



Allen Township Board of Supervisors

Meeting Minutes March 22, 2022 7:00 P.M.

A General Meeting of the Allen Township Board of Supervisors was held on Tuesday, March 22, 2022 at 7:00 P.M. at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA. Mr. Hassler led the audience in the Pledge of Allegiance to the Flag.

1. Roll Call: Present: Gary Behler; Dale Hassler; Paul Link; Jason Frack; B. Lincoln Treadwell, Jr., Esq., Ilene Eckhart, Manager; Andrea Martin, EIT; Stan Wojciechowski, PE, CME. Absent: Tim Paul.

2. Announcements and/or Actions to Add New Items to Current Agenda: Stan Wojciechowski requested that the Traffic Signal Maintenance Agreement with PennDOT for Radar Drive and Willowbrook signal be added to the agenda. Mr. Behler made a motion to add the item to the agenda, seconded by Mr. Link. On the motion, by roll call vote, all supervisors present voted yes.

3. Public Hearings:

A. Mixed Use Village Zoning Ordinance # 2022-01 Draft Amendment *

B. Mixed Use Village Subdivision and Land Development Ordinance #2022-02 Draft Amendment *

*** (Draft Amendments relative to the Willow Brook Farm and Alexandra H. Fuller Family Trust Zoning Ordinance Validity Challenge/Curative Amendment Concept Plan – *continued from February 22, 2022*):**

Mr. Marc Kaplin, Esq. of Kaplin and Stewart and Jim Constantine, Planner (LRK), were present on behalf of the Trust.

Mr. Behler made a motion to reconvene the hearing; seconded by Mr. Link. On the motion, by roll call vote, all supervisors present voted yes.

Mr. Treadwell provided background on prior discussions on the matter. A full stenographic record of this hearing will be transcribed by Veritext, the Township's vendor and placed within the Township files reading this matter. Mr. Kaplin provided an update regarding the ordinance language concerning building height. Mr. Treadwell read the language for Section 27-1502 (9) G – definition of height and height exemptions as follows:

(3) Definition of height and height exemptions.

(a) *Building Height shall be defined as the vertical distance from the average final grade of the four corners of a building to the mean height of the roof or structure. Building height herein shall not include any areas not intended for human habitation.*

(b) *All multi-family dwellings shall have a maximum of (2) two stories, with the first floor of the first story being level with the finished grade. For Multi-family dwellings with a peaked roof the maximum building height shall be 40 feet, as measured in accordance with subparagraph (a) hereof, the top plate of the second story shall be no higher than 26 feet from finished grade on each side of the building, and the top of the peak shall not exceed 45 feet when measured from the average finished grade.*

(c) *Where any portion of a two-story Multi-Family building does not front on a street or parking lot, there shall be a level area, no less than 6 (six) feet in width, adjacent to that portion of the building to provide fire service access to the building.*

There were no questions or comments by Board Members or by the public. Mr. Behler made a motion to revise the zoning ordinance to add Section 27-1502 (9) G; seconded by Mr. Link. On the motion, by roll call vote, all supervisors present voted yes.

Public comment was made by Gene Clater, 75 Arrowhead Lane; and John Kelhart, Willow Green. See full stenographic record. Regarding the County Bridge on Willowbrook Road, Mr. Behler made a motion to reach out the County to inquire if a turning lane from the South can be added; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

Mr. Behler made a motion to close the public hearing; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to adopt Zoning Ordinance 2022-01; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Behler made a motion to adopt SALDO Ordinance 2022-02; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

4. Public to be Heard: Kim Koehler, 3442 Teal Road (Lehigh Township resident) and business located at 172 Lappawinzo Road (Koehler Brothers Collision), voiced concern regarding the new plinking and tactical range at Lappawinzo Fish and Game Protective Association. She states that in order to expand the new range Lappawinzo Fish and Game Protective Association has moved wetlands, road millings have been placed on the wetlands along with dirt, springs have been covered in order to create a pond, and there is no drainage. Ms. Koehler expressed her concerns with safety on the range and stated that she is unsure if the berms are high enough since the doors of the Lappawinzo are visible. She was also concerned about the abandoned automobile that she believes is being used as a target for police training. Ms. Koehler read a letter from Leeander and Katherine Gray, 124 Lappawinzo Road, which expressed similar concerns about the Lappawinzo Fish and Game Association's range. The letter stated that there is rapid fire occurring at the property; that multiple semi-automatic guns are being fired at the same time; and what sounds like bump stocks/fully automatic rifles are being used which are illegal. The letter also stated that the club looks like a junkyard. Ms. Koehler mentioned there are 3,000 tires on the property. Ms. Koehler mentioned she has video from taken from her work that illustrates five hours of audio of the shooting continuing all day long. According to Ms. Koehler the DEP has been contacted by other individuals.

Mr. Behler questioned Mr. Treadwell on the legal safety requirements for gun ranges. Mr. Treadwell stated Allen Township does not have any regulations and that it is a second amendment issue. Mr. Treadwell mentioned there was a Commonwealth Court decision from 1995/1996 that upheld a Northampton County Court of Common Pleas decision that limited the hours and days that The Lappawinzo can have outdoor shooting. Prior to this meeting, a letter to The Lappawinzo regarding the Commonwealth Court decision with the rules imposed was sent by Ms. Eckhart. Mr. Behler suggested Allen Township having a conversation with The Lappawinzo regarding modifying their bylaws to be more neighborly and increase safety of the range. Mr. Behler inquired if Ms. Koehler has tried to have a conversation with The Lappawinzo. Ms. Koehler said that they were shut down when they tried to have a conversation with The Lappawinzo.

Paul Koehler, Kim Koehler's husband, stated he was asked to turn his membership card in when he tried to have a conversation with The Lappawinzo regarding this matter. Mr. Koehler also voiced his concerns about wetland disturbance on the Lappawinzo Fish and Game Association's property. He expressed his concerns about the 300-500 tires currently stacked in the parking lot that are going to be used as a backstop. He was worried about the risk of injury that using the tires as a backstop would carry since it could ricochet with certain rounds. Mr. Koehler also stated that ground was brought in for the new tactical range. Mr. Link inquired if ground and earth was moved around. Mr. Koehler stated ground was brought in and earth was moved starting last year in the summer and has been completed. Mr. Treadwell is going to look into any regulations or recommendations for shooting ranges that exist.

John Kelhart, Willow Green, also expressed concerns about the wetland disturbance on The Lappawinzo property. Mr. Treadwell noted that there are DEP regulations regarding wetlands and replacement of wetlands.

