

PALMER TOWNSHIP BOARD OF SUPERVISORS
July 26, 2022
7:00 PM
GENERAL BUSINESS MEETING

The Palmer Township Board of Supervisors held a general business meeting on Tuesday, July 26, 2022, at 7:00 p.m. in the Municipal Building meeting room. The following were in attendance: Chairman Jeffrey Young, Vice Chairman Michael Brett, Supervisors K. Michael Mitchell, Ann-Marie Panella and Joseph Armato. Also in attendance were the Township Manager, Planning Director, Township Engineer, Police Officer, Fire Commissioner, Township Solicitor, and the Assistant Township Manager through phone conference.

1. PLEDGE TO THE FLAG

2. CONSENT CALENDAR

A. Approval of Minutes - July 11, 2022

INFORMATION

The Board needs to approve/disapprove the minutes of July 11, 2022.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Michael Brett. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

B. Disbursement of Funds - July 14, 2022

INFORMATION

The Board needs to approve/disapprove the disbursement of funds for July 14, 2022.

DISCUSSION

Young said this is a single disbursement for \$147.75.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

C. Disbursement of Funds - July 26, 2022

INFORMATION

The Board needs to approve/disapprove the disbursement of funds for July 26, 2022.

DISCUSSION

Young said there is a distribution in the amount of \$1,041,791.72 and the credit card

distribution for \$28,712.28.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Joseph Armato. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

3. NEW BUSINESS

A. Grow NORCO Grant Application - Community Planning Grant for Open Space Design Plan

INFORMATION

The administration is requesting approval from the Board of Supervisors to apply for a Community Planning grant, through the Northampton County Department of Community & Economic Development's Grow NORCO grant program, for the professional preparation of an Open Space Design Plan for each of the Township's parks and open spaces.

This design plan will provide not only the detailed design for the physical safety and accessibility improvements recommended in the 2020 Parks, Recreation, and Open Space Plan, but also for landscaping, naturalization, and green infrastructure measures that will be more environmentally-friendly and sustainable, and reduce maintenance requirements for Township staff.

Moving forward, having the individual designs for each park and open space in advance, they will then be ready to submit for additional grants to construct the improvements as opportunities arise.

The total proposed cost of the project is \$75,000, for which we are requesting funding of \$50,000, the maximum allowable. The Township's required match would be \$25,000, of which 50% may be in the form of in-kind goods and services.

The Board is requested to authorize the Chairman to sign a letter on behalf of the Board of Supervisors indicating the Board's support of the application and commitment to fund the required match.

DISCUSSION

Young reviewed the information above with the audience and stated the motion would be to authorize the Chairman to sign the Letter of Support for the Grow NORCO Grant for the preparatoin of an Open Space Design Plan for each of the Township's Parks and open spaces.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Michael Brett. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

B. Grow NORCO Grant Application - Capital Improvement Grant for Palmer Athletic Complex

INFORMATION

The administration is requesting approval from the Board of Supervisors to apply for a Capital Improvement grant, through the Northampton County Department of Community & Economic Development's Grow NORCO grant program, to go towards the costs of the remaining exterior improvements at the Palmer Athletic Complex.

As discussed at the June 6 Board meeting, the total cost of the remaining improvements is in excess of \$560,000, which the Board agreed to pay from current and future contributions to the Youth Recreation Capital account. We are requesting grant funding of \$50,000, the maximum allowable amount. The Township's required match would be \$50,000, which would be satisfied by the funding already agreed to.

The Board is requested to authorize the Chairman to sign a letter on behalf of the Board of Supervisors indicating the Board's support of the application and commitment to fund the required match.

DISCUSSION

Young reviewed the information above with the audience and stated the motion would be to authorize the Chairman to sign the Letter of Support for the Grow NORCO Grant for the remaining work for the exterior improvements at the Palmer Athletic Complex.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

C. Public Utility Right-of-Way Agreement

INFORMATION

UGI is requiring Township approval of the Right-of-way Agreement to install a UGI gas service line on the Palmer Athletic Complex (PAC) property from an existing UGI Gas Main paralleling Route 22. The gas service line will serve the existing PAC Concession Stand, PAC Pole Building, and Palmer Kiwanis Youth Center. Board approval of this Agreement/real estate matter is needed and is contingent upon the Township Solicitor's review and approval of the Agreement.

