

**UPPER ALLEN TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING  
May 22, 2023  
7:00 P.M.**

**PC MEMBERS**

R. Wayne Willey, Chairperson  
Robert Siodlowski, Vice-Chairperson  
Amanda Parrish, Secretary (absent)  
Scott Steffan (absent)  
Barbara Roddin  
Garth Wales  
Eric Clancy (absent)

**TOWNSHIP OFFICIALS - PRESENT**

Jennifer Boyer, Comm. Dev. Director  
Scott Finkenbiner, Planning Technician

**BOARD OF COMMISSIONERS**

Ginnie M. Anderson, Commissioner  
Richard Castranio, Jr., Commissioner

**CALL TO ORDER**

Chair Willey called the Planning Commission Meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Finkenbiner. Secretary Parrish, Mr. Steffan, and Mr. Clancy were noted as absent.

**APPROVAL OF PLANNING COMMISSION MINUTES**

Chair Willey called for the approval of the Minutes of the April 24, 2023, Planning Commission Meeting. Ms. Roddin made a **MOTION** to approve the Minutes of the April 24, 2023, meeting. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried unanimously (4-0).

**REVIEW OF BOARD OF COMMISSIONERS MINUTES**

Chair Willey noted the copy of the Board of Commissioners Minutes from the April 5th, 2023 meeting. Chair Willey accepted the minutes.

**OLD BUSINESS**

**A. Consideration/Action on Amendment to Floodplain Regulations (Article X) within the Zoning Ordinance (Chapter 245)**

Ms. Boyer explained that at the Planning Commission's April meeting the proposed revisions were presented, and the specified changes were made, while a few outstanding comments were still being discussed with FEMA and PEMA. At the time of the meeting, Ms. Boyer stated that FEMA considers accessory structures as anything with two rigid walls and a roof; therefore, open carports, decks, porches, or any structure not enclosed or roofed would not be considered accessory structures, but they could increase flood insurance premiums. As for recreational vehicles, the language stated that they could not be on the property for more than 180 consecutive days, and they were to be removed during flood warnings. Ms. Boyer was informed

that the statement about removing vehicles during flood warnings was a higher standard and not a minimum requirement by FEMA, the minimum requirement was that the vehicle must be fully licensed and ready for highway use. The primary issue with this section was the enforcement and liability which FEMA was unable to provide definitive answers for. Finally, Ms. Boyer clarified that for the use of fill in the floodplain, the language was updated to cross reference the existing permit requirements. It was noted that the updated version was sent to the County for formal review and comments, and to the PA Municipal League for review to meet the FEMA requirements.

Chair Willey called for a **MOTION** on the amendments. Vice-Chair Siodlowski made a **MOTION** to recommend approval of zoning amendment chapter 245 article X floodplain management to the BOC. The **MOTION** was **SECONDED** by Ms. Roddin. The motion carried unanimously (4-0).

#### No Public Comment

### **NEW BUSINESS**

#### **A. Autumn Chase PRD Phase IV**

Tim Mellott of Mellott Engineering represented the plan as the applicant's engineer. Mr. Mellott began by explaining that this plan is the fourth phase of the Autumn Chase development, consisting of 28 Townhome units, that staff comments had been received with no issues concerning any of them, and he would be open to discuss any concerns or answer any questions.

Chair Willey asked about the two waivers being requested for the plan. Mr. Mellott clarified that these waivers have been requested for every previous final plan. The Applicant is requesting relief to provide two-foot contour lines instead of one-foot contour lines, and relief from preparing separate road cross sections as the roads are all the same and they will provide a single standard cross section which represents every road.

Chair Willey called for a recommendation on the two waivers being requested. Vice-Chair Siodlowski made a **MOTION** to approve the waivers of Section 220-9.C(2)(o) and Section 220-10.B(2)(b) for the Autumn Chase Phase IV Plan. The **MOTION** was **SECONDED** by Mr. Wales. The motion carried unanimously (4-0). The waivers are:

1. Waiver of Section 220-9.C(2)(o) requiring contours to be at one-foot vertical intervals or as authorized by the Township Engineer.
2. Waiver of Section 220-10.B(2)(b) requiring cross section details of rights-of-way, cartways, sidewalks, and utility mains.

