



Allen Township Planning Commission

Meeting Minutes September 18th, 2023 6:00 P.M.

A **General Meeting** of the Allen Township Planning Commission was held on Monday, September 18th, 2023 at 6:00 P.M. at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA. Chairman Gary Krill led the audience in the Pledge of Allegiance to the Flag.

Roll Call:

Present: Gary Behler; Gary Krill; David Austin; Paul Link; Ilene M. Eckhart, Manager; B. Lincoln Treadwell, Jr. Esq. Solicitor; and Stan Wojciechowski, PE, CME, Engineer (Barry Isett & Associates, Inc.)

Absent: Felipe Resendez; and Andrea Martin, EIT (Barry Isett & Associates, Inc)

Minutes: Mr. Link made a motion to approve the minutes from August 21st, 2023, seconded by Mr. Behler. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard: Phil Richardson, 917 Graystone Circle, questioned if it was planned to have a stop sign at Stonegate Drive to where the access drive is. Mr. Richardson also questioned if the sidewalk would be completed to the access drive and if so then he believed there needs to be a crosswalk to let people know where they need to cross at. Mr. Richardson indicated that since the berm height will be reduced when the berm gets to the access way from Graystone Circle a fence should be installed and needs to come all the way down to keep headlights from shining in the homes from Stonegate Drive. Mr. Richardson asked if Wendy's would be twenty-four (24) hours or not. He stated that if it is there should be a curfew for outside dining. He expressed concern that Wendy's customers would be making noise late at night when residents are trying to sleep. Mr. Richardson stated that Sheetz has had issues with outside dining with patrons gathering late at night. Mr. Richardson stated that before Phase III, IV, and V, the Developer needs to finish putting in the sidewalks on Pine Street and Graystone Circle. Mr. Richardson indicated that clarification is needed to when the loop road is going to be removed as there's two (2) different versions of the plan showing that the loop is removed at different times.

Business Items:

A. Stone Ridge Major Subdivision/Lot Consolidation – Revised Preliminary/Final Plan: Mr. Scott Pasterski, Keystone Consulting, introduced himself, the applicant, Mr. Tim Livengood, and Attorney, Mr. Joseph Zator. Mr. Pasterski stated that regarding the Stone Ridge Major Subdivision/Lot Consolidation, they are in receipt of Barry Isett's Recommendation Letter dated September 15th, 2023, and they had reviewed the comments. Mr. Pasterski indicated that the application was previously before the Planning Commission, and it did receive a conditional recommendation of approval. Mr. Pasterski stated that previously the plan had lots, 118, 117, and lot 1 for the residential development; however, since the prior plan it now is proposed that lot 118 is divided into three (3) separate lots. He stated that the division is the main revision of the plan and why they came back to the Planning Commission. Mr. Pasterski indicated that the Barry Isett letter of September 15th, 2023, included a suggestion from the Township Engineer that there should be one (1) modification to the waiver

request for the preliminary final plan. Mr. Pasterski stated that the waiver letter was largely the same as it was submitted with the application and that his team agreed to comply with them, however, he wishes to further discuss comment six (6) which reads as follows:

“6. The private access reverse frontage road serving Lots 117, 118A, 118B, and 118C should be shown per SALDO §22-502.4.M.”

Mr. Pasterski explained that the service access way that runs all the way along the southern border of the property is part of another plan set that will be discussed later in the evening. He continued to explain that the comment was not on the subdivision plan before, and that the road would be built in conjunction with the land development for the Wawa on lot 118C. Mr. Pasterski questioned why the road would need to be shown on the Stone Ridge Major Subdivision/Lot Consolidation Plan when it would be constructed as part of the land development plan. Mr. Wojciechowski stated that the plan is showing the front yard set-back on lots 118A, 118B, and 118C, and at the back part of the rear lot from Rt. 329. He indicated that the intention was that it would be a private road so if that is going to be the front yard set-back for the lots on the plan then there needs to be some kind of road for the front yard to be off of. Mr. Pasterski asked if it would be agreeable to provide the road in the plans but have a note on the plans indicating that it would not be constructed as part of this application but at another time with the respective land development. Mr. Wojciechowski stated that the right-of-way needs to be shown and the right-of-way for Stonegate Drive needs to be shown as well. Mr. Pasterski indicated that on the current land development plan set, the right-of-way was not shown as it was to remain private and would have access across the various properties through an access easement. He stated that was how they were proposing to handle it without dedication of the right-of-way. He questioned if the suggested approach to the right-of-way would be amendable to the Planning Commission. Mr. Wojciechowski stated that the front yard must come off a right-of-way and explained that if it's called a private right-of-way, public right-of-way, or a right-of-way easement it does not matter as a front yard has to be dimensioned from a right-of-way. Mr. Pasterski indicated that the setbacks were measured from the boundary of the commercial and residential, to which he personally believed was a little unorthodox. Mr. Pasterski stated that if they placed the access easement on the face of curb, he believed that they would meet all setbacks for the front yard. He clarified that they were not asking for ownership of the sidewalk but to utilize the face of curb to establish the set back. He concluded that would allow them to be complicit with the zoning setbacks. Mr. Zator commented that it was to his understanding that the setback is measured from the property line. He explained that the property line is at the south side of the lots that go up against the residential lots. He indicated that there is not going to be a right-of-way because it is going to be an easement that is available for the owners of the various lots and the public. He clarified that it will not be a formal right-of-way. Mr. Treadwell questioned who would own the private access road. Mr. Zator indicated that it will be owned by each individual lot owner and that there will not be an association that owns a private road. Mr. Treadwell questioned if each of the commercial lot owners would own a section of the access road. Mr. Zator stated that would be correct but subject to easements and maintenance obligations.

