



# Allen Township Planning Commission

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Eugene Clater, Chairman  
Gary Krill, Vice Chairman  
Gary Behler  
Alfred Pierce  
Louis Tepes Jr.

Robert Cox, PE, PLS  
B. Lincoln Treadwell, Jr., Esq.  
Ilene M. Eckhart, Secretary

## MINUTES ALLEN TOWNSHIP PLANNING COMMISSION REGULAR MEETING Monday, November 20, 2017 7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, November 20, 2017 at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail 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 minutes of October 16, 2017 ; seconded by Mr. Krill. On the motion, by roll call vote, all Commissioners voted yes with the exception of Mr. Behler abstained due to absence.

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

### **Old Business**

**A. Dashuta Land Development Plan:** Mr. Brian Gasda, PE Lehigh Engineering reviewed the zoning aspects of the revised land development plan. He reviewed the following sections pursuant to Barry Isett & Associates, Inc. reviewed letter dated November 17, 2017:

Mr. Gasda began with the review of the Zoning Ordinance comments:

Section 27-1203: Minimum Lot size requirement of 1 acre. Mr. Gasda indicated that a portion of land would be added with land swap with the Township.

Section 27-1403.3: No building or structures shall be placed in any required yard. Mr. Gasda indicated that the building has been placed as far away from the intersection as possible. The existing buildings will be removed and the new building moved as far south on the site as possible.

Section 27-1406: A 25' wide buffer yard is required along the lot lines which adjoin the R2 Residential Zoning District. The buffer yard must meet the criteria included in this section. The parking lot cannot encroach more than 15 feet into the buffer yard. Mr. Gasda responded that the applicant would like to offer some buffer yard or plantings on the Township's adjacent Howertown Park property.

Section 27-1407.H(3): No direct glare shall be permitted beyond the property line. The lighting fixture located at the western end of the parking lot appears to produce glare beyond the property line and should be revised. Mr. Gasda responded the northwestern property corner light standard will be modified but any light spillage would direct towards the detention pond proposed on the Howertown Park. Mr. Clater interjected that perhaps the spillage of light may be beneficial due to the potential for the Township walkway to be relocation in the Howertown Park. Additionally, Mr. Pierce interjected that he would be agreeable to no buffering due to the same factor.

Section 27-1410.B: The calculations of the minimum required landscaping area shown on Sheet 5 do not appear to be correct. The total area of landscaping should be equal to 10 percent of the proposed area of impervious cover. The plan indicates that the required landscape area is calculated from the net increase cover, not the total impervious cover, which may be an interpretation. Mr. Gasda indicated additional trees may be offered to meet this criterion.

Section 27-1413.B(3): A road occupancy permit must be obtained from the Township as part of this project of the proposed access drive connecting to Short Lane. The last submission included an application for the permit.

Section 27-1422.3.A: Each parking space shall be not less than 10 feet wide and not less than 20 feet long, exclusive of all drives, curbs and turning space. The plan proposes 9'x18' parking spaces. Mr. Gasda responded that a 9'x18' parking space allows the applicant to accomplish the desired parking spot count and he felt it was an appropriate space for the use. He felt it was a generally accepted standard regionally.

Section 27-1422.10.A: When a parking lot is located in a yard which abuts a street, a landscaped strip shall be provided on the property along the entire street line. Mr. Gasda indicated an area between the right of way to dedicated would be provided. Mr. Pierce questioned if a curb would be placed in the area. Mr. Gasda indicated that the parking lot would be lower and if necessary curb stops could be installed. Mr. Gasda called out the contours on the plan. Mr. Pierce was concerned with protection from traffic and felt it needed to be shown that the parking lot motorists cannot get to the highway. Mr. Gasda agreed to add a curb or landscape boulders along the northern boundary to address Mr. Pierce's concern. Mr. Dashuta indicated he was willing to work with the Township to provide an adequate protection. He felt the landscape boulders would be the more appropriate mechanism.

Section 27-1422.5: Requirement for loading space. Mr. Gasda indicated there would not be a need for a loading space due to delivery by box trucks only to the site.

Section 27-1422.10.C: When a parking lot is located on property which adjoins land in a residential zone the parking lot shall be screened from the adjoining residential property. Appropriate screening should be provided along the south and west property lines where the parking lot adjoins the R2 zoning district.

Mr. Pierce questioned construction on top of the utility easement. Mr. Gasda indicated that the easements for the water and sewer lines are necessary to allow Mr. Dashuta to connect to the utilities at the boundary between his property and the Township property. Mr. Gasda indicated this would be clarified on the plans.

Mr. Cox requested the adjacent Rt. 329 grading be shown and that the phase plan be provided to represent the changed access to Short Lane as the applicant's construction project comes to build-out.

Mr. Pierce made a motion to recommend approval of the preliminary plan subject to any outstanding zoning relief by the Zoning Hearing Board, restriction of straight-body only delivery trucks only to access the site in lieu of the loading zone, compliance with the Township Engineer's review comments of November 17, 2017, compliance with the Act 167 review; seconded by Mr. Behler. On the motion, Mr. Clater offered discussion regarding Act 167 review. Mr. Gasda noted that he has been in conversation with the LVPC and due to the minimum impervious coverage changer there would not be an Act 167 review provided by the LVPC. Mr. Clater further supported Mr. Pierce's points concerning the landscape and lighting onto the park property as well as the landscape boulders on the northern landscape area. Mr. Pierce modified the motion accordingly; Mr. Behler confirmed agreement with the modification to his second of the motion on the table. On the revised motion above, by roll call vote, all Commissioners present voted yes.

## **B. Final Plan for Subdivision and Land Development for Rockefeller Lehigh Industrial Development Subdivision and Preliminary Land Development Plans – Lot 5**

In attendance on behalf of the applicant: Clark Machemer, Johanna Chervak, Zachary Csik (Rockefeller); Joseph Fitzpatrick, Esq.; Brian Harman PE (Pidcock); Mark Heeb PE and Jose Lazo PE (both of BL Companies).

Mr. Jose Lazo responded to the Barry Isett Associates, Inc. letter of review dated November 17, 2017.

§27-1413.B(3) – A road occupancy permit must be obtained from the Township as part of this project for the proposed access drives connecting to Willowbrook Road. Mr. Lazo responded to the comment that a highway occupancy permit would be obtained from the Township for the proposed access drives connecting to Willowbrook Road.

§27-1421.14 – A written emergency plan of access must be provided by the owner. This plan shall be submitted to the Township at the time of submission for land development plan approval. This plan shall include all MSDS for all proposed materials on site. If any additions or deletions of materials having MSDS from the site are made, the owner of the facility must provide this revised information to the Township within 48 hours. The applicant's engineer has responded that the written emergency plan will be provided separately. Mr. Lazo responded that a MSDS and written emergency plan would be provided to the satisfaction of the Township.

§27-1407.2.H(3) – Recognizing that the Township permits up to 25' high mounted fixtures in all truck parking and truck access drives, the lights for the car parking areas and car access drives are still to be no taller than 16'. The lighting plan shall be revised to show this required condition. Mr. Lazo responded that a revised lighting plan would be provided as required by this condition.