5. Unfinished Business

A. Contract for Municipal Waste and Recycling Services, Solid Waste Services Inc., d/b/a J.P. Mascaro & Sons – June 1, 2022 – May 31, 2025: Mr. Treadwell gave a brief overview of the contract. Mr. Behler made a motion to approve signing the contract with J.P. Mascaro & Sons; seconded by Mr. Link. On the motion, by roll call vote, all Supervisors present voted yes.

6. New Business

A. Howertown Park Ballfields 1 through 4 – Improvement Estimate: Ms. Eckhart gave an overview of the proposal from Law and Landscape Works to reprofile all of the existing fields at Howertown Park. The proposal in the amount of \$16,000 will improve the parks which has not been done in many years and will cover fields 4, 3, 2, and 1 at Howertown Park prior to the start of the season. Mr. Link made a motion to proceed with the proposed improvements of the Howertown Park fields; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

B. Traffic Signal Maintenance Agreement and Resolution #2022-10: Mr. Wojciechowski gave an overview of the agreement. Mr. Wojciechowski stated that in the past that Allen Township would need to complete a TE160 form and submit it to PennDOT for every traffic signal permit plan adjustment or a new traffic signal permit plan. The TE160 form was a maintained stipulation

on it which would be specific to each project. PennDOT would like one resolution that would cover all signals which would eliminate the need for a resolution for each TE160 form. Mr. Wojciechowski states this would streamline the process. Ms. Eckhart would like time to review the agreement. Tabled until next meeting on April 12, 2022. Item will be added to the agenda.

7. Public to be Heard: No public comment.

8. Announcements: Mr. Hassler announced that there will be a road inspection held by the five Supervisors and Township Manager on Saturday April 9, 2022 from 8 AM to 12:30 PM. There will be no business discussed.

9. Adjournment: There being no further comments or business the meeting adjourned at 8:10 PM.

Respectfully submitted,

Ilene M. Eckhart

1 THE ALLEN TOWNSHIP BOARD OF SUPERVISORS
2 MEETING AGENDA

3 March 22, 2022 @ 7:00 p.m.

4 3530 Howertown Road

5 Northampton, Pennsylvania 18067

6 * * *

7 Mixed Use Village Zoning Ordinance #2022-01 Draft
8 Amendment

9 Mixed Use Village Subdivision and Land Development
10 Ordinance #2022-02 Draft Amendment

11 * * *

12 Public meeting taken at the Allen Township
13 Fire Company Building, by Leandra M. Stoudt, RPR,
14 CBC, CCP, CRR, Notary Public.

15 BEFORE:

16 Jason Frack, Board Member

17 Paul Link, Board Member

18 Gary Behler, Vice Chairman

19 Dale N. Hassler, Chairman

20 Stan Wojcieszowski, PE, CME, Engineer

21 Lincoln Treadwell, Jr., Esquire, Solicitor

22 Ilene M. Eckhart, Manager

23 APPEARANCES: Marc B. Kaplin, Esq.

24 PUBLIC COMMENT: Eugene Clater and John Kelhart

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1 PUBLIC MEETING BEGINS
 2 * * *
 3 MR. HASSLER: We're going to call the
 4 meeting to order. Would everyone please rise for
 5 the pledge of allegiance to the flag. (Pledge).
 6 MR. HASSLER: Okay. Roll call. Tim
 7 Paul? He's absent. Jason Frack?
 8 MR. FRACK: Present.
 9 MR. HASSLER: Paul Link?
 10 MR. LINK: Here.
 11 MR. HASSLER: Gary Behler?
 12 MR. BEHLER: Here.
 13 MR. HASSLER: Dave Hassler, here.
 14 Stan Wojciechowski?
 15 MR. WOJCIECHOWSKI: Here.
 16 MR. HASSLER: Linc Treadwell?
 17 MR. TREADWELL: Here.
 18 MR. HASSLER: Ilene Eckhart?
 19 MS. ECKHART: Present.
 20 MR. HASSLER: Okay. First thing,
 21 we'll have announcements or any actions to add to
 22 the agenda?
 23 MR. WOJCIESHOWESKI: Yes, I would like
 24 to ask to add an agenda item to approve a
 25 resolution for a traffic signal maintenance

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1 agreement with PennDOT that came up today. They
 2 finally got us information on Radar Drive and
 3 Willowbrook Road adding that right-turn lane so
 4 that we can submit that application to PennDOT
 5 within the next two weeks.
 6 MR. HASSLER: Okay.
 7 MR. FRACK: I'll make a motion to add
 8 that to the agenda.
 9 MR. LINK: I'll second.
 10 MR. HASSLER: Okay, we have a motion
 11 to agenda -- to add that to the -- agenda to the
 12 meeting. Roll call. Jason Frack?
 13 MR. FRACK: Here.
 14 MR. HASSLER: Paul Link?
 15 MR. LINK: Yes.
 16 MR. HASSLER: Gary Behler?
 17 MR. BEHLER: Yes.
 18 MR. HASSLER: And Dale Hassler, yes.
 19 So that will be acted on later on.
 20 Okay. Next thing, public hearings.
 21 Linc?
 22 MR. TREADWELL: Yes. If you recall on
 23 February 22nd we opened the public hearing on the
 24 zoning and SALDO amendments that we are considering
 25 that came about as a result of the curative

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1 amendment. So the first thing we would need is
 2 motion to reconvene the hearing.
 3 MR. BEHLER: I'll make the motion.
 4 MR. FRACK: I'll second.
 5 MR. HASSLER: Okay, we have a motion
 6 and second to reconvene the hearing. Any
 7 questions? If not, roll call.
 8 Jason Frack?
 9 MR. FRACK: Yes.
 10 MR. HASSLER: Paul Link?
 11 MR. LINK: Yes.
 12 MR. HASSLER: Gary Behler?
 13 MR. BEHLER: Yes.
 14 MR. HASSLER: And Dale Hassler, yes.
 15 MR. TREADWELL: Okay. During the last
 16 month we've had some discussions, some
 17 conversations, regarding the building height issue
 18 that we discussed on February 22nd. I sent to
 19 Ilene, and she circulated to everybody, a new draft
 20 of what would be Section 271502 G -- 9G3 that
 21 everybody should have gotten today.
 22 I know Attorney Kaplin is here along
 23 with some people from Willowbrook.
 24 So, Mr. Kaplin, do you have anything
 25 you want to add?

