



Allen Township Supervisors

4714 Indian Trail Road

Northampton, Pennsylvania 18067

Bruce Frack, Chairman
Dale Hassler, Vice Chairman
Larry Oberly
Alfred Pierce
Gary Behler

Brien Kocher, P.E.
B. Lincoln Treadwell, Jr., Esq.
Ilene M. Eckhart, Manager

ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

Tuesday, August 23, 2016

A General Meeting of the Allen Township Supervisors was held on Tuesday, August 23, 2016 at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance to the Flag was led by Chairman Bruce Frack.

Roll Call: Bruce Frack - Present; Dale N. Hassler – Present; Alfred Pierce – Present; Larry Oberly - Present; Gary Behler - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Brien Kocher, P.E. (Hanover Engineering Associates). – Present; and Ilene Eckhart – Present.

Public Hearings: No public hearings.

Public to be Heard: No comments from the audience.

Unfinished Business

A. Draft Zoning Ordinance Amendment – Various Use and Text Changes – Recommendation from the Planning Commission: Mr. Oberly made a motion to send the draft to the Lehigh Valley Planning Commission for their comments; seconded by Mr. Behler. On the motion, by roll call vote all Supervisors present voted yes with the exception of Mr. Hassler. Mr. Hassler expressed opposition to the change to the building height provisions in the Industrial and Industrial Commercial Zoning Districts. He felt that increasing the height provisions would facilitate the type of development which the residents find most objectionable especially pursuant to the feedback from the recent Comprehensive Plan Survey comments.

B. Stone Ridge Phase 2 (formerly 1C/1D) Conditions of Plan Consideration: Ms. Eckhart indicated this item is before the Board following the Planning Commission's recommendation. Mr. Livengood expressed concerns regarding the timing of the release of Lot 41 and 42. Mr. Treadwell clarified the loop road should be completed in a mud free condition. Mr. Pierce made a motion to approve the conditions and the plan with the Solicitor's changes as follows:

The Preliminary Subdivision Plan entitled, "Preliminary Plan – Stone Ridge", sheets 1 through 15 of 15, as prepared by Keystone Consulting Engineers, Inc., dated February 12, 2016, last revised August 5, 2016, and the Final Subdivision Plan entitled "Final Plan – Stone Ridge, Phase 2, Record

Plan West”, sheet 1 of 1, as prepared by Keystone Consulting Engineers, Inc., dated June 20, 2016, last revised August 5, 2016, (herein referred to as the “Plans”) are hereby approved subject to the following conditions:

1. The Applicant shall comply with the substantive ordinance and technical engineering comments contained in the Hanover Engineering Associates review letter dated, June 17th, 2016, to the extent comments are not specifically addressed by the conditions outlined within this conditional approval motion. It is acknowledged that a portion of the comments contained within the review letter are informational only, and that certain of those comments will be addressed by future plans revisions or engineering clarifications, including the August 5th, 2016 plan resubmission. Any interpretations or clarifications of the comments contained within the review letter shall be resolved by the Township Manager and Township Solicitor, in consultation with the Township Engineer.

2. The Applicant shall revise the Plans to show more detail regarding the Graystone Circle western loop to the satisfaction of the Township Engineer.

3. The remaining conditions from the Subdivision Agreement, Stone Ridge Phase 1B, dated March 4, 2014, shall be satisfied. More specifically, the identified items remaining are:

a. Building permits will not be issued for lots 41 and 42 until financial security is posted for the extension of Graystone Circle and Joseph Road.

b. Upon notification by the Township, the Developer/Owner shall construct an emergency access from Graystone Circle to Savage Road, across lots 41 and 42 in a manner directed by the Township. The design and construction standards for this connection shall be determined by the Township. This emergency access shall remain in place until such time as another entrance to the Project has been constructed to the satisfaction of the Township. Any damages, including but not limited to the removal of existing curb, to Savage Road shall be repaired by Developer/Owner to the satisfaction of the Township. Financial Security to guarantee the construction of this emergency access shall be provided prior to the recording of the Plans.

c. Prior to the recording of the Phase 2 Final Plans, the Developer/Owner shall provide the Township with the written acknowledgment of the identified purchaser of the lots in Phase 2, stating that such purchaser agrees to the conditions set forth herein and on the Plans.

d. The Applicant shall cooperate with the Township and assume any costs relative to the vacation of the paper alleys as referenced in item (g)(9) on page 17 of the Subdivision Agreement for Stone Ridge-Phase 1B.