27-1507 B (9) Primary Building Façade – The building façade facing Willowbrook Road, does not comply with this section. The applicant shall either adjust the building to meet the off-set requirements or provide narrative for review requesting review as an alternate architectural design. Alternate architectural design criteria as outlined in the ordinance, may also include supplemental landscaping. Mr. Cox confirmed that the revised architectural design has been provided to satisfy the intent of this comment by the design engineer.

Mr. Lazo responded the SALDO comments of the Township Engineers November 17, 2017 as follows:

1. Prior to any action on the final plan approval, it should be shown by the applicant that the conditions imposed on this lot as part of the approval of the prior subdivision plan and the conditions included as part of the preliminary plan approval, have been satisfactorily addressed by submission of appropriate documentation.
3. §22-412.4.C – The requirement to provide an integrated open space/recreation area, or the payment of a fee in lieu of providing the area should be addressed. The applicant has expressed an interest in paying the fee in lieu of providing the required open space area. The amount of the fee should be based upon the entire area of the project, including the development site and the leased area. At the rate of \$200 per acre and a total lot and easement area of 79.978 acres, the amount of the fee would be \$15,995.60.

Mr. Lazo indicated the applicant will comply with the payment in lieu.

6. §22-502.6.C and 503.3.H – The area of Willowbrook Road. not previously dedicated is now being offered for dedication to the Township. The applicant's engineer has indicated an area of 0.791-acre is included in the area being offered for dedication.
7. 22-502.6.F and 22-503.3.F – Any restriction in the deed affecting the subdivision or land development should be submitted to the Township and the solicitor for review. The applicant's engineer has responded that, per the attorney for the Applicant, no restrictions in the deed affect the subdivision or land development other than obtaining a Deed of Release from the FAA, which is a condition of sale. Mr. Lazo responded that there are no restrictions on the property.
11. §22-503.4.D – A copy of the agreement with the water service provider (City of Bethlehem (City)) indicating specific approval for the proposed extension and use has been provided. The City shall respond that the meter

pit details are acceptable. Mr. Lazo responded that the applicant would communicate the details with the City of Bethlehem.

12. §22-503.4.F – A letter of approval of the Soil Erosion Control Plan by the Northampton County Conservation District should be provided prior to or as a condition of final plan approval by the Board of Supervisors. Mr. Lazo confirmed the plan was provided to the Township Engineer with the submission.
13. §22-503.4.G – An NPDES permit must be obtained before construction may commence. Prior to the applicant making submissions to any regulatory agencies, such submissions should be reviewed by the Township and their Engineer. Conditions included on plans submitted to regulatory agencies for approval which require later Township maintenance will not be accepted by the Township unless the plans have also been reviewed and accepted by the Township. Lot 5 approval conditions require the NPDES plans be updated to the current design, and this has been done.
15. §22-503.4.J – An Improvement Estimate should be provided which is signed and sealed by a registered professional engineer with the following certification (or similar): "This estimate is fair and reasonable and sufficient to guarantee to Allen Township, the completion of all required improvements in case of default by the applicant/developer." Mr. Lazo responded that the applicant/design engineer/legal counsel would comply with the comment.

Mr. Pierce questioned the conveyance from LNAA concerning the easements. Mr. Fitzpatrick confirmed that easement agreements would be provided by LNAA and these easements agreements would be recorded. Mr. Pierce stated the Township Solicitor needed to review and approval all easements. Mr. Fitzpatrick requested this matter be reviewed with Rockefeller's Transactional Counsel. Mr. Treadwell indicated a similar easement document would be need to be recorded regarding the Fuller easement which would be required.

Mr. Lazo responded to the General Stormwater components of the Township Engineer's November 17, 2017 review as follows:

1. §8-271 – No regulated earth disturbance activities within the Township shall commence until approval by the Township of a BMP Operations and Maintenance Plan which describes how the permanent stormwater BMPs will be properly operated and maintained. The full set of BMP Operation and Maintenance Plans have been provided. Final approval of the plan should be subject to receipt of the NPDES permit and verification of consistency with the plan approved as part of that permit. Mr. Lazo responded that the applicant/design engineer/legal counsel would comply with the comment.
2. §8-272, 274 and 276 – The property owner shall sign an operation and maintenance agreement with the Township covering all stormwater BMPs that are to be privately owned. Mr. Lazo responded that the applicant/design engineer/legal counsel would comply with the comment.
3. A copy of the Lehigh Valley Planning Commission stormwater management review/approval letter for the revised stormwater management design shall be submitted to the Township and our office. Mr. Lazo responded that the applicant/design engineer/legal counsel would comply with the comment.
11. The site stormwater design has already been revised per airport requirements against open water in basins. Comment should be provided from Lehigh Valley International Airport (LVIA) regarding open water in the sediment basin. Mr. Lazo confirmed correspondence, in the form of minutes, from the March 16, 2017 meeting with LVAA representatives have been provided documenting LNAA has no objections with open water

sediment basins to address this comment. Mr. Clater interjected he was concerned with maintenance due to the proposed slopes. Mr. Clater was referring to the basin on the southwest corner on the LNAA property. Mr. Lazo indicated that the basin referenced would be temporary in nature. Mr. Clater was concerned with the open basin. Mr. Lazo indicated that this was not a basin but a low area with an end wall structure – this would have a trash rack. Mr. Lazo indicated that a small access would be included to the bottom of the depression area. The access will be provided similar to the other areas with this design characteristic. Mr. Clater apologized for the oversight per the previous discussion. Mr. Lazo responded to the General Plan comments contained in the Township Engineer's November 17, 2017 letter of review as follows:

7. Details are needed for water line vacuum air release valve, backflow prevention system, water meter and water service pit. The applicant's engineer has responded that details will be provided upon coordination with City of Bethlehem Water, who just recently entered into an agreement with Northampton Borough Water Authority to provide water service to Lot 5. Mr. Lazo responded that the applicant has been in contact with the City of Bethlehem to refine the service requirements.

Mr. Pierce questioned the perpetual access to the stormwater facilities – other than walking on the adjoining golf course. Mr. Lazo responded at the southwest corner there will be a gradual slope and there will be a maintenance access road. This is on plan 3.0 at sheet 25 of 70 and clarified by Mr. Clater. Mr. Pierce was concerned still due to the slope in this area. Mr. Cox confirmed with Mr. Lazo that this was a stoned hatched area. Mr. Lazo explained an access would be introduced to gain access to the channel. This will be revised on the plans and submitted to the Township Engineer for review. This was at the south of the underground pipe system. The grades would be adjusted as well in the location to accommodate access. The detail would be modified in accordance with the concerns regarding access to the stormwater management system.

Mr. Krill questioned the arrangement for water service. Ms. Chervak explained the arrangement covers a five-year time period between the City of Bethlehem and Northampton Borough Municipal Authority and Rockefeller is not party to the agreement.

