



# Allen Township Planning Commission

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Eugene Clater, Chairman  
Gary Krill, Vice Chairman  
Gary Behler  
Louis Tepes Jr.  
David Austin

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Ilene M. Eckhart

## ALLEN TOWNSHIP PLANNING COMMISSION REGULAR MEETING Monday, March 19, 2018 7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, March 19, 2018 at 7:00 P.M. at the Allen Township Fire Company Building, 3530 Howertown Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance was recited by all present.

**Roll Call:** Present: David Austin; Louis Tepes, Jr.; Eugene Clater; Gary Behler; Gary Krill; Ilene Eckhart, Manager; Bob Cox, P.E. Absent: B. Lincoln Treadwell, Jr., Esq.

**Minutes:** Meeting review delayed.

**Public to be Heard:** Mr. Clater reviewed the public comment procedure. Robert Hosking, Stagecoach Road, stated why he moved to the area and his concerns regarding the change of the Agricultural Zoning District. He indicated the people in the Township want no additional development in the Township. He was concerned with the density of Rural development and associated public sewer and water. He felt there should be some changes in leadership if there weren't some changes.

**Old Business:** No Old Business discussion items.

**New Business:** No New Business discussion items.

Ordinance Change:

**Zoning Ordinance Map and Text Amendments related to the Comprehensive Plan of 2017 Future Land Use and Zoning Map:** Ms. Eckhart provided a recap of the Comprehensive Plan of 2017, related to the Future Land Use Map and the Existing Zoning Ordinance and Map in effect in the Township. The Board of Supervisors forwarded the matter to the Planning Commission for a recommendation. The review compiled for the Planning Commission's recommendation compared the existing Agricultural and Rural Zoning District and associated Uses. The intention of the review was

meant to highlight some of the conflicts between Uses as well as the Lot Size, Coverage, Setback standards.

Mr. Clater questioned Mr. Cox regarding his experience if it would be possible to model an intended Zoning District or area such as the Rural Conservation, where the flavor of uses would have certain specific mechanisms to limit certain activities. Mr. Cox indicated there was no easy answer for the scenario. Mr. Hosking interrupted the conversation of the Commission, was gaveled and advised his opportunity to speak would come at the end of the meeting.

Mr. Krill raised that there is a concern of what type of uses should go next to rural properties and farming next to one another - but why wasn't the Township concerned when industrial uses were planned to be placed next to residential property by way of past Zoning.

Mr. Austin questioned why the various names of the Zoning Districts were being considered when the Districts may not be compatible with one another. Mr. Clater provided background concerning the Comprehensive Plan Update process which took place during 2017. Mr. Clater indicated that the Comprehensive Plan process unfortunately did not take into account the blending of zone compatibility. Additionally, Mr. Clater stated that the consultants who provided guidance to the Committee promoted the change of many of the Zoning District nomenclature.

Ms. Eckhart further reviewed the Use Table for the Rural and Agricultural Zoning District where uses contained inconsistencies (by level of permitted, permitted by Conditional Use, or not permitted).

In identifying the core issues which should be addressed by the Planning Commission with the intent of the Zoning Ordinance/Map review as forwarded from the Supervisors, Mr. Behler suggested that possibly the best way for the Commission to consider an appropriate recommendation may be to consider keeping the zones as they are presently mapped (per the existing Zoning Map). Mr. Clater felt there was a lot to consider and that perhaps it would be worthwhile to consider going back to the Supervisors with the thought of keeping the zones what they are with tweaks to the allowed uses. Mr. Austin agreed and felt moreover the uses needed to be reviewed within the Agricultural and Rural Zoning Districts. Mr. Clater added that the change to the quarry area should also be considered. The Commission was agreeable with the proposal for the prior quarry. Additionally, the Commission consider Agricultural tracts which were less than 30 acres today as well as any updates to the Agricultural Security easements.

Mr. Clater further discussed the Comprehensive Plan Future Land Use Map concerning the Jaindl Watson tract as mapped Rural Conservation. Mr. Clater recommended that there was further discussion as to whether the tract was mapped Rural or Agricultural. Mr. Austin felt perhaps the area should be broken into pieces in consideration of the Highway Commercial based on some of the adjoining uses present today. Mr. Clater suggested the Commission determine this item after some further time and consideration.

Mr. Krill felt that if Jaindl Watson tract should be further discussed by the Commission this evening. In order to further pare down the issues, Mr. Clater questioned if the Commission was generally agreeable to go back to the Board with the recommendation that the Agricultural and Rural Zones remain as two distinctive Zoning Districts (with the Rural Conservation intent). The Commission responded that they were generally agreeable with this approach regarding this issue.

