



# 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, November 24, 2015**

A General Meeting of the Allen Township Supervisors was held on Tuesday, November 24, 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; Dale N. Hassler – Present; Alfred Pierce – Present; Larry Oberly - Present; Bruce Frack - Present; Daniel O'Donnell, Esq. - Present; Brien Kocher, P.E. (Hanover Engineering Associates). – Present; and Ilene Eckhart – Present.

**Public Hearings:** No public hearings.

**Public to be Heard:** Mr. Edward Diechmeister, Sipos Drive, was present to discuss the Board's direction regarding the maintenance of Walker Drive in his development. Mr. Frack felt that the easy answer is to pave and finish the road to Township standards. Mr. Diechmeister indicated that final paving would not happen this year due to the unavailability of contractors and the change in season. Mr. Hassler felt that Mr. Diechmeister indicated that the road should have been finished in time for the plowing previously. Mr. Diechmeister indicated that the Township back up plow trucks up Walker and not enter his property. The Board felt this was Mr. Diechmeister's problem. Mr. Diechmeister felt that the street was winterized in a fashion which should be acceptable to the Township Public Works Department. Mr. Gogle (Public Works Crew Leader) did not feel comfortable with the rolled curb which has been installed as an interim measure. Mr. Diechmeister said his could not pave the road in time winter. Mr. Frack suggested closing the road on his side or pave it. Messrs. Frack and Hassler were concerned with the liability of our equipment on the unfinished road and directed Mr. Diechmeister to plow his section of Walker Drive for the upcoming winter season. Mr. Frack made a motion to direct Mr. Diechmeister to plow the undedicated portion of Walker Drive (his private property) for the 2015-2016 winter season; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

## Unfinished Business

A. Towpath Estates, Expiration of Letter of Credit (December 22, 2015): Mr. Oberly made a motion to authorize the Solicitor to draw down on the Letter of Credit if it is not renewed in a timely fashion by the expiration date; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. High Meadow Estates, Discussion Issues/Request for Waivers: Mr. Tony Ganguzzo and Mr. Avi Hornstein were present to follow up regarding the following items:

i. Finalize Stoffa stormwater maintenance: Mr. Hassler was concerned with the future maintenance of the pipe within the Stoffa stormwater easement. Mr. Horstein was unsure of how that would be a budgetary factor. Mr. Pierce felt the issue was twofold and he did not have the solution to: the potential pollution issue of the stormwater easement and the maintenance of the easement. Following a lengthy discussion, the Board agreed by consensus that the Homeowners association should be operation and maintenance of the stormwater system including the stormwater easement. Mr. Frack made a motion to obligate the future Homeowner's Association with operation and maintenance of the stormwater system including the Stoffa stormwater easement components; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes.

ii. Resolve Spring Hill Road abandonment location along Schwartz Property: Mr. Hassler indicated he met with Mr. Schwartz and he was concerned that Mr. Burke and Sywensky both own property adjoining this area. The Board was agreeable with abandoning a north of the culvert located at the Schwartz property with the hammerhead turn around design. The design engineer will return with the drawing showing this. Mr. Hassler made a motion to authorize the concept abandonment plan north of the Schwartz property and near the existing culvert for the Board's review in consideration of future abandonment; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

iii. Request for waivers: Mr. Ganguzza reviewed the waiver request:

1. Sect. 8-231.8(F)(5) and (G)(5) — These sections require that water surface elevation of detention basins be a minimum of 100 feet from any residential building. There are three areas of the proposed development that do not meet this requirement. The first is near the Phase 1 detention basin and is behind Lots 80, 84, 85, 86, 87, and 88. The separation distances from the building restriction line and the expected location of the proposed dwelling are as follows:

LOT NUMBER	Dwelling	Rear Building Restriction Line
88	88 feet	60 feet
87	70 feet	48 feet
86	70 feet	48 feet
85	75 feet	54 feet
84	88 feet	65 feet
83	100 feet	80 feet
80	75 feet	50 feet

A waiver for this area is necessary to help to limit the earth disturbance to areas of lesser slopes.

