



Allen Township Planning Commission

Meeting Minutes September 19, 2022 7:00 P.M.

A **General Meeting** of the Allen Township Planning Commission was held on Monday September 19, 2022 at 7:00 P.M. at the Allen Township Fire Company Building, located at 3530 Howertown Road, Northampton, PA. Chairman Gary Krill led the audience in the Pledge of Allegiance to the Flag.

Roll Call:

Present: Gary Behler; Gary Krill; David Austin; B. Lincoln Treadwell, Jr. Esq. Solicitor; Ilene M. Eckhart, Manager; Maurin Ritinski, Admin. Assist.; Douglas Brown, PE, Engineer (Barry Isett & Associates, Inc.); Layla Denissen (Barry Isett & Associates, Inc.).

One Commissioner Member Seat is Vacant.

Absent: Paul Link; Stan Wojciechowski, PE, CME, Engineer (Barry Isett & Associates, Inc.); Andrea Martin, EIT (Barry Isett & Associates, Inc.).

Minutes: Mr. Behler made a motion to approve the minutes from July 18, 2022, seconded by Mr. Austin. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard: Jane Snyder, 890 Graystone Circle, provided a verbal summary of the letter she had sent to the Township. The letter received is as follows:

“September 5, 2022

To: Ms. Ilene Eckhart, Manager Allen Township

Re: Proposed Wawa – Nor-Bath Blvd (SR 329) and Savage Rd (T-463)

We were unable to attend the Supervisors meeting on August 23, 2022 where the plans for a Wawa were submitted for review. After listening to the audio and reviewing the plans that were submitted, we strongly oppose the Wawa with specific lack of attention to how to minimize the negative impact on homeowners/residents on Savage Rd specifically.

There does not seem to be any identification or forethought given to how this enormous Wawa will impact residents that have backyards that run along Savage Rd with very close proximity to the road. With the increase of traffic by “hundreds and hundreds” of cars during peak hours as quoted by John Cogan at the Supervisors meeting on 8/23/22, this will not only negatively impact our quality of lives with the additional constant traffic, noise, road rumbles and pollutants but it will also have a large negative impact to our investments in our homes and resale values.

Additionally, we do not have a police presence to assist with ongoing monitoring of things that may be happening (safety concerns, traffic, noise, litter, attraction of people hanging out in the park, foot traffic to/from Wawa at all hours). State Police are responsible for our town and may be a wonderful resource but does not have the presence/impact/response time that a town police force would have.

We also have strong concerns with any run off water from Wawa that will naturally contain grease, oil and gas and will be carried down through the swale that exists in our rear yard and down to our detention pond. These

pollutants and hazardous material will be poisonous to our grounds, landscaping as well as our personal health and well being.

The additional illuminated signage along Savage Rd is absolutely unnecessary and will be an additional obnoxious annoyance to residents. We strongly oppose this.

Trying to fit such a large structure and imposing components of the so called “mini-market” is ridiculous. There is nothing mini about this monstrosity. – The two variances they are seeking are totally unnecessary when you look at ratio of lot size to structure. Keep it one less pump, one hundred less feet of canopy. It is pure greed on Wawa’s part to try and fit all this in one space!!

The drawing does not clearly indicate if a left turn will be allowed into Wawa from Savage Rd but the discussion at the meeting seems to have included it. We would like some clarification on this please. Traffic entering (by left turn) from Savage Rd into Wawa will present a traffic hazard and additional traffic concerns on Savage Rd, keep it exclusively an exit out of the Wawa onto Savage Rd if an access is absolutely necessary. Our preference would be no access from Savage Rd. Divert the traffic all together!!! Rte. 329 is bigger and already handles heavier traffic and houses commercial buildings, keep all the traffic there, limit the impact on Savage Rd and its residents. As residents here, we have had issues with have an infiltration bed in our rear yard which is basically unusable. Our perimeter properties are not being regularly taking care of (whether its Livengood’s responsibility or not), a landscaping buffer promised in our rear yard that never took place, which at this point would be significantly ineffective with the proposed increase of traffic and pollutants. Yet additional building is being considered. How can this happen? As residents, we would really like some actions and answers. At this point with all that is being proposed, we would not be able to sell our property because no one would want it unless we took a significant loss, which we can not entertain. We would love to see a drastic reduction in our taxes to match our significant loss in home value.

