



Allen Township Planning Commission

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Gary Krill
Alfred Pierce

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

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

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, November 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; Brien Kocher, P.E. and Jim Milot (Hanover Engineering); B. Lincoln Treadwell, Jr., Esq.

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

Public to be Heard: No comments from the audience.

Old Business

A. Northampton Industrial Park – Preliminary Plan
Applicant/Owner: Century Commerce Center, LLC

Review Deadline: Receipt of Initial Plans: May 22, 2015; Last Plan Revision Dates: August 3, 2015 (per Township Review Letter of June 2, 2015) and October 5, 2015 (per Township Review Letter of August 20, 2015).

First Planning Commission Agenda: June 15, 2015;

Original 90-day Deadline - September 13, 2015.

A letter of extension for review granting additional review until December 29, 2015 was accepted by the Board of Supervisors on July 28, 2015;

Submission Status: Response letter from McCarthy Engineering on behalf of the applicant dated August 3rd, 2015 along with plan resubmission of August 3rd, 2015 received by the Township. McCarthy Engineering response letter of October 5, 2015 pertaining to August 20th, 2015 Hanover Engineering Associates plan review comment letter. Waiver request letters for Subdivision and Lot #'s 1, 2 & 3. Additionally, stormwater response letter, revised stormwater reports, traffic impact studies, Lehigh-Northampton Airport Authority review letter, Northampton Borough Municipal Authority letter and receipt of submissions made to the Lehigh Valley Planning Commission received October 5, 2015. Supplemental waiver request letter dated November 9, 2015 submitted in addition to draft plan sheets (non-official for discussion).

Present for the applicant: Mark Powell, applicant; Jill Nagy, Esq.; Jim McCarthy PE, Bert Guigley CADD (McCarthy Engineering) and Jim Dimmerling, PE.

Mr. Clater reviewed correspondence received since the last meeting including: the LVPC Act 167 (November 4, 2015); PennDOT review comments (October 30, 2015); and Applicants Waiver Request letter (November 9, 2015). Mr. Clater recognized the applicant's work towards addressing the concerns. Century Boulevard shall be private or public based on the Supervisors wishes. Mr. Powell indicated that Century Boulevard is currently designed to public collector standards.

Mr. Pierce felt that a utility easement should be showed to the remaining Horwith lot east of Century Boulevard.

Messrs. Krill and Clater felt that the water lines and associated hydrants should be placed on the eastern side of Century Boulevard near the Rt. 329 intersection. Mr. Powell indicated this would be investigated. Mr. Pierce was of the opinion that the utilities should be located inside the roadway to assure proper footing for maintenance equipment. Mr. Powell indicated that he would accommodate the Township but needed clear direction. Following further discussion regarding the width of the road, Mr. Powell impressed that even with a lane closure, traffic could pass. Mr. Powell would personally like to see the utilities located in street. Mr. Behler questioned who would be paying for the street repair, if disturbed. Messrs. Pierce and Clater indicated that if it were a private street the private property owners would be responsible. Mr. Clater further indicated that the Township has an opening ordinance which would require reimbursement of repairs, if public.

Mr. Pierce requested the realignment of the Horner Road realignment. Mr. Pierce also felt that Lot #4 needed to be increased to allow for the weir and access to the weir. This was all Horwith's properties. Mr. Powell indicated that he could place access within the Stormwater Easement. Mr. Treadwell questioned if this was still some type of property association. Mr. Powell proposed the property association for the private road and the stormwater management issues, along with the ten year maintenance payment to the Township for the signal. Ms. Nagy indicated that the signal would be owned by the Township.

Mr. Pierce voiced concerns regarding the long term stormwater maintenance and the associated surety for the stormwater maintenance. Ms. Nagy stated they will put in escrow, as part of the capital improvements, the replacement value as part of the planned community. Mr. Pierce felt the issue was future pollution issues related to stormwater. Mr. Treadwell felt the property association including the remaining Lot #4, should provide a better contractual arrangement. Mr. Pierce was concerned with Note #30 and how far it extends.

