

LOWER MACUNGIE TOWNSHIP PLANNING COMMISSION
REGULAR MEETING – DECEMBER 14, 2010

The December 14, 2010 meeting of the Lower Macungie Township Planning Commission was called to order by Chairman Maury Robert at 7:00 p.m. in the Lower Macungie Township Community Center, 3450 Brookside Road, Macungie, Pennsylvania. Commission members in attendance: Ann Bartholomew, Thomas Beil, Neill Dekker, Kevin Drake, Irv Keister, Brent McNabb and Maury Robert. Also present were Sara Pandl, Director of Planning and Community Development, Peter Lehr, Solicitor to the Planning Commission; James F. Lancsek, Zoning Officer; William A. Erdman, Township Engineer, Keystone Consulting Engineers, Inc., Alan Fornwalt, Assistant Township Engineer, Keystone Consulting Engineers, Inc., and Melissa Zellner, Keystone Consulting Engineers, Inc.

On a motion of Ms. Bartholomew, second of Mr. Dekker, all in favor, the November 9, 2010 Regular Meeting minutes were approved with abstentions by Mr. Keister and Mr. Robert.

On a motion of Mr. Keister, second of Ms. Bartholomew, all in favor, the November 16, 2010 Workshop Meeting minutes were approved with an abstention by Mr. Dekker. There was one correction requested by Mr. Robert. The last sentence on the first page should be deleted and substituted with "The Suburban Overlay has less restrictions than the regular Commercial District."

Mr. Robert stated that the order on the agenda has been switched and the Jaindl Land Company Spring Creek Properties project will be the first topic of discussion and the Hamilton Crossings project will be second. He stated that the Subdivision Plan will be discussed and any comments or questions should be addressed as such. The PC is not taking any action on this plan at this time as the traffic has not been finalized and will still need to be discussed. Mr. Robert directed attendees that if they would like to address the Planning Commission, they will need to step up to the podium and use the sign in sheet and clearly state and spell their name. There is also a sign in sheet near the door for anyone wishing to get on the mailing list for any information associated with the Jaindl plans.

Mr. Robert also introduced and welcomed Attorney Peter Lehr as the new solicitor for the Planning Commission.

Jaindl Land Company - Spring Creek Properties – Subdivision 1
14-Lot Subdivision
Preliminary/Final
Spring Creek Road/Mertztown Road Areas
Application Date: 08/16/10
LMT 10-048

Attorney Joseph Zator introduced himself, owner David Jaindl, and engineers Scott Pidcock and Bruce Anderson and then turned the microphone over to Mr. Pidcock.

Mr. Pidcock started his presentation by stating that traffic will be discussed in detail at the January Planning Commission meeting.

Mr. Pidcock stated that in respect to stormwater management concerns, the current prevailing standards which regulate stormwater for development in the Township have been recently updated. He acknowledged that it is important to distinguish between the proposal that is being presented today, the subdivision plan, as compared to the land development which is not included in the proposal. The subdivision includes the construction of roads totalling 15 acres. The exhibit map which Mr. Pidcock displayed showed that the white area on the map is the boundary of the 13,410-acre watershed which is tributary to the Little Lehigh Creek in the Mertztown Road area. The impervious area which is proposed is 15 acres, which equates to 1/10 of 1%. Mr. Pidcock stated that they are not only meeting but exceeding the obligations of the stormwater ordinances. Regarding the area tributary to Ancient Oaks, this is larger at 31,500 acres of watershed. The same 15-acre impervious area equates to 5/100 of 1% of this tributary area. On another exhibit, the magenta color on the map are the basins which are included in the proposal. There are six in total which serve as infiltration basins. Township regulations since January 2007 require a 2-year storm to be entirely infiltrated. Mr. Pidcock stated that statistically 95% of storms are a 2-year or less storm classification. They have met and exceeded the requirements for stormwater management on this project.

Mr. Pidcock further stated that in regard to traffic improvements, a phased approach makes the most sense. The improvements will keep up with or outpace the development requirements. This is a 20+ year project and they have developed phases for the traffic improvements. Traffic improvements for the first four phases (Phase D) will support 2,031 peak hour trips. In their traffic models they have projected the improvements needed for 4,000 peak hour trips. The total anticipated peak hour trips will be between 2,000-4,000 trips. In virtually every case, the improvements needed will be on state roads which will need PennDOT HOP permits. These permits are only valid for 1-2 years initially and then only two 1-year extensions could be requested, for a total permit life of 3-4 years. Phase D (2,031 trips) will support any development coming out of the first phase and will be good for 8-10 years. Right-of-way availability was discussed. They have looked at the scope of what is needed to get from Phase D to Phase E (4,000 trips ultimately). For the ultimate Phase E improvements, 90% of the right-of-way needed is available now. The balance of 10% which amounts to approximately 3.5-5 acres of right-of-way in total will be needed, which Mr. Pidcock stated, is more than manageable.