Mr. Clater reviewed the following draft conditions for consideration further discussion by the Commission:

*The Final Plan for the Subdivision and Land Development Plans entitled, "Subdivision and Preliminary Land Development Plans – Rockefeller Lehigh Industrial Development – Lot 5," dated December 22, 2016 and last revised November 6, 2017, prepared by BL Companies, consisting of Sheets 1 through 70 of 70 (the "Lot 5 Plan") is hereby recommended for Final Plan Approval subject to the Owner and Applicant agreeing to satisfy the following conditions:*

1. *The Applicant must satisfy all comments contained in the Township Engineer review letter dated October 13, 2017 and any subsequent letters issued pursuant to the review of any resubmitted Lot 5 Plan, or stormwater plans, calculations, and details, including all comments contained on "marked up" plans exchanged between the Township Engineer and the Applicant's Engineer.*

2. *The Applicant shall obtain approval of PA-DEP Planning Module and provide documentation to the satisfaction of the Township covering the installation, operation and maintenance of the sanitary sewer and water facilities.*
3. *The Applicant shall obtain the following specifically with respect to the western SWM facilities as proposed in the Final Plan submission dated November 6, 2017 and which show storm water from Lot #5 being collected into an underground facility on residual LNAA land, as well as a collection basin located in the southwest corner of the residual LNAA land, with discharges from both facilities flowing through a single outfall on the western side of the residual LNAA land and then into a watercourse which flows over the adjacent Fuller Trust lands and finally into the Catasauqua Creek:*
  - i. *A written agreement from the adjacent property owner (Fuller Trust) approving the general outfall design and future maintenance responsibilities in accordance with Section 221 of the Stormwater Management Ordinance, (see draft Declaration of Easements)*
  - ii. *A DEP permit approving the direct discharge of stormwater from the western SWM facilities into the Catasauqua Creek,*
  - iii. *A NPDES permit approving the overall SWM facilities for the proposed lot #5 development, as well as any other affected properties,*
  - iv. *Compliance with any pertinent Allen Township engineering reviews and comments with respect to the SWM design as proposed, as well as final designs,*
  - v. *A BMP Operations and Maintenance agreement which fully outlines maintenance procedures and responsibilities (financial and otherwise) for all of the SWM facilities as proposed in the November 6, 2017 Final Plan submission, to include all aspects of the SWM facilities integral to Lot #5, (Agreement shall include responsibilities for LNAA and Fuller lands)*
  - vi. *Easements for municipal access and maintenance, if necessary, with respects both to initial construction as well as any ongoing maintenance needs for all aspects of the SWM facilities integral to Lot #5 (including those which may be located elsewhere other than specifically on Lot #5), shall be recorded at the time of Final Plan recording.*
  - b. *The final design of the western SWM facilities which are proposed to discharge directly into the Catasauqua Creek may not differ substantially from what was designed in the Final Plan submission dated November 6, 2017. Any design changes of substance will nullify approval of the SWM aspects of the November 6, 2017 plan and those design changes must be submitted to the Allen Township Planning Commission for review and recommendation to the Allen Township Board of Supervisors.*
  - c. *All aspects of this particular condition #3 must be completed, to the satisfaction of Allen Township, before this Final Plan may be recorded.*
4. *Approval from PennDot is required for the revised intersection of the FedEx Employee Driveway / Lot 5 Northern Access, including the traffic signal designs. The approved PennDot*

*plans for this intersection shall be deemed an integral part of this Lot 5 Final Plan.. Applicant or owner of Lot 5, its successors or assigns, is responsible for the construction of the revised intersection improvements at no cost to Allen Township. Once constructed and operational (turned on and controlling traffic movements), ownership of the traffic signal shall transfer to Allen Township. (Preliminary Plan approval condition, added as Note 79 in the Final Plan referenced herein)*

5. *Ongoing maintenance of the FedEx Employee Driveway / Lot 5 Northern Access traffic signal shall be the responsibility of the Applicant or owner of Lot 5, its successors or assigns, and the owner of Lot 1, its successors or assigns, and shall include all aspects of maintenance, replacement, reconstruction and upgrades subsequent to the initial construction. An agreement between the Owners of Lots 5 and 1 for the maintenance of this signal must be submitted to Allen Township for its review and approval prior to the signal becoming operational. (Preliminary Plan approval condition, added as Note 80 in the Final Plan referenced herein)*
6. *The Applicant or owner of Lot 5 shall provide the township engineer with a certificate of completion stating the infiltration structures and stormwater collection systems were installed in accordance with the approved plan, and in accordance with the Allen Township Stormwater Management Ordinance. The certification shall be signed by the owner of Lot 5 and the contractor who installed the infiltration structures and stormwater collection systems, in addition to being signed by a Professional Engineer licensed in the State of Pennsylvania. (Preliminary Plan approval condition, added as Note 81 in the Final Plan referenced herein)*
7. *The Applicant or owner of Lot 5 shall provide an updated post-occupancy traffic impact study and assessment to the Township (including specifically the months of November and December and while school is in session) within three years from the issuance of the certificate of occupancy for Lot 5, as well as be responsible for any appropriate remediation/funding, if necessary, as determined by the Allen Township Board of Supervisors for areas where levels of service drop below "C" as referenced herein. The post-occupancy traffic impact study update and assessment shall include the Radar Drive/Willowbrook Road intersection, the West Bullshead Road/ Willowbrook Road intersection, and the un-signalized lot 1 and lot 5 driveways, as well as additional intersections, identified by issues related to traffic generated from this site, as requested by Allen Township. Levels of service of any traffic movements on or affecting Willowbrook Road shall not drop below "C". (Preliminary Plan approval condition, added as Note 82 in the Final Plan referenced herein).*
8. *The Applicant and Owner agree that the Township will not issue a Certificate of Occupancy for any structure on Lot 5 until such time as the traffic improvements to Willowbrook Road and Race Street (to the intersection of Airport Road), as identified in the Rockefeller Group Industrial Subdivision Plans, are substantially completed to a condition adequate (as determined in the sole discretion of the Township) to support the anticipated traffic levels for*



*the uses on Lots 1 and 5. (Preliminary Plan approval condition, added as Note 83 in the Final Plan referenced herein)*

9. *The Applicant or owner of Lot 5 shall designate a professional engineer, licensed in the State of Pennsylvania, to be responsible for assisting the Applicant or owner of Lot 5 in the administration of the construction project for all aspects including, but not limited to, design modifications, interpreting plans and specifications, approving all shop drawing submittals and coordinating those with Allen Township, obtaining approvals from Allen Township when needed, approval of escrow requests and subsequent submission to Allen Township, submission of as-built plans and construction completion certifications, and signing paperwork and termination requests required by PADEP/NCCD permits. (Preliminary Plan approval condition, added as Note 84 in the Final Plan referenced herein)*
10. *Plan note 67 shall be revised to replace “any and all class 8 trucks” with “trucks with a GVWR of 10 tons or more or which classified as WB-40 or larger”. (Preliminary Plan approval condition, Note 67 was revised in the Final Plan referenced herein)*
11. *The following Plan Notes shall be added to the Plans:*
  - a. *Condition 3 contained herein;*
  - b. *If truck stacking beyond the maximum queue limit occurs in a manner that has a negative effect on ingress/egress to the site from Willowbrook Rd, the owner of Lot 5 shall provide additional measures to address truck queuing. Truck stacking on Willowbrook Rd, where queues exceed the length of the turning lanes, is not permitted; and if this condition presents itself, the Applicant or owner of Lot 5, its successors or assigns will be responsible for remediation of such condition, with such remediation to be to the satisfaction of Allen Township. (Preliminary Plan approval condition, added as Note 76 in the Final Plan referenced herein)*
  - c. *The Applicant and Owner agree that the total acreage of the residual “non-buildable” lot to the west of Lot 5, and within the bounds of Allen Township, which contains SWM facilities integral to the proposed development of Lot 5, shall have an easement appurtenant to Lot 5 that provides for the perpetual location of stormwater facilities. (Preliminary Plan approval condition, added as Note 77 in the Final Plan referenced herein)*
  - d. *Ingress and egress to Lot 5 via the southern access driveway shall be restricted to the following movements:*  
*Trucks: right turn in and right turn out only*  
*Cars: all movements are allowed*  
*(Preliminary Plan approval condition, added as Note 78 in the Final Plan referenced herein)*
12. *This approval is contingent on the FAA issuing a Deed of Release for those lands involved in this Rockefeller Development Group subdivision/land development application.*

