



Allen Township Supervisors

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Paul Balliet, Chairman
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William Holmes
Alfred Pierce
Michelle Drzewiecki

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

ALLEN TOWNSHIP SUPERVISORS MEETING MINUTES

Tuesday, July 27, 2010

A General Meeting of the Allen Township Supervisors was held on Tuesday, July 27, 2010, 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; William Holmes – Present; Alfred Pierce – Present; Michelle Drzewiecki - Present; Bruce Frack - Present; B. Lincoln Treadwell, Jr., Esq. - Present; Ilene Eckhart – Present; and Brien Kocher P.E. - Absent.

Public Hearings: No scheduled public hearings.

A. Atlas Road Opening of Portion, Ordinance #2010-03: See full stenographic transcript. Mr. Pierce made a motion to close the hearing; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes. Following some discussion, Mr. Holmes made a motion to adopt Ordinance #2010-03 as published; seconded by Mr. Frack. On the motion, by roll call vote, all supervisors present voted yes.

Public to be Heard: No public comments.

Unfinished Business

A. Conditional Use Application of FP Willow Ridge Associates, L.P. – Proposed Approval Conditions for the Construction of Multi-Family Dwellings within the High Density Zoning District: Mr. Treadwell indicated that the proposed approval conditions have been presented to the Board for consideration, last revised July 27, 2010. These conditions have been sent to the developer, their attorney, Attorney Goudziosian and some of the public. Mr. Treadwell reviewed the proposed conditions as follows:

“1. *The proposed development, site improvements, and buildings (“Project”) are subject to the Uniform Construction*

Code requirements in effect in Allen Township as of January 1, 2010, and the provisions of the Property Maintenance Code as contained in Chapter 5 of the Code of the Township of Allen; including but not limited to:

- A. The installation of automatic sprinkler systems in all buildings;*
 - B. The installation and enforcement of “No Parking” signs on all internal roadways to provide for adequate access and movement of fire and emergency vehicles;*
 - C. The installation and construction of a hammerhead or “Y” type turnaround at the termination of McNair Drive to allow for adequate turning movements for fire and emergency vehicles;*
 - D. The installation of approximately 8-10 dumpsters within the Project, in appropriate locations to be determined by the Township prior to the issuance of building permits, with appropriate landscaping or other forms of screening;*
 - E. The installation of clear markings on all buildings, identifying the numbers of the individual residential units;*
 - F. The installation of keyboxes (otherwise known as emergency access lock boxes or knox boxes) containing a key for all utility rooms, at adequate locations on each building to provide for fire and emergency access, in accordance with Chapter 7, Part II of the Code of the Township of Allen;*
 - G. The installation of adequate means of ingress, egress, and accessibility to all parking areas and buildings in conformance with ADA standards and requirements; and*
 - H. The installation of lighting at all internal intersections and in all parking and building areas in a manner suited to provide adequate safety with a minimum amount of light spillage, in accordance with a lighting plan provided by the Applicant and approved by the Township.*
- 2. The Project is subject to the approvals of all municipal and governmental agencies having jurisdiction over the Project.*
 - 3. The Applicant and any future owner, or tenants shall comply with all applicable provisions of the Township Zoning Ordinance, the Subdivision and Land Development Ordinance, the Landlord/Tenant Ordinance, The International Property Maintenance Code, and all other applicable Township Ordinances.*
 - 4. The Applicant shall reasonably address any issues raised in review letters prepared by the Township Engineer or Building Code Official.*

5. *The Applicant and any subsequent owner of the apartment units and common areas located within the Project shall provide the following:*

- A. *A professional management company shall be employed, perpetually, commencing from the time that the first unit is occupied, for the purpose of managing all aspects of the apartment units, including but not limited to; finances, safety, maintenance of grounds and buildings, and communication with Allen Township;*
- B. *The Applicant or future owner shall provide to Allen Township a phone number to be utilized by the Township when contacting the Applicant or future owner. The phone number shall provide immediate access to a representative of the Applicant or future owner who shall be responsible for addressing, and available to immediately address, any concerns or problems encountered by Allen Township with regard to the apartment units and the property on which they are located;*
- C. *A permanent fund shall be established, to hold an amount equal to five hundred dollars (\$500.00) for each unit built, upon the issuance of a certificate of occupancy for that unit to be utilized as a security fund for the benefit of the Township should it become necessary for the Township to exercise financial oversight of the Project or expenditures related thereto. The fund shall not be accessed without the express advance written approval of the Township; and the fund shall be replenished within a reasonable period of time after it is used or accessed.*
- D. *The Applicant and any future owner shall provide for maintenance of the open areas abutting the riparian area and the County trail, subject to the restriction that the maintenance efforts may not interfere with the Township's intended use of the riparian area and/ or the County's intended use of the trail. The Applicant and any future owner shall also provide for the maintenance of any erosion and sedimentation control basins and stormwater management facilities that serve the Project; and*
- E. *A certified public accountant, licensed to practice in Pennsylvania, shall prepare an annual financial statement and provide a copy of such statement to the Township outlining the financial status of the Project by April 1 of each calendar year. The Township shall, to the extent permitted by law, keep such financial information confidential unless limited disclosure is reasonably necessary for legal and/ or financial purposes only.*

6. *The Township may inspect the Project with regard to its overall maintenance, and if access is required, such access shall be granted at reasonable times, upon reasonable notice to the Applicant or owner. The Township may review the maintenance standards for the Project and propose reasonable changes to those standards. Review of the maintenance of the Project may include but is not necessarily limited to maintenance of the open space, the common areas and the streets, and Township oversight of the ongoing maintenance standards throughout the Project shall be permitted whenever the Township, in its sole discretion, believes such oversight necessary in order to protect the public health, safety and/ or welfare. “*

Attorney Steve Goudzousian, wished to reaffirm his clients earlier arguments during the public hearing process.

Mr. John Mattaboni, Country Lane, voiced concern that the adjoining neighbors presented conditions that they felt were reasonable and he felt the Board was completely dismissing the request of the adjoining neighbors. Mr. Mattaboni was very upset that the Board did not make more of a stand towards the developer to have some of the residents conditions considered – even to put on a show or a lie that the Board was fighting for residents.

Mr. Michael Chordas, also felt that the conditions were reasonable. Mr. Balliet felt many of the conditions were considered. He felt that the gate was installed at Willow Green, why can't it be done here? He was concerned that a crime could occur similar to the crime that recently occurred in the Borough of Northampton. Mrs. Drzewiecki questioned if Mr. Chordas ever rented a residence. Mr. Chordas indicated that he never had to rent.

Mr. Cory Holstrom, voiced concern about the type of people that may occupy the future apartments especially if an extremist group with links to Al Queda lived there.

Mr. James Ike, Oak Lane, voiced concerns regarding the fire control system proposed to be in use of the pursuant to the Fire Code.

Timeline questioned by a resident for the construction of the structures. Mr. Roger Wilcox was unsure of the timeline to begin construction. This will be another four to six months.

Mr. Pierce made a motion to approve the application of conditional use for the construction of apartments pursuant to the conditions outlined by Mr. Treadwell and read above; seconded by Mr. Holmes. Mr. Pierce – yes; Mr. Frack – no; Mrs. Drzewiecki – no; Mr. Holmes – yes; Mr. Balliet – yes.

B. Atlas Road Vacation of Portion, Ordinance #2010-02: Mr. Frack made a motion to approve the ordinance as published; seconded by Mrs. Drzewiecki. On the motion, by roll call vote, all supervisors present voted yes.

C. Stop Intersection Ordinance – Atlas Road new/old intersection points, authorization to prepare draft: Mr. Treadwell reviewed the Hanover Engineer Associates report that would establish the stop intersections. Mr. Frack did not agree that the Short Lane intersection stopping on Atlas Road. Mr. Pierce questioned why the warrants could not be met if the old Atlas Savage stop was removed. Mr. Holmes was concerned about the stop sign at Atlas and Savage being removed because of the current school bus stop location. If in the future this changes, it could be reconsidered. Mr. Holmes understood Mr. Pierce's rational for changing the new intersection of John with Atlas across Savage because of the location of the park and a future cross walk. Following some discussion, the Board agreed to table the draft until there is further discussion regarding the recommendation with the Township Engineer.

D. Resolution 2010-10 Opposition of House Bill 2431 regarding opposition of to forced mergers and consolidations of local governments in Pennsylvania: Mr. Pierce made a motion to approve the Resolution as presented; seconded by Mr. Holmes. On the motion, by roll vote, all supervisors present voted yes.

E. Northampton County response regarding utilization of land adjoining Nor-Bath Trail:
Ms. Eckhart indicated that the County is unable to convey the Township fee simple but by way of a Property Management Agreement. It will be necessary for the Township to provide a site plan to accompany the Property Management Agreement. The Board agreed and further directed Ms. Eckhart to compile an application for funding to the Northampton County Open Space Initiative Funding remaining grant application.

New Business: No new business.

Public to be Heard: Mr. John Mattaboni questioned the status of the Wayne Grube Memorial Park.. The Board was unaware of the County's future plans for future phase development.

There being no further business the meeting adjourned.

Respectfully submitted,

Ilene M. Eckhart
Manager