Mr. Krill questioned whose property the buffer would be on. Mr. Zator stated that it would be on the commercial property. Mr. Krill questioned if the residents' lot lines would be at the bottom of the buffer. Mr. Link questioned who would maintain the road if it is owned by three (3) different lots. Mr. Treadwell questioned who would be responsible for caring for the buffer. Mr. Zator indicated that there will be a common maintenance obligation shared by everyone in the commercial development and that the berm and plantings would be part of the association. Mr. Krill asked who would be responsible for building the road. Mr. Zator stated that it is part of the Wawa application, however behind the scenes, Mr. Livengood would be building the road. Mr. Krill questioned if Mr. Livengood would build the road from Savage Road up to the where the entrance is from Rt. 329. Mr. Zator stated that would be correct and the balance of the commercial development as the service road continues westward would be at a later date. Mr. Treadwell indicated that the road would need to be built before they build the commercial buildings so there would be access to the businesses. Mr.

Pasterski stated that there would be access to Wawa because they would have the entrance and exit from Savage Road therefore the road would not need to be completed right away.

Mr. Wojciechowski stated that the front yard that is shown on the plans is along the rear portion of lots 118A, 118B, and 118C. He indicated that a yard between a structure and its fronting street line and extending the entire length of the street line is the front yard. He stated that if they do not create a private street or a private right-of-way, then they're not fronting on the reverse frontage. He questioned how they were taking their front yard if it is not an easement or right-of-way. Mr. Treadwell explained that when there are two (2) houses and two (2) lots that are next to each other, there is no road in the middle, and you would measure the building setback line from the property. He continued to explain that a rear yard is not always on a road. He stated that the setback line is typically from the property line or from a public road, if a public or private road exists. Mr. Treadwell indicated that the access road is neither, from what he has gathered from the Stone Ridge Team. Mr. Zator questioned if the setback needs to be measured from the back of the residential lots and if it would include the buffer and the road. Mr. Treadwell stated that this topic was something that the Commission needs to discuss more to help clarify building setback and right-of-way lines. He questioned if they measured the building setback line from the property line. Mr. Pasterski stated that he did, and he believed it was measured fifty (50) feet from the property line. Mr. Treadwell questioned if he measured from the back of the residential units' lot line. Mr. Pasterski stated that was correct. Mr. Treadwell stated that the front yard needs to be discussed more because the front yard needs to be clear until you get back to the building, however, in this situation there will be a berm and an access road all within the front yard. Mr. Pasterski stated that he and his team will work on rewriting some descriptions and annotations regarding the lots. He indicated that he would investigate comment number six (6) from the Barry Isett letter dated September 15th, 2023. He indicated that they would look at and provide a set-back line that makes sense for everyone. Mr. Zator stated that the setback lines were really an issue for the development plan as opposed to the subdivision lot consolidation plan. He explained that the subdivision lot consolidation plan has no building proposed on it and all that was asked was for a road to be placed on the drawings for the purpose of being able to see it. Mr. Wojciechowski questioned how they define a front yard that is not along the front of the property. Mr. Pasterski indicated that they could remove the setbacks if that is a simpler way around it for the application and deal with the issue as part of the land development plan. Mr. Pasterski stated that he would like to take a moment to go through the various waivers. He explained that the waivers except for one (1) waiver are the same as were associated with the previous recommended subdivision consolidation plan that only had a single lot for lot 118 as opposed to the three individual lots. The first waiver and request justification read as follows:

“(w) § 22-307 & § 22-503.3 – Requirement for separate Preliminary and Final Plan submission.

Request Justification: The Proposed subdivision and consolidation is a simple two sheet plan set and is only intended to adjust the lot lines. In light of this, a combined Preliminary/Final application is appropriate.”

Mr. Pasterski stated that they did not see the need to break the submission into preliminary and final plan, hence the request for the waiver. Mr. Pasterski explained that the second waiver examined the requirement for proposed monumentation at all property corners. The waiver request and justification read as follows:

“(w) § 22-423 – Requirement for proposed monumentation at all property corners.

Request Justification: Following consultation with KCE's survey department, monumentation has been proposed at key property corners such as is sufficient for future boundary retracement. Further, the forthcoming residential subdivision under separate application) will provide iron pins at individual residential property concerns to the satisfaction of the Township. As discussed at the 9/18/23 Planning Commission meeting, this waiver is only requested for the Horwith Lane frontage.”

Mr. Pasterski stated the survey department did not feel it was necessary to be able to retrace the property lines. He stated that Lot 1, will have seventy-eight (78) residential units with iron pins at the property corners. He

discussed that if they took the strict literal reading of the monumentation ordinance, then there would be an overwhelming amount of property monumentation. He explained that with the current application, they indicated monumentation at certain key areas on the boundaries. He indicated that the future subdivisions or the subdivisions contained in the other applications would provide additional boundary details. Mr. Behler questioned what would happen if the future subdivisions did not get built. He explained that he believed that the pins should be in if the land is being subdivided. Mr. Wojciechowski stated that only one (1) or two (2) pins would be necessary because the land is long and straight. He noted that there would be pins for each of the residential backyards going in the development. Mr. Behler explained that he felt the pins were important especially because a resident has already stated that some of the pins were not done correctly on the residential side. Mr. Pasterski stated he is referring to the monumentation along Horwith Lane. He stated that the boundary is anything but a straight line and described it as having different kinds of breaks. Mr. Pasterski stated that they are going to place fifteen (15) to twenty (20) monuments along Horwith Lane. Mr. Pasterski stated that if the Commissioners felt that it was necessary to have all the pins in then they will put it in. Mr. Behler stated that any commercial lot needs to have pins in if they are touching another lot. Mr. Pasterski indicated that he would follow up with an updated later that will include additional clarification for monumentation.

Mr. Pasterski discussed the next waiver that read as follows:

“(w) § 22-502.2.A – Requirement for plan scale to be 1”=50 feet.

Request Justification: A larger scale of 1”=100 feet is needed to depict the entire subdivision/consolidation on a single plan sheet. All relevant information is legible.”

Mr. Pasterski stated that a larger scale of one (1) inch equaling one hundred (100) feet would allow the entire subdivision/consolidation plan to be on a single plan sheet and would allow all relevant information to be legible. He then discussed the next referenced waiver:

“(w) § 22-502.3.A – Requirement to depict watercourse, sanitary sewer, water mains, fire hydrants, storm drains and pipes and similar features within 200 feet of the tract.

