



July 25, 2023

FEDERAL EXPRESS

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

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

Dear Mr. Reisinger:

On July 13, 2023, the Board of Supervisors of Lowhill Township (the “Board”) at its regularly monthly stated meeting considered the application for final land development submitted by CORE5 Industrial Partners (the “Developer”) on May 8, 2023 (the “Application”). The property is located at 2766 Route 100 in the RV - Rural Village District pursuant to the Township’s Zoning Ordinance. The Application proposes the construction and operation of a 312,120 square foot commercial warehouse/distribution center building on 43.4 acres, with associated parking, trailer storage spaces, and storm water management. No end-user has been identified for this 312,120 square foot commercial warehouse/distribution center building, rendering evaluation of Developer’s compliance with applicable township ordinances and Article I, Section 27 of the Pennsylvania Constitution challenging.¹

The preliminary land development application was submitted by Trammel Crow Corporation and received conditional approval on June 16, 2022, by a 2-1 voice vote. The approval was conditioned on full compliance with Keystone Consulting Engineers’ letter dated May 23, 2022.²

The Application was considered by the Lowhill Township Planning Commission at its May 22, 2023, regularly scheduled monthly meeting. Neither the Developer nor its consulting engineer Pennoni Associates, Inc. attended the Planning Commission meeting to address the outstanding engineering review comments, namely two (2) review letters dated May 22, 2023, from the

¹ There are seven (7) types of warehouses and each have their attendant impacts that need to be considered with any warehouse land development proposal: Distribution Center; Cold Storage Warehouse; Smart Warehouse; Bonded Warehouse; Public Warehouse; Private Warehouse; and, Consolidation Warehouse.

² A copy of Keystone Consulting Engineers letter dated May 23, 2022, is attached hereto as Exhibit “A” and is incorporated by reference as if set forth in full.

Township Engineer, Keystone Consulting Engineers (“KCE”), and questions Planning Commission members had on the Application.

The final plan submission was scheduled for consideration at the June 8, 2023, regular monthly meeting of the Board of Supervisors. On June 1 and June 5, 2023, Developer requested that the final land development application be tabled. The Board granted Developer’s request to table. The Board then considered the final land development application at its regular monthly meeting on July 13, 2023, including the final plan set titled “2766 PA Route 100 Industrial Project” dated May 8, 2023, last revised May 31, 2023, five (5) review letters from Keystone Consulting Engineers dated July 11, 2023, July 6, 2023, May 22, 2023 (2), and May 23, 2022, and the response letter of Pennoni and Associates, Inc. (“Pennoni”), the Developer’s design consultant, dated June 21, 2023,³ 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; rather, the Developer urged the Supervisors to take action on July 13, 2023, ignoring the outstanding comments of KCE and issues raised by the Supervisors. 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:

Sewage & Water:

1. Developer proposes that all on-site sewage be treated through an on-lot sewer system. No public sewers are proposed. The Application indicates a peak sewage flow of 3,000 gallons per day (GPD), and indicates 250 as the maximum number of employees. The flow is based on average metered flows from facilities “similar to” the proposed warehouse. The Department of Environmental Protection has implemented a new policy regarding warehouse uses. The comparison facilities must be identical in nature to the proposed use. Without a definitive end user, the Department is using the prescribed flows from 25 Pa. Code § 73.17 of 35 GPD for each warehouse employee and 10 GPD for each office staff. The employee number cannot be as high as 250, without additional planning and soil testing for supplemental suitable absorption area. Developer refused to recalculate projected flows based on 25 Pa. Code § 73.17, and failed to include additional soil testing in the event a supplemental absorption area is needed.
2. Developer proposed to extend public water to the proposed warehouse. No plan to provide water and sewer to this area of Lowhill Township was ever studied by the Township nor does the Township’s current Act 537 Sewage Facilities Plan provide for public sewer or water. The Township requested Developer to investigate the feasibility of private well water to supply the proposed use. The Developer refused to consider private well water.

³ KCE review letters dated July 11, 2023, July 6, 2023, and May 22, 2023 (2), and Pennoni letter dated June 21, 2023, are attached as Exhibits B, C, D and E, respectively, and are incorporated by reference as if set forth in full.

Zoning and Engineering:

3. The proposed stormwater basins are “structures,” and are 44 feet in height. This height exceeds the permitted 35 feet maximum height permitted in the steep slopes portion of the environmental protection district (Zoning Ordinance, Ordinance 2018-1 (“Zoning Ordinance”), § 874), and the maximum height permitted in the Rural Conservation District (Zoning Ordinance, § 744).
4. Despite repeated requests, the fire suppression system report and calculations were never submitted to KCE and the Fire Marshall for review. Subdivision and Land Development Ordinance (“SALDO”), § 1.400 b); § 4.701.
5. KCE requested a retaining wall design prepared by a Pennsylvania Professional Engineer. Developer desired to defer the retaining wall design to the building permit phase of the project. SALDO, § 1.400 b); § 4.701.
6. A portion of the retaining wall at the rear of the building is within the Environmental Protection area. Zoning Ordinance, § 870. Slopes in excess of 15% are being encroached at the southeast corner of the building/retaining wall. Zoning Ordinance, § 432.02.
7. The side walls of the sedimentation basin are too steep and will be a danger to maintain. Developer failed to provide an alternative maintenance plan (SALDO, § 1.400 b); § 4.701; Ordinance 86-1), or an Environmental Resources Site Design Assessment. Stormwater Management Ordinance, Ordinance No. 2007-1, § 403.E.
8. The western retaining wall at the rear of the parking lot exceeds the allowable 35’ for a structure. Zoning Ordinance, § 520 and § 544.

Stormwater:

9. The multiple deficiencies in the stormwater management plan for the site are detailed in KCE’s July 11, 2023 review letter, Exhibit B pp. 2-4, which excerpt is incorporated by reference as if set forth in full. Stormwater Management Ordinance, Ordinance No. 2007-1.

Article I, Section 27 of the Pennsylvania Constitution:

10. Article I, Section 27 of the Pennsylvania Constitution provides: “The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and aesthetic values of the environment. Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.” Political subdivisions in Pennsylvania have a duty to consider Article I, Section 27 in its land use decisions. Warehouses, depending on size and end user, can have a significant impact on the surrounding residents and businesses, and the environment. These impacts

include truck traffic, air pollution, noise, lighting, surface runoff and stormwater. Without identifying an end user, Lowhill Township is incapable of quantifying and mitigating the impact of a 312,120 square foot warehouse on Route 100 in Lowhill Township and on properties in close proximity to the proposed warehouse.

Additional Deficiencies:

11. 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 July 6, 2023, and July 11, 2023 letters from Keystone Consulting Engineers' to Joshua Hoffman, P.E., Pennoni, Exhibits "B" and "C."
12. A majority of the public comments from Township residents focused on traffic, congestion and safety. The experience of Lowhill Township residents on Route 100 under current conditions is intolerable. The local road network cannot, at this time, accommodate warehouse development and additional truck traffic. PennDOT recently installed "traffic control gates" at the on and off ramps of I-78. The traffic control gates are designed to prevent traffic from entering I-78 during certain conditions, directing them to local roads. Residents and the Board of Supervisors requested that the Developer investigate this new condition and determine the impact these gates will have on operations and local traffic. SALDO, § 1.400 b); § 4.701. The Developer declined.
13. The Applicant failed to secure a determination by the Lehigh County Conservation District (LCCD) 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.). A copy of LCCD' June 28, 2023 Incompleteness Letter and attached "Individual NPDES Permit Application Completeness Deficiencies" is attached as Exhibit "F" and incorporated by reference as if set forth in full.
14. The Applicant failed to provide an Erosion and Sedimentation Control plan meeting Township requirements (Ordinance 2012-1 and Stormwater Management Ordinance § 303.B.).

Sincerely,



David J. Brooman

DJB/pro

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

Exhibit A

KCE Letter dated May 23, 2022



CIVIL ENGINEERS & SURVEYORS

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

LOW-20-012

May 23, 2022

Lowhill Township Planning Commission
7000 Herber Road
New Tripoli, PA 18066

RE: 2766 Route 100 Industrial/Warehouse Land Development – Preliminary Plan (addressing comments of our March 25, 2022 review letter)

LOCATION: 2766 Route 100

ZONING: RV – Rural Village District

PROPOSED: Commercial Warehouse/Distribution Center.

