

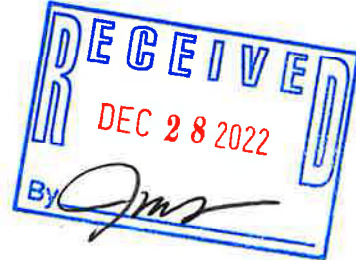
IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

CORE5 AT ROUTE 100, LLC
Plaintiff

v.

LOWHILL TOWNSHIP & LOWHILL
TOWNSHIP BOARD OF SUPERVISORS
Defendants

No.



NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claims or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

LEHIGH COUNTY BAR ASSOCIATION
LAWYER REFERRAL SERVICE
1114 W. WALNUT STREET
ALLENTOWN, PENNSYLVANIA 18102
TELEPHONE: 610-433-7094

IN THE COURT OF COMMON PLEAS OF LEHIGH COUNTY, PENNSYLVANIA
CIVIL DIVISION

CORE5 AT ROUTE 100, LLC	:	
Plaintiff	:	
	:	
v.	:	
	:	No.
LOWHILL TOWNSHIP & LOWHILL	:	
TOWNSHIP BOARD OF SUPERVISORS	:	
Defendants	:	
	:	
	:	

COMPLAINT

AND NOW comes, Plaintiff, Core5 at Route 100, LLC, by and through its counsel, Fitzpatrick Lentz & Bubba, P.C., and it hereby files the following Complaint and in support thereof it avers as follows:

PARTIES

1. Plaintiff, Core5 at Route 100, LLC (hereinafter referred to as “**Core5**”), is a Limited Liability Company formed and existing pursuant to the laws of the State of Delaware with a business address at 1230 Peachtree Street NE, Suite 3560, Atlanta, GA 30309.
2. A Defendant is Lowhill Township (hereinafter referred to as the “**Township**”), a Second-Class Township organized and existing pursuant to the Second-Class Township Code, 53 P.S. §65101 et. seq, with a business address at 7000 Herber Road, New Tripoli, PA 18066.
3. A Defendant is the Lowhill Township Board of Supervisors (hereinafter referred to as the “**Board**”), the governing body of Lowhill Township.
4. Before November 3, 2022, the Board was comprised of Chairman Richard Hughes, Vice Chairman George Wessner, Jr., and Supervisor Robb Werley.

JURISDICTION AND VENUE

5. Each and every preceding averment is incorporated herein by reference as though the same was set forth herein at length.

6. The Lehigh County Court of Common Pleas has subject matter jurisdiction over each and every count contained in this Complaint.

7. The Lehigh County Court of Common Pleas has personal jurisdiction over the Township and the Board as each is located within Lehigh County and conducts business within Lehigh County.

8. Venue is proper in the Lehigh County Court of Common Pleas as Lowhill Township is located within Lehigh County and the underlying transaction, occurrences, and property at issue are located within Lehigh County.

OPERATIVE FACTS

9. Each and every preceding averment is incorporated herein by reference as though the same was set forth herein at length.

10. Core5 is the equitable owner of property situate at 7503 Kernsville Road, consisting of approximately 21.6 acres in the Township's RV- Rural Village Zoning District and further described as Tax Parcel No. 545714601391-1 and 7607 Kernsville Road, consisting of approximately .63 acres in the Township's RV- Rural Village Zoning District and further described as Tax Parcel No. 545713255797 (hereinafter the above-referenced parcels shall be referred to collectively as the "**Property**").

11. The RV- Rural Village Zoning District is the only zoning district in the Township which permits industrial development, and the Property is situate in an area of pre-existing industrial uses.

12. On or about October 18, 2021, pursuant to the Municipalities Planning Code (the “MPC”) Core5 submitted to the Township an application seeking Preliminary Land Development Approval in accordance with the “Preliminary Land Development and Lot Consolidation Plan for Core5 at Route 100” dated October 11, 2021, and last revised September 12, 2022 (the application and the plan will be referred to collectively as the “Plan”). See Exhibit A.

13. The Plan proposes the consolidation of two adjacent lots and the construction of a +100,560 sq. ft. distribution building as well as appurtenant improvements, including proposed office space and parking (the “Project”).

14. The Plan includes requests for waivers of the Township’s Subdivision and Land Development Ordinance §4.708 related to the requirement to install sidewalks along Kernsville Rd. and Orchard Rd. and §4.700 related to the requirement to construct road improvements along the frontage of the Property.

15. The Project is permitted-by-right in the RV- Rural Village Zoning District.

16. Core5 and the Township agreed to several extensions for review of the Plan pursuant to 53 P.S. §10508(3) of the MPC, with the final extension terminating on November 30, 2022.

17. The Plan was reviewed by the Lowhill Township Planning Commission on August 29, 2022, and September 26, 2022, as well as many times previously beginning in late 2021; the Planning Commission recommended denial of the Plan on September 26, 2022.

18. The recommended denial of the Planning Commission was based, in part, on the September 23, 2022, review letter of Keystone Consulting Engineers. See Exhibit B.

19. On October 6, 2022, the Board held a regular business meeting with Chairman Richard Hughes, Vice Chairman George Wessner, Jr., and Supervisor Robb Werley establishing a quorum.

20. As reflected in the approved meeting minutes of October 6, 2022, Chairman Hughes announced the resignation of Supervisor Werley. See Exhibit C.

21. The resignation of Supervisor Werley was not voted on and/or accepted by the Board of Supervisors on October 6, 2022. See Exhibit C.

22. On November 3, 2022, during a regular business meeting, Chairman Hughes and Vice Chairman Wessner voted on and accepted the resignation of Supervisor Werley. See Exhibit D.

23. At the November 3, 2022, meeting, Chairman Hughes and Vice Chairman Wessner each made a motion to appoint individuals from the community to fill the vacancy created by the resignation of Supervisor Werley, but neither motion was seconded or subject to official action. See Id.

24. On November 10, 2022, at a special meeting advertised for 7:00 P.M. as a “Vacancy Board Hearing”, Chairman Hughes and Carol Betz, the Township’s Vacancy Board Chairwoman, purported to take action to appoint Curtis Dietrich to fill the vacancy created by the resignation of Supervisor Werley. See Exhibit E.

25. Vice-Chairman Wessner was not present at the November 10, 2022, “Vacancy Board Hearing.” See Id.

26. Curtis Dietrich purported to take the oath-of-office after the conclusion of the “Vacancy Board Hearing.”

27. The purported appointment of Curtis Dietrich was not confirmed by the Board by November 28, 2022.

28. On November 28, 2022, at a special meeting advertised for 6:30 P.M., Chairman Hughes and alleged Supervisor Dietrich purportedly took action to deny the Plan despite notice by Counsel for Core5 that Mr. Dietrich was not appropriately appointed. See Exhibit F.

29. Vice-Chairman Wessner was not present at the November 28, 2022, special meeting. See Id.

30. By letter dated December 6, 2022, the Township issued correspondence confirming the purported denial of the Plan. See Exhibit G.

31. Core5 intends to publish a notice of deemed approval and anticipates the Township's refusal to acknowledge the validity of the same.

32. Core5 believes and therefore avers that Curtis Dietrich was not legally appointed to the Board and that the Plan was not denied because the Board was not authorized to take any official action on November 28, 2022 without a quorum present.

COUNT I – DECLARATORY JUDGMENT
PLAINTIFF V. ALL DEFENDANTS

33. Each and every preceding averment is incorporated herein by reference as though the same was set forth herein at length.

34. The Declaratory Judgment Act grants this Honorable Court the power to declare rights, status, and other legal relations. 42 Pa.C.S.A. §7532.

35. A Declaratory Judgment issued pursuant to the Declaratory Judgment Act is appropriate to determine the legal rights of an individual when there are claims indicating imminent and inevitable litigation. 42 Pa.C.S.A. §§7531-7541.

36. The Township, as a Second-Class Township, is governed by the Second-Class Township Code. 53 P.S. §65101 *et. seq.* (the “Code”).

37. Pursuant to the Code, a quorum of the sitting board of supervisors is necessary to conduct any business in a Second-Class Township. 53 P.S. §65603.

38. A quorum is two members of a three-member board of supervisors. *Id.*

39. Section 508(3) of the MPC requires the governing body of a municipality to take action on an application for land development within ninety (90) days of submission or within the time of any agreed upon extension. 53 P.S. §10508(3).

40. “Failure of the governing body or agency to render a decision and communicate it to the Core5 within the time and in the manner required herein shall be deemed an approval of the application in terms as presented....” *Id.*

41. The Code also provides the exclusive procedure for filling a vacancy caused by a resignation of a sitting supervisor. 53 P.S. §65407.

42. The relevant vacancy procedures of 53 P.S. §65407 are as follows:

(a) If the electors of any township fail to choose a supervisor, tax collector or auditor, or if any person elected to any office fails to serve in the office, or if a vacancy occurs in the office by death, resignation under subsection (b), removal from the township or otherwise, the board of supervisors may appoint a successor who is a registered elector of the township and has resided in that township continuously for at least one year prior to their appointment.

(b)(1) A resignation: shall not create a vacancy until the date that the resignation is accepted by a majority vote of the board of supervisors at a public meeting or the effective date of the tendered resignation, whichever is later. The board of supervisors must accept a tendered resignation no later than forty-five days after the resignation has been tendered to the board of supervisors, unless the resignation is withdrawn in writing prior to acceptance.

(c) If, for any reason, the board of supervisors refuses, fails, neglects or is unable to fill a vacancy within thirty (30) days after the vacancy

occurs, the vacancy shall be filled within fifteen (15) additional days by the Vacancy Board. The vacancy board shall consist of the board of supervisors and one registered elector of the township, who shall be appointed by the board of supervisors at the board's first meeting each calendar year or as soon thereafter as is practical. The appointed elector shall act as the chairperson of the vacancy board.

43. Pursuant to 53 P.S. §65407(b)(1), Supervisor Werley's resignation was not effective until November 3, 2022, when the Board voted to accept his resignation.

44. Less than seven (7) days later, a Vacancy Board was convened by Chairman Hughes despite the plain language of 53 P.S. §65407(c) requiring thirty (30) days to expire before a Vacancy Board is permitted to be convened to make an appointment and despite the requirement for the Vacancy Board chair to convene the Vacancy Board.

45. The Vacancy Board, which is required by the plain language of 53 P.S. §65407(c) to comprise the entire Board of Supervisors and the Vacancy Board Chairperson, consisted only of Chairman Hughes and Vacancy Board Chairwoman Betz.

46. The appointment of Curtis Dietrich to the vacant supervisor position by the Vacancy Board was legally ineffective because the Code does not permit the Vacancy Board to be convened until thirty (30) days from the date the vacancy on the Board was created, which was November 3, 2022.

47. The appointment of Curtis Dietrich to the vacant supervisor position was legally ineffective because the Vacancy Board was convened without the Board in attendance.

48. The appointment of Curtis Dietrich to the vacant supervisor position was legally ineffective because Curtis Dietrich was never confirmed by a majority vote of the Board.

49. The appointment of Curtis Dietrich to the vacant supervisor position was legally ineffective because the Vacancy Board hearing was not appropriately convened or advertised.

50. Litigation in this matter is imminent.

WHEREFORE, Plaintiff, Core5 at Route 100, LLC, hereby requests judgment in its favor, and against Defendants, and respectfully requests this Honorable Court to enter the following declaratory relief:

- (a) Declaring that the resignation of Supervisor Werley was not effective until November 3, 2022;
- (b) Declaring that the Vacancy Board was illegally convened on November 10, 2022;
- (c) Declaring that Curtis Dietrich was not lawfully appointed to the Lowhill Township Board of Supervisors on November 10, 2022, and was not acting with the authority of a township supervisor on November 28, 2022;
- (d) Declaring that the denial of the Plan on November 28, 2022, was legally ineffective because a quorum of the Lowhill Township Board of Supervisors was not present and voting; and
- (e) Declaring that the Plan was not acted upon within the time required by §508(3) of the Municipalities Planning Code and that the Plan is therefore deemed approved.

COUNT II – MANDAMUS
PLAINTIFF V. ALL DEFENDANTS

51. Each and every preceding averment is incorporated herein by reference as though the same was set forth herein at length.

52. Mandamus is the appropriate remedy to obtain recognition of a deemed approval of a proposed land development plan. See Penllyn Lands v. Board of Sup'rs of Lower Gwynedd Tp. (Pa. Cmwlth. 1994).

53. An action in mandamus will be successful when the plaintiff demonstrates (i) a clear legal right to relief, (ii) a corresponding duty in defendant, and (iii) the absence of any other appropriate or adequate remedy at law. Id.

54. As set forth above, the appointment of Mr. Dietrich was illegal and legally ineffective.

55. Because Mr. Dietrich was not appropriately appointed, the denial of the Plan on November 28, 2022, was legally ineffective because the Board was without a quorum and could not take official action.

56. The Board failed to take official action by November 30, 2022, when the extension for a decision on the Plan expired.

57. Only Chairman Hughes and Mr. Dietrich were in attendance at the November 28, 2022, special meeting wherein the Board purported to deny the Plan and therefore the Board was without a quorum and failed to take action on the Plan

58. No action on the Plan was taken by November 30, 2022, the date of the expiration of the extension granted by Core5.

59. Core5's legal right to relief is clear.

60. The Township and the Board have a legal obligation to recognize that the Plan is deemed approved and to take all necessary actions to approve the Plan.

61. Core5 does not have any other adequate remedy at law.

WHEREFORE, Plaintiff, Core5 at Route 100, LLC, hereby requests judgment in its favor, and against Defendants, Lowhill Township and Lowhill Township Board of Supervisors, and respectfully requests this Honorable Court to enter an order granting the following relief:

- (a) Recognizing that the Plan is deemed approved;
- (b) Requiring Lowhill Township and the Lowhill Township Board of Supervisors to take all action necessary to ensure Core5's ability to construct the Project as represented on the Plan;
- (c) Requiring Lowhill Township to grant all waivers requested;
- (d) Requiring Lowhill Township and the Lowhill Township Board of Supervisors to take official action to approve the Plan;

- (e) Requiring Lowhill Township and the Lowhill Township Board of Supervisors to take all affirmative action, including but not limited to execution and submission of applications to Commonwealth Agencies for Highway Occupancy Permits and Sewer Planning Modules, to ensure the construction of the Project; and
- (f) Granting any other relief which this Honorable Court deems just and appropriate.

COUNT III – NOTICE OF LAND USE APPEAL
PLAINTIFF V. ALL DEFENDANTS

62. Each and every preceding averment is incorporated herein by reference as though the same was set forth herein at length.

63. Core5 pleads this count in the alternative to preserve Core5's rights should this Honorable Court deny the above-requested counts for Declaratory Judgment and Mandamus.

64. This appeal is from the written decision of the Board dated December 6, 2022. See Exhibit G.

65. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan.

66. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Board's findings were not supported by substantial evidence.

67. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Board's denial of the Plan was arbitrary, capricious, against the weight of the evidence, an abuse of discretion, and contrary to law.

68. Core5 believes and therefore avers that the Board erred and abused its discretion because it evidenced a clear lack of good-faith in reviewing and denying the Plan. See Highway Materials, Inc. v. Board of Supervisors of Whitemarsh Tp. 974 A.2d 539, 544 (Pa. Cmwlth.

2009)(“A municipality has a legal obligation to proceed in good faith in reviewing and processing land development plans; duty of good faith includes discussing matters involving technical requirements or ordinance interpretation with an applicant and providing an applicant a reasonable opportunity to respond to objections or to modify plans where there has been a misunderstanding or difference of opinion.”).

69. Core5 believes and therefore avers that the Board acted in bad faith by denying the Plan instead of affording Core5 the ability to submit a Plan addressing the technical comments of the Township Engineer contained in the September 23, 2022, review letter. See Exhibit B.

70. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Board violated Core5’s rights to Due Process and Equal Protection under the United States Constitution, as incorporated to the Township by the Fourteenth Amendment. U.S. Const. amend. XIV §2.

71. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Board violated Core5’s rights to due process and equal protection under the Constitution of the Commonwealth of Pennsylvania.

72. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because a warehouse and distribution center is not a permitted use in the RV- Rural Village District.

73. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because a warehouse and distribution center is not consistent with the Multi-Municipal Comprehensive Plan for the Northern Region of Lehigh County.

74. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Property is not suitable for the proposed use as a warehouse and distribution center.

75. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Township does not have the infrastructure to support the construction of the Project.

76. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because of traffic concerns.

77. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because a truck restriction study was not completed on Orchard Road and Pony Road.

78. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Lehigh Valley Planning Commission did not determine that the proposed stormwater management plan is compliant with the Stormwater Act, Act 167 of 1978 and the Applicable Act 167 Stormwater Management Plan.

79. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Plan is not compliant with the Township's Subdivision and Land Development Ordinance.

80. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because an Erosion and Sedimentation control plan was not submitted.

81. Core5 believes and therefore avers that the Board committed an abuse of discretion and erred as a matter of law by denying the Plan because the Plan does not comply with Article I, Section 27 of the Pennsylvania Constitution.


WHEREFORE, Plaintiff, Core5 at Route 100, LLC, hereby requests judgment in its favor, and against Defendants, and respectfully requests this Honorable Court to overrule the decision of the Board of Supervisors to deny the Plan and order the Board of Supervisors to approve the Plan.

Respectfully submitted,

FITZPATRICK LENTZ & BUBBA, P.C.

