



Allen Township Board of Supervisors

Meeting Minutes

November 24, 2020

7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, November 24, 2020 at 7:00 P.M. by teleconference due to the Disaster Emergency (Resolution 2020-10, 2020-11 and 2020-12) created by the COVID-19 Coronavirus Pandemic. Mr. Hassler led the audience in the Pledge of Allegiance to the Flag.

1. Roll Call: Present: Bruce Frack; Gary Behler; Carl Edwards; Dale Hassler; Gerald Montanari; B. Lincoln Treadwell, Jr., Esq., Stan Wojciechowski, PE, CME, Ilene Eckhart, Manager.

2. Announcements: No Announcements.

3. Public to be Heard: No public comments.

4. Public Hearings: No public hearings.

4. Unfinished Business

A. Stone Ridge Phase 2 Roadway Dedications – Resolution 2020-16 Portion of Graystone Circle, Resolution 2020-17 Joseph Road: Mr. Frack made motion to adopt Resolution 2020-16 accepting dedication of Graystone Circle conditioned upon clear title; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Behler made motion to adopt Resolution 2020-17 accepting dedication of Joseph Road conditioned upon clear title; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

5. New Business

A. Willow Brook Farm and Alexandra H. Fuller Family Trust Zoning Ordinance Validity Challenge/Curative Amendment – Concept Plan: Craig Robert Lewis, Esq. and Marc Kaplan, Esq. (Kaplan/Stewart) and James Constantine, PP, of LRK presented a concept plan for the property. Messrs. Lewis and Constantine provided a visual presentation the proposed Willow Brook Farms Mixed-Use Community Concept Plan. The concept plan as presented proposed a village center with a mix of approximately 694 residential units and non-residential uses housed within adaptively re-used structures and golf course (open space) setting. The concept plan is presented to the Board for their consideration to draft a zoning ordinance text amendment, which would accommodate the concept as a specific use within the R1 Zoning District and is an effort to resolve the Validity Challenge/Curative Amendment of the Allen Township Zoning Ordinance filed in May 2019. The consultants for the property owner have

been working over the past several months to address concerns of the Board, related mainly to density, parking and fire access. Following the presentation of the concept plan, Mr. Treadwell asked for confirmation that the roads within the project, were all proposed to be private? Mr. Constantine confirmed this was his understanding. Mr. Frack indicated he had no questions at this time and felt it was an acceptable concept for the development of the property.

Mr. Montanari requested additional information regarding the parking, which proposed 1,400 vehicles, but most likely, there would be 2,800 vehicles due to occupancy. He also asked for confirmation that the roadways were to remain in private ownership. Mr. Constantine also responded that the 1,400 parking spaces included garages and that the roadways would be private. Mr. Montanari also asked for confirmation of any issues stemming from the residents in this private area. Mr. Lewis indicated that individual residents would need to reach out to the management company for the project when they have issues– not the Township. Mr. Lewis indicated that the applicable local department would handle any police calls. Mr. Montanari asked if there was a study completed for fire equipment to serve this particular development area. Mr. Constantine indicated that the plan did respond to the height requirement, which kept the maximum of two-story buildings. Mr. Montanari requested to know what type of fire equipment would be necessary and if a study to address this could be submitted. Mr. Kaplan responded the issue of a study would not make sense without the underlying zoning change to accommodate the use. Mr. Kaplan felt there was an investigation on the fire issue, which resulted in the reduction to the building height from three story structures (which were initially proposed) to two story structures. Mr. Kaplan indicated that he would be agreeable to provide the fire response study during the land development plan process for the project. Mr. Montanari was not sure if the word “study” was correct but at least an inventory if the correct fire apparatus was available to serve the development. Mr. Kaplan indicated that the concept plan does show fire stage areas and access for fire apparatus.

Mr. Hassler commented regarding the fire lanes and voiced concerns about the proposed street trees, which could affect the access for a ladder truck. This should be reviewed and there may be a simple solution to just reduce the number of trees. Mr. Kaplan indicated this could be addressed via the land development plan process.

Mr. Edwards noted he had no comments at this time.

