

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

MINUTES OF April 11th, 2019

The regular meeting of the Upper Nazareth Township Planning Commission was called to order at 7:00 PM on Thursday April 11th, 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 Asteak; Acting Twp Mgr, Debbie Seiple

Absent: Zoning Officer, John Soloe

Jason Mohap was concerned with the minutes not recorded during open forum and comments on his letter.

Gary Asteak noted that the meeting was adjourned and commissioners stuck around to discuss any concerns.

Wilhelmina Donnelly made a motion and seconded by Jay Benfield for the approval of March 2019 minutes. The ayes 5 - 0.

New Business:

JVI Tadmor

Jason Mohap had concerns if applicant submitted on time. He has been in contact seven times and did not know officially until this afternoon. He reviewed the time stamps on the submissions. The answers were not sufficient.

Gary Asteak said the manager discussed the submissions. There were issues with the clock copies. The plans were in a timely manner. A minor subdivision does not require the notices. The planning commission can differ to a future meeting. The ones complaining are here so it would be hard to prove that you did not know. Asked for Jason Mohap to be respectful to the board and there will be an opportunity to discuss. The clock starts tonight for the minor subdivision.

Jim Vosar - Gun Club Road will be improved to 24' so it will have traffic calming effect, safety, curbing, and storm water management. As for trail system, I made an introduction from Hanson Cement to the township engineer. This system is not on our property. Utility extensions and will work with the township engineer on terms of capacity for future developments. Engineer review letter is noted to have improvements on other peoples property and we just cannot do that and we need to discuss. This is not in our scope of the project. We have great relationship with the commercial neighbors. They want to see the project through. The review

letters are moving the goal posts and cannot agree too. This would be Gun Club road, and intersections, and utilities. Project benefits are specifically the tax benefits to the tax. They will be submitting a financial impact study to the twp with out more kids to the schools. This is a permitted use on this property. If it is not us it will be some else. Up until Tuesday I thought we had a great relationship but the review letter changed this. We are here to listen.

Atty Kate Durso - The minor subdivision land was submitted separately. We intend to have this as one project and we followed the direction of the township in this matter.

Next is the road improvements. There is nothing in ordinances to do the road improvements. We talked with the specifics on the width. The waiver was granted to a specific with and now asked to change. This is not what we agreed to the last time we were here. This now has curbing requests and driveway requests and this came out of nowhere. These requests impact storm water calculations and this is why the waiver was requested.

Sean Dooley - This is being mis characterized and this request was not part of the request. This has nothing to do with the 24' width and the width was a minimum so there was flexibility. If there is was no curbing then we will need an additional 2' or 4' total so the pavement is not destroyed by the truck traffic. They did not have a waiver.

Nicole Gallo - We were designing this on a 24' width so the submission to LVPC and UNT supervisors. This is very important for the storm water calculations and we cannot move forward without a definitive road width.

Atty Kate Durso - The minutes do reflect the granting of the waiver and noting the current road is 18'.

Sean Dooley - The conversation was on the site and curbing was requested from the start. We did consider other options with swales. If needed for storm water then we would need additional road width. It is not a required improvement and the township was waiving it for the township. We wanted to have traffic calming and also need storm water management. Right now the basis it should be 28'. There may perspective of lane width and safety and also trucks hitting the culverts.

Nicole Gallo - The road is current is 18' to 20' and this is the third time of width changes.

Atty Katie Durso - The board of supervisors minutes also represent the reduction of width noting the saldo requirements.

Scott Sylvainus - To review, the road width is with 24' with curbs

Nicole Galloway - We have storm water concerns with collection and no curbs with 24'. The in disagreement with the township engineer. The roadway will be totally reconstructed with base and at 24'.

Since the last submission and no comment from LVPC. Northampton co district and Keystone and storm water and permits. Also, the army corp is no response either. The utilities and no review comments from them either.

Driveway #1 - Is considered a private road and was not dedicated and will remain private. This will service the 3 buildings and is just south of the rail line.

Atty Gary Asteak - There will not be an impedance of the other properties and make it explicit in the agreements. The note of 1983 plan is to have the option of the township accept the fully build road.

Jim Vosar - We did have meeting with the other owners and will work with them with driveways and access.

Sean Dooley - The road goes nowhere and still needs to be constructed to standards.

Russ Beatty - We are in agreement with the statements made tonight.

Nicole Gallo - Comments around 742.01 and the easement on north side of property. There is no intention of placing any pavement in this area.

Sean Dooley - Also, need to clean with parcel with odd shape across the roadway.

Atty Kate Durso - So we are looking for a waiver on the curbing.

