

Allen Township Planning Commission

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William Holmes, Chairman
W. Eugene Clater, Vice Chairman
David Irons
Louis Tepes, Jr.
Alfred Pierce

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

MINUTES ALLEN TOWNSHIP PLANNING COMMISSION REGULAR MEETING Monday, June 16, 2014 7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, June 16, 2014 at 7:00 P.M. at the Allen Township Fire Company Building, 3530 Howertown Road, Northampton, Pennsylvania 18067. The Pledge of Allegiance was recited by all present.

Roll Call: Present: William Holmes; Alfred Pierce, Louis Tepes, Jr.; David Irons, Eugene Clater; Brien Kocher, P.E (Hanover Engineering); Jim Milot (Hanover Engineering); Kevin Chimics (Hanover Engineering) and B. Lincoln Treadwell, Jr., Esq.

Minutes: Mr. Irons made a motion to approve the minutes of April 28, 2014; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

Old Business

1. **High Meadow Estates:** Noted.

2. **The Rockefeller Group Allen Township Industrial Subdivision Preliminary/Final Plan Submission:**

A. **Engineering Reviews:**

i. **Planning Review Letter, dated June 13, 2014 (Hanover Engineering Associates, Inc.):** Mr. Ron Gawlick, PE, the Pidcock Company, confirmed receipt of the Township Engineer, planning review letter, dated June 13, 2014. Mr. Ron Gawlick, Pidcock Engineering requested clarification with regarding Section 27-1413.B.(7) related to the driveway to the proposed lot #3 (radar tower). Mr. Gawlick requested that the driveway remain in the current stone condition in lieu

of the bituminous paving material. Mr. Gawlick further confirmed the applicant will comply with all other comments of the letter. Mr. Holmes reviewed the condition of the previous land development plan for the DASR radar tower which accepted the driveway in non-paved condition. Mr. Clater further felt that a plan note should be added to the subject plan referencing the prior approval of the DASR radar tower plan with regard to the composition of the driveway (unpaved). In addition, noting the Engineering and Technical Review letter dated June 13, 2014, concerning SALDO Section 22-502.4.E which requires the Lot 3 radar tower and associated improvements to be shown on the Subdivision Plan, Mr. Clater suggested that further reference is made to the previous land development plan to address this point and that a plan note is added to address the concerns of both Section 27-1413.B.(7) and 22-502.4.E. Following some discussion, the Commission had no other comments and agreed by consensus to allow the driveway to remain in a non-paved condition pursuant to the previous land development plan approval and to accept the previous land development approval as compliance with the Section 22-502.4.E review comment conditioned upon and acceptable plan note being placed on the subject subdivision. Following some discussion, the Commission agreed with Mr. Clater's suggestion.

With regarding to public sewer service, Mr. Pierce questioned the number of pump stations planned. Mr. Roethdeutsch provided that each lot developed would maintain their own pump station and that a shallow design and relocation outside of the cartway has been presented in response to the Commissions concerns. Mr. Clater remarked that there are details with regard to the conceptual design that would need to beresolved in the final design. Mr. Pierce felt this should be a closed system.

With regard to Section 8-231.8.F.(3) concerning the ratio of 3 (horizontal) to 1 (vertical) interior side slope design proposed for Base A and B, Mr. Treadwell requested clarification if the applicant was maintaining the need for previously requested waiver. Mr. Gawlick responded the waiver is still requested due to the FAA's requirement to avoid attracting wildlife to the area.

ii. Engineering and Technical Review Letter, dated June 13, 2014 (Hanover Engineering Associates, Inc.): Mr. Ron Gawlick, PE, the Pidcock Company, confirmed receipt of the Township Engineer, engineering and technical review letter, dated June 13, 2014. Mr. Gawlick further confirmed the applicant will comply with all other comments of the letter.

With Section 22-421, 22-502.5.K and 22-503.4.C: Regarding the Wetland Determination Report comment to supply a copy of the water obstruction permit and/or wetlands encroachment, if applicable, *for the entire subdivision area and off-site improvement areas*, in addition to the proposed stormwater discharge to the Catasauqua Creek. Mr. Clater questioned if a more realistic approach shouldn't be considered due to the significance and the complications and the scope of permitting of the Rt. 329 improvements. Mr. Kocher indicated that the comment was intended to relate the Catasauqua Creek Bridge over Willowbrook Road. Mr. Kocher indicated that if the bridge replacement at the Willowbrook Road location does not occur then the comment would be dropped from the review. Mr. Clater further suggested the comment be included but that when it comes to the Rt. 329 bridge there been given more sensitivity to the timeline and this should be included in the Subdivision Agreement but not necessarily be a condition of recording of the Subdivision Plan. Messrs. Treadwell and Kocher agreed.

B. Public Comment: Mr. Robert Nappa, 382 East Bullshead Road, commented regarding the past recommendation of the Planning Commission to amend the zoning ordinance to remove the variance requirement regard to maximum structure height over 35' high. He felt this was inappropriate as the Planning Commission was in discussions with the developer at the time.