Request Justification: Proposed subdivision consolidation will only adjust the lot lines.

Development of said lots will be accomplished through separate land development application(s) and the required information will be depicted therein.”

Mr. Pasterski stated that there would be no substantial value added to the plan to show the area two hundred (200) feet beyond. He indicated that there was no development on the discussed application. Mr. Pasterski began to discuss the next waiver and stated that it was from the last meeting Planning Commission Meeting on August 21st, 2023. The next waiver read as follows:

“(w) § 22-502.3.B – Requirement to depict existing contours, source used to determine said contours, survey datum, and benchmark.

Request Justification: Proposed subdivision consolidation will only adjust the lot lines.

Development of said lots will be accomplished through separate land development application(s) and the required information will be depicted therein.”

Upon reading the waiver and justification, Mr. Pasterski indicated that there was no development associated with discussed application, Mr. Pasterski then read the next waiver which is read as follows:

“(w) § 22-502.3.C; 22-502.5.K; and 22-502.6.A(5) – Requirement to depict wooded areas, tree rows, wetlands, floodplains and other topographical features on the plan.

Request Justification: Proposed subdivision consolidation will only adjust the lot lines. Development of said lots will be accomplished through separate land development application(s) and the required information will be depicted therein.”

Mr. Pasterski concluded that he felt the depiction of wooded areas and so forth would be more appropriate for the land development and or residential subdivision as they will be provided on those plans. Mr. Pasterski opened the floor for questions. Mr. Behler questioned Mr. Wojciechowski if he found the waivers to be satisfactory. Mr. Wojciechowski stated that there was one modification that was needed for the monumentation to only be limited to the right-of-way on Horwith Lane. Mr. Treadwell clarified that the waiver would only be a partial waiver for the portion that touches Horwith Lane. Mr. Pasterski indicated that he would follow up with an amended letter.

Mr. Behler questioned if the current plan is the subdivision plan that involves the possible changes to Atlas Road. Mr. Treadwell stated that it was. Mr. Wojciechowski referred to comment two (2) of the Barry Isett Letter dated September 15th, 2023, which read as follows:

“2. The Township may wish to review the status of any deferrals previously granted over the overall tract, including buffer to Savage Road, sidewalk along Savage Road, and any conditions that may be deemed appropriate due to the submitted plans for Lots 118A, 118B, and 118C.”

Mr. Behler questioned if there were any other deferrals. Mr. Wojciechowski indicated that there were not any other deferrals that he has seen on the plans. He stated that there is a waiver for block length between Joseph Road and Pine Street that was granted, but there was nothing regarding Graystone Circle, however, this would be part of the residential portion of the Stone Ridge Project. Mr. Behler questioned if the fee in lieu of the sidewalk on the east side of Savage Road would be part of the land development portion. Mr. Treadwell indicated that it was previously discussed about the recreation fee not a fee in lieu of. He explained that whether there were recreation fees that could offset the cost of putting sidewalks on the east side of Savage Road if that's what the Township wanted to do. Mr. Treadwell stated that would be included with the land development plan and not the subdivision plan because the subdivision plan just creates the lot. Mr. Treadwell questioned if the current plan showed sidewalks on the west side of Savage Road. Mr. Pasterski stated that the plan did show the sidewalks on the west side of Savage Road and that they are depicted on the land development plans for the Wawa and other development plans. Mr. Zator indicated that he submitted a letter to Allen Township dealing with Savage Road's west side. He stated that his client, Mr. Livengood, is committed to completing the requirements on the west side of Savage Road regarding the sidewalk, buffer, etcetera. Mr. Zator explained that they gave the Township options to what would be the preferred design of the buffer, sidewalk, and so forth. He further explained that this was not part of the subdivision plan because the sidewalks and buffer are a deferral from a previous project. Mr. Zator stated that a separate plan will be provided showing the option that the Township has decided on in regard to the sidewalk and buffer. Mr. Behler questioned if the options focused on trees or landscaping how far back, they went. Mr. Link indicated that the Planning Commission had a preferred option. Mr. Krill indicated that it was never discussed with the residents. Ms. Eckhart stated that the Board of Supervisors needs to agree to poll the residents in regard to their preference. Mr. Behler suggested that the sidewalk options and obtaining feedback from the residents be added to the next Board of Supervisors' meeting. Mr. Behler indicated that he felt that the Township would want the sidewalks and to have them in place before any Certificates of Occupancies are awarded.

A resident questioned the decision process for the sidewalks and when it will be made. Mr. Treadwell explained that the decision is a two-step process. He shared that the Planning Commission Board makes a recommendation to the Board of Supervisors. He explained that in this situation, the Planning Commission preferred one of the options and wants to make a recommendation to the Board of Supervisors on which option they liked, however, the Planning Commission wants to know how the residents, whose backyards will have the sidewalk placed in it, feel about the different options. Mr. Treadwell stated that Mr. Behler requested Ms.

Eckhart to add the issue with obtaining residents' feedback, at the next Board of Supervisors' meeting. The resident questioned if the sidewalks were a separate issue from the subdivision plan. Mr. Treadwell indicated that was correct. The Commissioners examined the two options and determined that they preferred the option where the trees were closer to the road, option two (2). A resident questioned who would maintain the sidewalks. Mr. Wojciechowski stated that the property owners would be responsible for maintaining the sidewalks. Another resident questioned if their owned land would expand with the addition of the sidewalks. Mr. Treadwell stated that the property size would stay the same as reflected in the owner's deeds. Mr. Treadwell explained that the area where the sidewalk is being placed may be land owned by the resident that is within the Township's right-of-way. He further explained that there may be an easement that allows the Township to do certain things to the property within the property line. Mr. Link stated that the property lines will stay the same. Mr. Wojciechowski indicated that the berm will remain in the same place as well. Mr. Pasterski stated that one or two of the stone check dams may be removed.