SUBMISSION:

- Plan sheets 1 of 47 thru 47 of 47 dated March 14, 2022; latest revision of May 9, 2022.
- Post Construction Stormwater Management System Plan sheets SW 15.1 thru SW 15.8, dated April 1, 2022, as prepared by Aqua Mist Irrigation.
- Post Construction Stormwater Management Report dated March 14, 2022, latest revision date of May 9, 2022; as prepared by Snyder, Secary & Associates, LLC.
- Transportation Impact Assessment Report dated January 7, 2022, prepared by Traffic Planning and Design, Inc.

Wetland and Watercourse Delineation Report, dated April 2022, as prepared by Kleinfelder, Inc.

COMMENTS:

The plan proposes a 312,120 square foot commercial warehouse/distribution center building on 43.4 acres, with associated parking, trailer storage spaces, and storm water management.

1. The on-lot sewerage system has been approved.
2. All outside agency reviews and approvals are required: Lehigh Valley Planning Commission, PennDOT (HOP), Lehigh County Conservation District, Lehigh County Authority (water service).

3. A review by the Fire Chief shall be provided. The fire suppression system report/calculations shall be submitted for review.
4. Show the location of the anti-seep collars on the plan view. Sht. GD 4.1

Stormwater:

1. The information for the April 2022 on site testing is missing from Appendix E. The report contained is from December 2020. Please provide the new report for review.
2. Show concrete aprons on all endwall details on the detail sheet CD 9.3.
3. Where a site is traversed by watercourse other than those for which a 100-year floodplain is defined by the municipality, there shall be provided drainage easements conforming substantially with the line of such watercourses. The design engineer indicates in their response letter states an easement has been added to sheets UE 5.0-5.2, however we could not locate this easement. Please clarify. (SALDO §301.E)
4. In the post-development condition for Watershed Area #1 – Undetained, a significant portion of the area is considered to be meadow. Confirm the final cover type post-construction will be a meadow condition. Provide an exhibit to illustrate which areas will remain meadow post-construction.
5. The proposed berm along the Northeast portion of the site along the residential properties is in some cases approximately 4 feet above the existing grade. It appears that drainage from those properties may enter the subject property in the existing condition. If this is the case, the proposed berm could alter the existing drainage regime which alters the flow path of drainage and/or does not allow the properties to flow overland and drain. Confirm there will be no drainage regime change caused by the proposed berm or provide additional detail to illustrate there will be no concerns with stormwater ponding or causing damage to existing structures in the area. If the flow regime is changed, the affected properties will need to provide written acknowledgement indicating they are accepting of the changes in flow regime. (SALDO §301.D)
6. The spillway elevation for Basin 2 does not meet the freeboard requirement (0.5 ft) above the routed 100-yr water surface elevation. Please revise. (SALDO §307.H)
7. Water quality calculations have been provided; however, the ordinance requires the water quality to be calculated two different ways in addition to the recharge volume calculation. Please revise. The design engineer indicates in their response letter that both methods have been included in the PCSM Report, however we could not locate all methods in the report. Please clarify. (SALDO §304.B, §304.J)
8. Provide confirmation that all setback distances are being met as it relates to infiltration BMPs. (SALDO §304.I)
9. Recharge volume must be calculated and infiltrated per SALDO §304.J.

10. The PCSM provides routings which indicate a storage volume below the lowest orifice. This volume is proposed to be sprayed to meet water quality volume requirements. Since no lower orifices exist, the basin cannot be dewatered and it is assumed the irrigation system will run year-round. The provided spray irrigation plans indicate the system will be winterized from November 15 to March 15 and it indicates opening the winter drain valve at the basin. If the infiltration system is intended to be winterized, provide calculations to illustrate how the volume and rate of the net increase in stormwater runoff will be met during the winter. (SALDO §304.T)
11. Provide consistency between the water quality volumes stored in each basin and the calculations provided in the spray irrigation design.
12. Submit an operations and maintenance plan for proposed privately-owned stormwater management facilities in accordance with this section. Provide a note on the plans clearly identifying proposed stormwater management facilities that are to be privately owned and maintained and those that will be publicly owned and maintained. We note that notes have been added to Sheet SW 14.1, however, not all proposed BMPs are included in these notes (spray irrigation). Please revise or clarify. (SALDO §702)
13. The Applicant shall enter into an operations and maintenance agreement with the Township addressing all proposed privately-owned stormwater management facilities in accordance with this section and Appendix E. Agreement language shall be subject to review and approval by the Township Solicitor. The agreement, operations and maintenance plan, and easements shall be recorded in the Northampton County Recorder of Deeds Office. (SALDO §704)
14. Pipe capacity conveyance calculations have been provided. We note there are several locations with gutter spreads in excess of 5 feet and ponded depths nearing 1 foot starting at the 25-yr design storm within the proposed site. The applicant should verify the potentially ponded water is acceptable to their anticipated operations within the site. The designer shall confirm the inlet grate dimensions and inlet area is correct based on the inlets being proposed. (SALDO §307.P)
15. Improvements to Windy Road stormwater drainage shall be proposed.

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>
538	63 (49 in / 14 out)	65 (18 in / 47 out)

Of the 538 new daily trips, 186 are expected to be truck trips.

2. No signal timing changes at the Route 100 / Kernsville & Claussville Roads intersection are proposed. Improvements at the site's driveway connection to Route 100 include the construction of a 175'-long southbound right-turn lane and a 250'-long northbound left-turn lane.
3. The study included trips from two (2) other proposed warehouses in the immediate area.
4. The current PennDOT HOP plans shall be submitted for review and further comments.
5. An acceleration lane shall be considered for southbound exiting the facility, onto Rt. 100.

Due to the number and magnitude of comments contained herein, this office reserves the right to make additional comments upon receipt of revised or additional plans, reports, and required supplemental information for the project with subsequent submissions.

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
Snyder, Secary & Associates
2766 Route 100 Associates, LLC

Exhibit B

KCE Letter dated July 11, 2023



LOW-20-012

July 11, 2023

Board of Supervisors
7000 Herber Road
New Tripoli, PA 18066

EMAILED

- RE: 2766 Route 100 Industrial/Warehouse Land Development – Final Plan (addressing comments of our May 22, 2023 Final Plan review letter)
- LOCATION: 2766 Route 100
- ZONING: RV – Rural Village District
- PROPOSED: Commercial Warehouse/Distribution Center.
- SUBMISSION:
- Plan sheets 1 of 57 thru 57 of 57 dated May 8, 2023, latest revision date of May 31,2023, as prepared by Pennoni Associates, Inc..
 - Post Construction Stormwater Management Report dated April 26, 2023; as prepared by Pennoni Associates Inc..
 - Traffic Impact Assessment dated May 16, 2023 as prepared by Traffic Planning and Design, Inc..

COMMENTS:

The plan proposes a 312,120 square foot commercial warehouse/distribution center building on 43.4 acres, with associated parking, trailer storage spaces, and storm water management. It shall be noted that the comments of our May 22, 2023 review letter are from the Preliminary Plan review of May 23, 2022. These comments are being reviewed/addressed under the current Final Plan submission.

GENERAL:

1. A revised on lot sewerage system has been submitted for review. See the Township's SEO review letter of July 6, 2023.

2. All outside agency reviews and approvals are required: PennDOT (HOP), Lehigh County Conservation District, DEP NPDES permitting.
3. The water service agreement with LCA has been rescinded/terminated by the Township. Please provide plans showing the alternative water source.
4. A review by the Fire Chief shall be provided. The fire suppression system report/calculations shall be submitted for review.
5. Identify which sheets are intended to be Record Plans.
6. As-Built plans shall be provided per SALDO §405.D.
7. Improvements to Windy Road stormwater drainage shall be proposed. Representatives of Weisenberg and Lowhill met on site with the Core5 representative to review the drainage of Windy road in the portion of Weisenberg Twsp. It was concluded and agreed that a separate agreement, security and plan will be submitted to Weisenberg and handled separately with Weisenberg Twsp.
8. Additional right of way of Windy Road frontage in Lowhill Twsp. shall be dedicated. (25' from centerline.) Measure building setbacks from (future) right-of-way line.
9. Provide an improvements estimate for review and approval. Items shall include all stormwater management construction and Erosion and Sedimentation Control.
10. All fees shall be paid and agreements entered into prior to final plan recording. SALDO §3.400.
11. It appears that a portion of the retaining wall at the rear of the building is within the EP area. Zoning Ord. §870. It appears slopes in excess of 15% are being encroached at the southeast corner of the building/retaining wall. Zoning Ord. 432.02.
12. Please show a detail of the drainage system and treatment of the floor drains.
13. The southern slopes of the stormwater ponds are still a concern. The proposal of mowing twice a year is not acceptable and unsafe. Please provide an alternative maintenance plan.
14. The western retaining wall at the rear of the parking lot exceeds the allowable 35' for a structure. Zoning Ord. §544.