13. *The following LNAA provisions shall be satisfactorily addressed:*
  - A. *Grant of any easements as part of the overall stormwater management plan.**(Preliminary Plan approval condition, added as Conditions of Approval Note 2 in the Final Plan referenced herein)*
14. *The following Stormwater Management requirements shall be satisfactorily addressed:*
  - A. *Approval by the LVPC of the Act 167 related stormwater designs.*
  - B. *Completion of the SWM maintenance agreement by all owners of property containing stormwater facilities that serve this project, including BMP Operations and Maintenance Plan and easements for municipal access and maintenance, if necessary.*
15. *The following comments regarding the existing and proposed utilities shall be satisfactorily addressed:*
  - A. *An Agreement from the City of Bethlehem to provide water to the subdivision shall be provided. (Agreement has been provided) Also, an acknowledgement from the City of Bethlehem regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.*
  - B. *Acknowledgement from UGI regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.*
  - C. *Acknowledgement from the Telecom provider regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Road, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.*
  - D. *Documentation from PPL regarding their approval of intended Rockefeller Development Group work in the PPL right-of-way shall be provided.*
16. *The Applicant or owner of lot 5 shall prepare a cost estimate in accordance with the PA MPC, and execute an escrow agreement for all Required Improvements.*
17. *The Applicant or owner of lot 5 shall execute any Developer's Agreements required by Allen Township.*
18. *The Applicant, Owner, or owner of Lot 5 shall execute Deed(s) of Dedication for all dedicated improvements.*
19. *The Applicant or owner of Lot 5 shall obtain approval of an E&S Plan from the Northampton County Conservation Districts and/or DEP, and obtain an NPDES Permit prior to the commencement of any construction activities.*
20. *The Applicant or owner of Lot 5 shall pay all required recreation fees prior to recording the Plans.*
21. *The Applicant or owner of Lot 5 shall obtain highway occupancy permits from Allen Township for all driveways shown on the approved Subdivision Plan.*
22. *The construction of the Route 329 improvements at the Kopper Penny intersection and the Savage Road intersection as well as the Route 329 bridge replacement (to the extent identified on the current PennDot*

*plan submission prepared by Langan Engineering) shall commence prior to the recording of this Final Plan unless the Allen Township Board of Supervisors approves an extension request.*

*Conditions 1, 2, 3, 11, 12, 13, 14, 16, 17, 20, and 22 shall be completed, to the satisfaction of Allen Township, prior to the recording of the Lot 5 Plan. All other conditions shall be satisfied within the time period specified below, unless the Allen Township Board of Supervisors approves an extension request.*

*It is recognized that with this Final Plan conditional approval, the following requirements of the Code of the Township of Allen shall be deferred by the Board of Supervisors: (Sections 22-406-J, 22-407-11, 22-409, 22-502.4.K, 21-303.B, 21-306)*

- 1. Sidewalks along the site frontage on the Western side of, and parallel to, Willowbrook Rd - North and South of the Northern site entrance, as well as sidewalks shown at the South entrance to the site are deferred. The internal sidewalks along the Northern access drive, which connect the employee parking areas and building to the pedestrian crosswalks at the intersection with Willowbrook Road, and the sidewalks immediately to the South of the Northern entrance which are necessary for connecting the intersection crosswalks shall be constructed. All other sidewalks, internal to the site, are not included in this deferral shall be constructed.*
- 2. LANTA bus stop accommodations are deferred until such time as LANTA agrees to service the area, and then shall be built to a specification that is agreed to by the Owner of Lot 5, LANTA and Allen Township.*
- 3. Construction of the southern access snowscraper is deferred until such time as deemed necessary by either the Owner of Lot 5 or Allen Township.*

*The following Waivers with Modification have been granted by the Board of Supervisors relative to the identified sections of the Code of the Township of Allen:*

- 1. 8-229(4)E: In carbonate areas, post-development 2-year runoff volume leaving site shall be 80% or more of the pre-development runoff volume. Modification: Conformance demonstrated using the PA DEP calculation methodology.*
- 2. 8-229(9)F: No infiltration practice shall be designed to recharge runoff from a contributing watershed larger than 2 acres. Modification: The proposed basin will receive more than 2 acres of drainage where the all proposed inlets conveying runoff to the basin area proposed with water quality inlet inserts to provide additional water quality.*
- 3. 8-231(8)C: Pipe outlet arrangement shall provide complete out-letting of all detained water, unless provisions for permanent ponding have been approved. Modification: To infiltrate, the water must pond and be allowed to recharge into the soil layer to demonstrate compliance with both the Township's and PA DEP stormwater regulations.*

4. *8-231(8)D: A detention basin, if utilized in an area of limestone geology, shall be lined with synthetic impervious liner as more specification described in Subsection (J). Modification: The proposed infiltration basin must be able to infiltrate to meet the Township and PA DEP recharge requirements; otherwise, a liner would prevent infiltration.*
5. *8-231(8)F.(3): Interior slopes shall not be steeper than a ratio of 4:1 horizontal to vertical. Modification: A 3:1 slope is proposed. A 3:1 slope is industry conventions, preferred by the FAA to deter wildlife, and the slope is gentle enough for maintenance.*
6. *8-231(8)H: If the maximum water depths as stipulated in Subsections (F) and (G) above area exceeded, a four-foot high chain link fence is required around the detention ponds. The fence shall be landscaped from adjacent streets and properties. A fenced detention pond shall have a maximum berm side slope of 4:1. Modification: A steeper slope is required to comply with FAA requirements.*
7. *8-231(8)K: The minimum slope of the bottom of a detention pond shall be 2% toward the outlet structure. Modification: Level bottoms are proposed for the bioretention basin and infiltration basin to allow for infiltration, evapotranspiration, and uptake of pollutants into the plant material. The level bottom is conformance with PA DEP design standards for bioretention and infiltration basins.*
8. *22-411(7)F: Driveway widths, driveways for multi-family, mobile home parks, and all non-residential subdivisions and developments shall not exceed thirty (30) feet in width and shall be clearly defined by use of curbing. Modification: The proposed northern driveway is designed to comply with PennDOT standards for medium volume driveway based on the expected average daily trip (ADT); therefore, it is necessary to exceed the 30' width.*

Mr. Clater requested public comment on Lot #5. Hearing none, Mr. Pierce made a motion to recommend approval of the Rockefeller Lehigh Industrial Development as outlined in the above draft motion (italics above) conditioned upon the satisfaction of items within the motion numbered #1 through 22 along with the incorporation of the verbal additions and modifications discussed this evening including: the reference to the analysis regarding the interim minimum road improvements as detailed in the Pidcock memorandum (from Brian Harman to the Township) of November 17<sup>th</sup>, 2017 related to the future occupancy of the Fed Ex Hub and Lot #5 outlining the minimum improvements; two phase aspect to the project Fed Ex (as is) and Lot #5 for road improvement off-site which are not the total improvements when both projects are completed but rather “interim”, also contingent upon the design engineer providing the Township Engineer with an acceptable modified design detail for access to the stormwater facilities referenced on plan sheet 25 of 70; seconded by Mr. Tepes. Prior to the roll call vote in consideration of the motion on the table, Mr. Behler stated he was not in favor of the modification concerning the road improvements but he understood the Board of Supervisors would determine what would be necessary to address occupancy in the future. On the motion, by roll call vote, all Commissioners present voted yes.