Mr. Austin indicated that the determination of the lot lines and the setbacks could send Mr. Pasterski and his team to the Zoning Hearing Board. Mr. Austin explained that he felt that the Commissioners could not approve anything until they understood what was happening with the set-back and the front yard versus the backyard. Mr. Austin also explained that it needs to be determined if the width of the roadway would be considered or not. Mr. Behler indicated that the other option would be for the subdivision to remove the setback lines. Mr. Wojciechowski indicated that the Developers would need another waiver for that. Mr. Pasterski questioned if the Atlas Road and Savage Road were something that could be discussed tonight. At the last Board of Supervisors meeting, Mr. Pasterski discussed that at the last Board of Supervisors meeting the Supervisors and the residents had mixed opinions with respect to the potential cul-de-sac of Atlas Road near Weaversville Road. He explained that some of the Supervisors and residents made the point that there would be some impact to the Drexel Heights Development. Mr. Pasterski indicated that his team did a sketch of another option that could be considered. He explained that there would be a cul-de-sac, but it would not be in the same location. Mr. Pasterski referenced a drawing that showed a possible location for a cul-de-sac on Atlas Road, by St. John's United Church of Christ. He indicated that the green on the drawing is where the road would be put back to grass but still allow access to the park and the parking lots. He explained that it would cut off the potential for any vehicles, including trucks, to enter Drexel Heights Development. Mr. Krill mentioned that the proposed plan would force residents in the development to go out to Weaversville Road to get to Rt. 329. Mr. Krill indicated that during certain parts of the day, getting onto Weaversville Road from Atlas Road can be a nightmare. Mr. Pasterski indicated that this is just another option to gauge how the Township would like the Developers to handle Atlas Road. Mr. Zator stated that when the Atlas Road layout reaches the Supervisors, the Board of Supervisors will need to make a choice, however, the Developers request is that the Commissioners make a recommendation regarding the Atlas Road options. Mr. Krill stated that in the traffic engineer's opinion the traffic will have a minimal traffic increase. He then questioned what the percentage of traffic increase would be or the number of vehicles that the traffic would be increased by. Mr. Pasterski indicated that he did not have the exact numbers or percentage with him, however, he believed that it would be about thirty (30) to forty (40) vehicles that were sent out towards Atlas Road during evening peak traffic time. He stated that the worst-case scenario would be about a 1.2 second increase in delay for the vehicles on Atlas Road. Mr. Krill questioned what the traffic count was currently. Mr. Pasterski indicated that from a traffic study conducted by Langan from 6:00 AM to 6:00 PM on Atlas Road, there were approximately four hundred and eighty-three (483) cars. He clarified that this is the average amount of traffic in the present. He stated that once the Wawa is open it will increase by thirty (30) to forty (40) vehicles during peak traffic hours. He indicated that the traffic study is conservative. Mr. Krill suggested that the Developer obtains the daily number of vehicles on Atlas Road in the present, in six (6) months from when the Wawa is opened, they conduct the same traffic study to see how much the traffic is increased by. He suggested that if the traffic is increased by a predetermined percentage such as thirty (30) or fifty (50) percent then the exit from Wawa going onto Savage Road would be closed. Mr. Link disagreed with the closing of the Wawa exit onto Savage Road. Mr. Krill indicated that people would go to Wawa no matter what and indicated that the traffic will need to go to the light at the intersection of Liberty Drive and Rt. 329. Mr. Link stated that there was not a big problem at Atlas Road and Weaversville Intersection

according to the data given by the Allen Township Fire Company so they could just leave Atlas Road open. Mr. Livengood suggested that there are many different options, including not changing Atlas Road. Mr. Krill indicated that for himself personally he would rather be able to enter Wawa from Savage Road and exit Wawa from Savage Road, however, he does not believe that is the best option for the overall good of the Township. Mr. Treadwell indicated that the issue of what the Township chooses or does not choose to with its roads is separate from what the Township is going to allow a property owner to have access onto a public road. He continued to explain that the Township is responsible to ensure the safety of its public roads and looking at whatever the increase in traffic, may or may not be, from cars coming out of the proposed Wawa exit onto Savage Road and then Atlas Road, the Township does not know. He indicated that the Township could guess with traffic studies however the Township needs to decide if there is presently a safety issue on Atlas Road that needs to be addressed or not. Mr. Treadwell acknowledged that there is a sight distance problem. Mr. Behler stated that the sight distance problem automatically makes it a safety issue. He continued to explain that it does not matter how many accidents there are, the sight distance is still a safety issue. He concluded that the Township has an opportunity to fix the sight distance issues and they should take the opportunity. Mr. Link stated that he was okay with fixing Atlas Road, however, he felt that it is not fair to tell Wawa they can't have their access points because the Township is not sure of how it wants to handle the roads. Mr. Zator agreed with Mr. Link that the closing of Wawa's access on Savage Road would not work, however, if the Commissioners want to wait on their recommendation and the Board of Supervisors wish to wait on making their decision, the recommendation and decision could be deferred until some time after Wawa is opened. Mr. Zator indicated that the developer will still be committed to completing the Atlas Road improvements even after Wawa has been opened. Mr. Behler indicated that he would be okay with that if the Township gets financial security for the wait period. Mr. Treadwell agreed and explained that it makes sense because the Township cannot know for sure if the traffic will take a left onto Atlas Road. Mr. Treadwell explained that the problem would persist even if the traffic went up to Liberty Drive and Rt. 329 intersection because the traffic could just loop around back to Savage Road. Mr. Treadwell stated that the Township could not take an access point away because it would cause many different problems. Mr. Livengood indicated that it is not known how the traffic will be when the other two (2) commercial development components are built and open. Mr. Treadwell indicated that the Township could work out a timeframe so that the Township is able to adequately look at what effect the commercial development has on Atlas Road. He felt that the Township should get an understanding on the preferred routes when Wawa opens. Mr. Behler questioned if it would be reasonable for the Township to have a traffic study done three (3) months after the Wawa opened and then six (6) months after another traffic study was done. Mr. Treadwell asked Mr. Behler to clarify what he means by traffic study. Mr. Behler indicated that he is referring to car counts, how many cars are going on Atlas Road. He stated that the count three (3) months after opening will give the Township an initial count and then six (6) months after the three (3) months count to get a comparison and then the Township can decide from there. Mr. Link questioned if one (1) study at nine (9) months after Wawa opens would suffice. Mr. Behler stated that would probably work.