STORMWATER:

1. The March and April 2022 testing for spray irrigation was performed below grade, while the plan proposes spray at existing surface elevation. Clarify how subsurface testing will apply to existing grade and identify any enhancements (decompaction, etc.) and protections for the spray irrigation area during construction.
2. Identify the western boundary and property corner tie-in for the watercourse easement. (STORM §301.E and SALDO §3.304.e)
3. Identify on a record plan which areas will remain meadow post-construction.

4. The spillway elevation for Basin 2 does not meet the freeboard requirement (0.5 ft) above the routed 100-yr water surface elevation to the spillway. Please revise. (STORM §307.H)
5. Include the omitted portions of Section 11.2 and 12 of the PCSM Report. (STORM §304.B, §304.J)
6. Spray irrigation volume is provided below the lowest gravity orifice. Clarify how the basins will be dewatered during winter and include corresponding details (winter valve and drainage lines, etc.) The response letter identifies pumping to an outlet structure, while the Winter Procedure on Sheet 57 includes winterizing the pump and switching drain valves presumably to allow gravity flow; show the chosen method clearly in plan view and details. Identify what will be done to dewater the irrigation collection system between the basin and the valve, especially at the 5-foot diameter intake structures.
7. An operations and maintenance plan for proposed privately-owned stormwater management facilities in accordance with this section should be recorded; identify plans to be recorded. Sheet 47 references spray Irrigation plans; notes on Sheet 57 appear to identify contractor (who is not a signatory) responsibility to an owner rather than owner responsibility to perform the maintenance. Further spray maintenance should be proofread, could be interpreted as temporary when some maintenance should be permanent, and uses some suggestive (should) language where mandatory (shall) language is appropriate. (STORM §702)
8. The Applicant shall enter into an operations and maintenance agreement with the Township addressing all proposed privately-owned stormwater management facilities in accordance with this section and Appendix E. Agreement language shall be subject to review and approval by the Township Solicitor. The agreement, operations and maintenance plan, and easements shall be recorded in the Lehigh County Recorder of Deeds Office. (STORM §704)
9. All calculations, assumptions, and criteria used in the design of BMPs shall be provided and be consistent. We offer the following (STORM §403.C.2 and SALDO 3.304.n) :
 - a. Confirm consistency between storm sewer plans, profiles, table, and analysis.
 - b. Identify where pipe lengths (and slopes) are measured.
 - c. Confirm elevations and labeled type for "Grate" on discharge endwalls EW 2-0, OS-1E, EW OS-2E and OS-3B for adequate pipe cover and construction per RC Standards.
 - d. Reposition Riparian Buffer Note regarding Sheet CS-2003 on Sheet 16 so that it fits on the plan.
 - e. Join the PCSM Spreadsheet with its corresponding section divider sheet.
 - f. Show probe locations in PCSM Plan View.
 - g. Clarify consistency between "Time(s) of Day for Dosing" and "Cycle & Soak Wait Times" for spray irrigation.
10. Regarding stormwater details and specifications (STORM §403.C.4) :
 - a. Show the location of the anti-seep collars on the PCSM and Drainage Plan Views.

- b. Identify Type C inlets will be used along curb and whether all inlets are proposed to be constructed per PennDOT RC Standards.
 - c. Show basin inflow culverts I1-1 to EW1-0 and Inlet 2-1 to EW-20 will be constructed in Phase 1 by showing per Staging Note 9.E. If not constructed in Phase 1, address redisturbance with Phase 2.
 - d. Provide a legend for the PCSM Plans.
 - e. Identify the extent, materials, depths, installation precautions, variations at riprap aprons, and performance standards for the proposed basin liner. Identify liner installation in construction sequence and verify baffle bases proposed if in areas of impervious liner.
 - f. For clay soil liner and cutoff trenches, identify density assumed for permeability (if different from compaction density), and identify any confirmation testing.
 - g. Clarify whether the filter intake structures will have no top and identify any associated safety and maintenance precautions.
11. Show any required improvements to Windy Road frontage and consider any cover changes considered in the analysis. (SALDO §4.205, 4.207, 4.704 and 4.705).
12. Verify that the basin bottoms, which propose impervious liners and excavation into competent shale bedrock, were considered as impervious in stormwater runoff analyses. (STORM §307.A)
13. Maintenance provisions and responsibilities must be clearly identified (STORM §403.D) :
- a. On Sheet 47, confirm the Protect Riparian Buffer Note 1 reference to Sheet LA 7.3. Confirm that plan and the Spray Irrigation Plans referred to in Spray Irrigation Systems Note 1 are clearly referenced, included with, and considered incorporated into the PCSM Plans.
 - b. Provide the Owner Certification and Stormwater Management Facilities Agreement Note on a Record Plan.

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>
538	63 (49 in / 14 out)	65 (18 in / 47 out)

Of the 538 new daily trips, 186 are expected to be truck trips.

2. No signal timing changes at the Route 100 / Kernsville & Claussville Roads intersection are proposed. Improvements at the site's driveway connection to Route 100 include the construction of a 175'-long southbound right-turn lane and a 250'-long northbound left-turn lane.
3. The study included trips from two (2) other proposed warehouses in the immediate area.
4. The current PennDOT HOP plans shall be submitted for review and further comments.
5. The recent installation of the I78/ Rt.22 entrance ramp gates shall be considered in the traffic impact study.

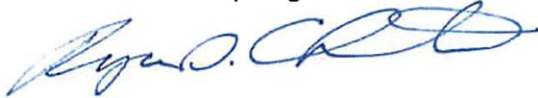
These comments include preliminary plan comments from May of 2022. It shall be noted that no attempt to address those comments by the applicant was made prior to the final plan submission. Therefore, due to the number and magnitude of comments contained herein, this office reserves the right to make additional comments upon receipt of revised or additional plans, reports, and required supplemental information for the project with subsequent submissions.

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: Jill Seymour, Township Secretary (email)
David Brooman, Esq., Township Solicitor (email)
Pennoni Associates, Inc. (email)
Core5 Valley Commerce Center, LLC (email)

Exhibit C

KCE Letter dated July 6, 2023



July 6, 2023

Mr. Joshua Hoffman, P.E.
Pennoni Associates, INC.
5072 Ritter Rd., Ste 102
Mechanicsburg, PA 17055

RE: **2766 PA Route 100 Industrial Project**
Sewage Facilities Planning Module
D.E.P. Code No. 2-39914075-2

Dear Josh:

I have received the Sewage Facilities Planning Module for the above referenced land development. Included in the package are the following:

1. Sewage Facilities Planning Module, Component 2, prepared by Pennoni Associates, INC.
2. DEP Transmittal Letter.
3. DEP response letter and checklist.
4. DEP form - Resolution for Plan Revision for New Land Development.
5. DEP Completeness checklist.
6. USGS clip of the site location.
7. A project narrative. The narrative includes average metered flows from several similar warehouse facilities to be used to determine peak daily flows for the warehouse use.
8. Alternative analysis.
9. Component 4A and 4B, Municipal and County Planning Agency Review,
10. PNDI Environmental review receipt indicating a **Potential Impact** with USFW Service. A Phase 1 & Phase 2 bog turtle survey was completed and provided to Th USFW Service.
11. Subsequent correspondence from US Fish and Wildlife Service indicating that it concludes "that construction and implementation of the proposed project are not likely to adversely affect the bog turtle."
12. Correspondence from the PA State Historic Preservation Office dated April 21, 2023, asking for additional information.
13. Subsequent letter dated April 26, 2023. indicating that no above ground concerns are present at the site.
14. 8-1/2" x 11" copies of the plot plan.
15. Site Investigation and Percolation test reports for both primary and replacement areas.

The following comments shall be addressed:

1. No plot plan items can be reviewed based on the reduced size plan.
2. The module includes public water use records for several similar warehouses. The daily flows have been calculated using these flows in accordance with Section 73.17.c. The current DEP policy will only

accept comparison flow data from an identical facility. Any other flow data will require utilizing the prescribed flows in Section 73.17. The available area will limit the number of employees at the warehouse, based on chapter 73 flows. Please update as appropriate.

