



Allen Township Supervisors

4714 Indian Trail Road

Northampton, Pennsylvania 18067

Larry Oberly, Chairman
Dale Hassler, Vice Chairman
Bruce Frack
Alfred Pierce
Gary Behler

Robert J. Cox, P.E., P.L.S.
B. Lincoln Treadwell, Jr., Esq.
Ilene M. Eckhart, Manager

ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

Tuesday, July 25, 2017

A General Meeting of the Allen Township Supervisors was held on Tuesday, July 25, 2017 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 Bruce Frack.

Roll Call: Larry Oberly - Present; Bruce Frack - Present; Dale N. Hassler – Present; Alfred Pierce – Present; Gary Behler - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Robert Cox, P.E., P.L.S. (Barry Isett & Associates, Inc.) – Present; and Ilene Eckhart – Present.

Public Hearings: No Public Hearings

Public to be Heard: No Comments

Unfinished Business

A. Final Minor Subdivision for David and Marisa Jackson and Planning Module

Applicant/Owner: David and Marisa Jackson: Mr. Pierce made a motion to grant approval of the David and Marisa Jackson Subdivision; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes. Additionally, Mr. Behler made a motion to authorize the appropriate signatures for the sewer planning module; seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

B. Rockefeller Lehigh Industrial Development – Lot 5 – Preliminary Subdivision and Land Development Plan, Applicant/Owner: Rock-Lehigh Valley LLC/Lehigh-Northampton Airport:

Mr. Pierce made a motion to conditionally approval of the Rockefeller Lehigh Industrial Development Lot #5 with the Planning Commission Recommendations to Approve (Preliminary Plan) dated July 25, 2017, as follows:

The Preliminary Plan for the Subdivision and Land Development Plans entitled, “Subdivision and Preliminary Land Development Plans – Rockefeller Lehigh Industrial Development – Lot 5,” dated December 22, 2016 and last revised June 30, 2017, prepared by BL Companies, consisting of Sheets 1 through 66 of 66 (the “Lot 5 Plan”) is hereby recommended for Preliminary Plan Approval subject to the Owner and Applicant agreeing to satisfy the following conditions:

1. *The Applicant must satisfy all comments contained in the Township Engineer review letter dated July 14, 2017 and any subsequent letters issued pursuant to the review of any resubmitted Lot 5 Plan, or stormwater plans, calculations, and details.*
2. *The Applicant shall obtain approval of PA-DEP Planning Module and provide documentation to the satisfaction of the Township covering the installation, operation and maintenance of the sanitary sewer and water facilities.*
3. *The Final Plan submission shall include the final design and details for the outfalls and any related aspects of the western SWM system and shall include (a) a signed agreement from the adjacent or affected property owner approving the general outfall design in accordance with Section 221 of the Stormwater Management Ordinance, or otherwise demonstrate compliance with the Township Ordinances through the submission of a revised Lot 5 Plan, as well as (b) an updated NPDES permit application for such design.*
4. *Approval from PennDot is required for the revised intersection of the FedEx Employee Driveway / Lot 5 Northern Access, including the traffic signal designs. The approved PennDot plans for this intersection are to be incorporated with this plan set. Applicant or owner of Lot 5, its successors or assigns, is responsible for the construction of the revised intersection improvements at no cost to Allen Township. Once constructed and operational (turned on and controlling traffic movements), ownership of the traffic signal shall transfer to Allen Township.*
5. *Ongoing maintenance of the FedEx Employee Driveway / Lot 5 Northern Access traffic signal shall be the responsibility of the Applicant or owner of Lot 5, its successors or assigns, and the owner Lot 1, its successors or assigns, and shall include all aspects of maintenance, replacement, reconstruction and upgrades subsequent to the initial construction. An agreement between the Owners of Lots 5 and 1 for the maintenance of this signal must be submitted to Allen Township for its review and approval.*
6. *The Applicant or owner of Lot 5 shall provide the township engineer with a certificate of completion stating the infiltration structures and stormwater collection systems were installed in accordance with the approved plan, and in accordance with the Allen Township Stormwater Management Ordinance. The certification shall be signed by the owner of Lot 5 and the contractor who installed the infiltration structures and stormwater collection systems, in addition to being signed by a Professional Engineer licensed in the State of Pennsylvania.*
7. *The Applicant or owner of Lot 5 shall provide a post-occupancy traffic impact study and assessment to the Township (including specifically the months of November and December and while school is in session) within three years of issuance of the initial certificate of occupancy, as well as be responsible for any appropriate remediation/funding, if necessary, as determined by the Allen Township Board of Supervisors. The post-occupancy traffic impact study update and assessment shall include additional intersections, identified by issues related to traffic generated from this site, as requested by Allen Township.*
8. *The Applicant and Owner agree that the Township will not issue a Certificate of Occupancy for any structure on Lot 5 until such time as the traffic improvements to Willowbrook Road and Race Street (to the intersection of Airport Road), as identified in the Rockefeller Group Industrial Subdivision Plans, are substantially completed to a condition adequate (as determined in the sole discretion of the Township) to support the anticipated traffic levels for the uses on Lots 1 and 5.*