Attorney Fitzpatrick acknowledged the applicant's acceptance of the conditions of the recommendation as granted.

**C. Preliminary/Final Plan for Land Development for Rockefeller Lehigh Industrial Development – Lot 4:**

In attendance on behalf of the applicant: Clark Machemer, Johanna Chervak, Zachary Csik (Rockefeller); Joseph Fitzpatrick, Esq.; Brian Harman PE (Pidcock); Mark Heeb and Jose Lazo (BL Companies)

Mr. Jose Lazo, PE of BL Companies responded to the Barry Isett Associates, Inc. letter of review dated November 17, 2017

Mr. Lazo responded the Zoning comments of the Township Engineers November 17, 2017 letter of review as follows:

1. §27-1421.14 – A written emergency plan of access must be provided by the owner. This plan shall be submitted to the Township at the time of submission for land development plan approval. This plan shall include all MSDS for all proposed materials on site. If any additions or deletions of materials having MSDS from the site are made, the owner of the facility must provide this revised information to the Township within 48 hours. Mr. Lazo indicated the plan would be provided.

Additionally, Mr. Lazo reviewed the requests for Waivers and Deferrals per the Township Engineers November 17th, 2017 letter of review as follows:

The following deferrals from the SALDO and the Streets and Sidewalks Ordinance have been requested:

1. 21-303.B/306 – Sidewalks are required in all developments. A deferral until such time as deemed necessary to install sidewalks along Radar Drive by the Planning Commission and the Board of Supervisors is requested. Rough grading for the sidewalks will be proposed in the land development design.

2. 22-406.J/407.11/409/502.4. K – Sidewalks with accessible ramps are required along Radar Drive and the private drive entrances. A deferral until such time as deemed necessary by the Planning Commission and the Board of Supervisors to install the sidewalks along Radar Drive is requested. Rough grading for the sidewalks will be proposed in the land development design.

The location for installation of the proposed future sidewalk from the proposed cul-de-sac/driveway east to the limit of the property should be shown on the site and grading plans with the same shading utilized for the other portions of deferred sidewalk.

3. A deferral is requested from any requirements to install LANTA bus stop improvements until such time that LANTA agrees to service the area. This request is noted on the plan Cover Sheet but is not included in the waiver request letter.

The following waivers from the Stormwater Management Ordinance have been requested:

4. §8-229.4.E – If infiltration is proposed in carbonate areas, the post-development two-year runoff volume leaving the site shall be 80% or more of the predevelopment runoff volume for the carbonate portion of the site to prevent infiltration of volumes far in excess of the pre-development infiltration volume. The Applicant is requesting a waiver to infiltrate more than the 80% predevelopment level. The summary table on page 11 of the Post Construction Stormwater Management Narrative indicates that the post development runoff volume is only 25% of the pre-development runoff volume for a 2-year storm, utilizing the Townships required methodology. This far exceeds the Township's 80% requirement. They indicated that based on Pennsylvania Department of Environmental Protection's (PA DEP) design methodology requirements the site's post development runoff volume is 86% of the pre-development condition. The Applicant has provided a letter from Advantage Engineers, a geo-technical consultant. Advantage evaluated the Karst features and the proposed infiltration basin, and does not anticipate an adverse effect on the site development. Isett is in support of the waiver subject to approval of the infiltration methodology by PA DEP.
5. §8-229.9.F - No infiltration practice shall be designed to recharge stormwater runoff from a contributing watershed larger than two acres. The Applicant is requesting a waiver to allow a greater drainage area to flow into the infiltration basins. The Applicant contends that the size of the proposed development requires that greater drainage areas be allowed to be collected in the infiltration basins. Isett is in support of this waiver request.
6. §8-231.8.C. - Pipe outlet arrangements shall provide complete outletting of all detained water, unless provisions for permanent ponding have been approved. A waiver is requested to allow the storage volume below the low flow orifice to infiltrate into the soil layer. The Applicant's stormwater design requires infiltration of stormwater, therefore the complete outletting of detained water is not proposed. Isett is in support of this waiver request.
7. §8-231.8.D - A detention basin, if utilized in an area of limestone geology, shall be lined with a synthetic impervious liner as more specifically described in Subsection(J). A waiver is requested from the requirement to install an impervious liner, which would apply to all the infiltration basins proposed for the project. The Applicant's stormwater design requires infiltration of stormwater, therefore a basin liner is not proposed. Isett is in support of this waiver request.
8. §8-231.8.F.3 - Interior slopes shall not be steeper than a ratio of 4:1 horizontal to vertical. The Applicant is requesting a waiver of this section. A waiver is requested to allow a steeper side slope on the interior of the basins to comply with the FAA regulation of providing steeper slopes to prevent the gathering of birds. 3:1 interior side slopes are proposed. Isett is in support of this waiver request.
9. §8-231.8.H - If the maximum water depths as stipulated in Subsections (F) and (G) above are exceeded, a four-foot high chain link fence is required around the detention ponds. The fence shall be landscaped from adjacent streets and properties. A fenced detention pond shall have a maximum berm side slope of 4:1. The stormwater management facilities will be surrounded by a 4' high chain link fence. A waiver is requested to allow a steeper side slope to meet the requirements of the FAA. Isett is in support of this waiver request.
10. §8-231.8.K - The minimum slope of the bottom of a detention pond shall be 2% toward the outlet structure. A waiver is requested to allow a level basin bottom to allow for the settlement of suspended solids and consistent infiltration through the basin bottom, which would be in conformance with current PADEP regulations for infiltration facilities. Isett is in support of this waiver request.

Mr. Lazo responded and acknowledged the applicant would comply with the SALDO comments of the Township Engineers November 17, 2017 letter of review as follows:

1. §22-502.5.F –The plans should be reviewed and approved by the Northampton County Conservation District and a letter of approval of the Soil Erosion Control Plan by the Northampton County Conservation District should be provided. Mr. Lazo acknowledged the applicant would comply with the comment.
2. §22-502.6.D – The signature and seal of the registered professional land surveyor, licensed in the Commonwealth of Pennsylvania should appear on the Cover Sheet. Mr. Lazo acknowledged the applicant would comply with the comment.
3. §22-503.5.K – The street address for the site should be noted on the record plan. Mr. Lazo acknowledged the applicant would comply with the comment.