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1 MR. KAPLIN: well, when we left here
 2 approximately a month ago, we had one issue. And
 3 Dale had concerns about height, fire apparatus,
 4 ladders getting close to the building. And we had
 5 Equus, who will be the developer, we had their
 6 architects work over the plans and we showed
 7 everybody two-story buildings, pitched roofs,
 8 access either from the roads right around on either
 9 side of the building, or in a couple of buildings.
 10 Certainly access at least from one side by road and
 11 access to the other side by ladder.
 12 I think, Dale, you were talking about
 13 it, if I remember, 26, 24, 26-foot ladder.
 14 MR. HASSLER: Ground ladder, yes.
 15 MR. KAPLIN: And we showed how that
 16 would work. And after there was consensus that the
 17 application would work, Linc and, really my
 18 partner, Rob Lewis worked over the language, and
 19 we're in agreement with that one last provision of
 20 the ordinance that limits the height, allows us to
 21 do pitched roofs so that they're good looking,
 22 requires access, and where there's no truck access,
 23 it requires a flat area at least six feet in depth
 24 so that a ladder can be lifted along the side of
 25 the building or the rear of the building, whichever

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1 it is. And if there's someone that needs to egress
 2 from a second-floor window, it would be adequate.
 3 So we're satisfied with that language.
 4 We can -- we can make the project work
 5 in a very good manner. And I think that's the end
 6 of it. We would ask that you adopt the ordinance
 7 as modified. Thank you.
 8 Unless you have any questions?
 9 Anybody have any questions?
 10 MR. TREADWELL: Do any board members
 11 have any questions about that new section? The
 12 language of the new section?
 13 MR. BEHLER: Linc, would you be
 14 willing to read that language for us?
 15 MR. TREADWELL: Absolutely, so -- I
 16 have to put my glasses on.
 17 The new section, Subsection 3,
 18 definition of height and height exemptions.
 19 Section A is, building heights shall be defined as
 20 the vertical distance from the average final grade
 21 of the four corners of the building to the mean
 22 height of the roof or structure. Building height
 23 herein shall not include any areas not intended for
 24 human habitation.
 25 So that's basically the area between

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1 the top of the second floor and the roof.
 2 Section B, all multi-family dwellings
 3 shall have a maximum of two stories with the first
 4 floor of the first-story being level with the
 5 finished grade. For multi-family dwellings with a
 6 peaked roof, the maximum building height shall be
 7 40 feet as measured in accordance with Subparagraph
 8 A hereof.
 9 The top plate of the second story
 10 shall be no higher than 26 feet from the finished
 11 grade on each side of the building, and the top of
 12 the peak shall not exceed 45 feet when measured
 13 from the averaged finished grade.
 14 So that top plate language was a
 15 little bit new to me. But, I now understand it to
 16 be basically the ceiling of the second-floor
 17 apartment. So that the ceiling of that
 18 second-floor apartment can't be higher than 26
 19 feet, which brings the window down to a level where
 20 the ladder can access it.
 21 And then Subsection C states, for any
 22 portion of a two-story multi-family building does
 23 not front on a street or parking lot, there shall
 24 be a level area no less than six feet in width
 25 adjacent to that portion of the building to provide

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1 fire service access to the building.
 2 So that's what Attorney Kaplin just
 3 talked about, a layer -- a level in -- and it's
 4 usually in the back. There's maybe three or four
 5 buildings in the back, where there's not a road or
 6 anything else. But there will be a six-foot depth
 7 where someone can put a ladder to get to the second
 8 story window.
 9 MR. HASSLER: I have no questions on
 10 it.
 11 MR. BEHLER: I don't have -- like
 12 Attorney Kaplin said, the last time we were here,
 13 we pretty much had worked through the process and
 14 the only thing remaining was this. So I don't have
 15 any more questions or comments.
 16 MR. TREADWELL: Does anybody in the
 17 audience have any questions on that specific
 18 building height language alone?
 19 All right. Then let's do it this way:
 20 Let's make a motion to revise the zoning ordinance
 21 to add the section that I just read as Section
 22 27-15029G3
 23 MR. BEHLER: I'll make a motion to go
 24 ahead and revise that Section 27-15029G
 25 MR. LINK: I'll second.

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1 MR. HASSLER: Okay we have a motion
 2 and a second to add that language. Roll call.
 3 Jason Frack?
 4 MR. FRACK: Yes.
 5 MR. HASSLER: Paul Link?
 6 MR. LINK: Yes.
 7 MR. HASSLER: Gary Behler?
 8 MR. BEHLER: Yes.
 9 MR. HASSLER: And myself, yes.
 10 MR. TREADWELL: Now, if there are no
 11 other comments from the Board regarding the other
 12 provisions of both the SALDO amendment and the
 13 zoning amendment, you can take public comment and
 14 then we can vote if you're prepared do that.
 15 MR. HASSLER: Okay. Any other
 16 comments from the Board? Okay.
 17 Is there anybody from the public that
 18 would like to speak on this? Yes, we have one
 19 individual. Please state your name. You're going
 20 to have to be sworn in by the stenographer.
 21 MR. CLATER: Gene Clater, 75 Arrowhead
 22 Lane, Allen Township.
 23 GENE CLATER
 24 was sworn according to law.
 25 * * *

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1 MR. CLATER: Thank you. Since the
 2 last meeting, I haven't had a chance to listen to
 3 the planning commission meetings from the January
 4 meeting, I believe, and I missed the February
 5 meeting of the supervisors, unfortunately.
 6 However, I did read through all the documents, the
 7 changes to both ordinances, and listened to the
 8 meetings. And I have some comments that I would
 9 like to recover or repeat.

10 You guys all got a letter, a copy of a
 11 letter, I believe, Ilene from me from like a week
 12 or so ago, okay? And I have a couple suggestions
 13 and one or two concerns.

14 A lot of discussion back and forth
 15 between the LVPC's letter and the applicant's
 16 letter with respect to spot zoning. And just a
 17 suggestion. When you read through the proposed
 18 change, it sounds like something I had heard from
 19 our local senator or the budget committee where
 20 they basically outline something down to the
 21 smallest knit so that there's no doubt it goes to
 22 one spot and one spot only. And that's spot
 23 zoning. And this ordinance, as it's worded, does
 24 do that in my opinion.

25 A suggestion might be to go back and

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1 look at the history over the last five or six years
 2 with the changes of the Comprehensive Plan, as well
 3 as the resulting ordinances.

4 And the intent of the Township, for
 5 many years now, has been to keep intense
 6 development south of Route 329, anywhere south of
 7 329. So you see, it's concentrating the RC zones
 8 or the R3 zones, it's concentrating the industrial
 9 zones along the corridor and south of that, et
 10 cetera.

11 Many years ago, it might have been --
 12 and you guys were involved -- it might have been
 13 five or six years ago, the applicant had requested
 14 a change of this particular parcel to something
 15 else and got comments back from the LVPC. And they
 16 suggested to make it more of a mixed-use
 17 environment with transitions, which is what this
 18 does.

19 But, if you take a look at the intent
 20 of what the Township tried to do, and I believe if
 21 you read through the Comprehensive Plan you'll see
 22 that, is, again, keep that intense development
 23 south of 329.

