**NOTE** There were several people who spoke during the meeting that did not use the microphone and/or give their name and address. This made it very difficult to transcribe the minutes. Therefore, those portions were not able to be transcribed into the minutes.

**CALL TO ORDER**

The recorded meeting was called to order at 7:05 PM by Chairperson R. Unangst who led the pledge of allegiance.

**ROLL CALL**

Present were: Chairperson, R. Unangst; Supervisor, M. Kemp; Supervisor, P. Moser; Supervisor, R. Mills; Township Manager, D. Seiple; Township Solicitor, J. Piperato, III; Township Engineer Representative, J. Milot; Public Works Coordinator, G. Mathesz; Public Works Crew Leader, T. Gehringer; Secretary/Treasurer, R. Wedde and Vice Chairperson, M. Schwartz arrived late at 7:18 PM.

**HEARING**

Rock Lehigh Valley – ZAR #2016-18A

The hearing was called to order at 7:10 PM by Attorney, J. Piperato, III. A stenographic record was taken for the hearing. The applicant Rock Lehigh Valley, LLC submitted a petition to amend the zoning of the 155.03 acres owned by Lehigh-Northampton Airport Authority for Tax Parcels M5-2-16, M5-2-4, and M5-2-5. Attorney Piperato stated the applicant requests to change the zoning of the parcels from AG to LI/BP.

Attorney Piperato stated the Board exhibits are as follows:

1. #1 Amended Petition Application #2016-18A to amend zoning dated September 16, 2016.
2. #2 Proof of Publication indicating the matter was advertised in the April 19 & 26, 2017 editions of the Press Group Newspapers.
3. #3 Affidavit of Gary Mathesz, Public Works Coordinator indicating the property was posted with notices of the hearing on April 6, 2017.
4. #4 East Allen Township Planning Commission recommendation dated October 6, 2016.
5. #5 Lehigh Valley Planning Commission recommendation dated October 4, 2016.
6. #6 All notices mailed to the adjacent property owners and adjacent municipalities.

Attorney Joe Fitzpatrick represented the applicant Rock Lehigh Valley LLC and Lehigh-Northampton Airport Authority.

Bernie O’Hare interrupted the hearing claiming the Board is in violation of the Sunshine Act. B. O’Hare stated multiple people were asked to leave due to capacity issues, the meeting room was at capacity and the lobby had over 20 people in it that could not hear the proceedings. B. O’Hare stated since the Board is deliberating on matters of public concerns he suggested postponing and rescheduling the hearing at a larger venue for a later date to accommodate the large public turn out.

MOTION made by M. Schwartz to continue the Rock Lehigh Valley ZAR #2016-18A hearing at a later date in a larger venue at which the public will be notified and the Township will comply with the required advertising and posting of the property. Seconded by P. Moser. VOTE: R. Mills, yes; P.
Moser, yes; M. Kemp, yes; M. Schwartz, yes and R. Unangst, yes. ALL IN FAVOR. MOTION CARRIED.

D. Seiple mentioned that the public can provide their email addresses to sign-up to receive email blasts pertaining to Township news. R. Unangst requested a 10 minute intermission before continuing with the agenda.

The meeting resumed at 7:25 PM.

PUBLIC COMMENT (3 min./individual – Agenda items only)  
Paula McKee of 5625 N. Halbea Street asked if once the zoning is changed, can the board do anything in addition to placing conditions on the approval, who would enforce the conditions, and what happens when the conditions are violated. J. Piperato stated if the rezoning of a warehouse project is approved, it would be considered a Conditional Use under the Township zoning ordinance. J. Piperato explained the next step would include the applicant coming before the board to prove that all the conditions set forth in the zoning ordinance are satisfactorily addressed and a conditional use approval would permit the Board to impose additional conditions for the safeguard of the community that are not in the ordinance deemed appropriate by the Board. J. Piperato clarified the Township Zoning Officer is responsible in making sure the conditions are being upheld, the municipal engineering staff completes traffic counts and any violations will result in a violation notice being sent to the owner in which they have the right to appeal. If the violation continues, it will go through the court system with possible fines and penalties issued.

Georgiann Hunsicker of 5435 Monocacy Drive asked if the land purchased by the Airport was considered state land and if the zoning is changed from AG how would a traffic study be conducted. D. Seiple informed her the land is not state land. J. Milot mentioned as an example Airport Road Lot 1 conducted a preliminary study and the Board used the information to impose additional restrictions above and beyond what the study showed.

Paul Evans of 5300 Colony Drive questioned property ownership on Weaversville Rd. D. Seiple explained the Township owns the land where the former Juvenile Detention Center used to be located and the FRCA. P. Evans stated his concerns with the lack of police presence at night and the need for the State Police to patrol Bicentennial Park area due to cars, racing and items being dumped in the middle of the night.