Date: December 22, 2022

By:


Joseph A. Fitzpatrick, Jr.
I.D. No. 32970
Frank Natale D'Amore, III
I.D. No. 322970
645 W. Hamilton Street, Suite 800
Allentown, PA 18101
(610) 797-9000
Attorney for Plaintiff

VERIFICATION

I, Paul Pontius, Vice President of Investments for Core5 Industrial Partners, LLC, the parent company of Core5 at Route 100, LLC, do hereby verify that I am authorized to make this verification on behalf of Plaintiff, Core5 at Route 100, LLC. I hereby verify that the statements made in the instant Complaint are true and correct to the best of my knowledge, information and belief. This Verification is made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

Date: 12/21/22



Paul Pontius
Vice President of Investments

Exhibit "A"

PRELIMINARY LAND DEVELOPMENT AND LOT CONSOLIDATION PLAN

FOR CORE5 AT ROUTE 100

7503 KERNSVILLE ROAD
LOWHILL TOWNSHIP,
LEHIGH COUNTY, PENNSYLVANIA

PREPARED BY:

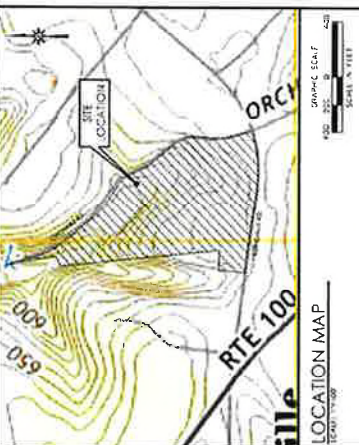


ARCHITECTURE
ENGINEERING
ENVIRONMENTAL
LAND SURVEYING
Companies

2601 Market Place, Suite 350
Harrisburg, PA 17110
(717) 651-9850

PREPARED FOR:

Core5 Industrial Partners
1230 Peachtree Street NE, Suite 3560
Atlanta, GA 30309



ACT 287 LIST OF UTILITIES

THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF ACCURACY. THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

DATE: 12/22/2022

PROJECT: CORE5 AT ROUTE 100

OWNER: CORE5 INDUSTRIAL PARTNERS

DESIGNER: BL ARCHITECTURE ENGINEERING ENVIRONMENTAL LAND SURVEYING COMPANIES

PROJECT ADDRESS: 7503 KERNSVILLE ROAD, LOWHILL, PA 18101

PROJECT CONTACT: (717) 651-9850



Sheet List Table

1	C-1	COVER SHEET
2	C-2	GENERAL NOTES
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4	A-2	ACT 287 LIST OF UTILITIES
5	A-3	ACT 287 LIST OF UTILITIES
6	B-1	DEVELOPMENT PLAN
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100	B-95	DEVELOPMENT PLAN



CERTIFICATE OF EQUITABLE OWNERSHIP, OFFER OF DEDICATION, AND ACKNOWLEDGEMENT OF PLAN

COMMISSIONER OF PENNSYLVANIA

THIS CERTIFICATE IS FILED IN THE OFFICE OF THE COMMISSIONER OF PENNSYLVANIA, LEHIGH COUNTY, PA, ON THIS 22ND DAY OF DECEMBER, 2022, AT 10:51 AM.

FILED BY: CLERK OF JUDICIAL RECORDS, CIVIL DIVISION, LEHIGH COUNTY, PA

2022-C-2958

CERTIFICATE OF OWNERSHIP AND ACKNOWLEDGEMENT OF PLAN

COMMISSIONER OF PENNSYLVANIA

THIS CERTIFICATE IS FILED IN THE OFFICE OF THE COMMISSIONER OF PENNSYLVANIA, LEHIGH COUNTY, PA, ON THIS 22ND DAY OF DECEMBER, 2022, AT 10:51 AM.

FILED BY: CLERK OF JUDICIAL RECORDS, CIVIL DIVISION, LEHIGH COUNTY, PA

STORMWATER ACKNOWLEDGEMENT

THE DEVELOPER HAS REVIEWED AND APPROVED THE STORMWATER MANAGEMENT PLAN AND HAS AGREED TO MAINTAIN AND OPERATE THE STORMWATER MANAGEMENT SYSTEM AS SHOWN ON THE PLAN.

DATE: _____

BY: _____

LEHIGH VALLEY PLANNING COMMISSION APPROVAL

RESOLVED, THAT THE LEHIGH VALLEY PLANNING COMMISSION APPROVES THE PRELIMINARY LAND DEVELOPMENT AND LOT CONSOLIDATION PLAN FOR THE PROJECT DESCRIBED ABOVE.

DATE: _____

BY: _____

LOWHILL TOWNSHIP BOARD OF SUPERVISORS APPROVAL

RESOLVED, THAT THE BOARD OF SUPERVISORS OF LOWHILL TOWNSHIP APPROVES THE PRELIMINARY LAND DEVELOPMENT AND LOT CONSOLIDATION PLAN FOR THE PROJECT DESCRIBED ABOVE.

DATE: _____

BY: _____

LOWHILL TOWNSHIP PLANNING COMMISSION APPROVAL

RESOLVED, THAT THE PLANNING COMMISSION OF LOWHILL TOWNSHIP APPROVES THE PRELIMINARY LAND DEVELOPMENT AND LOT CONSOLIDATION PLAN FOR THE PROJECT DESCRIBED ABOVE.

DATE: _____

BY: _____

VARIANCE REQUEST

THE APPLICANT REQUESTS THE FOLLOWING VARIANCES FROM THE ZONING ORDINANCE:

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WAIIVER REQUESTS

THE APPLICANT REQUESTS THE FOLLOWING WAIVERS FROM THE ZONING ORDINANCE:

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RECORD OF DEEDS CERTIFICATE

THIS CERTIFICATE IS FILED IN THE OFFICE OF THE COMMISSIONER OF PENNSYLVANIA, LEHIGH COUNTY, PA, ON THIS 22ND DAY OF DECEMBER, 2022, AT 10:51 AM.

FILED BY: CLERK OF JUDICIAL RECORDS, CIVIL DIVISION, LEHIGH COUNTY, PA

RECORD OF DEEDS CERTIFICATE

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FILED BY: CLERK OF JUDICIAL RECORDS, CIVIL DIVISION, LEHIGH COUNTY, PA

ENGINEER'S CERTIFICATION

I, _____, a duly licensed Professional Engineer in the State of Pennsylvania, hereby certify that I have prepared the above described Preliminary Land Development and Lot Consolidation Plan in accordance with the provisions of the Pennsylvania Land Use Code, Title 26, Part C, Chapter 100, and the rules and regulations of the Board of Professional Engineers and Surveyors, State of Pennsylvania.

DATE: _____

BY: _____

ENGINEER'S CERTIFICATION

I, _____, a duly licensed Professional Engineer in the State of Pennsylvania, hereby certify that I have prepared the above described Preliminary Land Development and Lot Consolidation Plan in accordance with the provisions of the Pennsylvania Land Use Code, Title 26, Part C, Chapter 100, and the rules and regulations of the Board of Professional Engineers and Surveyors, State of Pennsylvania.

DATE: _____

BY: _____

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DATE: _____

BY: _____



AL-1
AL-2

AL-1
AL-2

GRAPHIC SCALE
0 100 200 FEET

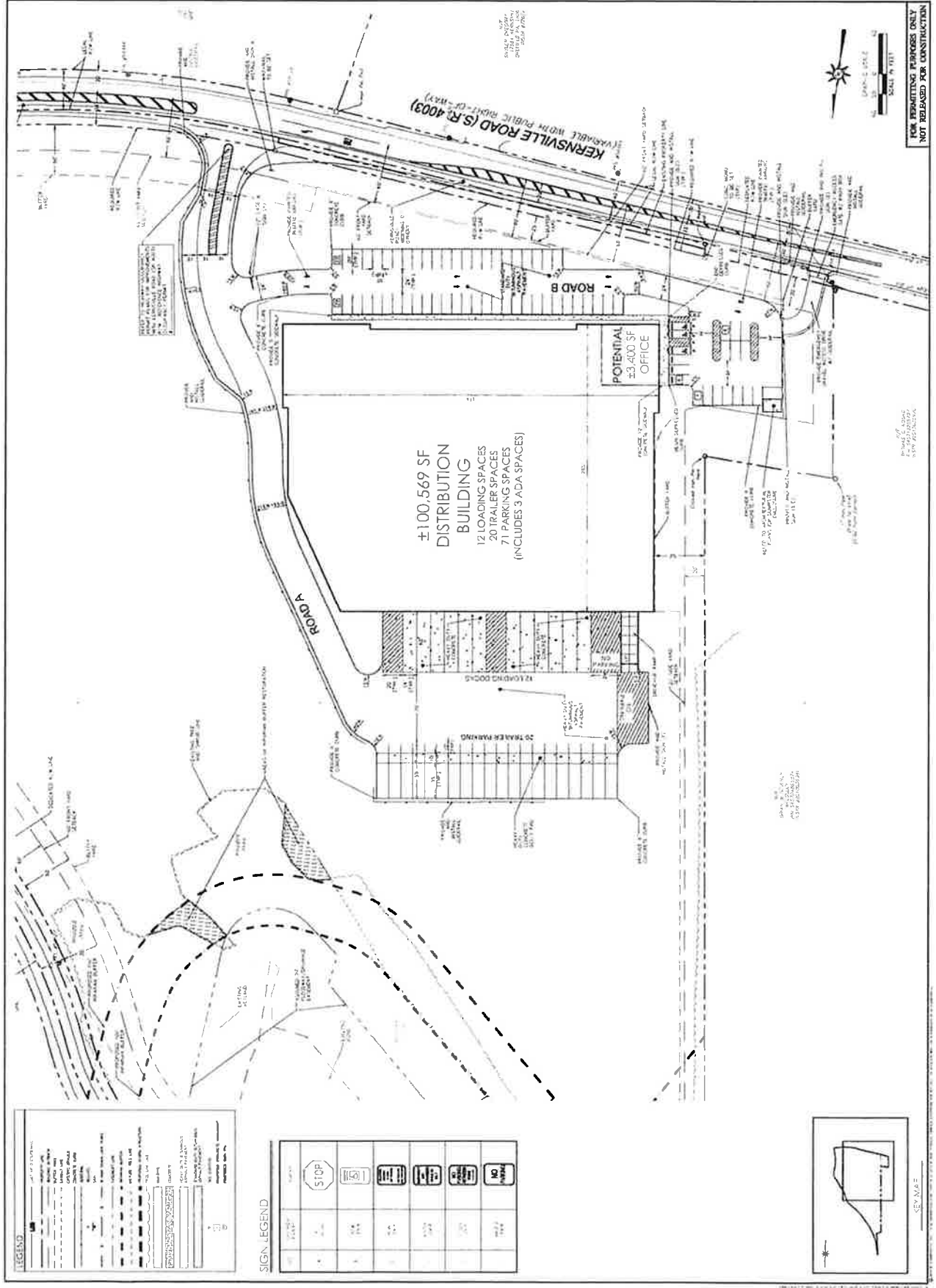


PRELIMINARY LAND DEVELOPMENT AND LOT
 CONSOLIDATION PLAN FOR CORES AT ROUTE 100
 7503 KERNSVILLE ROAD
 LEHIGH COUNTY, PENNSYLVANIA

2022 C-2958 /s/KF

SITE PLAN

SP-1
 No. 8 of 25



FOR PERMITTING PURPOSES ONLY
 NOT RELEASED FOR CONSTRUCTION

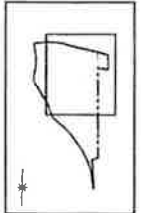
DATE: 12/22/2022
 TIME: 10:51 AM

LEGEND

	RIGHT OF WAY
	EASEMENT
	UTILITY LINE
	PROPERTY LINE
	PROPOSED BUILDING
	PROPOSED PARKING
	PROPOSED ROAD
	PROPOSED DRIVEWAY
	PROPOSED FENCING
	PROPOSED RETENTION WALL
	PROPOSED STORMWATER MANAGEMENT
	PROPOSED LANDSCAPING
	PROPOSED TREE
	PROPOSED PLANT
	PROPOSED LIGHT POLE
	PROPOSED SIGN
	PROPOSED UTILITY POLE
	PROPOSED MANHOLE
	PROPOSED VALVE
	PROPOSED FIRE HYDRANT
	PROPOSED FIRE ALARM
	PROPOSED FIRE EXTINGUISHER
	PROPOSED FIRE HOSE
	PROPOSED FIRE ALARM PANEL
	PROPOSED FIRE ALARM CONTROL UNIT
	PROPOSED FIRE ALARM SOUNDER
	PROPOSED FIRE ALARM BELL
	PROPOSED FIRE ALARM HORN
	PROPOSED FIRE ALARM STROBE
	PROPOSED FIRE ALARM SPEAKER
	PROPOSED FIRE ALARM CONTROL PANEL
	PROPOSED FIRE ALARM CONTROL UNIT
	PROPOSED FIRE ALARM SOUNDER
	PROPOSED FIRE ALARM BELL
	PROPOSED FIRE ALARM HORN
	PROPOSED FIRE ALARM STROBE
	PROPOSED FIRE ALARM SPEAKER
	PROPOSED FIRE ALARM CONTROL PANEL

SIGN LEGEND

	STOP
	NO LEFT TURN
	NO RIGHT TURN
	NO U-TURN
	NO TRUCKS
	NO HEAVY TRUCKS
	NO BUSES
	NO MOTORCYCLES
	NO BICYCLES
	NO PEDESTRIANS
	NO ANIMALS
	NO FIREARMS
	NO ALCOHOL
	NO WEAPONS
	NO EXPLOSIVES
	NO FLAMMABLE LIQUIDS
	NO VOLATILE LIQUIDS
	NO COMPRESSED GASES
	NO OXIDIZING GASES
	NO CORROSIVE LIQUIDS
	NO CORROSIVE SOLIDS
	NO TOXIC SUBSTANCES
	NO RADIOACTIVE MATERIALS
	NO HAZARDOUS MATERIALS
	NO FLAMMABLE SOLIDS
	NO OXIDIZING SOLIDS
	NO INFLAMMABLE LIQUIDS
	NO INFLAMMABLE SOLIDS
	NO COMBUSTIBLE LIQUIDS
	NO COMBUSTIBLE SOLIDS
	NO HIGHLY FLAMMABLE LIQUIDS
	NO HIGHLY FLAMMABLE SOLIDS
	NO EXTREMELY FLAMMABLE LIQUIDS
	NO EXTREMELY FLAMMABLE SOLIDS
	NO SELF-HEATING LIQUIDS
	NO SELF-HEATING SOLIDS
	NO SELF-HEATING GASES
	NO SELF-HEATING SOLIDS
	NO SELF-HEATING LIQUIDS
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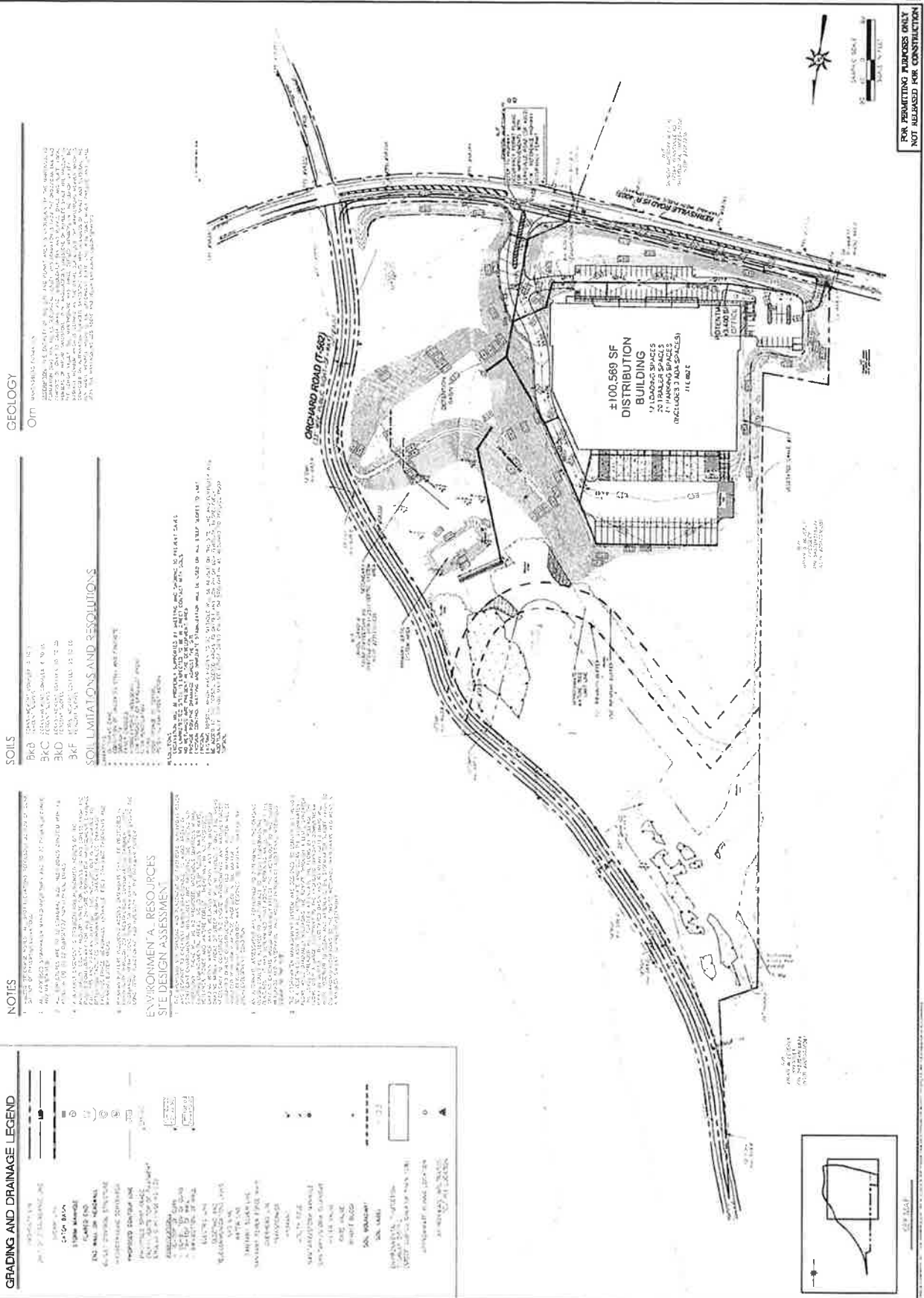


SEE MAP



PRELIMINARY LAND DEVELOPMENT AND LOT
 CONSOLIDATION PLAN FOR CORNERS AT ROUTE 100
 2022-C-2958 Is/KF
 7503 KERNSVILLE ROAD
 LEHIGH COUNTY, PENNSYLVANIA

OVERALL
 GRADING AND
 DRAINAGE
 PLAN
 GD-0
 No. 9 of 25



GEOLOGY
 Om
 MARYLENE FORMATION

SOILS
 BkC
 BkD
 BkE
 BkF

NOTES

GRADING AND DRAINAGE LEGEND

1. ALL GRADING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE P.A. DEPARTMENT OF TRANSPORTATION'S (DOT) STANDARD SPECIFICATIONS FOR ROADWAY CONSTRUCTION, SECTION 200.00, UNLESS OTHERWISE SPECIFIED.