24 There's at least two more parcels in
 25 the Township that, at some point in time in the

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1 future, could qualify for this kind of a use, the
 2 area around the cemetery off of Weaversville Road,
 3 and also the Old Rose Nursey, have enough acreage
 4 to basically allow this kind of use in the future.
 5 And yet you've basically targeted this for one
 6 plot. And I think you're going to be confronting a
 7 problem in the future if you don't broaden that and
 8 take something -- not the wording that I've
 9 necessarily provided as a suggestion, but something
 10 to consider letting it go where there's, you know,
 11 some minimum, 100, 150 acres, pick a number, that
 12 allows some level of development along this kind of
 13 intent and keep it south of 329. That way you keep
 14 all the rural characteristics north.

15 Just a suggestion to consider. By
 16 right, whatever you want to do, just make it south
 17 of 329. And then in my opinion, not being a
 18 lawyer, you essentially minimize or reduce, or
 19 maybe even eliminate the opportunity for somebody
 20 to come back and say that is spot zoning.

21 All right. So that is what my intent
 22 was on my first comment.

23 The second comment is what I would
 24 consider to be the meat of the issue that I have a
 25 concern with. And that is in the January planning

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1 commission meeting, there was a lot of discussion
 2 back and forth, primarily between Gary Behler and
 3 the applicant, with respect to the paragraph that
 4 talks about the traffic access, or -- I think it's
 5 traffic access study, if you want to call it that.

6 I have some real concerns, and there
 7 was also concerns, which Linc chimed in in that
 8 meeting, about the fact that the traffic impact
 9 study provisions of the ordinance could also
 10 potentially apply and should apply for something
 11 this intense.

12 There's a number of problems with
 13 that, in that the traffic impact study specifically
 14 brings out criteria for the Route 329 corridor
 15 primarily tied to traffic when there's school in
 16 session, during school hours and some other things,
 17 okay.

18 It might -- in my opinion, it might be
 19 clear to just take this traffic access provision
 20 that's in the current ordinance, which is somewhat
 21 limiting, doesn't include off-site improvements,
 22 which I think were a major problem, doesn't
 23 necessarily include the issues of 200-plus
 24 residences coming in from Catty, North Catty, and
 25 Northampton, which conceivably could funnel through

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1 this development and come out.
 2 So I don't know where they're going to
 3 go with this. But I think you need to be a lot
 4 stronger now with the provisions of how you're
 5 going to analyze that traffic.
 6 There's a lot of assumptions going
 7 into that. In the past when we've done something
 8 this major, there's been cooperation between the
 9 Township and applicant, specifically Rockefeller
 10 and some of the other industrial areas, where
 11 there's certain key assumptions that are made. And
 12 that is, where does the traffic flow from and to
 13 and what direction. So you have coming north,
 14 south, east, west, you take a look at all the
 15 access roads and you need to figure what your
 16 percentages are.
 17 I will tell you that the results of a
 18 traffic study, using those assumptions, can vary
 19 very, very wildly based on what assumptions you
 20 use. The same way with making sure that you target
 21 off-site improvements. I notice that I -- I felt
 22 when I listened to the January meeting, that there
 23 was some reluctance on the part of the applicant to
 24 really look at firming up what off-site areas would
 25 be looked at.

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1 My major concern is the bridge. The
 2 bridge is a real problem. And you see that --
 3 hopefully you read the letter. You can see the
 4 issues there. It's not too late to get that bridge
 5 repaired in the three-lane fashion as opposed to
 6 two lanes.
 7 You've got a million bucks in the
 8 bank; hopefully it's still there. That can be
 9 added. It's not too late. As far as I've noticed,
 10 the County has not ordered materials yet for that
 11 bridge to be a two-lane. You can still make a
 12 change and get that done right for the next 50
 13 years.
 14 So, the whole area around the traffic
 15 access and the traffic impact study I think should
 16 be reworded to say there will be one, and they'll
 17 follow the guidelines that are in the traffic
 18 impact section of the current ordinance, as far as
 19 study times, durations, et cetera. Include and
 20 make sure that the access areas that are included,
 21 include those to the current developments in
 22 Northampton and North Catty, because they're going
 23 to filter through there.
 24 North Catty said they expected 50
 25 percent of their traffic to come across the 4th

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1 Street West Bullshead intersection, which is going
 2 to take it right to that area where there's a
 3 bridge.
 4 So, I think you need to be a little
 5 stronger. It's an easy fix in my opinion to just
 6 rework that one paragraph, that one section to say
 7 there will be a traffic impact study and it will
 8 follow the standards that are already in the
 9 ordinance with the exception that 329 restriction
 10 is removed and they have to basically do
 11 everything.
 12 And make a decision, by the way, in
 13 advance, because it could be six months or a year
 14 until you see development plans and traffic study.
 15 Make sure you take part in that traffic study, make
 16 sure that the ordinance says you will take part in
 17 it up front so they don't come in and just dump
 18 something in your laps. And address that bridge
 19 while you have the opportunity, because in another
 20 nine months, that opportunity will be gone and
 21 you'll be stuck with the two-lane bridge for 50
 22 years. That's not good.
 23 By the way, the previous traffic study
 24 said 45 percent of the traffic going north on
 25 Willowbrook was going to make a left turn on to

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1 Bullshead. Can you imagine that right now?
 2 There's no left-turn lane, and with a two-lane
 3 bridge there, it can never be a left-turn lane. So
 4 you need to fix that now.
 5 I'm going to disregard the piece that
 6 I wrote in the letter with respect to building
 7 height, what Linc read. I think it addresses the
 8 issue so it becomes a moot point.
 9 And the last thing is when you're
 10 looking at something this intense, it's not in this
 11 ordinance, it quite honestly isn't in the ordinance
 12 as it -- not in the ordinance as recommended, it's
 13 not in the current ordinance either. When you are
 14 looking at residential development that this is --
 15 that is this intense, there should be provisions in
 16 the ordinance to ensure that there's considerations
 17 for bus routes.
 18 If you look at the current plan, which
 19 obviously is not up for submission, there's no
 20 place in there to get a bus in and out to service
 21 those apartments. That's a problem. And rather
 22 than waiting until you get a plan for something
 23 this intense I would suggest you simply put a
 24 provision in there from a performance criteria
 25 standpoint that there needs to be provisions to be

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1 able to provide bus service. The buses need to be
 2 able to get in and get back out.
 3 The proposed plan will not allow a bus
 4 to get in and out efficiently, if at all. So you
 5 might want to consider that, also.
 6 And I know this is -- all I would say
 7 is, if you take a look at the one access road that
 8 goes into this development, that's across from the
 9 county park, that access road does not line up with
 10 the park. Now that could be just because the way
 11 it was drawn. But, they need to line up. If they
 12 don't line up and they overlap like that,
 13 guaranteed you'll have head-on crashes. People
 14 coming out of each one of those.
 15 It's the same problem they had at
 16 Airport Road and Schoenersville Road. When the
 17 state first built that, the lanes were not quite
 18 lined up right and they had a lot of head-on
 19 crashes, which resolved when the Rockefeller
 20 development made those improvements and they
 21 realigned it by a few feet.
 22 So just another thing to consider.
 23 That's all my comments. Thank you.
 24 Does anybody have any questions on the
 25 letter that I wrote or what I just said?

