

Allen Township Supervisors

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

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

ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

Tuesday, July 22, 2014

A General Meeting of the Allen Township Supervisors was held on Tuesday, July 22, 2014, at 7:00 P.M. at the Allen Township Fire Company Building, 3530 Howertown Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance to the Flag was led by Chairman Paul Balliet.

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

Public Hearings: No scheduled public hearings.

Public to be Heard: Mr. Jackson Eaton, III, Esq. indicated he was available to respond to the letter listed on the agenda this evening.

Unfinished Business

A. Ordinance regarding Vacation of Unnamed/Unopened Paper Street, authorization to advertise: Mr. Oberly made a motion to authorize advertisement of the ordinance draft; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

B. Hanover Township, Lehigh County – Comment letter received from Solicitor J. Jackson Eaton, III (July 10, 2014) regarding the Rockefeller Group Industrial Subdivision & Fed Ex Ground Hub Land Development: Mr. Treadwell indicated this was the correspondence containing suggestions from the Hanover Township (Lehigh County) Council that was hand-delivered at the July 10, 2014 Board of Supervisors meeting. Mr. Oberly indicated he reviewed the letter and felt that Board should positively respond to the letter. Mr. Pierce made a motion to authorize the Solicitor to draft a letter of positive response in reply to the letter received; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

C. Rockefeller Group Preliminary/Final Industrial Subdivision Plan, Planning Commission recommendation with regard to waivers, deferrals and draft conditions: Mr. Treadwell indicated that a list of conditions have been drafted for discussion. Mr. Hassler felt that with regard to the sidewalk installation he felt the sidewalk should be constructed at the time of road construction and not deferred pursuant to the Planning Commission recommendation. Mr. Oberly, questioned, Solicitor Eaton with regard to Hanover Township's response to a sidewalk issue. Mr. Eaton indicated that Hanover Township has responded pursuant to the sidewalk matter relative to Race Street improvements as proposed. He further explained the PennDOT letter had suggestions that the sidewalk would be installed in an additional strip of right of way along the roadway – but Hanover Township does not wish to take dedication of this additional right of way and that the additional area required would either be dedicated to LNAA or PennDOT. Mr. Oberly further questioned if Hanover Township would require sidewalks along Willowbrook Road. Mr. Eaton indicated that he was unsure of the ordinance requirements for sidewalks along Willowbrook Road in Hanover Township. He indicated that there is currently no formal application in front of the Township Council regarding a requirement for sidewalk along the Hanover Township section of Willowbrook Road. Mr. Oberly commented that although he understood Mr. Hassler's concern regarding the installation of sidewalk, he was concerned that the sidewalks should be consistent along the entire frontage (including the adjacent frontage in Hanover Township). Mr. Eaton indicated he would refer the matter to the Hanover Township Council. Mr. Pierce commented that he did not have a reasonable expectation that Hanover Township would ever want sidewalk along their portion of Willowbrook Road because the airport is reserving the area for a landing strip. On the other hand, Mr. Pierce indicated that he did not completely disagree with Mr. Hassler, in that sidewalk, from the south side of Road A southward to the north side of the second entrance, he could agree the sidewalk would be justified along this section of roadway frontage. He was unsure about the north side of the Road A to allow for pedestrian movement to Wayne Grebe Park – he felt there was some flexibility in resolving the sidewalk between these points of access. Mr. Pierce felt if deferred this can be resolved at some later time. Mr. Hassler clarified that he would think that the sidewalks should be installed from Road A to the Hanover Township, Lehigh County line along Willowbrook Road. Mr. Oberly questioned Mr. Eaton with regard to Hanover Township's wishes along Race Street. Mr. Eaton responded he would get feedback from Hanover Township Council regarding this matter. Mr. Pierce felt that the future runway use would nullify the future need for sidewalk along the east side of Willowbrook Road (in the Hanover Township, Lehigh section). Mr. Pierce felt a section from driveway to the driveway along the frontage would be advantageous and see what would develop in the future. Mr. Oberly felt he would like to know Hanover Township's opinion on their section and to see if it is feasible to form an interconnection into Wayne Grube Park. It was determined that there shall be further discussion regarding this matter. Mr. Treadwell explained, at the request of Mr. Oberly, the difference between a waiver, deferral and a condition of plan approval. Mr. Clater provided a comment regarding sidewalks from the Planning Commission perspective. Mr. Clater indicated that sidewalks have never been recommended to be waived by the Planning Commission, but rather deferred. He further noted one item that the Planning Commission did not look at was an interconnection between the employee entrance and the Wayne Grube Park. He felt that perhaps the Supervisors wanted to look at this in the alternative. Mr. Hassler questioned if this would need to be addressed when a vote is taken. Mr. Treadwell responded regarding the alternatives to provide what the Township will require will be with the action on the waiver/deferral and plan consideration. Mr. Pierce suggested Ms. Eckhart draft a letter to the Northampton County Parks Director and/or Open Space Coordinator regarding the integration of a pedestrian interconnection from the boundary of the Wayne Grube Park