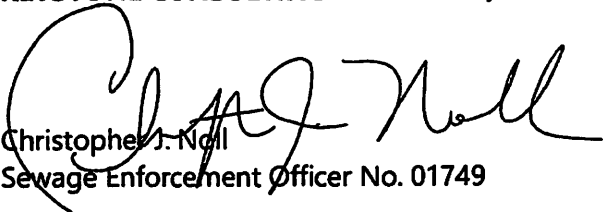
3. Item G.1.g. Existing and proposed drinking water supplies . . .The project indicates public water supply. However, Lowhill Township has revoked approval of the water main extension. Please provide an updated water source for the project.
4. Item G.1.K. any floodplain and or flood prone soils associated with the unnamed tributary shall be depicted on the plan and notated accordingly.
5. Executed Components 4A & 4B shall be included in the package transmitted to the DEP. These comments shall be reviewed and considered by the approving body prior to adoption of the Module.

Upon receipt of amended information addressing the above comments, appropriate action will be taken.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

KEYSTONE CONSULTING ENGINEERS, INC.



Christopher J. Neill
Sewage Enforcement Officer No. 01749

xc: Board of Supervisors
Planning Commission
Department of Environmental Protection
Clean Water Program
Brian Reisinger, PE, Core5

Exhibit D

KCE Letters dated May 22, 2023



CIVIL ENGINEERS & SURVEYORS

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

LOW-20-012

May 22, 2023

Lowhill Township Planning Commission
7000 Herber Road
New Tripoli, PA 18066

RE: 2766 Route 100 Industrial/Warehouse Land Development – Final Plan (addressing comments of our May 23, 2022 Preliminary Plan review letter)

LOCATION: 2766 Route 100

ZONING: RV – Rural Village District

PROPOSED: Commercial Warehouse/Distribution Center.

SUBMISSION:

- Plan sheets 1 of 49 thru 49 of 49 dated May 8, 2023.
- Post Construction Stormwater Management Report dated April 26, 2023; as prepared by Pennoni Associates Inc..

COMMENTS:

The plan proposes a 312,120 square foot commercial warehouse/distribution center building on 43.4 acres, with associated parking, trailer storage spaces, and storm water management.

1. A revised on lot sewerage system has been submitted for review. See the Township's SEO review letter of May 22, 2023.
2. All outside agency reviews and approvals are required: Lehigh Valley Planning Commission, PennDOT (HOP), Lehigh County Conservation District, Lehigh County Authority (water service).
3. A review by the Fire Chief shall be provided. The fire suppression system report/calculations shall be submitted for review.

Stormwater:

1. The information for the April 2022 on site testing is missing from Appendix E. The report contained is from December 2020. Please provide the new report for review.
2. Show concrete aprons on all endwall details on the detail sheet CD 9.3.
3. Where a site is traversed by watercourse other than those for which a 100-year floodplain is defined by the municipality, there shall be provided drainage easements conforming substantially with the line of such watercourses. The design engineer indicates in their response letter states an easement has been added to sheets UE 5.0-5.2, however we could not locate this easement. Please clarify. (SALDO §301.E)
4. In the post-development condition for Watershed Area #1 – Undetained, a significant portion of the area is considered to be meadow. Confirm the final cover type post-construction will be a meadow condition. Provide an exhibit to illustrate which areas will remain meadow post-construction.
5. The proposed berm along the Northeast portion of the site along the residential properties is in some cases approximately 4 feet above the existing grade. It appears that drainage from those properties may enter the subject property in the existing condition. If this is the case, the proposed berm could alter the existing drainage regime which alters the flow path of drainage and/or does not allow the properties to flow overland and drain. Confirm there will be no drainage regime change caused by the proposed berm or provide additional detail to illustrate there will be no concerns with stormwater ponding or causing damage to existing structures in the area. If the flow regime is changed, the affected properties will need to provide written acknowledgement indicating they are accepting of the changes in flow regime. (SALDO §301.D)
6. The spillway elevation for Basin 2 does not meet the freeboard requirement (0.5 ft) above the routed 100-yr water surface elevation. Please revise. (SALDO §307.H)
7. Water quality calculations have been provided; however, the ordinance requires the water quality to be calculated two different ways in addition to the recharge volume calculation. Please revise. The design engineer indicates in their response letter that both methods have been included in the PCSM Report, however we could not locate all methods in the report. Please clarify. (SALDO §304.B, §304.J)
8. Provide confirmation that all setback distances are being met as it relates to infiltration BMPs. (SALDO §304.I)
9. Recharge volume must be calculated and infiltrated per SALDO §304.J.
10. The PCSM provides routings which indicate a storage volume below the lowest orifice. This volume is proposed to be sprayed to meet water quality volume requirements. Since no lower orifices exist, the basin cannot be dewatered and it is assumed the irrigation system will run year-round. The provided spray irrigation plans indicate the system will be winterized from November 15 to March 15 and it indicates opening the winter drain valve at the basin. If the infiltration system is intended to be winterized, provide calculations to

illustrate how the volume and rate of the net increase in stormwater runoff will be met during the winter. (SALDO §304.T)

11. Provide consistency between the water quality volumes stored in each basin and the calculations provided in the spray irrigation design.
12. Submit an operations and maintenance plan for proposed privately-owned stormwater management facilities in accordance with this section. Provide a note on the plans clearly identifying proposed stormwater management facilities that are to be privately owned and maintained and those that will be publicly owned and maintained. We note that notes have been added to Sheet SW 14.1, however, not all proposed BMPs are included in these notes (spray irrigation). Please revise or clarify. (SALDO §702)
13. The Applicant shall enter into an operations and maintenance agreement with the Township addressing all proposed privately-owned stormwater management facilities in accordance with this section and Appendix E. Agreement language shall be subject to review and approval by the Township Solicitor. The agreement, operations and maintenance plan, and easements shall be recorded in the Northampton County Recorder of Deeds Office. (SALDO §704)
14. Pipe capacity conveyance calculations have been provided. We note there are several locations with gutter spreads in excess of 5 feet and ponded depths nearing 1 foot starting at the 25-yr design storm within the proposed site. The applicant should verify the potentially ponded water is acceptable to their anticipated operations within the site. The designer shall confirm the inlet grate dimensions and inlet area is correct based on the inlets being proposed. (SALDO §307.P)
15. Show storm sewer pipe lengths and slopes on the profiles and plan views. Stormwater review will continue upon receipt. SALDO §3.304.n.
16. Show the location of the anti-seep collars on the plan view. Sht. GD 4.1
17. Show metes and bounds for the drainage/stream easement for the unnamed tributary to the Hasen Creek. SALDO §3.304.e.
18. Provide the proposed maintenance practice for the southern slopes of the detention ponds. The slopes are excessive and create an un-maintainable and unsafe slope. Safety fence is required. SALDO §4.701
19. As-Built plans shall be provided per SALDO §405.D.

GENERAL

20. Improvements to Windy Road stormwater drainage shall be proposed.
21. Retaining wall designs shall be provided on the plans with Pa. Professional Engineer signature and seal verifying design.
22. All references to York County and Snyder, Secary & Associates shall be revised to

Lehigh County and Pennoni. (Sht. 28)

23. Proof of ownership (Agreement of Sale) shall be provided. The latest source of title to the land as shown by the deed, page number and book of the Lehigh County Recorder, accompanied by an affidavit signed by the record owners of the parcel being subdivided and or developed. SALDO §3.304.I.
24. Provide the Zoning Hearing Board determinations.
25. All monuments and markers shall be set in accordance with SALDO §4.703.
26. Provide an improvements estimate for review and approval. Items shall include all stormwater management construction and Erosion and Sedimentation Control.
27. All fees shall be paid and agreements entered into prior to final plan recording. SALDO §3.400.

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>
538	63 (49 in / 14 out)	65 (18 in / 47 out)

Of the 538 new daily trips, 186 are expected to be truck trips.

2. No signal timing changes at the Route 100 / Kernsville & Clausville Roads intersection are proposed. Improvements at the site's driveway connection to Route 100 include the construction of a 175'-long southbound right-turn lane and a 250'-long northbound left-turn lane.
3. The study included trips from two (2) other proposed warehouses in the immediate area.
4. The current PennDOT HOP plans shall be submitted for review and further comments.
5. An acceleration lane shall be considered for southbound exiting the facility, onto Rt. 100.
6. An updated Traffic Impact Study was submitted after the initial submission application, and will be reviewed for future comment.

Due to the number and magnitude of comments contained herein, this office reserves the right to make additional comments upon receipt of revised or additional plans, reports, and required supplemental information for the project with subsequent submissions.

