



Allen Township Planning Commission

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Gary Behler
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Louis Tepes Jr.

Robert Cox, PE, PLS
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Ilene M. Eckhart, Secretary

MINUTES
ALLEN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
Monday, July 17, 2017
7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, July 17, 2017 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: Alfred Pierce; Louis Tepes, Jr.; Eugene Clater; Gary Behler; Ilene Eckhart, Manager; B. Lincoln Treadwell, Jr., Esq.; Bob Cox, P.E. Absent: Gary Krill

Minutes : Mr. Behler made a motion to approve the minutes of June 19, 2017 ; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard: Mrs. Catherine Youwakim, Howertown Road, stated her concern about the size of planned warehouses and the traffic and the notification of the meetings.

Old Business

A. David and Marisa Jackson Subdivision and Planning Module

Submission Date(s): Receipt of Initial Plans April 21, 2017;

First Planning Commission Agenda: May 15, 2017 Initial Submission; Second Submission June 14, 2017

90-day Deadline: August 15, 2017; Second Submission September 14, 2017

Mr. Cox discussed the review and resubmission of the plan. Mr. Treadwell requested clarification of the language of the Non-Building Declaration and instructions.

1. The Planning Waiver and Non-building Declaration must be signed by the Township, as appropriate, and processed in accordance with the Non-Building Declaration instructions.
2. Label the proposed non-buildable Lot 2 on the plans.
3. A review by the Lehigh Valley Planning Commission is required prior to Township plan signatures and recording.

Mr. Pierce made a motion to approve the 2 Lot Subdivision with the conditions as noted on the Review Letter dated July 17, 2017; seconded by Mr. Behler. On the motion, by roll call vote, all Commissioners present voted yes.

B. *Dashuta Land Development Plan

**Submission Date(s): Receipt of Initial Plans May 1, 2017;
First Planning Commission Agenda: May 15, 2017 Initial Submission; Second Submission -
90-day Deadline: August 15, 2017; Second Submission Pending – Extension of Time Granted by Applicant**

***Note: No additional reviews for this agenda. Awaiting plan resubmissions**

Mr. Behler made a motion to accept the Plan Extension for completion of review to November 15, 2017; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

**C. Rockefeller Lehigh Industrial Development – Lot 5
 Applicant/Owner: Rock-Lehigh Valley LLC/Lehigh-Northampton Airport Authority**

**Submission Date(s): Receipt of Initial Plans December 22, 2016;
 Second Submission February 3, 2017; Third Submission April 3, 2017; Fourth Submission May 1, 2017; Fifth Submission June 5, 2017; Sixth Submission June 30, 2017
First Planning Commission Agenda: January 16, 2017 Initial Submission; Second Submission February 20, 2017; Third Submission April 17, 2017; Fourth Submission May 15, 2017; Fifth Submission June 19, 2017; Six Submission July 17, 2017
90-day Deadline: April 19, 2017 Initial Submission; May 20, 2017 Second Submission; July 17, 2017 Third Submission; Fourth Submission August 15, 2017; Fifth Submission September 18, 2017; Sixth Submission October 17, 2017**

Mr. Mark Heeb, BL Companies, responded to the Engineer Review letter.

Mr. Clater questioned where the water will be coming from. Mr. Heeb responded that the water will come from Northampton. Mr. Clater questioned the retaining walls and would like to see the walls with the plan submission and not wait until the building permit.

Mr. Pierce questioned the ownership of the stormwater systems.

Mr. Clater needed to excuse himself from the meeting at 9:45 PM

Mr. Behler made a motion to conditionally approve ROCKEFELLER LEHIGH INDUSTRIAL DEVELOPMENT – LOT 5 SUBDIVISION AND PRELIMINARY LAND DEVELOPMENT PLANS on the following conditions; seconded by Mr. Pierce.

1. The Applicant must satisfy all comments contained in the Township Engineer review letter dated July 13, 2017 and any subsequent letters issued pursuant to the review of any resubmitted Lot 5 Plan, or stormwater plans, calculations, and details.
2. The Applicant shall obtain approval of PA-DEP Planning Module and provide documentation to the satisfaction of the Township of covering the installation, operation and maintenance of the sanitary sewer and water facilities.
3. The Final Plan submission shall include the final design and details for the outfalls and any related aspects of the western SWM system and shall include (a) a signed agreement from the adjacent or affected property owner approving the general outfall design in accordance with Section 221 of the Stormwater Management Ordinance, or otherwise demonstrate compliance with the Township Ordinances through the submission of a revised Lot 5 Plan, as well as (b) an updated NPDES permit application for such design.
4. Approval from PennDot is required for the revised intersection of the FedEx Employee Driveway / Lot 5 Northern Access, including the traffic signal designs. The approved PennDot plans for this intersection are to be incorporated with this plan set. Applicant or owner of Lot 5, its successors or assigns, is responsible for the construction of the revised intersection improvements at no cost to Allen Township. Once constructed and operational (turned on and controlling traffic movements), ownership of the traffic signal shall transfer to Allen Township.
5. Ongoing maintenance of the FedEx Employee Driveway / Lot 5 Northern Access traffic signal shall be the responsibility of the Applicant or owner of Lot 5, its successors or assigns, and the owner Lot 1, its successors or assigns, and shall include all aspects of maintenance, replacement, reconstruction and upgrades subsequent to the initial construction. An agreement between the Owners of Lots 5 and 1 for the maintenance of this signal must be submitted to Allen Township for its review and approval.
6. The Applicant or owner of Lot 5 shall provide the township engineer with a certificate of completion stating the infiltration structures and stormwater collection systems were installed in