Mr. Behler wanted everyone to keep in mind that there is another development that will be constructed at some point on the corner of Savage Road and Atlas Road that is most likely going to be a warehouse. He expressed concern that if the Township decides to do nothing with Atlas Road, trucks will be going up to Atlas Road to get onto Weaversville Road. He indicated that the residents will be calling the Township with complaints about the truck traffic and the Township would have lost their opportunity to fix it. Mr. Behler stated that he hopes the Township has learned its lesson by missing opportunities and discussed how the Township missed its opportunity to stop truck traffic on Country Club Road and East Bullshead Road. Mr. Treadwell indicated that this is an opportunity that the Township has now and somebody else is paying for it. A resident questioned when the future developments would be going in. He felt that the traffic count should also incorporate the future development to get an accurate assessment of traffic flow. Mr. Behler indicated that the Township is doing counts so the traffic count would be for real time and would not predict traffic. Mr. Treadwell indicated the driveways on Atlas Road would be for eighteen (18) residential units. He stated that the warehouses being built would come out onto Savage Road and they must take a right turn onto Savage Road.

Mr. Treadwell indicated that there would be nothing stopping the trucks from taking Atlas Road. Mr. Behler indicated that there is not going to be a perfect solution. He stated that he would be okay with the suggestion of having the developers do a traffic count nine (9) months after the Wawa is open and then a year or whatever the appropriate time is, the Township can decide as long as the Township has escrow to cover the changes to Atlas Road. Mr. Richardson expressed concern that if a cul-de-sac is placed on Atlas Road, then emergency vehicles would take longer to get to the residential homes. He also voiced concern about potential accidents on Savage Road would cause the residents and traffic to be stuck. Mr. Behler indicated that there could be some type of emergency gates installed.

Mr. Behler stated that he did not believe that the last comment related to the set-back lines was resolved. He suggested that the developer ask for an additional waiver to remove it from the subdivision plan and then they can deal with it with the land development plan. He indicated that if it is not removed then the Commissioners could not do anything with the plan and expressed concern that they may end up going to the zoning hearing board. Mr. Treadwell questioned if that would be seven (7) total waivers. Mr. Wojciechowski stated that was correct. Mr. Link questioned if the seventh (7th) waiver would be added tonight. Mr. Treadwell indicated that Mr. Pasterski will be adding it tonight and sending an update later tomorrow that shows the partial waiver. Mr. Behler made a motion to recommend the approval of the seven waivers, the six discussed tonight and the seventh waiver about the stakes for the lot line adjustments so that the comments are included as well: second by Mr. Austin. On the roll call, all Commissioners voted yes except for Mr. Krill. Mr. Behler made a second motion to recommend the approval for Stone Ridge Major Subdivision Lot Consolidation, as long as it meets all the comments either in the letter that the was agreed upon or in the conversation held during tonight's meeting, and from the Barry Isett Letter dated September 15th, 2023, in addition, a traffic count will be conducted nine (9) months after Wawa opens, and a decision will be made regarding Atlas Road within a reasonable time frame, and escrow will need to be secured for the possible future improvements of Atlas Road; seconded by Mr. Link. On the roll call, all Commissioners voted yes except for Mr. Krill.

B. Preliminary/Final Land Development Plan – Stone Ridge Commercial: Mr. Pasterski referenced an overall sheet to give everyone a point of reference. He indicated where the Wawa, proposed auto parts store, and the Wendy's location would be. He stated that the auto parts store and the Wendy's are shown in for coordination purposes for the stormwater management design and they were not seeking land development approval or recommendations for those tonight. Mr. Pasterski indicated that he is in receipt of the Barry Isett's Review Letter dated September 16th, 2023. He indicated that the letter has been reviewed and with the exception of one additional waiver that needs to be added to the previously prepared letter, the comments have been reviewed and the responses are either a simple will comply or may need to require some additional coordination and clarification with the Township Engineer. Mr. Behler questioned if the plan affects the setbacks. Mr. Wojciechowski stated that it was. Mr. Treadwell indicated that Mr. Pasterski needs to discuss things with the Township Engineer and upon doing so he may be able to revise the plans and get the review comments down to less than sixty-seven comments to help the Planning Commission to feel comfortable. Mr. Treadwell stated that the plans need to be cleaned up and the comments lessened for the Planning Commission to make a recommendation and pass it along to the Board of Supervisors. Mr. Krill indicated that there was prior discussion of stormwater and using Prologis' basin. He questioned what happened with using Prologis' basin. Mr. Wojciechowski indicated that the plan is not showing Prologis' basin because the existing basin is being displaced between the auto parts store and the Wawa. Mr. Krill questioned if the commercial development would meet the coverage requirements. Mr. Wojciechowski indicated that it did, and the designed stormwater management meets the seventy (70) percent impervious coverage requirement for the stormwater ordinance. Mr. Pasterski added that his team sought approval from Prologis, and they did receive a favorable response from them. He indicated that obtaining permission from Prologis was required as part of the application. He concluded that the documentation still needed to be provided. He noted that Prologis indicated that they would most likely be favorable to it. Mr. Behler asked Mr. Wojciechowski if you calculated what the open space and recreation fee would be. Mr. Wojciechowski indicated that he believed he did for the residential portion. Mr.

Behler said he would want to do the in lieu of fee for the commercial development to which Mr. Wojciechowski stated he did.

Mr. Pasterski indicated that he would like to read through the waivers to get feedback from the Planning Commission. The waiver requests from the September 18th, 2023, Keystone Consulting Engineers Letter and read as follows:

“(w) § 22-307 – Requirement for separate Preliminary and Final Plan submission.