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1 Thank you.
 2 MR. HASSLER: Okay. Thank you. Are
 3 there any other comments on this issue?
 4 MR. BEHLER: I think we should take
 5 time to discuss some of the points Mr. Clater had
 6 recommended. I think for the newer members who are
 7 not familiar, probably, with the bridge on
 8 Willowbrook Road right at the corner of West
 9 Bullshead, and I know we had made a vote last year,
 10 maybe a year or two years at this point, I thought
 11 the last vote we made was our last effort -- or
 12 last chance to change that. Is that not true,
 13 Linc?
 14 MR. TREADWELL: I don't know. You
 15 know, after that vote, we notified the county
 16 that -- that our preference was a two-lane bridge.
 17 I have not talked to anybody at the county since
 18 then. So I don't know where it is in the process.
 19 I don't know whether the -- whether it's been bid.
 20 Remember it was a part of the P-3 program, and then
 21 it was out, and then I think they put it back in.
 22 So I don't know what the construction timeframe is.
 23 I don't know if they're planning on replacing it
 24 this year. And I don't know if you could do
 25 anything differently.

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1 MR. HASSLER: Wasn't the reason -- one
 2 of the reasons why we elected not to go with it,
 3 there was a lot of confusion going back and forth
 4 with county administration with this whole bridge
 5 issue at that time. And it was very --
 6 MR. TREADWELL: Well, there was a lot
 7 of confusion and then the administration changed
 8 from one county executive to another and that
 9 created more -- because I think the exist -- the
 10 county executive that's in office now changed the
 11 P-3 program somehow. So yeah, there was -- there
 12 was confusion.
 13 But, like Gary said, the last official
 14 action that this Board took was to notify the
 15 county that we were fine with a two-lane road.
 16 MR. BEHLER: I just want to -- I'd
 17 like to bring it back up. Like, Mr. Clater did
 18 though, because we have newer members on the board,
 19 and I feel very strong, just like I did then, and I
 20 was the only one who voted against that measure, as
 21 I do now, that a third lane is absolutely going to
 22 be needed for the -- especially if this development
 23 goes through. If this ordinance goes through and
 24 they come in and they build what is on the concept
 25 plan, there's going to be so much more traffic

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1 there making a left-hand turn. It's going to beery
 2 ridiculous. So, I feel we should reevaluate that.
 3 And like Mr. Clater stated, the
 4 developer, previous developer, already gave us a
 5 million dollars to do that lane. We have that
 6 million dollars. It's still there.
 7 MR. HASSLER: Still there.
 8 MR. BEHLER: It's going to be a big
 9 benefit to, not only our residents, but every
 10 motorist that travels that road. And if we don't
 11 make that decision soon, especially, you know,
 12 before the development goes in, if it goes in,
 13 we're going to have to, you know, live in that bed
 14 that we made.
 15 MR. HASSLER: Any other comments from
 16 any other board members on the bridge issue?
 17 MR. LINK: So where do you go from
 18 here with that?
 19 MR. HASSLER: Well, I would think
 20 that, first of all, we would have to notify the
 21 county or ask the county if the option is still
 22 available, if they would be willing to widen it to
 23 a three-lane bridge with our contribution. I guess
 24 that would be the issue. That's the whole issue.
 25 MR. WOJCIECHOWSKI: So we have

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1 received email request for a meeting to identify
 2 the utilities, basically the municipal utilities at
 3 the intersection, so when they tie in. I think
 4 that we could use that potentially as an
 5 opportunity to discuss whether it's off the table
 6 or if it can be reinstated.
 7 MR. TREADWELL: Is that email from the
 8 county?
 9 MR. WOJCIECHOWSKI: Yes -- well, it's
 10 actually from their, I think --
 11 MS. ECKHART: Their consulting
 12 engineer, yeah.
 13 MR. WOJCIECHOWSKI: -- their
 14 consulting engineer.
 15 MS. ECKHART: So that's their -- their
 16 really -- our last communication, which was
 17 actually March 8th was to get those meeting dates
 18 together. Someone -- we're going to appear from
 19 the township, the engineers, myself, Tommy. And
 20 what they're saying is they're already in the
 21 process of final design, right-of-way and utility
 22 impact assessment. That's where they are.
 23 MR. WOJCIECHOWSKI: My recollection
 24 was that they were in the sketch plan design --
 25 MS. ECKHART: Yes.

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1 MR. WOJCIECHOWSKI: -- and they asked
 2 us if they wanted to do three -- two-lane or
 3 three-lane, and that's when they went ahead for
 4 preliminary design after that.
 5 MS. ECKHART: And some of you may
 6 recall, we did discuss several months ago the
 7 discussion of the detour. So those -- those --
 8 that was with our Chapter 105, or whatever,
 9 permitting from DEP. So this is something that
 10 they've been actively working on and have --
 11 MR. WOJCIECHOWSKI: For the past year
 12 and a half.
 13 MS. ECKHART: Yeah, past year and a
 14 half.
 15 MR. KELHART: Mr. Hassler, I have a
 16 comment. I was going to reserve my comment --
 17 MR. HASSLER: Wait. Sir, this is
 18 during a public hearing. If you are going to
 19 speak, you have to stand up, give your name, and be
 20 sworn in.
 21 MR. KELHART: Very good. Very good.
 22 Good evening. My name is John Kelhart. I live at
 23 Willow Green.
 24 JOHN KELHART
 25 was sworn according to law.