Mr. Pidcock said they are willing to discuss any concerns in reference to the review letters. Mr. Robert asked if Ms. Pandl had any additional comments beyond her review letter. She stated that most of her comments have been addressed. Mr. Lancsek stated that this is the third review by the zoning office. This last review

includes only one or two minor items and the zoning has basically been taken care of. Mr. Erdman stated that quite a few of the asterisk items in his letter have to do with the waivers and can be discussed later.

The following comments from the engineer's letter were discussed:

Comment #24 – Roadway right-of-way dedication. Mr. Lehr said that fee simple title would be required for new roads. Route 100 and Spring Creek Road are state roads and right-of-way dedication would be via deeds of easement. Mr. Lehr will look further into this matter.

Comment #25 - Vacating the short section of Ruth Lane adjacent to Lot 11. Keeping this right-of-way segment serves no purpose other than simply being a buffer zone. This property abuts the church property. Mr. Dekker clarified that if it is not vacated, it would still be Township property and would need to be maintained by the Township and it would serve the Township better to vacate it. It was discussed that it would be better to split the strip of land and convey it to the adjoining property owners.

Comment #48 - Traffic volumes which relate to the extension of Smith Lane south of Sauerkraut Lane. Mr. Erdman stated that several residents expressed concerns about the additional traffic on Smith Lane. Mr. Erdman suggested that traffic counts be done as the project progresses.

Linda Leayman, of 3003 Smith Lane, wished to comment on this subject. She stated that her main concern is the intersection of Smith Lane and Longswamp Road. It is an extremely dangerous intersection. She has written a letter to the Township stating this and feels that it needs to be addressed. Mr. Pidcock thanked her and stated that they agree that it will be addressed. Mr. Erdman said there seems to be a separate matter of sight distance and Mr. Erdman will talk to Bruce Fosselman, the Township Manager, about this issue.

Mr. Drake asked about Mr. Hunsicker's prior concerns about a water runoff problem. Mr. Pidcock stated that today the water drains onto the Hunsicker property but that after development the water will be intercepted and will no longer be an issue to Mr. Hunsicker. Mr. Robert wanted some clarification and said that the storm drainage facilities are only addressing the 15 acres of roads at this point. The sheet flow that is running from the Jaindl property to the Hunsicker property will continue on an on-going basis. Mr. Pidcock stated that ultimately it will not.

Comment #60 - Sewer laterals. The sanitary service extends along the creek and serves the balance of the project. The Lutron property currently drains to an inground system and it is anticipated that Lutron would like to connect to this system in the future which the design allows. The pipe type they are proposing to use is easy to add laterals to. Ms. Pandl asked Mr. Pidcock to clarify how the sewer system extends from the existing system to Spring Creek Road. He stated that it comes along the Township park property and is along the stream.

Comment 69.b – Mertztown Road and Smith Lane drainage problem areas. Mr. Erdman suggested storing water on-site to mitigate the drainage impacts and stated that alternatives should be looked at during the land development stage such as green roofs, storing water in large ponds to use for irrigation and using swales instead of pipes which will allow for more infiltration.

Mr. Robert asked about the subsurface testing which was to be completed. Mr. Pidcock stated that this work should be done within the next month.

Mr. McNabb said the Fire Department is concerned with the regional growth and is recommending a study be done to determine what kind of fire protection and apparatus will be needed. They are looking for financial support from the developer for this study. They are also concerned about the water supply to the proposed development. Mr. Pidcock spoke with LCA and they concur that the flow will be more than sufficient. Another issue is the additional traffic along Spring Creek Road. Mr. Pidcock said the areas in red on his exhibit are the areas to be improved (Phase A-D). Mr. Erdman said he spoke with Ben Galiardo and he will get information on accidents in the area of concern. Mr. McNabb said that they will need a second aerial truck for that side of the Township. With regard to hydrant spacing, the design has 600-foot spacing for hydrants along the street. Mr. Erdman said this would be a good time to revisit the hydrant spacing since this is such a large development. Mr. Robert said that when the issue of hydrants is discussed, putting them on both sides of the road should also be discussed.

Mr. Erdman asked the Planning Commission if there are any concerns with the conceptual framework being used for the phasing approach to the traffic. Mr. Keister asked if the 4,000 trips is a hard cap. Mr. Jaindl stated that he would cap the peak hour trips at 4,000 trips.

