



## Allen Township Planning Commission

### Meeting Minutes April 17, 2023 6:00 P.M.

A **General Meeting** of the Allen Township Planning Commission was held on Monday, April 17, 2023 at 6:00 P.M. at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA. Vice Chairman Paul Link led the audience in the Pledge of Allegiance to the Flag.

#### **Roll Call:**

**Present:** Gary Behler; David Austin; Paul Link; Felipe Resendez, Jr.; B. Ilene M. Eckhart, Manager; Maurin Ritinski, Administrative Assistant; and Andrea Martin, EIT (Barry Isett & Associates, Inc.)

**Absent:** Gary Krill; Lincoln Treadwell, Jr. Esq. Solicitor; and Stan Wojciechowski, PE, CME, Engineer (Barry Isett & Associates, Inc.)

**Minutes:** Mr. Austin made a motion to approve the minutes from March 6, 2023 and March 20, 2023, seconded by Mr. Resendez. On the motion, by roll call vote, all Commissioners present voted yes.

**Public to be Heard:** No public comment.

#### **Business Items:**

**A. Final Plan Subdivision of Lands of Gordon J. Mann, Sr. & Armell D. Mann Irrevocable Trust:** Jonathan Shupp, professional land surveyor, presented the plan. He indicated that proposed Lot 1 has had the development rights sold due to entering an agricultural security program through Northampton County. The proposed Lot 2 contains the existing residence and was excluded from the easement for this purpose. Mr. Shupp reported that there is no new development proposed. Ms. Eckhart commented that parcel number K4-30-14 was added to the county's agricultural security program in May of 2021. Mr. Shupp indicated that he will note the date the parcel was added to the Northampton County's agricultural security program on the plan. Ms. Martin read through the Barry Isett Review Letter dated March 17, 2023. The Barry Isett Review Letter dated March 17, 2023 is as follows:

*"The site is at the northwest corner of Seemsville Road (SR 3021) and Mud Lane. The lot in question is a 58.2934-acre parcel, known as Parcel K4-30-14 and is located in the Rural (R) District.*

*The plans propose a subdivision to create one new lot in the following manner:*

- 1. The creation of Lot 2, a 2.4709 acre lot at the corner of Seemsville Road and Mud Lane, containing the existing single-family dwelling, paved driveway, and on-lot water and septic. 40 feet of right-of-way is proposed to be offered for dedication from Lot 2 along Seemsville Road, and 25 feet offered for dedication from Lot 2 along Mud Lane.*
- 2. Lot 1 (the residual lot) will be reduced in size to 55.8225 acres and remain as a cultivated field.*

*The following waivers have been requested:*

1. From SALDO §22-407.2 from the requirement to provide roadway improvements along private and public streets. We note that both roadways have no shoulder beyond the 4" white line and defer to the Planning Commission to review this request.
2. From SALDO §22-502.2.A from the requirement to provide a horizontal scale of 1"=50'. We have no objection to this request.
3. From SALDO §22-502.3.B from the requirement to provide contour lines at no more than two feet intervals. A modification is being requested to provide contour lines at an interval of ten feet. Given that there are no improvements proposed, we have no objection to this request.

We provide the following comments:

#### ZONING AND PLANNING COMMENTS

1. The Plan includes the PADEP Non-Building Declaration to address the required sewer planning per SALDO §22.503.4.A. We note the following:
  - a. The Township should confirm the application of the Non-Building Declaration.
  - b. Section B should be signed by the Owner or the Equitable Owner.
  - c. The Township SEO will need to inspect and certify Section C of the Non-Building Lot Waiver.
  - d. Sections D and E should be completed by Township; and
  - e. The completed form should be submitted to the PADEP.
2. The center line of the driveway on Lot #2 is less than the minimum 150' to a street intersection required in SALDO §22-411.7.D(1)(a)(1). This non-conformity should be noted on the plan.
3. A clear sight triangle should be shown across Lot 2 at the existing Mud Lane and Seemsville Road intersection per ZO §22-1402.C.
4. The plan should note that no vehicle, object, hedge, shrub, tree, or other growth or object shall be parked, placed, or maintained at a height in excess of 2 feet within the clear sight triangle per ZO § 22-1402.A and § 22-1402.B.
5. The existing dwelling is located within the front yard setback to Seemsville Road. The Plan should identify the dimension of the closest point of the dwelling to the Ultimate Right-of-Way and also note the existing non-conformity.
6. The pavement widths of Seemsville Road and Mud Lane should be shown on the plan per SALDO §22-502.3.A.
7. The plan should note if the Seemsville Road and Mud Lane right-of-way on the frontage of Lot #2 is existing or to be dedicated. If it is to be dedicated, a formal notation of dedication should be included on the plan per SALDO §22-503.3.H.
8. The zoning data should include the requirements for Farming and Animal Husbandry as well as for Single-Family Detached Dwelling uses.

