

HANOVER TOWNSHIP, LEHIGH COUNTY  
PLANNING COMMISSION MEETING

April 18, 2023  
6:30 P.M.

Present: Dean, Yoder, Hawk, Rossi, Thomas; Susan G. Maurer, Esquire; Al Kortze, P.E.;  
Melissa A. Wehr; Vicky Roth; Audrey Anderson

Absent: Murray

Attendance: 7

Approval of Minutes: March 21, 2023, Planning Commission Meeting

Motion: I move we waive the reading of the Minutes of the March 21, 2023, Planning Commission Meeting and accept same as presented.

Thomas, Hawk: Moved and Seconded

Unan.

Correspondence:

Chairman Thomas stated he has correspondence related to a few items that are on the Agenda as well as items that are not on the Agenda this evening. The correspondence is available for review at the Township office during normal business hours.

General Business:

1. Final Land Development Approval – Patriot American Parkway Lot 3 Warehouse, Exeter 1112 American Land LLC, 1112 American Parkway, Allentown, PA 18109. (Review and Recommendation)

Rick Roseberry with Colliers Engineering introduced himself. They are before the Commission with an amendment to their final and to make a small change to the interior driveway entrance into the site at Lot 3, Patriot American Parkway. It is the property to the east of the existing office building, which is on Lot 1. This plan has three driveways coming off the loop road. Two of the driveways are accessing the vehicular parking spaces, which are not changing. The driveway that is darkest on the plan is the driveway that accesses the truck court that is along the east side of the building. This is what was previously approved. As you can see, the driveway was coming in at a 90-degree angle. In cooperation of both the owners of Lot 1 and Lot 3, they are looking to bring it out at an angle which would essentially force all the trucks to use the loop road and exit on Dauphin street which was always the intent and which was always what was restricted in the agreements between parties, but with this configuration it emphasizes and enforces the trucks to utilize that maneuver. The other entrances do not change. With this, storm water changes were made because

there was an irrigation area that is being displaced and it's being moved from one side of the road to the other side. There were calculation changes that went along with it. Mr. Roseberry mentioned that Lot 1 is going to be coming back also with a change. If the Commission recalls, they had an interior driveway that was changing. They had it coming out to the interior driveway and wanted to bring the driveway out to the loop road. They are working on this plan and will return in a couple of months to present it to the Board.

The Chairman commented that he has a letter from the Lehigh County Conservation District which indicates that their submittal was determined to be incomplete. The Chairman asked if this has been resolved. Mr. Roseberry replied that it has not. It is for their NPDES Permit. They had to incorporate these changes and will be resubmitting later in the week. They are very close to getting their PennDOT permit for the water line extension and expect that within 30 days. It will be the last permit they need for this project. The Engineer's Final Land Development Comments are as follows:

1. The elevation of the benchmark used for establishing plan grades shown on sheet 11 is incorrect (22-301-4.P). The correct benchmark reference and elevation shall be added to plan sheets 11 and 12.
2. The 50 ft front yard setback line along Lloyd Street shall be measured from the ultimate right-of-way line. The Ultimate right-of-way line is 30 feet from the road centerline.
3. Soil Erosion and Sedimentation Control and NPDES Permit approvals will be required (22-409.1.F).
4. A PennDOT Highway Occupancy Permit will be required for the proposed water main extension on Dauphin Street.
5. A completed and executed Improvements Agreement will be required (22-302.4.6). Items to be secured include storm drainage improvements, soil erosion controls, sanitary sewer, site lighting and landscaping.
6. A maintenance guarantee will be required per SALDO Section 22-302.4.I.
7. The proposed stormwater management systems will be subject to an annual inspection by the Township. The inspection note in SALDO Section 22-406.6.F shall be added to the plans.
8. The owner shall enter into a Stormwater Best Management Practice (BMP) Operation and Maintenance Agreement with the Township for the proposed stormwater management facilities. This agreement shall be in accordance with Appendix E of the Township SALDO.
9. All outstanding fees shall be paid, and agreements entered into prior to plan recording.
10. Sewage Facilities Planning approval from PA DEP is required (22-301.5.B).