Mr. Robert asked the applicant to give an overall explanation of the Phases A-E of the traffic. Mr. Pidcock said their goal is proper functioning roads. The majority of the roads that will bear the brunt of the traffic are state roads. The concept is to install the improvements as they are needed and as the development would warrant. They are using the ITE Manual to project the traffic rates. As development occurs, they will count how the developments are functioning and how much traffic they are producing. That will be taken into account as the Township makes the determination as to whether the roadway improvements in place or in the works are sufficient. Phase D includes turning lanes, additional lanes and intersection improvements. What is the difference between Phase D and Phase E? Mr. Robert said he has concerns about the threshold of Phase D anticipated 2,031 trips and he does not feel that residential trips should be traded for industrial/commercial trips because they have different impacts. Mr. Robert is also very concerned how the future improvements will be secured and funded. Will the MOU need to be modified associated with this phased approach? Mr. Robert would like to see something in writing addressing the funding of the future improvements. This issue will be discussed at the January meeting.

Ms. Bartholomew spoke of concerns about the traffic impacts on the people in Weilersville. She is also concerned about the stormwater impacts on the downstream properties.

Mr. Robert stated that there is a concern regarding waivers for SALDO 753.A.3 which relates to sanitary sewer service lateral connections. How many properties could be impacted by this waiver request? Mr. Pidcock will provide additional data.

Mr. Robert then opened the discussion up to the audience:

- Tom Streck, 8279 Spring Creek Road, questioned the impervious surface and would like to know the total amount of impervious surface at full build-out. Mr. Pidcock stated he did not have that calculation but explained that the ordinance states how much impervious is allowed. Mr. Pidcock estimated that approximately 200 acres could eventually be impervious. Mr. Streck questioned the stormwater management and how it does not take into account the eventual development. Mr. Robert stated that you cannot anticipate stormwater management for a proposed development. Mr. Streck also questioned the 4,000 trip cap for traffic and wanted a clarification of what a peak hour trip means. He questioned the boundaries for the peak hour trip studies. Mr. Pidcock said every intersection and every roadway is evaluated. Mr. Pidcock stated there have been 124 intersections evaluated in the studies. Mr. Streck asked what will happen when they go over the 4,000 trips? Mr. Robert stated that Mr. Jaindl would cap the development at 4,000 trips. Mr. Streck said he hopes that the Township takes into account entire life cycle costs of this project.
- Michael Siegel then introduced himself and stated he has been a resident for almost 18 years and lives in Ancient Oaks West. He asked what is going to happen with the railroad crossing at Smith Lane. The crossing is currently not signaled and it is a blind crossing. Does the study take this crossing into account? He would also like to know about the existing bridge on Smith Lane. Mr. Pidcock stated that the Sauerkraut Lane traffic will either go into the industrial/commercial development or into the recreation park. The bridge will be for automobile use only and will remain unaltered. Mr. Siegel also inquired about the Ancient Oaks West traffic trying to pull out onto Route 100 from Aster Road or Foxglove Place. He is also concerned with the flooding along the Little Lehigh at Spring Creek Road. Lastly, he suggested that the section of Creamery Road that intersects with Route 100 be cul-de-sac'd before the railroad crossing on Creamery Road as this is another dangerous crossing and intersection. This is near Creamery Park, which is a major park for the Township.

Mr. Robert then called a 10 minute break.

- Deana Zosky then addressed the Commission and wanted to discuss her letter that she submitted in October. Her concerns are the life cycle costs of

this development and some recommendations she has. Mr. Keister suggested addressing her letter and concerns at the January meeting.

- Pete Kells, a resident of Spring Creek Road, asked why the east side of Spring Creek Road has never been mentioned in the newspapers, either in an article or on the map. Mr. Kells stated that the east side comprises about 100 acres, which is about one quarter of the total development. Ms. Bartholomew directed him to contact The Morning Call directly to inquire about this issue.
- Susan Creitz of 2003 Mill Creek Road appeared and stated that the reason she moved to the area approximately 25 years ago is because it was quiet and mainly open farmland. She feels that there is too much development, the schools are overcrowded, there is flooding, and she can barely see the stars due to light pollution. She feels that the quality of life is impacted and deteriorating and stated that just because you can do something does not mean that you should and asked Mr. Jaendl to think about the impacts of his project.

As no other audience members requested to address the Commission, there was a motion to table the plan by Mr. Dekker, seconded by Mr. Keister, all in favor.

Ms. Pandl stated that the next Planning Commission meeting for this project will be on January 11, 2011.