DISCUSSION

Young said, UGI will be starting to lay the piping to get gas to the refreshment stand, storage building and the Kiwanis Youth Center building at the Palmer Athletic Complex. The motion would be authorization for the Chairman to sign the Public Utility Right-of-Way Agreement.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

D. First Park 33 - Conditional Use Application - Limited Distribution Use in PO/IP District

INFORMATION

Newlins Mill Road & Tatamy Road - K8-12-4, K8-12-5 & K8-12-10A
PO/IP District
Request by FR Newlins Logistics Park, LLC

The Palmer Township Planning Commission reviewed the above-referenced item at their regular meeting of June 14, 2022.

The applicant, FR Newlins Logistics Park, LLC, is requesting conditional use approval for construction of four limited distribution buildings ranging from 151,200 to 210,000 square feet on a 66.4-acre tract of land. The property is located on the west side of Tatamy Road between Newlins Mill Road and Corriere Road within the Planned Office/Industrial Park (PO/IP) zoning district. The site is currently unimproved agricultural land.

The properties to the west of the property and to the north across Newlins Mill Road are developed or being developed for industrial use. The properties to the east along Tatamy Road and to the south across Corriere Road are developed with a mix of residential and light industrial uses. The Township Comprehensive Plan designates this area for non-residential use.

The applicant is seeking conditional use approval under the following provisions of the Zoning Ordinance:

- §190-137.E - Limited distribution centers in the PO/IP district

The requested use requires conditional use approval in the Planned Office/Industrial Park (PO/IP) zoning district, subject to the performance criteria listed in the zoning ordinance.

Recommendation: At their meeting of June 14, the Planning Commission unanimously recommended approval of the conditional use request by the Board of Supervisors, subject to the following conditions:

1. Comments of the Township Engineer letter dated June 8, 2022 are satisfactorily addressed.
2. Township Departmental comments dated June 10, 2022 are satisfactorily addressed.
3. Since no end users are identified, any potential tenants will need to submit an additional conditional use application, to be reviewed internally by the Zoning Officer, Planning Director and Fire Commissioner to confirm conformance with all conditions of approval. If there is a manufacturing tenant, a new conditional use application will need to be approved by the Planning Commission and Board of Supervisors.

Deadline: The conditional use application was received on September 21, 2021. The Board of Supervisors has a deadline of September 30, 2022 to hold a conditional use hearing.

DISCUSSION

Planning Director, Cyndie Kramer, said this was before the Planning Commission on numerous occasions. The last being on June 14, 2022. The Applicant is requesting Conditional Use approval for four limited distribution buildings ranging from 151,200 to 210,000 square feet on a 66.4-acre tract of land. The property is located on the west side of Tatamy Road between Newlins Mill Road and Corriere Road within the Planned Office/Industrial Park (PO/IP) zoning district. Properties to the west and north are developed or being developed for industrial use. Properties to the east

along Tatamy Road and to the south across Corriere Road are developed with a mix of residential and light industrial uses. The Township Comprehensive Plan designates this area for non-residential use. It is currently used for agricultural. The Applicant is seeking conditional use approval under Section 190-137.E which permits limited use distribution centers a a conditional use subject to performance criteria listed in the zoning ordinance. On June 14, 2022, the Planning Commission recommended approval to the Board of Supervisors conditioned on the comments of the Township Engineer letter dated June 8, 2022 are satisfactorily address and the Township Departmental comments dated June 10, 2022 are satisfactorily addressed. Since no end users are identified, any potential tenants will need to submit an additional conditional use application to be reviewed internally by the Zoning Officer, Planning Director and Fire Commissioner to confirm conformance with all conditions of approval. If there would be a manufacturing tenant, a new conditional use application will need to be approved by the Planning Commission and the Board of Supervisors.

