

Allen Township Planning Commission

4714 Indian Trail Road

Northampton, Pennsylvania 18067

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Eugene Clater, Chairman
Louis Tepes Jr., Vice Chairman
Gary Behler
Gary Krill
Alfred Pierce

Brien Kocher, P.E.
B. Lincoln Treadwell, Jr., Esq.
Ilene M. Eckhart, Secretary

MINUTES ALLEN TOWNSHIP PLANNING COMMISSION REGULAR MEETING Monday, April 20, 2015 7:00 P.M.

The regular monthly meeting of the Allen Township Planning Commission was held on Monday, April 20, 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; Jim Milot (Hanover Engineering); B. Lincoln Treadwell, Jr., Esq.

Minutes: Mr. Pierce made a motion to approve the minutes of March 16, 2015; seconded by Mr. Tepes. On the motion, by roll call vote, all Commissioners present voted yes.

Public to be Heard: No comments from the audience.

Old Business

A. Willow Ridge Apartments, schedule of completion of remaining improvement items: Ms. Eckhart provided correspondence from Anthony Imbessi (the Residences at Willow Ridge) to address the completion of remaining improvement items. Mr. Treadwell questioned the description of the "finish paving" does this include the entire development or just the apartment section. Ms. Eckhart felt this was for the apartment section only. The Commission discussed several items which need to be submitted for Commissions review including: the natural open space planting plan and Northampton County Park tie in. Following some further discussion, Ms. Eckhart indicated the natural plantings areas would need to be returned to the Commission for review and comment.

B. Bike Path Planning: Mr. Clater brought forward the issue of bicycle paths in lack of interconnections in certain areas along Savage Road, Willowbrook Road. The Commission discussed at length the importance of planning the missing linkages and the proper promotion of the overall bike/pedestrian routes as part of the implementation process if and when the linkages are developed. Ms. Eckhart commented this objective should be discussed and developed along with the Open Space

Ms. Eckhart commented this objective should be discussed and developed along with the Open Space Master/Recreation Plan. She indicated that the Study Committee should include some members of the Planning Commission. Messrs. Behler and Krill offered to participate as representation for the Planning Commission on the Study Committee. Mr. Pierce asked Messrs. Behler and Krill to include the concept of a Covered Bridge Trail along the Hokendauqua Creek.

New Business

Ordinance Changes/Updates

A. Draft Zoning Ordinance Amendments: Sections 200 (Definitions); 1406 (Buffer Yards); 1407 (Noise); 1409 (Traffic Impact Study); 1413A.9 (Structures to Have Access); 1422 (Off-Street Parking and Loading Requirements); 1801 (Zoning Permits Required) – for discussion and tentative recommendation to Board of Supervisors: Following a detailed discussion, Mr. Tepes made a motion to recommend the attached draft amendment with the changes discussed (Exhibit A Zoning Amendment) to the Board of Supervisors; seconded by Mr. On the motion, by roll call vote, all Commissioners present voted yes.

B. Draft Subdivision and Land Development Ordinance Amendments: Sections 407 (Streets); and 501 – for discussion and tentative recommendation to Board of Supervisors: Following a detailed discussion, Mr. Tepes made a motion to recommend the attached draft amendment with the changes discussed (Exhibit B SALDO Amendment) 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. Donald Noll questioned the Zoning District designation for Willow Green. Mr. Clater indicated R1.

Mr. Behler made a motion to adjourn at 9:00 PM.

Respectfully submitted,

Ilene M. Eckhart

TOWNSHIP OF ALLEN
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. **DRAFT**

AN ORDINANCE OF THE TOWNSHIP OF ALLEN AMENDING CHAPTER 27 (ZONING) OF THE CODE OF THE TOWNSHIP OF ALLEN TO AMEND SECTIONS; 27-200 (DEFINITIONS) TO AMEND THE DEFINITION OF PRIVATE RECREATIONAL FACILITY AND ADD THE DEFINITION OF LINEAR PARK, 27-1406 (BUFFER YARDS) TO REFERENCE LINEAR PARKS AND ADDRESS THE TREATMENT OF INVASIVE OR EXOTIC SPECIES, 27-1407.2.E (NOISE) TO COMPLETELY REVISE THE NOISE PROVISIONS OF THE HAZARDS AND NUISANCES SECTION, 27-1409 (TRAFFIC IMPACT STUDY) TO REQUIRE POST DEVELOPMENT MONITORING OF TRAFFIC IMPACT STUDY CONCLUSIONS, 27-1413A.9, B.1, AND B.8 (STRUCTURES TO HAVE ACCESS) TO REVISE THE PROVISIONS FOR DRIVEWAY ACCESS CRITERIA, 27-1422 (OFF-STREET PARKING AND LOADING REQUIREMENTS) TO PROVIDE SOME FLEXIBILITY IN THE IN THE MINIMUM NUMBER OF OFF-STREET PARKING SPACES, 27-1801(ZONING PERMITS REQUIRED) TO REMOVE THE REQUIREMENT TO OBTAIN A ZONING PERMIT FOR USES APPROVED PURSUANT TO A RECORDED LAND DEVELOPMENT PLAN; AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN.