Mr. Pierce questioned the purpose of Lot #1A. Mr. Powell indicated that the current purpose is a billboard squatter. Mr. Powell indicated that it was shown to address the wishes of the Township Planning Commission. Mr. McCarthy indicated that Lot #1A has a blanket stormwater easement over it. The existing easements on Lot #1A will be tied to Lot #1. Mr. Pierce questioned if the applicant intended to restrict the use on Lot #1A. Mr. Powell felt that the billboard which exists may be expanded upon. In addition, Mr. Powell noted that Lot #1A served for stormwater purposes. A note will be added to the plan regarding non-building use of Lot #1A.

Mr. Krill requested access provisions for firetrucks to the hydrants. He further indicated hydrant access between parked trailers would not be sufficient. Mr. Guigley reviewed the existing hydrant locations. As an alternative islands will be added to accommodate the proper distances. In addition, stenciling will be provided. A red-lined plan will be provided to the Fire Chief with the alternative islands. In addition, Mr. Clater added that a provision should be added to the developer's agreement to require the building owners to be required to maintain the hydrants in the winter.

Mr. Guigley questioned the size of the fitting required for the hydrant. Mr. Krill indicated that the fitting would be a four or five inch diameter. He further indicated that the diameter required has not been determined by the Fire Chief.

Regarding the Savage Road extension, Mr. Clater felt that applicant should provide a combined offer of deed of dedication, extending out some number of years (15-20) and letter of credit for some amount of to be determined for some number of years (5-7). Mr. Clater further felt that grading should accommodate the design/construction of the wall.

Mr. Clater questioned the rebuilding and raising of the quarry weir by eleven inches. Mr. McCarthy indicated that the weir is raised for water quality best management practices. He indicated this was also a better option for maintenance and inspection purposes.

Mr. Clater reiterated water quality issue regarding the use of the quarry for stormwater management purposes. Following a lengthy discussion, Mr. McCarthy and Mr. Pierce agreed that the source of the water was not readily determined.

Mr. Clater noted concern regarding LANTA discussion status and provisions for future service and employee access to bus stops. Mr. Clater was unsure if a detail was required but to simply note potential bus stop areas and a safe pedestrian route interior to the project.

Mr. Clater questioned the western side access road and the need to see tentative engineering design to verify that the road can be built to Township standards. Mr. Guigley agreed the profile would be provided to the Township in electronic form.

Mr. Clater reviewed the Lot #3 design profile. Mr. Clater questioned the lights on the building, which would basically be at eye level. Mr. Clater was concerned with glare. He requested some consideration for a pure physical barrier that was permanent. Mr. Guigley reviewed the measures per the landscape and lighting plan. Mr. Clater was acceptable of the explanation.

Mr. Clater reviewed the waivers as submitted:

PER THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

1. Sections 22-406.N and 21-303.E — *The maximum length of any proposed cul-de-sac shall be 600 feet.*

Due to the location of the existing quarry and size of lots, the proposed length of cul-de-sac at Century Blvd is approximately 3,100 feet. The cul-de-sac is proposed as a private road. It essentially functions as a shared driveway for the lots that abut the private road.

This goes away if the Supervisors agreed to private (contingent upon public or private).

2. Section 22-407.5.F— *The proposed Century Boulevard intersection with Nor-Bath Boulevard SR 329 shall be located a minimum of one thousand (1,000) feet from the Savage Road intersection with Nor-Bath Boulevard SR329.*

Proposed distance is approximately eight hundred fifty (850) feet. This is a proposed PennDOT permitted entrance (HOP approved) at the high point along Nor-Bath Blvd (S.R. 0329). This location maximizes sight distance and places the driveway at the safest location within the project frontage. Literal compliance with the 1,000' distance results in an unsafe condition which would negatively impact the public health, safety and welfare.

The Commission was generally agreeable due to PennDOT's choice for the alignment.

3. Section 22-502.2.A — *The Plan scale shall be fifty (50) feet to the inch, and sheet size shall be 24 inches by 36 inches.*

Proposed plan sets are 36 inches by 48 inches. The sheet size is appropriate for clarity due to extent of the development. The smaller sheets would require many more plan sheets and are more difficult to review and construction than the larger sheet.

The Commission was generally agreeable to the waiver.

4. Section 22-502.5.1— *A sketch plan layout for proposed Lot 4 shall be provided.*

Proposed Lots 4, 5 and 6 have no planned development. A sketch plan for discussion purposes was presented to the Township for this area at the previous Planning Commission. We would request that this satisfies the intent of the Ordinance.

The Commission was generally agreeable that the electronic copy of the sketch previously provided was sufficient.