Hamilton Crossings, Krocks Acquisition I & II
and Diocesan Pastoral Center

Land Developments, Lot Line Adjustment
And Consolidation Plans

Sketch

5375, 5285, 5415 and 5087 Hamilton Boulevard,
735 Krocks Court, 617 N. Krocks Road

Application Date: 11/15/10

LMT 09-026

Engineer Harold "Bud" Newton, Attorney Andrew Hoffman, and developer Tim Harrison appeared before the Commission. Mr. Robert asked if they are scheduled for the Zoning Hearing Board. Mr. Newton said that they are scheduled for a special meeting in front of the Zoning Hearing Board on January 5, 2011.

Mr. Newton stated he would like to discuss the variances needed for this project. Mr. Robert asked about the documents which Mr. Newton handed out at the beginning of the discussion. Mr. Newton said that the current proposal is the plan which is going before the Zoning Hearing Board and also the memorandum that is going with the Zoning Hearing Board application. Ms. Bartholomew commented that she is concerned about the impact on Hamilton Boulevard from this development. Mr. Newton

acknowledged that there are problems with the intersection of Hamilton Boulevard and Brookside Road and their intent is to divert traffic away from that intersection with this development. Mr. Newton presented a plan that showed the right-of-ways and setbacks required. They have had a number of discussions with staff. With regard to the buffer, they would provide a landscaped area with a minimum 10-foot wide planting screen, a minimum 20-foot street tree/landscaped area, a 6-foot sidewalk or bikeway, and another 24-foot prior to the barrier buildings. With regards to setbacks, in general they will meet the 50-foot side and rear yard setback. With respect to the barrier buildings along Hamilton Boulevard, they ask that they be set back 25-feet as opposed to the required 50-foot setback. On Krocks I they will be requesting a 50-foot front yard setback instead of 100-feet. Another variance request would be for the gateway structure for which they will ask that the gateway structure be placed 10' from the curb line. Barrier buildings are required to be 50 feet apart. They will be requesting that the buildings be closer than that. Mr. Drake asked what the minimum would be. Mr. Newton said it would be 20 feet. Mr. McNabb stated concern about uses if there is an event that shuts down Hamilton Boulevard. Mr. Newton will be asking the adjacent property owners about access to the cul-de-sac. They are asking to have 70% impervious cover. Ms. Bartholomew questioned the stormwater management for the project. Mr. Beil questioned the wetlands on the project. Mr. Newton said that one quarry will be used for stormwater management and the other quarry will be filled in.

With respect to signs, they are asking that the signs have a 10-foot setback. The final height has not been finally established. The sign will be free-standing and not connected to other buildings. They are proposing three signs on the Hamilton Crossings site.

With respect to parking, they will be using the ITE manual. Ms. Pandl asked if they will be asking for a waiver for a preliminary/final submission of the plan. Mr. Newton said they will be asking for that and they will be submitting plans that meet those requirements. Mr. Newton said that there will be extensive plantings and this will set this shopping center apart from others. Mr. Beil asked about the traffic circulation around the detention pond. It was stated that the detention pond will have water features and landscaping. The service courts will have screening around them. Mr. McNabb asked if there will be protection so that cars will not be able to go into the pond. Mr. McNabb also stated that the senior living center be buffered from the detention basins. This will be discussed further. Mr. Lancsek has no comments.

Mr. Beil asked about the proposed gas pumps. Mr. Lancsek explained that gas pumps are listed as a use by condition. If they are included with BJ's, then it is one use. Mr. Newton said that the gas pumps will be screened.

Mr. Keister stated his concerns about the sign structures being 50' in height. Mr. Keister is also questioning the size of the development and all its uses. Mr. Newton suggests a sign height of 40 feet for the Route 222 bypass and 30 feet for Hamilton Boulevard.

Mr. Dekker stated his concern with these many variance requests. Mr. Robert stated that he is not prepared to make recommendations on the variances requested tonight and asked if they would delay the Zoning Hearing Board meeting so the Planning Commission can discuss this project again at the next meeting in January. Mr. Newton said they will do that.

Letter(s) of Extension

By motion of Mr. Keister, second of Mrs. Bartholomew, and a unanimous vote, the Planning Commission accepted the letter(s) of extension as follows:

<u>Project</u>	<u>Date of Letter</u>	<u>Date of Extension</u>
Jaindl Land Company – Subdivision 1 Subdivision	12/01/10	03/31/11
Jaindl Land Company – Subdivision 2 Subdivision	12/01/10	03/31/11

There being no further business, by a motion of Mr. Drake, second of Mr. Beil, all in favor, the meeting was adjourned at 10:30 p.m.

Respectfully submitted,
Melissa Zellner
Keystone Consulting Engineers, Inc.