9. *The Applicant or owner of Lot 5 shall designate a professional engineer, licensed in the State of Pennsylvania, to be responsible for assisting the Applicant or owner of Lot 5 in the administration of the construction project for all aspects including, but not limited to, design modifications, interpreting plans and specifications, obtaining approvals from Allen Township when needed, approval of escrow requests and subsequent submission to Allen Township, submission of as-built plans and construction completion certifications.*

10. *Plan note 67 shall be revised to replace “any and all class 8 trucks” with “trucks with a GVWR of 10 tons or more or which classified as WB-40 or larger”.*

11. *The following Plan Notes shall be added to the Plans:*

a. *Conditions 3-8 contained herein;*

b. *If truck stacking beyond the maximum queue limit occurs in a manner that has a negative effect on ingress/egress to the site from Willowbrook Rd, the owner of Lot 5 shall provide additional measures to address truck queuing. Truck stacking on Willowbrook Rd, where queues exceed the length of the turning lanes, is not permitted; and if this condition presents itself, the Applicant or owner of Lot5, its successors or assigns will be responsible for remediation of such condition, with such remediation to be to the satisfaction of Allen Township.*

c. *The Applicant and Owner agree that the total acreage of the residual “non-buildable” lot to the west of Lot 5, and within the bounds of Allen Township, which contains SWM facilities integral to the proposed development of Lot 5, shall have an easement appurtenant to Lot 5 that provides for the perpetual location of stormwater facilities.*

d. *Ingress and egress to Lot 5 via the southern access driveway shall be restricted to the following movements:*

Trucks: right turn in and right turn out only

Cars: all movements are allowed

12. *This approval is contingent on the FAA issuing a Deed of Release for those lands involved in this Rockefeller Development Group subdivision/land development application.*

13. *The following LNAA provisions shall be satisfactorily addressed:*

A. *Approval for the demolition of any structures needing to be removed as part of the subdivision shall be provided.*

B. *Grant of any easements as part of the overall stormwater management plan.*

14. *The following Stormwater Management requirements shall be satisfactorily addressed:*

A. *Approval by the LVPC of the Act 167 related stormwater designs.*

B. *Completion of the SWM maintenance agreement by all owners of property containing stormwater facilities that serve this project, including BMP Operations and Maintenance Plan and easements for municipal access and maintenance, if necessary.*

15. *The following comments regarding the existing and proposed utilities shall be satisfactorily addressed:*

A. *An Agreement from the City of Bethlehem or NBMA to provide water to the subdivision shall be provided. Also, an acknowledgement from the City of Bethlehem and/or NBMA regarding Allen*

Township road opening requirements in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.

B. Acknowledgement from UGI regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.

C. Acknowledgement from the Telecom provider regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Road, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.

D. Documentation from PPL regarding their approval of intended Rockefeller Development Group work in the PPL right-of-way shall be provided.