WHEREAS, the Allen Township Board of Supervisors adopted the Code of the Township of Allen, as amended, on November 8, 2007; and

WHEREAS, the Allen Township Board of Supervisors desires to amend Chapter 27 (Zoning) to enact certain revisions pertaining to the definitions, noise regulations, traffic impact studies, off-street parking, and zoning permits; and

WHEREAS, the provisions of this Ordinance have been reviewed by the Allen Township and Lehigh Valley Planning Commissions; and

WHEREAS, an advertised Public Hearing, concerning the substantive provisions of this Ordinance, was held on _____, 2015.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Allen Township, that Chapter 27 of the Code of the Township of Allen, as amended, be and is further amended as follows:

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- I. Chapter 27 (Zoning), Section 200 is hereby amended by deleting the definition of Private Recreational Facility and replacing it as follows: “ *A recreational facility owned or operated by a private organization and open only to bona fide members and guests*”.
- II. Chapter 27 (Zoning), Section 200 is hereby amended by adding the definition of “Linear Park” as follows: “***LINEAR PARK — a park that is substantially longer than it is wide. It is often formed as part of a “rails to trails” conversion of antiquated railroad beds to recreational use. Other linear parks make use of the strips of public land next to canals, streams, electrical lines, highways and shorelines***”
- III. Chapter 27 (Zoning), Section 1406 is hereby amended by revising the first paragraph, in its entirety, as follows:

“Buffer yards are required for Mobile Home Parks, Golf Courses and for any use in the HC,I, and I/C Districts where it adjoins any property in a Residential Zoning District or any existing residential properties, or any Publicly Owned Recreational Facility (excluding Linear Parks).

By revising Subsection “D”, in its entirety, as follows: “***In all buffer yards, the exterior twenty-five-foot width (30 feet in multifamily subdivisions and 12 feet for a hospital) shall be maintained and kept clean of all debris, rubbish, weeds and tall grass in conformance with existing regulations. The treatment of invasive or exotic species shall be performed in accordance with the Best Management Practices endorsed by the Pennsylvania Invasive Species Council and in accordance with State and Federal regulations for any application of herbicides. In addition, sufficient documentation shall be provided to the Township by the property owner to demonstrate that any proposed buffer planting material is not subject to any active Act and/or Quarantine pursuant to Federal or Commonwealth regulations governing invasive and/or exotic species.***”

By revising the first paragraph of Subsection “F” in its entirety, as follows:

“All buffer yards, except residential subdivisions or mobile park homes, shall include a dense screen planting of trees, shrubs or other plant materials, or both, to the full length of the lot line to serve as a barrier to visibility, airborne particles, glare and noise. Such screen planting shall be located within the buffer yard, and shall be in accordance with the following requirements:

By revising Subsection “F1” in its entirety, as follows:

(1) *Plant materials used in the screen planting shall be at least four feet high when planted and shall be of such species as will produce a dense visual screen at least eight feet high within four years. In addition, sufficient documentation shall be provided to the Township by the property owner to demonstrate that any proposed buffer planting material is not subject to any active Act and/or Quarantine pursuant to Federal or Commonwealth regulations governing invasive and/or exotic species.*”

And by revising the first paragraph of Subsection “J”, in its entirety, as follows: “*Size of Buffer Yards – The following are the required buffer yard widths for each use requiring a buffer yard. Unless noted otherwise, the buffer yard is applicable to any property line*

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adjacent to a residential property or residential property or residentially zoned (R, R1, R2 and R3) property, or Public Owned Recreational Facility (excluding Linear Parks)."

IV. Chapter 27 (Zoning), Section 1407.2. E is hereby deleted, in its entirety, and replaced as follows:

"E. Noise. Excessive levels of sound and vibration are detrimental and harmful to the health, comfort, living conditions, welfare and safety of citizens and injurious to their property.