Page 24

1 * * *
 2 MR. KELHART: I had a comment. I was
 3 going to reserve my comment for item number nine,
 4 but my comment kind of ties in with your talking
 5 about the replacement of that bridge at Willowbrook
 6 and West Bullhead Road.
 7 I don't know who is responsible, who
 8 has jurisdiction, over this Willowbrook Road as far
 9 as enforcement is concerned with tractor-trailer
 10 truck traffic.
 11 Just today I saw an 18-wheeler, pulled
 12 over by a Northampton Borough cop. As he left, I
 13 waived to the cop and thanked him for stopping that
 14 guy. They just replaced the utility pole at
 15 Howertown Road and West Bullhead Road because the
 16 trucks keep hitting that pole, and they're digging
 17 into it, digging into it, digging into it. The
 18 only thing left of that pole right now are farm
 19 utilities that are attached to that pole. I know
 20 that because I worked for PPL for 35 years, and I
 21 know that the other utilities are the last to
 22 remove their utilities if they move them ever, and
 23 now you have a dual wood situation out there.
 24 What I'm getting at here is, trucks
 25 are still going to go down that road. Trucks are

Page 25

1 still going to make a right-hand turn to go to
 2 FedEx and any warehouse that's down there. They're
 3 going to -- they're already dug up, multiple times,
 4 the guide rail. I don't blame the Township or the
 5 county for replacing it. Because no sooner does
 6 the county replace that, another truck is going to
 7 run over it.
 8 Who has jurisdiction to stop the
 9 trucks? We're going to have a development there
 10 with children. There's already -- the Kay builders
 11 is being built. Fuller is going to be built. You
 12 have a high school across the street. You got kids
 13 going to be riding bicycles. Now, you're going to
 14 have more 18-wheelers if you replace that bridge.
 15 I remember years ago I was at a
 16 meeting down at the township office. And the topic
 17 of the bridge came up. And I said, I would not
 18 replace that bridge, maybe maintain it, because
 19 once you replace that bridge, you have created an
 20 attractive nuisance. And I think, Mr. Hassler, I
 21 think you remember me saying that.
 22 Working for PPL, we have power lines,
 23 all over the place. We have them right here at
 24 Howertown Road. People think the land underneath
 25 that belongs to PPL. It doesn't. It's an

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1 attractive nuisance. People ride across it and it
 2 belongs on somebody else's private property. You
 3 make that bridge three, four lanes, you're going to
 4 attract nuisance -- you're going to basically say,
 5 trucks, come on down West Bullhead and make your
 6 right turn on to Willowbrook. Trucks coming out of
 7 FedEx, sure, make your left turn and go north on
 8 Willowbrook. You're creating attractive nuisance.
 9 That's all I want to say. But I have
 10 something here, and I sent this along, at least I
 11 thought I did, I picked this sign up, a road sign
 12 over off Cetronia Road in Upper Macungie Township,
 13 Cetronia and Krocks Road. It has a truck with a
 14 hash mark going through it. I'll show it to you.
 15 It says, warning, absolutely no trucks over 30 feet
 16 permitted, unless otherwise permitted, strictly
 17 enforced.
 18 How do we get that? Can we -- is
 19 that -- can I bring it to you, please? How can you
 20 enforce that? Is that something you can put up
 21 there and enforce that?
 22 MR. HASSLER: Where -- all depends
 23 on -- like, I guess you can ask -- all depends if
 24 it's a township road, a state road, and if you have
 25 a police department.

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1 MR. TREADWELL: Well, the issue is not
 2 -- yeah, I've seen them. I know what it is.
 3 The issue is not -- I mean, the first
 4 issue is to do an engineering study that shows that
 5 certain trucks of certain sizes or weight shouldn't
 6 be there. But that's not really the issue we have.
 7 The issue we have is the enforcement issue. And
 8 because we don't have a local police force, we have
 9 the state police and the state police are busy,
 10 so...
 11 MR. KELHART: Actually I've seen
 12 Catasauqua Police Department pull people over on
 13 Howertown Road. Now, today I actually did see a
 14 Northampton patrol SUV pull that guy over. I don't
 15 know what type of fine they're giving them. I
 16 don't know how -- you know, I don't know how you
 17 enforce it.
 18 MR. TREADWELL: I don't know, but
 19 Northampton and Catasauqua should not be pulling
 20 people over in Allen Township, unless the violation
 21 occurred in their municipality and they followed
 22 them into Allen Township.
 23 MR. KELHART: I believe it did,
 24 because for him to make the right turn from
 25 Howertown Road and he stopped that vehicle right

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1 before that Allen, Northampton Borough sign is, he
 2 had him.
 3 MR. TREADWELL: Well, I mean, like you
 4 said, Catasauqua was and Northampton have police
 5 forces. Allen Township does not.
 6 MR. KELHART: I know. I know it's a
 7 minute issue as far as the state police are
 8 concerned. But I'm saying, you know, if you open
 9 up that bridge, if you correct that bridge, and you
 10 make that bridge a concrete bridge and a three-lane
 11 bridge, et cetera, you are creating an attractive
 12 nuisance. Your inviting that truck traffic.
 13 You're not saying, don't come down
 14 here. You're saying, hey, look, I have a brand new
 15 bridge. I have a brand new guide rail, roll it
 16 over.
 17 I don't know. I'm just saying.
 18 MR. TREADWELL: I know, but --
 19 MR. KELHART: I live there.
 20 MR. TREADWELL: I think that those are
 21 the two sides of the coin that the Board weighed
 22 and struggled with for a while over the three-lane
 23 bridge. And as Ilene and Gary said, the last vote
 24 was to leave it two lanes.
 25 MR. KELHART: That's good.

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1 MR. TREADWELL: Maybe because of that
 2 issue. But the other side of that argument is
 3 that, you know, over time, would we need three
 4 lanes? And nobody has a crystal ball, so...
 5 MR. KELHART: I know. I'm just saying
 6 based on my living there, I think you're going to
 7 create an attractive nuisance. You're going to
 8 have trucks go down that road, they're going to
 9 come out of FedEx, they're going to come out of
 10 whatever is there, and they're going to make a
 11 right turn and go north on Howertown -- excuse me,
 12 Willowbrook Road. And then they're going to go on
 13 Savage Road, and then they're going to go on 329.
 14 I thank you for your time, though. Thank you very
 15 much.
 16 MR. HASSLER: Well, the question is
 17 whether -- not whether or not -- the bridge is
 18 going to be repaired. That is -- the question now
 19 is whether they would -- whether we want to ask
 20 them to see if it would go to three lanes or
 21 stay -- or if they're saying no it's staying at two
 22 lanes.
 23 But an answer to your question,
 24 there's going to be a brand new bridge there and
 25 it's going to be a lot bigger than the one that's

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1 there now.

2 MS. ECKHART: Yeah, it's not going to

3 be weight restricted.

4 MR. HASSLER: It's not going to be

5 weight restricted.

6 MR. LINK: If they have two lanes,

7 it's going to be much wider than it is now.

8 MR. HASSLER: The bridge is coming.

9 And we --

10 MR. KELHART: I understand that.

11 MR. HASSLER: We can ask them -- we

12 can make a decision here and we can possibly ask

13 them to do, you know, to widen it or whatever. But

14 the bridge is coming. Concrete.