Bruno reviewed the process for the conditional use hearing and asked Ted Rewak to sware-in those interested in speaking tonight.

Attorney for the Applicant, Greg Davis, distributed plans and exhibits to the Board. He explained they are proposing four distribution buildings on three consolidated lots south of Newlins Mill Road and the property is zoned PO/IP. This is a use permitted through conditional use approval. All traffic will be directed west onto Newlins Mill Road. Davis said he will have two witnesses tonight: Engineer, Shaun Haas, and Traffic Engineer, AnnMarie Vigilante. We received recommendation for approval from the township Planning Commission.

Bruno entered to following township exhibits to the record:

T1 - Conditional Use Application

T2 - Location Map

T3 - Site Plan

T4 - Township Engineer Letter dated June 8, 2022

T5 - Township Departmental Comment Sheet dated June 10, 2022

T6 - Planning Commission draft minutes of June 14, 2022

T7 - Legal Notice for July 12, 2022

T8 - Legal Notice for July 19, 2022

Davis enter exhibits:

A1 - Conditional Use Application

A2 - Redacted Agreements of Sale

A3 - Aerial Photograph

Davis then called Engineer Shaun Haas as his witness. Haas reviewed his background, qualifications and experience as a Civil Engineer, noting his current position is Senior Project Manager with Langan Engineering. Haas said that his office prepared the plans and exhibits for the project being discussed tonight. He reviewed the aerial map of the property and reviewed all the neighboring properties to the parcel. He confirmed they are proposing four warehouse buildings that will include three access driveways to Newlins Mill Road and that all truck traffic will be directed west on Newlins Mill Road. A third driveway will be a right-in, right-out only. He reviewed the circulation of truck traffic for each building, stating Building A and B truck

traffic can access either driveway and there will be a shared trailer court between the buildings. Building C will use the main driveway in the center and Building D will enter the right-in driveway and exit using the center. Haas said, at the Planning Commission meeting queuing came up. We provided enough for 26 trailers on the inside driveways to allow for early arrivals. We will provide additional parking spaces at the back of the buildings. Haas said, we submitted to the Lehigh Valley Planning Commission and received their consistency letter. With Cyndie Kramer's help we were able to contact six of the neighboring property owners and we received feedback from the Highlands and Kevin Gray.

Davis then reviewed all the conditions for limited distribution use and Haas noted they complied with each requirement. Haas said, other than a few waivers that we are requesting, we comply with all other requirements listed in Section 190-208 as outlined in the township ordinance. Haas stated the stormwater is being reviewed by the Northampton County Conservation District and the Lehigh Valley Planning Commission. He then reviewed exhibit A-8 - Landscaping Plan, which shows the screening and buffering being provided and he stated they meet or exceed the township requirements. There is a 40-foot wide buffer being provided along Corriere Road and 25-foot landscape buffer on Newlins Mill Road. Haas again stated they will be sending trucks to the west, away from the Newlins Mill Road and Tatamy Road intersection. Haas also confirmed they are not requesting any variances.

Young asked about the buffering along Corriere Road and asked about the height of the buffer. Haas said, there is a crest along Corriere Road that is provided between the parking lots and it is about 10-feet higher than Corriere Road. Young said, his concern is the Wolf's Run North residential community across Corriere Road. Young said he would like to see a higher berm if possible. Young then asked about the Met-Ed tower. Haas said the existing tower is a few feet off of Corriere Road and he showed it on the Landscaping Plan. Haas said, we are working with Met-Ed regarding relocating the tower. It will be located further away from the road in accordance with the township ordinance requirements. Brett asked about the waivers and deferrals that are being requested. Bruno stated that would be covered during their land development plan. Young asked what the uses will be. Haas said, the tenants are currently unknown, but it will be distribution/warehouse. There were no further questions from the Board and it was opened up for questions from the audience.