16. The Applicant or owner of lot 5 shall prepare a cost estimate in accordance with the PA MPC, and execute an escrow agreement for all Required Improvements.

17. The Applicant or owner of lot 5 shall execute any Developer's Agreements required by Allen Township.

18. The Applicant, Owner, or owner of Lot 5 shall execute Deed(s) of Dedication for all dedicated improvements.

19. The Applicant or owner of Lot 5 shall obtain approval of an E&S Plan from the Northampton County Conservation Districts and/or DEP, and obtain an NPDES Permit prior to the commencement of any construction activities.

20. The Applicant or owner of Lot 5 shall pay all required recreation fees prior to recording the Plans.

21. The Applicant or owner of Lot 5 shall obtain highway occupancy permits from Allen Township for all driveways shown on the approved Subdivision Plan.

22. The real property tax ramifications of the residual lot to the west of Lot 5, located in Allen Township, shall be addressed to the satisfaction of the Township prior to the recording of the Lot 5 Plan.

Conditions 1, 2, 3, 10, 11, 12, 13, 14, 16, 17, 20, and 22 shall be completed, to the satisfaction of Allen Township, prior to the recording of the Lot 5 Plan. All other conditions shall be satisfied within the time period specified below, unless the Allen Township Board of Supervisors approves an extension request.

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

1. Sidewalks along the site frontage on the Western side of, and parallel to, Willowbrook Rd - North and South of the Northern site entrance, as well as sidewalks shown at the South entrance to the site are deferred. The internal sidewalks along the Northern access drive, which connect the employee parking areas and building to the pedestrian crosswalks at the intersection with Willowbrook Road, and the sidewalks immediately to the South of the Northern entrance which are necessary for connecting the intersection crosswalks shall be constructed. All other sidewalks, internal to the site, are not included in this deferral shall be constructed.

2. *LANTA bus stop accommodations are deferred until such time as LANTA agrees to service the area, and then shall be built to a specification that is agreed to by the Owner of Lot 5, LANTA and Allen Township.*
3. *Construction of the southern access snowscrapper is deferred until such time as deemed necessary by either the Owner of Lot 5 or Allen Township.*

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

1. *8-229(4)E: In carbonate areas, post-development 2-year runoff volume leaving site shall be 80% or more of the pre-development runoff volume. Modification: Conformance demonstrated using the PA DEP calculation methodology.*
2. *8-229(9)F: No infiltration practice shall be designed to recharge runoff from a contributing watershed larger than 2 acres. Modification: The proposed basin will receive more than 2 acres of drainage where the all proposed inlets conveying runoff to the basin area proposed with water quality inlet inserts to provide additional water quality.*
3. *8-231(8)C: Pipe outlet arrangement shall provide complete outletting of all detained water, unless provisions for permanent ponding have been approved. Modification: To infiltrate, the water must pond and be allowed to recharge into the soil layer to demonstrate compliance with both the Township's and PA DEP stormwater regulations.*
4. *8-231(8)D: A detention basin, if utilized in an area of limestone geology, shall be lined with synthetic impervious liner as more specification described in Subsection (J). Modification: The proposed infiltration basin must be able to infiltrate to meet the Township and PA DEP recharge requirements; otherwise, a liner would prevent infiltration.*
5. *8-231(8)F.(3): Interior slopes shall not be steeper than a ratio of 4:1 horizontal to vertical. Modification: A 3:1 slope is proposed. A 3:1 slope is industry conventions, preferred by the FAA to deter wildlife, and the slope is gentle enough for maintenance.*
6. *8-231(8)H: If the maximum water depths as stipulated in Subsections (F) and (G) above area exceeded, a four-foot high chain link fence is required around the detention ponds. The fence shall be landscaped from adjacent streets and properties. A fenced detention pond shall have a maximum berm side slope of 4:1. Modification: A steeper slope is required to comply with FAA requirements.*
7. *8-231(8)K: The minimum slope of the bottom of a detention pond shall be 2% toward the outlet structure. Modification: Level bottoms are proposed for the bioretention basin and infiltration basin to allow for infiltration, evapotranspiration, and uptake of pollutants into the plant material. The level bottom is conformance with PA DEP design standards for bioretention and infiltration basins.*
8. *22-411(7)F: Driveway widths, driveways for multi-family, mobile home parks, and all non-residential subdivisions and developments shall not exceed thirty (30) feet in width and shall be clearly defined by use of curbing. Modification: The proposed northern driveway is designed to comply with PennDOT standards for medium volume driveway based on the expected average daily trip (ADT); therefore, it is necessary to exceed the 30' width.*

Motion seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes.

