

Allen Township Planning Commission

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William Holmes, Chairman
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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, September 16, 2013
7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, September 16, 2013 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: William Holmes; Alfred Pierce; Louis Tepes, Jr.; David Irons; Eugene Clater; Brien Kocher, P.E.; B. Lincoln Treadwell, Jr., Esq. Absent:

Minutes: Mr. Clater made a motion to approve the minutes of August, 2013; seconded by Mr. Irons. On the motion, by roll call vote, all Commissioners present voted yes.

Old Business

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

New Business

1. **Stone Ridge 1B:** Mr. Tim Livengood, presented the concept of 1B. He indicated that Mr. Kocher asked Mr. Livengood to review the background of various plan concepts, including the cross

streets which are internally that would lead to Horwith Lane. He further presented a plan which depicts a regional supermarket but this would require a zoning change. He requested recording of Stone Ridge 1 B with deferral of improvements of Route 329. He indicated that a highway occupancy permit was submitted to PennDOT in 2008. He indicated PennDOT would not permit Stone Gate Road without a restrictive covenant. The Highway Occupancy Permit was not pursued because if a restrictive covenant would be recorded the super market plan would never be able to come to fruition because the signalized intersection (Stone Gate Road) would be required. Mr. David Shulman indicated that there was a previous owner of the frontage along Horwith Lane, which Livengood acquired from Petrucci. Mr. Pierce indicated that the zoning was changed so the super market concept would not be feasible since it is zoned High Density Residential.

Mr. Holmes noted that he was concerned that there was only one access if the subsequent Phase (1B) was recorded. Mr. Clater and Holmes indicated that could be a considerable amount of time. Mr. Clater further provided input regarding the PennDOT letter from 2006 regarding Stone Gate Drive, Industrial Drive (on Horwith property). He was very apprehensive about allowing the next phase of homes with no other way out and was also concerned how phased improvements could be secured for Route 329. Mr. Clater was not in favor of providing any approval without some reevaluation. Mr. Kocher suggested that Joseph Road could be opened onto John Drive to provide an additional access.

Following some discussion, on the financial situation and the plan phases as the lender recognizes, Mr. Clater indicated he would like to see some integrity for the stability of the plan by deleting the lots (289 and 290) in the area of the Rt. 329 access area (Stone Gate Road) to maintain an access point and extending the Graystone Circle (in the vicinity of 200 to 205). It was discussed that a high point (ridge line) within the project which limited the extension of the sanitary sewer. Mr. Clater questioned if the developer was planning to follow his proposed phasing plan in a sequential order. Mr. Livengood indicated that he was not sure of the sequence. Mr. Holmes was concerned and felt that all of these things were absolutely necessary and that conditions have not been met. Mr. Clater suggested the conditions for the Commission to consider: finish 40' John Drive, satisfy paper alleys, delete two lots in 1b, tie Graystone to Joseph Road extension, place the sidewalk on the north side of John drive and the creation of an effective pedestrian cross over and if utilities can be figured out effective that the up to 13 lots be added to 1b. The Commission felt the developer should come back with a proposal and a timeframe. He indicated that time was of the essence to record this phase. Within 24 months John Drive to be expanded to 40' (with curb and sidewalk), the sidewalk with effective pedestrian cross over. In addition, in the 24 months, if the developer can get through permitting, extend utilities and extend NPDES permit and quiet title of John Drive these items should also be addressed. The Commission will consider a temporary access directly to Savage Road if the NPDES permit is a delay that holds up the Joseph Road connection to Graystone Circle. Mr. Clater made a motion to recommend conditional approval of the modified Stone Ridge Phase 1B plan submission subject to the satisfaction of the following conditions: 1. Expansion of the entire length of John Drive to 40' width with curb on both sides; 2. Installation of sidewalk on the north side of John Drive; 3. Installation of a pedestrian crosswalk the south side of John Drive and across Savage Road at points sufficient to connect to the existing sidewalk network and Township park infrastructure; 4. Temporary removal of proposed lots 23 and 24 (as represented on the plan entitled, Phase 1B, Record Overall Plan, dated April 4, 2004, last revised August 2, 2013) in order to allow the future construction of Stone Gate Drive as previously approved; 5. Within 24 months of recording of the Stone Ridge 1 B Subdivision Plan,

