



Allen Township Supervisors

4714 Indian Trail Road

Northampton, Pennsylvania 18067

Phone: (610) 262-7012

Fax: (610) 262-7364

Paul Balliet, Chairman
Bruce Frack, Vice Chairman
Dale N. Hassler
Alfred Pierce
Larry Oberly

B. Lincoln Treadwell, Jr., Esq.
Brien Kocher, P.E.
Ilene M. Eckhart, Manager

ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES Thursday, December 10, 2015

A General Meeting of the Allen Township Supervisors was held on Thursday, December 10, 2015, at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance to the Flag was led by Chairman Paul Balliet.

Roll Call: Paul Balliet - Present; Larry Oberly - Present; Alfred Pierce - Present; Dale N. Hassler – Present; Bruce Frack - Present; Brien Kocher, PE - Hanover Engineering Associates, Inc. – Present; B. Lincoln Treadwell, Jr., Esq. - Present; and Ilene M. Eckhart – Present

Public to be Heard: No comments from the audience.

Public Hearings: No public hearings.

Approval of Minutes: Mr. Oberly made a motion to approve the minutes of November 2015 as presented, seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

Reports

A. Treasurer: Mr. Hassler made a motion to approve the Treasurer's Report and pay the bills; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. Solicitor: On file.

i. Roadway Improvement Ordinance/SALDO Amendment Language: Mr. Treadwell indicated the draft was written for properties which are subject to Act 319, however, he felt that due to the mechanisms under Act 319, perhaps it would be better to choose an acreage and lot separation limit. This is due to the rollback provisions pursuant to Act 319. He felt a more simplified approach may be more beneficial. On the question from Mr. Balliet, Mr. Treadwell suggested a tract size and perhaps a one lot division. Mr. Pierce was in agreement with the ten acres but to add the caveat that it is still a ten acre

residual remains in agricultural. So therefore both parcels would remain in Act 319. Mr. Pierce felt if a land owner was cutting off one acre lots it should be subject to the fee.

ii. Mr. Treadwell requested an executive session at the conclusion of the meeting to discuss litigation.

C. **Engineer:** On file.

i. **Savage, East/West Bullshead and Willowbrook Road, Truck Restriction Study:**

Mr. Oberly made a motion to authorize Mr. Treadwell to proceed with the drafting of the ordinance associated with the study; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes.

ii. **High Meadow Estates Preliminary Plan and Waiver Requests:** –

Mr. Pierce made a motion to grant Preliminary Plan for the Subdivision Plan entitled, "Preliminary Land Development Plans for High Meadow Estates" consisting of sheets 1 of 46 through 46 of 46, as prepared by Keystone Consulting Engineers, Inc., dated July 27, 2015, last revised November 13, 2015 is approved subject to the Developer agreeing to satisfy the following conditions:

1. All technical (roadway, profiles, easements, maintenance, wetlands, lighting, water supply, sanitary sewer, stormwater, geologic, or other) comments of the Township Engineer, including the October 16, 2015 letter, shall be met to the satisfaction of the Township.
2. The Township must approve of the methods of construction, ownership, operation, and maintenance of the restricted open space, including the Final layout and material for the pedestrian pathway.
3. The Developer shall, at the time of each Final Plan approval, pay \$1,000.00 per residential dwelling as recreation contribution. If deemed appropriate by the Board of Supervisors, the Developer shall provide a local recreation area for this project and will receive credit for the cost to develop this area from the required recreation fees.
4. Copies of the adequacy letter from the Northampton County Conservation District, approved Sedimentation and Erosion Control Plan, and NPDES Permit shall be provided to the Township and this office prior to any earthmoving.
5. All Homeowners' Association documents must be approved by the Township, the Township Solicitor, and the Township Engineer. Draft Homeowners' Association Documents shall be provided for review with the first Final Plan proposed.
6. The Plan shall contain all necessary signatures and seals. The Stormwater Management Report, as revised, shall be signed and sealed by a Registered Engineer. All approved waivers or deferrals shall be noted on the plan, with date of approval listed.
8. The plan showing the abandonment of Spring Hill Road shall be revised to reflect the direction provided at the November 24, 2015 Board of Supervisors meeting.
9. All outside agency approvals and permits shall be obtained or confirmed prior to the Phase 1 Final Plan approval.
10. Developer signed confirmation of sewer capacity must be provided.