Justification: A combine Preliminary/Final application has been submitted to help expedite the approval process.

(w) § 22-502.2.A – Requirement for plan scale to be 1”=50 feet.

Justification: Drawings Scales of 1”= 30’ and 1” = 80’ have been provided to more clearly depict plan detail and to show the overall development on a single plan, respectively.

(w) § 22-502.3.A. – Requirement to show existing man-made features within 200-feet of the project boundaries.

Justification: The provided Land Development Plan adequately depict the proposed project area. No significant value would be added by providing additional information beyond the extents currently depicted.”

After reading the first three (3) waivers, Mr. Pasterski indicated that there was originally just one stormwater management ordinance that was requested, which reads as follows:

“(w) § 8-231.K – Requirement to provide a 2% slope towards the outlet structure for above ground basins.

Justification: Both proposed above ground basins (1 and 5) have been designed as infiltration facilities and therefore are not intended to drain water towards the outlet structures.”

Mr. Pasterski noted that there was one (1) waiver added to the letter. The added waiver read as follows:

“(w) § 8-229.9.I – Requirement to calculate infiltration area loading rates in accordance with the Township Stormwater Management Ordinance.

Justification: Loading rations for each proposed infiltration facility have been designed in accordance with DEP standards and with the oversight of the project geologist.”

Mr. Wojciechowski stated that he has concerns with the first waiver regarding the preliminary final application due to coordination issues between the different plans. Mr. Wojciechowski felt that final approval is currently not appropriate, and he would prefer it if the consideration of that waiver be deferred until the Township sees approvable plans. He also expressed concerns regarding the new stormwater waiver. He indicated that if the loading rations meet DEP standards, then the geologist would agree that they would be there. He indicated that the documentation that states that the loading rates are in accordance with DEP standards should be submitted for Township review to verify it. Mr. Wojciechowski concluded that the waiver would not be needed if the signed off loading ratios are to be submitted to the Township. Mr. Behler indicated that he felt for the preliminary final, that the plans and comments come back cleaned up and the Township’s professional staff think that they are good, then he would not have a problem with granting the waiver so you could do it one final time. Mr. Link agreed with Mr. Behler. Mr. Treadwell questioned Mr. Wojciechowski if the plan had coordination issues with the Wawa plan in regard to the work being done and other items that need to be cleaned up as well. Mr. Pasterski indicated that most of the clarifications will be on Wawa’s plans such as the Stonegate Drive improvements, the stormwater basin, and some utilities.

C. Preliminary/Final Stone Ridge Major Subdivision Residential Phase II: Mr. Pasterski referenced the waiver requests from the September 18th, 2023, Keystone Consulting Engineers Letter. The first two waivers read as follows:

“§ 22-306-307 - Requirement for separate Preliminary and Final Plan submission.

Request Justification: The proposed subdivision is a continuation of the existing Stoneridge residential development. Preliminary/Final plan status is proposed for efficiency. The Developer will provide financial security and executed developer's agreement prior to commencing construction activities.

§ 22-407.18 & 422 - Requirement for details and specifications for proposed streetlights to be provided.

Request Justification: Lighting details and specifications will be provided by PPL to the satisfaction of the Township.”

Mr. Behler questioned if it is the developer who puts the streetlights in. Mr. Wojciechowski indicated that PPL will decide when the streetlights go in, where they will go, and the cost, however, the Township can ask to authorize a certain light pattern or post pattern. Mr. Pasterski indicated the next waivers which read as follows:

“§ 22-408 - Requirement for storm sewer easements to follow lot lines.

Request Justification: Proposed storm sewer/inlet locations are a function of the site grading design which does not always allow for storm sewer lines and associated easements to follow lot lines if the utility is in the center of the easement. Utilities have been made to follow lot lines where feasible.

§ 22-410.1 - Requirement for block lengths to not exceed 1,600 feet in length.

Request Justification: The proposed lot layout has not changed since the sketch plan submission in 2021. Further, the proposed overall block length is only approximately 1,700 feet which we believe to be a de minimis increase.

§ 22-411.4 - Requirement to provide a 10-foot wide planting screen and associated easement.

Request Justification: Existing vegetation along Horwith Lane provides screening of the lots abutting the Horwith Lane right of way. Additional arborvitae screening has been provided where existing vegetation is not present or would need to be removed to accommodate site grading. A 10-foot wide screening easement has been proposed along the Horwith Lane frontage to protect both existing and proposed vegetative screening.

§ 22-411.5 - Requirement for lot lines to be set substantially perpendicular to right-of-way

Request Justification: Side lot lines only deviate marginally (e.g., in the proposed cul-de-sac area).

§ 22-411.7.D(1) - Requirement for driveway centerlines to not be closer than seventy-five feet to a street intersection (lots 32, 33, and 34).

Request Justification: Access to Lots 32, 33, and 34 is not adversely affected by intersection of proposed Road B with Road C (Road B controlled by a Stop sign). Further, this condition is common in similar residential developments as well as in the existing Stoneridge development (i.e. at the existing intersections of Greystone Circle with Joseph Road and Pine Street).

§ 22-422 - Requirement for roadway subdrains.

Request Justification: Proposed roadways have sufficient longitudinal slope to facilitate subgrade drainage.

§ 22-502.2.C - Requirement to provide a key map on the subdivision, grading and utility plans.

Request Justification: Overall plans have been provided for major plan types (i.e. layout, stormwater, grading/utility, etc.) which are adequate to show the relationship of smaller scale plan sheets.”

