



Allen Township Board of Supervisors

Meeting Minutes

**May 28, 2019
7:00 P.M.**

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, May 28, 2019 at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail Road, Northampton, PA 18067. The Pledge of Allegiance to the Flag was led by Chairman Oberly.

1. Roll Call: Present: Gary Behler; Bruce Frack; Larry Oberly; Dale Hassler; Gerald Montanari; Dan O'Donnell., Esq, Stan Wojciechowski, PE, CME, Ilene Eckhart, Manager. Absent: B. Lincoln Treadwell, Jr., Esq.

2. Public to be Heard:

Maria Bonnet, 937 Graystone Circle voiced continued concerns regarding the infiltration beds located in the rear of her property in Stone Ridge. She requested an updated from the Board of Supervisors since the last Supervisors meeting. She was aware that the Northampton County Conservation District Manager visited the site and the developer installed some additional silt socks. She indicated maintenance of the common areas was out of control. Ms. Eckhart indicated that there was a field meeting on May 15th. She indicated there was some concerns about the grading of the lots. Mr. Wojciechowski reported that there were some concerns regarding the grading and he indicated that the Township continues to work with the NCCD. Ms. Eckhart further indicated that she spoke to Sharon Pletchan, of the NCCD, who indicated there are some additional check dams per the plan modification that needed to be installed when she spoke to her on May 24th. She indicated that Ms. Pletchan indicated the NCCD would continue to monitor the system but that the infiltration beds were the designed BMP. Ms. Pletchan further indicated to Ms. Eckhart that there was an access issue regarding at least one of the lots. Mr. Oberly confirmed that the Township will continue to cooperate with the NCCD.

Stacey Surdan, 977 Graystone Circle, indicated that her lot was not finished. She indicated the rain has caused delay but she feels that she is getting the run of round. She indicated that she is concerned about the mosquitos on the property. Ms. Eckhart further clarified that the check dams were part of the permit modification reviewed the NCCD. Mr. Wojciechowski felt the check dams might be provided so the water infiltrates in the proper areas. Ms. Surdan questioned the plans submitted and she questioned were the plans submitted faulty plans or were the infiltration beds installed correctly. She questioned if the issue continues does the Township have any authority to resolve the situation. Ms. Eckhart indicated that specific to the NPDES permit, there is a "Notice of Termination" process which would eventually release the permittee. Mr. Behler added that the Township also holds security. Mr. Wojciechowski confirmed the Township holds financial security for this project. Mr. Hassler reinforced that the Township is not interested in releasing financial security for this project due to outstanding issues, including the stormwater issues.

Amparo Morris, 861 Graystone Circle, provided a copy of the most recent Stone Ridge NCCD inspection report dated May 24, 2019. She indicated that her lot still does not drain well. She indicated there have been days of dry weather. She questioned how long the developer has to remedy the situation. Mr. Oberly explained the NCCD had enforcement powers, with the authority of PA DEP regarding the NPDES permit. Ms. Morris questioned what the Township would enforce. She indicated that Mr. Livengood was fined before for stormwater issues. Ms. Eckhart indicated she was not aware of any enforcement by the NCCD for the permitting issues. Mr. Wojciechowski further explained the financial security issues. Ms. Eckhart further explained the financial security provisions of the subdivision agreement, which is recorded prior to the start of construction of the project. Ms. Morris further questioned the installation of Rain Garden C.

Ms. Bonnet further questioned the interaction between the NCCD and the Township and indicated that the NCCD would be following up on June 12th regarding the May 24th, 2019 report. On the question regarding a next phase, Mr. Behler indicated that there is no approved plan for a Phase 3 of the development. Ms. Bonnet further questioned the maintenance of the “common areas”. Mr. Hassler responded that the stormwater facility at the corner of John Drive and Savage Road was the continued responsibility of the property owner (Stone Ridge LLC).

Tony Espinosa, 942 Graystone Circle, was concerned with the rain garden area and the ducks living there due to the areas holding water continually. Mr. Espinosa further questioned the balance of the roadwork on Graystone – when will this be completed. Mr. Oberly indicated that the balance of the roadwork needs to be completed by the developer prior to acceptance of this area of Graystone Circle. Mr. Hassler responded that roadway is currently in base and generally is not paved with the final course due to the construction equipment driving across the portion, which has already been completed. There was some further discussion regarding the next homes to be built in future phases.

Diane Lariar, 943 Graystone Circle, was concerned with the roadway not being finished. She indicated that she spoke to the builder and the builder indicated that the roadwork would not be completed until the developer starts the next phase. Ms. Eckhart clarified that there are no approved phases to continue building homes. There was some further discussion regarding the paving of the interim loop road. Mr. Behler explained that the loop road was provided for safety reasons, as there was no other way out of the development. Ms. Lariar also voiced concerns regarding the stormwater issues and the breeding of mosquitos. She further stated that there are many homes with water in the basements although her home was not.

