice were absent.

### **READING OF THE MINUTES**

**Motion by Commissioner Toth, seconded by Commissioner Didra to dispense with the reading of the October 9, 2025 meeting minutes. Motion approved 5-0. Motion carried.**

**Motion by Commissioner Watt, seconded by Commissioner Ackerman to approve the October 9, 2025 meeting minutes as drafted. Motion approved 5-0. Motion carried.**

### **2. COMMUNICATIONS**

#### **a.) The Fields at Indian Creek – NPDES Modification**

Borough Engineer, Jeff Ott, explained that the modification is currently under review. He stated that the Planning Commission does not need to review but suggested that the applicant present the modification after it has been reviewed. Chairman Gibson requested to leave the item as unfinished business on the Planning Commission agenda.

#### **b). Zoning Hearing Board Agenda – November 19, 2025**

Chairman Gibson explained that the agenda is for informational purposes only.

Chairman Gibson stated that Commissioner Ackerman will be moving out of the Borough of Emmaus and will be resigning from the Planning Commission effective December 31, 2025. He thanked Commissioner Ackerman for his help and guidance during the Zoning and SALDO Ordinance update and for his contribution to the Southwest Lehigh Committee.

### **3. UNFINISHED BUSINESS**

#### **a.) 216 S. 2<sup>nd</sup> Street Land Development – 10 Unit Apartment Building**

Borough Engineer, Jeff Ott, reviewed Ott Consulting's review letter dated November 7, 2025.

Page 2, #1 §22-307.E, 309.D – Official Filing Date. 90-day extension letter received on 11/3/2025.

Page 3, #4 §22-112 – Waiver request letter has been submitted, all waivers shall be listed on Site Plan.

Page 3, #8.d.14 §22-306 – Operations & Maintenance Agreement related to stormwater BMP's must be recorded.

Page 5, #9.5.b §22-308 – Final Plan Requirements, the following statement must be included on the plan - "The Approved Improvement Construction Plan, a copy of which may be inspected at the Borough Office, has been made a part of the Approved Final Plan." If added to the General Notes, it shall be added to all General Notes found throughout the plans.

Page 6, #13 §22-408A.2, 408.C.9 – Erosion and Sedimentation Control Plan and Required Fees, review correspondence from LCCD shall be forwarded to the Borough upon receipt.

Page 6, #14 §22-408.C – Grading and Excavating Standards – Applicant must meet with Borough's Codes Department to discuss item.

Page 7, #15 §22-414.C, 416.C.2, 417.B.6.c – Sight Distance Requirements – Clear sight triangle may be partially obscured by vegetation. Waivers from these sections have been requested. Applicant has offered to install a "hidden driveway" sign.

Page 7, 18 §22-417.L.3.b – Screening Enclosure – Waiver requested.

Page 8, 22 §22-424 – Parking Lot Landscaping – Waiver must be requested.

Page 8, 25 §22-427.B.4 – Planting Material Standards – Input requested from Borough's Codes Department.

Page 9, 29 §22-516 – Emergency Access – Comment on Zoning Review Letter dated 10/28/2025.

Page 9, 30 §22-602, 603, 608, 610 – Improvements Agreement required. Refer to Section G of letter for comments related to the submitted Cost Estimate.

Page 9, d.2 §21-404.9 – Guidelines/Criteria for Handicap ramps – Spot grades shall be provided to check ADA compliance.

Page 10, e.1 – Act 167 Stormwater Management – Stormwater BMP Operations and Maintenance Agreement shall be provided for review by the Borough.

Page 12, 14 §26-316.8.D – Setbacks for proposed infiltration BMPs – Waiver requested. Additional waivers must be submitted to LVPC.

Page 12, 16 – Bottom elevation of the infiltration bed has been raised 2 feet from 415.21 to 417.21. Request to put back to original elevation.

Page 12, 19 §26-326 – Hardship Waiver Procedure – The waiver requested submitted for §26-316.8D shall be submitted to LVPC in accordance with §26-326.1.

Page 13 – G – Cost Estimate – Cost estimates must be updated.

Chairman Gibson reviewed the applicant's waiver request letter dated October 24, 2025.

SALDO Section 22-414.C, 416.C.2, 417.B.6.C – Sight distance – Required curb radii to be a minimum of 10-feet for a Low Volume Driveway. Chairman Gibson explained that the Broom Street egress has a narrow cartway and shrubbery has grown into the right-of-way on the S 2<sup>nd</sup> Street side making the clear line of sight difficult. Chairman Gibson stated that the applicant has proposed a shorter sight distance and providing a “Hidden Driveway” sign as vehicles approach the driveway from Furnace Street along Broom Street.

