

Hanover Township

Lehigh County, PA

HANOVER TOWNSHIP, LEHIGH COUNTY SPECIAL PLANNING COMMISSION MEETING

July 16, 2013
7:30 P.M.

Present: Baillie; D'Ambrosio; Hess; Keim; Paulus; Thomas; Susan G. Maurer, Esquire; Frederick W. Hay, P.E.; Sandra A. Pudliner; Vicky Roth

Absent: Bean

Attendance: 10

Approval of Minutes: May 28, 2013 Special Planning Commission Meeting

Motion: I move we waive the reading of the Minutes of the May 28, 2013 Special Planning Commission Meeting and accept same as presented.

D'Ambrosio, Thomas: Moved and Seconded Unan.

Correspondence:

Chairman D'Ambrosio acknowledged receipt of correspondence dated May 28, 2013 to the Hanover Township Planning Commission from the Lehigh Valley Planning Commission with respect to their comments regarding the A. Duie Pyle Land Development Plan. Chairman D'Ambrosio indicated that the correspondence was available for public inspection and that he would not read same at this time.

New Business:

1. Preliminary/Final Land Development Review, Airport Point Realty Partner LP, 1870 Airport Rd., Allentown, PA 18109 (Review and Recommendation)

Charles Unangst of Hanover Engineering appeared before the Board on behalf of Airport Point Realty Partner LP and advised the Planning Commission that as they will recall they had been here two months ago. In reviewing the plan presented by Mr. Unangst, Mr. Unangst noted that the property in question is the old Davis Business Machines property on Airport Road. Mr. Unangst noted that the property is situated at the ramp of Rt. 22 and Airport Road adjacent to Airport Centers with S&E Hospitality located at the rear of the property. He noted it is a small triangular piece of property. The proposal is to construct a 10,000 square foot facility which will be home to three separate uses. Mr. Unangst indicated that they had done some soil testing for infiltration purposes and have attempted to correct all the technical issues with

the prior plan. He noted that they are more than willing to address the additional comments as set forth on the Township Engineer's letter to the Planning Commission dated July 16, 2013. Mr. Unangst noted that the Township Engineer's comments will not result in any issues regarding site layout or storm sewer issues. He noted that the issues raised in the current comment letter were in his opinion building permit type issues. Accordingly, Mr. Unangst requested that the Hanover Township Planning Commission consider a recommendation to the Hanover Township Council for a Preliminary/Final Plan Approval of their proposed land development. In that regard, the Board made the following Motion:

Motion: I move that the Hanover Township Planning Commission recommends to the Hanover Township Council that they grant Preliminary/Final Land Development Approval to Airport Point Realty Partner LP, 1870 Airport Rd., Allentown, PA 18109, subject to the conditions as set forth in the Township Engineer's letter dated July 16, 2013. A copy of said conditions are attached to the Minutes of this meeting.

D'Ambrosio, Paulus: Moved and Seconded Unan.

Attorney Lisa A Pereira also in attendance at the meeting on behalf of the Developer, advised that she had prepared an extension of time letter on behalf of Airport Point Realty Partners, LP to extend the time for the Township Council to render a decision on this matter through August 16, 2013. The Hanover Township Planning Commission accepted the extension letter at this time.

2. Preliminary/Final Land Development Review, A Duie Pyle, 2900 Hoover Avenue, Allentown, PA 18109 (Review and Recommendation)

Mr. Paul Szewczak appeared before the Board on behalf of Liberty Engineering, the Developer's engineering firm. Mr. Szewczak noted that his client is proposing a 13,500 square foot warehouse facility. He noted that the property is subject to several zoning restrictions. He noted that there are six maintenance bays proposed. There was discussion regarding restricted hours of operation. The property would be fully sewerred. Mr. Szewczak indicated that various sound mitigation procedures would be required and indicated that same included construction of a large berm and a smaller berm, 13 feet above the floor level of the garage facility. Mr. Szewczak also noted that storm water would be under ground.

There was discussion with respect to the letter from the Lehigh Valley Planning Commission where it indicated that it was their suggestion that the landscaping buffer be extended for the length of the landscaping berm. It was noted that it was the intent of the Developer to extend the landscaping for the length of the berm but they had only provided LVPC with a typical section of what the landscaping would look like.

At this point in the meeting, there was general discussion with respect to the operation of the truck maintenance facility. Chairman D'Ambrosio was of the opinion that this operation basically consists of them pulling the trucks into the maintenance facility to replace the brakes or some other maintenance function during which time the truck is not running. It was noted that with respect to emissions testing, the trucks would be running.

