

Chairman Larry Geiger called the 509th meeting of the Lowhill Township Planning Commission to order on March 28, 2022 at 7:00 p.m. The meeting was held in person at the Fogelsville Volunteer Fire Company and on ZOOM due to the COVID-19 pandemic. Members: Larry Geiger, Stephen Lear, Kevin Bubbenmoyer, Barry Betz, Preston Nelson, Mike Divers, Zoning Officer Brian Carl, Attorney Keith Strohl and Engineer Ryan Christman participated in person. John Casciano participated via Zoom. The meeting was advertised and operated in accordance with Act 15. The 508th minutes were approved as submitted. Motion carried. Stephen Lear made a motion, seconded by Barry Betz to accept the plan for review. Motion carried.

2766 PA Route 100 Industrial Project – Land Development – Prel. Plan Dated 3/14/2022
(7503 Kernsville Road)

Catherine Durso (Fitzpatrick Lentz & Bubba, P.C.), Josh Hoffman (Snyder, Secary & Associates), Matt Nunn (Trammel Crow), Benjamin Guthrie (Traffic Planning & Design, Inc.) attended the meeting and presented the plan. The applicant is proposing a 312,120 sq.ft. commercial warehouse/distribution center on 43.4 acres. The applicant was before the Zoning Hearing Board (Case#176, Appeal # 21-3 – height variance) to apply for relief on the building height restriction. A variance was granted and the building is not to be greater than 50 feet. Matt Nunn gave an overview of the preliminary plan. The newly revised plan shows a single side load building with no trailer parking and no truck activity on the west side of the building. Josh Hoffman provided the multiple cross sections to show the residents what the proposed building will look like from various angles. Additional trees on top of the berm will be installed to further shield the warehouse from the residents on Route 100. They are anticipating having a fire tank on the site. A water line (LCA) will be coming up from the intersection of Rt. 100 and Beechwood Street in Lowhill Township. This site will have an on-lot septic system.

Brian Carl reviewed his comment letter dated 3/25/2022 with the Board and applicant. Ryan Christman reviewed his comment letter date 3/25/2022. Due to the amount and magnitude of the comments, Keystone Consulting Engineering and the Zoning Officer reserve the right to make additional comments as additional information is submitted.

The traffic study was received and concerns for traffic on Rt.100 and the intersection of Rt.100 and Kernsville Road and various other roads were discussed. Additional comments were heard from surrounding residents.

Joseph Howard (2872 Tycolia Court) asked who would be responsible for the landscaping plan if/when trees die after the completion of construction. There is a maintenance period that will cover the cost of replacing plantings if this occurs. The plants are shown on the land development plans and the Township can force the property owner to replace them.

Linda Mohr (3396 Masters Hill Road) asked if we know the hours of operation. Matt Nunn stated that the typical activity is 1-2 shifts during the day and one at night. Linda stated the truck traffic leaving this facility and utilizing township roads will be a nightmare because the roads are not equipped to handle large truck traffic. Ben Guthrie stated that they made the request to have all truck traffic that leaves the facility to turn right and continue South on Route 100 but this was denied by PennDOT. Ben also stated that his company is contracted to do the traffic study for all (3) proposed warehouse in Lowhill Township so the current one before the Planning Commission will be revised to reflect this all proposed volume.

Tammy Schweizer (2798 Rt. 100) questions the comment that stated nothing will be done at the intersection of Rt. 100 and Kernsville Rd. The developer has stated that the traffic study will be re-developed with the focus on all 3 warehouses.

Andre Fernandes (6651 Erica Circle) questions the traffic counts and how they come to those numbers. Ben Guthrie stated that PennDOT has industry standards that are compiled from real warehouse traffic around North America to come up with formulas as well as local publications that they are required to adhere to for their scoping study.

Joseph Howard (2872 Tycolia Court) asked Brian if anything has changed regarding traffic on Wertman Road or Windy Road. Brian stated that this has not changed. The warehouse does not have access to Windy or Wertman Road. The mobile home and driveway on this current property will no longer be there. The Township is requesting better signage for the existing truck restriction on Claussville Road and for Wertman Road to be restricted at Rt. 100.

Mr. Belnosky (2662 Windy Road) questions the widening of Windy Road and what to expect. Brian stated that the portion of Windy Road that is abutting this property will receive shoulder widening per our Township Ordinance. This will not be taking place on your side of the road. The purpose is to address erosion issues along the road from the existing dirt driveway.

Becky Hite (2678 Windy Road) asked for an additional cross section to be shown on a higher elevation of Windy Road and what that might look like. Josh Hoffman answered and stated he could accommodate that request.

Hillary Harrison (3943 Whitetail Court) questions why there isn't any mention of an air quality report with regards to Lehigh Valley and existing truck traffic. Matt Nunn stated that they continue to design buildings to exceed industry standards to prepare these building for the future. Mrs. Harrison stated that we are in a valley here and the air quality just sits and contributes to asthma, allergies and cancer. It's not getting any better and it is affecting the people who live here.

Mark Jarrouj (6623 Erika Circle) stated he would like the applicants to go down Rt. 100 to Breinigsville and build there. We don't have the infrastructure to handle this traffic. How many signatures do I need to acquire on a petition in order for you to understand we don't want it here in Lowhill and Weisenberg Township. Brian explained that Lowhill has to follow the Municipal Planning Code which is set in place by the State Legislator. The Township has to follow what the law says.