The second area is between Lots 72 and 73. The separation distances from the building restriction line and the expected location of the proposed dwelling, and the vertical separation between the building and the basin spillway elevation are as follows:

LOT NUMBER	Dwelling	Side Building Restriction Line
72	45 feet	25 feet
73	40 feet	30 feet

This is necessary to allow the construction of a shallow (8 inches deep) infiltration basin.

The third area is near the Phase 2 detention basin and is behind Lots 38, 39, 40, 41, 42, and 43. The separation distances from the building restriction line and the expected location of the proposed dwelling are as follows:

LOT NUMBER	Dwelling	Rear Building Restriction Line
38	65 feet	40 feet
39	60 feet	40 feet
40	70 feet	50 feet
41	80 feet	60 feet
42	85 feet	65 feet
43	95 feet	75 feet
44	94 feet	70 feet

This is necessary to allow the construction of a detention/infiltration basin.

Additionally, the Phase 1 and Phase 2 detention basins will be fenced and landscaped along the basin berm and spillway elevation for safety and esthetic purposes. The shallow infiltration basin between lots 72 and 73 will not be fenced.

2. Sect. 22-406(K)(2)e and 22-409 (Deferral) - These sections require sidewalk on both sides of the proposed streets. Sidewalk is proposed on one side of each road and interior open space walking trails are provided. A deferral to this requirement was previously granted as part of the Preliminary Plan approval and this plan revision does not revise the original approval.

3. Sect. 22-407(7)(B) — This section requires a 75 foot tangent between curves and street intersections. Waivers to this section are requested for the intersection of Creek View Drive onto High Meadow Drive South, where the intersection occurs in the middle of a curve, and therefore the waiver would allow for a tangent of 0 feet. The second area is for the intersection of High Meadow Drive North and Kreidersville Road where the tangent to the curve is perpendicular to and begins 23 feet north of the Kreidersville Road centerline and therefore the waiver would allow for a tangent of 0 feet. A waiver to this requirement was previously granted as part of the Preliminary Plan approval and this plan revision does not alter the original approval.

4. Sect. 22-407(7)(C) — This section requires minimum vertical curve lengths of 25 feet for every 1% of grade change. There are several locations where these grades are exceeded. The first is along High Meadow Drive at sta 71+00. The required curve length is 178 feet for a sag vertical curve and 100 feet is provided. The proposed sight distance for this sag vertical curve is 103 feet. The second is along High Meadow Drive at sta 68+00. The required curve length is 204 feet for a crest vertical and 150 feet is provided. The proposed sight distance for this crest vertical is 156 feet. The third is along Spring Hill Circle at sta 4+50. The required curve length is 213 feet for a sag vertical curve and 150 feet is provided. The proposed sight distance for this sag vertical curve is 120 feet. Waivers to this requirement were previously granted as part of the Preliminary Plan approval and this plan revision does not significantly alter the original approval.

5. Sect. 22-407(8)(A) — This section requires the grade on cul-de-sac turnaround areas shall be 2 percent. A waiver to this requirement to allow a turnaround slope of 1.6 percent for Jamie Drive, Creek View Drive, and Spring Hill Circle is requested in order to lessen the amount of fill necessary

in these areas. A 1.6 percent slope would allow for a 1 percent slope along the proposed curb line of the cul-de-sac.

6. Sect. 22-407(8)(B) — This section requires grades within 60 feet of the nearest intersection right-of-way line shall not exceed 2 percent. A waiver to this requirement is requested for the following intersections:

High Meadow Drive and Spring Hill Circle. High Meadows Drive is a through street with a slope of 3.95 percent and Spring Hill Circle is the intersection road with a slope of 3.0 percent.

High Meadow Drive and Balliet Drive. High Meadows Drive is a through street with a slope of 5.93 percent and Balliet Drive is the intersecting street with a slope of 2.22 percent.