At this point in the meeting, a vote was taken regarding the proposed Land Development of A. Duie Pyle. The Motion was as follows:

Motion: I move that the Hanover Township Planning Commission recommends to the Hanover Township Council that they grant Preliminary/Final Plan Approval for the Land Development of A. Duie Pyle, 2900 Hoover Avenue, Allentown, PA 18109, subject to the conditions as set forth in the Township Engineer's letter dated July 16, 2013, a copy of which is attached hereto.

D'Ambrosio, Hess: Moved and Seconded
Baillie, Paulus, Thomas: Nay
D'Ambrosio, Hess, Keim: Aye

With respect to the above vote, it was noted that no recommendation would be given to the Hanover Township Council regarding this Land Development from the Hanover Township Planning Commission.

At this point in the meeting, Attorney Susan Maurer opened a discussion regarding questioning why members of the Board felt that this proposed Land Development would have a negative impact on the Township. She questioned whether members of the Board felt for some reason that the proposal was not consistent with the neighborhood or the hours of operation were objectionable or it did not preserve the welfare of the people in their opinion. Attorney Maurer noted that the only reason Council can reject the proposal is for legally sufficient reasons. Attorney Maurer did indicate to all in attendance, including the Board, the Developer, and interested parties, that the Planning Commission can give this Developer its input right now and let the Developer know what issues this Board has. The Developer would then be aware of those issues and maybe some accommodations will result from same. Mr. Thomas indicated that his problem with the Development was the impact on the neighborhood. It was Mr. Thomas' opinion that he appreciated the fact that the Developer was adjusting the hours of operation and creating a berm for sound insulation, but he still felt that putting that facility at that location is too close to the homes in the area and he felt that the noise impact would be objectionable.

There was a discussion initiated by Mrs. Paulus regarding air quality concerns. Chairman D'Ambrosio indicated he didn't understand that being a problem. Mrs. Paulus noted that there are people in the area that have health

issues. Chairman D'Ambrosio commented that the Township has other service centers in the Township and there have never been any issues before the Planning Commission objecting to them. Mrs. Paulus also noted that in her opinion the Zoning should not have been changed to accommodate the industrial use. Attorney Maurer commented that change is not before this Board.

At this point in the meeting, Mr. Hess noted that there are people living in the affected area on this Board. Mr. Hess questioned the right to vote on this issue. Attorney Maurer indicated that they have the right to vote. They need to take what is proposed and apply the standards of law and decide whether this is a legal proposal which can move forward. Mr. Hess noted that there have been times when there was an issue in the Township which involved him and he had excused himself from the Board for those proceedings. Attorney Maurer advised all present that it was her opinion that there is no legal basis right now to stop the proposed development; but, if anyone here has legitimate concerns, this time affords you the opportunity to voice those concerns to the Developer. However, those concerns must tie in with the laws passed here in Hanover Township. Attorney Maurer noted that the Zoning change is not before this Board. Attorney Maurer noted that the use proposed by the Developer resulted from a change in the Ordinance by the Hanover Township Council.

At this point in the meeting, there was further discussion involving Mr. Peter Latta of A. Duie Pyle, Inc. There was some discussion with respect to the building not being air conditioned and that was as a direct result of the fact that the doors would be open in the summertime and that it was not efficient to have the air conditioning in place. The building would however be heated. Mr. Thomas questioned whether the hours of closing at 11:00 P.M. could be modified to say 9:00 P.M. Mr. Latta noted that the hours of closing at 11:00 P.M. seemed reasonable to them. As a matter of fact, he was of the opinion that the berms and the berm barrier and the landscaping represent a big reason why the hours of operation should not be an issue. Mr. Latta felt that A. Duie Pyle will have in place sound mitigation measures. He also noted that the building is facing north and south away from the residential area.

At this point in the meeting, there was discussion relative to the operation of A. Duie Pyle. Mr. Latta indicated that their cycle starts in the morning hours. In the afternoon, they make pickups and at the end of the day, they would unload materials that have not been delivered. He noted that there are about 35 pickup and delivery rounds per day.

Chairman D'Ambrosio noted that the process from the main office to this facility would be basically moving about 50 yards. Mr. Hess noted that the type of equipment that you have today is much quieter than years ago. He felt there would be no problem with the garage at all. He noted that he had been in the business and done emission testing over the years. Mr. Latta indicated that diagnostics today are really great and that they utilize low sulfur fuel.