Mr. Lazo responded the applicant would comply will all General Stormwater comments contained in the November 17<sup>th</sup> 2017 Township Engineer letter of review as follows:

1. §8-221.8 – An NPDES permit must be obtained before construction may commence. Prior to the applicant making submissions to any regulatory agencies, such submissions should be reviewed by the Township and their Engineer. Mr. Lazo acknowledged the applicant would comply with the comment.
2. §8-271 - No regulated earth disturbance activities within the Township shall commence until approval by the Township of a BMP Operations and Maintenance Plan which describes how the permanent stormwater BMPs will be properly operated and maintained. Conditions included on plans submitted to regulatory agencies for approval which require later Township maintenance will not be accepted by the Township unless the plans have also been reviewed and accepted by the Township.
3. §8-274 – The property owner shall sign an Operations and Maintenance Agreement with the Township covering all stormwater BMPs that are to be privately owned.
4. The Drainage and Stormwater Management plan, Sheet 11, indicates that water quality inlet filters are to be installed in all catch basins along Radar Drive. The previously approved subdivision plans for this site, however, indicate that BMP snouts were to be installed in only some of the road inlets. If a permit modification or E&S plan revision and approval is required for the substitution of the inlet filters, they should be obtained prior to the construction of the road. Prior to the applicant making submissions to any regulatory agencies, such submissions should be reviewed by the Township and their Engineer. Any conditions included on plans submitted to regulatory agencies for approval which require later Township maintenance will not be accepted by the Township unless the plans have also been reviewed and accepted by the Township.

Mr. Lazo responded the Architectural Review comments of the Township Engineers November 17, 2017 letter of review as follows:

Sheet A 3.1

1. §27-1507 B (9) Primary Building Façade: The building façade facing Radar Road, has changed since the last submission, eliminating the overhangs over the side access doors. The Planning Commission shall discuss with the applicant a satisfactory façade treatment to meet the spirit of this ordinance requirement.

Mr. Lazo responded and acknowledged the applicant would comply with the Landscaping comments of the Township Engineers November 17<sup>th</sup>, 2017 letter of review:

#### Sheet C 6.0 Landscape Plan

1. The interior landscaping for the car parking areas shall be no less than 5% of the total parking lot. We calculate the eastern parking area to be short 280 SF of landscaping and the western parking lot to be short 410 SF of interior landscaping. The landscaping must be within the parking area, so perimeter planting areas are not included in this calculation. Add additional planting islands to each lot.

#### Sheet C 7.0 Lighting Plan

2. The lighting plan appears to be incomplete with areas of parking and circulation inadequately lit. Plan shall be completed and then submitted for review.

3. Lighting for truck circulation areas and truck parking may have light fixtures mounted up to 25' above grade. All other site lighting, either pole or building mounted, shall be placed no higher than 16. Lights mounted on the building or on a pole shall comply with the height requirements.

Mr. Cox requested that the resubmission should be accompanied with a detailed letter explaining, in detail, how each comment has been addressed.

Regarding the Radar Drive component of the plan.

Mr. Brian Harman, PE of Pidcock Company, indicated that the Radar Drive alignment has been modified, as an interim measure based on the denial of the rezoning by East Allen Township, to change the design from a three lane to a two lane cross section. He further explained how the road would be modified and transitioned into the tapering. Mr. Pierce questioned the if this changed the private vs. public aspects of Radar Drive. Radar Drive may be offered to the Township for dedication in the future. Mr. Pierce expressed his concerns regarding the limited usage of the road; which is Fed Ex to exit, Lot #4 and the radar tower. Mr. Pierce felt Radar Drive should remain public and had concerns how it would be policed in the future. Additionally, Mr. Behler felt if the road never extends and only serves the two property owners (Fed Ex, Lot #4 and the radar tower) – there is no public purpose. Mr. Fitzpatrick explained the difficulties in making the road private as the intent was and design was always that of a public nature.

Mr. Clater voiced concerns of the inclusion of the section of Willowbrook Road area including the bridge over the Catasauqua Creek and northern improvements in the area of the Wayne Grube Park Entrance. Mr. Clater referenced the Rockefeller Industrial Subdivision conditions of approval criteria regarding improvements as Lots 4 & 5 are approved. Mr. Clater felt the intent should be moved forward with the reprofiling and replacement of the bridge without fully closing the bridge down during



construction. He was concerned about the alignment of the interim West Bullshead/Willowbrook Road intersection. He indicated that he did receive the analysis and the data shows the interim design should work.

Mr. Clater reviewed his concerns once again about the Radar Drive extension, if it is every developed to serve an industrial subdivision located in East Allen Township. Mr. Clater wished this information to be memorialized in the records of the Township as the land to the east may not be developed for many years. Mr. Clater reviewed his analysis as follows & IN Exhibit A:

- The East Allen acreage is approximately 6.65M ft<sup>2</sup>, and using accepted industry standards, this could generate about 4,200 trips/day, of which about 1,600 would be trucks.
- Given that the original RGDS TIS, using ITE150 tables projected and ADT of 12,222 cars, and the revised ITE152 submissions now show a projection of an ADT of 7,222 cars, there would be a volume of 5,000 cars to be allocated elsewhere.
- Accepted traffic engineering standards allow for substitution of 1 truck for 2 cars in traffic modelling.
- The 5,000 car trip allocation could be modelled as about 1,300-1,500 truck ADT's and about 2,600 car ADT's.. supporting about 2.4M ft<sup>2</sup> of ITE152 warehouse space

Mr. Harman confirmed agreement, following a cursory review, to both Mr. Clater's approach of analysis and ballpark approximations stated above. Mr. Machemer and the Rockefeller design representatives present this evening all further agreed with Mr. Clater's square footage projection for the adjacent property located in East Allen Township.

Mr. Clater further reviewed the draft conditions, for consideration by the Commission as follows:

*The Preliminary/Final Plan for Land Development Plans entitled, "Preliminary/Final Land Development Plans – Rockefeller Lehigh Industrial Development – Lot 4," dated July 28, 2017 and last revised November 6, 2017, prepared by BL Companies, consisting of Sheets 1 through 29 of 29 (the "Lot 4 Plan") is hereby recommended for Preliminary/Final Plan Approval subject to the Owner and Applicant agreeing to satisfy the following conditions:*

3. *The Applicant must satisfy all comments contained in the Township Engineer review letter dated October 13, 2017 and any subsequent letters issued pursuant to the review of any resubmitted Lot 4 Plan, or stormwater plans, calculations, and details, including all comments contained on "marked up" plans exchanged between the Township Engineer and the Applicant's Engineer.*
- 4.
5. *The Applicant shall obtain approval of PA-DEP Planning Module and provide documentation to the satisfaction of the Township covering the installation, operation and maintenance of the sanitary sewer and water facilities.*