Mr. Behler thanked the Willow Brook team for encompassing the Board members feedback through the past several months in the concept plan. He indicated these items were notably the driveway intersection with Willowbrook Road and the trail network. He did note that the Willowbrook Road access other than the signalized intersection would need to be limited to right-in/right-out. He voiced some concern about the 12’ cartway width for the private roads. He felt that perhaps adding one or two feet to the paved area would provide a better travelway and a minimal cost. He felt that the concept was at the point that it was a fair compromise and in the best interest of the Township compared to what could be constructed with costly litigation and unknown outcome.

Mr. Hassler reiterated his concerns and noted he agreed with the concerns of the other Supervisors. Mr. Hassler questioned if the main home on the property was planned for removal. Mr. Constantine indicated the concept plan shows townhomes in this area. Mr. Hassler felt the plan was a fair compromise and ultimately the land would be developed.

Mr. Behler recommended to Mr. Hassler that some public comment might be in order at this point. Mr. Hassler agreed. Mr. Frack first questioned the connection to the water system. Mr. Hassler indicated he thought the area might be served by NBMA for water service. Mr. Treadwell indicated this would be an engineering issue that would need to be resolved if the Board is agreeable with the concept layout.

From the audience, Mr. Rick Novak, Bally Drive, questioned what would happen to the golf course should the Fuller's change their view. Mr. Kaplan responded the zoning ordinance amendment would stipulate that the existing golf course would remain as open space. Mr. Novak further questioned if there would be a mandatory traffic study. Mr. Kaplan indicated that a traffic study would be completed with specific focus on the accesses and this would be built into the Zoning Ordinance amendment. Mr. Novak further questioned if the traffic study would dictate the intersection changes, etc. Mr. Kaplan confirmed this was correct. Mr. Novak questioned the statement on the concept plan (page 7), which indicated that the plan would not be subject to the Township SALDO. Mr. Constantine responded that the concept plan is a custom plan to fit the site; therefore, the SALDO does not accommodate the unique site. Mr. Treadwell further clarified that a new use with specific regulation that would apply only to the new use. Mr. Novak questioned what type of vote would the Board be entertaining this evening, based upon the public seeing the plan for only several hours today. Mr. Treadwell recommended the only action of the Board which should be considered at this time, would be to authorize the preparation of an ordinance draft. Mr. Treadwell indicated this would begin a lengthy process.

Mr. Philpott, Saw Grass Drive, questioned ownership of the roadways within the development. Mr. Treadwell confirmed the roadways are proposed to be private.

Mr. Don Noll, Pinehurst Drive, questioned if there were any mandates that would require driveways onto West Bullshead Road. Mr. Treadwell indicated that there was no legal requirement. Mr. Noll indicated that the Willow Green community has concerns about additional traffic on West Bullshead Road.

Following comments on the presentation, Mr. Behler made a motion to authorize the Township Manager and Solicitor to draft a proposed Zoning Ordinance as it pertains to the Willow Brook Farms Mixed Use Community Concept Plan; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

Mr. Hassler indicated that this is the initial action, to be followed by a lengthy review and approval process. Mr. Montanari reiterated that this was a significant project, which would require a lengthy review process. Mr. Lewis confirmed that this would be a very lengthy process until any construction would commence.

6. Public to be Heard: Rick Novak, Bally Drive, asked for clarification that this would change the Zoning on the Fuller property. Mr. Treadwell indicated that the Zoning classification (R1) would remain the same, but the new use "golf course community" would be written into the Zoning Ordinance. Mr. Novak requested more information be shared as the process commences.

Mr. Don Noll, thanked the Board for allowing the public to speak before the vote. Mr. Noll further asked if the Fuller representatives have identified which areas they would seek to build first. Mr. Kaplan indicated that the project would commence in phases – but the product would be built based on

market conditions and in light of the infrastructure improvements. Mr. Kaplan indicated this was a guess.

Mr. Novak recalled that the overall plan was to start construction from northwest to southeast. Mr. Kaplan indicated this might be the approach.

7. Adjournment: There being no further comments or business the meeting adjourned at 8:25 PM.

Respectfully submitted,

Ilene M. Eckhart