Hey Wawa – do you want to buy our house?

Lastly, we’d like to know where the environmental impact assessment is (if it has been completed) and what is the scope of its assessment? Does it include the effects of increased traffic and hazardous run off to local residents?

Thank you for your time and look forward to actions to these items,

Robert and Jane Snyder

890 Graystone Circle

Northampton, PA 18067

Phone Number Redacted

NOTE: Please share with other members of Supervisors and Planning committee as you deem appropriate.”

The Township office also received an anonymous handwritten letter by mail on September 10, 2022 regarding the proposed Wawa. The letter received is as follows:

“Allen Township Supervisors

We are unable to attend the meeting on Sept 13, regarding the proposed WAWA on Route 329. We wanted to inform you of our concerns that need to be addressed. Please speak about these and follow through, we will have to work and miss the meeting.

One of the concerns is for the right turn only onto Savage Rd. This exit from the property is not needed, exit and entrance should only be from 329. Savage Road and the WAWA lot will become a cut through for people to avoid the traffic light at 329 & Savage Road and light at 329 & Howertown/Weaversville Road junction. People will use this to cut from 329 to get onto Weaversville Road – avoiding 2 traffic lights – These short cut/cut throughs have become very common for people to use to avoid traffic lights, etc. This will only increase traffic onto Atlas Road and increase the danger in the park and children playing there in Allen Township Park. Please do not allow a right turn onto Savage Road for the safety of the park and children who walk, ride bike and use the park.

Our other concern is the increase in light at night that this will cause. We live nearby and enjoy the night sky looking at the stars, planets and moon. The increase light will cause light pollution and needs to be addressed. The lights from the WAWA or any new buildings should not pollute the night sky with light. There are very few places locally remaining, even state and nationwide where the lights do not pollute the night sky and the night sky is visible to see, learn and enjoy.

Thank you for addressing these issues

Mr & Mrs Resident and Family”

Business Items:

A. Wawa Rt. 329 Sketch Plan: Erich Schock, attorney at Fitzpatrick Lentz & Bubba, Lindsey Breylinger, Project Manager & Civil Engineer at Bohler Engineering, and John Cogan, Summit Realty Advisors, LLC were present to discuss the changes that they made to the sketch plan in response to comments received by the Planning Commission and Board of Supervisors, and the Township Engineer, Barry Isett & Associates, Inc. Ms. Breylinger presented an updated sketch plan.

Ms. Breylinger provided background on the proposed Wawa development. Ms. Breylinger highlighted that the sketch plan includes a heavily landscaped buffer between the commercial and residential area of about 30-feet while the requirement is only 25-feet.

Ms. Breylinger stated that they are working on stormwater calculations in order to meet requirements for the Township Ordinance, Department of Environmental Protection, and Northampton County. She further explained that stormwater runoff will remain on-site with an underground collection site. The residential properties will not see an increase in stormwater from the Wawa site. Ms. Breylinger explained that the lowest point of the proposed Wawa site will be at the Savage Road and shared access drive intersection.

According to Ms. Breylinger, the access drive has been decreased from 30-feet wide to 22-feet in order to alleviate concerns of truck parking along the access road. This decrease in road width also increases the buffer area between the residential and commercial lots. Ms. Breylinger stated that Wawa does not want tractor trailers to access their site and therefore Wawa does not provide parking for trucks. The fuel pumps are unusable to tractor trailers due to height restrictions and there not being the fuel necessary for tractor trailers. Due to comments made by the Township regarding concerns of trucks possibly getting stuck in the lot if they were to enter, Ms. Breylinger explained that curb lines were altered on the sketch plan to allow trucks to maneuver through the lot. Tractor trailers would be able to drive around the lot without getting stuck. Ms. Breylinger explained that a WB-67, the largest tractor trailer, was used for the truck circulation path analysis that was handed out to the Commission members. Mr. Krill questioned if a straight firetruck, such as a ladder truck, was examined to be able to maneuver since a WB-67 can articulate and a firetruck cannot. Mr. Behler questioned if any of the parking spaces would be impacted by a tractor trailer articulating the lot to exit. Ms. Breylinger stated that a firetruck will be able to travel through the parking lot but that they will run the circulation path analysis for a firetruck to maneuver through the lot. She also confirmed that the WB-67 circulation path analysis did not interfere with any of the parking spaces if they were occupied.

Ms. Breylinger informed the Commissioners that the bump out from the access drive and Savage Road intersection has been removed. They have updated this to include a stop sign for traffic going east on the access drive towards Savage Road and a stop sign for traffic coming to the access drive from the Wawa lot.

Mr. Krill questioned if the stormwater basin along Savage Road will control stormwater for the other proposed commercial uses along the commercial strip. Ms. Breylinger explained that there will be an underground basin in the parking lot and a raingarden along Savage Road. The figures they are presenting will only be for Wawa's portion of the commercial strip. Mr. Cogan and Mr. Schock confirmed that they are meeting the maximum lot coverage of 70% for their condominium portion of the lot. Mr. Austin commented that this plan was originally presented as one lot with three uses on it. He would like to look to the future and would like these other uses taken into account for the entirety of the lot. Mr. Cogan explained that the other commercial uses will be submitted on separate applications. He further explained that the Master Developer will be responsible for ensuring that the other uses handle their own stormwater adequately. Mr. Austin expressed his concerns with how the multiple uses on this lot will impact stormwater, traffic, ingress, egress, the size of the access road to Route 329, and the size of the access road. Mr. Austin feels that this discussion should be on

one parcel being divided into three pieces and at this point he explained that the Commission is not sure what they are looking at yet. Mr. Schock explained that there is a finite amount of everything for the entire lot and Wawa has accounted for their portion of the lot. Mr. Schock continued to explain that the Master Developer is constrained on the remainder of the lot once Wawa's plan is approved and built. Mr. Cogan explained that his entity, Summit Realty Advisors, LLC, will be purchasing the condominium lot from the current owner and then leasing the building to Wawa. The tenant, Wawa, will be legally responsible and obligated for complying with the land development agreement along with maintenance of the condominium. Summit Realty Advisors, LLC will not be developing the remainder of the condominium units on this lot. Mr. Treadwell clarified that there will be unit lines on the plan to differentiate between the condominium units.

Mr. Krill inquired the ownership of the berm at the southern portion of the commercial development. He would like to ensure that the berm and buffering is high enough and thick enough to protect the residential lots from light from headlights in the commercial lots. Mr. Cogan explained that the landscape berm along the shared access drive will be on the condominium unit along the entire shared access drive. Mr. Cogan is comfortable complying with any regulations that the Township may impose by planting a mix of trees and shrubs to block headlights from the residential neighborhood. Mr. Cogan discussed a possible fence that may be placed in the buffer area to increase the buffer's ability to block out light. Mr. Behler questioned if the developer had come up with any creative solutions for the buffer as he had challenged them to brainstorm ideas at the last meeting. Mr. Cogan and Ms. Breylinger explained that they would be heavily landscaping the buffer. Mr. Behler questioned if the berm could be increased. Mr. Cogan and Ms. Breylinger will evaluate the maximum slopes and existing grades to determine the feasibility of increasing the berm. Ms. Breylinger expressed concerns for a possible swale that may be located in this vicinity which she would not want to eliminate. Ms. Breylinger also explained that installing fencing along the berm may be feasible. Mr. Behler stated that increasing the berm would be preferred. Mr. Krill questioned if the existing trees and shrubs would be removed and replaced with new landscaping. Mr. Cogan explained that they will be enhancing the landscaping with additional trees and vegetation and would not be removing any mature trees.

Regarding the access point to the commercial lot from Savage Road, Mr. Krill and Mr. Cogan discussed that there would be a right in and left in from Savage Road, and a right out onto Savage Road. There will be no left out onto Savage Road. Mr. Cogan ensured that the left out restriction onto Savage Road is enhanced by using a concrete mountable curb channelization to physically restrict left turns out onto Savage Road. There will be no traffic going out to the Savage Road and Route 329 traffic light. It was explained that the level of service of the traffic signals at Savage Road/Route 329 and the proposed Stonegate Drive/Route 329 signal have been taken into account for the future build out of both the commercial and planned residential lots due to the Master Developer's highway occupancy permit. Mr. Behler questioned if it would be detrimental to remove this access point at Savage Road. Mr. Cogan explained that this would increase the use of Route 329 in order to access Stonegate Drive.