Mr. Wojciechowski commented that with the preliminary and final plan submission, some of the same coordination issues are still present and he would recommend that final plan not be approved at this time nor that the waiver should be considered until revised plans are given at a later date. Mr. Wojciechowski stated that there is already a lighting pattern established for the existing Stone Ridge Development, and he believed as a requirement to PPL, the new streetlights follow the exact same pattern and light frequency. He noted that as far as the roadway sub drains, the Township is aware that there are a lot of drainage concerns with the development and that he believes that the sub drains should be provided along the entire provisions of the new roads that are to be done. Mr. Wojciechowski indicated that key maps are helpful out in the field and make it easier to see which plan you want to turn to, so it is recommended that key maps are provided. Mr. Behler questioned the waiver regarding the requirement for driveway centerlines to not be closer than seventy-five (75) feet to a street intersection. He indicated that there are issues on some intersections where the houses are right at the intersections and cars parked on the road cause issues where traffic cannot swing to make a turn. Mr. Wojciechowski stated that it was in our ordinance that a driveway is not supposed to be within an intersection. Mr. Behler questioned if there would be a curb where cars could park. Mr. Wojciechowski indicated that the showed plans have a crosswalk so a vehicle could not park there and indicated that signs could be placed for no parking. Mr. Behler stated that they could also paint the curb. Mr. Pasterski indicated that they could address the concerns and amend the plans.

Mr. Behler questioned when the temporary access loop would be removed. He clarified that the Township wants to always have two access points, so he asked if when it gets removed that it is planned out accordingly. Mr. Behler asked when the Township would receive the recreation fee. Mr. Wojciechowski indicated that it is to be paid prior to the recording of the plans. Mr. Behler stated that he thought it would be a good idea for the Township to utilize the recreation money to build a sidewalk on the east side of Savage Road. Mr. Wojciechowski and Mr. Link agreed.

Mr. Krill questioned where the construction entrance would be. Mr. Pasterski indicated that he believed it is on Horwith Drive but would need to verify that information. Mr. Krill wanted to verify that the construction vehicles would not be driving through the residential development. Mr. Wojciechowski commented to Mr. Krill that the sidewalk on the east side of Savage would have a similar treatment to the west side where the road would be narrowed. Mr. Behler indicated that would help control traffic speed. Mr. Wojciechowski referenced a comment about having common fencing or a common landscape treatment along the back of the vegetation. He indicated that they did not want to have residents putting up different types of fences and questioned if it would be possible to do a rear lot line treatment. Mr. Pasterski stated he needed to consider the comment and cannot speak about that now. Mr. Krill questioned if the vegetation would be checked for invasive plants. Mr. Pasterski indicated that was not proposed, however they could check with their registered landscape architect.

Mr. Wojciechowski indicated that a Homeowners Association (HOA) is being proposed for Phase III. He indicated that there is not a Homeowners Association for Phase I or II, which means that some of the homeowners will be paying extra for the association and some who are not. He recommended that the Supervisors and Township consider the potential viability of the Homeowners Association. Mr. Zator indicated that the HOA is only being proposed because there is some infrastructure that needs to be maintained, in particular, the basin. He noted that if the Township wishes to take ownership of the basin and spray irrigation system then the HOA can be avoided. Mr. Wojciechowski noted that the Northampton Borough line runs through the middle of the basin. Mr. Pasterski noted that the basin was submitted to the Northampton Borough asking to request to waiver from land development, however, they have not heard back. A resident questioned who is responsible for the common area around the detention pond. The resident noted that it is not properly taken care of all year round and wants to know

when it will be taken care of. Mr. Treadwell explained that whoever owns the property is responsible for maintaining it. Mr. Zator indicated that the commercial development will be responsible for the maintenance when they start to discharge the stormwater into that basin. Mr. Krill questioned how the commercial properties will discharge into the basin. Mr. Pasterski indicated that there is existing pipes that the commercial properties will be tied into. Mr. Behler indicated that the Township may need to make sure that it is documented that the commercial development is responsible for taking care of the berm. Mr. Treadwell stated that they will check the HOA documents that they need to prepare. Mr. Link asked if there was any additional work that needed to be completed. Mr. Wojciechowski stated that everything is completed except for the sidewalk along Pine Street that is being requested.

D. WWCG Savage LLC Proposed Townhome Development, Sketch Plan: Mr. Tony Ganguzza with Boyle Construction introduced himself and explained that he is representing the applicant, Wedgewood Capital. Mr. Ganguzza introduced Mr. Jake Lord and Mr. Jason Prignoli from Wedgewood Capital, as well as Mr. Jeff Beavan of Bohler Engineering Services. Mr. Ganguzza explained that Wedgewood has the property along Savage Road that is about 5.6 acres comprising of a large lot and a smaller lot. He indicated that Wedgewood has the property under agreement with the landowner and Wedgewood is proposing a small development of eighteen (18) townhomes. He stated that the houses are permitted by right in the high-density residential zone. Mr. Ganguzza indicated that they were there tonight in order to receive feedback from the Planning Commission and asked Mr. Beavan to go through the comments from the Barry Isett review letter dated September 18th, 2023. Mr. Beavan first introduced the project and stated that the property is located on the far west side of Allen Township, along the municipal boundary with Northampton Borough. He indicated that 9th Street dead ends at the southwestern corner of the property and that there is a creek along the rear of the site. He referenced a drawing that shows a cul-de-sac street that would be proposed to be dedicated and the street itself would be about four hundred and fifty (450) feet in length. He indicated that the street would have on street parking spaces, perpendicular parking spaces off the cul-de-sac bulb, and on street parking between driveways. Mr. Beavan indicated that the townhouses are proposed to be three (3) and four (4) bedroom units. He stated that there would be stormwater controls down along the south side of the property and a potential spray irrigation system towards the top corner of the property. He indicated that there is a sewer easement that runs through the property along the stream. He stated that they are proposing a right-of-way dedication for the cul-de-sac of East 9th Street. He indicated that right now the road dead ends, but they would provide property for the cul-de-sac. Mr. Behler commented that even though East 9th Street is coming from the Borough, the cul-de-sac will be in Allen Township, but there's no way for us to get there other than going to the Borough. Mr. Beavan indicated that they looked at a number of potentially anticipated waivers based on what they are intending for the design. He stated that the first one would be related to the right-of-way and cart-way widths. Mr. Beavan stated that the ordinance requires a sixty (60) foot right-of-way with a forty (40) foot cart-way which they felt was a relatively wide roadway especially for just eighteen (18) townhouse units. Mr. Beavan stated that they have currently proposed and would look for a waiver to allow fifty-two (52) foot right of way with a thirty-two (32) foot car way. Mr. Behler indicated that he would not vote for that waiver and cited Boro Vu Drive as reasoning. Mr. Wojciechowski indicated that the right-of-way and cart-way is a zoning ordinance requirement so they would need zoning relief. Mr. Beavan stated that they can omit the on-street parking. He indicated that if those are omitted, the parking calculations still work to provide that the cartwheel on the entire length, and then we did run the cul-de-sac with the largest mutual aid fire truck that they have coordinated with on other developments in the Township and the cul-de-sac is large enough to be able to make that maneuver. Mr. Beavan indicated that is a forty-six-foot fire truck. Mr. Ganguzza indicated that they do not wish to over pave because additional pavement creates additional stormwater management. He indicated that they are trying to avoid a forty (40) foot width road with limited parking spaces on the side. Mr. Ganguzza indicated that they could limit the parking spaces because the number of driveways on the road does not give a lot of opportunities to park on the street. Mr. Beavan indicated that a narrow road would reduce the speed of cars, which was a reason for requesting a shorter width road.

