

**MINUTES OF MEETING**

**LOWER MACUNGIE TRAFFIC IMPACT FEE ADVISORY COMMITTEE (TIFAC)**

**LOCATION: LOWER MACUNGIE TOWNSHIP BUILDING**

**MEETING DATE: October 6, 2009**

**McMahon Project No. 908120.11**

**PRINCIPALS**

Joseph W. McMahon, P.E.  
Rodney P. Plourde, Ph.D., P.E.  
Joseph J. DeSantis, P.E., PTOE  
John S. DePalma  
William T. Steffens

**ASSOCIATES**

Casey A. Moore, P.E.  
Gary R. McNaughton, P.E., PTOE  
John J. Mitchell, P.E.  
Christopher J. Williams, P.E.  
John F. Yacapsin, P.E.  
Thomas A. Hall

***Attendees:***

Don Denburg - TIFAC  
Dale Dries – TIFAC  
John Hayes – TIFAC  
Annie McGeary – TIFAC  
Mike Policano – TIFAC  
Jack Tibbetts – TIFAC  
Bruce Fosselman – Township Manager  
Peter Nelson – Township Solicitor  
Jim Lancsek – Township Zoning Officer  
Dan Olpere - Local Government Management Services, LLC  
David Babbitt - David C. Babbitt & Associates, LLC  
Sandy Koza – McMahon Associates, Inc.

1. Chairman Don Denburg called the meeting to order at 8:35 A.M. The group then reviewed the agenda for the meeting. A motion was made by John Hayes and seconded by Annie McGeary to approve the agenda. The motion was unanimously passed.
2. A motion was made by Jack Tibbetts and seconded by Dale Dries to approve the September 1, 2009 meeting minutes. The motion was unanimously passed.
3. There was no public comment on non-agenda items.
4. No communications were received.
5. Public hearing for the *Land Use Assumptions Report (LUAR)*, dated August 26, 2009 was opened at 8:40 AM.
  - a. Don Denburg provided an overview of the report, which was approved by the TIFAC on September 1, 2009 meeting. The report was then circulated to Longswamp, Hereford, Upper Milford, Salisbury, South Whitehall, and Upper Macungie Townships; the City of Allentown; the Boroughs of Albertus, Emmaus, and Macungie; the Lehigh Valley Planning Commission (LVPC); the Lehigh County Department of Planning; and the East Penn School District for the required 30-day review period, which ended on October 2, 2009. The only response received was a letter from the LVPC dated September 25, 2009, which references another letter dated September 28, 2008. The two main issues in the letter were the need for higher density dwellings, which is more a zoning issue than an LUAR issue and the ratios used in the study to determine the number of persons per household, which according to the consultants who prepared the study is appropriate. Both letters are attached to these minutes.