The Commission discussed sidewalks with the developer. The Commission directed the developer to install sidewalks where required by ordinance, including along Savage Road and along Route 329. Mr. Cogan explained that they will install sidewalks along the border of their condominium lot along with a crosswalk across the shared access drive to Savage Road.

Mr. Behler questioned the purpose of the stop sign on the shared access drive in the east bound lane towards Savage Road. Mr. Cogan explained that this was designed to allow traffic coming from Savage Road to free-flow and not cause a backup on Savage Road. Mr. Cogan explained that although the east bound traffic on the access drive must yield, a stop is much safer. Ms. Breylinger stated that the distance from this stop sign on the shared access drive to the Savage Road intersection is approximately 60-70 feet.

Mr. Schock explained that two variances will be requested regarding the number of fuel pumps and the canopy size. They plan on going before the Zoning Hearing Board to requests these variances.

Ms. Breylinger also noted that they have reexamined the parking calculations and that they are still below what is being provided for the Wawa. Regarding the fueling of vehicles, Ms. Breylinger stated that they have ensured that one car is able to stack behind another car who is fueling. She explained that Wawa over sizes their driveways to allow safe stacking at fuel pumps.

Mr. Schock wished to address a comment on the review letter from the Township Engineer, dated August 23, 2022. This comment reads:

“28. Landscaping review of the submitted plans will be provided under separate cover prior to the Planning Commission meeting.”

Mr. Schock explained that they would like to go before the Zoning Hearing Board only once and questioned if Mr. Brown had any comments regarding this. Mr. Brown explained that a landscaping plan must be prepared by a licensed landscape architect. Mr. Brown continued to explain that this plan would be reviewed by their landscape architect. He stated that he is unable to comment on any items relating to landscaping at this time. Ms. Breylinger explained that a landscape plan was submitted along with the sketch plan. Ms. Breylinger will follow up with the Township Engineer’s office regarding this.

Public Comment Regarding Wawa Rt. 329 Sketch Plan:

Bill Smith, 800 Atlas Road, expressed concern with the increased traffic that will be on Savage Road due to the right turn only onto Savage Road from the shared access drive. He fears that this will cause additional traffic in the residential areas by drivers zigzagging through unfamiliar residential roads. Mr. Smith explained that there is a lot of traffic in these residential areas due to traffic attempting to avoid the traffic on Route 329. Mr. Smith questioned if a traffic signal would be placed on Horwith Drive. Mr. Behler explained that there are no plans for a traffic signal with this sketch plan for Wawa. He continued to explain that there will be a plan that has not been submitted yet for the commercial portion along Route 329 and Horwith Drive. Since this plan has not been submitted, Mr. Behler explained that at this time there are no plans for a traffic signal on Horwith Drive. Mr. Smith voiced concerns regarding the increase in traffic impacting park activities. Mr. Smith also mentioned his concerns regarding an increase in pollution and water and drainage issues. He noted the close proximity of nearby Wawa’s. Mr. Smith stated that he doesn’t feel that this plan for a Wawa was thought through. He explained that he believes that Wawa is not in the best interest for Allen Township or for the quality of life for residents.

B. Preliminary/Final Land Development Plan – Lands of Setter Hill Farm LLC: Ben Serrecchia, provided an overview of the property site was provided along with a brief history of the plan. The Township received a resubmission in August. The Township Engineer provided a review letter with comments regarding the resubmission. Mr. Serrecchia explained that there are several waivers being requested. They are seeking recommendations for waivers along with approval of the Preliminary/Final Plan from the Board of Supervisors. It was also reported that outside agency approvals are being sought. Mr. Serrecchia explained that they are seeking a low volume driveway permit from PennDOT. Mr. Serrecchia reports that they have submitted to the Northampton County Conservation District for a NPDES permit. They have also submitted to the Lehigh Valley Planning Commission and are awaiting comments.