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: Jill Seymour, Township Secretary
David Brooman, Esq., Township Solicitor
Pennonni Associates, Inc.
Core5 Valley Commerce Center, LLC



LOW-20-012

May 22, 2023

Mr. Joshua Hoffman, P.E.
Pennoni & Associates INC
5072 Ritter Rd., Ste 102
Mechanicsburg, PA 17055

RE: **Core5 at Valley Commerce Center LLC**
Formerly 2766 PA Route 100 Industrial Project
Sewage Facilities Planning Module
D.E.P. Code No. 2-39914075-2

Dear Josh:

I have received an e-copy of the revised Sewage Facilities Planning Module for the above referenced land development. Included in the package are the following:

1. Sewage Facilities Planning Module, Component 2 and supportive documents. Component 4A and 4B, prepared by Pennoni Associates, INC.
2. Resolution for Plan Revision
3. USGS clip of project location.
4. A project narrative.
5. Alternative analysis.
6. PNDI Environmental review receipt indicating a **Potential Impact** with USFW Service. A response from USFW indicating that based on a Phase 1 or Phase 2 bog turtle survey, "the construction and implementation of the proposed project are not likely to adversely affect the bog turtle."
7. A response from the PA Historic Preservation Office indicating that based on the Phase 1 study conducted by a qualified bog turtle surveyor, and a Phase 2 study. No bog turtles were found in the wetlands. The USFW has determined that the proposed development is not likely to adversely affect the bog turtle.
8. A response from PA State Historic Preservation Office indicating that based on the information submitted and the information in the state files, it is the PA SHPO's opinion that there are no above ground historic properties present in the project area of potential impact.
9. Site investigation and percolation test reports, plot plans sheets 12, 13, and 14 of 50.

I have the following comments.

1. The narrative states that public water service is being proposed, Lowhill Twp. BOS have denied the extension of the water main. Water service must be addressed prior to adoption of the module.

2. The narrative indicates a peak sewage flow of 3,000 GPD, and also indicates 250 as the maximum number of employees. This flow is based on average metered flows from facilities similar to the proposed warehouse. Although the current regulations allow this comparison for determination, The Department has implemented a new policy regarding warehouse uses. The comparison facilities must be identical in nature to the proposed use. Therefore, if a FedEx is proposed, the comparison must be FedEx uses. Devoid of a definite end user, the Department is using the prescribed flows from PA Code 25, §73.17 of 35 GPD for warehouse employee and 10 GPD for Office staff. The employee number cannot be as high as 250, without additional planning and soil testing for supplemental suitable absorption area. A covenant on the plan requiring the employee count be provided to Lowhill Twp on a monthly basis, shall be added to the plan. This count will help verify occupancy and the anticipated sewage flow generated by employees. An Operation and Maintenance Agreement is also required for this proposal.
3. The Component 4A shall be reviewed and processed by the Planning Commission considering the current applicable ordinances.
4. The Component 4B shall be reviewed and processed by the LVPC considering regional impacts.

These items shall be addressed prior to action on the modules. Upon receipt of the revised information, appropriate action will be taken.

If you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

KEYSTONE CONSULTING ENGINEERS, INC.



Christopher J. Noll
Sewage Enforcement Officer No. 01749

xc: Board of Supervisors
Planning Commission
Jill Seymour
Department of Environmental Protection
Clean Water Program
Brian Reisinger, PE
Core5 at Valley Commerce Center, LLC

Exhibit E

Pennoni Letter dated June 21, 2023



5072 Ritter Road
Suite 102
Mechanicsburg, PA 17055
T: 717-975-6481
F: 717-975-6480

www.pennoni.com

Via Hand Delivery & E-mail

June 21, 2023

CORE523001

Ms. Jill M. Seymour, Secretary
Lowhill Township
7000 Herber Road
New Tripoli, PA 18066

**Re: Response to Comments
Final Land Development Plan
2766 PA Route 100 Industrial Project
Core5 Valley Commerce Center, LLC
c/o Core5 Industrial Partners, LLC
Lowhill Township, Lehigh County, PA**

Dear Jill:

In response to the Keystone Consulting Engineers comment letters both dated May 22, 2023, and with reference to the above, we offer the following for the Township's consideration:

Final Land Development Plan Comments:

The plan proposes a 312,120 Square foot commercial warehouse/distribution center building on 43.4 acres, with associated parking, trailer storage spaces, and storm water management.

1. A revised on lot sewerage system has been submitted for review. See the Township's SEO review letter of May 22, 2023.

Acknowledged. Responses to the Township' SEO comments are provided herein. It should be noted that this Sewage Planning Module was previously approved by the Township Board of Supervisors during the Preliminary Land Development Plan process and it simply needs updated given the change in Ownership entity for the Final Land Development Plan.

2. All outside agency reviews and approvals are required: Lehigh Valley Planning Commission, PennDOT (HOP), Lehigh County Conservation District, Lehigh County Authority (water service).

Acknowledged. Copies of the PENNDOT HOP Plans were provided to the Township for review via May 17, 2023 email from Traffic Planning and Design, Inc. Lehigh Valley Planning Commission has also been added to the Required Permits and Approvals chart on the Cover Sheet.

3. A review by the Fire Chief shall be provided. The fire suppression system report/calculations shall be submitted for review.

Acknowledged. All fire related comments received to date have previously been addressed. Additionally, the fire suppression system design will be provided for review during the building design phase of the project.

Stormwater:

1. The information for the April 2022 on site testing is missing from Appendix E. The report contained is from December 2020. Please provide the new report for review.

The April 2022 infiltration information as well as the December 2020 infiltration information were both provided in the PCSM Report provided to the Township on May 8, 2023.

2. Show concrete aprons on all endwall details on the detail sheet CD 9.3.

Concrete aprons are now depicted on all endwall details provided on Sheet CS6003.

3. Where a site is traversed by watercourse other than those for which a 100-year floodplain is defined by the municipality, there shall be provided drainage easements conforming substantially with the line of such watercourses. The design engineer indicates in their response letter states an easement has been added to sheets UE 5.0-5.2, however we could not locate this easement. Please clarify. (SALDO §301.E)

A proposed drainage easement containing the assumed floodplain area of the existing onsite stream is now provided on Sheets CS1701 & CS1702.

4. In the post-development condition for Watershed Area #1 - Undetained, a significant portion of the area is considered to be meadow. Confirm the final cover type post- construction will be a meadow condition. Provide an exhibit to illustrate which areas will remain meadow post-construction.

All existing imperious areas (buildings, driveway, etc.) located within Watershed #1 – Undetained will be removed as part of the project. Sheet CS9102 reflects the proposed areas being replaced with meadow. Additionally, all other existing onsite wooded or meadow areas will remain the same as the pre-development condition.

5. The proposed berm along the Northeast portion of the site along the residential properties is in some cases approximately 4 feet above the existing grade. It appears that drainage from those properties may enter the subject property in the existing condition. If this is the case, the proposed berm could alter the existing drainage regime which alters the flow path of drainage and/or does not allow the properties to flow overland and drain. Confirm there will be no drainage regime change caused by the proposed berm or provide additional detail to illustrate there will be no concerns with stormwater ponding or causing damage to existing structures in the area. If the flow regime is changed, the affected properties will need to provide written acknowledgement indicating they are accepting of the changes in flow regime. (SALDO §301.D)

Proposed grading along the subject properties has been revised to provide positive drainage toward Inlets 1-13C and 1-14B while maintaining existing drainage flow regimes off the adjacent properties. Additionally, labels including slope labels and spot elevations have been added on Sheet CS1503 to reflect these changes.

6. The spillway elevation for Basin 2 does not meet the freeboard requirement (0.5 ft) above the routed 100-yr water surface elevation. Please revise. (SALDO §307.H)

As provided in the PCSM Report submitted to the Township on May 8, 2023, the 100-year routed storm within Basin #2 has a maximum water surface elevation of 641.99 which is 2.01 feet below

the berm elevation. Additionally, the basin full 100-year routed storm for Basin #2 has a maximum water surface elevation of 642.83 which is 1.17 feet below the berm elevation.

7. Water quality calculations have been provided; however, the ordinance requires the water quality to be calculated two different ways in addition to the recharge volume calculation. Please revise. The design engineer indicates in their response letter that both methods have been included in the PCSM Report, however we could not locate all methods in the report. Please clarify. (SALDO §304.B, §304.J)

The first calculation is provided on Page #11 of the PCSM Report. The second, demonstrated in the DEP worksheet, is provided on pages 100-113 appendix of the report. The DEP worksheet was previously placed incorrectly and is not placed in its indented location. The required Water Quality volume is being infiltrated through the use of the spray irrigation systems.