Anthony Makoski, 1354 Tatamy Road, said he has concerns and he wasn't contacted by the Applicant. I've lived here for 21 years. I am concerned about noise and light pollution because this is very close to my house. Bruno asked if he had any specific questions for the witness. Makoski asked, how high is the berm by my house. Haas said, there is a 40-foot vegetated buffer. Makoski said, that doesn't stop noise. Makoski asked if they completed any studies about the limestone in the field. It will create sinkholes. What is going to happen when you start moving ground and water around. Haas said, the plans have notes and specifications that we will need to do to address those issues and someone will be on-site to evaluate that. The storm water and geotechnical design was done by Langan Engineering. Makoski asked, what happens if a sinkhole opens up at my house? Haas said he couldn't answer that. Makoski said, he is also concerned about the gas line going through the property. Haas apologized that they didn't reach out to him previously and said we can still sit down to address your questions and concerns. Haas said, we have been in contact

with UGI and there are regulations we will have to adhere to. Makoski said, what about noise restrictions? Haas said, we are bound by the township ordinance for noise. Makoski asked about truck enforcement on Tatamy Road. We already have the Werner trucks. Haas said, the intent is to have all trucks going west, not using Tatamy Road. Unless a truck goes over the curbing, they won't be able to go that way. Makoski said, one requirement is if the area is compatible to this use. Is it compatible? Young said, that will be addressed during the preliminary plan review that is the next item on the agenda.

Jan Gittings, 1334 Tatamy Road, said that no one asked me about this either. The eastern side of this property is in my backyard and she asked how tall the buildings will be. Haas said the township zoning code requires them to be less than 40-feet. Gittings asked if there will be a screening, because it doesn't look like much on the plan. Haas said, evergreen trees are proposed in accordance with the ordinance. Gittings asked if there will be noise, what will be in the buildings? Haas said, all four buildings are warehouses and the trucks will be on the opposite side of the buildings. Gittings asked, why do we need more warehouses in Palmer Township?

Bruno explained the conditional use process and said the land development plan portion will follow this discussion. Chairman Young said, I started to talk about berms and that may be something to hold for the land development portion. Bruno said, berms can be discussed now because of the related impact. Young said, he would like to see the berm in excess of what the ordinance asks for to protect the residents. When a building is 40-feet in height and there is pack lighting on it, there will be light glare and noise. I would like you to consider something significantly bigger than what you are proposing. Young said, I also know with our proposed new zoning ordinance we will be asking for bigger trees. Davis asked what the new ordinance will require? Armato said, more height and density. Armato said, we've seen previous plans that have provided 20-foot height. Young said, I'm only asking for where there are residential properties. Davis said, it is something that would have to be looked at and then we will need to come back to the Board. Davis said, I don't know the availability of such trees. Haas said that he couldn't talk to the landscaping design, but he's been told the larger trees can be difficult to get. Mitchell said, why not put a berm there and then the trees on top. Haas said that Mr. Gray asked that we add a berm and we show it on our plan as a three to four foot berm. We would certainly consider adding it along that entire residential boundary line but there may be some constraints there. He said the maximum slope by ordinance is 3 to 1. Anything steeper you would have visibility issues. Haas reviewed the property lines along the residential properties and the parking areas and said they could raise the berm and add a few more trees if there is room, if it would address your concerns. Young said, the property is 66.4 acres. If they ask for open space instead of paying fees, how would they accomplish this. Is there available property? How much land is required by ordinance? Kramer read a section of the ordinance that stated 5% of the buildable site must be dedicated for recreation purposes. Kramer said, you need to also subtract out the easements. Young said, it would be about two to three acres.

Kevin Gray, 1350 Tatamy Road, said he met with Shaun Haas and he appreciated that meeting. We talked about some of my concerns. Can you tell me what the results were of the borings? Haas said, we are aware it is a sinkhole prone area and the infiltration rate was subpar. Gray asked for the depth of the basin. Haas said they are

generally 15-feet. Gray asked what type of excavation methods will be used. Haas said, typical earth moving equipment. Gray asked about the depth of the borings. Haas said they need to be two feet below basin, so 17 to 18 feet. Gray said, he is also concerned about the need for blasting. When Werner did it, it wasn't a good situation. Haas said, the method for rock removal is still to be determined and will be determined by the contractor, but it will be within requirements. Gray said, damage to the gas line and his foundation is a concern of mine. Gray said, we also discussed my heliport. Are you confident it will not interfere with the glide slope? Haas said, yes. Gray said, if the PA Aviation Commission certifies, it should be ok if you can achieve the required slope. Gray said he was also concerned about people getting into the heliport which would be a safety concern. Gray asked, how do we make sure this doesn't happen on the northern or eastern side of my property. Davis objected to the relevance and questions. Bruno overruled.