At this point in the meeting, Curtis Wegfarht spoke to Mr. Latta with respect to his concerns regarding this land development. He indicated that he has been to the meetings and appreciates what A. Duie Pyle is proposing to do but he felt that the 13 foot berm was not much of a benefit to him. He noted that he is basically living on the second floor of his home and that ground level differential, in his opinion, will cause him to hear this operation. Mr. Wegfarht also noted that he hears the trucks on Hoover Avenue from his home. Chairman D'Ambrosio noted that nobody seems concerned about him living on Ulster Rd. and all the noise coming from the apartments in the area. He noted that anyone can come to his house at any time and he'll have them observe the noise level coming from the apartment area.

No further discussion occurred at this time.

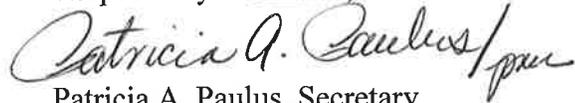
Adjournment:

Motion: I move we adjourn this meeting of the Hanover Township Planning Commission at 8:25 P.M.

D'Ambrosio, Hess: Moved and Seconded

Unan.

Respectfully submitted,

A handwritten signature in cursive script that reads "Patricia A. Paulus". The signature is written in black ink and is positioned above the printed name and title.

Patricia A. Paulus, Secretary
Hanover Township Planning Commission

July 16, 2013

Mr. Peter D'Ambrosio, Chairman
Hanover Township Planning Commission
2202 Grove Road
Allentown, PA 18109

Re: A. Duie Pyle - Land Development Plan

Dear Mr. D'Ambrosio:

This office has received a preliminary land development plan set, Sheet 1 of 12 thru sheet 12 of 12, dated April 1, 2013, latest revised July 10, 2013, prepared by Liberty Engineering, Inc. The plan proposes the construction of a vehicle maintenance facility with associated stormwater management and parking lot. The parcel is located on Hoover Ave. (Carmike out-parcel). The parcel is a PCUD overlay located in the PUD Zoning District. We offer the following comments:

SANITARY SEWER: The monitoring manhole shall be placed at the point where the pipe from the oil/water separator and the effluent pipes meet; 20' of the existing lateral is being used, the remaining 19' will need to be removed; The sanitary easement shown is not located over the sanitary pipe; Sanitary profiles are needed; A planning module is required.

STORM SEWER & GRADING: Provide a profile and endwall or FES, for the pipe collecting runoff from the berm along the road; Provide a note to remove existing MH-607 and install new MH-607; The profile is labeled MH-800, there is no MH-800. Provide profile for MH-701 to MH-702 and endwall to inlet 303; Provide inverts and profiles for the 6" HDPE at the injection wells and leading to the storm filter and basin (100 Series and 200 Series); The OCS is still shown on the plan details; There is still a need for the OCS in the Carmike basin; The detail for the injection wells shows the cap protruding 18"-24" above grade. Since the caps are in the parking lot, the caps must be flush and watertight. Provide new detail; The inverts in and out of stormfilter structures #102 & #202 do not correspond with the invert out of outlet MH-801; Some inverts and pipe lengths from the plan vs. the PCSM report are not consistent; There are two inlets numbered 303; Show an endwall or FES at the outlet of the pipe downstream from inlet #303 (street) and at the outlet of the perforated pipe trench; The Applicant has eliminated the underground infiltration bed and is currently proposing to install a series of eight (8) Class V Injection Wells as the primary BMP for Post Construction Stormwater Management. Therefore, auger testing and a geophysical survey are no longer required by the SALDO. The Preliminary Site Investigation shall be modified to include aquifer testing and a well survey of the local area; No additional soil infiltration testing is required since the Applicant is eliminating the infiltration trench from the PCSM Plan. However, the drilling of the test wells and submittal of a hydrogeologic investigation is required for permitting of the Class V Injection Wells; The PCSM Plan and Utility Plan shall include a note requiring inspection of the injection well construction by a Professional Geologist licensed in the Commonwealth of Pennsylvania Applicant shall notify the Township Engineer at least

Bethlehem Wescosville Kresgeville

Peter D'Ambrosio
Re. A. Duie Pyle
July 16, 2013
Page 2

48 hours in advance of the site testing activities; The Post Construction Stormwater Management Report shall be modified eliminating the infiltration trench drainage calculations and adding details about the Class V Injection Wells; The berm (southeast end) appears to exceed 3:1 slope; Provide grades for the proposed curb along the roadway on the south edge of the site.

GENERAL: The chart on sheet #2 shall be revised to read, "10:00 pm to 7:00am"; The paving note shall read: "Utility trench backfill shall be full depth stone if area shall be paved within 30 days of backfilling. Backfill shall be select if trench sits for 90 days prior to paving."; Reference all deed restrictions on the plan; All agreements shall be entered into and all fees paid.