Nicole Gallo and we will need a HOP permit in that area and will potentially give it to them.

Scott Sylvainus - Can this be for a trail system?

Sean Dooley - It is right at the tracks and probably not.

Jim Vosar - we would need to verify with our insurance company with trucks and traffic.

Nicole Gallo - also keep in mind the med ed easement as well.

Atty Kate Durso will be in contact if need to file any extensions.

Atty Kate Durso - We are not going to talk about back flow preventer at this time.

Jim Vosar - Had meetings with surrounding businesses to correct grading issues and easements to do that work.

Atty Gary Asteak - This is not the twp issues and it with the other property owners.

Atty Katie Durso - We are not going to do illustrations and just have them sign off on the storm water. We are to fix the current conditions to make better.

Sean Dooley - If they use back flow preventer on private property we don't want it to back up and flow into the township.

Atty Kate Durso - Back flow preventer are part of the design and waiting on comments from LVPC.

Atty Katie Durso - Discussion noted on the speed limit change to Gun Club Road from 35 mph to 25 mph

Atty Gary Asteak - This will happen with the final approval and then the final ordinances change at that time with supported traffic studies.

Nicole Gallo - this is also needed for design criteria because of line of sight distances change.

Nicole Gallo - We met with the Norfolk southern and not in favor of pedestrian crossing.

Sean Dooley - If we are submitting to certain entities and what we want from them. And we need to be working closer with the property owners for the township wishes. We all have to live with the road including the tenant of the building. At the end of the day it is the twp road.

Atty Kate Durso This is requiring for more costs to the developers and surrounding property owners. We cannot have any more changes.

Nicole Gallo- We have to have decisions and not further discussions to move forward.

Sean Dooley - There is disagreements with the storm water and need to have LVPC input. I object to back flow preventer in the project.

Pam Berlew - Is the developer creating a dam or sorts to control the storm water?

Sean Dooley - It is an enclosed space and inlets to control water.

Atty Kate Durso - I want to address the truck stacking and the guard shack.

Jeff traffic eng - We want to show how many trucks can stack on the property. We are figuring 83' per truck with a cushion. This will allow 17 trucks to stack and then they can also peel off to other areas. We estimate 150 trucks per day or about 10 per hour. There is an additional 5 areas for a rest area. We do not expect any stacking and only in usually conditions.

Sean Dooley - This adequately addresses the concerns of stacking if the facility is open.

Pam Berlew - So the guard shack is only for the large building.

Jeff traffic eng- That is correct and the smaller building is not designed for this.

Bernie Koytuk - Can the trucks use the other driveways?

Jeff traffic eng - No they are not designed for that

Atty Gary Asteak - We will have to resolve Gun Club road. The storm water is complicated and once the reviews are in, we will need to a storm water mgt review. There are a lot of pages of review and the I am assuming the rest of the comments will be reviewed. I am sure the public will want to hear about the nuance issues at a further time.

Shawn Shupe - I have a concern with shoulders and the edges being broken. 110" tractor and 11' lanes and two trucks will ease away from each other if coming access. Then it would be a 13' to allow to some maneuvers. I am looking at it from the point of view of replacement. Snow maintenance would be easier with a 22' width. I would like to hear more about reinforced shoulders. I don't like to hear soft shoulders. And we don't want 32' foot and there is room for compromise. 26' with curbing and without would be 24' paving with reinforced shoulders.

Atty Kate Durso - Requested to be on planning commission agenda next month.

Atty Gary Asteak - Everything is still open and can be discussed and they do not another set of plans to appear.

Dr. Jeffrey Wack - This is interesting to watch this chess match of Gun Club Road improvements and showing giving us a favor now. The truck study is using the lowest possible rate and is 10 trucks per hour reasonable? In other communities that regular asphalt doesn't hold up. The road bed is very wet. This will also freeze and thaw and the break up. In any of the warehouse communities. did they see their taxes go down? No, they went up! This will have zero impact on residents. Can we work out a 20 year agreement to maintenance? The LVPC knew nothing of this plan and maintain quality of life. The major concerns are loss of farmland and traffic. The building is now 10' higher and is there something in the ground? Did they find stuff underground? There are rail ties already buried in the area. This may put a stop to this process.

Carol Ford - There is a warehouse on RT 33 and another right on Rt 22 and what makes developer think they can rent or sell this building? What happens to the building if cannot use it?

Scott Sylvainus - Someone will take or work with the building. There is a demand for this and there are feasibility studies on this.

Matt Ford - I have safety concerns with truck traffic. We do not need anymore warehouses in PA.

