

**LOWHILL TOWNSHIP
BOARD OF SUPERVISORS
JUNE 16, 2022
MEETING MINUTES**

The Lowhill Township Board of Supervisors meeting was called to order at 6:30 pm by Chairman Richard Hughes. This meeting was held at the Fogelsville Fire Company. Also present were George Wessner, Jr., Vice Chairman, Robb Werley, Member (via Zoom), Brian Carl, Administrator; Ryan Christman, Engineer; Keith Strohl, Esq., Solicitor and Secretary Jill Seymour.

After the Pledge of Allegiance, George Wessner, Jr. made a motion to approve the May 5, 2022 meeting minutes, as written. Robb Werley seconded the motion. Motion carried. Richard Hughes made a motion to pay the monthly bills, as submitted. Robb Werley seconded the motion. Motion carried. Richard Hughes made a motion to change the agenda to move the solicitor comments to the top. George Wessner, Jr. seconded the motion. Motion carried.

Keith Strohl, Esq.: Conflict or conflict of interest: Use by a public official or public employee of the authority of his office or employment or any confidential information received through his holding public office or employment for the private pecuniary benefit of himself, a member of his immediate family or a business with which he or a member of his immediate family is associated. The term does not include an action having a de minimis economic impact or which it affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official or public employee, a member of his immediate family or a business with which he or a member of his immediate family is associated. Voting conflict.-
-Where voting conflicts are not otherwise addressed by the Constitution of Pennsylvania or by any law, rule, regulation, order or ordinance, the following procedure shall be employed. Any public official or public employee who in the discharge of his official duties would be required to vote on a matter that would result in a conflict of interest shall abstain from voting and, prior to the vote being taken, publicly announce and disclose the nature of his interest as a public record in a written memorandum filed with the person responsible for recording the minutes of the meeting at which the vote is taken, provided that whenever a governing body would be unable to take any action on a matter before it because the number of members of the body required to abstain from voting under the provisions of this section makes the majority or other legally required vote of approval unattainable, then such members shall be permitted to vote if disclosures are made as otherwise provided herein. In the case of a three-member governing body of a political subdivision, where one member has abstained from voting as a result of a conflict of interest and the remaining two members of the governing body have cast opposing votes, the member who has abstained shall be permitted to vote to break the tie vote if disclosure is made as otherwise provided herein. George Wessner, Jr. has no conflict with the Kernsville Road Warehouse, nor the Route 100 Warehouse, if he chooses to abstain of all the warehouses, he would still be a deciding vote on these two warehouses, if needed.

George Wessner, Jr. made a motion to accept the lot consolidation and preliminary land development for review. Robb Werley seconded the motion. Roll Call: Yes, Yes, Yes. Motion carried.

Josh Hoffman, Civil Engineer: Both properties are approximately 43 acres. Would like to consolidate two lots into one lot. Ryan Christman: There are a couple of items required. Brian Carl: Weisenberg approved at their last meeting. George Wessner, Jr. made a motion to approve the lot consolidation conditional upon the required items required by Keystone Consulting Engineers. Robb Werley second the motion. Roll call: Yes, Yes, Yes. Motion carried.

Josh Hoffman: Preliminary land development: Currently in the process of applying for highway occupancy permit for the driveway and on lot septic system. There will be a fire water tank with pump house, estimated at 150,000 gallons for the sprinkler system. There is significant buffering on all property lines. Richard Hughes: There was a resident concerned about water. Can you tell us where the storm water will go? Josh Hoffman: There are water basin's where the water will collect. If the pumps do not work, the holding ponds are designed to hold all the water. It would stay in the ponds, not purge. We have also agreed to repair and upgrade the side of Windy Road. Brian Carl: The first set of comments dated 5/9/2022 have been addressed. Weisenberg approved under the condition of upgrading the road. Eric Bench: Acknowledged the Township's request for an acceleration Lane. PennDot did not approve, they typically only put them in on larger highways, ie: SR 22, SR 78, etc. They do not have formal approval's from PennDot, but as of May 18, 2022, PennDot is good with the traffic improvement plan.

Richard Hughes: The Board has received e mail concerns, as well as written concerns. The Board has read each and every one of them. Richard Hughes opened the floor for public comment.

Jason Aldrich, Attorney for Gross McKinley, representing resident Jack Iantuanno: It is beneficial to reject the plan tonight in respect to traffic on Route 100 accident information. Jack Iantuanno: Opposes the warehouse projects. He has been hit by tractor trailers four times over the years, none on route 100. Wayne Schaffer: Brought in an article from 2020 about PA being the warehouse capital. He is opposed to the warehouse projects. John State: Moved here 30 years ago for the beauty and peaceful landscape. Where will salt from the roads go? Josh Hoffman: It will eventually go into the ground.

Gail Smith: Question for George Wessner, Jr.: It's said you don't have a conflict for two of the warehouses, she encourages Mr. Wessner to stand down on all three proposed warehouses. Will private property be taken for road widening? Eric Bench: No it will not, only PennDot's right of way will be used.

Matt Nunn, Trammel Crow: It is speculative at this time on who will occupy the warehouse. There will not be an occupant that will have more than 216 employees.