If you have any questions, please feel free to contact the undersigned.

Sincerely,

KEYSTONE CONSULTING ENGINEERS, INC.



Frederick W. Hay, P.E.
Township Engineer

xc: Planning Commission Members
Sandra A. Pudliner, Township Manager
Susan Maurer, Esq., Planning Commission Solicitor
J. Jackson Eaton, III, Esq., Township Solicitor
Liberty Engineering, Inc.

July 16, 2013

Mr. Peter D'Ambrosio, Chairman
Hanover Township Planning Commission
2202 Grove Road
Allentown, PA 18109

Re: Airport Point Realty Partners - Land Development Plan

Dear Mr. D'Ambrosio:

This office has received a preliminary land development plan set, Sheet 1 of 9 thru sheet 9 of 9, dated April 23, 2013, latest revision date of June 4, 2013, as prepared by Hanover Engineering Associates, Inc. The plan proposes the construction of a 10,180 square foot retail building, made up of three separate units, one being a restaurant, with associated stormwater management and parking lot. The parcel is the existing Davis Business Machine located on Airport Rd.. The parcel is located in the PC Zoning District. We offer the following comments:

GENERAL: Submit to Buckeye; Show handicap ramp on south side of foot bridge; It appears the applicant is using the hotel access road for their trucks to get to the loading zone and dumpster. An agreement with S & E Hospitality Partnership shall be executed and copied to the Township; A Loading Zone sign shown at the rear of the building when this 12' paved access is for emergency vehicles only. A fire truck should be used for the turning template, not the 17' rigid van, if for emergency use only; Use a front loading truck for dumpster removal in the truck turning template; Provide elevations and details of the concrete wall and hand rail at northeast end and south end of parking lot; All zoning variances shall be described on cover sheet. Note easement agreement conditions with S & E Hospitality on plan; Demolition plan shall be provided. Include the removal of the existing storm sewer pipe at the north end of the site. Remove sanitary pipe included with the existing sanitary facilities; The arborvitae trees planted between the property and the Knights Inn shall be 6' high; All agreements shall be entered into and all fees paid.

SANITARY SEWER: Show cleanouts and house traps. Show and label traps. (double vented); Remove the abandoned portion of the sanitary sewer lateral. Provide note that states abandoned portion of sanitary sewer lateral to be removed; Utility plan note #2 shall include the installation of a double vented house trap. Need double vented house trap at both services where they enter the building. Provide detail.

STORM SEWER & GRADING: Explain the 5' metal plate from parking lot to basin. Provide documentation that the ¼" plate is thick enough to support pedestrian loading. Show detail and grading for depressed curb; The subsurface infiltration basin sequence of construction should be included on the detail sheet #7. Also include rain garden sequence; Show grading in the area of EW-5; Provide access manholes at the corners of the infiltration basin; In accordance

Bethlehem Wescosville Kresgeville

Peter D'Ambrosio
Re: Airport Point Reality Partners
July 16, 2013
Page 2

with Appendix G of the Hanover Township SALDO, the Applicant must provide soil auger testing of the BMP areas; The geophysical survey performed by ARM Geophysics identified four anomalies of interest at the proposed infiltration basins. ARM concluded that the anomalies may represent thicker soil or wetter soil conditions, which could be possible Karst related activity. However, Hanover Engineering provided an opinion and test pit data that suggests the anomalies are associated with prior fill placed on site. At the time of BMP construction, a Professional Geologist shall inspect the excavation of the infiltration basins to determine if the Karst hazards are present; The applicant is proposing to excavate fill and replace with engineered soil at the rain garden BMP and part of Infiltration Basin #1. A specification for the engineered soil was provided on the PCSM Plan, which is deemed acceptable. After placement of the engineered fill, a minimum of three (3) confirmation infiltration tests shall be performed as observed by the Township Engineer; A note states refer to plan view for engineered soil. The plan view does not indicate what area.

WATER: Label size of domestic and fire services on plan view. Show valves on plan view or provide note to see detail; Provide a note on Sheet 3 that the new fire hydrant shall be Kennedy and include detail; The existing system has not been dedicated to the Township. The 8" line to the building is to be dedicated to the Township. The services shall remain private.

If you have any questions, please feel free to contact the undersigned.

Sincerely,
KEYSTONE CONSULTING ENGINEERS, INC.



Frederick W. Hay, P.E.

xc: Planning Commission Members
Sandra A. Pudliner, Township Manager
Susan Maurer, Esq., Planning Commission Solicitor
J. Jackson Eaton, III, Esq., Township Solicitor
Hanover Engineering, Inc.