15 MR. KELHART: It's -- what's that word

16 you call that, something dysfunctional?

17 MS. ECKHART: Obsolete.

18 MR. KELHART: Obsolete, yeah.

19 MS. ECKHART: The new bridge, no

20 matter what amount of lanes, will no longer be

21 weight restricted. So that's really the only

22 reason police enforce there now. So that will --

23 that interest from the state police will probably

24 go away.

25 MR. KELHART: Uh-huh, yeah.

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1 MS. ECKHART: So there will be trucks

2 on Willowbrook Road. They might even drive out to

3 329. And they're just a fact of life.

4 MR. KELHART: I know it is. I know.

5 I just wanted to get it off my chest.

6 MS. ECKHART: Yeah, I know.

7 MR. KELHART: You see it too often.

8 And now with Fullers development, and more children

9 out, there kids on bicycles riding. They're going

10 to go down that way and go to the park. And you

11 have trucks. All right. Thank you very much for

12 your -- hearing me out. Appreciate that.

13 MR. BEHLER: One last point from

14 Mr. Clater's letter. As it relates to the traffic

15 study, traffic access study, traffic impact study,

16 I know we have talked about this in great detail,

17 but I thought I understood it until Mr. Clater

18 brought some points up, so I want to make sure we

19 all clearly understand what this study is that

20 we're going to require them to do.

21 During our last discussion at the end,

22 I was under the assumption that it was going to --

23 no matter what the name was, it was still going to

24 meet our current traffic impact study requirements.

25 Is that not the case?

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1 MR. TREADWELL: Well I think at the

2 February 22nd meeting, the traffic engineer was

3 here, correct? And he explained the study that he

4 was going to perform based on the language in the

5 zoning ordinance amendment.

6 I don't know that I could re-recite

7 what he explained off the top of my head. But I

8 think at that time, everybody was satisfied with

9 his explanation of what the traffic access study

10 was going to do. And the issue that the applicant

11 brought up in terms of the traffic impact study

12 was, traffic impact study is a term of art that

13 PennDOT uses, and it requires studying off-site

14 intersections and/or roadways if PennDOT says so.

15 And that was the issue between, you

16 know, whether to call it a traffic impact study or

17 a traffic access study. We do not have a

18 requirement that anybody do off-site improvements

19 because we haven't done the other traffic impact

20 study that allows us to impose impact fees. We

21 have not performed that. So we don't the ability

22 to require off-site improvements.

23 The off-site improvements that

24 Mr. Clater mentioned that some of the other

25 property owners and/or developers in the township

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1 have done, were voluntary contributions. They were

2 not mandated by the ordinance.

3 But I think Mr. Kaplin maybe wants to

4 explain what they propose to do in terms of the

5 traffic access study.

6 MR. KAPLIN: My recollection of what

7 John Wichner said is, that when we come in

8 initially, we're going to do an overall traffic

9 study, estimating all of the traffic that we will

10 create. However, the improvements will be time to

11 go in as the roads are built that need those

12 improvements. So it is a complete traffic impact

13 study except with regard to what Linc said. It

14 doesn't include off-sites because municipality

15 cannot require off-sites.

16 So we're going to do the -- we're

17 going to do everything, and we're going to take

18 into account other developments whether they're

19 coming from North Catty, or wherever they're

20 coming, we still have to analyze what's there now,

21 what will be added by existing or planned new

22 development, plus our traffic. And we're going to

23 have to make those accesses work to the best that

24 we can, so...

25 MR. TREADWELL: And your traffic

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1 engineer, before performing and submitting the
2 study, will meet with the township engineer to
3 discuss --
4 MR. KAPLIN: Wouldn't do it -- I don't
5 mean to be a wise guy, but wouldn't do it any other
6 way. What's the point -- yeah.
7 MR. TREADWELL: Just want to make it
8 clear.
9 MR. BEHLER: Do we have some control
10 over, like, the time of days? I think it's a very
11 good point that we need to calculate -- make sure
12 the high school is in session, make sure it's
13 during the times that the buses come in and out.
14 We have to make sure we're calculating for all
15 that.
16 MR. KAPLIN: Let me tell you from the
17 developer's side, Gary. we always make sure that
18 the traffic engineers, that they do it at the right
19 time of the year, meaning when school is in
20 session. Because if, as a developer's lawyer, we
21 come into a municipality when we did a traffic
22 study when the schools are not in place, I'll get
23 laughed out of the township.
24 So we're ahead -- we're ahead on that.
25 And we will do -- we usually do the morning peak,

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1 the afternoon peak and the Saturday peak. And if
2 there is another peak, which I don't think I've
3 ever seen because of the schools, then we'll study
4 that also so that within limits, we'll have
5 accesses to all -- not only work for everybody
6 else, but will work for our development.
7 MR. BEHLER: I just don't want to see
8 it done in the summertime and then not accounting
9 for the school traffic during the school year.
10 MR. KAPLIN: Theoretically, PennDOT
11 has factors that you can take a study out of
12 sequence, out of the right month, and build it up.
13 I -- that doesn't make any sense from a developer's
14 point of view.
15 MR. BHELER: I'm sure, Stan --
16 MR. WOJCIECHOWSKI: You have the
17 school right next door, so those factors would be
18 thrown off.
19 MR. BEHLER: I'm assuming when you're
20 going to meet with them before they do it, you will
21 make sure that --
22 Mr. WOJCIECHOWSKI: We have all that
23 clarified. We call it basically the scoping
24 meeting.
25 MR. BEHLER: Perfect. Okay. Thank

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1 you, Dale, that was all the comments I had.
2 MR. CLATER: Can I add one final
3 comment, please? Thank you. Gene Clater again.
4 All right. Having heard everything
5 and heard what Linc said, I understand what the
6 issue is. Because our traffic impact study
7 obviously had a lot of PennDOT influence over that.
8 And I understand the off-site improvement piece.
9 However, one thing that you can't
10 consider is, that bridge -- first of all, their
11 proposed development, if you take a look at the
12 track, it encompasses West Bullshead to
13 Willowbrook, down Willowbrook to basically the
14 start of Lot 5. I guess it would be Rockefeller
15 Lot 5.
16 So their proposal in addition to
17 abutting the borough and -- both boroughs actually,
18 North Catty and Northampton, fully -- fully abuts
19 West Bullshead and Willowbrook.
20 Technically, I think you can make an
21 argument that the Willowbrook bridge, since it
22 abuts on their property and where they're going to
23 be developing, is considered to be part of their
24 development. So I don't disagree with the fact
25 that extending it out to Savage and Willowbrook, or

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1 going further south, or looking at Fourth and West
2 Bullshead would be technically off-site; I do not
3 believe the bridge is. Because it abuts on the
4 road that is fully, you know, their development.
5 It runs the whole length of it
6 MR. KAPLIN: Mr. Clater, I suggest you
7 read the definition in the municipality's planning
8 code. It's not what you're saying. It's necessary
9 for entrance to our property.
10 MR. CLATER: But, would you not agree
11 that with 900-plus developed homes that are going
12 to be in the combined new development between North
13 Catty, Northampton and Allen, your concern should
14 be adequate access in and out, and not creating
15 bottle necks, I would hope.
16 So if you can support the township
17 going back -- and by the way, I would make an
18 argument that if it's just in the design phase, it
19 means they have probably not ordered culverts, et
20 cetera, et cetera, et cetera. Even if it costs
21 another one or two -- or, you know, even a quarter
22 million of redesign to go from to two to three
23 bridge, you're way ahead of the game because you
24 just beat that 50-year calendar by doing it right.
25 Bridges are designed for 50 years.