Richard Karp, 107 Stephanie Drive, asked what he will be looking at when he comes out of Stephanie Drive? Haas said, a vegetated buffer that will be 15 to 20 feet high over time. Karp asked how far is that from Corriere Road. Haas said the evergreen tree line is 15 to 20 feet off of Corriere Road. Karp asked if there is any rule against trucks idling and he is concerned about noise. Haas reviewed the truck traffic on the site plan. Karp asked if they are sure Met-Ed will move the tower. Haas said, he is confident and we are working through the review with them now.

There were no further questions for Mr. Haas.

AnnMarie Vigilante, Traffic Engineer with Langan Engineering confirmed and reviewed her credentials and stated that she prepared the traffic impact study for this plan. Vigilante reviewed exhibit A-9 - Traffic Impact Study and reviewed the intersections and driveways affected by the plan. Vigilante reviewed each intersection and stated they will perform at the required level of service and will meet township ordinance requirements. Vigilante said they will be widening Newlins Mill Road to provide a westbound left turn lane. This was not required, but we felt it was necessary and just made sense. We are also including sidewalks along Newlins Mill Road, widening Corriere Road, and the sidewalk on Corriere will be a straight shot and there will be no need to shift the roadway. We are looking to widen Tatamy Road along the site frontage in accordance with the township ordinance, as well as add sidewalk. Vigilante said, the location of the tower is essential to widening Corriere Road. As mentioned earlier, we will be making all trucks exit to the west. Once the tower is moved, we will widen Corriere Road. Vigilante confirmed the improvements are outlined in exhibit A-5 - the Roadway Improvements Plan and that the improvements will adequately mitigate the traffic generated from the project.

Mitchell asked, when built out, what do you predict the truck traffic to be? Vigilante said, the AM peak trip will be 15 and the PM peak trip will be 23. Mitchell said, that is during peak hours, but what about total trips per day? Vigilante said 469 trips or 234 vehicles servicing all four warehouses. Mitchell asked about cars. Vigilante said 946 trips. Mitchell asked if it will be 24 hours a day. Vigilante said she couldn't comment on that today, it will depend on use of the tenants. Mitchell asked if traffic could back up off of Route 33. Vigilante said, we looked at all projects within this vicinity and we do not anticipate issues at any intersection. All intersections operate at Level C or better. Mitchell asked if Van Buren and Newlins Mill wouldn't increase. Vigilante said

they will do signal timing to address the impact.

Kevin Gray said, there isn't a traffic signal at Van Buren and Newlins Mill now. Vigilante said it is going to be installed by others. Gray said, there is no left turn from Tatamy now for trucks, will your improvements allow trucks? Vigilante said, we are not proposing any truck traffic on Tatamy Road. We do not have any driveways on Tatamy Road. All trucks will be directed to the west. There will be a left turn lane added at Tatamy and it will be three lanes.

There were no further questions from the Board. Bruno invited members of the audience to present evidence or testimony.

Harry Graack, 1380 Van Buren Road, said, about the berms and trees, even though they meet the minimum ordinance requirements, I don't see enough open space or regulated berms for the neighbors. I'm concerned about the traffic and since all truck traffic is going west, and I understand they will go north or west, will the signal get there before these go in? I don't think you should be looking at each project on its own, you have to look at the overall picture with all the projects. We need that light signaled appropriately at that intersection. I ask you to consider something at Tatamy and Newlins Mill. We will have employees that will go east. Graack said, 400 trucks and 900 total trips is a lot of traffic. Van Buren is a two lane road right now. The idea that this was passed by the Planning Commission with all this still open, you have residents complaining about certain things I alluded to. I'm a resident too. I don't live in close conjunction with this, but I know I'm going to get bad results from this and other projects in the vicinity. I'd like some consideration for the neighbors in the community. The neighbors should have their rights addressed.

