

Chairman Larry Geiger called the 512th meeting of the Lowhill Township Planning Commission to order on June 27, 2022 at 7:00 pm. The meeting was held in person at the Fogelsville Volunteer Fire Company and on ZOOM due to the COVID-19 pandemic. Members: Larry Geiger, Stephen Lear, Kevin Bubbenmoyer, Barry Betz, Preston Nelson, Mike Divers, John Casciano, Zoning Officer Brian Carl, Attorney Keith Strohl, and Engineer Ryan Christman participated in person. The meeting was advertised and operated in accordance with Act 15.

Stephen Lear (P.C. Member) stated that at the last meeting he had suggested a \$250,000.00 escrow amount from each of the warehouses for repairs or improvements to any Township road. He realizes that this was merely a suggestion and noted that Tremmel Crow (2766 PA Rt. 100-warehouse) has already indicated that they would agree to this suggestion. Mr. Lear would like the Board of Supervisors to discuss this topic.

Jack Iannantuono – (6418 Rutledge Dr.) Stated that the warehouse developers have 250K in their pocket and the amount should be calculated by engineers/solicitors. Brian Carl stated that this suggestion is not a legal requirement or enforceable and would be voluntarily given to the Township. This would be over/above the required road improvement fees that are paid with any approved Land Development Plans.

The 511th minutes were approved as submitted. Motion carried. Stephen Lear made a motion, seconded by Barry Betz to accept the plan for approval. Motion carried.

Jost Subdivision – Minor Subdivision (1 new lot) Preliminary Plan Dated 6/2/2022
(6975 Country Spring Road, New Tripoli PA)

The plan proposes to subdivide 2.84 acres (lot#1 – with an existing trailer) from the total tract of 19.18 acres. This will leave a residual tract of 16.34 acres with the existing house and barn.

Ryan Christman, Township Engineer reviewed his comment letter dated 6/23/22 regarding the minor subdivision proposed on 6975 Country Spring Road. A waiver of a preliminary plan submission should be granted for this Final Plan submission. LVPC comments must be received and a replacement sewage area should be shown on the plan due to the marginal soil conditions. The only zoning comment is that the house and barn on the residual lot is an existing non-conforming structure with the proposed lot meeting all yard setbacks.

Stephen Lear made a motion that this plan be moved to Final Plan. This was seconded by John Casciano. Motion carried.

Core5 at Route 100 – Lot Consolidation Preliminary Plan Dated 6/2/22
Core5 at Route 100 – Land Development – 100,569 sq.ft. Warehouse – Preliminary Plan Revised 6/13/22
(7503 Kernsville Road, Orefield PA)

Brian Carl stated that we have received a request from the developer to be removed from tonight's agenda. The developer will tentatively be on the July 25th Planning Commission agenda.

2951 Betz Court – Land Development – 299,880 sq.ft. Warehouse – Preliminary Plan Revised 6/13/22
(2951 Betz Court, Orefield PA)

Motion made by Stephen Lear, seconded by Barry Betz to accept the preliminary plan for review. Motion carried.

The proposed plan is for a 299,880 square foot commercial warehouse/distribution center on 51.3 acres with associated parking, trailer storage spaces and storm water management. Ryan Christman, Township Engineer

reviewed his engineer and zoning comment letter dated June 23, 2022 with the Board. The plan still needs reviews and approvals from LVPC, PennDOT (HOP permit), LCCD and Lehigh County Authority (water service). Also an on lot sewer system needs to be designed and approved. Ryan Christman reviewed his comment letter dated June 23, 2022 with the Board and applicant but noted that these comments wouldn't change the warehouse design.

Larry Geiger (P.C. Chairman) reviewed the LVPC comment letter dated April 29, 2022. Discussion was held with Benjamin Guthrie (Traffic Planning and Design) regarding the design at the entrance of Betz Court. Ben stated that they are designing the entrance so that it fits with-in the existing PennDOT right of way and to meet PennDot standards. They will be providing a left turn lane into Betz Court and also improvements to the entrance at Betz Court.

Preston Nelson (P.C. Member) stated that the proposed timing on the light doesn't seem like enough time. Ben Guthrie stated that they are recommending the times be flexible with the busy times of the day. The current traffic study incorporated the traffic predictions of all 3 warehouses plus existing truck traffic.

John Casciano (P.C. Member) asked the developer where truck traffic is supposed to go if in fact they turn left out of Betz Court. Ben stated that they will direct all truck traffic to the right on Kernsville Road towards Rt. 100 with the appropriate signage. Ben is also under the understanding from LVPC that PennDOT is planning on improving the intersection of Kernsville Road and Rt. 309.

PUBLIC COMMENT:

Rodney Afflerbach – (2741 Rickenbacker Ct. – North Whitehall) stated the best you can do is hold the developers accountable for all that the Township needs and get a commitment in writing. Protect the people to the East.

Charles Hardy (2908 Betz Ct) He wants the plans to be sent to all the people on Betz Court so that they can review them as well. He feels that the owner of this property has no right to vote on these warehouses and he should resign. He also stated that the bridge on Kernsville Road will not take the weight of truck traffic let alone the mess it would be if that bridge has to be replaced due to damage from truck traffic.

Jack Innantuono (6418 Rutledge Drive) gave examples of truck traffic nuisances on Kernsville Road.