Terry Green: When warehouses were put in on 863, PennDot redid the roads to accommodate. They are not doing that here.

Don Link: Are there any other areas in the Township that warehouses can be put in?

Brian Carl showed our zoning map and the areas where it is zoned for commercial/RV.

Don Bauer: The three HOP's are together. **Brian Carl:** There is no guarantee they will go together. PennDot agreed to put them together, since they are all submitted. Nothing is set in stone at this time. It would benefit the Township, as we would get better improvements than if they look at them separately. **George Wessner, Jr:** The Township has nothing to do with the water line or PennDot. **Matt Nunn:** We understand that traffic is a major concern. We are proposing a traffic impact fee to do with as the Township pleases, in the amount of \$250,000, above what PennDot is proposing.

Greg Snyder: Does the Township have an agreement with LCA? Will the residents be forced to hook up to their water?

Richard Hughes: There will be no requirement for residents to hook up to the water. **George Wessner, Jr:** It would benefit residents that have dry wells.

Sue Ellen White: Do you have the numbers on traffic for 20-30 years from now? **Eric Bench:** We do projections based on county and road type. The road rate is forecast by PennDot. It is not 20-30 years; it only goes to when the facility opens. Peak hours is what it is based on. AM and PM hours, volume on route 100 is based on 1100 vehicles total. Projection for 2023 is 1250 vehicles in the AM hour and 1300 vehicles in the PM hour.

Concerns about tree maintenance were expressed. **Josh Hoffman:** There will be a maintenance agreement that will be part of the contract and given to the Township.

Concerns about trucks on township roads: **Richard Hughes:** The Township will put signs up on roads we feel are needed, the developers will pay for them. This is contingent upon if the warehouses are approved.

Terry Naugle has concerns with land hand turns out of the facility, school buses using route 100.

Katie Morris: Does a Supervisor own one of the lots being sold to a developer?

George Wessner, Jr: Yes, I do and I will not be voting on the Betz Court warehouse. **Ms. Lewis** is concerned about wildlife. **Josh Hoffman:** We are required to look for endangered species. Also wetland, streams, etc. US Fish and Wildlife cleared the project. Lighting from trucks, etc on Route 100 side will be shielded with a retaining wall and buffers.

Kim Pyle: The last traffic study was done in October 2021; will another be done? **Eric Bench:** No, PennDot considers the traffic normal at the time of the study. **Sue McGorry** gave PennDot accident data for the last 10 years. A concern about a nuisance per our zoning ordinance was brought up. **Keith Strohl:** A warehouse is not a nuisance as defined by common law.

George Wessner, Jr. made a motion to accept the plan for preliminary development for review. **Richard Hughes** seconded. Roll Call, Yes, Yes, Yes. Motion carried.

George Wessner made a motion to approve the preliminary plan and move to final. **Robb Werley** seconded the motion. Roll Call: Yes, Yes, NO. Motion carried.

George Wessner, Jr. made a motion to approve the sewage facility planning module prepared ny Snyder, Secary & Associates under resolution 22-2. Robb Werley seconded the motion. Roll Call: Yes, Yes, NO. Motion carried.

Joe Kalusky: prepped and paved Schierer and Spooner Roads, grass mowed and oil and chip will start Monday.

East Penn Self Storage: Ryan Christman: All punchlist items have been addressed. Richard Hughes made a motion to release the escrow money for East Penn Self Storage. George Wessner, Jr. seconded. Roll Call: Yes, Yes, Yes. Motion carried.

The Hollenbach Road water issue has been repaired.

Auditors Report: no issues found.

Richard Hughes made a motion to accept the Promulgation of EOP. Robb Werley seconded the motion. Roll Call: Yes, Yes, Yes. Motion carried.

4142 Cambridge Court had previously applied for permits. They have since cancelled the job. Looking to get reimbursement for refundable fees.

Robb Werley made a motion to reimburse 4142 Cambridge Court for refundable fees. Richard Hughes seconded the motion. Roll call: Yes, Yes, Yes. Motion carried.

Richard Hughes made a motion to appoint Ian Stoudt of Keystone Consulting Engineers as alternate SEO. George Wessner, Jr. seconded the motion. Roll Call: Yes, Yes, Yes. Motion carried.

Enter.net provided a quote to upgrade our website that has not been updated for 7 years. Brian Carl recommends using who most other township's use for their website. They are easier to navigate. Brian will get a quote for the next meeting.

Keith Strohl: The LCA water agreement was approved a few months ago to extend the waterline. A few typographical and signature lines have changed. Nothing changed that will change the agreement, they would just like a clean copy signed.

Brian Carl would like to thank everyone who stayed for the entire meeting. 6 on zoom and 8 in person. The next Planning Commission meeting will be on Monday June 27, 2022 at 7 pm at the Fogelsville Fire Company and will also be available via zoom.

Richard Hughes made a motion to adjourn. George Wessner, Jr. seconded the motion. Motion carried.

The Lowhill Township Board of Supervisors meeting was adjourned at 9:36 pm.

Respectfully Submitted,