5. Sections 22-405.g and 22-415.12 - *Any water and/or sewer facilities provided must be extended by the applicant/developer along the full frontage length of their property along all streets as deemed necessary by the township.*

All surrounding properties already have water mains that service them. Sewer extension along Route 329 west of the proposed Century Boulevard is downhill and cannot be constructed to serve the project. Sewer extension along Howertown Road would not be feasible since the project only has relatively small amount of frontage on SR 3017 Howertown Road. Since the properties along the eastern side of Howertown Road are zoned for development and owned by a regional real estate developer at the time those parcels are developed, sewer extension along Howertown Road would logically be completed by that developer. The Applicant does not control Lots 4, 5 and 6 so extension of sewer to those lots would not be logical at this time since no development is proposed and the sewer location could complicate future development.

The Commission was generally agreeable that an easement to provide for future service to the adjoining residential lots along Howertown Road would be provided. In addition, there was

discussion regarding the adjoining lands to the north and providing access to sewer may spur unwanted development.

6. Sections 22-407.1 and 22-502.4.n - Where necessary for public safety and convenience additional street widths or paving may be required, as determined by the board of supervisors, upon advice of the township engineer. Additional street width has been added to the cul-de-sac located at the end of Century Boulevard to provide for the anticipated vehicular traffic and emergency access. Homer Road cul-de-sac has been designed per Township standards. Truck traffic is prohibited on Homer Road; however, emergency access would be turning into the northern driveway of Lot 3 and does not require any additional street width. Plans have been provided to the Allen Township Fire Marshal and Fire Chief; we are currently awaiting their comments.

The Commission was generally agreeable.

7. Section 27-1413.b.8 - the maximum width of a two (2) lane access drive shall be twenty-eight feet (28) feet at the property line. This width may be revised on a case by case basis, in the sole discretion of the board of supervisors, depending on specific conditions present at the property, or if the driveway is designed to meet a particular PennDOT design criteria. The driveways as designed are based on the requirement for safe access by the planned vehicles that will use the driveway. This waiver is required for public health, safety and welfare.

The Commission was generally agreeable.

PER THE STORMWATER MANAGEMENT ORDINANCE

1. Section 8-231.8. D and J— Detention Ponds 1 and 2 and all Bio-Retention Islands shall be lined with a synthetic impervious liner. Proposed Bio-Retention islands are designed to drain completely through the underdrains, and infiltration will be di-minimus. Proposed Ponds 1 and 2 are to provide a draining orifice at the bottom of the pond and infiltration will be di-minimus. Proposed infiltration will be similar to existing conditions as the stormwater facilities will drain completely.

Generally, Mr. Krill voiced concern regarding infiltration and sinkholes. Mr. McCarthy felt that liners caused sinkholes because of the eventual failure. Mr. Powell was also concerned that if a sinkhole opens up under a lined infiltration basin, a catastrophic event is sooner to occur because you know what is there. Mr. Powell felt a liner basically hides sinkholes until they become catastrophic.

2. Section 8-231.8.H — The proposed Detention Pond and Bio-Retention Island fences shall be landscaped from adjacent streets and properties. Proposed Bio-Retention Islands are located within the proposed lots and are not adjacent to adjoining properties. Proposed Detention Pond 1 has fulfilled the requirements of this section. Proposed Detention Pond 2 is located with surrounding forested area, and landscaping is proposed to fulfill the requirements of this section. We believe the intent of the Ordinance has been met in these locations.

Mr. Clater felt if a fence made the bio-retention island unmaintainable. The waiver was requested for the landscaping and fencing of a bio-retention island. Ponds #1 and #2 are fenced and landscaped. The Commission was generally agreeable. The wording for this request will be refined to differentiate ponds versus filters.

3. Section 8-231.8.H— *The proposed Detention Ponds and Bio-Retention Islands with fences shall have a maximum berm side slope of 4:1. Proposed Pond 1 provides the interior side slopes to fulfill the requirements of this section. Proposed Pond 2 provides side slopes of 3:1 due to site restrictions. Proposed Bio-Retention Islands provide side slopes of 2:1 due the inherent nature, location and performance for stormwater management, and the referenced Section does not provide Bio-Retention Standards, so applying Detention Pond Standards to them is not appropriate application of Standards. All mentioned above provide fences around facilities.*

The Commission was generally agreeable to avoid wildlife nesting.