accordance with the approved plan, and in accordance with the Allen Township Stormwater Management Ordinance. The certification shall be signed by the owner of Lot 5 and the contractor who installed the infiltration structures and stormwater collection systems, in addition to being signed by a Professional Engineer licensed in the State of Pennsylvania.

7. The Applicant or owner of Lot 5 shall provide a post-occupancy traffic impact study and assessment to the Township (including specifically the months of November and December and while school is in session) within three years of issuance of the initial certificate of occupancy, as well as be responsible for any appropriate remediation/funding, if necessary, as determined by the Allen Township Board of Supervisors. The post-occupancy traffic impact study update and assessment shall include additional intersections, identified by issues related to traffic generated from this site, as requested by Allen Township.
8. The Applicant and Owner agree that the Township will not issue a Certificate of Occupancy for any structure on Lot 5 until such time as the traffic improvements to Willowbrook Road and Race Street to the intersection of Airport Road, as identified in the Rockefeller Group Industrial Subdivision Plans, are substantially completed to a condition adequate (as determined in the sole discretion of the Township) to support the anticipated traffic levels for the uses on Lots 1 and 5.
9. The Applicant or owner of Lot 5 shall designate a professional engineer, licensed in the State of Pennsylvania, to be responsible for assisting the Applicant or owner of Lot 5 in the administration of the construction project for all aspects relating to, but not limited to, design modifications, interpreting plans and specifications, obtaining approvals from Allen Township when needed, approval of escrow requests and subsequent submission to Allen Township, and as-built plans and construction completion certifications.
10. Plan note 67 shall be revised to replace “any and all class 8 trucks” with “trucks with a GVWR of 10 tons or more or which classified as WB-40 or larger”.
11. The following Plan Notes shall be added to the Plans:
 - a. Conditions 3-8 contained herein;
 - b. If truck stacking beyond the maximum queue limit occurs in a manner that has a negative effect on ingress/egress to the site from Willowbrook Rd, the owner of Lot 5 shall provide additional measures to address truck queuing. Truck stacking on Willowbrook Rd, where queues exceed the length of the turning lanes, is not permitted and if this condition presents itself, the Applicant or owner of Lot5, its successors or assigns will be responsible for remediation of such condition, with such remediation to be to the satisfaction of Allen Township.

c. The Applicant and Owner agree that the total acreage of the residual “non-buildable” lot to the west of Lot 5, and within the bounds of Allen Township, which contains SWM facilities integral to the proposed development of Lot 5, shall have an easement appurtenant to Lot 5 that provides for the perpetual location of stormwater facilities.

d. Ingress and egress to Lot 5 via the southern access driveway shall be restricted to the following movements:

Trucks: right turn in and right turn out only

Cars: all movements are allowed

12. This approval is contingent on the FAA issuing a Deed of Release for those lands involved in this Rockefeller Development Group subdivision/land development application.
13. The following LNAA provisions shall be satisfactorily addressed:
 - A. Approval for the demolition of any structures needing to be removed as part of the subdivision shall be provided.
 - B. Grant of any easements as part of the overall stormwater management plan.
14. The following Stormwater Management requirements shall be satisfactorily addressed:
 - A. Approval by the LVPC of the Act 167 related stormwater designs.
 - B. Completion of the SWM maintenance agreement by all owners of property containing stormwater facilities that serve this project, including BMP Operations and Maintenance Plan and easements for municipal access and maintenance, if necessary.
15. The following comments regarding the existing and proposed utilities shall be satisfactorily addressed:
 - A. Agreement from the City of Bethlehem or NBMA to provide water to the subdivision shall be provided. Also, acknowledgement and agreement from the City of Bethlehem and/or NBMA regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.
 - B. Acknowledgement and agreement from UGI regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Rd, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.
 - C. Acknowledgement and agreement from Telecom provider regarding Allen Township road opening requirements in the event of a need to open up Willowbrook Road, including provisions for maintaining a reasonable level of traffic flow on Willowbrook Road shall be provided.
 - D. Documentation from PPL regarding their approval of intended Rockefeller Development Group work in the PPL right-of-way shall be provided.