Motion: I move that we recommend the Final Land Development Approval – Patriot American Parkway Lot 3 Warehouse, Exeter 1112 American Land LLC, 1112 American Parkway, Allentown,

PA 18109 subject to Keystone Consulting Engineers' Letter dated April 13, 2023, and subject to approval from Lehigh County Conservation District.

Thomas, Hawk:

Unan.

2. Preliminary/Final Land Development Approval – LNAA, for 865 Willowbrook Rd., Lot 5B, Allentown, PA 18109 (Review and Recommendation)

Rachael O'Neill, Attorney with Reed Smith, is before the Commission assisting the lessee, SYSCO, with this application along with Michael Layton with B.L. Companies, senior engineer on this project. They are here for Preliminary/Final Land Development Plan Approval regarding the property located at 865 Willowbrook Rd. in the PIO Zoning District. The property is owned by LNAA and leased to SYSCO. They were before the Commission for Land Development Plan Approval for the tenant fit-out of the warehouse across Willowbrook Rd. at 800 Willowbrook Rd. This will be a parking lot for truck trailers and truck tractors in support of that warehouse. This use, specifically the parking lot on a separate parcel, was approved by the Zoning Board on December 8, 2022. The Zoning Board approved an accessory use prior to a primary use which is the parking and then also to permit a maximum fence height of eight feet with three strands of barbed wire. This is necessary to screen the trucks and tractors on the property. They received the Engineers letter dated April 11, 2023, which does recommend approval subject to conditions which they feel they can satisfy. List of conditions are as follows:

1. The Owner's Certification shall be signed and notarized prior to plan recording (22-302.3.H).
2. The plan shall indicate the existing purpose and future intent of the stormwater/construction easement located along the north property line. A copy of this easement shall be provided to the Township as reference.
3. A PennDOT Highway Occupancy Permit will be required for the proposed driveway onto Willowbrook Road (22-302.3.G).
4. A completed and executed Improvements Agreement will be required (22-502.I). Items to be secured include storm drainage improvements, soil erosion controls, site lighting, and landscaping.
5. A maintenance guarantee will be required per SALDO Section 22-5022.
6. The property owner shall enter into a Stormwater Best Management Practice (BMP) Operation and Maintenance Agreement.
7. All outstanding fees shall be paid, and agreements entered into prior to plan recording.
8. Plan sheet 1 notes two separate property owners (Rock-Lehigh Valley and the Lehigh-Northampton Airport). Please clarify current property ownership.

At this time, Michael Layton walked the Board through the plan. The Chairman of the Planning Commission asked Ms. O'Neill to address the comments on the April 8, 2023, letter from the Lehigh Valley Planning Commission. Ms. O'Neill said that some of the comments on this letter have been addressed on the plan before them this evening. The remaining comments are still in