2. THE PROPOSED GRADING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE P.A. DEPARTMENT OF TRANSPORTATION'S (DOT) STANDARD SPECIFICATIONS FOR ROADWAY CONSTRUCTION, SECTION 200.00, UNLESS OTHERWISE SPECIFIED.

3. ALL GRADING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE P.A. DEPARTMENT OF TRANSPORTATION'S (DOT) STANDARD SPECIFICATIONS FOR ROADWAY CONSTRUCTION, SECTION 200.00, UNLESS OTHERWISE SPECIFIED.

4. ALL GRADING SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE P.A. DEPARTMENT OF TRANSPORTATION'S (DOT) STANDARD SPECIFICATIONS FOR ROADWAY CONSTRUCTION, SECTION 200.00, UNLESS OTHERWISE SPECIFIED.

SOIL LIMITATIONS AND RESOLUTIONS

1. ALL SOILS SHALL BE TESTED AND CLASSIFIED IN ACCORDANCE WITH THE LATEST EDITION OF THE P.A. DEPARTMENT OF TRANSPORTATION'S (DOT) STANDARD SPECIFICATIONS FOR ROADWAY CONSTRUCTION, SECTION 200.00, UNLESS OTHERWISE SPECIFIED.

2. ALL SOILS SHALL BE TESTED AND CLASSIFIED IN ACCORDANCE WITH THE LATEST EDITION OF THE P.A. DEPARTMENT OF TRANSPORTATION'S (DOT) STANDARD SPECIFICATIONS FOR ROADWAY CONSTRUCTION, SECTION 200.00, UNLESS OTHERWISE SPECIFIED.

3. ALL SOILS SHALL BE TESTED AND CLASSIFIED IN ACCORDANCE WITH THE LATEST EDITION OF THE P.A. DEPARTMENT OF TRANSPORTATION'S (DOT) STANDARD SPECIFICATIONS FOR ROADWAY CONSTRUCTION, SECTION 200.00, UNLESS OTHERWISE SPECIFIED.

ENVIRONMENTAL RESOURCES SITE DESIGN ASSESSMENT

1. THE PROPOSED DEVELOPMENT IS LOCATED IN AN AREA OF ENVIRONMENTAL SENSITIVITY. THE PROPOSED DEVELOPMENT SHALL BE DESIGNED TO MINIMIZE IMPACTS ON THE ENVIRONMENT.

2. THE PROPOSED DEVELOPMENT SHALL BE DESIGNED TO MINIMIZE IMPACTS ON THE ENVIRONMENT.

3. THE PROPOSED DEVELOPMENT SHALL BE DESIGNED TO MINIMIZE IMPACTS ON THE ENVIRONMENT.

GRADING AND DRAINAGE LEGEND

PROPOSED GRADE
 EXISTING GRADE
 PROPOSED DRAINAGE
 EXISTING DRAINAGE
 PROPOSED PAVEMENT
 EXISTING PAVEMENT
 PROPOSED CURB
 EXISTING CURB
 PROPOSED SIDEWALK
 EXISTING SIDEWALK
 PROPOSED DRIVEWAY
 EXISTING DRIVEWAY
 PROPOSED UTILITY
 EXISTING UTILITY
 PROPOSED EROSION CONTROL
 EXISTING EROSION CONTROL

FOR PERMITTING PURPOSES ONLY
 NOT RELEASED FOR CONSTRUCTION



PRELIMINARY LAND DEVELOPMENT AND LOT CONSOLIDATION PLAN FOR CORES AT ROUTE 100

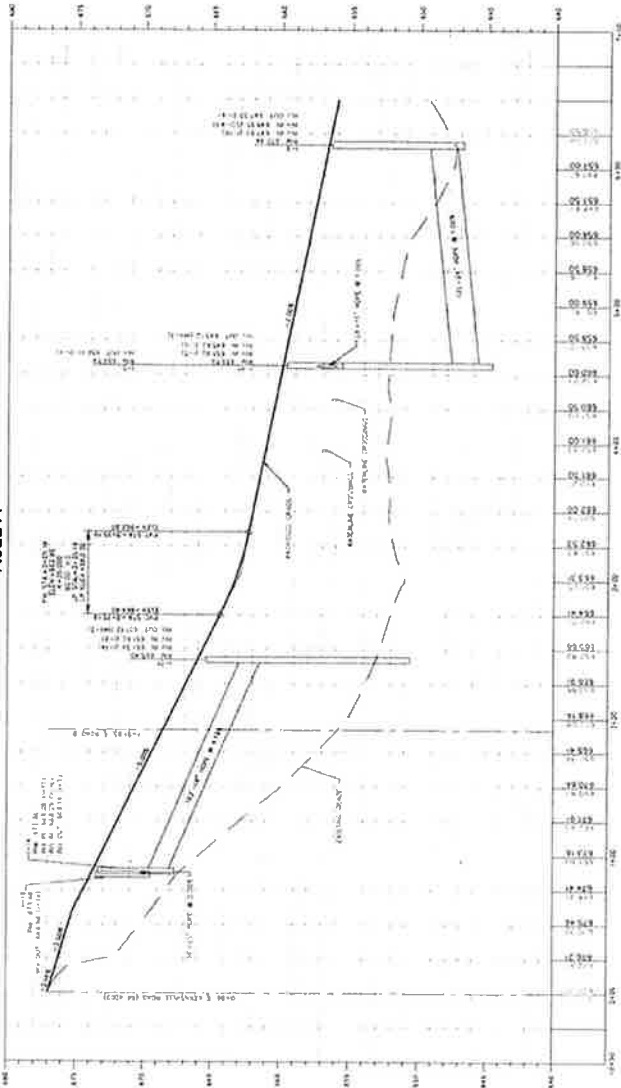
2022-C-2958 /s/KF

STORM PROFILES

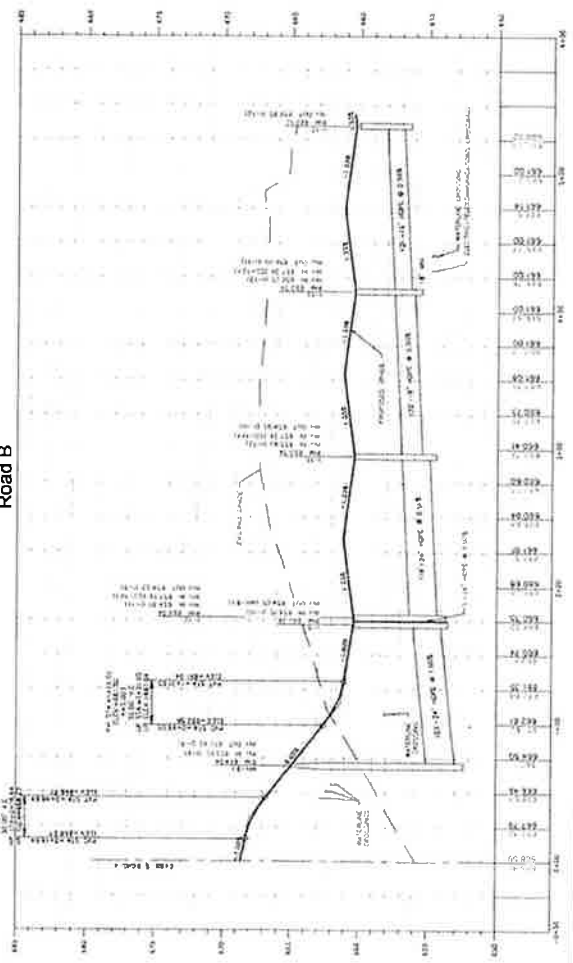
PR-1

No. 11 of 25

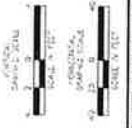
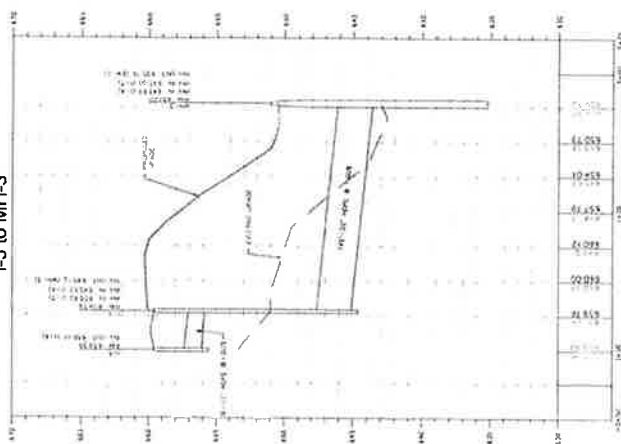
Road A



Road B



I-5 to MH-3



FOR PERMITTING PURPOSES ONLY NOT RELEASED FOR CONSTRUCTION



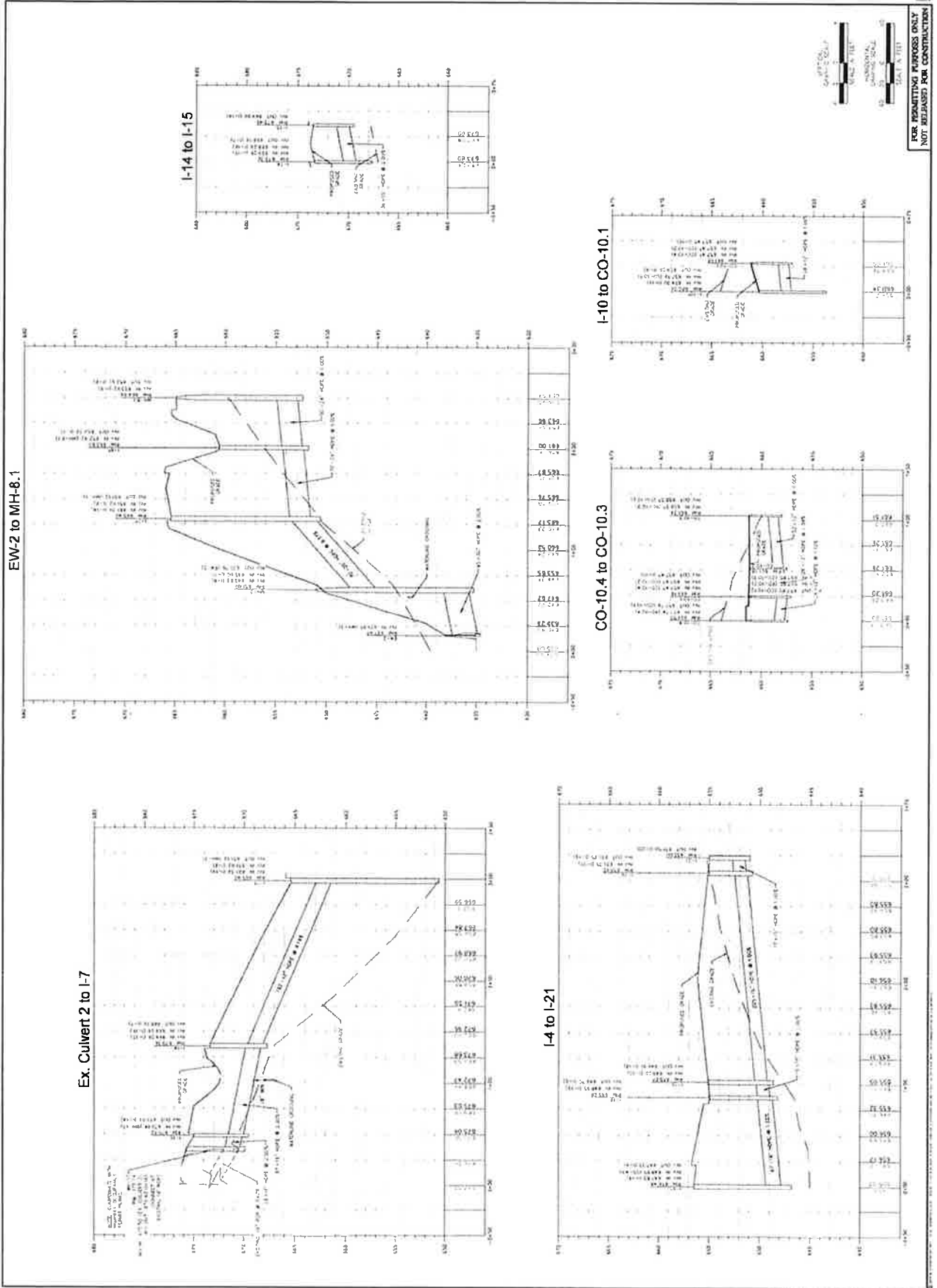
PRELIMINARY LAND DEVELOPMENT AND LOT CONSOLIDATION PLAN FOR CORES AT ROUTE 100

2022-C-2958 /s/KF

STORM PROFILES

PR-2

No. 12 of 25



FOR PERMITTING PURPOSES ONLY NOT RELEASED FOR CONSTRUCTION

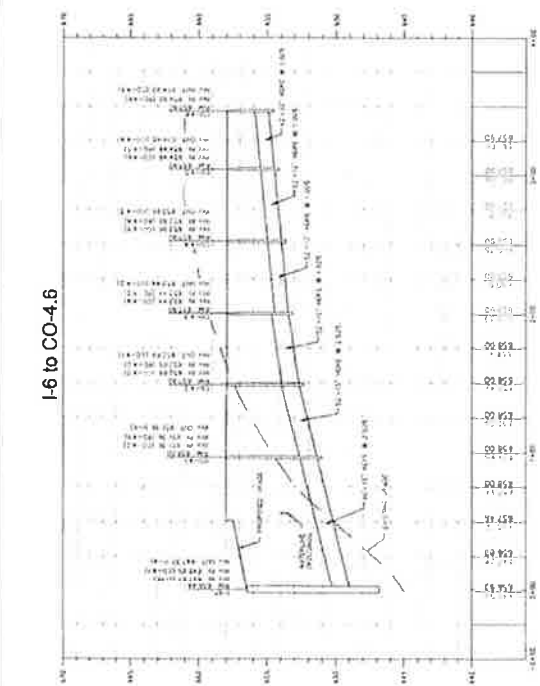
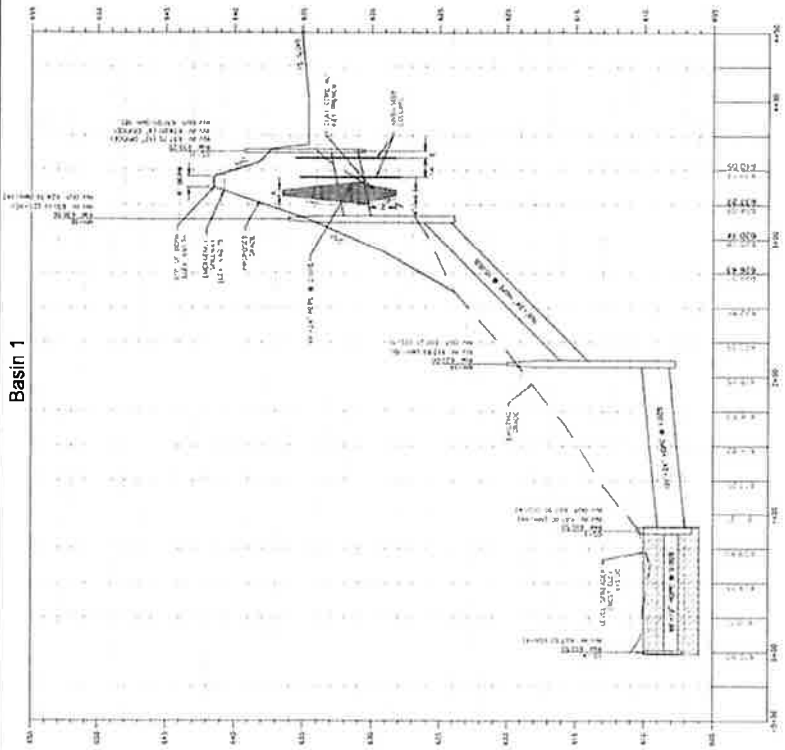