Jonelle Yonak (3545 Highland Road) stated that they just recently announced a 2.1 million dollar major renovation to the Kernsville Road Bridge. We only have state police presence. How are we going to protect our area?

Auralia Lundquist (6355 Game Preserve Road) stated our roads are not made for this type of traffic. Can you recommend how we can address comments to PennDOT with our concerns? Larry stated that we forward all comments to PennDOT.

Kathleen Dimmick (5851 Lindbergh Street, North Whitehall) stated that truck accidents will trap these kids in schools if you shut down these roads. The children will be affected by transportation problems.

Susan Shankweiler (3248 Highland Road) expressed her concerns with all the children and parents outside for bus stops when big tractor trailers drive by. There will be an increase in crime due to the warehouses.

Sue Ellen White (3862 Buck Hill Ct.) expressed why PennDOT isn't attending these meetings. They are not very responsive. She had several questions for PennDOT that she would like answered.

Stephen Lear (P.C. Member) asked Brian Carl if we could ask a representative of PennDOT to attend these meetings so questions regarding traffic can be addressed. Brian stated that PennDOT does not attend municipal meetings but he can ask again.

Wayne Schaeffer (3075 Weidasville Road) stated what happens when all the people stop working from home and go back to work. This will affect the traffic counts that were taken in 2021 and early 2022.

David Suter (7696 Hilltop Court – Lynn Township) stated he was a bus driver for the school district. Has anyone contacted the School Districts regarding the warehouse? He discussed timing issues with school bus transportation.

John Collins (2761 Earhart Ct. – North Whitehall Twp.) suggested that PennDOT should attend these meetings and to postpone these warehouse meetings until PennDOT answers these questions. Brian addressed the resident stating that PennDOT has regulations that they have to follow as well and we cannot legal delay meetings because PennDOT doesn't come to our meetings. They are not required to attend.

Tom Hudak (3976 Windy Road) expressed that we need to hold PennDOT accountable. Left hand turns are dangerous. Change the ordinances. These warehouses are simply bad for the community.

Sue McGorry (7453 Skytop Ct.) She expressed concerns about fire safety and where the water was coming from. Larry Geiger addressed her questions regarding the approved use in Lowhill Township's Zoning Ordinance. Fire safety is addressed by engineer calculations and the water comes from LCA.

Terry Lenhart (6616 Kernsville Road) expressed concerns about bus stops for children and the fact that there are no shoulders on Kernsville Road. He also stated that the supervisor that owns this property has a conflict of interest and should remove himself.

Rich Dorney (6421 Constitution Road) questions the amount of traffic with Ben Guthrie. He also asked what the tax benefit of these warehouses would be. Taxes paid by the warehouse will be calculated by Lehigh County Assessment Office.

Tom Hudak (3976 Windy Road) asked how many employees are expected to work in the warehouses. They anticipate 171 cars entering and exiting in the course of one day with 38 dock doors on the warehouse. 222 employees projected.

Joel Kercher (4359 Mill Creek Road) He has contact emails for anyone who wants it.

Jonelle Yonak (3545 Highland Road) stated she can provide phone numbers to PennDOT in order for residents to contact them with their concerns.

Auralia Lundquist (6355 Game Preserve Road) asked if anyone ever goes back and checks the site to get actual numbers of traffic once the building is up. Ben Guthrie stated that sometimes there are post-development numbers that are performed.

Larry Geiger (P.C. Chariman) suggested the plan be tabled because he would like to see additional information regarding traffic improvements and information from the outside agencies and to address comments from Keystone Consulting Engineers letter dated June 23, 2022.

Motion was made by Mike Divers, seconded by John Casciano to table the plan until July in order to the developer to provide more information.

Blake Marles (Stevens & Lee) addressed the Planning Commission members and stated that the bulk of the engineer's letter is regarding storm water management. He also indicated that the Township Engineer stated that none of this would change the layout or design of the building. The traffic, by law, relates to a third party agency

(PennDOT) and you cannot delay a plan upon these conditions. We would request that you conditionally approve the preliminary plan, a decision is warranted, as we meet all the Township ordinance requirements.

Larry Geiger (P.C. Chairman) stated that they still don't know how they are addressing the intersection of Betz Court and Kernsville Road. If right-of-way is required you couldn't take it legally. So without showing what is happening on Kernsville Road how would we know it can be addressed at a later time without seeing a layout? Motion again was made by Mike Divers, seconded by John Casciano. Motion carried.

An extension of time was requested by Brian Carl from the developer. Blake Marles and the developer discussed the time extension request.

Brian Carl addressed the Planning Commission Board and the audience stating that we are governed by the municipal planning code that has guidelines on when action needs to be done on a plan. We are at that point. Tabling a plan is not a formal action. We would need an extension of time granted by the developer, or a formal action must be taken to either approve or deny the plan. If action is not taken or if an extension of time is not received, then the developer would receive a deemed approval per the MPC. The developer agreed to the time extension until the July 25th 2022 Planning Commission meeting.

Public Water Line Extension – Proposed Layout

Brian Carl presented the proposed waterline layout along Route 100 and Kernsville Road. No action was taken by the Board.

Mike Divers made a motion to adjourn. Stephen Lear seconded the motion. Motion carried. The Lowhill Township Planning Commission meeting was adjourned at 9:06 pm.

The next meeting is tentatively – **Monday July 25, 2022 @ the Fogelsville Fire Co.**