16. The Applicant or owner of lot 5 shall prepare a cost estimate in accordance with the PA MPC, and execute an escrow agreement for all Required Improvements.
17. The Applicant or owner of lot 5 shall execute any Developer's Agreements required by Allen Township.
18. The Applicant, Owner, or owner of Lot 5 shall execute Deed(s) of Dedication for all dedicated improvements.
19. The Applicant or owner of Lot 5 shall obtain approval of an E&S Plan from the Lehigh and Northampton County Conservation Districts and/or DEP, and obtain an NPDES Permit.
20. The Applicant or owner of Lot 5 shall pay all required recreation fees prior to recording the Plans.
21. The Applicant or owner of Lot 5 shall obtain highway occupancy permits from Allen Township for all driveways shown on the approved Subdivision Plan.
22. The real property tax ramifications of the residual lot to the west of Lot 5, located in Allen Township, shall be addressed to the satisfaction of the Township prior to the recording of the Lot 5 Plan.

It is recognized that with the recommendation of this Preliminary Plan conditional approval, the following items are recommended to be deferred by the Planning Commission:

1. Sidewalks along the western side of Willowbrook Rd as well as internal sidewalks that would connect from the area of the building to either or both of the north and south entrance walks along Willowbrook Rd.
2. LANTA bus stop accommodations, until such time as LANTA agrees to service the area, and then to be built to a specification that is agreed to by the Owner of Lot 5, LANTA and Allen Township.
3. Construction of the southern access snowscaper, until such time as deemed necessary by either the Owner of Lot 5 or Allen Township.

On the motion, by roll call vote, all Commissioners present voted yes.

Mr. Pierce made a motion to grant the waiver letter dated June 2, 2017 for the ROCKEFELLER LEHIGH INDUSTRIAL DEVELOPMENT – LOT 5 SUBDIVISION AND PRELIMINARY LAND DEVELOPMENT PLANS; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

D. JW Development Northampton Business Center Revised Preliminary Land Plan Submission

Submission Date(s): Receipt of Initial Plans December 22, 2016; Second Submission July 3, 2017

First Planning Commission Agenda: January 16, 2017 Initial Submission; Second Submission July 17, 2017

90-day Deadline: May 30th, 2017; current extension granted until August 29, 2017; Second Submission October 17, 2017

Mr. David Jaindl, Jaindl Land Company, addressed the Commission to introduce his partners. Mr. Kirk Johnson, Watson Land Company, discussed the brief history of the Watson Land Company.

Mr. Scott Pidcock, Pidcock Company, discussed the general overview of the plan, traffic flow, buffering and plantings.

Mr. Clater questioned the emergency entrance and the traffic on Mud Lane and Kohls Road. Mr. Clater does not want to see truck traffic on Mud Lane and Kohls Road. The road being public or private is a Board of Supervisors decision but all roads need to be built to public standards and water and sewer need to be in the right-of-ways. Mr. Clater is concerned about the protected wooded wetlands and the Wetlands Analysis. Mr. Clater discussed the trucks traveling over the Howertown Road Bridge and without that Bridge being replaced is not acceptable. Mr. Clater questioned overnight parking for trucks and the accommodations for those. Mr. Pidcock stated there are inner roads available for queuing the trucks. Mr. Clater questioned Phasing in the building of the plan. Mr. Clater is concerned with the height of the light standards and the building lighting. All lighting should include shielding. Mr. Clater questioned the access roads and availability for Fire Trucks to be able to access the entire building. Mr. Pidcock would like to have a conversation with the Fire Chief regarding those concerns. Mr. Clater questioned the locations of snow scrapers.

Mr. Behler questioned the roadway improvements being discussed. Ms. Anne Marie Vigilante discussed the improvements being planned. Mr. Behler questioned the use of the road going through an R1 district and the legality of the road. Mr. Behler questioned a trail through the woodland area for pedestrian walking path. Mr. Jaindl will review the trail idea. Mr. Behler questioned the landscaping and additional buffering including sound walls. Mr. Behler believes the Howertown Road Bridge needs to be replaced whether permitted by PennDOT or not. Mr. Behler is concerned about adding another traffic light to Route 329 and the que length on Seemsville Road. Ms. Vigilante stated the traffic lights will all be coordinated.

Mr. Clater discussed the Howertown Road Bridge. PennDOT will not be reviewing that bridge until 2019 at the earliest. Ms. Vigilante stated the team is taking into consideration the Bridge. Mr. Clater is concerned about the stormwater in that location and the calculations of the 100-year storm.