8. Provide confirmation that all setback distances are being met as it relates to infiltration BMPs. (SALDO §304.I)

Applicable setbacks for infiltration BMPs are now provided on Sheets CS1702 & CS1703. Additionally, Grading Note #20 has been added on Sheet CS0002 to indicate that the proposed spray irrigation infiltration areas are located greater than 100 feet away from neighboring existing residential buildings and their respective wells / septic drain fields.

9. Recharge volume must be calculated and infiltrated per SALDO §304.J.

The Recharge Volume calculations are now provided on Page #11 of the PCSM Report. The required recharge volume is being infiltrated through the use of the spray irrigation systems.

10. The PCSM provides routings which indicate a storage volume below the lowest orifice. This volume is proposed to be sprayed to meet water quality volume requirements. Since no lower orifices exist, the basin cannot be dewatered and it is assumed the irrigation system will run year-round. The provided spray irrigation plans indicate the system will be winterized from November 15 to March 15 and it indicates opening the winter drain valve at the basin. If the infiltration system is intended to be winterized, provide calculations to illustrate how the volume and rate of the net increase in stormwater runoff will be met during the winter. (SALDO §304.T)

Reference is made to the Spray Irrigation Plans provided at the end of the Final Land Development Plan set. The design of these systems is contained on these plan sheets and the intent of the winterized system, which is an accepted practice approved by Lehigh County Conservation District as well as Pennsylvania Department of Environmental Protection (PADEP), is to pump the remaining volume into the outlet structure at a peak rate less than the 2-year pre-development condition. This approach is similar to that of a Managed Release Concept when infiltration is not a viable option and will assure that the basins will be dewatered within the Township's required timeframe. Additionally, it should be noted that traditional infiltration basins do not typically function as intended during the cold winter months when the ground is frozen and snow / ice impede the ability for basins to infiltrate stormwater runoff.

11. Provide consistency between the water quality volumes stored in each basin and the calculations provided in the spray irrigation design.

The subject water quality volumes stored in each basin have been revised accordingly in the PCSM Report and on the Spray Irrigation Plans. The amount shown in the "REQUIRED" row under the category "VOLUME TO BE IRRIGATED" corresponds to the values provided in the DEP worksheet. The values in the "PROVIDED" row show the total amount the system can provide. It is intentionally shown to be more than the requirement to demonstrate compliance. Moreover, on the plans, Zone 1 now corresponds with spray irrigation system #1 and Zone 2 now corresponds with spray irrigation system #2.

12. Submit an operations and maintenance plan for proposed privately-owned stormwater management facilities in accordance with this section. Provide a note on the plans clearly identifying proposed stormwater management facilities that are to be privately owned and maintained and those that will be publicly owned and maintained. We note that notes have been added to Sheet SW 14.1, however, not all proposed BMPs are included in these notes (spray irrigation). Please revise or clarify. (SALDO §702)

A detailed operation and maintenance plan for the proposed privately-owned stormwater management facilities which includes spray irrigation systems is included on Sheet CS6501. This plan indicates that all stormwater management facilities are to be owned and maintained by the private property owner. The proposed spray irrigation plan sheets have also been added to the end of the Final Land Development Plan set. Additionally, Grading Plan Note #19 provided on Sheet CS0002 has been revised to clarify ownership and responsibilities as well as to add spray irrigation systems.

13. The Applicant shall enter into an operations and maintenance agreement with the Township addressing all proposed privately-owned stormwater management facilities in accordance with this section and Appendix E. Agreement language shall be subject to review and approval by the Township Solicitor. The agreement, operations and maintenance plan, and easements shall be recorded in the Northampton County Recorder of Deeds Office. (SALDO §704)

Acknowledged. The Owner will enter into this agreement at the time of final plan approval / recording and the agreement will be recorded in the Lehigh County Recorder's Office.

14. Pipe capacity conveyance calculations have been provided. We note there are several locations with gutter spreads in excess of 5 feet and ponded depths nearing 1 foot starting at the 25-yr design storm within the proposed site. The applicant should verify the potentially ponded water is acceptable to their anticipated operations within the site. The designer shall confirm the inlet grate dimensions and inlet area is correct based on the inlets being proposed. (SALDO §307.P)

Gutter spread requirements do not apply to private driveways or parking lots. Additionally, the hydraulic grade line calculations provided in the PCSM Report submitted on May 8, 2023 do not reflect a surcharge in the conveyance system in a 100-year storm event. As such, any ponding is related to the inlet capture capacity itself and the Owner acknowledges that there will be temporary ponding in the parking lots during a large storm event. Additionally, the inlet grate dimensions and inlet area used in the Inlet Report calculations provided within Appendix D of the PCSM Report represent PennDOT standards for Type C & Type M Inlet tops.

15. Show storm sewer pipe lengths and slopes on the profiles and plan views. Stormwater review will continue upon receipt. SALDO §3.304.n.

Storm sewer pipe length and slope have been added to all pipe labels on Sheets CS1502 & CS1503 as well as on all profile sheets.

16. Show the location of the anti-seep collars on the plan view. Sht. GD 4.1

Anti-seep collar locations have now been added on Sheet CS1502.

17. Show metes and bounds for the drainage/stream easement for the unnamed tributary to the Hassen Creek. SALDO §3.304.e.

A proposed drainage easement with metes and bounds is now provided on Sheets CS1701 & CS1702.

18. Provide the proposed maintenance practice for the southern slopes of the detention ponds. The slopes are excessive and create an un-maintainable and unsafe slope. Safety fence is required. SALDO §4.701.

The subject slopes are proposed as Landscape Restoration "Meadow" areas. As such, they will only be mowed twice a year so there is very minimal maintenance required. Additionally, a 4' high chain-link safety fence is now being proposed above the subject slope on Sheet CS1502.

19. As-Built plans shall be provided per SALDO §405.D.

Site Plan Note #18 has been added on Sheet CS0002 referencing this post-construction requirement.

General:

20. Improvements to Windy Road stormwater drainage shall be proposed.

It is recommended that a field meeting be conducted to determine the extent of these stormwater drainage improvements along Windy Road. The Applicant is not accessing Windy Road with the proposed project and has previously agreed to remove all existing buildings / impervious area on the lower end of the site and replace them with meadow grass in order to minimize runoff as part of this project. Additionally, it should be noted that the upstream onsite stormwater management design is significantly reducing peak discharge rates in all storm events at this point of interest to further mitigate the existing erosion concern along Windy Road.

21. Retaining wall designs shall be provided on the plans with Pa. Professional Engineer signature and seal verifying design.

Reference is made to MSE Retaining Wall Detail Note #5 on Sheet CS6001 regarding this requirement. This design will be completed during the building design phase of the project.

22. All references to York County and Snyder, Secary & Associates shall be revised to Lehigh County and Pennoni. (Sht. 28).

All prior references on this plan sheet have been revised accordingly.

23. Proof of ownership (Agreement of Sale) shall be provided. The latest source of title to the land as shown by the deed, page number and book of the Lehigh County Recorder, accompanied by an affidavit signed by the record owners of the parcel being subdivided and or developed. SALDO §3.304.I.

Acknowledged. Proof of Ownership will be provided to the Township under a separate cover directly by the Equitable Owner / Applicant.

24. Provide the Zoning Hearing Board determinations.

The Variance previously granted by the Zoning Hearing Board is reflected on the Cover Sheet and was provided as part of the Preliminary Land Development Plan approval process. No other requests or determinations are required as the Environmental Protection Areas (established via actual field survey & agreed upon by the Lowhill Township Zoning Officer at the time) are depicted outside the area of the proposed use on the Preliminary Land Development Plan (Last Revised May 9, 2022) which was conditionally approved by the Lowhill Township Board of Supervisors in June 2022. Further, no change is being proposed as part of the Final Land Development Plan submitted to the Township.

25. All monuments and markers shall be set in accordance with SALDO §4.703.

Site Plan Note #19 has been added on Sheet CS0002 referencing this requirement.

26. Provide an improvements estimate for review and approval. Items shall include all stormwater management construction and Erosion and Sedimentation Control.

Acknowledged. A Construction Cost Estimate for Financial Security will be provided to the Township for review once all other design / plan related comments have been addressed. Additionally, financial security will be posted prior to Final Land Development Plan recording.

27. All fees shall be paid and agreements entered into prior to final plan recording. SALDO §3.400.

Acknowledged. The Owner will pay all required fees and execute all required agreements prior to Final Plan recording.

Traffic:

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>
538	63 (49 in/14 out)	65 (18 in/47 out)

Of the 538 new daily trips, 186 are expected to be truck trips.

Acknowledged. No response required.