Cherryville Road and Balliet Drive. Cherryville Road is the existing through road and Balliet Drive is the intersecting street with a slope of 2.73 percent.

High Meadow Drive North and South. High Meadow Drive North is the through street with slope of 4.42 percent and High Meadow Drive South is the intersecting street with a slope of 2.5 percent.

High Meadow Drive and Jamie Drive. High Meadow Drive is the through street with at slope of 4.4 percent and Jamie Drive is the intersecting street with a slope of 4.00 percent.

High Meadow Drive and Creekview Drive. High Meadow Drive is the through street with a slope of 5.57 percent.

Waivers to these requirements were previously granted as part of the Preliminary Plan approval and this plan revision does significantly not alter the original approval.

7. Sect. 22-412(F)(3)c — This section requires a 50 feet wide buffer area between the limit of disturbance and any qualified wetlands areas. There are two areas of the proposed development that do not meet the 50 feet wide buffer requirement. The first is at the headwaters of the delineated wetlands, at the rear of Lot 27. The proposed grading for Lot 27 and for part of the Open Space Area will be within 15 feet of the existing wetlands. The existing wetlands are within 20 feet of the Lot 27 building setback line. A waiver for this area is necessary to allow for the proposed grading of Lot 27 based on the High Meadows Drive profile. The second area is near the intersection of High Meadows Drive South and Kreidersville Road, where the proposed grading for the curve of High Meadows Drive South will go directly up to the existing wetlands. A waiver for this area is necessary to allow the road to be constructed in cut in order to meet the existing grade of Kreidersville Road and to comply with the existing HOP for the proposed intersection.

8. Sect. 22-502(3)(Ai) — This section requires topography within 200 feet of the site be included on the plans. A waiver to this section is requested because sufficient information has been provided to complete an engineering review of the plans.

9. Sect. 22-502(2)(A) - This section requires the maximum sheet size be 24"x36" and the vertical profile scales are to be 1"=5'. Plan sheet sizes of 30'x42" and a vertical scale of 1"=10' are provided. A waiver to this section is requested due to the large size of the project and the information necessary for construction.

10. Sect. 8-229.9.F - This section requires that no infiltration practice be designed such that it captures more than two acres. This requirement is intended to prevent over-infiltration in areas with karst geology. A waiver to this section is requested because the development area is not underlain with Karst geology.
11. Sect. 8-229.9.G - This section requires specific capture and conveyance design standards for single lot development and public road construction. A waiver to this section is requested because the proposed development contains 3 centralized infiltration basins instead of multiple smaller infiltration areas.
12. Sect. 8-229.9.H - This section requires separate infiltration structures for each inlet along a street. A waiver to this section is requested because the proposed development contains 3 centralized infiltration areas intended to satisfy the infiltration requirements of this section.
13. Sect. 8-229.9.I - This section requires a maximum loading ratio of 500 percent for infiltration areas unless a faster absorption rate is proven by percolation testing. A waiver to this section is requested because percolation testing has been completed that indicates a infiltration rate sufficient to meet infiltration requirements.
14. Sect. 8-229.9.L - This section contains requirements for on-lot underground infiltration systems. A waiver to this section is requested because the proposed development contains 3 centralized infiltration areas intended to satisfy the infiltration requirements of this section.
15. Sect. 8-231.8.0 - This section requires that pipe outlet arrangements shall provide complete outletting of all detained water, unless provisions for permanent ponding have been approved. A waiver to this section is requested to allow a temporary infiltration depth of water in the basins.
16. Sect. 8-231.8.F - This section requires a maximum detention basin ponding depth of 24 inches (2 feet) in the 10 year storm and 36 inches (3 feet) in the 100 year storm event. Detention Basin 1 (Phase 1) has a proposed depth of 3.5 feet in the 10 year storm and 4.7 feet in the 100 year storm event, including 1.5 feet of infiltration storage, and Detention Basin 2 (Phase 2) has a proposed depth of 4.4 feet in the 10 year storm, and 5.9 feet in the 100 year storm, including 2.0 feet of infiltration storage. A waiver to this section is requested to allow the project to have 2 larger basins instead of more, smaller basins, to maximize the open space area.
17. Sect. 8-231.8.G - This section requires a maximum detention basin ponding depth of 24 inches (2 feet) in the 2 year storm, 36 inches (3 feet) in the 10 year storm and 48 inches (4 feet) in the 100 year storm event. Detention Basin 1 (Phase 1) has a proposed depth of 2.24 feet in the 2 year storm, 3.5 feet in the 10 year storm and 4.7 feet in the 100 year storm event, including 1.5 feet of infiltration storage, and Detention Basin 2 (Phase 2) has a proposed depth of 3.71 feet in the 2 year storm, 4.4 feet in the 10 year storm, and 5.9 feet in the 100 year storm, including 2.0 feet of infiltration storage. A waiver to this section is requested to allow the project to have 2 larger basins instead of more, smaller basins.
18. Sect. 8-231.8.K — This section requires a minimum bottom slope of 2 percent for detention basin grades. A waiver to this section is requested to permit a flat (0 percent) slope to allow the basins to infiltrate storm water.