#### Public Comment

Ms. Elizabeth Leslie of 760 Allenview Drive stated that 230 feet from her doorway there is a 1/8 to

½ acre pile of trees. Each tree in the pile is around 80 feet long with a diameter between 20 and 36 inches. Ms. Leslie would like to know what is going to be done with these trees, also is anything going to be done about the dust being kicked up by the construction. Mr. Mellot stated that the trees should either be mulched to be used or removed. Regarding the dust, water trucks are utilized when conditions call for it, or when complaints are received.

Chair Willey called for a **MOTION** on the plan. Ms. Roddin made a **MOTION** to recommend approval of the plan with conditions. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried unanimously (4-0). The conditions are:

### **SUBDIVISION, LAND DEVELOPMENT & ZONING**

1. Clear sight triangles shall be provided for the proposed parking areas and what will be the intersection of Sweet Honey Lane. Trees shall be placed to not interfere within the clear sight triangle at full maturity, in accordance with Section 245-160 of the Codified Ordinances of Upper Allen Township.
2. Pipe sizes and the location of valves shall be shown for the proposed water distribution system, per Section 220-10.B(2)(c) of the Codified Ordinances of Upper Allen Township. The water utility must also be shown on the street and utility profiles. We acknowledge that a design for the water distribution system will be provided, and plan revisions will occur upon conditional plan approval by the Township.

### **STORMWATER**

3. Per Section 214-11.G of the Stormwater Management Ordinance, stormwater flows/direct discharges onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without the approval of the affected downstream property owner(s). We request that the Designer verify that the downstream conveyance facilities will adequately collect and convey the concentrated stormwater discharge from stormwater basin No. 6.
4. The standard inlet grates shall be specified for inlet numbers A56 and A55 instead of bicycle-safe grates.

### **GENERAL**

5. The Applicant shall ensure the temporary cul-de-sacs are large enough for the fire department's ladder truck to turn around (South Autumn Chase Drive).
6. The final plan shall note that it is a subdivision and land development plan for Phase IV.
7. Erosion Control Intent Note on Sheet 14 states there are 317 homes in Autumn Chase. This number of homes shall be corrected to say 295 homes.

8. Proposed contour lines that tie into the dwelling units along the Western property line do not correspond correctly with the singular finished floor elevation provided for each dwelling unit. A separate basement floor elevation and finished floor elevation should be provided for these units.
9. We recognize that Plan Sheet 7 of 16 provides just one written and graphic scale despite differences in viewports. Revise the plan sheet accordingly to provide a correct scale for each viewport.

#### **ADMINISTRATIVE**

10. The Applicant must submit a copy of the Erosion and Sediment Pollution Control Plan to the Township in accordance with the requirements of Section 220-27.A (1) of the Codified Ordinances of Upper Allen Township.
11. The Applicant shall obtain approval of the planning module for new land development or approval of an exemption from the planning requirements from the Township and PA DEP in accordance with the requirements of Section 220-20.A of the Codified Ordinances of Upper Allen Township and pay all applicable application and tapping fees in accordance with the requirements of Section 200-15.D(8) of the Codified Ordinances of Upper Allen Township.
12. The Applicant must provide evidence that the storm drainage and stormwater management facilities have been reviewed and approved by the Township Engineer, in accordance with Section 220-31 and Chapter 214 of the Codified Ordinances of Upper Allen Township.
13. The Applicant must enter into a Reservation of Capacity (ROC) Agreement with the Township and pay the appropriate ROC fees, or, pay tapping fees for the number of approved EDUs.
14. The Applicant must enter into a Sewer Extension Agreement with the Township and furnish the required \$1,000.00 escrow for plan and legal review costs, provide plats and legal descriptions for sanitary sewers to be located outside of the public rights-of-way, furnish the required escrow amount for inspection and related costs, and provide appropriate installation financial security for the sanitary sewers.
15. The Applicant must provide a copy of agreements with other utilities, highways, or railways when crossing and occupying their easements with new sanitary sewer facilities.
16. The Applicant shall enter into a Stormwater Best Management Practices Maintenance Operation and Maintenance Agreement with the Township and pay all applicable fees, in accordance with Section 214-20.E of the Codified Ordinances of Upper Allen Township.