- b. Grayson McNair of 5030 Valley Stream Line, Macungie, PA requested that a presentation be made of the LUAR to explain what it is for those who were not at the committee meetings.
- c. David Babbitt gave a 15-minute presentation of the LUAR, which is highlighted below:
  - 1. The overall goal of the report was to determine the potential build-out of the Township.
  - 2. Projections were made of the number of persons, housing, non-residential development that could occur between 2008 and 2018, the horizon year of the Act 209 study.
  - 3. Census population projections were utilized and combined with estimates for the future population for future decades. The current population is estimated at 29,680 for Lower Macungie Township, which is anticipated to increase by 1% in 2009. After that, the population will gradually increase from 2% per year to 2.5% per year in 2018, when the Township is anticipated to have a population of 36,712. This is an increase of 7,032 people who will live in 2,233 units, which is based on an occupancy rate of 3.12 persons per household, which is consistent with data compiled by Rutgers University and U.S. Census. With approximately 250 units already approved/under construction in the Township, it is anticipated that there will be a total of 1,983 new residential units through 2018.
  - 4. The study sub-divided the Township into 53 smaller parcels based on their zoning districts, which was based on the latest Zoning Ordinance and the current amendment that is being reviewed by the Township. The latest amendment included two new zoning districts, and their use as in this study was provided by the Board of Commissioners and the Planning Commission. The smaller sub-parcels were then reviewed to determine where development could occur and how much based on lot sizes, the presence of sewer/water lines, access, steep slopes, and other lot restrictions. The map in the report shows the developable land in blue and areas that are already developed or are undevelopable in white. This map along with the build-out projections was reviewed with and developed with the assistance of Jim Lancsek, the Township's Zoning Officer.
  - 5. The resultant build-out for 2018, which will be utilized in the Act 209 Study, is shown on page 12 of the LUAR.
- d. Jim Lancsek expressed a concern with the study in that there is currently talk of developing a 600 acre quarry in the western transportation service area in zones 1 and 2 and wanted to know how that would impact the study? *Response - David Babbitt indicated that this project appears to be in the early process and may take one to two years to get approval. The study is a snapshot of the Township based on the current zoning and planned projects, and since it is not known how long the quarry will be under review, it is better to move ahead with the study and, if needed, address any changes once it is clear if this project will happen.*
- e. Grayson McNair indicated that he had heard that the quarry was being used as a leverage tool to try to get a higher residential concentration in that area instead, since it is in an agricultural area. Grayson wanted to know the time-frame to redo the study to account for the quarry? *Response - Jim Lancsek indicated that this would be based on the settlement of parties related to the quarry, while David Babbitt indicated that for the LUAR, it would be updating the two areas impacted. Peter Nelson indicated that it would most likely take between 6-8 months, since there were some set 30-day review period in the LUAR, as well as public displays/meetings required for the other steps associated with the Act 209 study. Don Denburg indicated that the zoning ordinance is constantly changing, and this study already lost 1-2 months waiting to hear back on the zoning ordinance amendment, and waiting to hear on this may take substantially longer.*

- f. Dale Dries had a copy of a letter that the LVPC had sent to the Planning Commission/Board of Commissioners regarding the zoning ordinance amendments proposed and was concerned since the LUAR uses those amendments. *Commissioner Deana Zosky indicated that the Township had presented the zoning ordinance amendments to LVPC and the letter, which was not favorable, was based on that presentation, which did not provide a clear picture of how the amendments would tie into the future plans for the Township. Maury Robert from the Township's Planning Commission is working with LVPC to address their comments and explain to them why the modifications are proposed, since the presentation was lacking in some details that would have addressed LVPC's concerns. Jim Lancsek also indicated that he had spoken with LVPC on the amendments as well to clarify some of the issues and that this was a positive step for the Township, since in the past, LVPC comments were typically disregarded.*
- g. Dale Dries indicated that he had heard that LANTA (area transit provider) was interested in providing services along the Hamilton Boulevard corridor, but that the current zoning does not work well with this because of the required set-backs. *Response – Jim Lancsek indicated that LANTA is involved in a number of the current plans that are under review as they are looking for areas where they can provide services.*
- h. Peter Nelson indicated that using the amendments to the zoning ordinance and the current map for this study is appropriate and the questions regarding the zoning should be directed to the Planning Commissioners or the Board of Commissioners, since the comments in that letter are not related to the LUAR.
- i. Annie McGeary noted that we would always be playing catch-up with the zoning since it is continuously changing. The LUAR is a snapshot of the current zoning.
- j. Dale Dries indicated that the Board of Commissioners was to vote on the zoning amendments at a recent meeting, but that it did not happen. *Response – Jim Lancsek said that he recommended that the Board hold off so that they can act on the 209 first, so they are passed at the same time, which would eliminate a window being opened for changes. Peter Nelson agreed with the recommendation and indicated that the zoning amendments would be on the same night as the traffic impact fee ordinance.*
- k. Grayson McNair had a question regarding the inclusion of Shepard Hills in the study. *Response – John Hayes indicated that the zoning restrictions preventing any future development have expired on the property. Jim Lancsek said that the original plan had the restriction and it has passed, so there is an opportunity for further residential development on the site.*
- l. Jim Lancsek indicated that there are plans to provide a detention pond in the northeast corner at the intersection of Sauerkraut/Willow from a grant that the Township received, and that a pedestrian crossing will need to be provided for the adjacent elementary school to use the pond for school projects. A discussion followed regarding the proposed improvements to this intersection based on the *DRAFT Roadway Sufficiency Analysis Report*. Sandy Koza indicated that since the review of the Draft was next on the agenda, the group should focus on the LUAR and finish that part of the meeting first.
- m. Don Denburg said that he would write a letter to the Board of Commissioners that would be included with the LUAR that would include the minutes from this meeting.
- n. A motion was made by John Hayes and seconded by Jack Tibbetts to approve the *Land Use Assumptions Report*, dated August 26, 2009 and presented at this meeting be approved and sent to the Board of Commissioners along with the public comments. The motion was unanimously passed.
- o. The public meeting was adjourned at 9:30 AM.