11. The Developer shall obtain Fire Company approval of fire hydrant placement along all proposed streets and along 32nd Street and Cherryville Road and show these on the plan.

12. The Developer shall obtain a Highway Occupancy Permit from the Township for the proposed work within 32' Street and provide a plan complying with the Township Highway Occupancy Permit Ordinance.

13. The plans shall note that the Homeowner's Association is responsible for all operation and maintenance for all off street stormwater facilities and pipes, including specifically the Stoffa Easement.

14. The plans shall note all roadway improvement contributions per phase for the adjacent roadways.

It is recognized that with the granting of conditional approval, the following deferrals are granted from the Township Subdivision and Land Development Ordinance, (SALD O.): Section 22-406.2.K.2.e & 22-409 — Concrete sidewalks along one side of proposed and existing streets.

It is recognized that with the granting of conditional approval, the following waivers as enumerated in KCE's letter revised November 4, 2015 are granted from the Township Subdivision and Land Development Ordinance, (SALDO.):

Section 22-407.7.B — Minimum 75-ft. tangent between curves and street intersections at Creek View Drive/High Meadow Drive South and High Meadow Drive North/Kreidersville Road.

Section 22-407.7.0 — Minimum vertical curve length at grade changes at various locations along High Meadow Drive, Spring Hill Circle and Creek View Drive.

Section 22-407.8.A — Minimum grade on cul-de-sac turnaround areas at Jamie Drive, Creek View Drive and Spring Hill Drive, subject to the Township Engineer's review of final grades.

Section 22-407.8.B — Maximum 2% grade within 60 feet of an intersection at various intersections.

Section 22-412.F.3.c — A wetland buffer of 50 feet at Lot #27 or High Meadow drive North sta. 1+50.

Section 22-502.2.A — Maximum sheet size of 24" x 36" and vertical profile of 1" = 5"

Section 22-502.3.A — Providing topography for 200' surrounding the site.

It is recognized that with the granting of conditional approval, the following waivers as enumerated in KCE's letter revised November 4, 2015 are granted from the Township Stormwater Management Ordinance:

Section 8-229.9.F To permit an infiltration practice to capture more than two (2) acres.

Section 8-229.9.1 —To permit the infiltration facilities to exceed the maximum 500% loading ratio.

Section 8-231.8.0 — To permit the outlet for the basins to be higher than the bottom of the basin.

Section 8-231.8.F(1) and (2) —To allow the basin storage depths proposed, which are deeper than those permitted, provided fencing is proposed around the basin.

Section 8-231.8.F(5) and G(5) —To allow the basins to hold water closer than 100' from residential buildings for lots identified.

Section 8-231.8.G(1), (2), and (3) — To allow the basin storage depths proposed, which are deeper than those permitted when the depths are permitted to exceed those noted in Section 8-231.8.F.

Section 8-231.8.K — To allow a flat basin bottom, rather than provide the minimum slope of 2% required for a detention pond, so the detention pond may also serve as an infiltration facility.

Section 8-Appendix G —To not require the minimum testing locations and to permit installation of infiltration facilities within 25' of infiltration tests with rates exceeding 12 inches per hour, subject to the placement of filter material in the bottom of infiltration facilities, per review by the Township Engineer and approval of NPDES Permit.

The Developer understands these conditions and agrees to comply with all of the above conditions by June 10, 2016

Seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes.

iii. Quarry Hill Estates, Phase IIA, security release request: Mr. Oberly made a motion to release the requested security in the amount of \$4,357.50; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

iv. Northampton Industrial Park Preliminary Land Development Plan and Subdivision (Lot #1, 2 & 3) extension to provide review pursuant to MPC 90-day timeframe (current expiration 12/29/15): Mr. Pierce made a motion to accept the extension based on the plan submitted the prior submission and the plans submitted December 7, 2015 constitute a new 90-day clock; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

D. Zoning Officer: On file.

E. Code Enforcement: On file.

F. Road Superintendent/Public Works Leader: On file. Mr. Gogle provided a verbal report regarding current work items.

G. Fire Company: On file.

H. Emergency Management Coordinator: On file.

I. Nazareth COG Report: On file.

J. Parks: On file.

Unfinished Business

A. Comprehensive Plan Update, Review/Preliminary Recommendation: Tabled for future consideration with the budget amendment process.