Mr. Krill commented on the large amount of waivers requested. Mr. Serrecchia explained that these waivers have been discussed several times with Township staff. Mr. Krill requested that each waiver is

discussed. The requested waivers from the Township Engineer's review letter, originally dated September 15, 2022, revised September 19, 2022, are as follows:

“WAIVERS REQUESTED

The following waivers have been requested on the plans and in the waiver request letter:

- 1. SALDO §22-502.1 and §22-503.1. These sections requires that a Preliminary Plan separate from the Final Plan be submitted for all subdivisions and land developments, except for minor subdivisions. The Applicant has requested a waiver from the requirement to obtain a Preliminary/Final Approval. We have no objection to this request.*
- 2. SALDO §22-502.2(A) and §22-503.2. This section requires the scale of the drawing to be 50 feet to the inch. We find the 100 scale plans are adequate to show the entire tract, and the 60 scale plans generally provide sufficient detail to construct the improvements. We would not object to a waiver of section provided the Design Engineer provide additional detail(s) and notes as may be requested during the Land Development process.*
- 3. SALDO §22-406. This section requires that all new streets and cul-de-sacs, and widened portions of all existing rights-of-way, intended for public use, shall be dedicated to the Township or State, subject to final acceptance. The Applicant has requested a waiver from dedicating the Ultimate Right-of-Way to the Township between the PennDOT (Old Carriage Road) and Township right-of-way (School Road) beyond the 10.2051 Acre Agricultural Conservation Easement exclusion area. We have no objection to this request.*
- 4. SALDO §22-406.J. This section requires that collector roads shall have a sixty-foot design right-of-way minimum, at least two twelve-foot traffic lanes, and two eight-foot paved shoulders. Curbs and sidewalks are required on all collector roads. The Applicant has requested a waiver from providing roadway improvements and curb and sidewalk along the entire frontage of Old Carriage Road because the area/properties surrounding Setter Hill Farms, LLC do not have significant/established roadway improvements or curb and sidewalk.*
- 5. SALDO §22-406.K(1). This section requires that local streets shall have a sixty-foot design right-of-way minimum, two twelve-foot traffic lanes, two eight-foot parking/gutter lanes, a total paved width of 40', and concrete curb and sidewalk. The Applicant has requested a waiver from providing roadway improvements and curb and sidewalk along the entire frontage of School Road.*
- 6. SALDO §22-407.2. The Applicant has requested a waiver from providing the widening of the eastbound cartway of Old Carriage Road, the widening of the southbound cartway of School Road, from providing curb and sidewalk along the frontage of the Agricultural Conservation Easement, and from providing a fee in lieu of this construction.*
- 7. SALDO §22-502.4.C. This section requires that the Ultimate Right-of-Way be shown on the plans. The applicant has requested a waiver from the establishment of the Ultimate Right-of-Way across the frontage of Old Carriage Road and School Road beyond the 10.2051 Acre Agricultural Conservation Easement exclusion area. We have no objection to this request.*
- 8. SALDO §22-502.4.I. This section requires that the plans include building restriction lines with distances from the right-of-way line. The applicant has requested a waiver from the establishment of front yard setback lines measured from the Ultimate Right-of-Way lines for Old Carriage Road and School Road beyond the 10.2051 Acre Agricultural Conservation Easement exclusion area. We have no objection to this request.*
- 9. SMO§8-231.8.F.(3). This section requires that interior slopes of detention basins shall not be steeper than a ratio of 4:1 horizontal to vertical to minimize the negative visual impact of detention basins. The applicant has requested a waiver from this requirement and the need for fencing. Since the applicant is providing a safety ledge within the basin, we have no objection to this request.*

10. *SMO§8-231.8.G.(4). The applicant has requested a waiver from the requirement of interior basin side slopes being steeper than a ratio of 5:1 horizontal to vertical and the need for fencing. Since the applicant is providing a safety ledge within the basin, we have no objection to this request.*

11. *SMO§8-231.8.K. This section requires that the minimum slope of the bottom of a detention pond shall be 2% toward the outlet structure. The applicant has requested a waiver from this requirement for Basins A, B, and C because they are being utilized as wet ponds, are designed to always retain water, and not designed to have an outlet structure. We have no objection to this request.*

12. *SMO §8-231.8.I. This section requires an access ramp of 10:1, 10 feet wide, to allow maintenance equipment to reach the basin floor for storm runoff detention facilities. The applicant has requested a waiver from this requirement for Basins A, B, and C because they are being utilized as wet ponds and are designed to always retain water making them non-accessible via an access ramp.*

13. *SMO§8-232.7.M. This section requires a minimum pipe slope of 0.5% for stormwater collection systems. The applicant has requested a waiver from this requirement because the pipe runs between I-8 and I-4 are being utilized as a subsurface infiltration bed that requires a flat bottom surface.”*

Regarding waiver request #1, Mr. Serrecchia explained that this project is more of a land development rather than a major or minor subdivision. Mr. Behler stated that he has no problem with this waiver request so long as all conditions are met.

Regarding waiver request #2, Mr. Serrecchia explained that the plans submitted are 100 scale overall site plans, and a 60 scale plan. This is to keep the sheet size as 24in x 36in. Mr. Behler questioned if Mr. Serrecchia would be able to meet the engineers request for additional notes and detail as stated in the review letter. Mr. Serrecchia explained that this is not a problem and that it will be accommodated. Mr. Behler stated that he does not have a problem with this waiver request.

Regarding waiver request #3, Mr. Serrecchia explained that there are 10-acres that are excluded from the Agricultural Conservation Easement. They will dedicate the right-of-way along the frontage on Old Carriage Road and School Road for this excluded portion but will be unable to give rights to the areas in the Agricultural Conservation Easement.

Regarding waiver request #4, Mr. Serrecchia explained that they are requesting a waiver for curb and sidewalk due to there being no other curbs or sidewalks in the area. He stated that they would be unable to tie into anything. They would be unable to install sidewalk and curbing outside of the 10-acres that are excluded in the Agricultural Conservation Easement. He stated that sidewalks and curbing are not conducive with the very rural area. Mr. Krill questioned if the nearby properties are also in the Agricultural Conservation Easement. Mr. Check explained that the Smith property (189 Twinbrook Road, Parcel K4-21-3-0501) is also in the Agricultural Conservation Easement. He further explained that they are unable to build anything other than one residence on this property and no right-of-way can be dedicated on this property. Mr. Krill questioned if the land can be bought out of the Agricultural Conservation Easement. Mr. Check stated that he tried to on this land and others. Mr. Treadwell explained that this is State owned Agricultural Conservation Easement and that it is different than Act 319, Act 515, and County or Township Agricultural Conservation Easement. Mr. Treadwell stated that it would take a State action to remove a property from this type of Agricultural Conservation Easement. Mr. Check also mentioned that he does not own the corner property at 559 Old Carriage Road (Parcel K4-29-2-0501) which is owned by John and Lisa Mann. Mr. Behler stated that he typically prefers that sidewalks are installed when required by ordinance. He feels that sidewalks may be a benefit to the residents at Whispering Hollow Mobile Home Park. Mr. Behler explained that he would be more comfortable with a deferral rather than waiver. Mr. Check expressed his satisfaction with a deferral.

Mr. Austin commented that it would not be practical to require a sidewalk and then give a waiver for the width of the roadway. Mr. Serrecchia explained that they went through an extensive scoping process with PennDOT and due to the low traffic volume it was determined that no improvements were required on Old Carriage Road. Mr. Behler feels that it would be a benefit to widen School Road with the entrance. Mr. Serrecchia explained that there is a comment in the review letter regarding tapering the flares at the entrances. He stated that they would be willing to taper the widening through on both sides of the entrances. Mr. Serrecchia clarified that PennDOT does not have any issues with this. The taper length will be based on PennDOT criteria. Mr. Austin voiced his concerns of the roadway width if a waiver is in place. He questioned if this will include the installation of a sidewalk after the fact. Mr. Check offered a 12-foot widening on School Road along the piece owned by him. He noted that they are now permitted by PennDOT to file an application for a low volume driveway. Mr. Check commented on the flare issue. He is proposing 4-foot wide widening for 25-feet in each direction. Beyond the 4-foot widening, Mr. Check explained that the Township Engineer is requesting a taper down to 2-feet. Mr. Check noted that he has no objections to this and that this would be done on both School Road and Old Carriage Road. He reports that PennDOT has approved this. Mr. Behler expressed that he would prefer a deferral over a waiver for this issue. Mr. Check proposed to take the developer's estimate for the proposed curb and sidewalk and pay this amount to the Township fund for this potential use in the future. Mr. Behler agreed that this is practical and a good compromise.

Regarding waiver requests #5 & 6, Mr. Serrecchia explained that this is similar to the reasoning and discussion that was had on waiver request #4. He explained that #5 is in regards to the road widening, curbing, and sidewalks on School Road and that #6 is in regards to the same for eastbound on Old Carriage Road and Southbound on School Road. Mr. Behler stated that he understood and approved of the reasoning for the waiver request along the areas of the property in the Agricultural Conservation Easement. He noted that the areas outside of this program would be a deferral for the curb and sidewalk requirements.

Mr. Brown requested clarification regarding waiver request #5. He questioned if this waiver request is for everything along the frontage of what is owned along School Road including the sixty-foot design right-of-way minimum, two twelve-foot traffic lanes, two eight-foot parking/gutter lanes, a total paved width of 40', and concrete curb and sidewalk. He explained that he understands and has no objection to the waiver for the portion in the Agricultural Conservation Easement but questioned if this waiver request was extended to the entirety of the frontage on School Road. Mr. Check confirmed that he will the waiver request is for the entire frontage of School Road.

Mr. Check explained that for waiver requests #6, 7, and 8 all deal with the same issue. He explained that everything that is required by the Township will be provided for on the 10-acres that are excluded from the Agricultural Conservation Easement but that he is unable to fulfil the requirements for the land in the Agricultural Conservation Easement.

Regarding waiver request #9, Mr. Serrecchia explained that they will be providing a safety ledge within the basin. Mr. Serrecchia reported that they had an extensive conversation with Mr. Wojciechowski regarding this. Mr. Krill questioned the total depth of the pond. Mr. Sodl explained that it will be around 4 to 5 feet deep. Mr. Check reported that all ponds will be no deeper than 5-feet in any place.

Regarding waiver request #10, Mr. Serrecchia explained that due to the safety ledge being required, there will be no need for any fencing.

Regarding waiver request #11, Mr. Serrecchia explained that all three basins will be utilized as wet ponds and will always contain water. Mr. Serrecchia stated that Mr. Check wanted a water feature effect with a proposed rivulet. Mr. Check commented that he received a suggestion from the Fire Chief, Mr. Hassler. Mr.

Hassler reportedly suggested putting a dry pipe into the ponds. Mr. Check feels this is an excellent suggestion but would like to work with Mr. Krill and Mr. Hassler on where to place it. He explained that it makes sense to put in a dry pipe to not only help his property but also the community. Mr. Serrecchia also reported that they have requested a plan review from the Fire Chief. Mr. Krill questioned the design for having no outlet structure. Mr. Sodl explained that the basins will maintain a static water level. The additional volume that may accumulate following a 2-year storm, estimated to be about 1-foot, will then be used for the spray irrigation system. Mr. Sodl explained that no stormwater runoff will get into the right-of-way on Old Carriage Road. Additional water from 10-year or 100-year storms will be collected in the wet ponds and discharged to a discharge pipe into the storm sewer that will be run out North on Twinbrook Road to a tributary to the Hokendauqua Creek.

Regarding waiver request #12, Mr. Serrecchia explained that it is not necessary to access the bottom of the basins since they are designed to be wet ponds.

Regarding waiver request #13, Mr. Serrecchia explained that they are proposing a BMP (best management practice) for stormwater along the edge of the parking lot. They plan to collect stormwater in a stone-lined system with perforated pipe which will infiltrate back in to the ground. In order to achieve this, they are requesting a waiver to allow for the flat slope. Mr. Brown commented that with infiltration systems there should be some type of filter to filter out debris that may clog the pipe. Mr. Sodl explained that all of the water that will go into this pipe will be pretreated.

Mr. Krill questioned Mr. Check's design to place fountains in the ponds. He also inquired about the parking lot that is above the Mann's property. Mr. Krill questioned what appears to be an 8-foot drop to their property. Mr. Sodl explained that there is a retaining wall at this location that creates a bathtub. Mr. Krill questioned the runoff from the North side of the retaining wall. Mr. Check assured Mr. Krill that a raised berm will keep the water on the property. This retaining wall will be used as a BMP to catch any water and direct it into the infiltration. Mr. Sodl noted that there is an existing swale around the building. He explained that the runoff will be significantly reduced.

Mr. Check presented several renditions of the property to the Commission to illustrate what the proposed appearance of this development will look like. The main entrance across from Twinbrook Road will be a stone entrance with a two boulevard entrance into a single driveway. There will be three bridge crossings on the property which will be modeled after the stone arch bridge on Stonebridge Road.

Mr. Check plans to model the one barn to have similar features to that of the 18th century Kreidersville Mill. A manmade stream will come down over the hill and the water will back up to the building. This building will be visible from Old Carriage Road.

The 80-foot tall silos will remain and will be reconditioned. They will be painted gray. Mr. Check explained the color scheme is white, gray, and black.

Mr. Check explained that the special event center will be two-stories and will resemble a bank barn. There will be windows that are 20-feet high on all sides of the barn. There will be fake non-operational barn doors to maintain the barn look. The building height will be about 50-feet. Mr. Check informed the Commission that he plans to go before the Zoning Hearing Board to request approval for the building height. He explained that if measured from the corners, the building will be 35-feet in height. The existing bank barn on the property is 52-feet tall. Mr. Check is not planning on any continuous human occupancy above 35-feet.

The small event center will also be a bank barn with a height of 48-feet. When the building is measured from all corners the height will be 35-feet. Mr. Check will also follow up with the Fire Chief regarding the height of all buildings.

Mr. Check informed the Commission that he has purchased a liquor license and is following the process regarding this. Mr. Check clarified that there will not be a restaurant on the property and the site will not be opened to the public. Alcohol will only be served for booked events at the property. Mr. Check also explained that the future winery will also not be open to the public. He explained that it takes 7 years for the grapes to mature on the vine and they will be planted this coming season. In the future, he plans to press the grapes and bottle the wine on-site. The winery and vineyard will only be open for events.

Mr. Check also addressed general comments #13 and 14 from the Township Engineer's review letter, originally dated September 15, 2022, revised September 19, 2022, which are as follows:

“GENERAL COMMENTS

13. Documentation identifying that the Relocated Barn and Horse Stable are acceptable structures in the Agricultural Security easement should be provided.

14. The abandonment of the existing cell tower access easement and location for the new easement should be approved by the cell tower owner. We note that the Applicant states that he has been coordinating with American Tower Corporation (ATC).ATC has verbally agreed to the abandonment of the existing cell tower access easement and the location of the new easement. Legal paperwork is being completed and the applicant will forward the final legal documents to the Township.”

Mr. Check explained that he is permitted by right under the State's Agricultural Preservation Easement to have horses and riding stables on the Agricultural Preservation Easement portion of the property. The Township will be provided with a copy of the code stating such use is permitted by right. Mr. Check stated that agricultural buildings are permitted on the Agricultural Preservation Easement property, therefore he explained that he is permitted to move a barn and/or build a barn on this portion of the property.

Mr. Check has been working diligently with American Tower Corporation (ATC). Mr. Check explained that the process is slow and that he expects to obtain the necessary paperwork within a month or two. This is in response to Mr. Check wanting to relocate the easement from Old Carriage Road to the driveway that will provide ATC an improved access point.

Mr. Treadwell questioned if there will be any food preparation on the premises. Mr. Check explained that all events will be catered. There will be an area to keep food hot or cold on-site.

Mr. Check noted that he intends to break ground in the spring of 2023 and expects construction to take 1 year. He is hoping to open the venue around July 1st, 2024.

Mr. Behler made a motion to recommend approval all of the waiver requests in the Barry Isett letter dated September 15, 2022 revised September 19, 2022, with the exception of waiver requests number 4 & 5 which will be deferrals regarding sidewalks and curbing, with security being posted, for the portion of the property outside of the Agricultural Preservation Easement, seconded by Mr. Austin. On the motion, by roll call vote, all Commissioners present voted yes.

Mr. Behler made a motion to recommend approval for the preliminary/final plan pending the additional comments and conditions are met as recommend in the Barry Isett letter dated September 15, 2022 revised

September 19, 2022, seconded by Mr. Austin. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard: No public comment.

There being no further business, the meeting adjourned at 8:57 PM.

Respectfully Submitted,

Ilene M. Eckhart