and interconnect to the Subdivision Plan (in the vicinity of the proposed Road A) in order to provide an alternative to formal sidewalk along Willowbrook Road.

D. Fed Ex Ground Hub Preliminary Land Development Plan, Planning Commission recommendation with regard to waivers, deferrals and draft conditions: The Board agreed to table this item until the next meeting based on the discussion regarding the Subdivision (above) and a response to the items discussed.

E. Fed Ex Ground Hub Phase I Final Land Development Plan, Planning Commission recommendation with regard to waivers, deferrals and draft conditions: The Board agreed to table this item until the next meeting based on the discussion regarding the Subdivision (above) and a response to the items discussed.

F. Building Code Inspection, Follow-up: Ms. Eckhart indicated in following up with the Board's direction, that the current agency (Bureau Veritas) would like to attend a meeting with the Board to discuss the current contract prior to the Board's change to multiple agencies. Mr. Oberly made a motion to invite Mr. Robert Fritch to an upcoming meeting; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

New Business

A. Spring Hill Road: Mr. Hassler made motion to authorize the repairs as presented by Mr. Uhnak's report entitled "Spring Hill Road Overlay and Curbing"; seconded by Mr. Pierce. On the motion, by roll call vote, all supervisors present voted yes. The estimate provided for materials is \$35,000.00

Public to be Heard: Mr. Mickey Phillpot, Saw Grass Drive, questioned the Board regarding the alternative to extend sidewalk from the Rockefeller development site to the Wayne Grube Park and further criticized the Board's consideration to encourage strange people to allow from the Fed Ex facility to come into the Park where children are playing.

Mr. Phillpot, further questioned changes related to the ordinance regarding height of building limitation within the past eighteen months. Mr. Treadwell provided an explanation of the Zoning Ordinance amendment regarding height limitations in the Industrial Zone.

Mr. Robert Nappa, East Bullshead Road, questioned if the Board reviewed the Gilmore Associates letter issued by Hanover Township. Mr. Oberly questioned when it was given to the Board. Mr. Oberly clarified the report was given to the Planning Commission. Mr. Oberly indicated he did not have the report. Mr. Jackson Eaton indicated it was submitted to the Planning Commission – he further indicated it would be provided to the Board of Supervisors along with the Pidcock Company response and subsequent Gilmore Associates response. Mr. Eaton assured that he would see that the Township receives everything including the Pidcock response and the subsequent Gilmore response to the Pidcock initial response. Mr. Nappa stated it was strange to him that the Gilmore Associates report was not part of the package. Mr. Treadwell indicated that it is part of the project file. Mr. Nappa questioned if the Board read and understood the report. Mr. Hassler indicated he received the

