

**NEW FREEDOM BOROUGH PLANNING COMMISSION  
SEPTEMBER 23, 2024**

Meeting was called to order by T. Ruby at 6:00pm.

**Members present:** T. Ruby, M. Hopkins, R. Ross

**Absent:** E. Aycock, J. Merrill

Also present: W. Portner, Zoning Officer

B. Portner, Administrative Assistant

**Minutes:** Motion by M. Hopkins, 2<sup>nd</sup> by R. Ross to approve the minutes of May 20, 2024. Motion Carried.

**NEW BUSINESS:**

**P.C. CASE NO. 04-24**

**SJTB CHURCH – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN:**

The meeting went into recess at 6:10pm. Josh & Luke from The Crossroads Group, LLC, representing the plan were stuck in traffic and running late.

The meeting reconvened at 6:30pm.

Luke presented a brief scope of the work they are proposing. They would like to install approximately 18 ADA compliant parking spots consisting of approximately 8,300 sq.ft. In the front of the Church.

Warehaus Comment Letter from September 11, 2024 was addressed.

Zoning Comments:

1. §225-703.E - Verify that proposed accessible spaces and aisles are graded in accordance with ADA requirements. For example, a cross slope of 1.5% and a longitudinal slope of 1.5% yields a resultant slope that slightly exceeds the ADA maximum. – **Will Comply**

SALDO Comments:

2. §194-302. F.1(d) – Revise Owner’s Statement to include offer of dedication statement. Please reference the attached sample certification. – **Will Comply**

3. §194-302. F.1 (h) – Revise Zoning Data Table to include information regarding adjacent zones and off-street loading requirements as indicated on the attached SLDO Standard Site Data notes. – **Will Comply**
4. §194-302. F.1(l) – Not all applicable notes from the SLDO Standard General Notes letter were added to the plan. Specially, add notes corresponding with SLDO Standard General Notes 5. A note describing the benchmark., 15. A Note specifying if the property will be serviced by public water., 16. A note specifying if the property will be serviced by public sewer., and 17. A note indicating the DEP sewage planning module number, date of approval, approved flow, and anticipated sewerage flow. Add SLDO General Note 25, if applicable. (See #6 Waiver Request) – **Will Comply**
5. §194-305. A.6 – Revise the Financial Security estimate per the attached mark-up. Financial Security will be required prior to final plan approval. – **Will Comply**

Waiver Request:

6. §194-510.A & §194-511.A – Curbs and sidewalks are required. A waiver of this item has been requested. If deferment of this requirement is granted by the Council, and SLDO) Standard General Note 25 to the plans. If Council elects to defer this requirement, a six-month note should be added to the Recording Notes on the plan, indicating that curb and sidewalk will be provided within 6-months of certified notification from the Borough for these street frontages.

Stormwater Management Comments:

7. §188-13. H.1 – All regulated activities shall include such measures as necessary to protect health, safety, and property. The active erosion occurring along N. Constitution Ave. constitutes a public safety hazard and needs to be repaired immediately. Based on the basin routings included within the previously submitted stormwater control narrative, the existing basin is currently undersized for the tributary drainage area as the 10, 25, 50, and 100yr. storm events discharge through the existing emergency spillway in lieu of the primary outlet structure. Further, the 100yr. discharge overtops the existing basin by 0.55' and spills over the berm. It is believed due to the basin being undersized and the way it functions are contributing to the erosion along N. Constitution Ave. While the plan proposes rain gardens to handle stormwater runoff for the proposed parking lot, this does not address how the existing undersized storm water management basin functions. – **Deferred to Engineer**
8. §188.16. F.2 & 3 & §188.16. G – Infiltration testing was performed at the elevation of the proposed infiltration surface. New testing shows that Rain Garden B is underlain by bedrock, approximately 3 inches below the proposed bottom of the facility. A minimum depth of 24 inches shall be provided between the bottom of the BMP and the top of a limiting zone. Provide a detail showing how the facility will be over-excavated to provide the required separation distance between the basin and the limiting zone. – **Will Comply**

9. §188-32 Provide O & M Agreement. – **Will Comply**
10. The Applicant has provided an estimate for Financial Security. Financial Security must be provided prior to final approval. – **Will Comply**

General Comments:

11. In the Stormwater Management Report, the Calculation Methodology states that hydrographs were analyzed using Hydro CAD. However, Hydra flow Hydrographs was used. Please revise for consistency. – **Will Comply**

**Public comment:**

None

**Discussion:**

Josh shared his thoughts on how to handle comment #7. T. Ruby stated that she does not have the expertise to comment on Josh's plan to handle the stormwater and would like to defer that to the Borough Engineer. Josh said that they will comply with all other comments.

**Decision:**

R. Ross motioned to recommend New Freedom Borough Council to approve the Waiver request for curbs and sidewalks on N. Constitution Ave & Rheeling Rd. 2<sup>nd</sup> by M. Hopkins. All in favor. Motion carried.

Motion amended by R. Ross to add the 6 months note to the waiver request. 2<sup>nd</sup> by M. Hopkins. All in favor. Motion carried.

M. Hopkins motioned to recommend New Freedom Borough Council that conditional approval be granted based on outstanding comments 1 through 5, 8,9, & 10 being addressed & comment 7 for stormwater issues is addressed to the satisfaction of New Freedom Borough Engineer. 2<sup>nd</sup> by R. Ross. All in favor. Motion carried.

**Adjournment:**

Motion to adjourn by M. Hopkins, 2<sup>nd</sup> by R. Ross. All in favor. Meeting adjourned at 6:54pm.