4. The Plans shall be revised to show the required Route 329 Right of Way, allowing for future roadway improvements, including stormwater management improvements, as proposed on the Township’s June, 2016 Route 329 Improvement Plan Highway Occupancy permit submission to PennDOT (and subsequent necessary revisions in accordance to PennDOT’s review and approval process). The Plans shall also note that Stonegate Drive, as the access point to the area of Route 329 frontage, shall align with the proposed signalized Century Boulevard intersection.

5. The Plans shall include an internal pedestrian/bicycle access between Lots 22 and 23 on Graystone Circle and the potential commercial development along Route 329, with an appropriate easement for the noted path which will be constructed in a condition acceptable to the Township (concrete or macadam with depressed curb).

6. For Phase 2 construction, construction vehicles are to use Joseph Drive for access to/from John Drive and Savage Road. Construction access via Graystone Circle (in Phases 1A and 1B) and Pine Street will be prohibited upon the application of the final wearing course to the portion of Graystone Circle within Stone Ridge Subdivision Phases 1A and 1B. Following the completion of construction of Stone Ridge Subdivision Phase 2, an analysis of the John Drive roadway will be completed and if it is determined that the applicant’s use of John Drive for construction vehicle access has resulted in damages to the roadway and/or associated curb and sidewalk, the applicant will be responsible for remediation and repairs to the satisfaction of the Township.

7. The “western” circular connection road between Graystone Circle North and Graystone Circle South and the rain garden and stormwater detention areas are conditionally approved subject to the following criteria and shall be included specifically in the subdivision improvements agreement as follows:

a. The semi-circular temporary connector shall be cut to grade and constructed in a circular fashion without a cul-de-sac, in a mud-free condition, with the road pitched to the west,

b. The above Graystone Circle connecting loop is intended to be a temporary connector. Separate financial security for the connecting loop shall be provided in a form acceptable to the Township to provide for the costs associated with constructing an upgrade from the temporary condition to Township standards, as well as the estimated cost of associated permitting (including NPDES). Additionally, the financial security shall be required to be reviewed annually and adjusted for escalation of improvement costs. If within five years of recording of Stone Ridge Subdivision Phase 2 Final Plans, there is no permanent access provided between Graystone Circle and Horwith Drive, then the applicant shall construct this connector including all required stormwater management improvements, curbing, and construction to Allen Township road specifications then in effect,

c. At such time as the western connector between Graystone Circle North and South is constructed, to a mud free condition, in accordance with these conditions of approval, the emergency access restrictions placed on Lots 41 and 42, as noted in the Stone Ridge Subdivision Phase 1B Subdivision Agreement dated March 4, 2014, shall be released.

d. Maintenance of the temporary road (western connector) that will be on the residual property shall be the responsibility of the owner of such residual property, including winter maintenance as well as maintaining the road in mud-free and passable condition, to the satisfaction of Allen Township.

e. The owner of Lot 117 shall own and maintain the rain gardens identified on the Plans, unless the rain gardens are removed by virtue of development of the adjoining residual land. The Applicant shall record a Covenant, approved by the Township, to guarantee this ownership and maintenance.

f. The owner of Lot 118 shall own and maintain the stormwater detention pond at the intersection of Savage Road/John Drive (lot # 113) as identified on the Plans. The Applicant shall record a Covenant, approved by the Township, to guarantee this ownership and maintenance.

8. The Developer shall, at the time of plan recording, pay \$1,000.00 per residential lot, in accordance with the Township’s recreation land or fee in lieu of requirements.