Bette Harting, 3013 Oak Hills Drive, questioned the traffic impact in comparison to Fogelsville area. She indicated she could not imagine what the traffic will be like [sic]. She was also concerned about future roadway maintenance. Mr. Clater provided remarks to Ms. Harting's comments in comparison to Rt. 512 in Bethlehem Township and Hanover Township, Northampton County. He also further explained the proposed road improvements associated with the project.

C. Waiver/Deferral Requests: Mr. Clater summarized the deferrals and waiver letter dated April 28th, 2014 submitted for consideration by the Pidcock Group on behalf of the applicant Rockefeller Group as follows:

SALDO Section 22-406.J, 22-407.11, 22-407.6 and Construction 21—303.b and 21-306 requiring sidewalk to be constructed along the entire frontage of Willowbrook Road and Road A and correspondingly the full limits of the right of way to be graded at a cross slope of 2%. ***This item is requested as a deferral.***

SALDO Section 22-407.8. requiring that the minimum grade of street shall be 0.75 percent unless otherwise approved by the Board of Supervisors. ***This item is requested as a waiver.***

SALDO Section 22-407.8.B requiring that the grade within 60 feet of the nearest intersection right of way line shall not exceed 2%. ***This item is requested as a waiver.***

SALDO Section 22-502.5.I requiring sketch plan layout of contiguous landholdings. The waiver request previously submitted regarding SALDO Section 22-502.5.I was withdrawn by the applicant and an acceptable plan was provided to the Township following the April 28th, 2014 waiver request letter. ***This item is requested as a waiver.***

Stormwater Management Ordinance Section 8-229.F requiring that no infiltration practice shall be designed to recharge stormwater runoff from a watershed larger than 2 acres. ***This item is requested as a waiver.***

Stormwater Management Ordinance Section 8-231.8.C. requiring pipe outlets for detention facilities shall be arranged to provide complete outletting of all detained water unless provisions for permanent ponding have been approved. ***This item is requested as a waiver.***

Stormwater Management Ordinance Section 8-321.8D and J requiring that detention facilities in areas of limestone geology shall be lined with a synthetic liner. ***This item is requested as a waiver.***

Stormwater Management Ordinance Section 8-231.8F(3) requiring the interior slopes of detention basins be steeper than ratio of 4:1 horizontal to vertical. ***This item is requested as a waiver.***

Stormwater Management Ordinance Section 8-231.8.K requiring that the bottom of detention basin shall be sloped 2 percent toward the outlet structure. *This item is requested as a waiver.*

D. Plan Consideration: Mr. Clater explained that the following list of conditions provides the framework for drafting the actual verbiage that will be contained within the developers agreements as well as plan notes as appropriate. Mr. Clater provided a summary of suggested conditions of the recommendation for the Planning Commission’s consideration as follows:

- 1) *COMPLIANCE WITH HANOVER ENGINEERING ASSOCIATES, INC. REVIEW LETTERS DATED JUNE 13, 2014 (Planning Review letter and Engineering and Technical Review letter) (with exceptions noted/discussed in the Commissions review of these comment as described above);*
- 2) *SANITARY SEWER AND WATER SERVICE – APPROVAL OF PA - DEP PLANNING MODULE AND AGREEMENTS WITH PROVIDERS COVERING INSTALLATION, OPERATION AND MAINTENANCE OF SANITARY SEWER AND WATER FACILITIES. Pursuant to the presented design each lot owner of the subdivision would maintain individual pump stations servicing individual lots within the subdivision;*
- 3) *RESTRICTIONS ON USE OF LOT #2 – Under current regulations, Lot #2 is necessarily included in the Lot #1 site capacity analysis. Any future use of Lot #2 shall be consistent with this inclusion. This item shall be specifically provided as a plan notation.*
- 4) *CONSTRUCTION TIMING ISSUES FOR WILLOWBROOK ROAD*
 - a) *During all phases of construction, the entity responsible for the construction of the improvements to Willowbrook Road will maintain two lanes of travel on the entire length of Willowbrook Road. Any closures or reductions in lanes affecting travel through Allen Township must be reviewed and approved, in writing, by Allen Township.*
- 5) *FUTURE DEVELOPMENT BY LNAA AND REQUIREMENT TO CONSTRUCT ADDITIONAL ACCESS ROAD. This item shall be specifically provided as a plan notation.*
 - a) *At any point in the future, should LNAA, its successors and assigns, need to close any part, or reduce the then current level of service of Willowbrook Road access to Race Street then LNAA, its successors and assigns, agrees to provide and construct an alternate route of access between the remaining portion of Willowbrook Road through to Airport Road, and ensure that the level of service of Willowbrook Road through to Airport Road does not degrade to a lower level of service than what is present at that time for Willowbrook Road traffic through to Airport Road.*
- 6) *OWNERSHIP AND MAINTENANCE OF TRAFFIC SIGNAL FACILITIES*
 - a) *Fuller Drive/Road A intersection – Township maintenance after dedication of Road A.;*
 - b) *“Employee Entrance” – Rockefeller Group Development Corporation, its successors or assigns maintained, Township owned once they are constructed by Rockefeller Group Development Corporation;*
- 7) *OWNERSHIP, MAINTENANCE AND DEDICATION OF ROAD A*
 - a) *All costs and expenses associated with the construction, at any time, of Road A shall be the sole responsibility of the owner of lot #4, its successors and assigns. Any construction of Road A, at any time, shall be accomplished in accordance with the Allen Township construction standard in effect at the time of construction.*