Mr. Beavan indicated that the dimensions shown on the sketch plan are permitted in the ordinance for residential development with a density of three (3) dwelling units per acre or less. He explained that the development that they are proposing has 3.2 and he understood that the townhouses require the larger right-of-way and cart-way but its not completely unprecedented in the Township Code. Mr. Beavan discusses the second waiver regarding sidewalks along the street. He stated that for townhouse development, it is required that there be a sidewalk located along a street with sidewalk and curbing. He stated that the plan has curbing provided on both sides of the street, however, the sidewalk is only provided on side of the street. Mr. Wojciechowski indicated that the ordinance requires townhouses to have frontage on roads with sidewalks and that each townhouse unit must have a sidewalk in front of them so a zoning relief would be needed for that. Mr. Behler indicated that the sidewalks need to be on both sides of the road. Mr. Beavan discussed the stormwater basin requiring a chain link fence around it. He questioned if they could use something more aesthetically pleasing such as post and rail fence. Mr. Behler questioned who would maintain the fence. Mr. Beavan indicated that the HOA would be maintaining it. Mr. Behler indicated that the only issue he sees with using wood is that it decays quickly and would need to be redone. Mr. Beavan indicated that they could investigate different materials. Mr. Behler suggested vinyl. Mr. Beavan questioned if a traffic impact study would be required since the development has a limited number of units. Mr. Wojciechowski indicated that they would need to consult with the Township's traffic consultant.

Mr. Krill commented about the site distance only being stated for one direction. Mr. Beavan stated that the site distance was given looking to the east on Savage Road because it was closer, and given the drop in the road, the driver would lose sight distance to the left. Mr. Beavan discussed that the Township engineer did not recommend the four (4) parking spaces that are shown perpendicular on the cul-de-sac due to sight limitations. Mr. Beavan stated that their thought was that there should not be a lot of traffic within the cul-de-sac, so a driver would be able to see all the way around the cul-de-sac. Mr. Behler was not sure how he felt with the parking spots in the cul-de-sac. Mr. Austin asked if the intent would be for the HOA to maintain those parking spaces. Mr. Ganguzza stated that it would be the HOA's responsibility to maintain them but not the roadway. Mr. Behler questioned if they could make a small parking lot rather than the cul-de-sac parking. Mr. Ganguzza indicated that they would look into that suggestion. Mr. Beavan stated that there was one last item they wished to discuss. He indicated that the development would have frontage on Savage Road, and he did not believe that there is curbing or sidewalk to the east and then the property gets pinched with the stream. He indicated that they would be looking for a waiver or a deferral from improvements along the east. Mr. Behler stated that he felt that the sidewalk should be extended, and Mr. Wojciechowski agreed. Mr. Behler indicated that if the sidewalk goes in then curbing would be needed. Ms. Eckhart commented that the Township has seen subsidence in the discussed field over the years, especially on our road inspections. Mr. Behler questioned if they calculated the impervious coverage. Mr. Beavan indicated that it was calculated at 25.2% as the overall tract. Mr. Behler indicated that 45% is the high-density limit, so they would be able to add a small parking lot if they wanted to. Mr. Behler questioned the EDU agreement. Mr. Wojciechowski indicated that they would need to apply for sewage first and then once they get through the sewage planning, they will need to go through their EDUs and purchase them. Mr. Krill questioned where they would make the sewage connection. Mr. Wojciechowski indicated it would be at the Dry Run interceptor. Mr. Ganguzza indicated that they talked with NBMA about water service and stated that there should not be any issues with them getting water. Mr. Behler questioned if they could put in a pop-up park close to the proposed development. Mr. Ganguzza indicated that they were not against that but expressed concern about the flood plan and the slopes coming off of Savage Road. Mr. Krill questioned what they plan on doing with the east side of the property as it is very steep. Mr. Ganguzza indicated that they have not gotten that far yet with the plan.

Mr. Wojciechowski expressed concern with the property to the south, which was a former solid waste disposal facility that's owned currently by the Northampton Borough. He indicated that he would like to make sure that none of the solid waste has been pushed over the line and onto the property. Mr. Ganguzza indicated that they had a wetland study done and the property is free of any wetland on site. He also indicated that that

they are investigating a few depressions on the site. Mr. Behler questioned if the HOA is going to handle all the public improvements except for the road, stormwater, and sewer. Mr. Ganguzza stated that was correct. Mr. Wojciechowski suggested that they take care of the roadway and do not give ownership to the Township. Mr. Ganguzza stated that would be something that they would not be interested in.

Public to be Heard: No public comment.

Announcements: Mr. Krill announced that the next Planning Commission meeting will take place on Monday, October 16th, 2023 at 6:00 PM.

Adjournment: There being no further business, the meeting adjourned at 8:34 PM.

Respectfully Submitted,

Ilene M. Eckhart