Mr. Austin felt the further distinction came down to the size of the lot in the Rural and Agricultural Zones along with the setbacks. Following a brief discussion regarding the current subject of lot sizes in both the Agricultural and Rural Zoning Districts, the Commission generally agreed to consider a change of the 30-acre qualifier in the Agricultural Zoning District and to further consider larger lots in the Rural Zoning District such as changing the minimum lot size from the requirement of a one-acre minimum to a two-acre minimum. Mr. Austin felt that an interpretation of the 30-acre qualifier should be provided regarding the baseline for the subdivision of lots. Mr. Behler also felt this section could be further modified. Mr. Behler further noted that he supported enlarging the Rural Zoning District minimum lot size. Mr. Clater cautioned the Commission on the limitation of lot sizes regarding regulatory taking concerns. Mr. Krill indicated he understood Mr. Clater's concern but felt the Planning Commission should review this matter also in consideration of the survey response of the Comprehensive Plan process.

Mr. Krill raised the additional point of development in the Rural and Agricultural Zoning Districts regarding the consideration of otherwise undevelopable land with environmental constraints utilized in the overall lot minimums. He felt that the lot size should be considered only on the land which was truly buildable with the reduction of environmentally constrained land reduction prior to the building lot sizing calculation. Mr. Cox indicated that what Mr. Krill pointed out was a very common approach to the analysis of lot sizing requirements in Rural and Agricultural zoning. There was some discussion of the concern of the engineering cost associated with a determination of the net out of buildable area for a single home applicant versus a multiple lot subdivision applicant. Mr. Behler suggested if there was a way to screen to the volume of lots of the multi-lot versus to the single lot development and how to determine this, with the possible assistance of the Township. Mr. Clater requested additional feedback from the Township Engineer, which could be discussed at the next Commission meeting.

Regarding the subject of the Jaindl Watson tract on the east side of Howertown Road, the Commission agreed by consensus to request further input from the Board of Supervisors regarding the Rural or Agricultural Zoning District map amendment.

In conclusion, Mr. Clater suggested requesting a meeting of the Commission and Board of Supervisors to review the base assumptions discussed above prior to the Commission proceeding with the project. Mr. Clater suggested the Commission request to be placed on the Board of Supervisors meeting. Messrs. Austin and Behler indicated that they would not be available for the next Board of Supervisors meeting on March 27<sup>th</sup>. Following some discussion, the Commission agreed to summarize the discussion and request to be placed on the Board of Supervisors agenda of April 10<sup>th</sup>, 2018 to further discuss the project.

Mr. Krill advised the Commission there was some discussion of at least two members of the Board of Supervisor who were not in favor of the Single Family Cluster Use in the Rural Zoning District – he felt the Commission should add this item to be discussed with the Supervisors at the meeting of April 10<sup>th</sup>. Mr. Clater felt that essence of discussion did not provide all of the factors on the table at the time, such as the inability to extend public water and sewer to the Rural area. Mr. Krill responded the Commission should obtain the majority of opinions from the Supervisors regarding the topic. Mr. Clater felt it would not hurt to clear the air. Mr. Krill felt if the Single Family Cluster Use is maintained the environmentally constrained lands should not be part of the buildable area lot size. The

Commission members agreed this subject be aired. Mr. Tepes voiced concerns for the Rural Zoning District area east of Cherryville Road.

**Public to be Heard:** Linda Eddinger, Prospect Drive, commented that she did not believe Jaindl would locate turkey farming operations on his property north of Rt. 329 due to the existing noise levels associated with the current traffic on Rt. 329.

Valerie Snyder, Prospect Drive, questioned the height of the proposed warehouses and if it was correct that part of the warehouse buildings would be constructed below grade.

Sue Lindenmoyer, Mud Lane, noted that Jaindl purchased the former Nazareth Speedway property. She questioned why he is allowed to propose warehouses in Allen Township and does PennDOT allow the warehouse traffic generation on Rt. 329. Additionally, she was concerned how the Township would know what he is storing in the proposed warehouses.

Tina Leonard, Howertown Road, questioned the status of the Dry Run Bridge over the Howertown Road and any potential upgrade.

Robert Hosking, Stagecoach Road, provided a clarification regarding his opinion on the legislation governing CAFO (Concentrated Animal Feeding Operations). He was further concerned with the shale geology. He is concerned with what is up slope of this property. He is disturbed to see that land is not zoned Agricultural because it is in the Agricultural Security Areas of the Township. He further felt that the Rural Zoning District owned by Jaindl is conducive to development due to the landowners ability to extend public water and sewer. Mr. Hosking further voiced concerns regarding the soil types and water table associated with certain soils in the Rural and Agricultural Zoning Districts and that these features be highly considered when determining the appropriateness of the zoning designations.

Dan Mindler, Sylvan Drive, voiced concerns regarding the Seemsville Road proposed relocation and the associated position of the Northampton Area School District and East Allen Township.

There being no further business, the meeting adjourned 8:40 PM.

Respectfully submitted,

Ilene M. Eckhart