Anthony Makoski, 1354 Tatamy Road, said his wife and 13-year old autistic son live there now. I'm a good neighbor. We are not zoned residential, but we live there. These four houses pay taxes and we put our trust in this Board to be our advocate. This looks like a lot. The noise from business hours, MCS is bad enough and now its getting closer to us. I'm asking that you don't allow it to run 24/7. We just want to go on living our lives.

Gray said, the Applicant has no obligation to work with the residents. Mr. Young has valid concerns about the berm and making sure the development meets future ordinance requirements. I understand its going to be developed, but the berm is a big issue with me. Mr. Haas was good working with us on that and I hope its genuine and I would like to see their revisions. It would show a lot of good will if they listen to the residents that live here.

Bruno asked if there was any desire to keep the record open and investigate the buffer issue? Davis said, yes, but he would like more direction from the Board on what they are striving for. Young said, the reason he asked about open space was to see if they could move the buildings away from the Tatamy residents. Could they use two and a half acres to get more separation and then add higher berms. I understand it could reduce the size of the buildings. It's a way to get a little bit more of a buffer where the houses are and the heliport. Also, on Corriere Road where the houses are. Bruno said, for the record, it's the properties along the eastern portion of the site and south where Howard Lane is. Haas said, there is a berm for the whole property. Haas

said, from the dock location of building A to the residential property line for 317-feet. Young asked if you could move it to the north to create more of an area? Haas reviewed the culvert at Corriere Road and spoke about the drainage to the Schoeneck Creek. Haas said the distance from the dock at the building to the nearest resident is 317 feet. Brett said, he believes Jeff Young is on the right track. Mitchell asked what the height of the berm is on Corriere Road. Haas said it varies by location because the road itself varies in elevation. At the southwest corner across from Howard Lane the top of the berm is 373-feet, 20-feet high and there will be trees on top per the grading plan.

Brett asked what our new ordinance is going to require? Kramer said she didn't know off the top of her head but she can provide them with the new ordinance requirements. Armato said, he would like to see more details on the plantings. Haas said the landscaping plan is part of the land development review. Brett asked if Met-Ed allows berms, trees and construction in the easement. Haas said they don't allow buildings but some is allowed under restrictions.

Bruno said, at this point the Applicant can decide if they want to continue the hearing to a later date and come back and provide some additional information on berms and buffering to answer the Supervisors and public's questions. Davis said that is the path we would like to take, now that we have a better understating of what the Board would like to see. Davis asked if the Board would like to provide any further direction for them. Young said, he also believes some open space should be provided to allow for better buffering. Bruno asked, in addition to revised buffering and berms? Davis asked, to be dedicated? Bruno said it will need to be per the ordinance. Brett said, open space in this case is not for recreation, but more for preservation, sustainability.

After further discussion the Applicant agreed to reschedule the hearing to September 12th. The Applicant agreed to waive the 45-day requirement and Bruno asked Attorney Davis to provide that confirmation in writing to his office. Davis said, this discussion could affect the overall design of the plan and he confirmed the Board agreed to have the Land Development Plan delayed until that time as well. Bruno said if the plan is revised, to have it reviewed by the Township Engineer first.

Supervisor Panella made a motion to continue the Conditional Use Hearing and table the Land Development Plan until September 12, 2022.

Bruno noted the deadline on the plan is September 30. If a decision isn't made by that date the township may need to approve an extension.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

E. First Park 33 - Lot Consolidation & Preliminary Land Development Plan

INFORMATION

Newlins Mill Road & Tatamy Road - K8-12-4, K8-12-5 & K8-12-10A
PO/IP District

Request by FR Newlins Logistics Park, LLC

The Palmer Township Planning Commission reviewed the above-referenced item at their regular meeting of June 14, 2022.