(1) Definitions – The following words, terms and phrases when used in this Section shall have the meaning ascribed to them below, except where the context clearly indicates a different meaning. All terminology and sound measurements referred to in this Section shall be in conformance with the applicable publications of the American National Standards Institute, or its successor body.

(I) Noise - Noise is any undesired sound.

(i) Decibels (dB) – A unit of measurement of the sound pressure level equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (that is, 20 Micro-newtons per square meter). Sound pressure is the instantaneous difference between the actual pressure and the average or barometric pressure at a given point as produced by sound energy.

(ii) Sound Level – The quantity in decibels obtained by the use of a sound level meter which is an instrument that includes a microphone, amplifier, output meter, and frequency weighing networks used for the measurement of noise and sound levels in a specified manner.

(iii) A-Weighted Sound Level (dBA) – The frequency weighing network that shall be used for the measurement of noises applicable to this Section is that designated as "A" by the American National Standards Institute. The A-weighted sound level denoted by dBA is the sound pressure level in decibels as measured by a sound level meter using the A-weighing network.

(iv) Pure Tone – Any sound that can be heard essentially as a single pitch or a set of single pitches. For the purposes of this Section, a pure tone shall exist if the one-third octave band sound pressure level for the band with the tone exceeds the arithmetic average of the sound pressure levels of the 2 contiguous octave bands by 5 dB for center frequencies of 500 Hz (that is, 500 cycles per second) and above, and 8 dB for center frequencies between 160 and 400 Hz, and by 15 dB for center frequencies less than or equal to 125 Hz.

(2) Noise Prohibitions

(i) A person shall not cause or permit noise levels to emanate that exceed those specified in the following table, including Paragraphs (ii) and (iii), except as

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exempted by Paragraph (iv).

Maximum Allowed Noise Level for all land uses in a Receiving Zoning District at a Receiving Property Boundary, Expressed as A-Weighted Decibels (“dBA”)

Zoning District	Daytime*	Nighttime **
I, I/A, I/C (1)	75 dBA	75 dBA
HC (2)	67 dBA	62 dBA
A, R, R1, R2, R3, NC, MHP (3)	60 dBA	55 dBA

** A-weighted Sound Level maximum allowed for the period 7:00 am to 10:00 pm.*

*** A-weighted Sound Level maximum allowed for the period 10:00 pm to 7:00 am.*

(1) I/C – Industrial/Commercial; I/A - Industrial/Airport; I – Industrial

(2) HC – Highway/Commercial

(3) A- Agricultural; MHP – Mobile Home Park; R1 – Low Density Residential; R2- Medium Density Residential; R3- High Density Residential; NC Neighborhood Commercial

(ii) A person shall not cause or permit the emission of a pure tone that exceeds an A-weighted sound level 5 dBA lower than the applicable maximum given in the above table.

(iii) A person shall not cause or permit an A-weighted sound level to emanate from construction or demolition activities that exceeds during daytime hours 90 dBA or during nighttime hours the maximum stated in the above table for the applicable land use.

(iv) Exemptions – The provisions of the Section do not apply to:

(a) Devices used only for the purpose of warning, protecting, or alerting the public, or some segment thereof, of the existence of an emergency or emergency work.

(b) Motor vehicle on public right-of-ways, aircraft, trains, and emergency, utility or public operations, including snow removal. See the separate Township Noise Ordinance, which regulates vehicle noise.

(c) Sounds created by Township-recognized sporting, amusement, entertainment, and other public gatherings conducted pursuant to other Township permits or Ordinances. This exception includes, but is not limited to, public athletic contests, festivals, carnivals, fairs, parades, celebrations, and concerts.

(d) Unamplified human voices.”

V. Chapter 27 (Zoning), Section 1409 is hereby amended by adding subsection “M” as follows:

“M. Post Development Monitoring – Within eighteen (18) months or other interval determined by the Board of Supervisors but no later than thirty-six (36) months

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following the issuance of an occupancy permit of the last use each phase, the Applicant, if requested to do so by the Board of Supervisors, shall conduct traffic counts to ensure the assumptions and projection of the final Traffic Impact Study are valid. Traffic counts shall be performed at intervals and peak times approved by Township Engineer. If the traffic counts are found to be different from any assumptions or projections contained in the final Traffic Impact Study, the Applicant shall propose and construct, with the approval of the Board of Supervisors, remedial improvements to address the difference and provide financial security to guarantee construction of remedial improvements.”