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1 That intersection when Rockefeller did
 2 the analysis showed that once they're fully built
 3 out -- and that didn't include, by the way, the
 4 warehouse that's now in Han-Le-Co, which is up and
 5 running, or close to it I guess. Showed that when
 6 fully developed, that intersection was going to be
 7 rated F, which means as bad as it can get. Almost.
 8 Current, it was a C.
 9 So you add these homes, and even if
 10 you had some of the swizzling of the tenants for
 11 all the properties, there's still going to be a lot
 12 of traffic. Performance is going to be bad because
 13 you cannot have a dedicated protected left-turn
 14 lane. That's a problem, given that 45 percent of
 15 traffic was projected to be turning left.
 16 So I understand what you're saying,
 17 too. But I would hope that you have an interest in
 18 working with everybody to make sure that that
 19 particular area, which is a problem area, is
 20 properly addressed for your potential occupants, as
 21 well as for the future of the township and the
 22 people traveling through the township.
 23 Again, thank you.
 24 MR. HASSLER: Okay. Any other
 25 comments on this issue? From the Board or

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1 whatever?
 2 So what's the wish of the Board? Do
 3 we want to reach out to the county as soon as
 4 possible, even maybe ahead of this meeting and see
 5 if it's still possible to --
 6 MR. BEHLER: I'll make a motion that
 7 we reach out to the County and inquire whether it's
 8 still possible to add a third lane, left-turning
 9 lane, coming from the south to the bridge at this
 10 point.
 11 MR. FRACK: I'll second the motion.
 12 MR. HASSLER: Okay, we have a motion
 13 and a second to reach out to Northampton County to
 14 see if it's not too late to widen the bridge. Of
 15 course, we have a million dollars we can
 16 contribute.
 17 Any questions? Roll call.
 18 Jason Frack?
 19 MR. FRACK: Yes.
 20 MR. HASSLER: Paul Link?
 21 MR. LINK: Yes.
 22 MR. HASSLER: Gary Behler?
 23 MR. BEHLER: Yes.
 24 MR. HASSLER: And myself, yes.
 25 So that part of that is done. Now, I

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1 guess the next thing is we --
 2 MR. TREADWELL: Yeah, I don't think
 3 the bridge issue really affects the ordinances. I
 4 mean, it's -- there's nothing in the ordinance that
 5 talks about the bridge. Whether it's two or three
 6 lanes is going to be a different issue.
 7 But, so if the Board is ready, you
 8 have two ordinances in front of you. The first
 9 thing we would need do is close the public hearing,
 10 and then you can vote on both ordinances.
 11 MR. BEHLER: Is it one hearing for
 12 both?
 13 MR. TREADWELL: Yes.
 14 MR. BEHLER: I will make a motion to
 15 go ahead and close the hearing.
 16 MR. LINK: I'll second.
 17 MR. HASSLER: Okay, we have a motion
 18 and a second to close the public hearing. Any
 19 questions? If not, Jason Frack?
 20 MR. FRACK: Yes.
 21 MR. HASSLER: Paul Link?
 22 MR. LINK: Yes.
 23 MR. HASSLER: Gary Behler?
 24 MR. BEHLER: Yes.
 25 MR. HASSLER: And myself, yes.

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1 MR. TREADWELL: So the proposed
 2 amendment to the zoning ordinance is Ordinance
 3 Number 2022-01.
 4 MR. BEHLER: I will make a motion that
 5 we adopt Zoning Ordinance 2022-01 as it relates to
 6 the mixed-use village.
 7 MR. LINK: I'll second.
 8 MR. HASSLER: We have a motion and a
 9 second to adopt 2022-01 Ordinance. Any questions
 10 on the Board? If not, roll call. Jason Frack?
 11 MR. FRACK: Yes.
 12 MR. HASSLER: Paul Link?
 13 MR. LINK: Yes.
 14 MR. HASSLER: Gary Behler?
 15 MR. BEHLER: Yes.
 16 MR. HASSLER: And myself, yes.
 17 MR. TREADWELL: And then the proposed
 18 amendment to the SALDO is Ordinance Number 2022-02.
 19 MR. BEHLER: I'll make a motion that
 20 we also adopt Ordinance 2022-02 to the SALDO
 21 related to the mixed-use village.
 22 MR. LINK: I'll second.
 23 MR. HASSLER: Any questions on the
 24 Board? We have a motion and a second.
 25 If not, Jason Frack?

1 MR. FRACK: .
 2 MR. HASSLER: Paul Link?
 3 MR. LINK: Yes.
 4 MR. HASSLER: Gary Behler?
 5 MR. BEHLER: Yes.
 6 MR. HASSLER: And myself, yes. Motion
 7 carried on both.
 8 Okay. That's it for that.
 9 MR. TREADWELL: That's it for that
 10 item, correct.
 11 (PUBLIC MEETING CONCLUDES 7:48 p.m.)
 12
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1
 2 CERTIFICATE
 3
 4 I do hereby certify that the aforesaid
 5 testimony was taken before me, pursuant to notice,
 6 at the time and place indicated; that said deponent
 7 was by me duly sworn to tell the truth, the whole
 8 truth, and nothing but the truth; that the
 9 testimony of said deponent was correctly recorded
 10 in machine shorthand by me and thereafter
 11 transcribed under my supervision with
 12 computer-aided transcription; that the deposition
 13 is a true and correct record of the testimony given
 14 by the witness; and that I am neither of counsel
 15 nor kin to any party in said action, nor interested
 16 in the outcome thereof
 17 Leandra M. Stoudt
 Leandra Stoudt, KPK, CRR
 CBC, CCP, Notary Public
 18
 19
 20
 21
 22
 23
 24
 25

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105 23:8	7:00 1:2	addressed 38:20	2:21
150 12:11	7:48 42:11	addresses 17:7	answer 29:23
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