construct the connection of Graystone Circle to Joseph Drive. In lieu of this condition being met within 24 months of the recording of the Stone Ridge 1 B Subdivision Plan (due to potential difficulties obtaining the PA DEP NPDES Erosion and Sedimentation Permit to accommodate the Graystone Circle to Joseph Drive connection) a temporary secondary emergency access road shall be constructed across proposed lot or lots on the eastern boundary of Phase 1B in order to access Savage Road. Upon the abandonment of this temporary secondary emergency access road, when the Graystone Circle to Joseph Drive connection is fully constructed and satisfactorily inspected by the Township Engineer, any remedial effects or damages to Savage Road, include the existing curb shall be fully restored to the satisfaction of the Township immediately. Lots 41 and 42 will not be available as building lots until the permanent connection of Graystone Circle to Joseph Drive has been secured; 6. If within 24 months of recording of the Stone Ridge 1 B Subdivision Plan, the construction of the connection of Graystone Circle to Joseph Drive occurs, subdivision approval of lots #: 63-70 and 105-110(as represented on the plan entitled, Phase 1B, Record Overall Plan, dated April 4, 2004, last revised August 2, 2013) may be considered by the Planning Commission and may be submitted for the Board of Supervisors approval respectively; 7. The security agreement will provide for completion of all improvement which were originally proposed by the developer for Phase 1 B, as well as those additional items for the modified Phase as outlined above including: the extension of Graystone Circle to Joseph Drive, the associated utility extensions and the temporary secondary emergency access road (and the restoration thereof), and the improvements to John Drive referenced above). The Applicant shall provide the Township with written approval from any potential purchaser of the lots in Phase 1B acknowledging that no building permits will be issued by the Township for buildings on any lots 25 -28, 85-90 within Phase 1B, unless and until the improvements referenced in this paragraph above have been completed or secured by a Letter of Credit. In addition, the Applicant shall provide written documentation from a reputable lending institution acknowledging that it will fund or provide the security necessary for the improvements referenced herein upon the sale of 25-28, 85-90 lots in Phase 1B; 8. Title to the paper street/alley located to the south of John Drive shall be confirmed by the Applicant in a manner satisfactory to the Township, including but not limited to the institution of a Quiet Title Action; 9. The Developer must satisfy all comments contained in the forthcoming review letter of the Township Engineer; seconded by Mr. Irons. On the motion, by roll call vote, all Commissioners present voted yes.

2. Outcast Precision Conditional Use: Martin Hacker and Michael Hacker, applicants and James Mathesz the property owner were present to discuss the plan. The location of the property is 10 Brick Kiln Court (L4-12-5L-3). The use is proposed to operate in a portion of an existing structure at this location. Mr. Martin Hacker presented to the Commission the proposed details of the Automotive Repair business within the Industrial Zoning District. He indicated that the Automotive Repair would limit in its operation for the reconstruction and maintenance of antique and classic automobiles. He indicated that the shop would be limited to working on a very limited number of vehicles at one time because these cars were not common and that there would initially be one employee. Mr. Holmes questioned the occupancy permit requirements for Automotive Repair. Ms. Eckhart indicated occupancy would be further subject to the Uniform Construction Code requirements for this use. Following some further discussion regarding the details concerning the paint booth proposed within the building, Mr. Tepes made a motion to recommend conditional use approval subject to Hanover Engineering Associates, Inc. letter of review dated September 12, 2013; seconded by Mr. Clater. On the motion, by roll call vote, all Commissioners present voted yes.

Ordinance Changes

1. **Solar Power Discussion:** Continued to the next meeting.

2. **Zoning Ordinance**

A. Billboards: Attorney Victor Cavacini and Lois Arciszewski. Draft zoning change presented. Mr. Clater did not feel that the amendment should allow location in Highway Commercial. Mr. Clater indicated that based on the Richland Township draft, which was very comprehensive, he felt the following items should be considered: definition for billboard; add definition on animated signs; add a section to electronic sign definition to state: “transition must take place in two seconds or less”; video billboard defined and prohibited; added illumination of signs definition and section from Richland Township; placement of sign section from Richland Ordinance. Following this discussion, Mr. Treadwell and Cavacini shall return with an updated draft based on the Commission’s input.

B. Fuller Zoning Change: Chris Lloyd, CPA and Zack Fuller were present to discuss a change in Zoning based on the Industrial Zoning across Willowbrook Road. Mr. Lloyd indicated that the property owner wishes to keep the use as a golf course. Mr. Pierce felt that the Golf Course should be added as a permitted use in the Industrial Commercial Zoning District. Mr. Clater voiced concerns regarding the two existing house lots along the frontage of West Bullshead Road. These existing houses are owned by the Fuller Estate, as Mr. Fuller confirmed. Following some further discussion, Mr. Pierce made a motion to recommend the map amendment as drafted with the Golf Course in the IC as a Conditional Use; seconded by Mr. Clater. On the motion, by roll call vote, all Supervisors present voted yes. Mr. Pierce further made a motion to recommend an amendment to the Comprehensive Plan pursuant to the Fuller Zoning; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

C: Housekeeping: Mr. Pierce made a motion to recommend the zoning changes regarding amendments to the definition of “fence”, “lot coverage”, and “forests”; to delete footnote 1.3 of Section 1104 and 1404 and to provide additional regulations relative to the height and location of fences; and to amend Section 1419 regarding the requirement to obtain a variance for a structure in excess of 35 feet in height in the Airport Zone to the Board of Supervisors; seconded by Mr. Clater. On the motion, by roll call vote, all Commissioners present voted yes.

There being no further business the meeting adjourned.

Respectfully submitted,

Ilene M. Eckhart