The preliminary plan proposes the construction of 4 limited distribution buildings ranging from 151,200 to 210,000 square feet on a 66.4-acre tract of land. The property is located in the Planned Office/Industrial Park (PO/IP) zoning district on the west side of Tatamy Road between Newlins Mill Road and Corriere Road. The site is currently unimproved agricultural land.

The properties to the west of the property and to the north across Newlins Mill Road are developed or being developed for industrial use. The properties to the east along Tatamy Road and to the south across Corriere Road are developed with a mix of residential and light industrial uses. The Township Comprehensive Plan designates this area for non-residential use.

Requested Waivers:

- §165-63.K(2)(c) - requiring concrete lining in emergency spillway; synthetic landscape matting proposed
- §165-63(K)(3) - requiring maximum slope of 3:1 on interior detention basin walls; 4:1 slope proposed
- §165-63(K)(5) - requiring minimum slope of 2% on floor of detention basin; flat bottom proposed
- §165-63.N(3) - requiring matching tops of drainage pipes; varying crown elevations proposed
- §165-69.G - requiring driveway aprons

Requested Deferrals:

- §165-59.F and §165-75 - requiring cartway widening, dedication of right-of-way and curbing: deferral is requested along Tatamy Road until the construction of improvements at the intersection of Tatamy Road and Newlins Mill Road; deferral is requested along Corriere Road until the construction of Phase 2.

Recommendation: At their meeting of June 14, the Planning Commission unanimously recommended approval of the preliminary plan by the Board of Supervisors, subject to the following conditions:

1. Comments of the Township Engineer letter dated June 8, 2022 are satisfactorily addressed.
2. Township Departmental comments dated June 10, 2022 are satisfactorily addressed.
3. Comments of the Township Geotechnical Engineer dated December 10, 2021 and any additional comments are satisfactorily addressed.
4. Comments of the Township Landscape & Lighting Consultant dated April 4, 2022 and any additional comments are satisfactorily addressed.
5. Comments of the Lehigh Valley Planning Commission letter dated December 31, 2021 and any additional comments are satisfactorily addressed.
6. Waivers and deferrals are approved to the satisfaction of the Board of Supervisors.
7. The conditional use request is approved by the Board of Supervisors.

Deadline: The land development plan was accepted for review on October 12, 2021. The Board of Supervisors has a deadline of September 30, 2022 to render a decision on the plan.

DISCUSSION

As noted above, the land development plan discussion is tabled until September 12.

4. PUBLIC COMMENT

Bob Blanchfield, 2830 Stephens Street, said he is speaking as the Chairman of the Planning Commission. I would like to thank Cyndie and Carolyn for the excellent program that was held last week to allow the residents to come in and review and comment on the new zoning ordinance. The open concept was very good and it was well attended by residents and stakeholders and great comments were made that night and we received a lot of input. Blanchfield said, our entire Planning Commission was there and were active in speaking with our residents and stakeholders that attended.

Tim Fisher, 68 Moor Drive, said he is here tonight as Chairman of Government Relations for the Highlands of Glenmoor community. I agree with the Chairman of the Planning Commission. It was a good meeting with Cyndie and the township consultant for the zoning ordinance. We could speak one-on-one and they had all the posters displayed. It was very good. I would also like to commend the Supervisors and staff on Corriere Road. It is gorgeous and we are all happy the resurfacing happened and are hopeful it will hold up for a long period of time. Fisher asked if a date was established for the next zoning hearing. Kramer said, it will be before this Board, but a date is not yet established. The Planning Commission will have a meeting on August 9, where they will make their recommendation to the Board of Supervisors. Fisher said, the group that was here tonight came to the Highlands of Glenmoor and we were surprised they didn't show you pictures that they showed us. If that is built, we have no objections and that is why you didn't hear from us tonight. I do believe you have to look at all traffic studies presented in the past couple of months for those three conditional use hearings. The impact of those are quite extensive.

