

**UPPER NAZARETH TOWNSHIP
PLANNING COMMISSION
100 NEWPORT AVENUE
NAZARETH, PA 18064**

MINUTES OF January 10th, 2019

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday January 10th, 2019, in the Township Building.

Present were: Chairman, Scott Sylvainus; Vice Chair Pamela Berlew; Secretary, Stephen Bacak; Wilhelmina Donnelly, Jay Benfield Township Engineer, Dr. Sean Dooley; Township Solicitor, Gary Aztec; and Zoning Officer, John Soloe

Reorganization 2019-

Pam Berlew made a motion and seconded by Wilhelmina Donnelly for Scott Sylvainus as the Chairman. The ayes 5 -0.

Pam Berlew made a motion and seconded by Scott Sylvainus for Stephen Bacak as Secretary. 4-1 Stephen Bacak.

Scott Sylvainus made a motion and seconded by Jay Benfield for Pam Berlew as Vice Chair. 5-0.

A **motion** was made by Ms. Berlew seconded by Mr. Benfield of the approval of the December 2018 minutes; 5-0

New Business:

Preliminary Land Development Plans for JVI LLC - Project Tadmor

Jim Vosar introduced the project to the board and thanks us for hearing. JVI is the developer of the property. He would like to hear comments from the board and talk about some of the improvements made to Gun Club Road. The improvements include widening and improvements to the road from the project to Rt 248. And the intersection of Rt 248 and Gun Club Road to Penn dot's recommendations. We are now connecting to the Nazareth Boro Sewer Authority and Easton water authority for those services. These connections will be from Rt 946 and through an easement on the property. Within 90 days we will be submitting to the outside agencies for their approvals so will be in compliance to engineering letter. The building elevations and changes to grading still need to work out. Our main driveway will have a guard shack and 17 truck queuing area. And a rest area for 5 tractors.

Rick Roseberry, Maser consulting, and we have made revisions to the plan. The changes to Gun club road and intersections will be in the next set of plans. The

current set does have grading changes and also want to balance the site with terms of excavation. Building B was raised based on this.

Stephen Bacak - Were there any property line adjustments made to the plan?

Rick Roseberry - Yes, there were various adjustments and acquired a small part of adjacent property irrigation.

Stephen Bacak - With regards to grading changes ... are there any additional retaining walls?

Rick Roseberry - Yes, we eliminated one and added others, but we have less than the original plan. Again, we are balancing the site.

Stephen Bacak - Are there any along the front of the property?

Rick Roseberry - No

Stephen Bacak - How far did the floor height increase?

Rick Roseberry - about 11'

Stephen Bacak - And I see additional paver around the building?

Rick Roseberry - yes for emergency access.

Sean Dooley - The correspondence I sent noted the issues with storm water and they are aware. The issues that relevant such as Gun Club road etc. We need to get input from the planning commission to the supervisors for considerations.

1 - The Planning Commission should make a recommendation to the Board concerning the Applicant's Waiver request to defer submission of the plans to various 3rd party entities (LVPC, NCCD, sewer and water authorities). This is on pages 4 and 5 of my letter with particular attention to the conditions I recommend. It is my understanding the Zoning Officer has an additional condition that would require the Applicant to put a time line on when the Applicant will commit to submitting plans to these 3rd party entities. And they would also comply with Monocacy creek act 167. They committed to time lines to agencies.

Scott Sylvainus - Recommend deferring to the 3rd party review agencies and will this affect our time-lines?

Sean Dooley - No because our time lines are also changing, and it is written to until June 30, 2019. Once they are comfortable and then the clock will start.

A motion to accept the June 30, 2019 extension of time and recommendation a waiver of the deferral of the plans to various 3rd parties (LVPC, NCCD, sewer and water authorities etc). Scott Sylvainus made the motion Pam Berlew seconds all in favor 5-0.