discussions with the Lehigh Valley Planning Commission. There is a meeting scheduled with them to make sure all of their comments have been addressed. They are willing to submit the letter from the Lehigh Valley Planning Commission in compliance and they understand that approval would be conditional upon this letter. The Township Manager asked what the distance from the gate to the roadway is. She asked how they will prevent anyone or a tractor trailer from turning in there, being able to fully fit in there and not block traffic out on the state road. Mr. Layton replied that part of that relates back to the fact that the gate will remain open during the anticipated time that SYSCO expects trucks to be moving back and forth between 5A and this parking lot. When the gates are open, there will be no need for a tractor trailer to stop to come through the gate. Mr. Layton said there is enough room for the tractor to be safely off the road. The access through the gate is remotely operated. There is a pin pad there for off hours and for someone to be able to go up to it and open the gate. Other times it will be open through some type of device remotely. There will not be anyone walking across the state highway at any time. A Board Member asked if there is a center turn lane. Brian Harmon with the Pidcock Company, the Traffic Engineers for the project, replied that there is a center turning lane available that runs from the FedEx access all the way through the frontage down to the southern 5A access point. This will be available for left turning trucks in. One of the Commission Members asked if the tractor trailers were refrigerated and if any have a chance to catch on fire. Greg DeMinico with SYSCO replied that 90% of the trailers are refrigerated and yes on occasion a fire does happen. The Commission Member suggested that there should be at least one fire hydrant on the lot since there are a lot of trucks. Mr. DeMinico said that if that is required, they will add one. The Commission Member said that he thought there was a water line that comes up Willowbrook Rd. The Manager asked Mr. DeMinico if each individual truck has a fire extinguisher on them and he replied that they do. Mr. DeMinico said that most of their operations are on Lot 5A and this lot is for the overflow, mainly, peaks and holidays for use of this lot. The Manager asked if the trailers on this lot will be plugged in, and Mr. DeMinico replied that they will be empty trailers. A Commission Member said if the trailers are not running, he does not have a problem if there is no fire hydrant on the lot. The Commission Chairman said that he feels that they are getting a lot of verbal discussions this evening and doesn't feel comfortable giving approval on Final Land Development based on some of the discussions this evening. There is no formal answer to the Lehigh Valley Planning Commission issues and he is not quite comfortable with the gate issue. Ms. O'Neill said that a third-party approval from the Planning Commission is something they can work with on a conditional approval. It is a third-party approval and something they are working through and several of the comments have already been addressed to the plan before the Commission this evening. Mr. Harmon said in discussions with SYSCO and their operations, their intended use for this is overflow and that all of the traffic coming in and out of the 5B Lot would be coming from or destined to Lot 5A. No one would be leaving 5B and heading out and no one would come from the area and go to 5B. Everything goes in and out of 5A and then a jockey truck would be picking them up from 5B on an overflow basis as necessary. That was the framework of discussions with PennDOT as far as where the driveway should be. PennDOT specifically did not want the 5B driveway to be directly opposite the 5A driveway so there would not be tractor trailers trying to cross five lanes of Willowbrook Rd. at one time. They wanted the staggered operations so that it would be a right turn lane out of the driveway and a left turn into the next driveway. As far as the gate operation, because everything is coming from 5A, they know when those trucks are coming, and they know when someone is going over to 5B to pick up a truck. Having that remote access to be able to control the gate, they know what's going on and will not have the situation where there will be a truck that shows up and is expecting to pull into Lot 5B. All that operation has to go back to 5A.

The Township Engineer said since the plans that the Planning Commission received don't indicate 5A, maybe they should specifically point out which driveway they are talking about and that the trucks will be exiting 5A and coming down. The Engineer stated that in one of the earlier conversations they had in talking with PennDOT, they absolutely did not want to have any kind of pedestrian crossing facilities to go from 5A to 5B. Since it is an unmanned site, he does not think the Township would want to promote that. He is not sure where the sidewalk is connecting FedEx to this facility. He is not sure the one will be walking to the other. One is not related to the other. The Engineer said a bus stop was mentioned and asked where it would be located on Willowbrook Rd. Mr. Harmon replied that currently the bus stop operations are internal to the FedEx employee entrance. They will correct the ownership on the plan.

Motion: I recommend Preliminary/Final Land Development Approval – LNAA, for 865 Willowbrook Rd., Lot 5B, Allentown, PA 18109 subject to resolution of the comments mentioned in the Lehigh Valley Planning Commission letter dated April 11, 2023 subject to the approval of their sign off and Township Manager's sign off and that the comments have been addressed.

Thomas, Hawk:

Unan.

Adjournment:

The meeting was adjourned at 7:04 P.M.

Respectfully submitted,

Stacey Dean, Secretary  
Hanover Township Planning Commission