



**HIGH SWARTZ**  
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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.

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Norristown

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Doylestown

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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.).

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](http://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 95<sup>th</sup>-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