



Allen Township Planning Commission

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MINUTES

ALLEN TOWNSHIP PLANNING COMMISSION

REGULAR MEETING

Monday, December 18, 2017

7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, December 18, 2017 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: Alfred Pierce; Louis Tepes, Jr.; Eugene Clater; Gary Behler; Gary Krill; Ilene Eckhart, Manager; B. Lincoln Treadwell, Jr., Esq.; Bob Cox, P.E.

Minutes: Mr. Tepes made a motion to approve the November 2017 minutes as presented; seconded by Mr. Pierce. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard: No comments from the audience.

Old Business

A. JW Development Northampton Business Center Land Development Plan Submission of December 4, 2017 (Applicant/Owner: Jaindl Land Company/David M. Jaindl): Present on behalf of project: David Jaindl; Kirk Johnson (Watson Land Company); Bruce Anderson, PE, the Pidcock Company; AnnMarie Vigilante (Langan)

Bruce Anderson, PE, Pidcock Company, presented a brief update concerning plan changes with the current submission. He noted the lesser square footage of the proposed buildings, less wooded wetlands disturbed, additional buffers, berm and landscaping; lighting levels reduced, light standard pole height reduced in all areas except parking courts. He further indicated the addition of an internal

road system with an overnight truck parking area (plug in area with eight proposed stanchions) with thirty-seven overnight spots overall have been added.

Additionally, Mr. Anderson added the existing PPL powerline is to be relocated by shifting the easement south by 40 feet. The landscape berm to shield the adjoining properties has been expanded. Mr. Anderson further indicated public water service (City of Bethlehem Main Extension) and public sewer service would be extended to all buildings including Building #4. Additionally, an easement would be provided for potential service to Mud Lane residents.

Mr. Krill questioned the scale utilized per the plan. Mr. Anderson indicated that the scale applies to the full size sheet format and that the graphic scale is ½ sized on the reduced sets.

Based upon several design review meetings with the Township Engineer, Mr. Anderson discussed the December 15th, letter of review issued by the Township Engineer, with key points as follows:

With regard to the lighting plan, Mr. Clater questioned (again) the lighting shielding within the site. Additionally, Mr. Clater noted that he would like to discuss this evening some aspects of the offsite improvements specifically Howertown Road/Seemsville, per comment #15 of the Township Engineer's letter of review, which states: "... Howertown Road and Seemsville Road improvements were not addressed in detail on the plans. These must be addressed, including Howertown Road bridge improvements. A quick look leads one to feel that Howertown Road could be straightened out at this location and the new bridge constructed with little traffic control required. After looking at the stream geometry, this may not be possible due to PADEP waterway limitations. Design plans, studies, and calculations, along with permit pre-application meeting results must be submitted. Submit for review the off-site roadway improvement plans."

Mr. Clater pointed out several improvements internal to the site but he wished to address the offsite traffic measures as well. He was concerned that if there are changes to off-site improvements (pertaining to traffic) that the internal site design may be impacted especially stormwater management systems.

Regarding comment #16 of the Township Engineer's letter of review which read, "The southside swale, currently poorly defined, on Mud Land on the North side of the proposed berm, requires upgrading, possibly to include inlets and pipes. Additional stormwater will be added to this already wet area from the side slope of the berm. An underdrain, a minimum of 30" deep should be added in the swale for the length of the berm." Mr. Anderson indicated this would be addressed with the next resubmission.

Regarding comment #17 of the Township Engineer's letter of review which read, "The plan indicates a relocation of a portion of the PPL easement around the north and east side of warehouse 2, and also indicates some grading and access drive improvements proposed within the existing PPL easement area which is to remain unchanged. Approval of the relocated easement and proposed

encroachments should be received from PPL. Any impacts from the proposed relocated electric line on the adjacent residential properties should be identified and addressed.” Mr. Anderson reported there have been several design review meetings with PPL. He further noted all indication have been favorable. PPL has specific landscaping requirements within their right of ways. The line has been shifted in order to provide a proper berm along the Nagy property. In response, Mr. Cox indicated that the southern boundary near the south side of Building #1 that the buffer proposed should be made denser. Mr. Anderson indicated that because of the grading retaining walls are necessary to balance the perimeter of the site and that additional buffering will be added in these areas on the next resubmission.