4. Section 8-231.8.1 — *An access ramp of 10:1, 10 feet wide, shall be provided to allow maintenance equipment to reach the basin floor of Ponds 1 and 2 and all Bio-Retention Islands. Proposed Pond 1 and Pond 2 provide side slopes adequate for access by maintenance vehicles, tractors, etc. to perform maintenance per maintenance agreements. Proposed Bio-Retention Islands should not be accessed with maintenance equipment to prevent soil compaction per stormwater management design. The proposed slopes help to prevent unauthorized access that would negatively affect the Bio-Retention facilities.*

The Commission was generally agreeable for the waiver on all ponds at 3:1. The wording for this request will be refined to differentiate ponds versus bio-retention filters areas. Also, equipment should not be run over these areas.

5. Section 8-232.7. D — *A minimum pipe size of 15 inches shall be provided. The perforated pipe contained within the Bio-Retention Islands is shown as 6". Proposed Bio-Retention Island's perforated pipe is designed to underdrain the stormwater facility and is not designed for conveyance as the section's intention. The pipe diameter chosen is common industry design standards and will allow the system to function properly.*

Mr. Milot indicated this was an interpretation issue not an engineering issue. The Commission was generally agreeable.

6. Section 8-231.8.K - *The minimum slope of the bottom of Pond 1 and 2 and all Bin-Retention Basins shall be 2" toward the outlet structures. Proposed Pond 1 and Pond 2 are designed with flat bottoms which are designed as a water quality facility for stormwater management. Proposed Bio-Retention Basins have underdrains which serve as the section's intentions and would not require this criterion. Flat-bottom ponds and basins have become standard practice as water quality and volume reduction have become required by EPA and DEP.*

Mr. Milot indicated this was an interpretation issue not an engineering issue. The Commission was generally agreeable.

Mr. Clater made a motion to recommend the waivers SALDO waiver 1 not applicable if private, granting if public, granting waivers 2 and 3, waiver 4 not applicable, waiver 5 granted with addition condition that the sewer easement on Lot #1A is provided for the two residential lots on Howertown Road, granting waivers 6 and 7, SWM waiver 1 granting, waivers 2, 3, and 4 reclarify the request to pertain to bio-retention only and would be granted after the clarification, granted waiver 5 and 6 under the premise that all waiver requests will be returned for discussion along with the revised plan

submission; seconded by Mr. Pierce. On the motion, by roll call vote, all Commissioners present voted yes. Mr. Krill voiced concern regarding the public versus private ownership of the Century Boulevard.

Mr. Behler thanked the applicant for the note regarding no truck traffic on Horner Road and requested the applicant explain the proposed improvement on Rt. 329. Mr. Dimmerling explained that they are proposing to put a traffic signal at the entrance to Rt. 329 with a left and right turning lane on Rt. 329 into the drive. At Howertown Road and Rt. 329, they are proposing eastbound and left hand turning lanes. Mr. Powell committed to the Rt. 329 improvements. Mr. Milot provided an overview of the Rt. 329 corridor improvement per the Township's 2006 overall plan. These are the improvements agreed by the applicant.

Mr. Behler questioned Howertown Road and the bridge over the Dry Run Creek. Mr. Dimmerling indicated that the Howertown Road bridge was not part of the study and improvement.

Mr. Krill voiced concerns regarding the existing timing of the lights. He asked that we be assured that PennDOT provided the proper timing of the signals. Mr. Milot indicated that with the additional lanes and the additional length. Mr. Dimmerling indicated whatever is in place now per the signals will be ultimately revised per the improvement.

Mr. Powell indicated per the discussion this evening the plan will resubmitted. Mr. Pierce made a motion that if the plans were received by December 7th the Commission will provide review by December 21st; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

Mr. Behler asked if there was a potential for truck scrapers to remove snow from the tops of the trailers. The applicant indicated that the issue would be a final plan item.

B. Residences at Willow Ridge, Natural Open Space Plantings: Ms. Eckhart reported on the meeting of the developer and Edge of the Woods. Ms. Eckhart should have more information soon.

New Business – No new business.

Ordinance Changes/Updates:

A. Zoning Ordinance Amendments: Tabled.

Public to be Heard:

There being no further business, the meeting adjourned at 9:10 PM.

Respectfully submitted,

Ilene M. Eckhart