Wendy Collusi - Had concerns with letter and dates of submission. The copy does have 3/22 and this is a formal document. And was there a formal statement simply stating this was a mistake or error.

Atty Gary Asteak - I think we have that from the twp manager.

Scott Sylvainus - the plans we received had the correct dates.

Wendy Colussi - It mentions that the saldo was in due notice. And was not in time. This was reference the notice received of the project.

Scott Sylvainus - They cited a section in error.

Atty Gary Asteak - You cannot complain that you have no notice since you are here. And please note that no action was taken on that plan.

Wendy Colussi - The runoff water is a concern and the truck stacking. Once it leaves their property it becomes our problem. The saldo also mentions the rural nature of community.

Becky Barlett- I just want to say about the argument of the tax benefits. When the economy changes they can apply to have their taxes lowered.

Atty Gary Asteak - And our assessments are very low and a very high common level ratio.

Jason Mohap - I want clarification of a high cube warehouse v. a warehouse. And how many different types are there? There are 5 different types.

Nicole Gallow - Yes for the purposes of the traffic of the traffic study.

Jeff Traffic eng- This was discussed at quite some length of which version applied to this project. This is based on sq ft.

Jason Mohap - Is this in saldo and zoning?

Scott Sylvainus - It is listed as a warehouse.

Jason Mohap - if a use is not regular use then the use is prohibited.

Atty Gary Asteak - It is defined in section 202 as a warehouse. It was on the cover letter of use and it was very specific. The zoning officer made the determination. The applicant made it clear that it was the intended use and they have to comply and any tenant. We are holding the developer accountable for the intended use.

Keith Berlew - Had concerns with the shoulders and will not handle the trucks. Also, the road base needs to be reconstructed. What is the height of the building?

Jim Vosar - The height of the building will be 40' above the grade around the building. And in reference the tracks are higher than the reference grade.

Nicole Gallo - Explained the sight line photos of the buildings and profiles. They also used balloons and they cannot be seen through the trees.

Dave Smith - What is the plan to enforce the 25 mph and Newburg Road enforceable?

Scott Sylvainus - I am sure there will be more enforcement with the additional traffic.

Dave Smith - Has concerns with the peak season truck traffic. It significantly increases truck volumes during certain times of year.

Bernie Koyutuk - Can we get a copy of the engineer review letter?

Pam Berlew - Yes you can do a RTW with the twp.

Keith Berlew - Is there going to any preconstruction repairs to Gun Club Road?

Scott Sylvainus - This was not discussed.

Liz Sommers - We relocated to Nazareth and quality of life is important. This is not the best project for this area. There are many unanswered questions with the project. The tax benefits is not a concern to me. The benefits offered do not outweigh the project.

Wendy Koytuk - How does the noise ordinance relate to the truck traffic?

Atty Gary Asteak - no it has no impact to traffic

Atty Kate Durso - The noise ordinance is about what is on the property.

Kristen Mullen - With the zoning board hearing and they were limited to noise / music.

Pam Berlew - That was beyond what is permitted in that zone and was before the zoning hearing board.

Dr Jeffrey Wack - If we have 17 trucks stack and can there be idling all night. And may be some traffic cameras may help enforcement.

Pam Berlew - There are anti idling laws.

Jay Berlew - no comments

Stephen Bacak - I saw the building is in the electric and gas line easements.

Nicole Gallo - Yes and the electric utilities is going to be moved and the gas line easement is also okay.

Pam Berlew - there is concern with light and noise and will be a lot of work yet. Hopefully the road width will be addressed so you can move forward.

Scott Sylvainus - Can you elaborate on the extension of utilities.

Jim Vosar - We are extending the water and sewer. And we can work together in terms of capacity for further developments. There will be a privately owned pump station.

Scott Sylvainus - What about the trail system?

Jim Vosar - I made an email introduction to the Sean Dooley so they could start the dialogue on the regional trail system. I followed through on this for you.

Scott Sylvainus - Do we need to act on anything today?

Atty Kate Durso - We will be at next meeting and conversation will be continued.

Sean Dooley - We need a detailed signage plan to control trucks etc.

Bob Kilbanks - Representing State Rep Joe Emmrick and will be briefing him tonight on the meeting.

Scott Sylvainus makes a motion to table any recommendations to May 9th this was seconded by Pam Berlew The ayes have it 5-0

Moore Twp Environmental Map -

No specific issues or concerns and appreciate sharing it with UNT planning commission.

Old Business:

Grant meeting workshop with supervisors on Wednesday 630pm

Motion to adjourn made by Jay Benfield and seconded by Wilhelmina Donnelly. The ayes have it 5 - 0.

Meeting adjourned at 2128.