3. *Prior to recording of the Lot 4 Plan , the following activities related to the replacement of the Willowbrook Rd bridge over the Catasauqua Creek, straightening and re-profiling of Willowbrook Rd between W. Bullshead and the Wayne Grube Park, and the improvements to the W. Bullshead/Willowbrook Rd intersection (to include signalization) must be commenced and secured to the satisfaction of Allen Township:*
- a. The overall design and layout of Willowbrook Rd for the area between W. Bullshead Rd and the Wayne Grube Park shall generally be consistent with the design as proposed in the 2013 TIS prepared for the RGDC Subdivision submission, unless otherwise modified by the Board of Supervisors.*
  - b. Completion of a bridge design that shows a three-lane bridge, to be built while the existing bridge remains in service, and such design approved by Northampton County and Allen Township,*
  - c. Acquisition of, or options to acquire, sufficient ROW to accommodate the overall design and layout of Willowbrook Rd, to include a dedicated northbound left turn lane of sufficient length at W. Bullshead Rd. as proposed by RGDC as a result of the 2013 TIS,*
  - d. PennDot and Allen Township approval of the plans for the signalization of the W. Bullshead/Willowbrook Rd intersection, such design to be consistent with the design and layout of Willowbrook Rd as described in subparagraphs a through c of this condition 3,*
  - e. Issuance of any required DEP permits, NPDES permits, PennDot permits and Allen Township permits.*
  - f. Once the above are satisfied, the Plan Set for the above is to be submitted to the Allen Township Board of Supervisors for their review and once approved shall be incorporated into the Preliminary/Final Plan for Lot 4.*
  - g. Any extension of Radar Drive, beyond the limits shown on the Lot 4 Plan shall require the submission of a written request and supporting TIS by an applicant, and a separate written approval by the Allen Township Board of Supervisors, after recommendation by the Township Planning Commission. This condition supersedes any conditions related to Radar Drive contained in the RGDC Subdivision Plan approval dated \_\_\_\_\_.*

*All aspects of this particular condition must be completed, to the satisfaction of Allen Township, before this Preliminary/Final Plan may be recorded.*

4. *The timing for the construction of the improvements in condition #3 above shall be as follows:*
- a. The Required Plan improvements are to be incorporated into the Improvements Agreement documentation and financial security for this land development plan. The posting of the financial security for the county bridge shall occur prior to the recording of the Lot 4 Plan.*
  - b. Prior to, or within one month of, recording of this land development plan, construction shall commence on the improvements identified in #3 above.*
5. *The Applicant or owner of Lot 4 shall provide the township engineer with a certificate of completion stating the infiltration structures and stormwater collection systems were installed*

*in accordance with the approved plan, and in accordance with the Allen Township Stormwater Management Ordinance. The certification shall be signed by the owner of Lot 4 and the contractor who installed the infiltration structures and stormwater collection systems, in addition to being signed by a Professional Engineer licensed in the State of Pennsylvania.*

6. *The Applicant or owner of Lot 4 shall provide a post-occupancy traffic impact study and assessment to the Township (including specifically the months of November and December and while school is in session) within three years from the issuance of the certificate of occupancy for Lot 4, as well as be responsible for any appropriate remediation/funding, if necessary, as determined by the Allen Township Board of Supervisors for areas where levels of service drop below “C” as referenced herein. The post-occupancy traffic impact study update and assessment shall include the Radar Drive/Willowbrook Road intersection, the West Bullshead Road/ Willowbrook Road intersection, and the un-signalized lot 1 and lot 5 driveways, as well as additional intersections, identified by issues related to traffic generated from this site, as requested by Allen Township. Levels of service of any traffic movements affecting Willowbrook Road shall not drop below “C”.*
7. *The Applicant and Owner agree that the Township will not issue a Certificate of Occupancy for any structure on Lot 4 until such time as the traffic improvements to Willowbrook Road and Race Street (to the intersection of Airport Road), as identified in the Rockefeller Group Industrial Subdivision Plans, are substantially completed to a condition adequate (as determined in the sole discretion of the Township) to support the anticipated traffic levels for the uses on Lots 1, 4 and 5.*
8. *The Applicant or owner of Lot 4 shall designate a professional engineer, licensed in the State of Pennsylvania, to be responsible for assisting the Applicant or owner of Lot 4 in the administration of the construction project for all aspects including, but not limited to, design modifications, interpreting plans and specifications, approving all shop drawing submittals and coordinating those with Allen Township, obtaining approvals from Allen Township when needed, approval of escrow requests and subsequent submission to Allen Township, submission of as-built plans and construction completion certifications, and signing paperwork and termination requests required by PADEP/NCCD permits.*
9. *The following Plan Notes shall be added to the Plans:*
  - a. *Conditions 3-8 contained herein;*
  - b. *If truck stacking beyond the maximum queue limit occurs in a manner that has a negative effect on ingress/egress to the site from Radar Dr, the owner of Lot 4 shall provide additional measures to address truck queuing. Truck stacking on Radar Dr, where queues exceed the length of the turning lanes, is not permitted; and if this condition presents itself, the Applicant or owner of Lot 4, its successors or assigns will be responsible for remediation of such condition, with such remediation to be to the satisfaction of Allen Township, including but not limited to the construction of a 3<sup>rd</sup> (turning) lane on Radar Drive.*

10. *This approval is contingent on the FAA issuing a Deed of Release for those lands involved in this Rockefeller Development Group subdivision/land development application.*
11. *The following LNAA provisions shall be satisfactorily addressed:*
  - B. *Approval of the building height.*
12. *The following Stormwater Management requirements shall be satisfactorily addressed:*
  - a. *Approval by the LVPC of the Act 167 related stormwater designs.*
  - b. *Completion of the SWM maintenance agreement by all owners of property containing stormwater facilities that serve this project, including BMP Operations and Maintenance Plan and easements for municipal access and maintenance, if necessary.*
  - c. *Issuance of a NPDES Permit for the stormwater management design.*
13. *The following comments regarding the existing and proposed utilities shall be satisfactorily addressed:*
  - a. *An Agreement from the City of Bethlehem to provide water to the subdivision shall be provided. Also, an acknowledgement from the City of Bethlehem regarding Allen Township road opening requirements in the event of a need to open up Radar Dr, including provisions for maintaining a reasonable level of traffic flow on Radar Dr shall be provided.*
  - b. *Acknowledgement from UGI regarding Allen Township road opening requirements in the event of a need to open up Radar Dr, including provisions for maintaining a reasonable level of traffic flow on Radar Dr shall be provided.*
  - c. *Acknowledgement from the Telecom provider regarding Allen Township road opening requirements in the event of a need to open up Radar Dr, including provisions for maintaining a reasonable level of traffic flow on Radar Dr shall be provided.*
14. *The Applicant or owner of lot 4 shall prepare a cost estimate in accordance with the PA MPC, and execute an escrow agreement for all Required Improvements.*
15. *The Applicant or owner of lot 4 shall execute any Developer's Agreements required by Allen Township.*
16. *The Applicant, Owner, or owner of Lot 4 shall execute Deed(s) of Dedication for all dedicated improvements.*
17. *The Applicant or owner of Lot 4 shall obtain approval of an E&S Plan from the Northampton County Conservation Districts and/or DEP, and obtain an NPDES Permit prior to the commencement of any construction activities.*
18. *The Applicant or owner of Lot 4 shall pay all required recreation fees prior to recording the Plans.*
19. *The Applicant or owner of Lot 4 shall obtain highway occupancy permits from Allen Township for all driveways shown on the approved Subdivision Plan.*