b) Road A shall be offered for dedication to Allen Township subsequent to the issuance of a certificate of occupancy for the use of lot #4, and subsequent to the construction of the Road A improvements necessary for the development of lot #4. This item shall be specifically provided as a plan notation.

c) Road A shall not be constructed to the municipal border of East Allen Township until such time as a sketch plan depicting the proposed development of the entire East Allen tract currently owned by LNAA is approved by the Board of Supervisors of Allen Township as to the effects of said development on traffic to Willowbrook Road only, including: at the discretion of the Allen Township Board of Supervisors, additional traffic studies to show the impact of the development of Lot #4 and the development of the East Allen Township properties as well as appropriate remediation, if necessary, as determined by the Allen Township Board of Supervisors. This item shall be specifically provided as a plan notation.

d) Road A shall not be constructed to the municipal border of East Allen Township until such time as a second primary access (not emergency access) to the proposed development in East Allen Township is approved and secured (as required by the Municipalities Planning Code) to provide for two (2) points of ingress and egress to the proposed development. This item shall be specifically provided as a plan notation.

8) **ADDITIONAL TRAFFIC IMPROVEMENTS – TIMING OF CONSTRUCTION**

a) Improvements identified below are to be incorporated into the Improvements Agreement documentation and financials for each respective development plan.

b) By occupancy of the initial approved land development plan (currently anticipated to be FedEx Ground Phase 1), said time may be extended at the reasonable discretion of the Township:

- i) Route 329 bridge replaced
- ii) All design work & detailed construction estimates of Rt. 329 improvements (Savage Rd intersection through Kopper Penny intersection) complete & PennDOT approved
- iii) ROW acquisitions initiated (to be funded by the owner of Lot #4 or #5 whichever is developed first).

c) At approval of 2nd land development plan or two years after occupancy of Lot 1 (FedEx Ground), whichever occurs first, the construction of Route 329 improvements at the Kopper Penny intersection and Savage Rd intersection (to the extent identified on approved PennDOT plans) shall commence.

d) At approval of 3rd land development plan of any lot accessing Road A or Willowbrook Road or development of the East Allen Township property the following shall occur:

- i) County bridge replacement; and
- ii) Straightening, etc. of Willowbrook Rd between W. Bullshead & County park area.

9) **TRUCK RESTRICTIONS ON WILLOWBROOK ROAD FOR ALL PROPERTIES CONTROLLED BY LNAA** This item shall be specifically provided as a plan notation.

a) Any and all Class 8 trucks, both North- and South-bound, utilizing Willowbrook Road as part of owner and/or tenant operations, will be prohibited from using Willowbrook Road to the North of the intersection of Willowbrook Road and Road A, unless so permitted, in writing, by Allen Township.

10) **FAA - DEED OF RELEASE FOR LANDS INVOLVED IN RGDC SUBDIVISION**

a) Approval is contingent on the FAA issuing a Deed of Release for those lands involved in the RGDC subdivision application.

b) If the NEPA study and EA result in any substantive changes to the RGDC submitted Preliminary/Final Subdivision Plan, then at Allen Township's discretion, the submission may require additional Planning Commission and Supervisors review and approval.

11) *LNAA PROVISIONS*

- a) *Approval for demolition of any structures needing to be removed as part of the subdivision.*
- b) *Grant of any easements as part of the overall stormwater management plan.*

12) *STORMWATER MANAGEMENT*

- a) *Approval by the LVPC of the Act 167 related stormwater designs.*
- b) *Basin "C" is critical to the redesign of Willowbrook Road. LNAA and RGDC must provide evidence that Basin "C" will be constructed as designed and will be maintained according to BMP's, with fallback maintenance provisions in the event the landowner fails to properly maintain the basin.*
- c) *Completion of the SWM maintenance agreement, including BMP Operations and Maintenance Plan and easements for municipal access and maintenance, if necessary.*
- d) *Construction of SWM aspects to be coordinated with the SWM construction aspects of the FXG Land Development Plan.*