Robert Elbich (3153 Masters Hill Road) Lehigh County Commissioner - spoke to the residents regarding the process and that the LVPC and this Planning Commission Board is an advisory board. These Boards make suggestions but it doesn't hold the force of law. Laws are made by your Township Supervisors and the Multi-Municipal Planning Code. Brian stated that Lowhill is in fact part of the Multi Municipal Comprehensive Plan for Northern Lehigh that is currently being updated and will ready for adoption in the next few months. The six municipalities that are part this plan make up 38% of Lehigh County. Nowhere in this plan does it state "fair share" of a certain use so that the other municipalities don't have to have a particular use. There is no magic number that gives every municipality a pass on a particular use. Our Multi-Municipal Plan was one of the first in the State when it was drafted and approved over 15 years ago. All plans and changes happen at your Township's public meetings. The regional plan has been a good tool to control development over the last 15 years. The updated plan will be a good tool for years to come. Then Township has and is continuing to take steps to control and limit development. However we are not legally permitted to stop development just because we don't want it.

Angelo Argento (6639 Ericka Circle) is concerned with the amount of traffic on the roads already. He questions why the traffic coming from Kernsville Road and Rt. 309 is not part of the study. There is a lot of development happening behind Weis in Upper Macungie and the traffic of 600 new homes/apartments should be taken into consideration. Ben Guthrie answers the question and states PennDOT requires them to take into account real world traffic counts and the growth chart of Lehigh County.

Bernetta Dougert (2865 Tycolia Court) asked who do we need to talk to at PennDOT in order for them to take into consideration not the current standards of today's traffic but the amount of traffic that is going to impact this area with (3) warehouse and apartment complexes on top of the development at Grist Mill that she thinks is also going to affect Kernsville Road. Larry Geiger answered that it would be a combination of PennDOT and LVPC because they have the entire growth area of numbers of the Lehigh Valley. She also would like to view the Traffic Reports at the Township building. Brian stated that anyone who is interested in viewing any plans or studies is welcome to come to the Township office.

Sue McGorry (7453 Skytop Court) Questions the (R) Residential and the agricultural districts on the County website. Where does it state that warehouses are permitted? Brian Carl stated the County's information is only for assessment purposes. Land use is shown on the Township Zoning map and Zoning Ordinances. Her additional concern is when the traffic count was done in 2020 it was in an all-time low due to the pandemic. When will the traffic counts be updated? Also there is another dangerous intersection at Windy Road and Rt. 100. There have been numerous traffic accidents at this intersection and none have been included in this traffic study. She also questions fire safety. Matt Nunn addresses this question by stating that this warehouse will be equipped with an ESFR system with a fire tank that would be on site to handle the necessary water needed in case of a fire.

LoriAnn Wukitsch (2454 Apple Road) expressed her concerns are with the jug handle at Mohr Lane & Rt. 100. These tractor trailers are not able to navigate this area when they are lost. Her other question was regarding the height variance that was granted. Brian explained the reason that the Zoning Hearing Board granted a variance on the height of the warehouse. She is also concerned with noise pollution that this warehouse will bring.

Linda Mohr (3396 Masters Hill Road) reiterated that the intersection of Mohr Lane and Rt.100 is very dangerous.

Anna Nester (5346 Blue Bird Drive) voiced her concerns about the intersection at Sell Road and wanted this included in the traffic study.

Hillary Harrison (3943 Whitetail Court) wondered who is accountable when the traffic counts are wrong. PennDOT

Barry Bertsch (8097 Claussville Road) asked how many warehouse are available in Upper Macungie. Matt Nunn states that the Lehigh Valley has one of the lowest vacancy rates in the country for warehouse space. This data is taken quarterly.

Donald Link (4072 Windy Road) asked if they own the property already. Matt Nunn answers no.

Christine Dion (8053 Wertman Road) expressed her concern regarding the intersection at Wertman Road and Rt. 100. Do you currently have a tenant for the building? No. Did you they test for PFAS chemicals. This is a major contaminant in our soil and ground water. DEP should make you test for it and treat for it. Is wildlife testing being done in this area? Josh Hoffman stated that they have received clearance from US Fish and Wildlife.

Richard Woolley (7670 Carpet Road) asked about the retaining wall and the height of building. He also stated that another intersection to look at is Lyon Valley Road and Route 100.

Natalie Nester (Lynn Twp. resident) also expressed her concern with truck traffic.

Katie Horvath (3932 Whitetail Ct.) spoke in reference to the lack of respect of truck drivers disregarding the signage of "NO TRUCK TRAFFIC". She spoke with state police numerous times because trucks are on roads they are not supposed to be on. State Police apparently do not have the funding to sit and enforce this law so please address funding the State Police so they can take care of this issue.

Motion was made by Stephen Lear, seconded by John Casciano to table the plan. Motion carried. Motion made by Barry Betz, seconded by Mike Divers to adjourn the meeting at 8:37. Motion carried.

Next Meeting Date – **Monday, April 25, 2022.**

Respectfully submitted,

Janet L. Henritz
Recording Secretary