Mr. Pierce questioned access from Seemsville Road to Century Blvd in the next development. Ms. Vigilante was concerned about safety if that road was installed. Mr. Pierce questioned the direction of the sanitary sewer pipes, the location of the pipes and the accessibility of future connections to the sanitary sewer.

Mr. Cox reviewed the Engineering Review Letter.

Mr. Behler addressed the audience and made them aware that warehouses are permitted in this location and the Township cannot simply say “No” to pending warehouses. Mr. Behler told the audience that the Township will work with the developers on items such as open space, trails, traffic, landscaping and buffering.

Public to be Heard: John Tinman, Seemsville Road, is concerned about Rt. 329 and Seemsville Road and the school bus traffic. Mr. Tinman also questioned water service availability to both sides of Seemsville Road. Mr. Clater responded on the bus traffic, the requirements for traffic study and analysis are during peak time and school hours and the analysis must be done during the school year. Mr. Clater stated that City of Bethlehem is researching the water service to that area.

Jennifer Youwakim, Yeats Run, stated she feels the development will look beautiful and be top notch but is concerned about the amount of truck traffic and air quality. Ms. Youwakim is also concerned about the drinking water and her well. Will the residents be required to tap into public water and sewer? Ms. Youwakim questioned what will be in the warehouses. Mr. Clater responded there are Federal air quality standards. As for water quality, the tenants are required to supply to the Township an MSDS as to what is in the building and a formal plan as to what would happen in the case of Hazardous Incident. Mr. Clater also discussed the regulated MS4 plans.

Bob Hoskings, Stagecoach Road, is concerned about planting and would like to just have them use native plantings. Mr. Hoskings is also concerned about the stream corridors. Mr. Hoskings would like to see the Township more vigilant in enforcing the environmental regulations. Mr. Clater stated that most of Mr. Hoskings concerns are noted and being addressed.

Kevin Schlichting, Nor-Bath Blvd, questioned if residents will be required to hook up to public water and sewer. Mr. Clater stated that was a question for the Board of Supervisors.

Shirley Cesanek, Seemsville Road, is questioning the road widening. Ms. Vigilante stated there will be 3 lanes by the main driveway to include a turning lane. Ms. Vigilante stated they are working with the School District and the Township on this matter.

Carol Kunkle, Nor-Bath Blvd, is concerned about road widening taking their land.

Donna Kulat, Nor- Bath Blvd, is concerned about bus stops on Nor-Bath Blvd and child safety.

Greg Kulat, Nor-Bath Blvd, questioned the warehouses going in behind Ace Hardware.

Eric Miller, Miller Drive East Allen Township, is concerned about traffic and school kids.

Catherine Youwakim, Howertown Road, is concerned about the need to have to hook up to public water and sewer. Mr. Clater stated the Board of Supervisors set the requirement of the need to hook into public water and sewer.

George Stubits, Mud Lane, questioned if there was a tax break to do this project.

John Swankowski, Jennings Run, questioned the traffic impact study. Ms. Vigilante stated they are working with the Township and PennDOT on the traffic study and should have it available in about a month.

Samantha Fenstermaker, Seemsville Road, questioned if there will be truck and trailer overnight parking, can there be signage on Seemsville Road for truck traffic. Ms. Fenstermaker also asked for more landscaping and tree plantings to off-set the pollutants from the extra truck traffic. Ms. Fenstermaker asked for bike lanes on Howertown Road not in the travels lanes. Mr. Clater responded on the bike lanes. Mr. Clater stated that is may not be a safe idea to include bike lanes on Howertown Road. Mr. Pidcock stated there will be room at each building to store overnight truck parking. Mr. Jaindl responded to the signage and noted that and will look into adding the signage.

Alice Nagy, Seemsville Road, is concerned about noise and air quality. Mrs. Nagy is concerned about the PPL power lines and the relocation of the lines. Mr. Jaindl discussed they are looking to relocate the PPL power lines.

Michael Flanigan, Howertown Road, questioned the buffering of his property and the extra lighting and noise adjoining his property. Mr. Pidcock stated the building is about 100' of the property line and there is a buffer proposed at the area and on this side of the building is car parking only. Mr. Pidcock stated there will be light shields and lower light standards as previously discussed in this meeting.

New Business

A. James and Audrey Ayoub, Sewer Planning Module

Mr. Behler made a motion to recommend approval of the Sewage Facilities Planning Module to the Board of Supervisors; seconded by Mr. Pierce. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard:

Mr. Clater excused himself from the meeting at 9:50 PM. The meeting continued with item C. Rockefeller Lehigh Industrial Development – Lot 5 with a 3-person board.

There being no further business, the meeting adjourned 10:15 PM.

Respectfully submitted,

Ilene M. Eckhart