

Upper Milford Township
Board of Supervisors
Township Building, Old Zionsville, PA 18068
February 16, 2017 at 7:00 p.m.
WORKSHOP MEETING MINUTES

ATTENDANCE: Supervisors; George DeVault, Daniel Mohr, Robert Sentner: Manager,
Daniel DeLong: Secretary/Treasurer Jessi O'Donald; Solicitor Marc Fisher:
Planning Coordinator Brian Miller

Call meeting to order.

ANNOUNCEMENTS:

This meeting is being recorded principally to aid in the preparation of Minutes and for such other purposes as the Board sees fit. For that reason, will each person wanting to give any comments during this meeting, please state your name for the record and address the Board of Supervisors.

PUBLIC INPUT: (Note: The public will additionally be allowed to provide input as part of the workshop discussion items) None

OLD BUSINESS: None

NEW BUSINESS:

- 1.) Fields at Indian Creek Phase 1B and 2 (Discussion)
 - a. Letter from Planning Coordinator Brian Miller
 - b. Resolution No. 2017-020 on Regular agenda

The letter from Brian Miller states that the Planning Commission reviewed the proposed Fields at Indian Creek final Phase 1B and Phase 2 land development plan. The Planning Commission recommended approval contingent on the following items being addressed:

- Plan approval by Lower Macungie Township and the Borough of Emmaus.
- UMT, LMT and Borough approving the lot line adjustment plan for the 5.5215 acres of land that was added to the 77.7608 parcel within the Borough of Emmaus.
- Addressing all comments in the Ott Consulting Inc. review letter dated January 26, 2017
- Clarification of the Chestnut Street emergency access note of the plan.
- Any and All required outside agency approvals being met.
- Any outstanding fees being paid.
- Meeting requirements of previous municipal agreements.

Mr. Miller's letter goes on to state that the applicant is requesting approval from the Board of Supervisors. Mr. Miller asks that if the Board of Supervisors wishes to grant approval, they include these contingencies recommended by the Planning Commission.

Solicitor Fisher stated that Resolution 2017-020 has been seen by the developer and they are agreeable to it. All of the contingencies recommended by the Planning Commission are included in the Resolution. Solicitor Fisher then read through the Resolution for the Board.

Super Sentner asked about Resolution 2016-022 which was introduced by the Board of Supervisors May 5, 2016, with the agreement signed by the developer and received back to the Township May 31, 2016. Supervisor Sentner pointed out specifically sections I. and J. which stated the walking path and bridges would be installed as part of Phase 1 as well as the removal of refuse from the "dump" area, along with the emergency access road installation. Supervisor Sentner stated he is done with the whole plan. He feels they

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keep putting the cart before the horse with contingent approvals. Supervisor Sentner asked what benefit does Resolution 2017-020 hold to the Township if Resolution 2016-022 has yet to be completed. Supervisor Sentner stated the one thing the Township was to get out of this development was a walking path and bridges. These have yet to be installed.

Lew Rauch introduced himself from Lehigh Engineering, working for Kay Builders and the Fields at Indian Creek development. Mr. Rauch asked to speak in regard to the bridges. He stated that the plan split into phase 1A and 1B was due to the concern over whether or not the need was to replace the bridges. Once it was decided the bridges needed to be replaced, they needed to apply for a NPDES modification. The split happened so the development could proceed forward while the permit modification was filed.

Supervisor Sentner mentioned that the Bridge issue was the first major modification but the addition of the 5 acres and the lot line adjustment now needs another major modification. Supervisor Sentner said he knows there is a plan for the whole area. He would like to see the whole plan and proceed from there instead of all of the constant changes.

Supervisor Sentner also questioned the easements and wording on the plan presented.

It was explained by parties present that the wording came from the legal recorded easements between private landowners prior to the plan being presented to the Township. The Access Road is through the House and Barn Restaurant property even though the easements are listed on the plan. The easements are listed due to the legal requirement to show all easements on a development plan.

Solicitor Fisher commented that he was in agreement with the answer that the easements were recorded prior to the plan being submitted. The easements were between private land owners and because they are easements of record they need to be shown on the plan.

Supervisor Sentner said this plan changes so often it is hard to know which plan is being worked with. Supervisor Sentner feels they need to stop and make the plan correctly and complete items agreed upon prior to moving on.

Manager DeLong stated that in prior agreements no building permits would be issued for Phase 2 until the bridges were in place.

Supervisor Sentner stated the developer has been given a little and it didn't matter since he does what he wants to do. Supervisor Sentner asked if the Township Engineer has been out to the site to correct concerns.

Manager DeLong answered that Ott Engineering has been to the site a couple of times.

Mr. James Krippe asked if the plans were submitted with revision notations. Supervisor Sentner responded that the plans are notated.

Supervisor Sentner stated he has a concern with the inability to drive an emergency vehicle down the street with all of the contractor vehicles parked on the street.

Mr. James Krippe suggested that the Fire Company send someone there to make a recommendation to the Board of Supervisors in regard to the vehicles parked on the street.

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To date there have been five certificates of Occupancy issued for the development. There are people living in the development at this time.

Mr. James Krippe asked who was inspecting the building that were being built and who inspected the roads.

Supervisor Sentner responded that Alan Brokate is inspecting the buildings, the roads are not going to be dedicated to the Township. Alan has brought the accessibility concern to the attention of the Township.

Hearing no further discussion Chairman DeVault asked if anyone wanted to take action at the present time or wait until the regular meeting.

Motion: Supervisor Sentner made a motion not to approve Resolution 2017-020. Chairman DeVault asked if there was a second to the motion. Hearing no second the motion died.

- 2.) Solicitor Review and Report Fee Reimbursement- (Discussion)
 - a. Resolution No. 2017-022

Solicitor Fisher stated that the Township could charge for his consulting fees without changing the any Ordinance with the adoption of the fee resolution.

Motion: Supervisor Sentner made a motion to approve Resolution 2017-022. Supervisor DeVault seconded the motion. Any questions or comments, all were in favor, motion carried unanimously.

- 3.) Part-Time Seasonal Parks Caretakers- (Discussion)

Manager DeLong expressed the desire to hire two to three part time parks caretakers for the weekends. This has been handled by public works employees for the past year but would be more economical to hire additional part time employees for this task.

The Board of Supervisors were in agreement and gave permission to advertise and hire for part time weekend parks caretakers.

ANY OTHER BUSINESS: - None

EXECUTIVE SESSION: - Not Needed

ADJOURNMENT: Meeting was adjourned at 7:24 pm

03/02/2017

Chairman, George DeVault

Secretary/Treasurer, Jessi O'Donald