13) *EXISTING UTILITIES*

- a) *Agreement from the City of Bethlehem to provide water to the subdivision. Also, acknowledgement and agreement from the City of Bethlehem regarding Allen Township provisions in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road*
- b) *Acknowledgement and agreement from UGI regarding Allen Township provisions in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road*
- c) *Acknowledgement and agreement from the telecom provider regarding Allen Township provisions in the event of a need to open up Willowbrook Road, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road.*
- d) *Documentation from PPL regarding their approval of intended RGDC work in the PPL right-of-way.*

14) *EXECUTION OF AN ESCROW AGREEMENT FOR IMPROVEMENTS*

15) *EXECUTION OF GENERAL DEVELOPER AGREEMENT*

16) *EXECUTION OF DEED(S) OF DEDICATION FOR IMPROVEMENTS*

17) *PADEP & NPDES APPROVALS*

- a) *Approval of an E&S plan from the Lehigh and Northampton County Conservation Districts and/or DEP.*
- b) *NPDES permit obtained.*

18) *PAYMENT OF REQUIRED RECREATION FEES*

19) *PENNDOT APPROVAL OF FINAL DESIGN FOR ROAD AND ASSOCIATED IMPROVEMENTS FROM RACE STREET/WILLOWBROOK ROAD INTERSECTION TO ROUTE 22.*

20) *SUBMISSION OF WETLANDS DETERMINATION REPORT FOR THE SUBDIVISION.*

21) *ISSUANCE OF HIGHWAY OCCUPANCY PERMITS FROM ALLEN TOWNSHIP FOR ALL DRIVEWAYS SHOWN ON THE APPROVED SUBDIVISION PLAN.*

22) *PREPARATION OF REGIONAL DISTRIBUTION HUB POST-OCCUPANCY TRAFFIC IMPACT STUDY UPDATE AND ASSESSMENT (INCLUDING SPECIFICALLY THE MONTHS OF NOVEMBER AND DECEMBER) WITHIN THREE YEARS OF THE ISSUANCE OF INITIAL CERTIFICATE OF OCCUPANCY FOR LOT #1.*

Following Mr. Clater's review of tentative plan recommendation conditions, Attorney Jackson Eaton, Solicitor for Hanover Township, Lehigh County raised concerns regarding the opportunity to provide further input related to traffic issues relative to Land Developments associated with the Rockefeller Industrial Subdivision. Following Mr. Treadwell's response that several of the conditions regarding traffic expressed by Mr. Clater as part of the tentative recommendation of the subdivision were reiterated in the prepared recommendation for the associated land developments, Mr. Eaton introduced three Hanover Township, Lehigh County Council members present this evening: Mr. Bruce Paulus, Mr. Michael Wooly and Mr. Bob Heimbecker. Mr. Paulus proceeded to read a prepared statement regarding the Township's concerns as follows: the traffic report performed by Hanover Township, Lehigh County (distributed) by Gilmore Associates. Also included as part of the concerns were a lack of information to make a decision regarding traffic. Mr. Paulus, on behalf of Hanover Township, requested the Planning Commission consider the information in the provided Gilmore Associates report prior to considering recommendation of the FedEx land development plans. Mr. Holmes commented that there was a traffic study prepared by the developer's engineer that was approved by PennDOT and reviewed by the Township Engineer. Mr. Eaton responded that Hanover Township felt a more involved study of Rt. 22 should be required. Mr. Clater commented regarding the May 2013 PennDOT Scoping Meeting.

Mr. Mickey Philpot, voiced concerns regarding the timing of the Rt.22 improvement and cost associated.

Mr. Kocher again requested that hold harmless language be added to the Stormwater waivers.

Mr. Clater made a motion to recommend that the Board of Supervisors approve the subdivision request in consideration of the following criteria: changes to Township Engineers letters as follows: rewording of the off-site improvements related to Rt. 329; removal of the stone road regarding Lot #3 and to refer to previous DASR Tower Land Development Plan; 22-407.3 regarding secondary access road remove this comment; 22-502.5.1 sketch plan regarding contiguous properties has been provided; waivers pursuant to April 28th, 2014 letter of Pidcock Company "Deferrals and Technical Modifications Request" recognizing the withdrawal of the contiguous property sketch which was provided to the Township; recommend approval of the Subdivision conditioned upon satisfaction of the enumerated in Rockefeller Group Subdivision Planning Commission Conceptual Conditions of Recommendation June 16, 2014 (22 points outlined above by Mr. Clater); and to recommend that the Supervisors grant items within their purview as follows: 1.) Section 27-1413.B.(1) Pursuant to this section the number of access drives intersecting with a street may not exceed two per frontage. The Supervisors may grant permission for additional access points where required to meet exceptional circumstances and where frontage of unusual length exists. The Applicant has proposed three drives to access Lot #1 along Willowbrook and that the Planning Commission recommends the Board of Supervisors allows the additional driveways in order to accommodate overall volumes and traffic flow generated by the proposed project; and 2.) Section 405.G & 22-415.12 Pursuant to these sections if required by the Township, the Applicant/Developer shall extend the sewer facilities along the full

frontage length of their property along Road A. The proposed Road A right of way is extended to the eastern property line for a potential future connection to the property to the east and that the Planning Commission has recommended the Board of Supervisors allows relief from this requirement due to the design representing of a force main servicing lot #4 only and consideration that any area to the east (in East Allen Township) would flow differently; and to recognize the support of the public purpose of the funding request of the LVPC TIGER grant application (\$32 million funding) for development of an intermodal facility based at the Airport and associated road improvement facilities and in further consideration of both the 2004 LNAA long range plan and past Township Rt. 329 Improvement Study; seconded by Mr. Pierce. On the motion, by roll call vote, all Commissioners present voted yes. The Commission confirmed that this recommendation shall be forwarded to the Board of Supervisors.