19. Chapter 8, Attachment 20, Appendix G — This section requires that a proposed infiltration area may not be designed or installed within 25 feet of a percolation test hole that yields a percolation rate of greater than 12 inches per hour. A waiver to this section is requested to allow the project to be designed and installed as required by the PA DEP as part of the required NPDES permit. As part of the NPDES permit, soil supplements will be provided in the infiltration areas. The Geologic Report will also be revised to include a statement from the Geologist noting that the soils are suitable for the rate and volume of infiltration proposed.

20. Chapter 8, Attachment 20, Appendix G — This section requires that a minimum of 6 percolation test holes be conducted for each infiltration facility. A waiver to this section is requested to allow 4 test holes for Basin 1 and 3 test holes for Basin 2 and Rain Garden 1. The project has been designed as required by the PA DEP as part of the required NPDES permit. The Geologic Report will also be revised to include a statement from the Geologist noting that the soils are suitable for the rate and volume of infiltration proposed.

Regarding the August 25<sup>th</sup>, 2015, sewer availability issued by Ms. Eckhart, Mr. Ganguzza raised two issues:

1. Concerns regarding the expiration of the Intermunicipal Agreement with the Borough
2. Concerns regarding the statement “The Developer will agree not to impose any claim they may have to recover a portion of their cost of public sewer improvements, both on site and off site that they may have under the provisions of the Municipalities Planning Code, Municipality Authorities Act, or any other applicable statute.” and
3. Concerns regarding the statement “Developer agrees to provide for all ownership, maintenance and replacement cost generated by the proposed collection lines, sewer pump station and force main as determined by the Township during Subdivision Plan review and approval process.

C. Savage, East/West Bullshead and Willowbrook Road, Truck Restriction Study – Ms. Eckhart will reach out to East Allen Township and discuss at next meeting.

D. Report - PennDOT meeting – global Rt. 329 improvements (November 16th, 2015): Ms. Eckhart recapped the meeting. There will be a follow up meeting December 7, 2015.

E. Operations, Maintenance and Inspection Schedule Stormwater Management Facilities – authorization to prepare draft. Ms. Eckhart requested authorization to prepare a formal draft for the Operation, Maintenance and Inspection Schedule Stormwater Management Facilities specific to Allen Township. Mr. Hassler made a motion to authorize Ms. Eckhart to prepare the formal draft; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

F. Pennsylvania Intergovernmental Risk Management Association – Contract Renewal – (pooled insurance coverage contract renewal): Mr. Oberly made a motion to proceed with execution of the contract as presented; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

G. Resolution #2015-08 for Multi-Modal Grant Application – Radar Speed Sign Detection Savage/Atlas Road Corridor Mr. Hassler made a motion to adopt the resolution to apply for the grant; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

H. Call In Snow Plow Drivers: Ms. Eckhart indicated she interviewed Mr. Hal Borger as a call in seasonal employee for 2015-2016 winter operations at the scheduled rate. Mr. Frack made the motion to add Mr. Borger to the list of call in seasonal winter snow plow drivers; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

