

MINUTES
UPPER SAUCON TOWNSHIP PLANNING COMMISSION
Reorganization Meeting
Wednesday, January 3, 2024 - 6:30 p.m.
Township Municipal Building

Call to Order/Pledge of Allegiance

Chairperson Falcone called the meeting to order at 6:33 p.m. with the reciting of the Pledge of Allegiance.

Members Present: Samantha Falcone, Chair
George Bloeser
Diana Inglis
Bryan Macfarlane
Tony Roman
John Zelena

Staff Attending: Trisha Lang, Secretary/Director of Community Development
Charlie Unangst, Township Engineer
Thomas Dinkelacker, Township Solicitor

Reorganization:

Nominations were accepted and motions were unanimously approved to elect the following:

Samantha Falcone, Chair
Gerry Anthony, Vice Chair
Trisha Lang, Secretary

Board of Supervisors Meeting Actions

No action on Subdivision or Land Development Plans

Minutes

No meeting minutes were available.

Subdivision and Land Development Reviews

A. Route 309 Commerce Center Preliminary/Final LDP Project No. 2022-19

Jim Preston of Broughal & DeVito LLP, and Jason Englehardt of Langan Engineering represented the applicant along with Bill Shafer, also of Langan Engineering, and Rob Hoffman of TPD.

Planning Commission members discussed items from the consultant review letters, including: the intersection improvements and PaDOT approval, the proposed buffer around Building A, and the overall stormwater design for the project.

Chairperson Falcone posed questions regarding the installation of sidewalks

And approval for the intersection improvements at Route 309. Mr. Englehardt was

asked to summarize the stormwater management plan for the project. His general overview of the design included an indication that all permits for the proposed work have been received, including the Act 167 consistency letter from LVPC.

Commission member Bloeser expressed concern about the proposal for stormwater being piped into the Saucon Creek and the impact of the anticipated turbulence and Commission member McFarlane questioned the applicant about the current conditions at this location.

Attorney Dennis McCarthy, representing residents Schultz and Krasnicke who own property along E Valley Road, identified concerns related to the impact of the stormwater management design on the existing flooding at these properties and asked for details regarding the construction of this infrastructure within E Valley Road as well as that the previously issued permits be updated. He requested that the concerns listed in correspondence to the Planning Commission be incorporated as conditions in the Commission's recommendation to the Board of Supervisors.

Ana Martins, P.E., acting as consultant for residents Schultz and Krasnicke, raised concerns about whether the reconstruction of E Valley Road could be accomplished within the Limit of Disturbance identified or whether there might be impacts to property adjacent to the right-of-way of E Valley Road and questioned whether the General Permit issued by DEP for the work was the appropriate permit given the potential impacts of the work in and around the Saucon Creek.

Discussion related to the proposed pipe connection to the existing culverts in the E Valley Road bridge, the need to clean out the existing channel, the benefit of a single-span structure continued and Commission member Bloeser suggested that a time extension be granted by the applicant in order to reach a reasonable solution of these issues.

These members of the public provided the following comment and feedback to the Commission:

Jim Dickey, 3475 Courtney Drive - raised issues related to the velocity of storm water, erosion, and pollution, including light pollution concerns associated with Pitt-Ohio. Also questioned surrounding tree replacement.

Joan Slota, 3880 E Hopewell Road asked what positive aspects does this project bring to our community?

Renee D'Amico, 3593 Stonegate Drive asked for clarification of the timing of the action on the proposal, and about the discharge from the property.

Jane O'Malley, 3171 Muirfield Road asked whether there would be a bond for future maintenance requirements

Patricia Minguillon, 3542 Sunnyside Road asked about work in the right-of-way for E Valley Road questioning how much of the road would be unusable, how long would it be inaccessible, and when.

Resident of 4556 E Valley Road - asked about truck traffic on E Valley Road and how equipment from their property would be able to access the road while it was under construction. Also asked how increased flooding would impact the residence.

After hearing from the public, the Commission took the following action on the Plan:

The PC voted unanimously to recommend **approval** of the following waivers:

1. Subdivision and Land Development (SALDO) Section 502.J.1 which limits the maximum length of a cul-de-sac street to 600’.
2. Subdivision and Land Development (SALDO) Section 506.C which establishes a minimum horizontal curve radius of seventy-five feet (75’)
3. Subdivision and Land Development (SALDO) Section 501.A.4.d which requires the placement of street trees between the curb and sidewalk
4. Stormwater Management Ordinance (SWMO) Section 308.B which requires installation of a low flow channel.
5. Stormwater Management Ordinance (SWMO) Section 308.A.2 which requires that all stormwater infrastructure in the collection and conveyance system that will be dedicated to the Township be designed in accordance with the UST Standard Construction Documents (Ordinance 153)

Prior to a recommendation related to the reviews prepared by the Township’s consultants, the PC voted unanimously to recommend the following:

1. In order to accommodate the design of the proposed E Valley Road drainage facilities (3, 36” pipes discharging into the Saucon Creek) the Developer shall replace the existing E Valley Road bridge, which consists of three (3) culvert boxes, with a single span, 2-lane bridge subject to the following:
 - Developer shall, at its own cost and expense, design, permit, and construct the single span bridge and its approaches to the satisfaction of the Township; and
 - Developer shall adhere to a schedule of design, permitting, and construction so as to complete construction of the bridge and its approaches within three (3) years of recording the plan.
2. Pending the completion of construction, the Developer shall be permitted to discharge to the Saucon Creek in accordance with the culvert box and pipe conveyance system as depicted and discussed in the Langan Technical Memorandum, dated December 6, 2023 and the Langan Structural Engineering Memorandum, dated May 11, 2023, further subject to other conditions as listed in the HEA review letter dated December 21, 2023, and additional conditions as follows:
 - Developer shall enter into an agreement satisfactory to the Township whereby it shall maintain all operation and maintenance responsibilities for the E Valley Road/existing bridge/3-pipe drainage system;
 - Developer shall release, indemnify, defend, and hold harmless the Township from liability for claims or actions for injuries, death or damages of any nature to property or persons (including reasonable legal and engineering fees) which in whole or in part arise out of or relate to, or are alleged to arise out of or relate to flooding caused by the installation or design of the E Valley Road/existing bridge/3-pipe drainage system;
 - Developer shall annually and after every significant storm event inspect the Saucon Creek (50’ upstream and downstream of the bridge) and the existing bridge structure and remove silt and debris to the satisfaction of the Township;
 - Provide a detailed structural analysis for the bridge verifying that the 36” pipe

- connection can be completed and maintain the structural integrity for at least the time period until a new bridge is completed;
- Provide a detailed design for the connection and repair of the existing bridge to include methods and procedures to ensure that work will be completed in such a manner as to leave a watertight finish at the 36" pipe locations for at least the time period until a new bridge is completed;
 - The conveyance system comprised of culvert boxes and 36" pipes shall be constructed on the western side of E Valley Road, and to the extent possible, in whole or in part, outside of the ROW of E Valley Road, if the Township can obtain ROW from necessary landowners;
 - Such other conditions as are drawn from the review letters.

The PC voted unanimously to recommend **conditional approval** of the **Plan**, subject to the following:

1. Satisfaction of the following comments contained in the December 21, 2023 Hanover Engineering Associates review letter:
 - a. Comments B. 1, 2, 4, 5, 6, 7a-g – provided that the bridge on E Valley Road be reconstructed to its existing width if destroyed by the Developer, 8a, 9a, 10a, 11a through 11.c, 12a, 13a, 14-22, 24a, 25-29, 33-37, 40, 41a through 41.c,, 42, 43, C. 1-4, 7a, 8, 9, and 17-19.
2. Satisfaction of the following comments contained in the December 27, 2023 Hanover Engineering Associated review later related to traffic:
 - a. Comments 1. through 3., 5.a. through 5.f., 6. through 9., and 11.
3. Satisfaction of the following comments contained in the December 13, 2023 Hanover Engineering Associated review later related to sewer:
 - a. Comments 3. through 7.
4. Satisfaction of comments 4-8.f, 10-14, and 17-26 contained in the December 28, 2023 memo from the Zoning Officer;
5. Satisfaction of the following comments contained in the December 26, 2023 review letter from Hydro-Terra Group:
 - a. The two (2) recommendations contained on page 3 of 3, requiring the applicant to provide measures to mitigate any threat of potential karst features on the stability of structures in accordance with SALDO Section 515.F.2.B., and also requiring the provision of notes to the record plan requiring inspection by a Pennsylvania licensed Professional Engineer or Geologist experienced with carbonate geology during excavation and grading, particularly in the areas of historic sinkholes and consultation with said licensed professional in the case of encountering soft soils or a sinkhole, and also requiring any sinkholes or geotechnical issues discovered during construction to be brought to the attention of said licensed professional and reported to the Township.
6. Satisfaction of all comments contained in the January 20, 2023 review by Chief Casterter of the Upper Saucon Township Volunteer Fire Department #1 including:
 - a. (i) that all buildings be equipped with interior stand pipe connections, the

- locations of which shall be coordinated with the fire chief prior to final plan submission;
- b. (ii) that all buildings be equipped with Knox boxes for use during emergencies, the locations of which shall be coordinated with the fire chief prior to final plan submission;
 - c. (iii) that FDC locations be established to determine proper hydrant placements on the site;
 - d. (iv) that interior radio communications be addressed prior to building occupancy; and
 - e. (v) that as built plans showing all mechanical controls be provided for all buildings, to the fire department in PDF form in an electronic format.
7. Receipt of all necessary PennDOT approvals for work in connection with the intersection and related traffic improvements.
 8. Acquisition of all necessary right-of-way for the intersection and related traffic improvements;
 9. Compliance with the Settlement Agreement dated October 20, 2022;
 10. Compliance with the Public Improvements Agreement between the Developer and KL Pennsylvania, Pitt Ohio Terminal Leasing and the Township;
 11. Execution of a subdivision and land development improvements agreement to the satisfaction of the Township;
 12. Execution of an Ordinance 108-B Agreement to the satisfaction of the Township;
 13. Provision of an irrevocable stand-by letter of credit in a form and amount satisfactory to the Township to secure completion of all required improvements;
 14. Recording of a deed reflecting the Lot Consolidation prior to or at the time of land development plan recording;
 15. Revision of the record plan to identify with specificity each waiver or deferral granted, the purpose/impact of the waiver or deferral, the conditions/terms of each waiver or deferral and the date of the grant of relief by the Board of Supervisors and,
 16. Payment of all review fees due and owing.

Public Comment.

None.

Discussion Items

None.

Adjournment

There being no further business, the meeting adjourned at 10:25 p.m. The next regular meeting is scheduled for February 5, 2024, at 6:30 p.m.