report and has read it but he has also read the Pidcock and Township Engineer's review. Mr. Nappa further cited Section 1409 of the Zoning Ordinance regarding possible land developments. He indicated that he would provide the Township with every single land development pursuant to Section 1409 by email tomorrow. Mr. Pierce interjected – in Allen Township. Mr. Nappa responded – no - that in his opinion Section 1409 did not specify Allen Township only and that therefore the surrounding areas need to be provided for in the traffic study. Mr. Pierce questioned Mr. Nappa's legal authority to interpret the meaning of the section cited. Mr. Nappa indicated he had an attorney and that he would provide his opinion letter. Mr. Pierce further confirmed he read the Gilmore Associates analysis, PennDOT's review, the Township Engineer's review and Pidcock's review did not concur. Mr. Nappa indicated that the analysis provided in the Gilmore Associates report does not agree with the Rockefeller Group traffic study, which has been analyzed by his attorney who also does not agree that the Pidcock Company Traffic Impact Study complies with Section 1409. Mr. Nappa indicated he would present this information to the Board through the Township Manager tomorrow.

Mr. Ron Gawlick, P.E., of Pidcock Company on behalf of the Rockefeller Group, indicated his firm was the preparer of the Traffic Study which Gilmore and Associates responded to as referenced by Mr. Robert Nappa. He stated that at the last meeting, Mr. Nappa referenced the Gilmore and Associates report which he indicated was essentially a critique of the Traffic Impact Study prepared by the Pidcock Company. Mr. Gawlick stated that also at the last meeting, Mr. Nappa presented, based on his interpretation of the Gilmore and Associates critique, that the Traffic Impact Study provided by Pidcock Company was not detailed, comprehensive or accurate. Mr. Gawlick indicated that the Traffic Impact Study was reviewed by the Professional Engineering staff of: Allen Township, Hanover Township (Lehigh County), Hanover Township (Northampton County) and the City of Bethlehem as well as the Lehigh Valley Planning Commission and PennDOT. He further indicated that PennDOT ultimately approved the Traffic Impact Study as PennDOT found it to be acceptable. Mr. Gawlick further commented that Mr. Nappa's comment with regard to the Gilmore and Associates finding of many significant errors or omissions with the Pidcock Company Traffic Impact Study such as an inaccurate calculation of trip generation or traffic volumes or failed to include key information was unfounded. Mr. Gawlick further explained that when his firm received the Gilmore and Associates critique, he contact Hanover Township, Lehigh County to arrange a meeting with Gilmore and Associates to discuss the concerns expressed in the critique. Mr. Gawlick further indicated following the meeting, Pidccok prepared a written response to the thirty-two points contained within the June 13, 2014 Gilmore and Associates report. Mr. Gawlick further explained that a subsequent written response reduced the initial list to two items – of which Mr. Gawlick was of the opinion that the two remaining items were minor in nature. Mr. Gawlick further explained of the initial thirty-seven items to which a response was issued most items were already contained in the Pidcock Traffic Study – Pidcock Company simply clarified or pointed out the information which already existed. Mr. Gawlick further indicated that the Pidcock Company will continue to work with Hanover Township, Lehigh County and Gilmore and Associates to resolve any outstanding issues that they may have. Mr. Gawlick concluded that Mr. Nappa's representations concerning the Traffic Impact Study were without foundation.

Mr. Eaton confirmed he would provide all documentation regarding this matter. He further noted there were several issues still “on the table” with Hanover Township, Lehigh County regarding Airport Road and the Route 22 interchange.

Regarding the location of the next Board of Supervisors meeting, following some discussion, the Board agreed by consensus to hold the next meeting again at the Fire Company Building, upon the advice of Mr. Treadwell to provide adequate space for the public. Mr. Hassler indicated that it should be confirmed with the Fire Company President in case there is a conflict. Mr. Phillot requested advance notice if there was a change.

Respectfully submitted,

Ilene M. Eckhart
Manager