B. Stone Ridge, request for time extension to complete improvements and John Drive widening proposal: Mr. David Shulman, Esq. and Tom Deily, Keystone

Consulting Engineers was present on behalf of the developer Tim and Leo Livengood The requests are as follows:

Mr. Shulman requested the following on behalf of the developer “

- 1. Returning John Drive to 36 feet in width to align with the improvements already constructed. Currently a portion of John Drive improvements have been constructed utilizing the originally approved width of 36 feet for John Drive. If a 40 foot width is utilized, these previously approved and installed improvements would have to be altered or replaced. In addition, the 36 foot wide roadway will allow a greater turning radius for trucks exiting John Drive onto Savage for a right hand turn. Also, a prior developer at the Joseph Drive intersection installed improvements based on a 36 foot width.*
- 2. The sidewalks on the North side of John Drive should be drifted around the PPL guy anchor. The area for these sidewalks may be narrower than the required 5' width of the sidewalks at the location of the guy anchor. Also, note that a 40 foot width for John Drive would make this condition worse.*
- 3. We are requesting the removal of the crosswalk at Savage and John Drive crossing John Drive but we would continue to have the crosswalk across Savage.*
- 4. Removal of the paper alley issue as a condition for the development.*
- 5. We would suggest that the improvements to John Drive be done between June 20, 2016 and August 20, 2016 so that it does not interfere with school buses as was suggested by the Township Engineer.*
- 6. We would like a determination of the installation of the wearing surface for (a) John Drive, (b) the roadways in 1A and (c) the roadways in 1B. As we previously discussed, the Developer had requested putting the wearing surfaces on 1A but was told not to do so because of the ongoing construction for the project.*
- 7. We would request that any of the changes that are approved by the Board of Supervisors that conflict with prior recorded Phase 1 A plans and recorded Plans in Phase 1B be incorporated into Phase 1C and that a Note be including indicating that the changes as shown on Phase 1C supersede all prior recorded Plans so that we do not have a confusion of different Plans with different road widths and other items.”*

Mr. Deily explained the issue of the largest radius that can be accomplished.

Mr. Pierce made a motion that Township will provide an ordinance to vacate the street with the developer preparing the legal description, the developer preparing the quit claim deed and the developer recording of the quit claim deed to the adjoining property owners; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Hassler whom abstained.

Regarding the radius, Mr. Pierce made a motion to accept the 30' width and the 20' radius as represented on the plan with the curb to Joseph Drive; seconded Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

Regarding the sidewalk on the north side of John Drive, Mr. Pierce made a motion to allow the sidewalk to drift around the PPL guy anchors pursuant to the plan of the design engineer; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

Regarding the removal of crosswalk at Savage and John Drive; Mr. Pierce made a motion to remove deleting the crosswalk from the northwest corner of John and Savage to the southwest corner of John and Savage, keep the one from the northwest corner to the northeast corner of Savage and install a replacement from the end of Pine Street across John Drive to the sidewalk on the north side; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

Regarding the timing of the paving of John Drive, the roadways in 1A and the roadways in 1B, it was suggested to be done when school is out as not to interfere with bus stops, work start June 20, 2016 and be done by August 20, 2016. Mr. Hassler would like to see the road finished with the final wearing. Mr. Hassler stated the paving was to have been completed in 2012. Mr. Pierce questioned the construction time frame. Mr. Deily stated that the plans for 1C will be submitted next month. After lengthy discussion, Mr. Hassler recommended the matter be revisit the construction and lots completed in May 2016 and that will dictate when the final paving will be required for John Drive, the roadways in 1A and the roadways in 1B. Mr. Hassler questioned whom Mr. Livengood received direction from to not complete the paving. Mr. Livengood felt the access to the subsequent phases were a concern due to construction vehicles going over the final paving. The Board clearly stated that snow removal will be done by the developer and not the Township until the wearing course is applied.