#### PLAN PRESENTATION COMMENTS

1. Existing and proposed contours lines should be based on USGS Datum and a site benchmark should be provided on the drawings per SALDO § 22-502.3.B.
2. It should be clarified if the septic area and well are existing or proposed through slanted text or label.
3. The dimension between the proposed well and the Seemsville Road Ultimate Right-of-Way should be provided.
4. Street addresses should be shown on the Final Plan prior to recording per SALDO§22-411.8

#### POLICY AND INFORMATION

1. Ultimately, all certifications by the property owners, engineer and surveyor who prepared the plan should be signed, sealed, and notarized, as appropriate, when the plan is presented to the Township for execution and recording per SALDO §22-503.3.J, §22-503.5.C, §22.503.5.F, §22-503.3.L, and §22-503.5.A.
2. If public improvements or easement dedications are required, the Owner's signed acknowledgement of a list of dedications should be included on the plan per SALDO §22-503.3.K.
3. All resubmissions should be accompanied with a detailed letter explaining how each comment has been addressed.
4. All comments above are made with the understanding that all features are accurately displayed on the submitted plan and that they comply with all current laws, regulations, and currently acceptable professional land surveying and engineering practices."

Mr. Behler inquired if right-of-way dedication for Lot 1 was restricted due to the agricultural security program. Ms. Martin indicated that she assumes it would be restricted. Mr. Behler, Mr. Link, and Mr. Austin commented that they did not have any problems with the waiver requests. Mr. Behler inquired if Mr. Shupp

would be seeking a waiver for a combined preliminary/final plan. Ms. Martin reported that the plan was submitted as a final. Mr. Shupp stated that he will request a waiver for a combined preliminary and final plan and update the title block on the plan. Mr. Behler made a motion to recommend approval of the following waivers: SALDO §22-407.2 relating to roadway improvements; SALDO §22-502.2.A relating to horizontal scale; SALDO §22-502.3.B relating to contour lines; and a waiver to allow a combined preliminary and final plan, seconded by Mr. Austin. On the motion, by roll call vote, all Commissioners present voted yes.

Regarding comment #7 under Zoning and Planning Comments, Mr. Shupp questioned if the Township would like the right-of-way dedicated. Mr. Behler and Mr. Link stated that they believe this should be dedicated unless the lot from another plan on Old Carriage Road was not dedicated in order to be consistent. Following some research, Ms. Eckhart indicated that this other lot from another plan on Old Carriage Road was dedicated.

Mr. Shupp inquired if a street address will be assigned to the vacant parcel. Ms. Eckhart indicated that the Township would assign this address. Ms. Eckhart explained that the assigned address will be passed along to Mr. Shupp. Mr. Shupp inquired if the SEO has been contacted. Ms. Martin indicated that the SEO is aware about the non-building lot waiver. Mr. Shupp stated that all comments from the Barry Isett Review Letter will be met.

Mr. Behler made a motion to recommend approval of the preliminary/final subdivision of Lands of Gordon J. Mann, Sr. & Armell D. Mann Irrevocable Trust with the recommended waivers relating to parcel K4-30-14, seconded by Mr. Austin. On the motion, by roll call vote, all Commissioners present voted yes.

Mr. Behler made a motion to amend the previous motion to include that the plan must meet all of the comments satisfactorily from the Barry Isett Review Letter dated April 17, 2023, seconded by Mr. Resendez. On the motion, by roll call vote, all Commissioners present voted yes.