PRELIMINARY LAND DEVELOPMENT AND LOT CONSOLIDATION PLAN FOR CORES AT ROUTE 100
7503 KERNSVILLE ROAD
LEHIGH COUNTY, PENNSYLVANIA
2022-C-2958 /s/KF

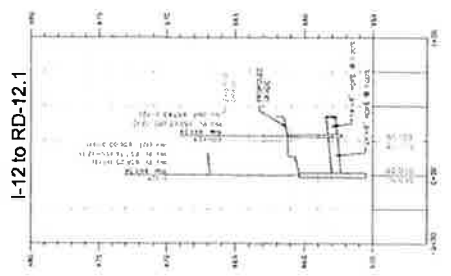
DATE: 12/22/2022
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN

STORM PROFILES
PR-3
NO. 13 of 25

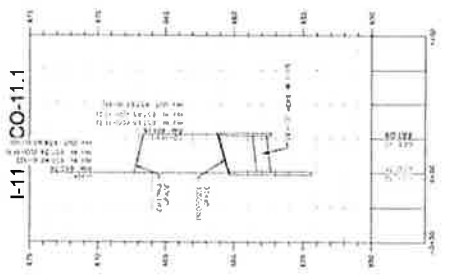
Basin 1



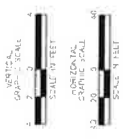
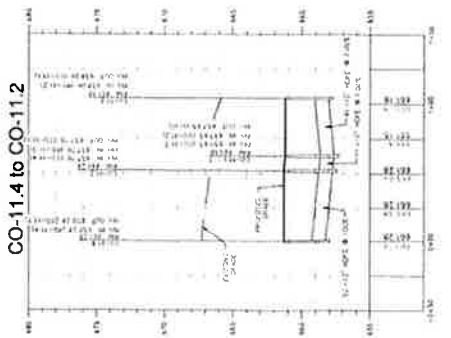
I-12 to RD-12.1



I-11 CO-11.1



CO-11.4 to CO-11.2



FOR REDDING PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION



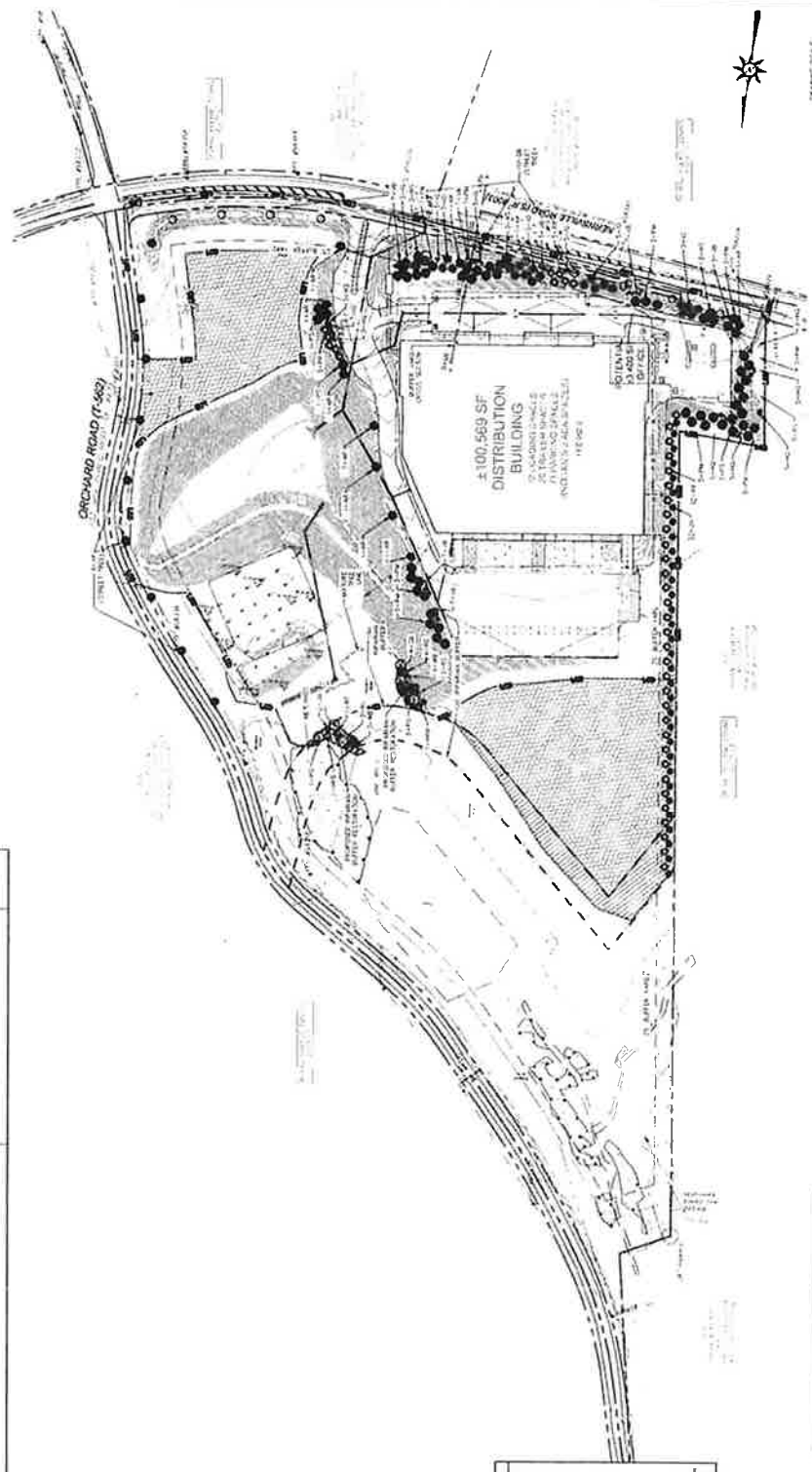
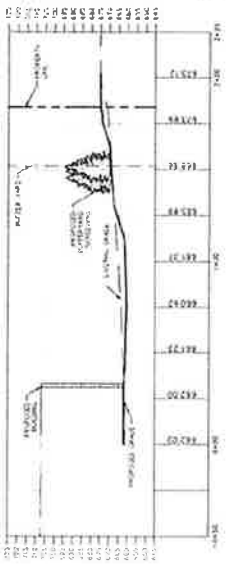
2022-C-2958 /s/KF
 CONSOLIDATION PLAN FOR CORES AT ROUTE 100
 PRELIMINARY LAND DEVELOPMENT AND LOT

OVERALL LANDSCAPING PLAN
 LL-0
 NO. 16 OF 25

ORDINANCE REQUIREMENTS - ZONING AND SUBDIVISION LAND DEVELOPMENT ORDINANCE

SECTION	REQUIRED	PROPOSED	VARIANCE WAIVER
14-1-1	Yes
14-1-2	Yes
14-1-3	Yes
14-1-4	Yes
14-1-5	Yes
14-1-6	Yes
14-1-7	Yes
14-1-8	Yes
14-1-9	Yes
14-1-10	Yes
14-1-11	Yes
14-1-12	Yes
14-1-13	Yes
14-1-14	Yes
14-1-15	Yes
14-1-16	Yes
14-1-17	Yes
14-1-18	Yes
14-1-19	Yes
14-1-20	Yes
14-1-21	Yes
14-1-22	Yes
14-1-23	Yes
14-1-24	Yes
14-1-25	Yes
14-1-26	Yes
14-1-27	Yes
14-1-28	Yes
14-1-29	Yes
14-1-30	Yes
14-1-31	Yes
14-1-32	Yes
14-1-33	Yes
14-1-34	Yes
14-1-35	Yes
14-1-36	Yes
14-1-37	Yes
14-1-38	Yes
14-1-39	Yes
14-1-40	Yes
14-1-41	Yes
14-1-42	Yes
14-1-43	Yes
14-1-44	Yes
14-1-45	Yes
14-1-46	Yes
14-1-47	Yes
14-1-48	Yes
14-1-49	Yes
14-1-50	Yes

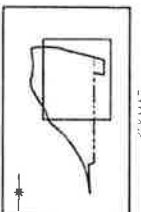
BUFFERYARD CROSS SECTION



SEE SHEET LL-2 FOR LANDSCAPE NOTES AND DETAILS

LEGEND

- 1. 1" = 10' (PLAN)
- 2. 1" = 10' (SECTION)
- 3. 1" = 10' (ELEVATION)
- 4. 1" = 10' (DISTANCE)
- 5. 1" = 10' (AREA)
- 6. 1" = 10' (VOLUME)
- 7. 1" = 10' (WEIGHT)
- 8. 1" = 10' (FORCE)
- 9. 1" = 10' (MOMENT)
- 10. 1" = 10' (ENERGY)
- 11. 1" = 10' (POWER)
- 12. 1" = 10' (HEAT)
- 13. 1" = 10' (COLD)
- 14. 1" = 10' (LIGHT)
- 15. 1" = 10' (SOUND)
- 16. 1" = 10' (SMELL)
- 17. 1" = 10' (TASTE)
- 18. 1" = 10' (TOUCH)
- 19. 1" = 10' (HEARING)
- 20. 1" = 10' (SEEING)
- 21. 1" = 10' (FEELING)
- 22. 1" = 10' (THINKING)
- 23. 1" = 10' (EMOTION)
- 24. 1" = 10' (BEHAVIOR)
- 25. 1" = 10' (ATTITUDE)
- 26. 1" = 10' (CHARACTER)
- 27. 1" = 10' (PERSONALITY)
- 28. 1" = 10' (IDENTITY)
- 29. 1" = 10' (REPUTATION)
- 30. 1" = 10' (IMAGE)
- 31. 1" = 10' (BRAND)
- 32. 1" = 10' (MARKETING)
- 33. 1" = 10' (SALES)
- 34. 1" = 10' (CUSTOMER SERVICE)
- 35. 1" = 10' (LOYALTY)
- 36. 1" = 10' (RETENTION)
- 37. 1" = 10' (ACQUISITION)
- 38. 1" = 10' (CONVERSION)
- 39. 1" = 10' (ROI)
- 40. 1" = 10' (GROWTH)
- 41. 1" = 10' (INNOVATION)
- 42. 1" = 10' (ADAPTABILITY)
- 43. 1" = 10' (AGILITY)
- 44. 1" = 10' (RESILIENCE)
- 45. 1" = 10' (SUSTAINABILITY)
- 46. 1" = 10' (ETHICAL)
- 47. 1" = 10' (TRANSPARENT)
- 48. 1" = 10' (ACCOUNTABLE)
- 49. 1" = 10' (RESPONSIBLE)
- 50. 1" = 10' (COURAGEOUS)
- 51. 1" = 10' (DETERMINED)
- 52. 1" = 10' (PERSISTENT)
- 53. 1" = 10' (COMMITTED)
- 54. 1" = 10' (PASSIONATE)
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- 56. 1" = 10' (POSITIVE)
- 57. 1" = 10' (OPTIMISTIC)
- 58. 1" = 10' (REALISTIC)
- 59. 1" = 10' (PRACTICAL)
- 60. 1" = 10' (CREATIVE)
- 61. 1" = 10' (IMAGINATIVE)
- 62. 1" = 10' (INNOVATIVE)
- 63. 1" = 10' (DISRUPTIVE)
- 64. 1" = 10' (TRANSFORMATIVE)
- 65. 1" = 10' (REVOLUTIONARY)
- 66. 1" = 10' (PARADIGM SHIFTING)
- 67. 1" = 10' (GAME CHANGING)
- 68. 1" = 10' (WORLD CHANGING)
- 69. 1" = 10' (HUMAN IMPROVING)
- 70. 1" = 10' (SOCIAL IMPROVING)
- 71. 1" = 10' (ENVIRONMENTAL IMPROVING)
- 72. 1" = 10' (ECONOMIC IMPROVING)
- 73. 1" = 10' (POLITICAL IMPROVING)
- 74. 1" = 10' (CULTURAL IMPROVING)
- 75. 1" = 10' (TECHNOLOGICAL IMPROVING)
- 76. 1" = 10' (SCIENTIFIC IMPROVING)
- 77. 1" = 10' (ARTISTIC IMPROVING)
- 78. 1" = 10' (LITERARY IMPROVING)
- 79. 1" = 10' (MUSICAL IMPROVING)
- 80. 1" = 10' (DANCE IMPROVING)
- 81. 1" = 10' (THEATRE IMPROVING)
- 82. 1" = 10' (CINEMA IMPROVING)
- 83. 1" = 10' (TELEVISION IMPROVING)
- 84. 1" = 10' (RADIO IMPROVING)
- 85. 1" = 10' (NEWSPAPER IMPROVING)
- 86. 1" = 10' (MAGAZINE IMPROVING)
- 87. 1" = 10' (BOOK IMPROVING)
- 88. 1" = 10' (WEBSITE IMPROVING)
- 89. 1" = 10' (APP IMPROVING)
- 90. 1" = 10' (SOFTWARE IMPROVING)
- 91. 1" = 10' (HARDWARE IMPROVING)
- 92. 1" = 10' (SERVICES IMPROVING)
- 93. 1" = 10' (PRODUCTS IMPROVING)
- 94. 1" = 10' (EXPERIENCES IMPROVING)
- 95. 1" = 10' (MEMORIES IMPROVING)
- 96. 1" = 10' (MOMENTS IMPROVING)
- 97. 1" = 10' (TIMES IMPROVING)
- 98. 1" = 10' (PLACES IMPROVING)
- 99. 1" = 10' (PEOPLE IMPROVING)
- 100. 1" = 10' (LIVES IMPROVING)



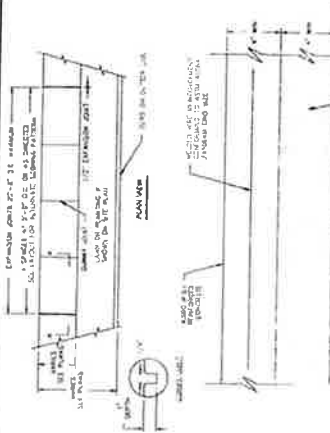
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 NOT RELEASED FOR CONSTRUCTION



DETAILS SHEET

DN-1
 No. 19 of 25

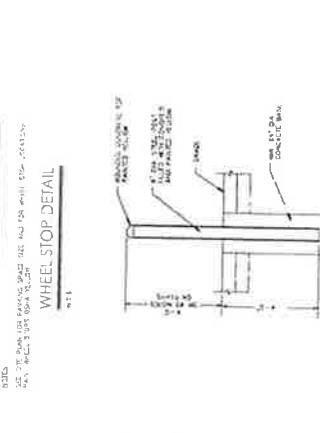
FOR REPAIRS PURPOSES ONLY
 NOT REISSUED FOR CONSTRUCTION



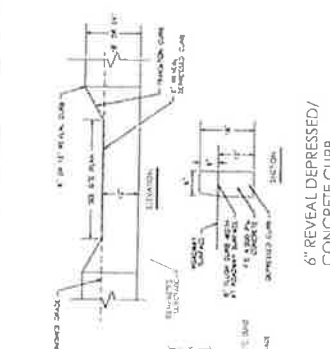
6" REVEAL DEPRESSED/ CONCRETE CURB
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



WHEEL STOP DETAIL
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



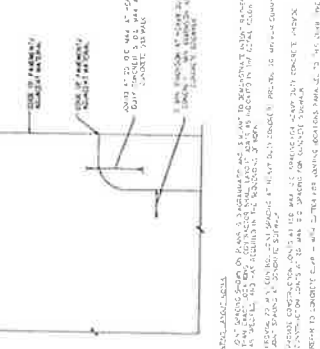
6" STEEL PROTECTIVE BOLLARD DETAIL
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



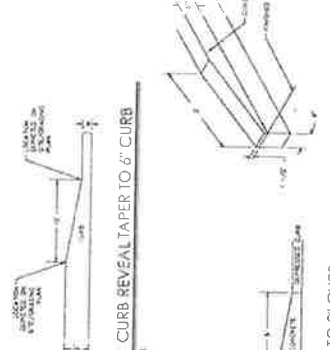
6" CURB TERMINUS
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



6" REVEAL CONCRETE CURB AND SIDEWALK DETAIL
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



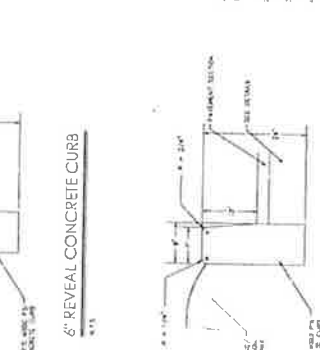
6" REVEAL CONCRETE CURB
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



12" CURB REVEAL TAPER TO 6" CURB
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



6" REVEAL TAPER DEPRESSED CURB DETAIL
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



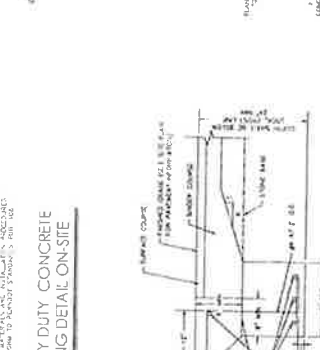
6" REVEAL CONCRETE CURB AND SIDEWALK DETAIL
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



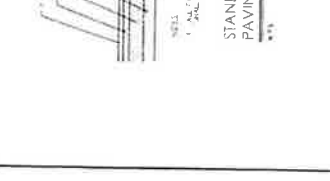
6" CURB REVEAL TAPER TO 0" CURB
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