2. FedEx Ground Hub Land Development Plan Preliminary Plan Submission:

A. Engineering Reviews:

i. Planning Review Letter, dated June 13, 2014 (Hanover Engineering Associates, Inc.): Mr. Mark Heeb, PE, BL Companies stated the applicant will comply with the Hanover Engineering Associates Planning Review Letter dated June 13, 2014. Mr. Pierce questioned the purposed barbed wire on top of the fence. Mr. Heeb indicated the barbed wire was intended for security. Mr. Clater commented concerning the LANTA comment. He felt if an interior bus turnaround is not provided the applicant will return to the Township with a subsequent plan. Mr. Heeb confirmed.

ii. Engineering and Technical Review Letter, dated June 13, 2014 (Hanover Engineering Associates, Inc.): Mr. Mark Heeb, PE, BL Companies stated the applicant will comply with the Hanover Engineering Associates Engineering and Technical Review Letter dated June 13, 2014.

B. Waiver/Deferral Requests: Mr. Heeb reiterated the waiver/deferral letter previously submitted at the April 28, 2014 Planning Commission letter. Mr. Heeb further requested the Planning Commission's recommendation concerning items which are in the purview of the Board of Supervisors as follows: Section 27-1404.2.C fence height; Section 27-1413.B(1) As previously recommending for the Rockefeller Industrial Subdivision Plan, pursuant to this section the number of access drives intersecting with a street may not exceed two per frontage. The Supervisors may grant permission for additional access points where required to meet exceptional circumstances and where frontage of unusual length exists. The applicant has proposed three drives to access lot #1 along Willowbrook Road; and Section 27-Section 1422.8 regarding maximum grade of the parking and/or loading area shall not exceed 2% due to the unload doors concrete apron standard detail on sheet 23 which specifies a 3% slope. Mr. Clater requested clarification regarding the lattice fence for screening. Mr. Heeb responded the lattice fence was in lieu of landscaping against the fence which was requested as a further security measure. Mr. Kocher confirmed this was an engineering detail to be resolved.

Hearing no further comments with regard to the waiver/deferral requests, Mr. Clater provided a summary of suggested conditions of the recommendation for the Planning Commission's consideration as follows:

- 1) *COMPLIANCE WITH HANOVER ENGINEERING ASSOCIATES, INC. REVIEW LETTER DATED JUNE 13, 2014 (Final Plan Submission review letter) (with exceptions as noted/discussed)*
- 2) *SUBDIVISION PLAN APPROVAL, SATISFACTION OF ALL CONDITIONS OF APPROVAL AND RECORDING OF THE ROCKEFELLER INDUSTRIAL SUBDIVISION PLAN (PRELIMINARY/FINAL)*
- 3) *SANITARY SEWER AND WATER – APPROVAL OF PA – DEP PLANNING MODULE AND AGREEMENTS WITH PROVIDERS COVERING INSTALLATION, OPERATION AND MAINTENANCE OF SANITARY SEWER AND WATER FACILITIES.*
- 4) *(Plan Note also) RESTRICTIONS ON USE OF LOT #2 – Under current regulations, Lot #2 is necessarily included in the Lot #1 site capacity analysis. Any future use of Lot #2 shall be consistent with this inclusion.*
- 5) *CONSTRUCTION TIMING ISSUES FOR WILLOWBROOK ROAD*
 - a) *During all phases of construction, the entity responsible for the construction of the improvements to Willowbrook Road will maintain two lanes of travel on the entire length of Willowbrook Road . Any closures or reductions in lanes affecting travel through Allen Township must be reviewed and approved, in writing, by Allen Township.*
- 6) *OWNERSHIP AND MAINTENANCE OF TRAFFIC SIGNAL FACILITIES*
 - a) *Fuller Dr/Road A intersection – Township maintenance after dedication of Road A.*
 - b) *“Employee Entrance” – RGDC, its successors or assigns maintained, Township owned once they are constructed by RGDC.*
- 7) *OWNERSHIP, MAINTENANCE AND DEDICATION OF ROAD A*
 - a) *All costs and expenses associated with the construction, at any time, of Road A shall be the sole responsibility of the owner of lot #4, its successors and assigns. Any construction of Road A, at any time, shall be accomplished in accordance with the Allen Township construction standard in effect at the time of construction.*
 - b) *Road A shall be offered for dedication to Allen Township subsequent to the issuance of a certificate of occupancy for the use of lot #4, and subsequent to the construction of the Road A improvements necessary for the development of lot #4.*
 - c) *Road A shall not be constructed to the municipal border of East Allen Township until such time as a sketch plan depicting the proposed development of the entire East Allen tract currently owned by LNAA is approved by the Board of Supervisors of Allen Township as to the effects of said development on traffic to Willowbrook Road only, including: at the discretion of the Allen Township Board of Supervisors, additional traffic studies to show the impact of the development of Lot #4 and the development of the East Allen Township properties as well as appropriate remediation, if necessary, as determined by the Allen Township Board of Supervisors.*
 - d) *Road A shall not be constructed to the municipal border of East Allen Township until such time as a second primary access (not emergency access) to the proposed development in East Allen Township is approved and secured (as required by the Municipalities Planning Code) to provide for two (2) points of ingress and egress to the proposed development.*
- 8) *(Plan Note also) TRUCK RESTRICTIONS ON WILLOWBROOK ROAD FOR ALL PROPERTIES CONTROLLED BY LNAA*
 - a) *Any and all Class 8 trucks , both North- and South-bound, utilizing Willowbrook Road as part of owner and/or tenant operations, will be prohibited from using Willowbrook Road to the North of the intersection of Willowbrook Road and Road A, unless so permitted, in writing, by Allen Township.*
- 9) *FAA - DEED OF RELEASE FOR LANDS INVOLVED IN RGDC SUBDIVISION*
 - a) *Approval is contingent on the FAA issuing a Deed of Release for those lands involved in the RGDC subdivision application.*