Regarding the installation of the wearing surface for John Drive, the roadways in Phase 1A and the roadways in Phase 1B, Mr. Kocher explained (he felt the discussion was) that with the ongoing construction in Phase 1B, if the developer or Board did not want the wearing course applied in Phase 1B, since the homes were not completed, the same construction traffic that would travel across both Phase 1B and Phase 1A, since it was a connecting roadway. Mr. Hassler was concerned with the previous requests and assurances made by the developer that the roadway would be paved in a timely fashion (2012) for Phase 1A with a later delay until June 2013. Mr. Shulman indicated this is part of the reason the developer was before the Board this evening. Mr. Treadwell interjected that there were original dates that not met – but the question now is when the Board would like the paving completed. Mr. Pierce questioned when Joseph Road north would be completed. Mr. Livengood responded the 1C plans were finished and the construction would probably be started in Spring 2016. Mr. Shulman added that IC Joseph Road extension should be in Fall 2016. Mr. Hassler was very concerned regarding the unfinished roads. In response, Mr. Pierce questioned the wear and tear during construction – would the Township be better off in waiting until everything is completed. Mr. Hassler felt if the agreement would have been followed we wouldn't be arguing now. Mr. Pierce felt that we could have the road installed and then beat up due to construction as the flip side. Mr. Pierce felt that if we have an agreement on the snow removal (that the developer provides for snow removal), if the developer finishes the section of John Drive to the bump out area and if the within 2017 if Joseph has been extended to Graystone, then the paving should be finalized. Mr. Hassler added that final paving should be installed on 1A and 1B before work begins on 1C, as it will have another way to exit the area. The Board briefly discussed other access points, which were very limited to utilize for construction purposes.

As a practical matter, Mr. Livengood did not favor seeing the based exposed for an extended period of time.

Mr. Hassler suggested that the Township issue a written correspondence that this matter be reviewed in June of 2016, based on construction progressing in a positive direction that the Board determine whether or not to direct the final paving installation at that time. Following some further discussion, on Mr. Hassler's suggestion to which the Board was generally agreeable, Mr. Pierce directed the developer regarding John Drive final paving application to the breakpoint (where the existing road ends near the area of the PPL guywires) before August 20, 2016 and the developer to return to the Board prior to May, 2016 to revisit the matter but with the expectation is that developer will complete Phase IA wearing unless directed differently by the Board of Supervisors at their May 2016 meeting. The Board agreed by consensus with Mr. Pierce's direction to resolve this matter with the developer within the timeframes laid out in 2016.

Mr. Shulman requested all changes made pursuant to the Board's direction will be contained within the 1C review and approval process.

B. Towpath Estates, request for time extension to complete improvements: Mr. Shulman requested an extension to December 31, 2017 for the improvements of West 27th and the Towpath Estates Subdivision Plan approval. Mr. Pierce indicated he would like an opinion pursuant to the MPC that was legitimate. Mr. Shulman indicated the MPC would only cover the plan itself. Mr. Pierce made a motion to extend the West 27th Street Improvements until December 31, 2017 and the plan conditioned upon the developer's attorney and the Township's attorney agreeing these actions are valid pursuant to MPC; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. Grass Mowing and Grounds Maintenance Bids: Tabled for future consideration with the budget amendment process.

D. Zoning Hearing Board, letter of interest: To be considered at the reorganizational meeting in January 2016.

New Business

A. 2016 Budget – Approval and Setting of Millage: Mr. Hassler made a motion to adopt the budget and set the millage upon real estate .005 mills; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. Non-Uniformed Pension Plan Study: Tabled for future consideration with the budget amendment process.

C. Electronics Recycling – Saturday, June 4, 2016: Mr. Hassler made a motion to request the Fire Company use of the property on June 4, 2016 at a cost of \$550; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

Ms. Eckhart requested an Executive session to discuss personnel matters.

Public to be Heard: No comments from the audience.

There being no further business the meeting adjourned at 8:30 P.M.

Respectfully submitted,

Ilene M. Eckhart