2. No signal timing changes at the Route 100 / Kernsville 8t Claussville Roads intersection are proposed. Improvements at the site's driveway connection to Route 100 include the construction of a 175'-long southbound right-turn lane and a 250'-long northbound left-turn lane.

Acknowledged. The Traffic Study which includes the traffic from the two (2) nearby projects has already been approved by PennDOT. Additionally, a copy of this revised Traffic Study was previously provided to the Township.

3. The study included trips from two (2) other proposed warehouses in the immediate area.

Acknowledged. No response required.

4. The current PennDOT HOP plans shall be submitted for review and further comments.

The PennDOT HOP plans recently submitted to PennDOT were also submitted to the Township for review via May 17, 2023 email from Traffic Planning and Design, Inc.

5. An acceleration lane shall be considered for southbound exiting the facility, onto Rt. 100.

Acceleration lanes are typically not permitted by PennDOT for a single private driveway. Additionally, PennDOT has already approved the project's Traffic Study which does not include an acceleration lane.

6. An updated Traffic Impact Study was submitted after the initial submission application and will be reviewed for future comment.

Acknowledged. No response required.

Sewage Planning Module Comments:

1. The narrative states that public water service is being proposed, Lowhill Twp. BOS have denied the extension of the water main. Water service must be addressed prior to adoption of the module.

The subject waterline extension agreement was previously approved and executed by all parties. Additionally, the design of the waterline extensions is provided within the Final Land Development Plan set which has also been provided to Lehigh County Authority for review and approval. As such and given that the Township previously approved the Sewage Planning Module during the Preliminary Land Development Plan approval process, we respectfully request to proceed with the Sewage Planning Module process so it can be reviewed by PADEP.

2. The narrative indicates a peak sewage flow of 3,000 GPD, and also indicates 250 as the maximum number of employees. This flow is based on average metered flows from facilities similar to the proposed warehouse. Although the current regulations allow this comparison for determination, The Department has implemented a new policy regarding warehouse uses. The comparison facilities must be identical in nature to the proposed use. Therefore, if a FedEx is proposed, the comparison must be FedEx uses. Devoid of a definite end user, the Department is using the prescribed flows from PA Code 25, §73.17 of 35 GPD for warehouse employee and 10 GPD for Office staff. The employee number cannot be as high as 250, without additional planning and soil testing for supplemental suitable absorption area. A covenant on the plan requiring the employee count be provided to Lowhill Twp on a monthly basis, shall be added to the plan. This count will help verify occupancy and the anticipated sewage flow generated by employees. An Operation and Maintenance Agreement is also required for this proposal.

The peak sewage flow, employee count and flow per employee justification provided were previously agreed upon by the Township SEO and PADEP during the Preliminary Land Development Plan process in which the Sewage Planning Module was approved by the Board of Supervisors. It is understood that the septic system cannot exceed 3,000 GPD and the flow per employee is based upon a typical warehouse use. In the event that a user requires more than 3,000 GPD, it is acknowledged that additional sewage planning would be required. Site Plan Note #11 on Sheet CS0002 has been revised to include this requirement. With regards to an Operation and Maintenance Agreement, we would request that the Township provide a sample agreement to the Owner and their Attorney for review and execution if required. It should be noted that a primary and backup septic drain field are already being provided for this project.

3. The Component 4A shall be reviewed and processed by the Planning Commission considering the current applicable ordinances.

Acknowledged. We submitted the Component 4A to the Township on May 8, 2023 and request that the Township provide the completed version of it to our Office which will ultimately be inserted in the final Sewage Planning Module package submitted to PADEP. It should be noted that this Component 4A was previously completed by the Township during the Preliminary Land Development Plan approval process and it simply needs updated given the change in Ownership entity for the Final Land Development Plan.

4. The Component 4B shall be reviewed and processed by the LVPC considering regional impacts.

Acknowledged. LVPC is currently reviewing the Component 4B and will provide the completed version of it to our Office which will ultimately be inserted in the final Sewage Planning Module package submitted to PADEP. It should be noted that this Component 4B was previously completed by LVPC during the Preliminary Land Development Plan and it is simply being updated given the change in Ownership entity for the Final Land Development Plan.

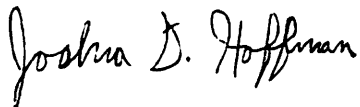
We are enclosing the following information for the Township's review:

1. Eleven (11) half-size copies and two (2) full-size copies of the Final Land Development Plan, dated May 8, 2023 and last revised May 31, 2023
2. Two (2) copies of the updated Post-Construction Stormwater Management Report

If you have any interim comments or questions or require any further information in this regard, please feel free to contact me. Thank you.

Sincerely,

PENNONI ASSOCIATES INC.



Joshua D. Hoffman, P.E.
Senior Engineer

cc: Mr. Ryan D. Christman, C.B.S.I., C.S.I., Keystone Consulting Engineers, Inc. (w/Encl., Via E-mail)
Mr. Christopher J. Noll, SEO, Keystone Consulting Engineers, Inc. (w/Encl., Via E-mail)
Mr. Brian W. Reisinger, P.E., Core5 Valley Commerce Center, LLC (w/Encl., Via E-mail)
File

*U:\Accounts\CORE5\CORE523001 - 2766 PA Route 100 Industrial Project\DOCUMENTS\Lowhill Township\Land Development\2023-06-21 - RTC KCE
Final LD Comments.docx*

Exhibit F

**LCCD Individual NPDES Permit Application
Completeness Deficiencies**



June 28th, 2023

Core5 Valley Commerce Center, LLC-c/o Core5 Industrial Partners, LLC
Brian W. Reisinger

121 Towne Square, Suite 202
Hershey, PA 17033

Re: Incompleteness Letter
2766 PA Route 100 Industrial NPDES Permit Application No. PAD390279
Lowhill and Weisenberg Townships, Lehigh County

Dear Mr. Reisinger,

The Lehigh County Conservation District has reviewed the above referenced application for an Individual NPDES Permit and has determined that it is incomplete. The list

below specifies the items that must be included in the resubmittal of your application and/or the submission of additional information. The *Pennsylvania Erosion and Sediment Pollution Control Program Manual* (E&S Manual) and the *Pennsylvania Stormwater Best Management Practices Manual* (BMP Manual) include information that may aid you in responding to some of the items listed below. The items are based on applicable laws and regulations, and the guidance sets forth the DEP's preferred means of satisfying the applicable regulatory requirements.

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (Document # 021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP's Permit Decision Guarantee is no longer applicable to your application.

Please note that pursuant to 25 Pa. Code § 102.6(c)(2), this information must be received within 60 calendar days by **August 27th, 2023** or the District may consider the application withdrawn.

Items for Resubmittal or Submission of Additional Information

Please see attached

As stipulated in 25 Pa. Code § 102.6(c)(2) of DEP's Chapter 102 rules and regulations (regarding complete applications), information requested by this office must be received within sixty (60) calendar days from the date of this letter, or The District may consider the application to be

withdrawn by the applicant and no further action will be taken. Fees are not refunded when an application is withdrawn.

Sincerely,

Holly Kaplan

Holly Kaplan
Assistant District Manager
Lehigh County Conservation District

cc: Joshua D. Hoffman, Pennoni Associates, Inc.(email)

Jill Seymour, Lowhill Township (email)
Brian Carl, Weisenberg Township (email)

**INDIVIDUAL NPDES PERMIT APPLICATION
COMPLETENESS DEFICIENCIES**

Project: 2766 PA Route 100 Industrial
Date Received: 4/30/2023
Municipality: Lowhill Township, Weisenberg Township
Reviewer: Maggie Wallner

The following comments detail the information that was either incomplete or not included in the permit application; comments correspond to the Completeness Checklist items which are in bold:

1. General §102.6(c)(1)

- a. Please provide updated PHMC Clearance upon receipt.
- b. Please provide a PNDI receipt that is both dated after 3/31/2023 (to include long-eared bat search), and signed.
- c. Please note that Land Use notifications to the county commissioners should be sent to 17 S. 7th Street, Allentown PA 18101. Please provide an updated certified mail receipt (green card).
- d. Please provide Lehigh County Authority's signed waterline extension approval upon receipt.
- e. Please provide 537 Approval upon receipt.
- f. Application, page 3, Compliance History: Please check the "In Compliance" box as well.
- g. Application, page 4: Please note that the Standard Operating Procedure (SOP) for Individual NPDES permits has been recently updated (3/7/23). To provide consistency with recent updates, please list the receiving watercourse as "UNT to Little Lehigh Creek via XX" on all documents, plans, Modules, and worksheets, as the Hasen Creek is not identified on the Ch. 93 list.
- h. GIF, page 1, Client Information: Please provide the "State Incorporation of Registered Fictitious Name" in the space provided.
- i. GIF, page 2: Please provide the 2-3 digit NAICS code in the space provided.
- j. Please provide the location of the downstream analysis consistent with the latest offsite downstream analysis document dated January 2, 2019:
 - i. On the Erosion and Sediment Control (E&S) and the PCSM Plan drawings, identify all properties and property owners that will, or may receive off-site stormwater discharges from the project site until discharges reaches surface waters. In addition, identify the vegetative cover of the flow path. This is not applicable when stormwater is piped the entire way from discharge point to confluence with the receiving watercourse, however, if water will briefly flow offsite overland before entering an inlet, the path from the project site to the inlet should be analyzed in the manner stated above. Note that this may be added in an appendix, or supplemental information section.
 - ii. Please provide a brief written analysis that demonstrates that the proposed volume and peak rate of stormwater discharging to the flow path will avoid, minimize, or mitigate accelerated erosion or sedimentation for storm events up to and including the 10-year/24-hour storm. For during-construction conditions show peak rate and volume up to and including 10-yr storm, and for post, the 2-yr storm. A summary table with pre, post and during condition flows may be provided to aid in hydrograph analysis.
 - iii. Please provide a brief statement indicating whether or not offsite erosion will occur as a result of proposed activities.

E&S

2. E&S Plan Planning & Design §102.4(b)(4)

- a. Module 1, page 1, Surface Water Name(s): Please identify all receiving watercourses shown on page 4 of the Application, as Module 1 is typically global for the entire project site.
- b. Module 1, page 1, #1: Please also provide a brief description of the site's general drainage pattern.
- c. Module 1, page 1 #2: Please provide a note regarding contaminants that is consistent with the Phase 1/Phase 2 reports.
- d. Module 1, page 1, #3: Please also describe the nature of past agricultural activity that has historically taken place on site. For example, row crops, animal husbandry, orchards, etc.
- e. Module 1, page 3: Please instead identify the rock construction entrance's ABACT modification in the "deviations from E&S Manual" column for the RCE.
- f. Module 1, page 5: Please provide the E&S plan sheet where the temporary stabilization seeding specifications can be found in the "Plan No(s). for O&M" column.

3. Supporting calculations and measurements §102.4(b)(5)(viii)

- a. Please ensure that max DA to the proposed Filtrexx Diversion socks and J-Hook sock are shown on the Maximum During Construction Drainage Area Map provided in the E&S Report if they will be present when there is the most bare-earth and impervious cover types onsite.
- b. It is identified in the E&S Report that worksheets #12-17 were utilized for the proposed sediment basins, however, only #12 could be located within the report, please clarify.

4. Plan drawings §102.4(b)(5)(ix)

- a. E&S Plan Drawings, sheet 1: Please more clearly label/identify the receiving watercourse on the provided USGS location map.
- b. E&S Plan Drawings: Please ensure that the exact LOD, NPDES permit boundaries. appears on the E&S plan-view, as they are currently shown as approximations.
- c. E&S Plan Drawings: Please ensure each discharge point is identified (consistent with 3-digit DP ID# assigned in the Application) on each applicable page of the E&S plan-view. For example, DP 001 is not identified on sheets 34 and 35.
- d. E&S Plan Drawings, sheet 43: Please identify the invert elevation of the key/cutoff trench on the provided detail for each facility.
- e. E&S Plan Drawings: Please provide a symbol on each applicable page of the E&S plans to represent the proposed energy dissipaters, and ensure that they are identified as such in the provided legend.
- f. E&S Plan Drawings: Please more clearly identify the location of the CFS J-hook(s), and ensure a representative symbol appears in the provided legend.
- g. E&S Plan Drawings: Please ensure the shading/hatch pattern representing areas to receive erosion control matting is identified in the provided legend.
- h. E&S Plan Drawings: Please ensure each existing/proposed inlet is identified on the E&S plan-view consistent with numbering/identifiers shown in the Storm Sewer Structure Table on sheet 35
- i. E&S Plan Drawings: Please provide additional proposed contour labels throughout the project site.
- j. E&S Plan Drawings: Please ensure sheet 34 is numbered in the title block.
- k. E&S Plan Drawings: Please ensure each endwall is labeled with a unique identifier on each applicable sheet of the E&S plan-view.

- l. E&S Plan Drawings: Please ensure that the receiving watercourse's Ch. 93 designation is identified on the E&S plan drawings.

5. Antidegradation Analysis

- a. Please provide an additional completed Module 3 document for discharges associated with DP 002.
- b. Module 3, 001: Please provide consistency with the surface water name identified on page 4 of the Application.

PCSM

6. General PCSM planning and design 102.8 (b)

- a. Please provide an additional completed Module 2 document for discharges associated with DP 002.
- b. Module 2, 001: Landscape Restoration is shown in the provided BMP chart as BMP 6, however, Re-vegetate/Reforest Using Native Species is identified as BMP 6 in the provided PCSM Report. Please provide consistency in BMP nomenclature throughout the plans, modules, and documents. If Landscape Restoration will be used in addition to reveg reforest, please ensure it is identified in the BMP table and receives its own BMP ID#.
- c. Module 2, 001, pages 3 and 5: Please provide consistency with the surface water name identified on page 4 of the Application.

7. Supporting calculations §102.8(f)(8)

- a. Please provide the hydrographs for routing to each SWM basin to accompany the provided summary sheets.
- b. Two spreadsheets were provided for DP 001, please clarify.

8. Plan drawings §102.8(f)(9)

- a. PCSM Plan Drawings, sheet 1: Please more clearly label/identify the receiving watercourse on the provided USGS location map.
- b. PCSM Plan Drawings: Please ensure that the receiving watercourse's Ch. 93 designation is identified on the PCSM plan drawings.
- c. PCSM Plan Drawings: Please provide additional proposed contour labels throughout the project site for clarification.
- d. PCSM Plan Drawings: Please ensure that the exact LOD, NPDES permit boundaries. appears on the PCSM plan-view, as they are currently shown as approximations.
- e. PCSM Plan Drawings: Please ensure each discharge point is identified (consistent with 3-digit DP ID# assigned in the Application) on each applicable page of the PCSM plan-view, including the Landscape Plan.
- f. PCSM Plan Drawings: Please identify each PCSM BMP using the single-digit BMP ID# assigned on page 1 of Module 2 on each applicable PCSM plan-view sheet.
- g. Please provide the PCSM and Spray Irrigation plans as separate PDF documents.
- h. PCSM Plan Drawings, sheet 51: Please ensure that final grade verification appears as a critical stage of BMP Implementation.
- i. PCSM Plan Drawings: If Landscape Restoration will also be done, please provide the applicable landscape restoration criteria notes (found on pages 216-217 of Ch. 6 of the PCSM Manual).
- j. PCSM Plan Drawings: Please provide flow arrows on all pipe runs for reference purposes.
- k. PCSM Plan Drawings: Please more clearly label/identify the soil types and boundary lines on each applicable plan-view sheet.
- l. PCSM Plan Drawings: Please provide additional existing contour labels throughout the project site on sheets 47-48 for clarification.
- m. Please ensure any on-site wetlands are labeled/identified on the PCSM plans.

9. Riparian forest buffer management plan §102.8(f)(14)

- a. Please provide an additional completed Module 4 document for discharges associated with DP 002.
- b. Module 4, 001: Please provide consistency with the surface water name identified on page 4 of the Application.
- c. Please provide the landscape plan as a separate PDF document.

NOTE:

ALL ELECTRONIC SUBMITTAL EMAILS SHALL INCLUDE THE FOLLOWING INFORMATION IN THE BODY OF THE EMAIL:

Please provide the following:

Project Name:

Municipality:

New submittal or resubmittal?

Completeness or Technical?

If re-submittal, who was the reviewer?.

Re-submittal fee necessary? If so, photo of check and when check was mailed.

Re-submit all NPDES submittals to Holly Kaplan, Cammy Kiechel and Kim Zieger via email.

WITH ALL RE-SUBMITTALS, SUBMIT A BRAND NEW PDF (NOT JUST THE PAGES THAT WERE CHANGED) WITH CHANGES IDENTIFIED/HIGHLIGHTED. IF YOU MAKE CHANGES OTHER THAN THOSE REQUESTED, ALSO INCLUDE THOSE SHEETS THAT HAVE CHANGED WITH THE CHANGES HIGHLIGHTED AND THE REASON FOR THE CHANGES DESCRIBED IN THE RESPONSE LETTER.