b) *If the NEPA study and EA result in any material changes to the RGDC submitted Preliminary/Final Subdivision Plan, then at Allen Township's discretion, the submission may require additional Planning Commission and Supervisors review and approval.*

10) **LNAA PROVISIONS**

a) *Approval for demolition of any structures needing to be removed as part of the subdivision.*

b) *LNAA AND OR FAA validation that proposed facilities will not interfere with navigational signals or radio communications between aircraft and airport and other flight standards.*

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

11) **STORMWATER MANAGEMENT**

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

b) *Basin "C" is critical to the redesign of Willowbrook Road. LNAA and RGDC must provide evidence that Basin "C" will be constructed as designed and will be maintained according to BMP's, with fallback maintenance provisions in the event the landowner fails to properly maintain the basin.*

c) *Completion of the SWM maintenance agreement, including BMP Operations and Maintenance Plan and easements for municipal access and maintenance, if necessary.*

d) *Construction of SWM aspects to be coordinated with the SWM construction aspects of the FXG Land Development Plan.*

12) **EXISTING UTILITIES**

a) *Documentation from PPL regarding their approval of intended RGDC work in the PPL right-of-way.*

13) **EXECUTION OF AN ESCROW AGREEMENT FOR IMPROVEMENTS**

14) **EXECUTION OF GENERAL DEVELOPER AGREEMENT**

15) **EXECUTION OF DEED(S) OF DEDICATION FOR IMPROVEMENTS**

16) **PA - DEP & NPDES APPROVALS**

a) *Approval of an E&S plan from the Lehigh and Northampton County Conservation Districts and/or DEP.*

b) *NPDES permit obtained.*

c) *Any and all approvals associated with the proposed dispensing of motor vehicle fuels at the site.*

17) **PAYMENT OF REQUIRED RECREATION FEES**

18) **NO OCCUPANCY PERMIT SHALL BE ISSUED FOR THIS PROJECT UNTIL SUCH TIME AS PENNDOT AND ALLEN TOWNSHIP HAVE ACCEPTED THE CONSTRUCTION OF THE IMPROVEMENTS IN EACH OF THEIR RESPECTIVE HIGHWAY OCCUPANCY PERMIT APPLICATIONS.**

C. Public Comment: Mr. Donald Noll, 4040 Pine Hurst Drive, stated exception to turning movement on West Bullshead Road onto Willowbrook Road is predominantly right. Mr. Clater clarified his comment related to queuing with regard to the signalization. Mr. Noll questioned the Rockefeller Plan regarding sidewalk responsibilities. Mr. Clater further explained sidewalk was not waived it was deferred therefore the installation remains a responsibility tied to the property.

Kim Nappa, 382 East Bullshead Road, voiced concerns regarding negative impacts to quality of life issues pertaining to the FedEx project and associated timing of traffic improvements.

Bette Harting, 3013 Oak Hills Drive, voiced concern regarding increased truck traffic relative to the project. Mr. Holmes commented regarding the recent Morning Call article advising of delays as future improvements of Route 22.