6" REVEAL CONCRETE CURB AND SIDEWALK DETAIL
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



6" REVEAL CONCRETE CURB
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



STANDARD DUTY BITUMINOUS PAVING DETAIL ON-SITE
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



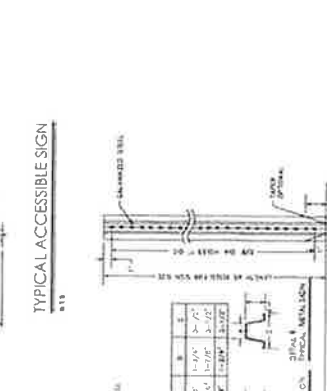
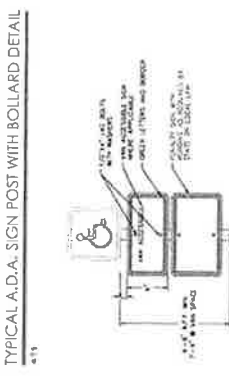
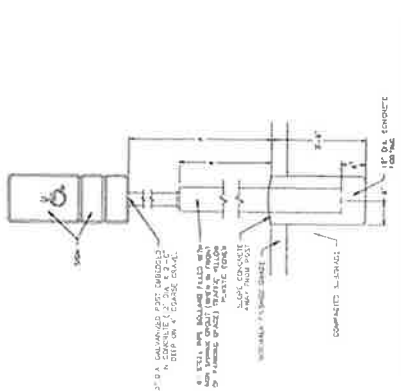
HEAVY DUTY BITUMINOUS PAVING DETAIL ON-SITE
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



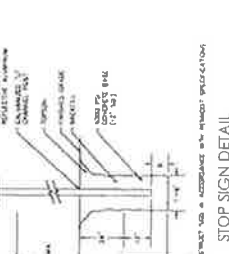
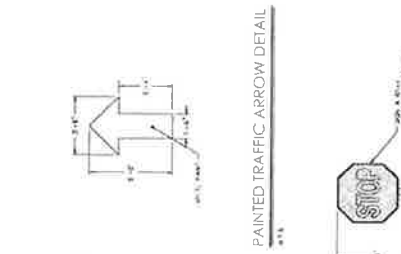
CONCRETE/ASPHALT JOINT DETAIL
 SECTION
 NOTES:
 1. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 2. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 3. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 4. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING
 5. 2" MIN. 1" DEEP LAMINATED GUMS SET IN 1" x 1" REINFORCING



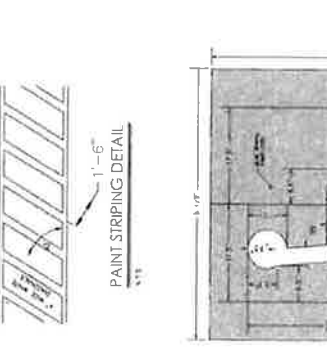
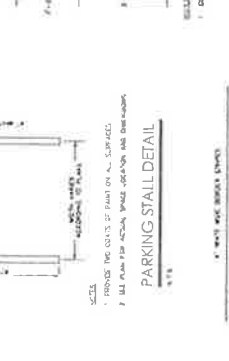
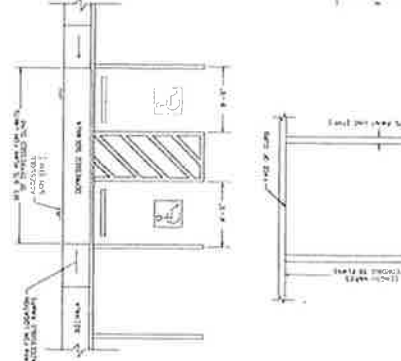
DETAILS SHEET
 DN-2
 No. 20 of 25



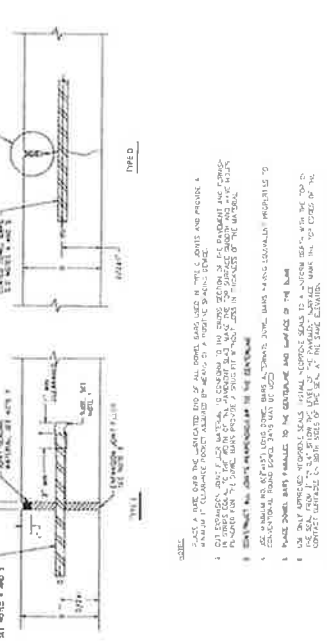
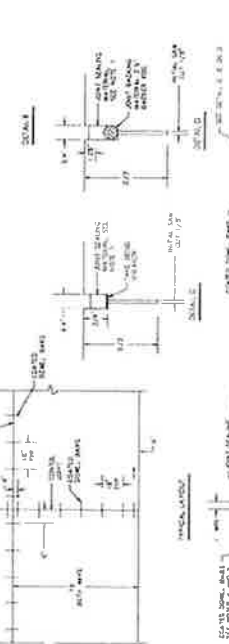
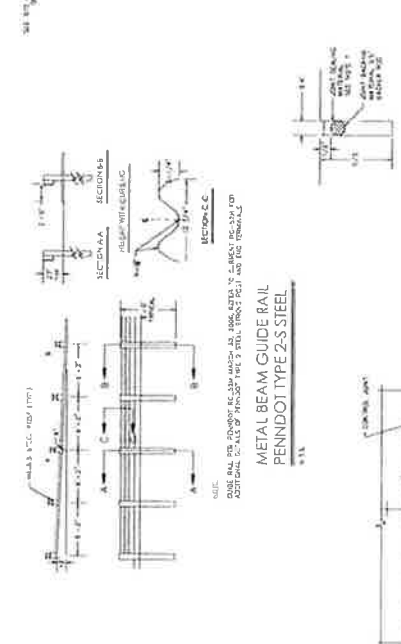
NOTES:
 1. SEE SECTION 0510 FOR SIGN REQUIREMENTS.
 2. SIGN POSTS SHALL BE 12\"/>



NOTES:
 1. PROVIDE THE COSTS OF PAINT ON ALL SURFACES.
 2. ALL PAINT FOR ARROWS, PARKING STALLS AND SIGNAGE SHALL BE ACCORDING TO THE LATEST EDITION OF THE MUTCD.



NOTES:
 1. SEE SECTION 0510 FOR SIGN REQUIREMENTS.
 2. SIGN POSTS SHALL BE 12\"/>



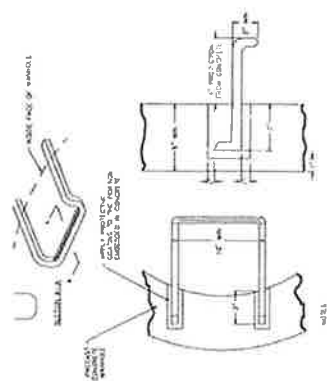
NOTES:
 1. SEE SECTION 0510 FOR SIGN REQUIREMENTS.
 2. SIGN POSTS SHALL BE 12\"/>

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 NOT RELEASED FOR CONSTRUCTION

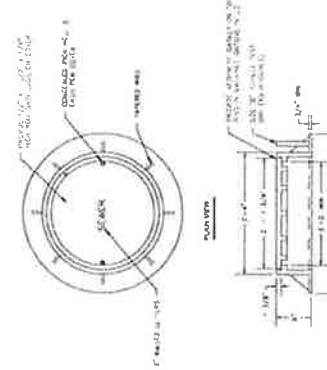


CONSDATION PLAN FOR CORES AT ROUTE 100
2022-C-2958 /s/K/S
LOWMEYER TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA

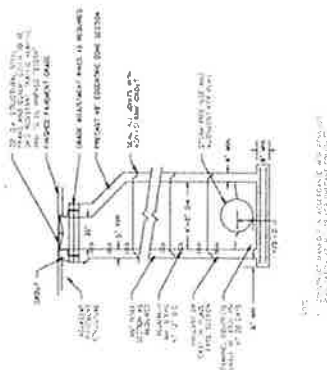
DN-4
No. 22 of 25



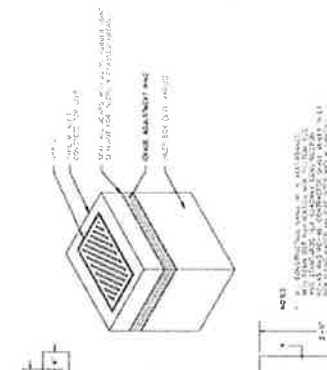
MANHOLE STEP DETAIL
4/11



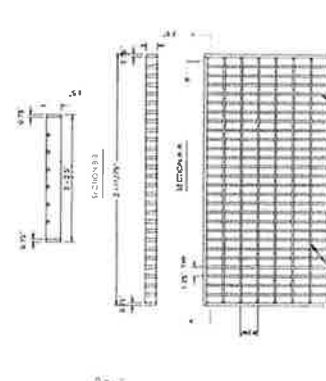
STANDARD MANHOLE FRAME AND COVER
4/11



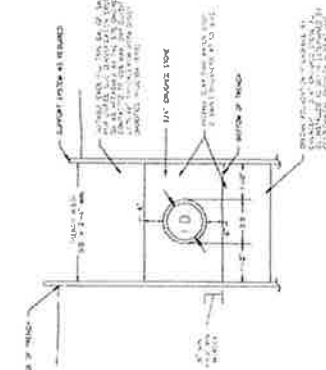
TYPICAL STORM SEWER MANHOLE
4/11



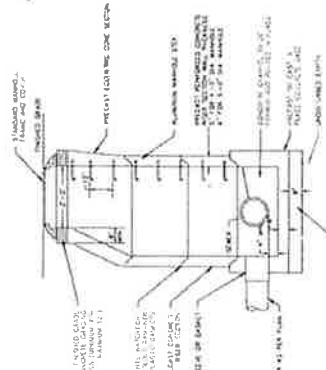
TYPE 'M' INLET
4/11



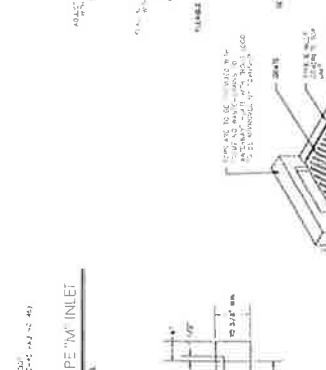
STRUCTURAL STEEL BICYCLE SAFE GRATE
4/11



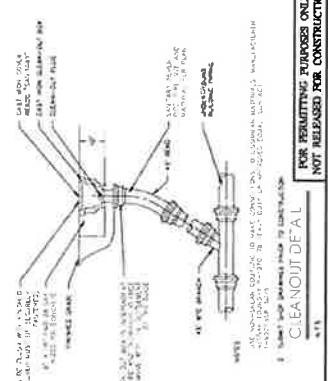
TYPICAL SANITARY TRENCH SECTION
4/11



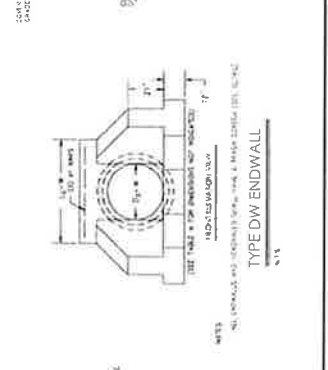
SANITARY SEWER MANHOLE
4/11



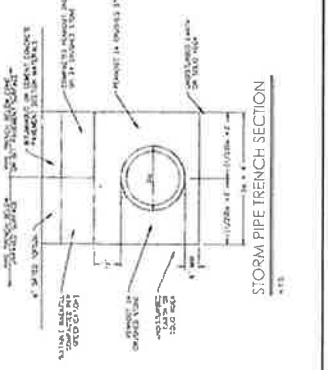
TYPE 'C' INLET
4/11



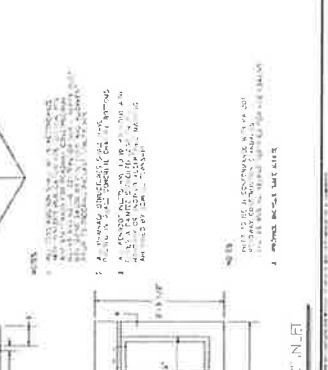
CLEANOUT DETAIL
4/11



TYPE 'DW' ENDWALL
4/11

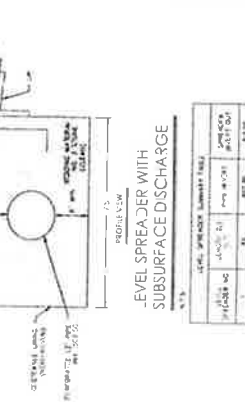
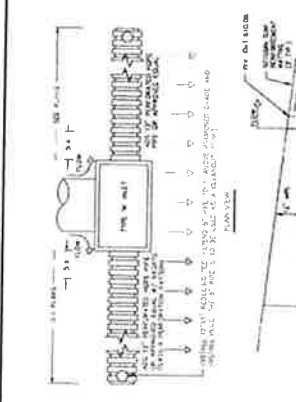


STORM PIPE TRENCH SECTION
4/11

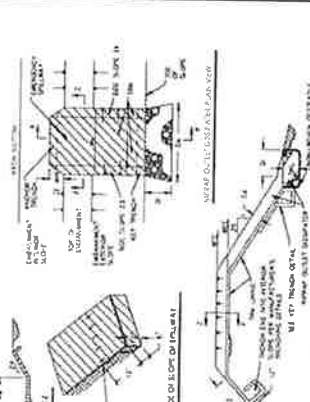


4/11

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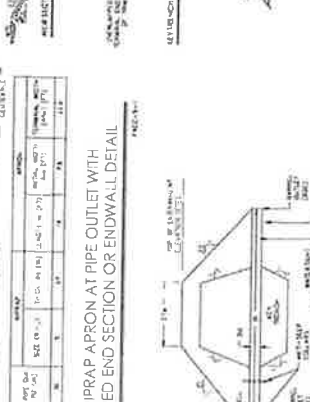
ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	LEVEL SPREADER WITH SUBSURFACE DISCHARGE	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



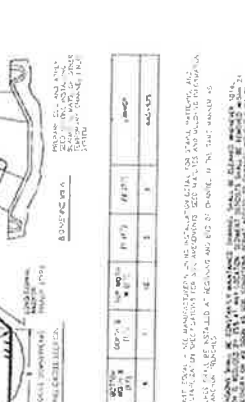
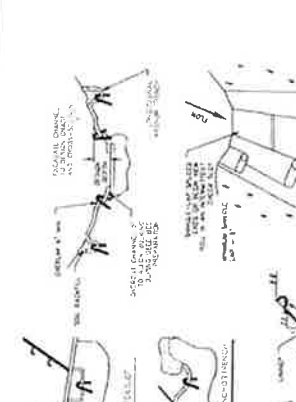
ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



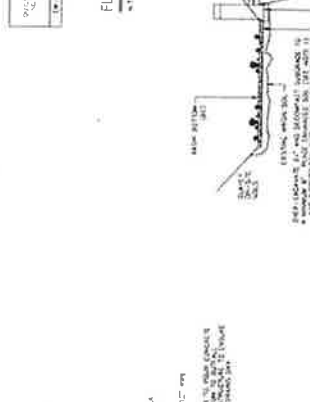
ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	VEGETATED CHANNEL DETAIL	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



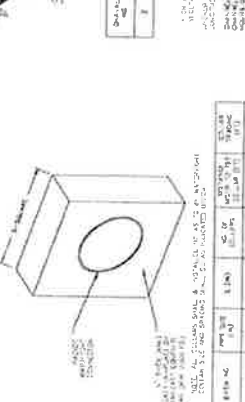
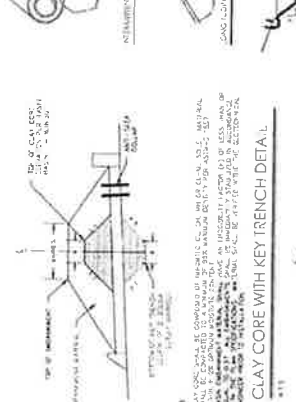
ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	SURFACE BASIN CROSS-SECTION DETAIL	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



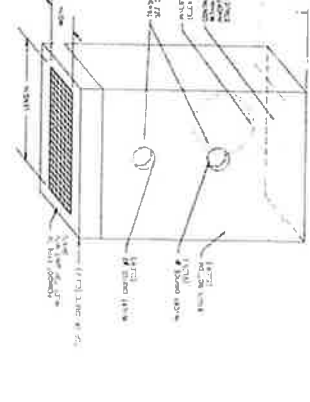
ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	PERMANENT OUTLET STRUCTURE DETAIL	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



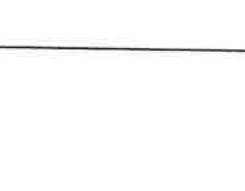
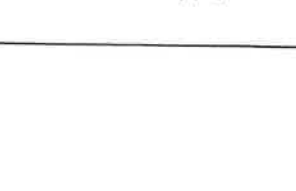
ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



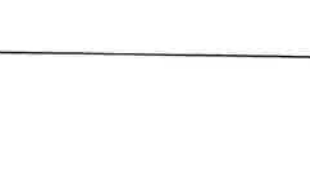
ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	SURFACE BASIN CROSS-SECTION DETAIL	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00



ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	PERMANENT OUTLET STRUCTURE DETAIL	1	EA	10,000.00	10,000.00
2	CONCRETE	100	CU YD	150.00	15,000.00
3	PIPE	100	LF	10.00	1,000.00
4	GRASS	100	SQ YD	5.00	500.00
5	SOIL	100	CY	1.00	100.00
6	LABOR	100	HR	20.00	2,000.00
7	PERMITS	1	SET	500.00	500.00
8	INSURANCE	1	MO	100.00	100.00
9	TRAVEL	1	MI	1.00	1.00
10	TOTAL				39,101.00