3. Public Hearings: No public hearings.

4. Unfinished Business

A. Recommendation to Hire Special Planner and Approval of Fee Schedule re: Validity Challenge/Curative Amendment – Willow Brook Trust & Alexandra Family Trust Matter: Mr. Hassler to hire Judy Goldstein of Boucher and James in the amount of \$141.00 per hour to provide planning consulting service regarding the Validity Challenge/Curative Amendment – Willow Brook Trust & Alexandra Family Trust Matter; seconded Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

B. Recommendation to Hire Special Counsel and Approval of Fee Schedule re: Validity Challenge/Curative Amendment – Willow Brook Trust & Alexandra Family Trust Matter: Mr. Behler made a motion to hire Attorney Gary Neal Asteak in the amount of \$190.00 per hour to provide legal services to the Allen Township Planning Commission regarding the Validity Challenge/Curative Amendment – Willow Brook Trust & Alexandra Family Trust Matter; seconded Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. Consideration to Accept Additional Willowbrook Road Right of Way @ W. Bullshead Road: Ms. Eckhart explained the right of way, which was required for the widening of Willowbrook Road/West Bullhead, has been reviewed by the Solicitor and Engineer and is ready for acceptance. Mr. Behler made a motion to accept the additional right of way; seconded Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

D. Extension of Probationary Periods: Ms. Eckhart explained she met individual with both newly hired Public Works employees to discuss and obtain an update regarding the CDL license requirement condition of employment. She recommendation to extend the probationary period by 30 days for Brian Kulp to July 4th (30 days from the original 90-day probation of June 4th) and Brett Faryniak to July 11th (30 days from the original 90-day probation of June 11th) conditioned that they obtain the learners permit within this thirty day window. Mr. Montanari recommend that the CDL learners permit be obtained with the next thirty days if the extension is granted by the Board. Mr. Hassler made the motion to extend the probationary period by 30 days for Brian Kulp to July 4th (30 days from the original 90-day probation of June 4th) and 30 days for Brett Faryniak to July 11th (30 days from the original 90-day probation of June 11th) conditioned that they obtain the learners permit within this thirty day window at the direction of the Public Works Leader; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

E. Willowbrook Golf Parking Supplemental Submission – Minor Land Development Plan: Mr. Hassler made a motion to grant the approval based on the conditions of the detailed in the Barry Isett letter of May 23rd conditioned upon the applicant providing revised plans to address as follows:

- (1) Address the engineering/stormwater and other issues in the Isett March 15, 2019 review letter.
- (2) Revise the plans to reflect a counterclockwise one-way private driveway access route for traffic going to, and coming from, the pro-shop/clubhouse.
- (3) Show signage directing golf and pro-shop/clubhouse traffic to the required counterclockwise direction of travel. Signage should also be sufficient enough to direct traffic away from Willowbrook Road.
- (4) Re-label the plans where “cart-path” is called out to call out a “one lane private driveway” and dimension all driveway widths.
- (5) Revise the handicapped parking spaces for the pro-shop/clubhouse to be shown at the location labeled as G on the site plans. Once the handicapped parking spaces are installed in area “G”, and the Building Code Official has a narrative explaining the access to the pro-shop/clubhouse from the private driveway proposal, a Certificate of Occupancy can be issued for all permitted uses at that facility.

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

5. New Business

A. East Allen Township – Letter of Grant Support for Jacksonville Park Rehabilitation and Improvements: Oberly explained request. Mr. Behler made a motion to provide a letter of support for the application; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Hassler asked Ms. Eckhart to carbon copy the legislators on the support letter.

B. Hanover Township, Lehigh County – Multi-Municipality Comprehensive Plan: The Board generally agreed Mr. Behler motion to not participate; seconded by Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes.

C. Ratification of Acceptance of Resignation – M. Edelman: Mr. Behler made a motion to accept the resignation of Mike Edelman; seconded by Mr. Mr. Montanari. On the motion, by roll call vote, all Supervisors present voted yes with regrets.

D. Appointment of Building Code Official and Approval of Fee – Base Engineering Inc.: Mr. Montanari; seconded Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

E. Appointment of Interim Zoning Officer: Mr. Behler made a motion to appoint Ilene Eckhart as the interim Zoning Officer; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes

6. Public to be Heard: No comments from the audience.

7. Adjournment: There being no further comments or business the meeting adjourned at 8:45 PM.

Respectfully submitted,

Ilene M. Eckhart