**Motion by Commissioner Watt, seconded by Commissioner Didra to approve the Waiver Request to SALDO Section 22-414.C. There were 5 ayes. Motion carried.**

SALDO Section 22-417.L.3.b – Requires screened enclosures to be a a minimum of 10-feet wide interior length and width. The applicant explained that the small width of the lot prohibits a much larger trash enclosure and the actual dimensions of the proposed dumpsters will fit in a 5’ x 9’ enclosure.

**Motion by Commissioner Didra, seconded by Commissioner Toth approve the Waiver Request to SALDO Section 22-417.L.3.b. There were 5 ayes. Motion carried.**

SALDO Section 424(B)2 – Requires landscape islands at the ends of parking rows. The applicant explained that the small size of the lot prohibits the design of an additional parking island at the end of the parking row.

**Motion by Commissioner Watt, seconded by Commissioner Didra to approve the Waiver Request to SALDO Section 424(B)2. There were 5 ayes. Motion carried.**

SWM Ordinance Section 26-316.8.D(2) & (5) – Requires specific setbacks for proposed BMP’s; 40 feet upgradient of dwellings and 15 feet downgradient of dwellings. 40 feet from one-and-two family residential property lines, 100 feet from other property lines. Mr. Ott explained that the BMP is an underground filtration bed. The applicant explained that the two neighboring buildings at 214 S 2<sup>nd</sup> Street and 213 Broom Street do not have basements, but are slab on grade, so the infiltration bed will be below their foundation. He also explained that 213 Broom Street has a 77 foot rear yard and zoning require a 60 foot rear yard, so the most they could add on would be a 17 foot addition. They have no parking for any of their apartments and their rear yard is landlocked by their building side yard setbacks being at the property line. They are currently an existing non-conforming use and would not be able to add any more units because of the parking requirements. 214 S 2<sup>nd</sup> Street has a non-conforming property, and they would not be able to build an addition or add on to their property.

Mr. Ott referenced Ott Consulting’s letter dated November 12, 2025 stating that Ott Consulting does not have any objections to granting the requested waivers from the Borough Stormwater Ordinance and recommends approval of the requested waivers

conditional upon favorable review by the LVPC. Mr. Ott noted that the applicant's engineer performed a Hydrogeologic Evaluation at the site. He stated that after he reviewed the evaluation, he feels comfortable recommending the waiver.

Chairman Gibson asked for a motion of approval for the Waiver Request to SWM Ordinance Section 26-316.8.D(2) & (5) 26-316 based with the condition of LVPC approval and the correct depth on the plan and additional laterals.

**Motion by Commissioner Watt, seconded by Commissioner Didra to approve the Waiver Request to SWM Ordinance Section 26-316.8.D(2) & (5) 26-316 with the condition of LVPC approval and the correct depth on the plan and additional laterals.**

Chairman Gibson noted that there are many open items on Ott Consulting's review letter and it is cumbersome for Borough Council to understand and an imposition on staff to implement them. He entertained a motion for recommendation of Conditional Approval. There was no motion made. Commissioner Ackerman asked if there is a time constraint for the applicant to return with new plans. Chairman Gibson responded that the applicant submitted a 90-day extension, but there is a confidence challenge with the plans being accurate.

Chairman Gibson suggested that the applicant submits new plans and attends the December 11, 2025 Planning Commission meeting.

- b.) 318 E. Harrison Street – Apartments, 90-Day Waiver Request
- c.) House & Barn Miniature Golf Course – Tabled

4. NEW BUSINESS – None.

5. BILL REVIEW

**Gross McGinley Invoices**

No comments.

**Hanover Engineering Invoices**

No comments.

**Ott Consulting Invoices**

No comments.

**Motion by Commissioner Ackerman, seconded by Commissioner Didra to approve the submitted bills. Motion approved 5-0. Motion carried.**

**6. CHAIRMAN'S BUSINESS**

Chairman Gibson reported that he and Commissioner Grice attended the Lehigh Valley Planning Commission General Assembly and there was a discussion about a proposed data center in the Lehigh Valley and the challenges that it will present to the electrical grid. He explained that it will be an item that will need to be a discussion with the Southwest Comprehensive Plan.

Chairman Gibson stated that there are funds budgeted for the Planning Commission to attend training sessions.

**7. ADJOURNMENT**

**Motion by Commissioner Ackerman, seconded by Commissioner Toth to adjourn the November 13, 2025 Planning Commission Meeting. Motion approved 5-0 Motion carried.**

The Planning Commission Meeting was adjourned at 7:55 p.m.

Respectfully submitted by:  
Paula Weiant, Administrative Assistant  
November 13, 2025