*Conditions 1, 2, 3, 4, 9, 10, 11, 12, 14, 15, 17, and 18 shall be completed, to the satisfaction of Allen Township, prior to the recording of the Lot 4 Plan. All other conditions shall be satisfied within the time period specified below, unless the Allen Township Board of Supervisors approves an extension request.*

*It is recognized that with this Preliminary/Final Plan conditional approval, the following requirements of the Code of the Township of Allen shall be deferred by the Board of Supervisors: (Sections 22-406-J, 22-407-11, 22-409, 22-502.4.K, 21-303.B, 21-306)*

- 1. Sidewalks along the site frontage of, and parallel to, Radar Dr as well as internal sidewalks that would connect to the frontage sidewalks are deferred. All other sidewalks, internal to the site, are not included in this deferral shall be constructed.*
- 2. Sidewalks along Radar Dr frontage with accessible ramps at the private drive entrances are deferred.*
- 3. LANTA bus stop accommodations are deferred until such time as LANTA agrees to service the area, and then shall be built to a specification that is agreed to by the Owner of Lot 4, LANTA and Allen Township.*

*The following Waivers with Modification are also granted by the Board of Supervisors relative to the identified sections of the Code of the Township of Allen:*

- 1. 8-229(4)E: In carbonate areas, post-development 2-year runoff volume leaving site shall be 80% or more of the pre-development runoff volume. Modification: Conformance demonstrated using the PA DEP calculation methodology.*
- 2. 8-229(9)F: No infiltration practice shall be designed to recharge runoff from a contributing watershed larger than 2 acres. Modification: The proposed basin will receive more than 2 acres of drainage where the all proposed inlets conveying runoff to the basin area proposed with water quality inlet inserts to provide additional water quality.*
- 3. 8-231(8)C: Pipe outlet arrangement shall provide complete out-letting of all detained water, unless provisions for permanent ponding have been approved. Modification: To infiltrate, the water must pond and be allowed to recharge into the soil layer to demonstrate compliance with both the Township's and PA DEP stormwater regulations.*
- 4. 8-231(8)D: A detention basin, if utilized in an area of limestone geology, shall be lined with synthetic impervious liner as more specification described in Subsection (J). Modification: The proposed infiltration basin must be able to infiltrate to meet the Township and PA DEP recharge requirements; otherwise, a liner would prevent infiltration.*

5. 8-231(8)F.(3): *Interior slopes shall not be steeper than a ratio of 4:1 horizontal to vertical. Modification: A 3:1 slope is proposed. A 3:1 slope is industry conventions, preferred by the FAA to deter wildlife, and the slope is gentle enough for maintenance.*
6. 8-231(8)H: *If the maximum water depths as stipulated in Subsections (F) and (G) above area exceeded, a four-foot high chain link fence is required around the detention ponds. The fence shall be landscaped from adjacent streets and properties. A fenced detention pond shall have a maximum berm side slope of 4:1. Modification: A steeper slope is required to comply with FAA requirements.*
7. 8-231(8)K: *The minimum slope of the bottom of a detention pond shall be 2% toward the outlet structure. Modification: Level bottoms are proposed for the bioretention basin and infiltration basin to allow for infiltration, evapotranspiration, and uptake of pollutants into the plant material. The level bottom is conformance with PA DEP design standards for bioretention and infiltration basins.*

Following some further discussion, Mr. Behler questioned how recording related to occupancy. Mr. Behler voiced concern about occupancy of the lot prior to the completion of road improvements. He felt there was some leeway considered for the prior to recording qualifier but was concerned about full occupancy prior to full improvements. Mr. Behler was referencing the improvements specifically to the north (Willowbrook Road Bridge and Rt. 329). Mr. Machemer indicated that they were working to the best of their ability to complete the improvements referenced by Mr. Behler. Mr. Clater thought the wording would cover Mr. Behler's concerns. Mr. Krill reiterated his concerns regarding the amount of adequate security. Mr. Treadwell indicated that the Willowbrook Road bridge is not currently secured, but when it is secured it will be an estimate with escalation based on 2017 figures.

Eric Miller, 7568 Miller Drive East Allen Township, questioned the status of the road improvements. Mr. Machemer described the improvements. Mr. Machemer indicated that all of the improvement may not be completed prior to occupancy. Mr. Miller further questioned the traffic study basis (2013). Mr. Clater indicated the ITE modeling basis has not changed. Mr. Harman confirmed.

Mr. Donald Noll, Pinehurst Drive, questioned the future ownership of Radar Drive. Mr. Noll further questioned if the motion addressed the Rockefeller modification of Race Street. Mr. Clater indicated that the motion is unchanged from before based engineering analysis.

Mr. Pierce made a motion conditionally the Preliminary/Final Land Development Plans – Rockefeller Lehigh Industrial Development – Lot 4, as outlined in the above draft motion (italics above) conditioned upon the satisfaction of items within the motion numbered #1 through 19 (now 1 through 20) that the conditions in #3 are subject to other approvals and that Rockefeller will provide the financial security for all of the improvements as improved by other agencies as part of this plan approval and including the inclusion of the Pidcock Company memorandum of November 17, 2017 regarding the adequacy of the interim minimum road improvements; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes. Mr. Machemer acknowledged acceptance of the conditions of approval.

**New Business:** No New Business.

**Public to be Heard:** Mr. Donald Noll, Pinehurst Drive, questioned the type of bus stop that would be designed. Mr. Heeb confirmed this will be a pull off type of bus stop.

There being no further business, the meeting adjourned 9:30 PM.

Respectfully submitted,

Ilene M. Eckhart

# Exhibit A

$\sim 6.65 \text{ M ft}^2$

- 10% infrastructure =  $56.0 \text{ M ft}^2$

x 65% improvements =  $3.9 \text{ M ft}^2$

x  $\frac{2}{3}$  for bldg =  $2.5 \text{ M ft}^2$

=  $\sim 42 \text{ k trips/day}$

$\sim 38\% = \text{trucks} = 1596/\text{day}$

orig TIS	TIS @ ITE 150	ADT	Trucks
14602.00		-7460 FxG	1040
- 580 vans		-1729 lot5	33
		-489 lot4	360
14022		9678 total.	1800

Trucks - FxG - 1040  
 @ ITE 150  
 Lot5 - 450  
 Lot4 - 180  
 1876

C253 - FxG - 5840  
 Proj. CITE 152  
 Lot5 - 1079  
 Lot4 - 303  
 1222

C253 + TIS - 5840  
 3191  
 3191  
 12222

5K car trips to work with.

assume 3:1 cars trucks

$\therefore$  5K ~~cars~~ cars can convert to 2K cars & 1K trucks (3:1)

$2.5 \text{ M} \approx 4200 \text{ ADT} \approx 1600 \text{ trucks} / 2400 \text{ cars}$

4600 car trips + 2400 = 7400, needed.

$\approx 1.8 \text{ M ft}^2$

Trucks Peak hr - FxG - 33  
 445 - 37 +/-  
 Est. - 73 +/- @  $2.5 \text{ M ft}^2$   
 143 +/- @  $2.29 \text{ M ft}^2$

if 2:1 then  
 up to  $2.4 \text{ M ft}^2$