C. Dashuta Land Development Plan
Applicant/Owner: Harold A. and Karla M. Dashuta

Acknowledgement of Extension of Time to Review until November 15, 2017

D. Sanitary Sewer Rules and Regulations/Draft Ordinance Compilation: Ms. Andrea Martin, Barry Isett & Associates, Inc., discussed the summary of the updated Sanitary Sewer Rules and Regulations. The Board will review the document.

E. Stop Sign Joseph Road, John Drive, Graystone Circle - Ordinance Draft: Mr. Oberly indicated that the Board received a draft stop sign ordinance as follow-up to the item authorized previously by the Board of Supervisors. Mr. Oberly was concerned with the lack of stop signs indicated at Graystone Circle. Following some further discussion the Board authorized a change to the draft to add an all-way stop at Graystone Circle. This item will be changed and returned to address the all-way stop at Graystone Circle.

F. West Stagecoach Road, Vacation Request Submitted by Residents July 13, 2017 for Discussion: Ms. Eckhart presented the information received from the Residents on West Stagecoach Road. Mr. Oberly stated this item requires additional research before any action can be taken. The Board will evaluate this issue and it will be discussed at a future meeting.

G. Roadside Cleanup – Probationary Service: Ms. Eckhart stated Northampton County provides the Workers Comp Insurance for the workers and the Township would be required to provide a Supervisor of the Workers.

H. Replacement of 2009 72” Exmark Mower: Mr. Pierce made a motion to replace the 2009 Exmark mower (72”) cut in the amount of \$11,421.20 (minus a \$500 allowance for the 2009 Exmark Zero Turn); seconded by Mr. Frack. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Robert Hosking, W. Stagecoach Road, questioned the engine company of the new mower. He believes that company went out of business and thought it would be better to purchase a different motor. Tom Gogle will check the other engine options.

I. Ayoub Sewer Planning Module, 290 Farm Hill Road: Mr. Pierce made a motion to approve the Sewer Planning Module; seconded by Mr. Behler. On the motion, by roll call vote, all Supervisors present voted yes.

New Business

A. Brake Retarder Ordinance: Mr. Oberly suggested joining East Allen Township for Route 329 and possibly Seemsville Road. Mr. Cox stated that prior written approval would be required by the Commonwealth and certain grades must be present.

B. Call-In Snow Plow Operators, Authorization to Advertise for 2017-18 Season: Mr. Behler made a motion to authorize Ms. Eckhart for receipt of applicants; seconded by Mr. Hassler. On the motion., by roll call vote, all Supervisors present voted yes.

C. Willowbrook Golf Course – Liquor License Request: Mr. Bob Dwyer, a representative of the Willowbrook Trust presented the request to move the Liquor License. Mr. Pierce made a motion to schedule a public hearing for August 22, 2017 to consider the transfer the privately owned public

license to sell alcohol; seconded by Mr. Hassler. On the motion, by roll call vote, all Supervisors present voted yes.

On the additional question from Mr. Oberly, Mr. Dwyer confirmed that the interior streets of the Willowbrook Concept Village plan would be proposed to be private.

Public to be Heard: Mr. Gene Clater, Snowhill Road, discussed traffic concerns for the Jaendl Watson Development and the meeting he attended today. The Board agreed it was reasonable to have a through street going from the Development, more research needs to be done about where the through street comes out. Mr. Clater also asked the Board to consider if they want the roads in the Development to be public or private.

Respectfully submitted,

Ilene M. Eckhart
Manager