In response to the Township Engineer’s comment pertaining to Chapter 27, Section 1421.8 of the Township Zoning Ordinance, which read: “No off-street loading is permitted within the front yard, however; off-street loading is shown on the plans within the front yard areas at warehouses 1, 2, 3 and 4. Following the updated Zoning Ordinance, off-street loading is permitted within the front yard provided that: if there is off-street parking, it is located a minimum of 40’ from the lot line, there is a 40’ landscape buffer between off-street parking spaces and the lot line, and that the off-street loading is approved by the Board of Supervisors. This situation should be discussed with the Township, especially in light of the buffer widths being offered.” Mr. Anderson indicated that a public street creates a subdivision. He felt that the inconsistency needs to be further discussed with the Township Engineer and Township Solicitor. Mr. Clater indicated he would like to see the design engineer get together with the Township Engineer and Township Solicitor to resolve this matter knowing the intent of the Planning Commission concerning this section.

Mr. Clater commented in response to the Township Engineer’s review comment regarding Chapter 27, Section 1405.7 of the Township Zoning Ordinance, which read: “Wetlands shall be left as permanent open space. The plans indicate encroachment into wetland areas near warehouses 2 and 4. Relief to allow encroachment into these areas may be needed, and PADEP/ACOE Permits will be required for these encroachments.” Mr. Anderson noted the impacted wetlands are identified along with remediation. The plan proposes a 1:1 substitution as the wetlands are low quality. Mr. Anderson announced the Chapter 105 pre-application meeting is scheduled for January 4, 2018 to further discuss with PA DEP (Wilkes-Barre Regional Office).

Regarding the Township Engineer’s comment pertaining to Chapter 27, Section 1413.B.8, which reads: “The maximum width for a two-lane access drive is 28 feet, the plans indicate 36 foot widths are to be provided.” Mr. Clater recommend the applicant request a waiver.

Regarding the Township Engineer’s comment pertaining to Chapter 27, Section 1421.8, which reads: “No off-street loading is permitted within the front yard, however; off-street loading is shown on the plans within the front yard areas at warehouses 1, 2, 3 and 4. Following the updated Zoning Ordinance, off-street loading is permitted within the front yard provided that: if there is off-street parking, it is located a minimum of 40’ from the lot line, there is a 40’ landscape buffer between off-

street parking spaces and the lot line, and that the off-street loading is approved by the Board of Supervisors. This situation should be discussed with the Township, especially in light of the buffer widths being offered.” Mr. Clater requested further consideration to make walking areas and maybe consider placing sidewalk on one side of the bridge. He felt some forethought should be considered to fully accommodate pedestrian users.

Mr. Anderson indicated the outside agency review will have a major bearing on the next plan resubmission. As follow-up Mr. Clater voiced concern with the proposed basin location along Howertown Road, near Warehouse #1. He was concerned with any changes to the basin impacting the site. He felt this area should be re-evaluated.

Mr. Clater further questioned the slopes on the stormwater ponds and suggested the applicant apply for a waiver on any that have side slopes of a 4:1 ratio.

Mr. Clater questioned access to the basins. Mr. Anderson indicated access will be provided with the design of the next plan resubmission.

Mr. Clater commented on the fence material proposed for the stormwater facilities. He felt the Township would like a low maintenance options. Mr. Jaindl indicated that the basins and fences would be privately owned. Messrs. Jaindl and Johnson would like the fence to be as attractive as possible and as durable as possible.

Mr. Pierce questioned the spray irrigation mechanism. Mr. Jaindl responded the system will be owned privately. Mr. Pierce noted the spray irrigation area and questioned the maintenance aspects in perpetuity. Mr. Anderson noted that the post construction stormwater elements (ponds, spray irrigation system for stormwater management) would include a recorded agreement requiring specific ownership and maintenance responsibilities. Mr. Clater was concerned with the ongoing responsibilities. Mr. Jaindl indicted that a document of covenant commitments responsibilities would be required and recorded.

Mr. Pierce questioned, the sanitary sewer extension, to the homes along Rt. 329 (as an easement). Mr. Jaindl confirmed that the accommodation will be reviewed by the design engineer. Mr. Pierce further questioned an exploration of the extension along the western boundary (at Sheet #50 Utility Plan 10). Mr. Clater noted, in the same general area, he was concerned about the stormwater facilities. Mr. Anderson indicted that would be further explored. Mr. Cox felt the easement existed on another plan and that he will transmit the plan to the applicants design engineer for additional discussion.

Mr. Clater questioned the pump stations (which are shown as fire flow related). Mr. Clater also asked about the location for the end of the runs related to sanitary. Mr. Cox noted this would need to be worked out with DEP as sometimes DEP prohibits dry sewers. Mr. Clater questioned the discussions with the extension of sewer into another jurisdiction.

Mr. Anderson, on the question from Mr. Pierce, noted the depth of the sewer, which is project to be 13-14' depth. On this point, Mr. Pierce stated he did not see the benefit from these deep manholes. He felt Seemsville Road will be higher than the internal roadway. Sheet #65 related to the Sanitary Profile is about 8' deep within the internal roadway. Following some further discussion, Mr. Clater concluded there would need to be some further discussion with the Township regarding the sewer design.

Mr. Clater questioned the smaller buildings and a potential relationship to address a manufacturing use component. Mr. Clater indicated that about 30% of the warehouse use locally contains elements of light manufacturing.

Mr. Clater questioned the removal of the staging between Warehouse #1 and #2. Mr. Kirk Johnson felt the truck demand should be able to be handled on site. Mr. Clater was concerned about the lack of the staging on the plan. Mr. Clater felt that the plan did not meet the LVPC guidance or required staging areas.

Mr. Krill questioned the stand pipe note in the general notes section. He indicated it references Building #2 only. This will be reviewed for accuracy and adjusted as necessary. Mr. Krill further questioned the maintenance driveway and how the turf was to be stabilized. Mr. Anderson indicated this area would be underlain with stone base. Mr. Anderson noted if the is area is disturbed it would not be the Fire Company responsibility to repair. Mr. Krill questioned also the access gates and further noted PennDOTs remark regarding the gates.

Mr. Clater questioned the position of the access for Lot #6 and the daylighting to the adjoin project to the rear.

Regarding Building #5, Mr. Krill was concerned with the adequacy of the buffering against the Fehnel property. Mr. Krill further questioned the loop road status. Mr. Anderson indicated the loop road was to remain private. Mr. Johnson stated a sound wall would be investigated in this area. Mr. Krill further questioned fire truck turning templates were utilized to ensure maneuverability. Mr. Anderson indicated an aerial fire truck would have been utilized to pattern the design. Mr. Krill further questioned the meth lab formerly located within the modular building on the east side of Howertown Road. Mr. Jaindl confirmed he was aware of what needs to be done to remediate the site due to the past activities.

In addition to the waivers and deferrals submitted as part of Mr. Anderson letter dated December 14, 2017 (Section 8-231.8.K related to stormwater and Section 22.406.K.(e) related to the requirement of sidewalk along the proposed public street), waivers or deferrals related to the following items were discussed:

Section 27-1413.B.8, the Township requires a maximum width for a two-lane access drive of 28 feet. The plans provide for a 36' width. The Commission was generally agreeable with the deviation for the wider access drive.

Section 27-1421.8, the Township Engineer's review indicated that no off-street loading is permitted within the front yard, however; off-street loading is shown on the plans in the front yard areas at warehouses 1, 2, 3, and 4. The updated Zoning Ordinance (March 2017), allows off-street loading within the front yard provided that: it is located a minimum of 40' from the long line, provides a 40' landscape buffer between the off-street parking spaces and the lot line, and that the off-street loading is approved by the Board of Supervisors. Following some discussion, the Commission was generally agreeable that the Township Engineer/Township Solicitor offer an interpretation regarding the intent within the Code section and the plan depiction.

Mr. Cox discussed some additional waivers/deferrals; concerning stormwater management related Code sections, which have been historically granted due to conflicts between the Township's stormwater management regulations and the PADEP requirements.

Mr. Behler indicated if waivers or deferrals are considered he would still like to see sidewalks, at least on one side of any public street. Additionally, Mr. Behler questioned the installation of snow scrapers. Mr. Anderson responded that each building would have a snow scraper installed at the exit lane. There was some discussion, concerning the Lot 4 & 5 share a scraper, which were required to share one of the snow scraper units at the exit drive. As the structures presented for construction, further specifications will be provided with individual building permits plans.

Mr. Behler further questioned the phasing of the project. Mr. Jaindl confirmed the first construction phase would include Building #1 and #2. Mr. Behler questioned Jaindl Watson's use of the Century Boulevard. Mr. Jaindl confirmed Liberty was agreeable with the use of Century Commerce for Building #6. A written confirmed will be provided from Liberty.

Mr. Clater requested a discussion regarding traffic off-site issues. He indicated what bothers him is the amount of traffic and the peak for trucks. Mr. Clater referenced the STAA routes which include Rt. 329, Rt. 248, Rt. 512 and Airport Road. He noted PennDOT has determined that any 102 type trucks should not be utilizing Weaversville Road as it is not a PennDOT STAA route. Mr. Clater explained some of the concerns on the loading on the Kopper Penny intersection (Rt. 329 &

Howertown/Weaversville Road) as well as the truck distribution into the Borough of Northampton. He indicated several legs take a very bad hit. He felt this was problematic as did PennDOT. He felt that all legs of the intersection should be analyzed for level of service factors. He felt that to say that the improvement were being provided by others was not acceptable. He felt that if this is the position, than possibly another use should be considered for the property.

Mr. Clater referenced the PennDOT concerns especially the Seemsville Road intersection concerns. He was concern with the average level of service (LOS) approach. He felt it was unacceptable at the Kopper Penny intersection and noted PennDOT also questioned some of the lags on the intersection and cited various peaks especially trucks volumes within the peaks. Mr. Clater voiced concerns regarding the calculations at the Horwith Drive and Rt. 329 intersection. He noted although there is no traffic projected onto Horwith Drive the developer is adding traffic to Rt. 329, therefore the service at Horwith Drive is impacted and people would not be able to get out at the intersection.

AnnMarie Vigilante, Langan, reviewed the intentions of the traffic study and the conversation between PennDOT as well as the Township. She further noted many improvements to be performed by upcoming Rt. 329 and the level of service improvements which will occur. Mr. Clater was disappointed with the lack of off-site improvements and felt that essentially Jaindl was doing nothing to contribute to Rt. 329. He was concerned with the lack of a comparable traffic contribution to assist in the overall situation and further felt that the Rt. 329/Howertown/Weaversville intersection needed to get to a single phase no matter what it would take. He was not willing to gamble with the continued geometry of the intersection given the opportunity and the past history. He was disappointed with the lack of offsite improvements and that the developer was doing nothing to improve the intersection such as Rockefeller and Liberty's improvements. Mr. Jaindl noted that this plan is a work in progress and took exception to that he was not doing his fair share of improvements. He noted that if the Township could help with right of way that possibly he could help with additional improvements. Ms. Vigilante indicated as the plan develops the team is looking for the improvements which both the PennDOT and the Township feel are critical and the collective conservation which is needed due to the vastness of the project. Mr. Clater felt that the Howertown Road bridge and the straightening of the creek should be analyzed.