- VI. Chapter 27 (Zoning), Section 1410 is hereby amended by deleting the first paragraph, in its entirety, and replacing it as follows:

*“The following general site landscaping requirements shall apply to all properties required to submit land development plans following the requirements of this Chapter **in accordance with the standards published in the American Standard for Nursery Stock (ANSI Z60.1), last revised edition.***

- VII. Chapter 27 (Zoning), Section 1413A.2 is hereby revised by replacing the words “five feet” at the end of line three with the words “**ten feet from the travel lane**”.

- VIII. Chapter 27 (Zoning), Section 1413A.9 is hereby deleted, in its entirety, and replaced as follows:

*“Drainage. Driveways shall be constructed in a manner to be consistent with the design, maintenance, and drainage of the street. **In addition, any driveways proposed pursuant to this subsection shall be constructed in compliance with Chapter 21, Section 105 (Opening or Excavating of Streets or Highways – Section 105 Drainage) and Chapter 9 (Earth Disturbance) of the Code of the Township of Allen.**”*

- IX. Chapter 27 (Zoning), Section 1413B.1 is hereby deleted, in its entirety, and replaced as follows:

*“1. Number Per Lot. Except as specified elsewhere, the number of access drives intersecting with a street may not exceed two per lot frontage. **The Township Supervisors, during the Land Development review process, may grant permission for additional access points where necessary to meet specific property circumstances or where frontage of unusual length exists.**”*

- X. Chapter 27 (Zoning), Section 1413B.8 is hereby deleted, in its entirety, and replaced as follows:

*“8. **Access Drive Width and Radius. Entrances and exits shall be limited to three lanes. The width of such entrances and exits, measured at the property line, shall conform to following schedule:***

Width (feet)

	<i>Minimum</i>	<i>Maximum</i>
<i>One Lane</i>	<i>12</i>	<i>14</i>
<i>Two Lanes</i>	<i>20</i>	<i>28</i>
<i>Three Lanes</i>	<i>30</i>	<i>40</i>

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These widths 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.

In all cases, the radius of the edge of the access drive apron shall be at least 15 feet so that a car entering or leaving may not obstruct vehicles in other traffic lanes in the driveway or street.

All nonresidential driveways shall be curbed at the street line, unless otherwise allowed by the Board of Supervisors. In addition, any driveways proposed pursuant to this subsection shall be constructed in compliance with Chapter 21, Section 105 (Opening or Excavating of Streets or Highways – Section 105 Drainage) and Chapter 9 (Earth Disturbance) of the Code of the Township of Allen.”

VII. Chapter 27 (Zoning), Section 1422 is hereby amended by replacing “1423” with “1422” in the 5th line of Subsection 1.

VIII. Chapter 27 (Zoning), Section 1422, is hereby amended by adding Subsection 3H as follows:

“H. Off-street parking standard. Except as may be agreed to by the Board of Supervisors during site or land development plan review, the building types and uses listed in Subsection 1422.4 shall have the minimum number of off-street parking spaces shown adjacent to the building type or use per unit of measurement listed.”

VIII. Chapter 27 (Zoning), Section 1801, is hereby amended by adding the following sentence at the end of the paragraph:

“The issuance of a Zoning Permit shall not be required for uses approved pursuant to a recorded land development plan.”

Severability

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, illegal, or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Allen Township Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, illegal, or otherwise invalid.

Repealer

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

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Effective Date

The provisions of this Ordinance shall become effective five (5) days after adoption.

ENACTED AND ORDAINED THIS _____ DAY OF 2015, BY THE ALLEN TOWNSHIP BOARD OF SUPERVISORS.

ALLEN TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

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TOWNSHIP OF ALLEN
NORTHAMPTON COUNTY, PENNSYLVANIA

ORDINANCE NO. **DRAFT**

AN ORDINANCE OF THE TOWNSHIP OF ALLEN AMENDING CHAPTER 22 (SUBDIVISION AND LAND DEVELOPMENT) OF THE CODE OF THE TOWNSHIP OF ALLEN TO AMEND SECTIONS; 22-407 (STREETS AND ROADS) TO AMEND THE TITLE, TO CLARIFY THE STUB STREET REQUIREMENTS, TO REFERENCE AND REQUIRE THE USE OF SUPERPAVE STANDARDS, TO CLARIFY THE PROVISIONS RELATING TO CURB AND SIDEWALK DEPRESSIONS; AND 22-501 (PLAN REQUIREMENTS) TO AMEND TO REQUIRE ELECTRONIC COPIES OF PLANS AND ASSOCIATED SUBMISSIONS AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN.