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.1

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.2

SURFACE BASIN CROSS-SECTION DETAIL
 7.3

PERMANENT OUTLET STRUCTURE DETAIL
 7.4

CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS
 7.5

ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS
 7.6

VEGETATED CHANNEL DETAIL
 7.7

LEVEL SPREADER WITH SUBSURFACE DISCHARGE
 7.8

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.9

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.10

SURFACE BASIN CROSS-SECTION DETAIL
 7.11

PERMANENT OUTLET STRUCTURE DETAIL
 7.12

CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS
 7.13

ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS
 7.14

VEGETATED CHANNEL DETAIL
 7.15

LEVEL SPREADER WITH SUBSURFACE DISCHARGE
 7.16

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.17

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.18

SURFACE BASIN CROSS-SECTION DETAIL
 7.19

PERMANENT OUTLET STRUCTURE DETAIL
 7.20

CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS
 7.21

ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS
 7.22

VEGETATED CHANNEL DETAIL
 7.23

LEVEL SPREADER WITH SUBSURFACE DISCHARGE
 7.24

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.25

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.26

SURFACE BASIN CROSS-SECTION DETAIL
 7.27

PERMANENT OUTLET STRUCTURE DETAIL
 7.28

CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS
 7.29

ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS
 7.30

VEGETATED CHANNEL DETAIL
 7.31

LEVEL SPREADER WITH SUBSURFACE DISCHARGE
 7.32

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.33

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.34

SURFACE BASIN CROSS-SECTION DETAIL
 7.35

PERMANENT OUTLET STRUCTURE DETAIL
 7.36

CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS
 7.37

ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS
 7.38

VEGETATED CHANNEL DETAIL
 7.39

LEVEL SPREADER WITH SUBSURFACE DISCHARGE
 7.40

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.41

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.42

SURFACE BASIN CROSS-SECTION DETAIL
 7.43

PERMANENT OUTLET STRUCTURE DETAIL
 7.44

CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS
 7.45

ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS
 7.46

VEGETATED CHANNEL DETAIL
 7.47

LEVEL SPREADER WITH SUBSURFACE DISCHARGE
 7.48

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.49

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.50

SURFACE BASIN CROSS-SECTION DETAIL
 7.51

PERMANENT OUTLET STRUCTURE DETAIL
 7.52

CLAY CORE WITH KEY TRENCH DETAIL FOR PERMANENT BASINS
 7.53

ANTI-SEEP COLLAR DETAIL FOR PERMANENT BASINS
 7.54

VEGETATED CHANNEL DETAIL
 7.55

LEVEL SPREADER WITH SUBSURFACE DISCHARGE
 7.56

EMERGENCY SPILLWAY WITH TRIM Lining DETAIL
 7.57

RIPRAP APRON AT PIPE OUTLET WITH FLARED END SECTION OR ENDWALL DETAIL
 7.58

S

Exhibit "B"



CIVIL ENGINEERS & SURVEYORS

2870 Emrick Boulevard, Bethlehem, PA 18020 | 610-865-4555 | www.KCEinc.com
Bethlehem | Allentown | Kresgeville

LOW-21-010

September 23, 2022

Lowhill Township Planning Commission
2175 Seipstown Road
Fogelsville, Pa. 18051

RE: 7503 Kernsville Road Warehouse Land Development – Revised
Preliminary Plan Submission. (Addressing comments of our August 26,
2022 review letter)

LOCATION: 7503 Kernsville Road

ZONING: RV – Rural Village District

PROPOSED: Commercial Warehouse/Distribution Center.

SUBMISSION:

- Preliminary Plan, sheets 1 of 25 thru sheet 25 of 25 dated October 11, 2021, latest revision date of September 12, 2022, as prepared by BL Companies, Inc.
- Post Construction Stormwater Management Narrative dated October 2021, latest revision date of September 2022, as prepared by BL Companies, Inc.
- Subdivision Plan, sheet SD-1, 5 of 25, dated October 11, 2022, latest revision date of September 12, 2022, as prepared by BL Companies, Inc.

COMMENTS:

The plan proposes a 100,569 square foot commercial warehouse/distribution center building on 21.6 acres, with associated parking, trailer storage spaces, and storm water management.

Erosion and Sedimentation Control Plans were not included in this submission.

We offer the following comments:

General

1. The plan set includes a subdivision plan (Sheet SD-1, 5 of 25) that consolidates the adjacent property at the southwest corner of the lot (lot 1). The plan proposes the removal of the lot line between the two properties. The additional property is 0.602 acres, which is being proposed as parking.

This plan shall be acted upon and approved separately, and recorded accordingly.

2. Review by the Fire Chief shall be received, including review of the relocated emergency access road.
3. The current PennDOT HOP plans shall be provided to the Township for review and comment. A PennDOT HOP shall be provided to the Township prior to plan recording.
4. Proof of service for the water supply to the site has been received from LCA. SALDO §3.303.j. Provide the fire suppression system design and verification that the public water system can support it.
5. Approval from the Lehigh County Soil Conservation District shall be received. Stormwater Ord. §303.B.
6. Review and approval by the Township Sewage Enforcement Officer will be required for the proposed on-lot septic system. SALDO §3.302.f.
7. A plat and description will be required, for review and recording, for the additional right of way dedication on Orchard Road.
8. Recreation fees in lieu of land dedication shall be paid per the Township Fee Schedule G.
9. Show the proposed sidewalk along Orchard and Kernsville roads.
10. The two waiver requests that were denied in April shall be shown on the plans.
SALDO §4.708 Sidewalks
SALDO §4.700 Required Improvements and Construction Standards. Orchard Road.
11. The engineer on Engineer's Certification on the cover sheet shall be changed to match the signing and sealing engineer.

Storm Sewer/Stormwater:

1. A determination by the Lehigh Valley Planning Commission that the proposed stormwater management plan is Act 167 compliant will be required, along with the NPDES permit. Stormwater Ordinance §302.A.
2. Provide all applicable permits to the Township upon approval. Copy this office on all permit related correspondence.
3. Verify infiltration of the Recharge Volume REv (Stormwater Ord. §304.J). The recharge volume is intended to provide groundwater to compensate for reductions in infiltration from development. Both using evapotranspiration rather than infiltration and taking credit for existing features for proposed improvements would be qualitatively different than the regulation's intent and would require a waiver. Testing shall meet the requirements of Stormwater Ord. §304.H., and Appendix G.
4. We offer the following comments on the calculations and assumptions used in the stormwater design (Stormwater Ord. §403.C.2).
 - a. Confirm that a common time of concentration is used in hydrograph analysis as the

analysis shows different time of concentration for onsite and offsite areas.

- b. We note the following on the design of BMPs (Stormwater Ord. §304.0).

For the Extended Dry Detention Basin per PADEP BMP 6.6.3, include calculation showing 24-72 hour detention drain time of the water quality volume and propose deep rooted groundcover. The hatching implies that the lawn mix is to be used within the basin; clarify whether the seed mixtures currently provided on Sheet 23 are intended for use in lawn (i.e. not basin, meadow, or riparian) areas only.

Verify whether any permanent stabilization reinforcement is appropriate downstream of pipes discharging onto the property.

- c. Provide stormwater management for any required frontage improvements. As the response letter refers to the Highway Occupancy Plan, we note that the stormwater improvements must be included in the overall PCSM design and would include Orchard Road improvements.
- d. The hydraulic soil group D is used in the analysis; the mapping identifies the Berks (primarily, B) and Weikert (secondarily, D) soil complex. D soils are less conservative for estimating the impact of development. Use B soils in analysis or provide copies of the testing that supports poor drainage consistent with D soils. (Stormwater Ord. §304.L&M)
- e. Verify orifice flow assumptions for outlet control structure grate, as it relates to required freeboard. (Stormwater Ord. §307.H) The Plan shows a Type M inlet top for the outlet structure. Verify the basin analysis considers the resistance of the grate orifices.
- f. Update spillway calculations consistent with the proposed basin revisions.
5. We offer the following comments on the stormwater details (Stormwater Ord. §403.C.4).
- a. Clarify contour 676 and drainage east of the eastern entrance.
- b. Confirm responsibility for stormwater structures in the right-of-way.
- c. Show the sanitary sewer crossings on the storm sewer profiles. Identify any required separations and manhole drops on the sanitary sewer profile on Sheet 14.
- d. Confirm consistency in showing asterisks and identifying their significance on profiles for inlets to be larger than standard box size.
6. Sheet 1 identifies a separate PCSM Plan to be recorded. Provide copies of the PCSM Plans. The information on Sheets 23 and 24 should be included on a Record Plan, and a record plan should reference the PCSM narrative that was prepared. (Stormwater Ord. §702 and §706)
7. Provide a detail on the plans for the connection of MH-17 to the existing pipe under Kernsville Road.
8. The Applicant shall enter into an operations and maintenance agreement with the

Township addressing all proposed privately-owned stormwater management facilities. Agreement language shall be subject to review and approval by the Township Solicitor. The Blanket Easement identified in Note 4 on Sheet 9 should include authorization but not obligation for Township maintenance and recompense for funds spent. The agreement, operations and maintenance plan, and easements shall be recorded in the Lehigh County Recorder of Deeds Office. (Stormwater Ord. §704, §705 §706, and Appendix E).

9. Provide a plan showing Erosion and Sedimentation controls (Ord. 2012-1 and Stormwater Ord. §303.B).
10. Confirm the offsite drainage areas tributary to pipes draining onto the property and verify adequacy for non-erosive conveyance. (Orchard Road).

The width of any watercourse drainage easement shall be adequate to provide for unobstructed flow of storm runoff based on calculations made in conformance with section 307 for the 100-year return period runoff and to provide a freeboard allowance of one-half (0.5) foot above the design water surface level. The applicant shall provide an appropriate easement for review. (Stormwater Ord. §301.E)

Traffic Study:

1. We reviewed the traffic study for the project and the trip generation estimates are acceptable. A summary of the estimated numbers of new trips:

<u>Weekday</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
198	36 (28 in / 8 out)	39 (11 in / 28 out)

Of the 198 new daily trips, 60 are expected to be truck trips.

The study included trips from two other proposed warehouses in the immediate area.

2. A page of the 2023 PM Peak Hour Build analysis of the Kernsville/Route 100 intersection is missing from the report.
3. With signal timing adjustments, the overall average per-vehicle delays at the Route 100/Kernsville Road intersection under the 2023 with-development conditions are close to those estimated under the "existing" (2021) conditions. However, these proposed timing adjustments add green time to the eastbound/westbound Kernsville Road signal phase by taking it from the northbound/southbound Route 100 phases (five seconds in the morning peak hour and six seconds in the evening peak hour). With the revised signal timings, the estimated 95th-percentile 2023 Build queue lengths on the Route 100 through lanes are one to four vehicles longer than in the existing condition.
4. If PennDOT approves the proposed signal timing changes, proof of this acceptance and the updated signal timing plan should be submitted to the Township. In the event that PennDOT or the Township does not want the Route 100 green times reduced, analyses of the intersection with the existing timings and the 2023 Build traffic volumes should be provided.

ZONING

1. Developer will perform a truck restriction study on Orchard & Pony Roads as previously requested. The developer is proposing to construct a left turn lane and shoulder widening on Kernsville Road at the site's driveway. Improvements at the Kernsville/Route 100 intersection still need to be addressed including advance turn arrows, lengthening of the left turn lane, construction of a right turn lane from Route 100 North to Kernsville Road and widening of the existing turn lane onto Kernsville Road.
2. In order to minimize the impact on neighboring properties, the exterior colors of the building should be natural earth tones.
3. A rec fee of \$6,556.90 is due prior to recording of plan for 100,569 square foot building. (Resolution 22-1)

Due to the amount and magnitude of these comments, we reserve the right to make additional comments as revised plans, supporting documents, reports, and studies not submitted to date, are submitted for review.

If there are any questions, please feel free to contact the undersigned.

Sincerely,

KEYSTONE CONSULTING ENGINEERS, INC.

Lowhill Township Engineers



Ryan D. Christman, C.B.S.I., C.S.I.

Township Engineer Representative

cc: Brian Carl, Township Administrator
Jill Seymour, Township Secretary
Keith Strohl, Esq., Township Solicitor
BL Companies
CORE5 Industrial Partners, Brian Reisinger

Exhibit "C"

**LOWHILL TOWNSHIP
BOARD OF SUPERVISORS
OCTOBER 6, 2022
MEETING MINUTES**

The Lowhill Township Board of Supervisors meeting was called to order at 6:25 pm for two short hearings by Chairman Richard Hughes. Also present were George Wessner, Jr., Vice Chairman; Robb Werley, Supervisor; Ryan Christman, Engineer and Secretary Jill Seymour.

Following the Pledge of Allegiance, Richard Hughes called the hearing for the Multi Municipal Comprehensive plan to order at 6:25 pm. The floor was opened for questions. Becky Bradley, Executive Director of the Lehigh Valley Planning Commission is present to answer any questions. Resident Bill Plebin of Lowhill Township: Started out by thanking the Board of Supervisors, Planning Commission and Zoning Hearing Board for all they do. His question was on some maps in the document and if the zoning where the proposed warehouses are going is considered farmland preservation. His understanding is that proposals are to be put in the multi municipal plan. Becky Bradley of the Lehigh Valley Planning Commission: The multi municipal comprehensive plan sets a plan for the future of the Township. It is not specific to Lowhill Township alone. The Township must have this plan to change the zoning ordinance. Mr. Plebin asked if the plan is adopted, who is adopting it? Ms. Bradley said that the individual Township's adopt the plan. There are five besides Lowhill Township. Once adopted, the Townships have two years to amend their zoning ordinance. Richard Hughes, hearing no other questions moved to adjourn. Robb Werley seconded the motion. Roll call: Yes, Yes, Yes. Motion carried.

Richard Hughes called the hearing for the vacating of Poplar Road to order. The floor was opened for questions. Hearing none, Richard Hughes moved to adjourn the hearing. Robb Werley seconded the motion. Roll call: Yes, Yes, Yes. Motion carried.

Richard Hughes called the regular board meeting to order at 6:36 pm. Robb Werley made a motion to approve the September 1, 2022 meeting minutes, as written. Richard Hughes seconded the motion. Roll call: Yes, Yes, Yes. Motion carried. Richard Hughes made a motion to pay the monthly bills, as submitted.

George Wessner, Jr. seconded the motion. Roll call: Yes, Yes, Yes. Motion carried.

George Wessner made a motion to adopt Ordinance 2022-1 vacating of the entirety of the road known as Poplar road from its point of beginning at Scheirers Road to its point of ending at Kistler Road. Robb Werley seconded the motion. Roll call: Yes, yes, Yes. Motion carried.

Richard Hughes made a motion to adopt resolution 2022-6 Adopting the Northern Lehigh Multi Municipal Comprehensive Plan. George Wessner, Jr. seconded the motion. Roll call: Yes, Yes, Yes. Motion carried.

Richard Hughes would like to announce some resignations. Robb Werley, Supervisor and Treasurer has submitted his resignation as of October 7, 2022. The Board thanked him for his service to the Township and are sad to see him go.

Weisenberg Township has worked with Lowhill Township for a very long time and has provided us with Administration and Zoning duties. Weisenberg has passed a resolution 2022-11 discontinuing the provision of administrative services to Lowhill Township on October 3, 2022. Brian Carl and Janet Henritzky will provide training and support to Lowhill during this transition period. The Board thanks them both for their service to the Township. Long time solicitor Steckel and Stopp, Keith Strohl has resigned as of October 7, 2022 due to personal matters. The Board Thanks Keith as well as Steckel and Stopp for their long time service to the Township. Emergency Management Coordinator Frank Bartholomew has resigned from his position effective October 3, 2022. The Board thanks Frank for his service to the Township.

Richard Hughes: We are in turmoil and have no counsel this evening. Please bear with us.

Richard Hughes made a motion to table signing the Sewer Planning Module for 2766 Route 100 N that was approved at our June 16, 2022 Board Meeting until we have adequate counsel. Robb Werley seconded the motion. Roll call: Yes, Yes, yes. Motion carried.

2951 Betz Court – Land Development – 299,880 sq ft Warehouse Preliminary Plan dated 9/12/2022 (2951 Betz Court, Orefield, Pa)

Present for Betz Court: Blake Marles, Attorney with Stevens & Lee. Greg Ferraro from CRG and Joshua Hoffman from Pennoni Associates.

Blake Marles: They were on the agenda two weeks ago at our Planning Commission meeting and were denied for no reason. All paperwork was submitted on time, the only paperwork that held up the Planning Commission was a recommendation letter from the Township's Engineer. The discussions at the Planning meeting were not productive at all. Lowhill's zoning ordinance dated in 1972, this is and was a permitted use as of 50 years ago. Mr. Marles addressed a letter to the editor that was published in the Morning Call newspaper. This property has been industrial for a very long time. The reason there is demand for warehousing is because people want things delivered to their homes. Rural Village in Lowhill is the only area where warehouses can be built. Richard Hughes asked if we received a sketch plan. Mr. Marles stated that we did receive a sketch plan, even though they were not required to provide one. They want to make sure there is enough water flow, working with LCA. They have storm water plans, onsite sewage plans, every community has to provide for every available use. In Keystone's review letter dated September 23, 2022, there is basically only 3rd party issues, he will let Ryan Christman speak on that for himself. They have extended time for Lowhill numerous times and have complied with everything and asked to be on the agenda for August. We were asked to look further into sewage, which we did. Planning did not even let us speak at their meeting. He is asking the Board for action tonight and will do everything we can to answer any questions.