Sean Dooley

2- Anticipating the Applicant may re-commit to public improvements along Gun Club Road, the Planning Commission should consider our office's proposal to maintain a relatively narrow road width of 24-ft from SR 248 to the main truck entrance of the proposed development at Driveway-2, and 22-ft wide from Driveway-2 to the southern limit of the subject parcel. We will need a recommendation on this from the Planning Commission to the Board so staff can proceed in addressing technical issues with respect to design of these improvements with the Applicant's team. (Ref. pg. 8, sec. IV.4 of my letter) This will help with not having trucks standing and stopping on the road and keeping speeds down. We need PC and board since it will not comply. The ordinance is written at 36'

Stephen Bacak - There is lower 25 mph in that section. Are there any other traffic calming things that can be done?

Sean Dooley - It is limited what we can do in this section. The road is narrow and preserving the tree line. We cannot divert in this situation which is another way. The 25 mph is enforceable. The road is currently 18'.

Pam Berlew - Is there enough room and enough with the overhang of the trees?

Sean Dooley - Yes there is room and the trees are pretty vertical. And they will try to keep the trees intact. This also helps with less pavement and runoff, Also, will cost less for the township maintenance plan in the future.

Scott Sylvainus- Will this road be for truck traffic and just not residential.

Sean Dooley - Yes that is correct, and I am sure the applicant does not want the road crumbling.

Pam Berlew - The shoulders are dedicated?

Gary Asteak- Yes 30' is dedicated for the roadway.

Kevin Echart - Concerning with the snow removal and will there be room with the narrow road width.

Scott Sylvainus- there is less road so there is less snow and will have still have 30' of road space.

Sean Dooley - the road will also be adjusted from the center line will be adjusted to the curves for efficiency.

Motion to the board of supervisor to relax road width requirements from 741.6 & 742.1 to allow 24' to driveway #2 and south driveway #2; 22' to the end of the property. Stephen Bacak made the motion and Jay Benfield seconds - All in favor 5-0.

Sean Dooley -

#3 -Based on our ordinance, we have concluded Driveway-1 adjacent to the railroad tracks constitutes a private road because it is a shared access driveway to other properties and is labeled as such on the Applicant's plans. Reasonable dimensional waivers from SALDO requirements for this private road may be required by the Applicant based on the constraints of the property width. The Planning Commission should make a recommendation as to whether a sidewalk or other pedestrian accommodation should be provided. Or maybe an alternative way.

Pam Berlew - Is there a LANTA bus stop for this site?

Rick Roseberry -- Yes, they contacted LANTA and they said did not have a bus stop. Will get us the letter which they provided.

Gary Asteak- There is no need to address this tonight.

Scott Sylvainus- How will the bike path interact with this project?

Sean Dooley - Yes it does and will come right along the tracks and up gun club road also with the sidewalks.

Sean Dooley -

#4 - The Planning Commission should consider the issues identified in Sec. II.1 and II.2 of my letter (pg.6) concerning zoning issues (Section 502 insect and rodent and 505 pollution noise, into groundwater into etc) and for which the Township might wish to request a determination from the Zoning Officer concerning compliance. This includes section 502 and If you want any of these concerns advanced, the direction will have to come from the Township as I cannot require a response from the Applicant.

Gary Asteak- The zoning officer will be reviewing that shortly along with warehouse v. distribution and it is his obligation to do so.

John Soloe - Need some more input from the applicant with their plans. We have a process that is growing, and a short time line is not fair.

Sean Dooley --

#5 The Planning Commission should consider whether a plan is warranted or requires further assessment to establish pre-development base-line testing of nearby on-lot wells to establish a benchmark in the event of issues that arise post-development. (Ref. Pg. 6, Sec. II.1.c. of my letter)

Gary Asteak - Shouldn't we determine those wells within the scope and then determine the methodology. Why and what we are looking for.

Pam Berlew -- do you plan to have cement plant on site? And are you using groundwater and concerns with groundwater levels?

Jim Vosar- We are using precast and 10' yard trucks. A very small patch on site and plan on using public water. We will not be drilling any wells.

Jay Benfield - Will the road be maintained during construction.

Rick Roseberry - We will maintain the road. The entrance will have road entrance and wash pit to help out.

Scott Sylvainus - Where will the construction entrance be?

Rick Roseberry - Driveway #2 will be the construction entrance and from the north. Regular service vehicles may come from the south, but they would be service vans.

Gary Asteak - I am pleased to hear the developer is going to improve 248 and gun club intersection and gun club road. And a Monocacy storm water plan will be the ordinance to govern the plan with a lot of upgraded standards. The water and sewer and have identified their water and sewer companies. The engineer has an 18-page review letter for the project. We want to more about lighting noise, grading and expect the developer to address. And a zoning officer will provide his opinions.

Public Comments:

George Wilhelm- has concerns with truck running south of facility on Gun Club road.

Sean Dooley - There is a weight restriction and secondly did a truck movement analysis. This is to protect the roads and residents. We can also add a size notices to the postings. This becomes an enforcement issue. Also noted the geometry out of the facility has limitation to go south out of facility.

George Wilhelm - He had concerns over the lack of enforcement and noticed dump trucks coming through area and connected with local enforcement and do not have the manpower to enforce. He also had concerns with truckers just following GPS and noted some concerns with Silvercrest telephone pole.

Ron Corkery, Esq. - Requested on behalf of residents to discuss southbound traffic and some berms.

Bernie Kutik- Concerns with turns on the Gun Club Road and trucks cannot navigate the road. So, the proposal is cul de sac Gun Club Road with a transponder and force all trucks and traffic from Rt. 248.

Brad Leach - Discussed that there was to be a balloon test and about 65' building height. The current 7' berms are not high enough. Also concerns with bus stops and kids walking along Gun Club with no sidewalks.

Lucie Tims - Discussed accidents on Rt 248 and line of sight issues, speed and weight of trucks. The kid's cross street with bus stopped and the stop was moved.

Ed Twigar - has questions to know if resident need to connect to new utilities

Jim Vosar - Described sewer and water for the project as a private line.

Ed Twigar - wanted clarification of building heights

Rick Roseberry - The height of the building is the same, but we are changing grading of the project. Will show what it will look like at the next meeting we are at.

Kristen Mullen - Questioning the traffic studies and equations. And the discrepancy was on if a trip was considered one way or two way and land use is code 154.

Carol Ford - In her opinion of the building of that size is insanity. This belongs closer to 4 lane roads and also the distance to this facility. Also, had concerns if fails and taxes not collected.

Wendy Colussi - Had questions regarding the zoning versus the land use proposed. Read a section about rural nature of our township. This is not a great idea and it is in zoning ordinances. Other twp fought that it is ruining their communities.

Scott Sylvainus - The area where the building is proposed is zoned industrial.

Dr. Jeffrey Wack - Noted and thanked the developer for using green materials to destroy the fields. It is being raised by at least by grading to the north side another 10'. Are there any plans for additional buffering on the north side?

Jim Vosar - There is a retaining wall, railway, and 3 tree lines to the north side. And with the balloon test you will be able to visualize. The elevation of your property to ours is much higher and zoning would not allow a berm that high.

Sal - The board is very short sighted to get Gun club road fixed. The traffic to rt 33 is horrible and what about bus stops. There are empty warehouses in the area. The rt 248 corridor is not adequate for this facility.

Scott Sylvainus - Our jurisdiction is only township roads.

Frank Belcaster- This will ruin the rural aspects of the community with additional traffic.

Jim Vosar - it is a spec warehouse at this point and lighting will be led dimmable and just enough for security purposes.

Keith Berlew - Will there be a back-up generator?

Jim Vosar - Yes and it will be natural gas powered from Gun Club Rd. and there is the easement from Rt 946 easement is not wide enough for roadway.

Kevin Echart - Discuss the traffic study and where they were which was 248/946 and Newberg rd and 946. He has concerned with tractor trailer going north on 946 to rt 512 and causing slow traffic. Asked if can see a copy which would be through the right to know.

Brian Tim - What is the preferred route to the facility?

Scott Sylvainus - This is not controllable.

Pam Berlew - We can discuss and direct traffic during construction.

Rick Roseberry - We did traffic study for Rt248 and Gun club Rd per Penn Dot and the township asked for additional studies which we complied. Trucks are permitted to use 946 and 248.

Gary Asteak - There are uniform construction codes which need to be strictly aheardto.

Ron Davis - Expressed concerns with 1st responders. Any additional service or staffing with the township preparation plan?

Scott Sylvainus - This is all part the process.

Gary Asteak - The police and fire will be able to provide insights to the plans.

Sean Dooley - Discussed peak trucks at 22 in one hour and the pm peak is 415pm to 515pm.

Pam Berlew - This was compiled through the am and pm times and this is why this hour was picked for the study.

Frank Belcastro - This is all speculative and is there some held responsible if this does not work out.

Scott Sylvainus - They are proposing a certain use and if it changes by then would be revisited.

Gary Asteak - The ITE manual has a particular manual for the use and this is under 154 as the modeling for the trips. This gives us some insight to this particular use. There is no one counting and that engineers provided their best estimates. Nasa also relies on data as well.

Sharon Fitzgerald - Asked about a traffic light for rt 248 and Gun Club road.

Rick Roseberry- According to studies and Penn Dot the intersection will be improved but no light is necessary.

Jay Benfield - Discussed was driveway 1 and the water run off of the water to the gun club. Noting in this set of plans to show this. And also, the irrigation and what is going to be in place or guarantee for the future.

Rick Rosebery - there is a maintenance agreement to comply with post construction plan. There is also a documented maintenance strategy. This does get recorded at the county and also DEP covenants as well.

Wilhelmina Donnelly -- Truck drivers do not follow "no truck" signs and this is hard to control.

Scott Sylvainus - We are expecting some further comments from zoning officer in the near future.

Karen Lieberman - Asked if the meetings are recorded.

Brian - Asked to review overall zoning for other industrial zoned property.

Scott Sylvainus - Yes and we are looking to build an open space committee

Agritourism Zoning Ordinance 403D7

John Soloe - Recommended review of certain documents to incorporate and update our zoning ordinances to potentially include agritourism. The state also has other materials and resources as reference. We need to keep in mind traffic, farm size, and current ordinances circa 2007. The zoning needs to be controlled and stay of trends in this industry. We have to keep in mind is this a product of the farm or

is it a business opportunity. We want to avoid going into variances. Also defining agritourism versus a standard business.

Stephen Bacak - Another proposal could be it to institute a recreational / special events tax for certain facilities to ease the financial pressure on township resources.

Amy Vigouroux - Keller farm - They moved back to the farm after living in the city. Envisioning to use the family farm for farming and also special events. Agritourism means enhance the land, lifestyle, and awareness of farming. Some examples, could be to buy local market, pick your own, and events such as weddings; generally, in the summer. The trend is moving towards the farm setting for events. We would have to keep in mind neighbors, traffic, and safety of guests.

Sean Dooley - We have to keep in mind traffic generation, sanitation, and stresses on the community. Event planning is controllable. Other agri events have a lot of variables which could be uncontrollable noting potential gridlock on state roads. It could be all regulated under traffic generation which is related to public safety, roads, and ems issues.

Pam Berlew - How much will you farm?

Amy Vigouroux - They are going to work with local farmer and also potentially produce; farm to table.

Scott Sylvainus - maybe to look at accessory use and as events only.

Motion to adjourn made by Stephen Bacak and seconded by Wilhelmina Donnelly.

The ayes have it 5 - 0.

Meeting adjourned at 2130.