WHEREAS, the Allen Township Board of Supervisors adopted the Code of the Township of Allen, as amended, on November 8, 2007; and

WHEREAS, the Allen Township Board of Supervisors desires to amend Chapter 22 (Subdivision and Land Development) to enact certain revisions pertaining to stub streets and road construction specifications; and

WHEREAS, the provisions of this Ordinance have been reviewed by the Allen Township and Lehigh Valley Planning Commissions; and

WHEREAS, an advertised Public Hearing, concerning the substantive provisions of this Ordinance, was held on _____, 2015.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Allen Township, that Chapter 22 of the Code of the Township of Allen, as amended, be and is further amended as follows:

- I. *Chapter 22 (Subdivision and Land Development), Section 501 is hereby deleted in its entirety and replaced as follows:*

“22-501. Intent.

*Plans, maps, and data shall be prepared and furnished by the applicant/developer as required herein to assure accurate surveying, to provide adequate information to designing and preparing plans, for reviewing, approving and recording plans. Plans and maps shall be neat, legible, uncluttered and easily readable. **All applications must be accompanied by an electronic copy for all plan sheets, reports, studies and/or any correspondence associated with the plan submission of the subdivision or land development plan in a PDF or JPEG or other format accepted by the Township and be delivered to the Township on a CD, USB device or other media format accepted by the Township.** The applicant/developer shall provide the Township with sufficient data to allow the Board of Supervisors and various review agencies to determine that the applicant developer is complying*

with the applicable regulations and to allow construction of all improvements required by the various applicable regulation.”

II. Chapter 22 (Subdivision and Land Development), Section 407, the title is hereby amended by removing the words “AND ROADS.

III. Chapter 22 (Subdivision and Land Development), Section 407.3 is hereby deleted in its entirety and replace as follows:

*“3. Stub Streets. To provide an integrated street system, all stub streets of abutting subdivisions shall be incorporated into the proposed street system. Stub streets greater than 300 feet in length shall be provided with a temporary turn-around to the standards required for cul-de-sacs, unless otherwise approved by the Board of Supervisors. **At the discretion of the Board of Supervisors, stub streets may be required to be extended toward adjacent properties. All Stub Streets must be constructed to comply with the standards outlined in Section 407.12 (Provisions of Streets for Future Developments)**”*

IV. Chapter 22 (Subdivision and Land Development), Section 407.10 is hereby deleted in its entirety and replaced as follows:

“10. Road Construction Specifications. All roads and streets shall be constructed and built in accordance with current Pennsylvania Department of Transportation Specifications Publication 408 and with the following standards:

A. Width and grading of streets shall be as shown on Appendix A⁴ and Appendix B.

B. Subgrade shall be compacted and crowned with the required street crown and shall be prepared to PennDOT Publication 408, §210 Requirements.

C. Subbase shall be provided and installed in accordance with PennDOT Publication 408, §350 to a compacted depth of three inches for Collector streets and Arterial streets and to a compacted depth of two inches for all local roads. No. 2 Aggregate shall be utilized.

D. Base shall be provided and installed in accordance with PennDOT Publication 408 to the following specification section: (Note: All depths are measured after compaction.)

§309. Superpave Asphalt Mixture Design Standard Construction, HMA, Base Course.

(1) Six inches in depth for Arterials.

(2) Five inches in depth for Collector and local streets.

E Tack coat material shall be required just prior to the construction of the surface course. Such tack coat shall be applied to the base in accordance with PennDOT Publication 408, §460.

*F. Surface Course shall be provided and constructed in accordance with PennDOT Publication 408 to the following specification **§409**.*

(Note: All depths are measured after compaction.)

Superpave binder and Superpave wearing laid as individual courses two inches binder, 1 1/2 inches wearing for Arterials and Collectors 1 1/2 inches wearing course only for local roads”

- V. Chapter 22 (Subdivision and Land Development), Section 407.11E is hereby deleted in its entirety and replaced as follows:

*“Sidewalks and curb depressions are to be provided at intersections for **pedestrian accessibility**. A maximum **pedestrian ramp slope** of 1:12 with a **flush approach to the roadway shall be required**. The pedestrian ramp shall be a least four (4) feet wide. All cross slopes shall be a maximum of two percent (2%).”*

Severability

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, illegal, or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this Ordinance. The Allen Township Board of Supervisors hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional, illegal, or otherwise invalid.

Repealer

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

Effective Date

The provisions of this Ordinance shall become effective five (5) days after adoption.

ENACTED AND ORDAINED THIS _____ DAY OF 2015, BY THE ALLEN TOWNSHIP BOARD OF SUPERVISORS.

ALLEN TOWNSHIP
BOARD OF SUPERVISORS

ATTEST:

