

Allen Township Planning Commission

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Gary Behler
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Alfred Pierce

Brien Kocher, P.E.
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Ilene M. Eckhart, Secretary

MINUTES ALLEN TOWNSHIP PLANNING COMMISSION REGULAR MEETING Monday, February 16, 2015 7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, February 16, 2015 at 7:00 P.M. at the Allen Township Municipal Building, 4714 Indian Trail Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance was recited by all present.

Roll Call: Present: Gary Behler; Alfred Pierce; Louis Tepes, Jr.; Eugene Clater; Gary Krill; Ilene Eckhart, Manager; Jim Milot (Hanover Engineering); B. Lincoln Treadwell, Jr., Esq.

Minutes: Mr. Pierce made a motion to approve the minutes of January 19, 2015; seconded by Mr. Behler. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard: No comments from the audience.

Old Business

A. **Review of Zoning Ordinance – Chapter 27, Section 1407 Nuisances and Hazards: (E) Noise and modernization of current measurement criteria** – Ms. Eckhart provided a memorandum provided by the Lehigh Valley Planning Commission, providing regulations in area municipalities. She updated that the Board of Supervisor has authorized the intern study concept. There have been no responses from the universities contacted. Ms. Eckhart presented the following list of major points requiring the Commission’s input as follow-up to the discussion at the January meeting:

1. Location of measurement –
 - At Receiving property lot line
 - Some other distance within Receiving property lot line

- At Receiving Land Use/Zoning District boundary
- For dwelling units with a common property line such as the apartment or condominium use, how do we differentiate if the complaint stems within the multi-family dwelling unit if limits are set at property lines? Regarding this section, Mr. Behler felt the measurement should be at the receiving property line. Mr. Treadwell suggested an intent statement regarding common wall situation. Mr. Pierce felt this wasn't a disorderly conduct issue but rather a Zoning Enforcement issue. Mr. Krill questioned the cumulative effect. Mr. Clater felt that the producing property line (generating property) with the exception of an Industrial and Commercial Zoning District classification would be the best measurement approach. The issue of duplex or townhouse was discussed. Mr. Treadwell suggested from an enforcement standpoint the receiving property line made the most sense regarding where the measurements are taken. Mr. Tepes indicated that modern construction methods for duplexes and townhouses common walls and he therefore felt the "property line" should lead to common sense regarding the application of these standards. Mr. Tepes felt that outside noises were the issue to be considered. Mr. Clater suggested possibly stating "an exterior property line". Mr. Treadwell suggested some kind of language in the ordinance which outlines the intention of the section may be appropriate. The Commission agreed by consensus that the section was not meant to address what would otherwise be defined as disorderly conduct, which was not the intention of the Zoning violation category of enforcement. Mr. Pierce questioned the enforcement, equipment, training, etc. Mr. Pierce questioned the practical side of this given the possible cost of the equipment which would be necessary to utilize and the training that would be required to operate the equipment and document readings. Mr. Treadwell suggested the concept of creating sound districts with specific maximum sound limits. Mr. Milot explained the cumulative parameter. Mr. Krill was concerned with increase allowance over ambient.

On the question from Mr. Krill concerning the exemption of traffic noise, Mr. Milot indicated traffic noise may be exempted. Mr. Krill questioned how the traffic noise is cut out. Mr. Clater felt the example which comes closest to his thinking was Northampton Borough which took the measurement at the generating property line except for Industrial, where it would be measured where it exited the property line. He felt receiving property line measurement was problematic. He liked the idea of the exiting property line. The Commission agreed by consensus to the generating property line with differentials between Residential and Industrial type Zoning Districts with adjustments during daytime/nighttime levels.

Mr. Pierce reiterated his concerns: cost of measurement equipment, calibration cost and frequency, training necessary to operate the equipment, useful life of the measurement equipment. In conclusion, the Commission requested follow-up information regarding these concerns.

2. Location of measurement and tolerances:

- Should we consider measurements either Inside or Outside of a Building and should we develop various tolerances based on Inside or Outside of a Building? The Commission agreed this would not be part of the amendment.

3. Distinction between Daytime and Nighttime tolerance levels: What is a reasonable level?? It was generally agreed that Daytime and Nighttime tolerance levels be considered.

- Should we consider a distinction between Daytime and Nighttime tolerance levels?
 - If so, how should we define these intervals?
 - Should we add a limit for certain holidays and/or weekends? - It was discussed and agreed there should be no differential in the amendment.
4. Distinction between Residential and Non-Residential Zoning District classifications or Use Classifications:
- Should we consider a distinction between Zoning District classifications, perhaps with a Daytime or Nighttime tolerance levels? It was generally agreed that the Zoning District classifications with Daytime or Nighttime tolerance level adjustments should be considered in the draft.
5. Sound District Concept
- Should we consider developing a sound district map? Township is generally compartmentalized with land use types therefore this may be achievable however the Commission chooses to develop the draft utilizing Zoning type boundaries.
6. Baseline Studies
- Initial baseline study (ambient noise surveys) – If not performed how will we go about determining what maximum sound level should be?
 - Requirements to update initial baseline studies – If so, develop outline of procedure, responsibilities, and criteria. Regarding the baselines study, Ms. Eckhart will provide an update regarding the possibility of an intern for the next meeting.
7. Definitions of type of noise
- Should we define and develop tolerances for continuous, sporadic, intermittent noise types? Should various maximum levels by type of noise be defined? The Commission agreed that modern definitions should be included in the draft amendment.
8. Exemptions – The Commission requested the development of a list of common exemption examples for further consideration in redrafting the provisions.

B. Short Lane Relocation: Mr. Milot provided a brief update pursuant to his discussion with the Board of Supervisors at their most recent meeting. The Board of Supervisors sent the matter to the Planning Commission for input. Following a lengthy discussion regarding the option of one-way and two-way from a future planning perspective, the Commission discussed the ramifications of the two-way conversion and the loss of Howertown Park parking (angled). Mr. Clater requested the parking alternatives and an update on the Dashuta property layout for the next meeting.

New Business

A. J. Kevin and Bettina L. Landis Sketch Plan – purpose of sketch plan review is to discuss proposed driveway location at this time. A future subdivision to create a separate 10-acre agricultural use parcel will be submitted for the Planning Commission’s review. The intention of the future subdivision is related to the extension of electrical utilities to a future agricultural building. Mr. Milot described the potential minor subdivision sketch plan which is related to a future highway occupancy permit. The applicant is present this evening to discuss the intention of the plan for subdivision. Mr. Robert Collura, preparer of the plan, indicated that driveway sight distance is not available due to the slope of Farm Hill Road. Mr. Collura further indicated that right only could be considered but it would be difficult to enforce. Mr. Milot indicated that if the applicant provides a speed study or in the alternative the applicant may authorize the Township to conduct a speed study, the speed limit may be considered to be lowered and therefore the necessary sight distance potentially accommodated. If the outcome of the speed study finds a lower speed limit would be appropriate then the driveway may be feasible in the proposed location. Farm Hill Road is currently assumed to be 55 miles per hour, as it is not currently posted. Mr. Milot felt it may qualify for as little as 35 miles per hour. The over vertical and curvature would be features which may dictate the decreased speed limit. Mr. Collura described the two proposed driveway locations shown on the proposed plan. Following some further discussion, the applicant/property owner indicated they would be in contact with the Township upon further consideration of the available options.

Ordinance Changes/Updates

A. Potential Ordinance revisions – multiple sections: Nothing additional to review at this time. Ms. Eckhart will return to the Planning Commission with the balance of proposed ordinance changes.

Public to be Heard: Mr. Tepes made a motion to adjourn; seconded by Mr. Behler. On the motion, by roll call vote, all Commissioners present voted yes.

Respectfully submitted,

Ilene M. Eckhart