17. The plan shall note separately the modifications and waivers granted by the Board of Commissioners including the date in which such action was granted, in accordance with Section 220-10.B(3) of the Codified Ordinances of Upper Allen Township.
18. The Applicant must sign the plan and have the signatures notarized according to Section 220-9.C(2)(dd) and 220-10.B(1)(a) of the Codified Ordinances of Upper Allen Township.
19. The Applicant must have the plan signed and sealed by a licensed surveyor and licensed engineer certifying to the accuracy of the survey and plan in accordance with Section 220-10.B(1)(b) of the Codified Ordinances of Upper Allen Township.
20. All plans, profiles or drawings required under the provisions of this chapter shall include a certification by a Pennsylvania-registered professional engineer attesting that all elements of the plan are in conformity with the Township Code and applicable state regulations, as required by Section 220-15.N(3) of the Codified Ordinances of Upper Allen Township.
21. The Applicant must submit a signed and sealed construction cost estimate for all public improvements, including sanitary sewer work, in accordance with Section 220-13 of the Codified Ordinances of Upper Allen Township.
22. The Applicant must provide financial security in a form acceptable to the Township and in an amount to be estimated by the applicant and approved by the Township Engineer to insure construction of the improvements and/or concrete monuments shown on the plan, and the applicant must enter into an agreement with the Township providing for construction and installation of all improvements shown on the plan according to Section 220-13 of the Codified Ordinances of Upper Allen Township. The financial security shall contain the provision that the Township shall be informed in writing thirty (30) days before the expiration date of any letter of credit or bond provided as a condition of approval.
23. The Applicant must also furnish financial security to the Township in an amount equal to 10% of the total financial security provided to cover the cost of construction inspection, administrative, and other related costs according to Section 220-52.B of the Codified Ordinances of Upper Allen Township.
24. The Applicant shall obtain final water main design approval from Veolia Water Company and furnish to the Township an updated design plan.
25. The Applicant shall also comply with all fees, taxes, utility rentals, building, police or fire codes, ordinances, resolutions and regulations as may be in effect from time to time concerning the proposed development.

- 26. The Applicant shall pay such fees as are charged from time to time by Upper Allen Township for other further reviews or permits as may be required concerning the proposed development.
  
- 27. The Applicant must satisfy all conditions on the approval of the plan and the plan must be recorded within 180 days from the date of approval by the Board of Commissioners or the plan will be considered disapproved. Since the final land development plan is approved with outstanding conditions, the signature block for the Upper Allen Township Board of Commissioners shall state the date in which the conditional approval is granted. A second line shall be added to state, “The conditions of approval were satisfied this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.”
  
- 28. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide a CD, a flash drive, or an electronic file submission that includes a .dwg AutoCAD file that includes one drawing of all the lots on the plan, in accordance with Section 220-3.6.A.(14) of the Codified Ordinances. The data shall include all tract and parcel boundaries, lot lines of all lots on the plan, building footprints, street rights-of-way (public and private), curbs, sidewalks, storm sewer infrastructure, sanitary sewer infrastructure, edge of pavement, hydrants, all utility or other easements (public and private), and any other data as required by the township and the county. The file shall be with a spatial projection of PA State Plan projections, PA South Zone (3702), MAD83 horizontal datum, NAVD88 vertical datum. Units shall be in US survey foot. A digital copy of the final plan in PDF shall also be submitted. The county Planning Department will not sign final plans until this file has been provided to them.
  
- 29. Upon approval of the final plan and prior to obtaining township and county signatures for final plan recording, the Applicant shall provide copies of any declaration of planned communities/condominium documents (including amendments) to both the township and the county.

The Applicant shall comply with all other applicable conditions as set forth in the PRD Tentative Plan Finding of Fact dated May 8, 2012.

No public comment.

**BUILDING INSPECTOR’S REPORTS**

Chair Willey noted the Building Inspector’s Report for April 2023.

**ADJOURNMENT**

There being no further business Vice-Chair Siodlowski made a **MOTION** to adjourn. The motion carried unanimously (4-0). Chair Willey adjourned the meeting at 7:36 P.M.