Ryan Christman: There are a few comments on storm water in the review letter. He would like to see another round of storm water comments from them.

Richard Hughes opened the floor for public comment.

Curt Dietrich – Orefield – Thanked Robb for his service and all Supervisors. In 1972 there were no warehouses that you are proposing. (speaking to Mr. Marles). He discussed what is in the resident letter that was brought in by the residents of the township. He is asking the township to deny the plan.

Blake Marles: Addressed Mr. Dietrich's issues. There is no size limit on storage buildings. On-site sewage plans are not complete and that is correct. Issues with 3rd parties are independent of land development plans. You can't delay or deny if not complete by law. Mr. Marles answered all issues brought up by Mr. Dietrich.

Jeff Glover – Werley's Corner – Asked if we should be continuing without counsel.

Randy Simms – Lowhill – Asked why we have to listen to Mr. Marles with no counsel.

Jack Iantuanno – Discussed multi municipal plan and Keystone comments.

Bill Pleban – Lowhill – Discussed who was vilified during the PC meeting. He doesn't feel that anyone was objectifying anyone. We have no legal right to have to give a variance.

Mr. Marles – Those are zoning variances; we are not here for a variance. We are here with a preliminary plan.

Terry Green – Werley's Corner – (Weisenberg Township) – Discussed variable roads, Route 100 is mostly 1 lane each way.

Lynn Pleban – Lowhill – These roads were not built for this type of traffic.

Kim Weinberg – Weisenberg Township – Addressed Attorney Marles – why is he asking for variances and zoning laws? Richard Hughes stated they are asking for preliminary approval, not a variance.

Bill Pleban – Lowhill – a variance was given for height. Mr. Marles: Yes previously, but that is not what we are here for tonight. Mr. Pleban spoke on hazardous materials in the building and who's to say there won't be any in there once it's built, then they ask for a variance. Mr. Marles: Most people were respectful at the Planning meeting, but not all. If the ordinance states something can't be put there, then it can't. That cannot change.

Curt Dietrich – Storage buildings most closely defines what they are doing. Discussed zoning officer duties.

Joann Mertz – Lowhill – Thanks the Boards. Discussed children growing up in the township.

Richard Hughes believe they made their own hardships.

Robb Werley respects everything brought in front of the board. We do not have the proper representation here tonight.

Richard Hughes made a motion to deny the plan based on Planning Commission and Engineer recommendations. Robb Werley seconded the motion. George Wessner, Jr. abstained from voting. Motion carried.

Core5 is tabled.

Joe Kalusky: Last month they put down shale and stone, replaced the rear in the backhoe, tree clean up and anti-skid delivered. This month they will prep for winter maintenance and put pipes on Farrier Road.

Robb Werley asked if the oil and chip will be swept. Joe said they can't find anyone to do it. They also can't line paint, because there isn't enough paint.

The new website is up and running. Would like some feedback on what everyone thinks?

Carol Betz gave some information on the resolution passed by Governor Wolf. It pertains to new people moving into the Township and not receiving their property tax bill in enough time for the discount. This resolution will waive that one time.

Richard Hughes made a motion to approve and adopt resolution 2022-7 a resolution of the board of supervisors of the Township of Lowhill, Lehigh County, PA, implementing Act 57 of 2022. Robb Werley seconded the motion. Roll call: Yes, Yes, Yes. Motion carried.

Robb Werley stated we do not have a fire arms ordinance in Lowhill Township. A resident asked if we would adopt one. We don't have adequate counsel to consider this tonight.

The following positions are available:

Administrator/Zoning Officer: Resume needed

Solicitor

Permit Applicator

Alternate for Planning Commission and Zoning Hearing Board

Member of the Board of Supervisors

Treasurer

Emergency Management Coordinator

Township Auditor

Harry Yonak is a resident for 13 years and would like to be on our Zoning Hearing Board. Richard Hughes made a motion to appoint Harry Yonak to the Zoning Hearing Board. Robb Werley seconded the motion. Roll call: Yes, Yes, Yes. Motion carried.

Richard Hughes opened the floor for public comment. A resident of Weisenberg Township Thanked the Board.

Richard Hughes made a motion to adjourn. Robb Werley seconded the motion.

The Lowhill Township Board of Supervisors meeting was adjourned at 8:05 pm.

Respectfully Submitted,

Exhibit "D"

**LOWHILL TOWNSHIP
BOARD OF SUPERVISORS
NOVEMBER 3, 2022
MEETING MINUTES**

The Lowhill Township Board of Supervisors meeting was called to order at 6:30 pm by Chairman Richard Hughes. Also present were Vice Chairman George Wessner, Jr.; Engineer Ryan Christman and Secretary Jill Seymour.

After the Pledge of Allegiance, George Wessner, Jr. made a motion to approve the October 6, 2022 meeting minutes, as written. Richard Hughes seconded the motion. Richard Hughes made a motion to pay the monthly bills, as submitted. George Wessner, Jr. seconded the motion. Richard Hughes opened the floor for public comment. Hearing none, he moved on with the agenda.

Richard Hughes made a motion to accept Supervisor Robb Werley's resignation. George Wessner, Jr. seconded the motion. Motion carried. Richard Hughes made a motion to accept the resignation of Solicitor Keith Strohl of Steckel and Stopp. George Wessner, Jr. seconded the motion. Richard Hughes made a motion to accept the resignation of Weisenberg Township, who passed a resolution to resign from Lowhill Township. This is to include Brian Carl, Janet Henritzky and Emergency Management Coordinator Frank Bartholomew. George Wessner, Jr. seconded the motion.

Candidates for Supervisor so far are Mike Divers and Joe Kalusky. Resumes or letters may be sent to the Township Secretary.

George Wessner, Jr. made a motion to appoint Joseph Kalusky as Township Supervisor. Motion dies for lack of a second.

Richard Hughes made a motion to appoint Mike Divers as Township Supervisor. Motion dies for lack of a second.

Richard Hughes, as Chairman of the Board is calling a Vacancy Board hearing on Thursday November 10, 2022 at 7:00 pm. There will also be a special meeting for Core5 on November 28, 2022 at 6:30 pm.

Engineer Comments: Ryan Christman is working on Zoning applications at this time. Nothing else to report.

Joe Kalusky: Last month tile pipe was put on Bear Road and Old Village. Put a new axle in the 550, serviced the trucks, did rust repair and helped Heidelberg put millings down. For November they will get the salt spreaders ready, do leaf clean up and work on dirt roads.

Richard Hughes made a motion to approve the destruction of hard copy files that have been moved to laserfiche. George Wessner, Jr. seconded the motion.

Richard Hughes opened the floor for public comment.

Jeff Glover – Werleys Corner Road – In reference to selecting a solicitor. He asks for no conflict of interest and that they are neutral and are familiar with what is going on in our Township. He feels that they should live in the Township and be affected by the warehouses.

Hearing no more public comment, George Wessner, Jr. made a motion to adjourn. Richard Hughes seconded the motion.

The Lowhill Township Board of Supervisors meeting was adjourned at 6:40 pm.

Respectfully Submitted,

Exhibit "E"

**LOWHILL TOWNSHIP
VACANCY BOARD HEARING
NOVEMBER 10, 2022**

The Lowhill Township Vacancy Board Hearing was called to order by Vacancy Board Chairperson, Carol Betz at 7:00 pm at the Municipal Building. Also in attendance were Richard Hughes, Chairman of the Board and Secretary Jill Seymour. George Wessner, Jr., Vice Chairman of the Board was absent.

Carol Betz: Four people contacted the Township to be considered for the vacant supervisor position. Joe Kalusky, Road Master and longtime resident of Lowhill Township. Mike Divers, recent planning commission member, business owner and resident of Lowhill Township. Curtis Dietrich, resident of Lowhill Township, 16-year school board member and retired Superintendent of North Penn School District. Doug Rothrock, business owner and resident of Lowhill Township.

Carol announced that George Wessner, Jr. will not be present due to another engagement. Mr. Wessner's unofficial choice is Joe Kalusky.

Richard Hughes said that all candidates would make good supervisors. He will not be running again when his term is up in January 2024. If anyone is interested, they should get to the county and pick up papers to run by February. Richard Hughes choice for supervisor is Curtis Dietrich.

Carol Betz also chose Curtis Dietrich. Curtis Dietrich accepted. Mr. Dietrich appreciates the support and consideration and he agrees that the other candidates would all make great supervisors.

Mr. Dietrich grew up on a dairy farm in Lynn Township. Attended Northwestern Lehigh School and Penn State. He served on the school board for 16 years, taught chemistry and biology, went on to become principal at Saucon Valley School. and ultimately Superintendent at North Penn School District for 13 years before retiring recently.

Carol Betz asked that when there is a vacancy on any of the boards, to please consider filling them.

Carol Betz adjourned the hearing at 7:06 pm for Curtis Dietrich to be sworn in by Tom Creighton, Magistrate.

The Vacancy Board hearing was adjourned at 7:06 pm

Respectfully Submitted,

Exhibit "F"

**LOWHILL TOWNSHIP
BOARD OF SUPERVISORS
SPECIAL MEETING
NOVEMBER 28, 2022**

The Lowhill Township Board of Supervisors Special Meeting was called to order at 6:30 pm by Chairman Richard Hughes. Also present were Curtis Dietrich, Supervisor; David Brooman, Esq., Solicitor; Ryan Christman, Zoning Officer/Engineer and Secretary Jill Seymour. Vice Chairman George Wessner, Jr. was absent.

After the Pledge of Allegiance, Richard Hughes made a motion to remove the first public comment and have public comment after each item on the agenda. Curtis Dietrich second the motion. Motion carried.

Richard Hughes questioned why the agenda says Core5 at Route 100, it is because that is how the paperwork is labeled.

Joseph Fitzpatrick, Esq., attorney for Core5: They have no engineer this evening. It is the position of Core5 that the Vacancy Board Hearing and Special Meeting held on November 10, 2022, where Mr. Dietrich was appointed Supervisor and Mr. Brooman was appointed Solicitor was held in violation of the 2nd Class Township Code and in violation of the Vacancy Board regulations. It is his legal position that the actions are legal nullity. The Vacancy Board was called by only one member of the Board, Mr. Hughes and the Vacancy Board Chair, Ms. Betz. Under 2nd Class Township Code and State Vacancy Board statute, this was done illegally and he would like to have it as a matter of record.

Curtis Dietrich asked Mr. Fitzpatrick if he is asking us to take action or not take action on the land development plan, lot consolidation and sewage planning module. Mr. Fitzpatrick stated this is not a lawful meeting under the 2nd Class Township Code and State Vacancy Board Statute however as a courtesy, they will answer questions.

Curtis Dietrich: You had the opportunity to extend from November 30th and chose not to do so. Mr. Dietrich would like it on record that he believes he is seated legally.

Mr. Fitzpatrick: I do not have the authority to extend the time and Mr. Pontius is not the CEO of Core5 and does not have the authority either.

Mr. Brooman: You are walking them into a deemed approval. That's not fair.

Mr. Fitzpatrick: It's not only fair, it's the law in Pennsylvania and I cannot extend the extension. We will answer questions and we are looking at a deemed approval.

Richard Hughes: For those who do not know, a deemed approval is if we weren't here, it would be an automatic approval. It's a matter of interpretation that our November 10 meetings were legal. Mr. Wessner was told about the meetings and did not show up.

Mike Divers: Ask him to resign if he continues to not show up.

Mr. Fitzpatrick: We have no engineer this evening. On September 26, the planning commission gave a recommendation of denial on the preliminary land development plan and the preliminary lot consolidation, the sewage planning module went before the planning commission on the 26th of September and they did not take action at that time. I understand in the interim that aspect of this has been recommended for approval.

Curtis Dietrich: The planning commission didn't feel they had to ability to answer all the questions on the sewer planning module.

Richard Hughes: It was forwarded to the Board of Supervisors for review. There are questions that need answers.

Mr. Fitzpatrick: We are here to answer any questions. I will refer to you as the Board without conceding my previous stance. There is a cut back in difference to slope and drainage. Lot consolidation is

critical to land development. Keystone has the most recent review letter dated September 23 2022. This is a 100,569 sq ft building on 21.6 acres. Mr. Christman and his team can go over his statement in the letter. We are looking for preliminary land development approval tonight.

Richard Hughes: Do you need approval on lot consolidation to complete construction?

Paul Pontius: No, we could get an easement, but the consolidation is preferable.

Mr. Fitzpatrick: It makes more sense to consolidate. Technically it isn't necessary, but it is preferred.

Curtis Dietrich: I have some land development questions. In our multi municipal comprehensive plan from 2004, it clearly directs warehousing and distribution centers to areas zoned specifically as general industrial or light industrial. Rural Village zoning provides for uses less intensive than warehouses however it does not permit warehouses.

Mr. Fitzpatrick: Some are specific, some are advisory. Look at your Zoning Map and Zoning Ordinance.

Curtis Dietrich: Saldo section 4.203, a comp plan map was used as basis for zoning. Rural village is what it's zoned. It does permit for other commercial uses, but not warehouses or distribution centers. What might we see after construction? Who will the tenant be? How many employees?

Paul Pontius: It's speculative tenant, then try to secure. Roughly one employee for every square foot, so between 50-75 employees, depending on who would occupy. It could be a storage facility; we just don't know.

Curtis Dietrich: So a distribution center basically.

Paul Pontius: Warehouse is what we call our structures.

Curtis Dietrich: It's difficult to determine what to expect.

Richard Hughes: At the beginning of all this, we asked if you could make it smaller and it was said that it wasn't sellable. Now it's down to 100,000 sq. ft.

Paul Pontius: We would like a larger building, but there is a market for smaller ones as well.

Curtis Dietrich: Saldo section 4.201 states hazards against life, health or property shall not be subdivided unless adequate safeguards are provided and approved by the planning commission and Board of Supervisors. Section 4.202 provides for the health, safety and welfare of citizens. He is concerned there will be hazards to our community. Does not feel this parcel with rolling hills, etc. is good for our community to be developed for this proposed use. Is there anything to limit tractor trailer idling?

Paul Pontius: I don't know.

Curtis Dietrich: Route 100 is a concern as well during the winter for tractor trailers. Four lanes go to two lanes. He is not convinced a sufficient environmental study and testing was done. The steep incline of Route 100 is not suited for heavy truck traffic and the diesel exhaust exacerbated by the steep climb. The impact to ground water and to Cherith Brook must be thoroughly studied. With the orchard that were there, the condition of the soil and property had significant chemical application and must be examined. The topography of Lowhill Township and the distance from the interstate highway access make the location unsuitable for warehouses. Sections 130, 131, 1210 and 1211 of Lowhill Township Ordinances require that action shall be meet the health, safety and welfare of our citizens. The impact of additional traffic at the pinch pint where Route 100 southbound lanes merge into one just before Windy Road has not been adequately addressed. Furthermore, the intersection of Kernsville Road and Route 309 is not adequately designed for additional truck traffic

seeking to make a right turn onto Route 309. The proposal for additional truck traffic using Claussville Road to get to Route 78 West is inadequate. The matter of green lights at the intersection of Route 100 and Kernsville Road has not been addressed.

Paul Pontius: The radius and timing changes on Route 100 are done by PennDot.

Curtis Dietrich: I have concerns about a left turn lane on Kernsville Road and this being directly across from a daycare facility. Will Fire equipment be able to get in is also a concern. Water supply, DEP sewer modules are also a concern as we don't have an updated 537 plan. Public water is also a concern. In Keystone's letter dated September 23, there are some notes that not all adjustments were looked into. In a letter dated September 14, the LCA said there will be 2,100 gallons of water to the site daily.

Paul Pontius: We won't need that much daily. There will be adequate water pressure for emergency personnel. The sewer will be onsite, not public.

Ryan Christman: Onsite sewage, the LCA letter states 1,000 gallons of water daily, the planning module calls for 2,100 gallons per day.

Curtis Dietrich: On lot sewage, what is the gallons per day to go to a public system?

Ryan Christman: 8,000 gallons per day for a community system or a gravity system.

Curtis Dietrich: Were there any other comments after the September 23 letter?

Paul Pontius: No.

Curtis Dietrich: In letters dated April and June 2022 by the LVPC, still indicate drainage plans to be inconsistent with the Jordan Creek Act

167 storm water management plan. The LVPC recommendations regarding electric hookup infrastructure.

Ryan Christman: Has not received anything from the LVPC since those letters.

Mr. Fitzpatrick: Tenants could be food, beverage or medical facility. Specific use would dictate the level of electric coming in. We are not at final plan, we may or may not know who will occupy, can't speculate at the preliminary plan stage.

Mr. Brooman: We can address lot consolidation and development together and sewage planning module separate.

Richard Hughes opened the floor for public comment.

Joe Howard: Asked about storage, foods require ammonia, our ordinance states no dangerous chemicals.

Mr. Fitzpatrick: We can't be sure who is going to occupy the building.

Mike Divers: is the lot owned by one or two people?

Paul Pontius: It's owned by Jeff Johnson.

Mike Divers: Do you need the ranch home for a turn lane?

Paul Pontius: The ranch home is under contract, but no, we can do it with an easement.

Mike Divers wanted it noted that 1000 gallons is a tanker fire truck worth of water.

Bill Pleban: The whole idea of what will be in the warehouse, refer to rural village section 541.25, no flammables, poisons, hazardous materials. Since they can't tell us who the tenants will be are we opening us to people trying to bring these materials in? Personally feel like a mistake was made on the height of the building variance. It

was not a hardship, would like the Board and Zoning Hearing Board to look at that again. Concerned this is being built on speculation. Prospective tenants might try to house those materials.