Mr. Clater questioned the waterline location for warehouse developments constructed by the applicant in Hanover Township Northampton County. Mr. Jaindl indicated he believed the waterline is located within the street within projects he constructed in this location. Mr. Anderson responded that the waterline was located in the street. Mr. Clater noted the City of Bethlehem waterline letter and the Board of Supervisors direction to place the waterline in the paved shoulder of the street. Mr. Behler indicated that the Board of Supervisors have requested the waterline be located in the paved shoulder of the roadway. Mr. Anderson was concerned about the conflict of the curb inlets so the water and stormwater trench do not conflict. Mr. Anderson noted the City's most recent response required the waterline 11' from the curb line so that the waterline can go past on the inlet boxes without a conflict issue. This would place the waterline in the center of a lane, while still leaving two open lanes of the road cross section for travel. Mr. Clater indicated that the decision needed to be

coordinated with the Supervisors. Mr. Clater noted his concern with the location of a waterline in an industrial development. He wished to not have traffic impacted and that minimum of two lanes must be open at all times.

Mr. Clater further mentioned that the plan notes needed to be further reviewed. He voiced concern regarding the Grading/Utility Note #20 regarding sinkhole repairs. Mr. Clater wanted to make sure that any sinkhole repair requires the Township Engineer's observation in any public areas. Mr. Cox indicated he was agreeable with Note #20 as written.

New Business - No New Business.

Public to be Heard: Mr. Jerry Neff, 31 Nor-Bath Boulevard Allen Township, voiced concerns regarding the location of a signal at Seemsville Road. Mr. Jaindl stated the location and alternative would be addressed at the next meeting.

Kristen Weiner, 8142 Meadow Road, voiced concerns regarding the lack of adequate volunteer fire service and the direction of a large percentage of the proposed traffic from the development to East Allen Township.

Chris Hershman, Mud Lane, questioned the distance from the residential zone to the development area. Samantha Fernstermaker, 7652 Seemsville Road, voiced concerns regarding the loss of farmland, water pollution due to blasting, air pollution and loss of local place.

Mr. John Swankoski, 11 Jennings Run, voiced concerns about the proposed volume of traffic into a rural area.

Joe Mangan, 69 Oak Lane, voiced concern regarding the usage of the buildings as it impacts the traffic onto Weaversville Road.

Mary Pocavac, Nor-Bath Boulevard, voiced concern regarding truck traffic and the location of the warehouses to the highway.

Linda Eddinger, Prospect Drive, voiced concerns regarding the emergency traffic provisions for access through the truck route. Mr. Jaindl indicated that there will be a center left turn lane provided in order to accommodate the movement necessary beyond the proposed development.

Bob Bysher, Weaversville Road, voiced concerns regarding the traffic on Weaversville Road. He voiced concern regarding illegal truck traffic on Weaversville Road today with no policing. He further felt the proposed project did not benefit the community.

Judy Murand, questioned the STAA Truck route application process related to truck access. Mr. Clater explained the PennDOT procedure to establish a STAA truck route on a State Route. Ultimately this will be PennDOT's decision if the criteria is within ½ mile from a State Route.

Jody Godown Hill, Nor-Bath Boulevard, voiced concerns regarding traffic along Rt. 329.

Adam Christman, noted he was thankful every single day for the existing farmland in the Township and region.

Eric Miller, Miller Drive, questioned sewer to property within East Allen Township property. Mr. Anderson indicated this is shown on the Township Act 537 Plan. Mr. Miller further questioned the

number of school bus stops along Rt. 329. Ms. Vigilante indicated that the counts were adjusted to include the school bus count in the adjusted peak to accommodate the traffic. Mr. Miller questioned the peak truck counts coming off of the Seemsville Road/Rt. 329 intersection. Ms. Vigilante indicated that both the AM and PM peaks were adjusted to capture the school bus traffic movements per the Township request.

Mr. Miller was concerned with the amount of bus stops on Rt. 329 and the truck traffic intermixed with the buses on Rt. 329.

There being no further business, the meeting adjourned 10:30 PM.

Respectfully submitted,

Ilene M. Eckhart