9. Copies of the adequacy letter from the Northampton County Conservation District, approved Sedimentation and Erosion Control Plan, and NPDES Permit shall be provided to the Township prior to the commencement of any earthmoving activities.

10. The Plans shall contain all necessary signatures and seals. The Stormwater Management Report, as revised, shall be signed and sealed by a Registered Engineer.

11. Any approved waivers or deferrals shall be noted on the plan, with the date of approval listed, to the satisfaction of the Township Solicitor.

12. The Applicant shall be responsible for obtaining a signed confirmation from the appropriate municipal entities for the provision of sanitary sewer service to the Project. The Applicant has been informed that the Township’s ability to purchase sanitary sewer capacity at the Northampton Borough treatment plant will expire on December 31, 2016, and that the Township may not be able to provide for such sanitary sewer service after that date.

13. The installation and construction of curb and other required improvements along the frontage of Route 329 is hereby deferred to the time of land development approval for the lots identified as #'s 117 and 118 on the Plans.

14. The Applicant shall execute and record a Stormwater Management Operations and Maintenance Agreement that provides for the ownership and maintenance of all stormwater maintenance facilities by the owner of the lot upon which the facilities are located.

Motion seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

Additionally, Mr. Pierce made a motion to grant the waiver to the request pursuant to the Keystone Engineers letter of August 11, 2016 regarding Section 22-410.1 regarding blocks; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

The Board tabled the road specification waiver as requested in the August 11, 2016 Keystone Engineers letter until language could be provided concerning a SALDO text amendment regarding the curb depth specification for the next meeting.

Lastly, Mr. Behler made a motion to extend the terms and conditions of the Stone Ridge Sewer Availability letter originally granted February 27, 2006 with the exception of the Item # 4 which is hereby changed to the expiration date of December 31, 2016 (consistent with the expiration date of the current Allen Township Northampton Borough Intermunicipal Sewer Service Agreement); seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

C. Rockefeller Pre-Construction Meeting: Ms. Eckhart provided a brief report of the Pre-Construction Meeting with the Northampton County Conservation District and the Township.

D. Tax Assessment Appeal – Fed Ex Site: Mr. Pierce expressed a suggestion that the Township should consider a tax appeal as the property went from exempt to taxable. He felt that due to the common level ratio (of 3) the Board should consider an appeal based on the sale price. Mr. Oberly felt he would like to look into this before voting. He felt an appraiser should be identified.

E. Residences at Willow Ridge – Request for Construction Security Reduction: Mr. Oberly made a motion to release the \$80,789.53; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Imbessi further requested to release additional security which was originally posted by a previous owner of the subdivision and currently held as cash by the Township. Mr. Treadwell responded that the appropriate legal documentation including an assignment would need to be produced and found acceptable to the Township in order for a release of these funds to be considered.

F. PennDOT Winter Maintenance Agreement: Ms. Eckhart updated that the revised agreement has been received (based on the August 11, 2016 motion) for Board execution.

New Business

A. Willowbrook Farms (Fuller) Berm Proposal: Mr. Dwyer presented the plan for the constructed berm. There will be a follow-up meeting with Fed Ex concerning the movement of fill and a report would be provided to the Board regarding the management of traffic during the fill transport operation.

B. Lehigh River Planning Grant - Opportunities: Ms. Eckhart requested permission to send a letter to the Pennsylvania Fish and Boat Commission regarding the Palmerton Zinc Pile NRDA Settlement. Mr. Oberly made a motion to approve the draft letter and report and send to PFBC; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes. The Supervisors discussed alternate interim uses of the property including the Pennsylvania Game Commission Hunter Access Program. The Board would like a representative to address some concerns regarding the program.

C. NCATO Convention – September 30, 2016: The Supervisors were made aware of the invitation and need to RSVP by September 2, 2016.

D. Executive Session: Ms. Eckhart requested an executive session to discuss property acquisition.

Public to be Heard: No comments from the audience.

There being no further business the meeting adjourned at 9 PM.

Respectfully submitted,

Ilene M. Eckhart
Manager