### **New Business**

A. Roadway Improvement Ordinance/SALDO Amendment Language – Mr. Oberly made a motion to table until rewording of paragraph B or an sufficient explanation on this wording could be provided; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. Emergency Operations Plan – Mr. Pierce made a motion to approve the plan dated November 2015; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

C. PPL Pole Relocation – Kreidersville Covered Bridge Driveway – Ratify Cost Estimate; Mr. Hassler made a motion to ratify the cost estimate for the PPL Pole Relocation; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

D. Grass Cutting and Ground Maintenance Bids: Ms. Eckhart presented the bids received pursuant to the advertised specifications. Ms. Eckhart also provided a table of the costs of maintenance and in house hours of machines and labor. Mr. Hassler discussed the hiring of a full-time laborer. Mr. Gogle discussed concerns and the length of time it takes to cut grass and maintain the equipment. Mr. Oberly discussed hiring part-time laborers. Mr. Pierce requested a summary of the hours of the Road Crew per year. Following some further discussion, the matter was tabled by the Board.

E. Kreidersville Road – Passing Zones North of Indian Trail/Howertown Road Intersection – authorization to request PennDOT conduct traffic study to review pursuant to Publication 212 – Mr. Hassler made a motion to authorize Ms. Eckhart to prepare a request for traffic study; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

F. Lehigh Township PRRC Zoning District/Proposed Ordinance correspondence (request for comments by December 8, 2015): Mr. Hassler made a comment regarding a through road across the Lehigh – Allen municipal boundary. Mr. Kocher indicated that there was some discussion regarding a new public road between Indian Trail Road and Cherryville Road. Mr. Oberly voiced stormwater concerns. Mr. Kocher reviewed some logistics regarding the sewer service ramifications. Mr. Pierce felt, in addition to these concerns, we should also forward the cluster information recently received by the Township from the Natural Land Trust (for High Meadow Estates) to Lehigh Township. The Board agreed by consensus.

G. Northampton Industrial Park – Request for Determination re Century Boulevard (private/public); location of sanitary sewer and water facilities within or outside of cartway - Ms. Eckhart explained the private road versus public road request. Mr. Pierce reviewed the questions which he felt were integral to the discussion. He felt there were two points of view. Messrs. Oberly and Frack felt that the roadway should be private. Mr. Oberly felt the water and sewer should be outside of the cartway. Mr. Oberly made a motion that the proposed Century

Boulevard may be a private street; that the water and sanitary sewer lines are to be located outside the cartway; that the Township reserves the future right to acquire Century Boulevard as a future public road (with the requirement to record a future offer to dedicate) and to require Century Boulevard to be designed and built pursuant to the Township public street standards; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes with the exception of Mr. Frack who voted no.

Sewer: Mr. Kocher suggested Ms. Eckhart forward the letter of November 20, 2015 by Hanover Engineering to specify the water usage and type of water being processed.

Waivers: Mr. Oberly made a motion to notify the applicant that the stormwater waivers will not be considered until the applicant has complied with the Township's ordinance; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

In addition, Mr. Oberly made a motion to remand all waivers back to the Planning Commission for clarification; seconded by Mr. Pierce. On the motion, by roll call vote, all Supervisors present voted yes.

H. Willowbrook Road – Right of Way: Mr. Hassler made a motion to authorize the modification pursuant to the Rockefeller Developer Group dated November 16<sup>th</sup>, 2015 to relax the standard requirement to a five foot right-of-way clearance from the face of curb; seconded by Mr. Oberly. On the motion, by roll call vote, all Supervisors present voted yes.

**Public to be Heard:** Mr. Donald Knoll, 4040 Pinehurst Drive, advised the truck restriction study was approved by East Allen Township in their last posted minutes.

There being no further business the meeting adjourned at 7:55 PM.

Respectfully submitted,

Ilene M. Eckhart  
Manager