5. REPORTS

Solicitor

Bruno had a request for the Chairman to execute the Land Development Improvements Agreement extension through January 31, 2022, for Duke Realty Limited partnership, Lot 1.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Joseph Armato. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Bruno had a request for the Chairman to execute a Land Development Improvements Agreement requesting an extension through November 30, 2022, for the Werner Enterprises Lehigh Valley Training and Maintenance Facility.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Michael Brett. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Township Manager

Williams said, the township staff reviewed five applicants for our MS4 Consultant and we unanimously endorse HRG out of Harrisburg. This is the same consultant that Bethlehem Township used to get their program up and running and they also have a relationship with Forks Township. Williams asked for a motion to authorize awarding HRG as the Township MS4 Consultant.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Michael Brett. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Williams said, the township has received phone calls over the past few weeks concerning the Palmer Point Apartment project. They had scheduled to open the beginning of July. On Monday, our Fire Commission inspected the premises and every unit in the building they want to rent out. The building is missing fire alarms and the fire strobe light indicator that would go off when there is a fire. In addition, the hydrants are not properly plumbed. The Township is holding up the Certificate of Occupancy permits because of valid concerns of the health, safety and welfare of its future residents.

Planning Director

Kramer said, Mr. Blanchfield said most of what she wanted to say. We had a very successful meeting for the proposed zoning ordinance. Over 50 people attended. It was nice to talk with everyone one-on-one and we were able to answer a lot of questions related to the process. It was a very good opportunity to talk with our residents.

Kramer said she received two applications for the August Planning Commission meeting. The MRP industrial project for the southwest corner of Van Buren Road and Main Street, and Carson for the southeast corner of Van Buren and Main Street.

Young asked about the August Zoning Hearing Board agenda. Kramer said it only has the appeal from Palmer Point challenging the building code and zoning decision.

Fire Commissioner

Williams asked the Fire Commissioner to comment on his Palmer Point inspection.

Gallagher said, Monday morning he performed a formal fire inspection and walk through of Building 200 at Palmer Point Apartments. I had noticed several items prior to entry to the building. There were issues with the cages around the dryer vents that created a fire hazard. The Knox Box was not installed properly and a device was not installed at the rear of the apartment building. The hydrant at the rear of the property was plumbed properly. We did provide this information back to the Developer.

William said, he would like to express his appreciation to Steve Gallagher for taking time during his vacation to communicate with the Developer and setup the meeting for first thing Monday morning.

Gallagher added, he was the Fire Marshal for ten years in Bethlehem Township prior to joining Palmer Township and I've never had a situation like this. Yet they blame us for negligence.

Brett asked about the fire alarm system. Gallagher explained the sprinkler system monitoring system that should notify residents and the fire department of a fire. The third floor residents could not hear the alert system and there was no horn/strobe device that must notify residents as well.

Williams said, it is not wired at all. Gallagher added, they only had smoke detectors in apartments and there were none in the hallways.

Supervisors

Young said, he also wanted to comment on the great job that was done at last weeks zoning meeting. Thank you to the Planning Commission for showing up. I'm happy we are finally getting this done.

Young said, he attended the Recreation Board meeting last Tuesday. There are no specific items to bring forward to this Board. I would like to thank the Public Works Department and Scott Kistler, Bob Williams and Tom Adams for getting everything accomplished to get UGI started tomorrow. That is the last big piece of the puzzle. Once that is done, they will be able to get access points opened and the fence up and we will be ready to go. The last I heard it appears we could come in under what we projected to spend. Williams said, we may be under today and we will get it done on time. Williams said he will provide a final report on expenses when the project is completed.

Panella said, I would like to reminder everyone that the health and safety of our residents is our priority. I worked at companies where I was the Safety Director and I worked with disabled people. The thought of no fire alarms in an apartment house is an atrocity. They are responsible for the safety of their residents, but so are we.

Young added that he forgot to report earlier tonight that the Board held an executive session for one legal matter prior to tonight's meeting. No action is required tonight.

6. ADJOURNMENT

The meeting was adjourned at 9:30 p.m.

Motion: Adjourn, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Respectfully submitted,

Brenda DeGerolamo
Assistant Township Manager