Jackson Eaton, Esq. reiterated Hanover Township, Lehigh County's concerns and cited the addition information provided this evening to the Commission. He asked them to consider the information prior to any action. Mr. Eaton noted Allen's right to develop as it wishes however the

effect of traffic conditions on Hanover Township, Lehigh County should be considered pursuant to the analysis commissioned by Hanover Township as provided to the Commission.

Robert Nappa, 382 East Bullshead Road, questioned future airport runway development/expansion and if the Township had an agreement with LNAA if any runway expansion occurs. Mr. Clater responded regarding traffic diversions if the airport expansion occurs pursuant to the long range planning document of record as provided to the Township by LNAA. Mr. Clater commented regarding a plan note requirement concerning alternate access to Airport Road (with an acceptable level of service to the Township) if the runway expansion occurs. This will be a plan note and LNAA will be required to sign the plan of record and therefore to accept all elements/condition of the plan approval. Mr. Nappa further requested clarification regarding the Willowbrook Road bridge which crosses the Catasauqua Creek. Mr. Clater explained the imposed limitation of the weight limitation of the bridge and the associated plan note which will restrict truck traffic traveling north. Mr. Nappa was concerned with regard to the enforcement of the weight limitation by the State Police. Mr. Nappa provided personnel background regarding his prior experience as an elected/appointed official in the State of New Jersey. He further expressed his concerns regarding property values, commutes and children as well as the processing of ordinance revision requests by the Township by comparison to the processing of requests received while he served as a public official in the State of New Jersey.

D. Plan Consideration: Mr. Clater responded to Mrs. Nappa regarding the approvals associated with this plan as a fete compli. He indicated he has compiled an extensive, comprehensive review of the plans which are before the Commission in order to be prepared for a time when the plans would need to be acted upon and most importantly to protect the Township going forward concerning the ramifications of an approval. Mr. Clater made a motion to recommend approval to the Board of Supervisors based on the conditions outlined above with a deviation or annotation from the Township Engineers letter rewording or annotating the LANTA comment; recommending to the Supervisors the waivers pursuant to BL Companies letter dated April 25, 2014; recommend all other outlined eighteen points stated above and to recommend to the Supervisors that they allow: the 10' chain link fence with barbed wire, three driveways and 3% slope in loading dock area for stormwater purposes; seconded by Mr. Irons. On the motion, by roll call vote all Commissioners present voted yes.

**3. FedEx Ground Hub – Phase 1 Land Development Plan
Final Plan Submission:**

A. Engineering Reviews:

i. Final Plan Submission, June 13, 2014, (Hanover Engineering Associates, Inc.):

Mr. Mark Heeb, PE, BL Companies stated the applicant will comply with the Hanover Engineering Associates Final Plan Submission dated June 13, 2014. Mr. Kocher, indicated that the waivers are listed as part of the Preliminary Plan Submission. Mr. Treadwell indicated that the waivers were acted on the above Preliminary Plan Submission.

B. Waiver/Deferral Requests:

C. Public Comment:

Jackson Eaton, Esq. reiterated Hanover Township, Lehigh County's concerns.

Mr. Mickey Philpott requested to know the difference in the plans. Mr. Donald Noll requested explanation of Phase I. Mr. Heeb provided a summary that Phase I was part of the overall construction. Mr. Clater felt it was about 3/5 of the overall target plan with some explanation of improvements.

Mr. Philpott questioned timing of Willowbrook Road in relation to Phase I.

D. Plan Consideration: Mr. Clater made a motion to recommend approval based on the following criteria:

- 1) *COMPLIANCE WITH HANOVER ENGINEERING ASSOCIATES, INC. REVIEW LETTER DATED JUNE 13, 2014 (Final Plan Submission review letter)*
- 2) *SUBDIVISION PLAN APPROVAL, SATISFACTION OF ALL CONDITIONS OF APPROVAL AND RECORDING OF THE ROCKEFELLER INDUSTRIAL SUBDIVISION PLAN (PRELIMINARY/FINAL)*
- 3) *SANITARY SEWER AND WATER – APPROVAL OF PA – DEP PLANNING MODULE AND AGREEMENTS WITH PROVIDERS COVERING INSTALLATION, OPERATION AND MAINTENANCE OF SANITARY SEWER AND WATER FACILITIES.*
- 4) *RESTRICTIONS ON USE OF LOT #2 – Under current regulations, Lot #2 is necessarily included in the Lot #1 site capacity analysis. Any future use of Lot #2 shall be consistent with this inclusion.*
- 5) *CONSTRUCTION TIMING ISSUES FOR WILLOWBROOK ROAD*
 - a) *During all phases of construction, the entity responsible for the construction of the improvements to Willowbrook Road will maintain two lanes of travel on the entire length of Willowbrook Road . Any closures or reductions in lanes affecting travel through Allen Township must be reviewed and approved, in writing, by Allen Township.*
- 6) *OWNERSHIP AND MAINTENANCE OF TRAFFIC SIGNAL FACILITIES*
 - a) *Fuller Dr/Road A intersection – Township maintenance after dedication of Road A.*
 - b) *“Employee Entrance” – RGDC, its successors or assigns maintained, Township owned once they are constructed by RGDC.*
- 7) *OWNERSHIP, MAINTENANCE AND DEDICATION OF ROAD A*
 - a) *All costs and expenses associated with the construction, at any time, of Road A shall be the sole responsibility of the owner of lot #4, its successors and assigns. Any construction of Road A, at any time, shall be accomplished in accordance with the Allen Township construction standard in effect at the time of construction.*
 - b) *Road A shall be offered for dedication to Allen Township subsequent to the issuance of a certificate of occupancy for the use of lot #4, and subsequent to the construction of the Road A improvements necessary for the development of lot #4.*
 - c) *Road A shall not be constructed to the municipal border of East Allen Township until such time as a sketch plan depicting the proposed development of the entire East Allen tract currently owned by LNAA is approved by the Board of Supervisors of Allen Township as to the effects of said development on traffic to Willowbrook Road*