Joann Mertz: As a commercial landlord, tenants don't last forever. We don't know who will be in or who new tenants will be once the original ones leave. As we don't know who the owner will be, who will take care in the future?

Lynn Pleban: Traffic patterns and terrain, business owner won't like the traffic patterns. They will be empty more than full. Attorney Fitzpatrick says it's a no proceeding. I feel that it should be denied since not everything has been answered tonight anyway.

Bernetta: No new traffic study has been done since the first one. 50% going right and 50% going left. One tractor trailer is equal to four cars. Two tractor trailers fill up the turn lane and 50 cars for employees, it will be backed up to Route 100. 70% of these communities commute to work. This traffic study was done in February during covid.

Bill Pleban: Route 100 is the only way in and out to a major corridor. Casual observation are other warehouses are in proximity of the other corridors. During snow events, cars can't make it up the hill at Applewood on Route 100.

Jack Iantuanno: If we have a jam up on Route 100, Kernsville Road takes the majority of the traffic. Kernsville Road is terrible during snow events.

Annette Dadura: 78 gets shutdown and Kernsville Road, Route 100 and all our roads become parking lots.

Curtis Dietrich made a motion to deny 7503 Kernsville Road, Core5 at Route 100's preliminary lot consolidation plan and preliminary land development plan based on reasons discussed at this meeting. Richard Hughes second the motion. Motion carried.

Mr. Brooman will draft a written denial.

Mr. Fitzpatrick: Would like to reiterate, as a courtesy this is a special meeting, understands our zoning under 541.25 for distribution centers. The burden is on the Township to provide a permitted use. The zoning was approved. Core5 played by the rules. Thank you for allowing me to make my statement.

Richard Hughes: You came in and claimed hardship.

Mr. Brooman: Was there ever a formal zoning letter issued by Mr. Carl?

Mr. Fitzpatrick: There were conversations informally, I do not know without looking if anything was sent. This was accepted from the beginning.

Mr. Brooman: Can look at the sewage planning module at Thursday's regular Board meeting.

Richard Hughes made a motion to table the sewage planning module until Thursday's meeting. **Curtis Dietrich** second the motion. Motion carried.

Mr. Fitzpatrick: Does the sewer planning module matter on a denied plan?

Mr. Brooman: I wouldn't pull it.

Richard Hughes opened the floor for public comment, hearing none, he moved on with the agenda.

Curtis Dietrich made a motion to adjourn. **Richard Hughes** second the motion. Motion carried.

The Lowhill Township Board of Supervisors Special Meeting was adjourned at 7:36 pm.

Respectfully Submitted,

Exhibit "G"



HIGH SWARTZ

ATTORNEYS AT LAW

EST. 1914

David J. Brooman

(610)275-0700

Email: dbrooman@highswartz.com

www.highswartz.com

December 6, 2022

FEDERAL EXPRESS

CORE5 Industrial Partners
c/o Brian Reisinger
1250 N. Mountain Road
Harrisburg, Pennsylvania 17112

**Re: Land Development Application for
Preliminary Plan Approval by CORE5 Industrial Partners
Decision by the Lowhill Township Board of Supervisors**

Dear Mr. Reisinger:

As you know, on November 28, 2022, the Board of Supervisors of Lowhill Township (the "Board") held a special meeting to consider and take action on an application for preliminary land development approval (the "Application") which was submitted by CORE5 Industrial Partners (the "Developer") on October 19, 2021. The Application proposes the construction and operation of a 100,569 square foot commercial warehouse/distribution center building on 21.6 acres, with associated parking, trailer storage spaces, and storm water management, at the property located at 7503 Kernsville Road. The proposed development is located on the northwest corner of the intersection of Kernsville Road and Orchard Road. Access to the site is proposed to be one full-access driveway to Kernsville Road. The property is located in the RV - Rural Village District pursuant to the Township's Zoning Ordinance.

At the November 28, 2022 meeting (the "Meeting"), the Board considered the Application, the review letters of Keystone Engineers and the response letters of BL Companies, the Applicant's design consultant, additional information provided by the Applicant as to the specific use proposed, and public comment from interested residents. No additional extensions of time from the deadlines contained in Section 508 of the Pennsylvania Planning Code (MPC) were offered by Developer. The Planning Commission at its meeting held September 26, 2022, recommended that the Application be denied. After review and consideration of the foregoing, the Board voted to DENY the Developer's Application, based on the following deficiencies identified by the Board and its consultants:

1. The Application and planned use of the Property for a 100,569 square foot commercial warehouse and distribution center is not a permitted use in the RV - Rural Village District pursuant to the Township Zoning Ordinance. Zoning Ordinance of Lowhill Township, Lehigh County, Ordinance #2018-1, adopted April 12, 2018 (the "Zoning Ordinance"), §§540, 541-543 and Subdivision and Land Development Ordinance, last revised October 7, 1998 (the "SALDO"), §4.203.

Norristown

High Swartz LLP

Doylestown


High Swartz LLP

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2. The Application and planned use of the Property for a 100,569 square foot commercial warehouse and distribution center is not consistent with the Multi-Municipal Comprehensive Plan for the Northern Region of Lehigh County, dated November 2004. SALDO, §4.203.
3. The Application remains incomplete and not in full compliance with the Township Subdivision and Land Development Ordinance (SALDO). The specific deficiencies are delineated in the Township Engineer's September 23, 2022 letter to the Applicant. A copy of KCE Keystone Consulting Engineers' September 23, 2022 Review Letter to the Lowhill Township Planning Commission is attached hereto, marked Exhibit "A," and is incorporated herein by reference as if set forth in full.
4. The Property, because of its unique location, is not suitable for the proposed use. SALDO, §4.201.
5. The area of the Township directly impacted by the proposed commercial warehouse and distribution center use does not currently have the infrastructure to support this type of industrial development. The roads are not designed to handle the impact of the additional vehicles generated by the proposed warehouse; specifically, the traffic study and recommended improvements do not make adequate provisions to address the "pinch point" near the Upper Macungie Park where the northbound lanes of Route 100 merge. The Application further does not make adequate provision for the additional truck traffic on the steep incline of northbound Route 100, and its attendant snow and ice hazards in inclement weather. Similarly, the impact of additional traffic at the "pinch point" where the two Route 100 southbound lanes merge into one, just before Windy Road, has not been adequately addressed in the traffic study or by the Applicant. Further, the intersection of Kernsville Road and Route 309 is not designed for additional truck traffic seeking to make a right turn onto Route 309. Likewise, the proposal for additional truck traffic using Claussville Road to access Route 78 is inadequate. Finally, the timing of green lights at the intersection of Route 100 and Kernsville Road has not been addressed with Lowhill Township.
6. The Applicant failed to perform a truck restriction study on Orchard Road and Pony Roads.
7. The Applicant failed to secure a determination by the Lehigh Valley Planning Commission that the proposed stormwater management plan is compliant with the Stormwater Management Act, Act 167 of 1978 and the applicable Act 167 Stormwater Management Plan (Stormwater Ordinance §302.A.).
8. The Application does not comply with SALDO §4.708 (Sidewalks) nor with SALDO §4.700 (Required Improvements and Construction Standards) (Orchard Road).
9. The Applicant failed to provide an Erosion and Sedimentation Control plan meeting Township requirements (Ordinance 2012-1 and Stormwater Ordinance §303.B.).

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Page 3

10. The Application does not comply with Article I, Section 27 of the Pennsylvania Constitution.

Sincerely,

David J. Brooman

DJB/pro

Cc/ Ryan Christman, Township Engineer
Richard Hughes, Chairman, Board of Supervisors
Jill Seymour
Joseph Fitzpatrick, Esquire
Frank N. D'Amore, Esquire

EXHIBIT A

**Keystone Consulting Engineers letter dated September 23, 2022
RE: 7503 Kernsville Road Warehouse Land Development – Revised**



CIVIL ENGINEERS & SURVEYORS

2870 Emrick Boulevard, Bethlehem, PA 18020 | 610-865-4555 | www.KCEinc.com
Bethlehem | Allentown | Kresgeville

LOW-21-010

September 23, 2022

Lowhill Township Planning Commission
2175 Seipstown Road
Fogelsville, Pa. 18051

- RE: 7503 Kernsville Road Warehouse Land Development – Revised
Preliminary Plan Submission. (Addressing comments of our August 26, 2022 review letter)
- LOCATION: 7503 Kernsville Road
- ZONING: RV – Rural Village District
- PROPOSED: Commercial Warehouse/Distribution Center.
- SUBMISSION:
- Preliminary Plan, sheets 1 of 25 thru sheet 25 of 25 dated October 11, 2021, latest revision date of September 12, 2022, as prepared by BL Companies, Inc.
 - Post Construction Stormwater Management Narrative dated October 2021, latest revision date of September 2022, as prepared by BL Companies, Inc.
 - Subdivision Plan, sheet SD-1, 5 of 25, dated October 11, 2022, latest revision date of September 12, 2022, as prepared by BL Companies, Inc.

COMMENTS:

The plan proposes a 100,569 square foot commercial warehouse/distribution center building on 21.6 acres, with associated parking, trailer storage spaces, and storm water management. Erosion and Sedimentation Control Plans were not included in this submission.

We offer the following comments:

General

1. The plan set includes a subdivision plan (Sheet SD-1, 5 of 25) that consolidates the adjacent property at the southwest corner of the lot (lot 1). The plan proposes the removal of the lot line between the two properties. The additional property is 0.602 acres, which is being proposed as parking.
This plan shall be acted upon and approved separately, and recorded accordingly.

2. Review by the Fire Chief shall be received, including review of the relocated emergency access road.
3. The current PennDOT HOP plans shall be provided to the Township for review and comment. A PennDOT HOP shall be provided to the Township prior to plan recording.
4. Proof of service for the water supply to the site has been received from LCA. SALDO §3.303.j. Provide the fire suppression system design and verification that the public water system can support it.
5. Approval from the Lehigh County Soil Conservation District shall be received. Stormwater Ord. §303.B.
6. Review and approval by the Township Sewage Enforcement Officer will be required for the proposed on-lot septic system. SALDO §3.302.f.
7. A plat and description will be required, for review and recording, for the additional right of way dedication on Orchard Road.
8. Recreation fees in lieu of land dedication shall be paid per the Township Fee Schedule G.
9. Show the proposed sidewalk along Orchard and Kernsville roads.
10. The two waiver requests that were denied in April shall be shown on the plans.
SALDO §4.708 Sidewalks
SALDO §4.700 Required Improvements and Construction Standards. Orchard Road.
11. The engineer on Engineer's Certification on the cover sheet shall be changed to match the signing and sealing engineer.

Storm Sewer/Stormwater:

1. A determination by the Lehigh Valley Planning Commission that the proposed stormwater management plan is Act 167 compliant will be required, along with the NPDES permit. Stormwater Ordinance §302.A.
2. Provide all applicable permits to the Township upon approval. Copy this office on all permit related correspondence.
3. Verify infiltration of the Recharge Volume REv (Stormwater Ord. §304.J). The recharge volume is intended to provide groundwater to compensate for reductions in infiltration from development. Both using evapotranspiration rather than infiltration and taking credit for existing features for proposed improvements would be qualitatively different than the regulation's intent and would require a waiver. Testing shall meet the requirements of Stormwater Ord. §304.H., and Appendix G.
4. We offer the following comments on the calculations and assumptions used in the stormwater design (Stormwater Ord. §403.C.2).
 - a. Confirm that a common time of concentration is used in hydrograph analysis as the

analysis shows different time of concentration for onsite and offsite areas.

- b. We note the following on the design of BMPs (Stormwater Ord. §304.0).

For the Extended Dry Detention Basin per PADEP BMP 6.6.3, include calculation showing 24-72 hour detention drain time of the water quality volume and propose deep rooted groundcover. The hatching implies that the lawn mix is to be used within the basin; clarify whether the seed mixtures currently provided on Sheet 23 are intended for use in lawn (i.e. not basin, meadow, or riparian) areas only.

Verify whether any permanent stabilization reinforcement is appropriate downstream of pipes discharging onto the property.

- c. Provide stormwater management for any required frontage improvements. As the response letter refers to the Highway Occupancy Plan, we note that the stormwater improvements must be included in the overall PCSM design and would include Orchard Road improvements.
- d. The hydraulic soil group D is used in the analysis; the mapping identifies the Berks (primarily, B) and Weikert (secondarily, D) soil complex. D soils are less conservative for estimating the impact of development. Use B soils in analysis or provide copies of the testing that supports poor drainage consistent with D soils. (Stormwater Ord. §304.L&M)
- e. Verify orifice flow assumptions for outlet control structure grate, as it relates to required freeboard. (Stormwater Ord. §307.H) The Plan shows a Type M inlet top for the outlet structure. Verify the basin analysis considers the resistance of the grate orifices.
- f. Update spillway calculations consistent with the proposed basin revisions.
5. We offer the following comments on the stormwater details (Stormwater Ord. §403.C.4).
- a. Clarify contour 676 and drainage east of the eastern entrance.
- b. Confirm responsibility for stormwater structures in the right-of-way.
- c. Show the sanitary sewer crossings on the storm sewer profiles. Identify any required separations and manhole drops on the sanitary sewer profile on Sheet 14.
- d. Confirm consistency in showing asterisks and identifying their significance on profiles for inlets to be larger than standard box size.
6. Sheet 1 identifies a separate PCSM Plan to be recorded. Provide copies of the PCSM Plans. The information on Sheets 23 and 24 should be included on a Record Plan, and a record plan should reference the PCSM narrative that was prepared. (Stormwater Ord. §702 and §706)
7. Provide a detail on the plans for the connection of MH-17 to the existing pipe under Kernsville Road.
8. The Applicant shall enter into an operations and maintenance agreement with the

Township addressing all proposed privately-owned stormwater management facilities. Agreement language shall be subject to review and approval by the Township Solicitor. The Blanket Easement identified in Note 4 on Sheet 9 should include authorization but not obligation for Township maintenance and recompense for funds spent. The agreement, operations and maintenance plan, and easements shall be recorded in the Lehigh County Recorder of Deeds Office. (Stormwater Ord. §704, §705 §706, and Appendix E).

9. Provide a plan showing Erosion and Sedimentation controls (Ord. 2012-1 and Stormwater Ord. §303.B).
10. Confirm the offsite drainage areas tributary to pipes draining onto the property and verify adequacy for non-erosive conveyance. (Orchard Road).

The width of any watercourse drainage easement shall be adequate to provide for unobstructed flow of storm runoff based on calculations made in conformance with section 307 for the 100-year return period runoff and to provide a freeboard allowance of one-half (0.5) foot above the design water surface level. The applicant shall provide an appropriate easement for review. (Stormwater Ord. §301.E)

Traffic Study:

1. We reviewed the traffic study for the project and the trip generation estimates are acceptable. A summary of the estimated numbers of new trips:

<u>Weekday</u>	<u>AM Peak Hour</u>	<u>PM Peak Hour</u>
198	36 (28 in / 8 out)	39 (11 in / 28 out)

Of the 198 new daily trips, 60 are expected to be truck trips.

The study included trips from two other proposed warehouses in the immediate area.

2. A page of the 2023 PM Peak Hour Build analysis of the Kernsville/Route 100 intersection is missing from the report.
3. With signal timing adjustments, the overall average per-vehicle delays at the Route 100/Kernsville Road intersection under the 2023 with-development conditions are close to those estimated under the "existing" (2021) conditions. However, these proposed timing adjustments add green time to the eastbound/westbound Kernsville Road signal phase by taking it from the northbound/southbound Route 100 phases (five seconds in the morning peak hour and six seconds in the evening peak hour). With the revised signal timings, the estimated 95th-percentile 2023 Build queue lengths on the Route 100 through lanes are one to four vehicles longer than in the existing condition.
4. If PennDOT approves the proposed signal timing changes, proof of this acceptance and the updated signal timing plan should be submitted to the Township. In the event that PennDOT or the Township does not want the Route 100 green times reduced, analyses of the intersection with the existing timings and the 2023 Build traffic volumes should be provided.

ZONING

1. Developer will perform a truck restriction study on Orchard & Pony Roads as previously requested. The developer is proposing to construct a left turn lane and shoulder widening on Kernsville Road at the site's driveway. Improvements at the Kernsville/Route 100 intersection still need to be addressed including advance turn arrows, lengthening of the left turn lane, construction of a right turn lane from Route 100 North to Kernsville Road and widening of the existing turn lane onto Kernsville Road.
2. In order to minimize the impact on neighboring properties, the exterior colors of the building should be natural earth tones.
3. A rec fee of \$6,556.90 is due prior to recording of plan for 100,569 square foot building. (Resolution 22-1)

Due to the amount and magnitude of these comments, we reserve the right to make additional comments as revised plans, supporting documents, reports, and studies not submitted to date, are submitted for review.

If there are any questions, please feel free to contact the undersigned.

Sincerely,

KEYSTONE CONSULTING ENGINEERS, INC.

Lowhill Township Engineers



Ryan D. Christman, C.B.S.I., C.S.I.

Township Engineer Representative

cc: Brian Carl, Township Administrator
Jill Seymour, Township Secretary
Keith Strohl, Esq., Township Solicitor
BL Companies
CORE5 Industrial Partners, Brian Reisinger

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial Systems of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Frank N. D'Amore

Signature: /s/ Frank N. D'Amore

Name: Frank N. D'Amore

Attorney No.: 322970