Joe Gotzon of 5612 Colony Drive questioned the preliminary studies done and asked what the recommendations were of the planning commissions. R. Unangst stated the Lehigh Valley Planning Commission and the Township Planning Commission recommended the project to be approved. J. Milot explained the Lehigh Valley Planning Commission’s statement included the applicant’s request was consistent with their land use planning.

John Urban of 5525 Colony Drive asked if anything was being done in regards to traffic congestion and speeding on Colony Drive coming from Weaversville Rd. M. Schwartz stated the state police would need to enforce speeding regulations. R. Unangst explained that using stop signs to control speed of motorists is illegal.

Dan Mindler of 7583 Sylvan Drive had a general concern with warehouses in the township and recommended that the Board wait until they see the traffic impact FedEx will have on the township before approving any additional warehouses.
Mike Palos of 5626 Colony Drive was concerned about the recycling center (FRCA) off of Weaversville Road. He requested the Board to look at the current ordinance to see if it is required for motor vehicles to have items they are transporting tied or tarped down. M. Palos said an old Christmas tree, branches and grass clippings have fallen off the back of vehicles traveling down Colony Drive and landing in the road or on the properties on Colony Drive. R. Unangst stated the motor vehicles would be breaking state law if their load was not secured properly and as a voting representative of the FRCA he will address the issue at the next FRCA meeting.

Julius Iwantsch of 5610 Halbea Street asked who will regulate the flow of traffic from the warehouses. R. Unangst explained regulating the flow of traffic would be the responsibility of Penn Dot.

Alfredo Russo of 6639 Jacksonville Road stated his concerns with the general increase in traffic on Jacksonville Road and how will it be monitored, safety issues with vehicles speeding to make the traffic light to get onto Route 512 and lack of police presence in the Township.

ENGINEER
Update on Dogwood Road Culvert
J. Milot provided an update on the Dogwood Road Culvert and presented the Board with different comparative cost options to choose from that were based on visual observations and explained the project would still need to be surveyed. J. Milot asked the Board for direction on how they would like him to proceed. Discussion ensued. J. Milot explained the job would go out to bid publicly and also recommended self-regulating lane closure using a single lane until construction starts then closing the road entirely until completed.

MOTION made by M. Schwartz to authorize Hanover Engineering to proceed with Option 2 (57” x 38” Aluminized Steel Pipe) and to start the bidding process. Seconded by P. Moser. VOTE: R. Mills, yes; P. Moser, yes; M. Kemp, yes; M. Schwartz, yes and R. Unangst, yes. ALL IN FAVOR. MOTION CARRIED.

R. Unangst stated something needs to be done there now (on Dogwood Road) for safety reasons until this project is done. J. Milot suggested either reducing the roadway to one lane or closing the road entirely. Discussion ensued. The consensus of the Board is to reduce the roadway to one lane for now. The road will be inspected on a regular basis and the Board will be updated on the status. If it does become worse the road will need to be closed. When the construction work begins the road will be closed to all traffic until the project is completed.

Halbea St. Bridge
J. Milot reported he has been in contact with Penn Dot and will send them the plans on file to begin process to have the Halbea St. Bridge put on the list to be inspected.

Weaversville Road
J. Milot stated the new driveway on Weaversville Road connects to the farm property and appears to only be utilized by the farmer and does not connect to the FedEx construction site on the other side. D. Seiple reported the Zoning Officer inspected the property and also concurs.

SOLICITOR REPORT
Medical Marijuana Ordinance #2017-05 – Advertised for Adoption on 5/25/17
J. Piperato, III stated the Medical Marijuana Ordinance #2017-05 was advertised for adoption and a vote will be requested at the next meeting on May 25, 2017.

Jaindl Rezoning Request – ltr dated 4/17/17 – moved to May 25th Agenda at the request of the Applicant
J. Piperato, III stated the Jaindl Rezoning Request was moved to the May 25, 2017 Agenda at the request of the Applicant and also explained the letter request is to hold a public hearing under the new Board policy.

MANAGER REPORT
Indemnification Agreement for Use of Property/Weaversville Facility for Training
D. Seiple stated she has received requests from East Allen Township Fire Department and Northampton County Special Forces to use the property on Weaversville Road for training purposes. D. Seiple explained she has spoken with the insurance company and the Township Solicitor and was advised a Certificate of Insurance naming the Township as an additional insured and a signed Indemnification Agreement would be needed. D. Seiple asked the Board to approve the Indemnification Agreement that was signed by the Township Fire Department. No motion was needed and the consensus of the board was to approve. M. Schwartz made a verbal request for use of the property for the State Police and D. Seiple explained the Police Department would have to contact the office, place the request in writing and obtain a Certificate of Insurance naming the Township as an additional insured.