6. Sandy Koza passed out copies of the DRAFT *Roadway Sufficiency Analysis Report*, along with a handout documenting the modifications from the previous version, a map of current development projects under review/approved/under construction that corresponds to Table 7 of the report, and the final figure from the previous version to compare to the new one illustrating the modifications to the required improvements. The following were noted:
  - a. The trip generation in the study is now based on the *Eighth Edition of the Trip Generation* manual published by the Institute of Transportation Engineers, which was released in December 2008.
  - b. Table 7 has been revised to include all of the projects that the Township is aware of as of April 2009, which results in an additional 700 trips that will be included in the pass-through section. These are trips that would have potentially been subject to the interim fee if the study had been completed in April 2009.
  - c. The zoning changes and modifications to the LUAR resulted in an additional 50 trips in the west service area and a reduction of 400 trips in the east service area.
  - d. There are nine intersections in the study where the improvements are now required under pass-through conditions, or where additional development improvements are required that the TIFAC must determine if they are feasible or should be deferred.
  - e. The study utilizes the same service areas and preferred levels of service as the past study: LOS D overall with LOS E on lane movements for all signalized intersections, LOS D for stop-controlled movements in the west service area, and LOS E for stop-controlled movements in the east service area. Peter Nelson pointed out that although the zoning ordinance was using a LOS C condition, it was more of a planning tool, and where as the LOS utilized in the RSAR is more practical.
7. A discussion was had regarding the status of the Opus project and if the improvements would be made to the intersection of Schoeneck Road/Route 100. It was noted that this project is not applicable to the fee ,and that since this project is included in the approved list that is included in the pass-through section, the improvements to this intersection would most likely be in that section. As a result, its inclusion would not impact the resultant impact fee for the project. As it stands, Opus has approximately five years from when the plans were approved to either build the remaining lots or sell them to another user. If the lots are sold to a use other than that shown on the plans, then that user would need to restart the land review process and may be subject to the fee in place at that time. Jim Lancsek indicated that Keystone Consulting (Township's engineer) had met with three outfits that were interested in bidding on the property to review the HOP conditions.
8. The TIFAC are to review the DRAFT RSAR to determine if there are intersections were modifications need to be made and will most likely be voting to approve the report, possibly with conditions, at the next meeting. The roundabouts proposed in the pass-through conditions along Sauerkraut Road are to be reevaluated, even though these are improvements that will not impact the fee charged to developers. It was also noted that the study cannot use two scenarios for an intersection, since a challenge could be made if the higher cost improvement is used for the fee or if the lower cost is used, there may not be adequate funds if the higher cost improvement is the one implemented.

9. The next TIFAC meeting is on Tuesday, October 20<sup>th</sup> at 8:00 AM. The Board of Commissioners meeting to pass a resolution approving the LUAR is on Thursday, October 15<sup>th</sup> at 7:00 PM. The Board is also planning on having an additional meeting on October 29<sup>th</sup>.
10. A motion was made by Dale Dries and seconded by John Hayes to adjourn the meeting at 10:00 AM. The motion was unanimously passed.

**SAK/**

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