**Public to be Heard:** Brad Budihas, 946 Graystone Circle, requested additional information for plan for the commercial area north of his development. He specifically was curious what was planned for the western portion of this property. Mr. Link and Mr. Austin explained that at this time, the Township is not certain what commercial entities will be located on the western portion of this property as there has only been concept ideas presented. The Commissioners explained to Mr. Budihas that there are still ongoing discussions about the access road connecting to Savage Road and Horwith Drive. Ms. Eckhart reported that she expects the Wawa plan and the residential plan regarding the expansion of Stone Ridge to be on the next agenda. She indicated that the developer has been provided with traffic comments from Langan Engineers and they will be possibly amending their plans. Ms. Eckhart explained that there could be a plan extension due to the time running out in June. Mr. Budihas also explained that some of his neighbors do not have trees planted on the berm. He stated that this should be continued all the way down. Mr. Behler reported that the Township has had discussion with the Wawa developer for a berm to be included. He stated that the berm should be consistent. Mr. Behler reported that the existing berm will be built up and extra plantings will be added as a buffer. Mr. Link clarified that the berm will not be continued down to the western side of Graystone Circle until there is further development on the commercial area. Mr. Budihas inquired if the commercial land has been sold. Ms. Eckhart and Mr. Austin explained that the commercial area will be similar to a Homeowners Association as there will be condominium units with leased lots. Mr. Behler explained that the one concept that was presented to the Township was a fast food restaurant but that this has not been finalized. Mr. Budihas stated that he is not opposed to a fast food restaurant and is hopeful that the restaurant will be a Chick-Fil-A or Wendy's.

**Announcements:** Mr. Link announced that the next Planning Commission meeting will take place on Monday, May 15<sup>th</sup>, 2023 at 6:00 PM.

There being no further business, the meeting adjourned at 6:27 PM.

Respectfully Submitted,

Ilene M. Eckhart



# Allen Township Planning Commission

## Meeting Agenda

**Monday, April 17, 2023**

**6:00 P.M.**

**Location: Allen Township Fire Company Building**

The Allen Township Planning Commission meetings will be held at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA.

A summary of the public comment policy and procedures is located at the end of the agenda as a reference for individuals wishing to address the Board during the “Public to be Heard” segments.

Note: Per Act 65 of 2021 requirements, this agenda was posted to the Township website and physical location of the proposed meeting, by Township staff on: April 13, 2023.

**1. Call to Order**

**2. Pledge of Allegiance to the Flag**

**3. Roll Call**

\_\_\_\_\_ Gary Behler

\_\_\_\_\_ Stan Wojciechowski, PE, CME, Engineer

\_\_\_\_\_ David Austin

\_\_\_\_\_ B. Lincoln Treadwell, Jr. Esq., Solicitor

\_\_\_\_\_ Felipe Resendez, Jr.

\_\_\_\_\_ Ilene M. Eckhart, Manager

\_\_\_\_\_ Gary Krill, Chairman

\_\_\_\_\_ Paul Link, Vice Chairman

**4. Review & Approval of Minutes**

**5. Public Comment (Residents shall limit their comments to no more than three minutes)**

**6. Business Items**

**A. Final Plan Subdivision of Lands of Gordon J. Mann, Sr. & Armell D. Mann Irrevocable Trust**

**7. Public Comment (Residents shall limit their comments to no more than three minutes)**

**8. Next Planning Commission Meeting – Monday, May 15<sup>th</sup>, 2023 6 PM**

**9. Adjournment**

*-Public Comment Policy and Procedures-*

- 1. A period for public comment will be held at the beginning of the meeting and at the conclusion of all agenda business items. Any public comments or questions shall be reserved until time on the agenda. Public comments and questions will not be permitted during the course of the Board's/Commission's business items.*
- 2. Individuals who speak must give their name, address and municipality prior to speaking.*
- 3. Time limit on length of public comment or presentation will be three (3) minutes per person, per meeting.*
- 4. A speaker will only be granted one three (3) minute extension, if given, for a maximum speaking time of six (6) minutes, at the discretion of the Chairman.*
- 5. Comments/questions shall be directed to the Board/Commission members only.*
- 6. Procedures will be in place to maintain proper decorum for the hearing. Public participation will be allowed but the Board will ensure respect for all citizens and maintain order. Personal attacks and outbursts will be ruled out of order. The Chairman of the Board or Commission may, within this discretion, rule out of order scandalous, impertinent, and redundant comment or any comment the discernible purpose of which is to disrupt or prevent the conduct of the business of the meeting.*
- 7. Individuals with lengthy written statements may submit them for the record and provide a verbal summary of three (3) minutes or less. Interested persons may email public comments via email, sent to [manager@allentownship.org](mailto:manager@allentownship.org) until 3:00pm local time the day of each meeting or by contacting the Township office. Public comment received via email will be read at the outset of the meeting. If you require an auxiliary aid, service or other accommodation, please contact the Allen Township offices in advance. In addition, an audio recording of the meeting will be posted to the Township website: [www.allentownship.org](http://www.allentownship.org) within 48 hours of the meeting.*