Allen Township Comp Plan – Review – Comment Letter
D. Seiple reported she has started to review the Allen Township Comprehensive Plan and will draft a comment letter for the Board to review and comment on as well to submit to Allen Township. D. Seiple stated the next Allen Township Public Meeting will be on May 24, 2017.

Parks and Recreation Board Appointment
• 1 seat – 5 year term open
• Received paperwork from Sharon Fournier
• Received paperwork from Marcia Petraglia

D. Seiple reported there is a five-year term open seat and she received volunteer applications from Sharon Fournier and Marcia Petraglia. She recommended accepting both applicants to serve on the Parks and Recreation Board.

MOTION made by M. Schwartz to appoint S. Fournier and M. Petraglia to the Parks and Recreation Board. Seconded by R. Mills. VOTE: R. Mills, yes; P. Moser, yes; M. Kemp, yes; M. Schwartz, yes and R. Unangst, yes. ALL IN FAVOR. MOTION CARRIED.

ZONING
ZHB #17-19002 – Charles Unangst
A Zoning Hearing is scheduled for May 16, 2017 at 7PM for applicant Charles Unangst.

ZHB #17-19003 – Airport Road Lot 1 LP
A Zoning Hearing is scheduled for May 16, 2017 at 7PM for applicant Airport Road Lot 1 LP. J. Piperato stated the Township received a letter dated May 10, 2017 from the applicant withdrawing all variances except for the maximum building height of 48’. J. Milot stated the industry standard height minimum is 42’. The Board of Supervisors authorized J. Milot and J. Piperato to attend the
meeting on behalf of the Board of Supervisors to hold the zoning ordinance building height at a maximum of 35’.

**PUBLIC COMMENT**

Sharon Fournier of 6316 Jacksonville Road asked for clarification on the Jaindl rezoning request. R. Unangst explained the Board recently changed the policy and applicants have to request to have a hearing for a zoning change then the Board will decide to grant or deny them a hearing.

Eric Miller of 7516 Miller Drive asked when the Rock Lehigh Valley hearing will be rescheduled and will the Penn Dot traffic study findings for Vertek (Airport Road Lot 1) be presented at a public hearing. M. Schwartz explained at the Rock Lehigh Valley hearing, the Board was advised they were in violation of the Sunshine Act, a larger venue for the hearing will be needed and it will be rescheduled for a later date. J. Milot explained the Penn Dot traffic study findings are discussed at Planning Commission and Board of Supervisor meetings and if the board gives an applicant approval based on the plan set it would still be conditioned on being able to obtain approvals from Penn Dot. J. Milot explained when an improvement proposed by a developer meets criteria through Penn Dot, but is adverse to what a township wants, the township can put input in as an alternative transportation plan. M. Kemp stated part of the conditions placed by the Board for Vertek included having eight intersections that were required to be reviewed by Penn Dot. J. Milot reported based on traffic studies Airport Road and Route 329 intersection were required to have significant improvements if Airport Road Lot 1 is approved and also included the possibility of road improvements for the intersection of Locust and Airport Rd. J. Milot stated the Township cannot control what is being done outside township boundaries. J. Milot explained Airport Rd and Route 329 are primary truck routes, all traffic from Allen Township will still travel up through East Allen and if the project does not go through, the intersection improvement will not occur and trucks coming from Allen Township and surrounding municipalities will still utilize the intersection. Discussion ensued regarding increase in traffic from warehouses.

Paul Hludzik of 110 McNair Circle in Allen Township asked how does Willowbrook and Radar Rd, as part of this project, get designated as a state road. J. Milot stated roads can be designated as a truck routes, a request can be filed with Penn Dot, they will conduct a study and verify it as an appropriate state road or not. If it expands through multiple municipalities’ coordination of all municipalities would be needed. Penn Dot has specific truck route mapping and trucks are allowed to use public roadways. P. Hludzik asked why the township fails to abide to the requests of the residents to keep the town rural. J. Piperato explained every township must provide for all lawful uses in zoning districts and the Comprehensive Plan that was adopted took in account all comments received by residents. Discussion ensued regarding rezoning. Multiple people talking that did not identify themselves. The consensus of the Board included the recommendation to the public to contact Lehigh Valley Planning Commission, Penn Dot, and state representatives to express their concerns regarding off-site improvements.

**ADJOURNMENT**

MOTION made by M. Kemp to adjourn the meeting at 9:17PM. Seconded by R. Mills. ALL IN FAVOR. MOTION CARRIED.

Respectfully Submitted,
Christina Moran
Rose Wedde
Recording Secretaries