only, including: at the discretion of the Allen Township Board of Supervisors, additional traffic studies to show the impact of the development of Lot #4 and the development of the East Allen Township properties.

- d) Road A shall not be constructed to the municipal border of East Allen Township until such time as a second primary access (not emergency access) to the proposed development in East Allen Township is approved and secured (as required by the Municipalities Planning Code) to provide for two (2) points of ingress and egress to the proposed development.*

8) TRUCK RESTRICTIONS ON WILLOWBROOK ROAD FOR ALL PROPERTIES CONTROLLED BY LNAA

- a) Any and all Class 8 trucks , both North- and South-bound, utilizing Willowbrook Road as part of owner and/or tenant operations, will be prohibited from using Willowbrook Road to the North of the intersection of Willowbrook Road and Road A, unless so permitted, in writing, by Allen Township.*

9) FAA - DEED OF RELEASE FOR LANDS INVOLVED IN RGDC SUBDIVISION

- a) Approval is contingent on the FAA issuing a Deed of Release for those lands involved in the RGDC subdivision application.*
- b) If the NEPA study and EA result in any material changes to the RGDC submitted Preliminary/Final Subdivision Plan, then at Allen Township's discretion, the submission may require additional Planning Commission and Supervisors review and approval.*

10) LNAA PROVISIONS

- a) Approval for demolition of any structures needing to be removed as part of the subdivision.*
- b) LNAA AND OR FAA validation that proposed facilities will not interfere with navigational signals or radio communications between aircraft and airport and other flight standards.*
- c) Grant of any easements as part of the overall stormwater management plan.*

11) STORMWATER MANAGEMENT

- a) Approval by the LVPC of the Act 167 related stormwater designs.*
- b) Basin "C" is critical to the redesign of Willowbrook Road. LNAA and RGDC must provide evidence that Basin "C" will be constructed as designed and will be maintained according to BMP's, with fallback maintenance provisions in the event the landowner fails to properly maintain the basin.*
- c) Completion of the SWM maintenance agreement, including BMP Operations and Maintenance Plan and easements for municipal access and maintenance, if necessary.*
- d) Construction of SWM aspects to be coordinated with the SWM construction aspects of the FXG Land Development Plan.*

12) EXISTING UTILITIES

- a) Documentation from PPL regarding their approval of intended RGDC work in the PPL right-of-way.*

13) EXECUTION OF AN ESCROW AGREEMENT FOR IMPROVEMENTS

14) EXECUTION OF GENERAL DEVELOPER AGREEMENT

15) EXECUTION OF DEED(S) OF DEDICATION FOR IMPROVEMENTS

16) PA - DEP & NPDES APPROVALS

- a) Approval of an E&S plan from the Lehigh and Northampton County Conservation Districts and/or DEP.*
- b) NPDES permit obtained.*
- c) Any and all approvals associated with the proposed dispensing of motor vehicle fuels at the site.*

17) PAYMENT OF REQUIRED RECREATION FEES

*18) NO OCCUPANCY PERMIT SHALL BE ISSUED FOR THIS PROJECT UNTIL SUCH TIME AS PENNDOT AND ALLEN TOWNSHIP HAVE ACCEPTED THE CONSTRUCTION OF THE IMPROVEMENTS IN EACH OF THEIR RESPECTIVE HIGHWAY OCCUPANCY PERMIT APPLICATIONS.
SUBMISSION OF WETLANDS DETERMINATION REPORT FOR THE LAND DEVELOPMENT*

In addition, the applicant must comply with Hanover Engineering letter of review; recommendation of waivers pursuant to previous recommendation (net letter of April 25, 2014 by BL Companies) and compliance with the conditions pursuant to FedEx Ground Hub Preliminary Plan; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

4. **New Business:** No New Business.
5. **Public Comment:** No further comments from the audience.

There being no further business or comments Mr. Clater made a motion to adjourn the meeting; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

Respectfully submitted,

Ilene M. Eckhart