

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS
REGULAR MEETING AGENDA**

February 16, 2023 – 6:00 P.M.

www.lowermac.com info@lowermac.com

Next Resolution #2023-14
Next Ordinance #2023-02

1. CALL MEETING TO ORDER

2. PLEDGE TO THE FLAG

3. ROLL CALL

Board of Commissioners

President Brian P. Higgins
Vice President Richard V. Ward
Commissioner Ron R. Beitler
Commissioner Maury G. Robert
Commissioner Brian L. Shoemaker

Staff

Township Manager Bruce Beitel
Township Solicitor David Brooman
Asst. Township Manager/Secretary Renea Flexer
Director of Planning Nathan Jones
Township Engineer Bryan McAdam

4. AGENDA MODIFICATIONS (At Discretion of Board President)

5. ANNOUNCEMENTS & PRESENTATIONS

6. HEARINGS & APPROVALS

- 6.1. Conditional Use Hearing – Lower Macungie Mixed Use Development, LLC
- 6.2. Ordinance 2023-01 – Amending Chapter 1 to Reduce the Number of Planning Commission Members to Five
- 6.3. Resolution 2023-09 – Approving Emergency Repair of Sewer Line on Willow Lane

7. PUBLIC COMMENT ON NON-AGENDA TOPICS (Residents shall limit their comments to no more than three minutes)

8. COMMUNICATION

- 8.1. Matthew Lunning, 1174 Valley View Drive – Statement of Interest for Planning Commission and Zoning Hearing Board
- 8.2. Michael Siegel, 1939 Aster Road – Statement of Interest for Planning Commission
- 8.3. Lisa Fedullo, 6184 Putter Drive – Expressing Concern for the Lehigh Valley Town Center Proposed Land Development

9. APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS

10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

- 10.1. February 2, 2023

11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

11.1. Bill List of February 16, 2023

01	General Fund	\$93,174.77	33	Open Space Fund	\$1,643.00
08	Sewer Fund	\$2,834.34	35	Liquid Fuels	\$17,188.59
19	Debt Service Fund		37	Developers Impact	
30	Capital Projects Fund	\$1,191.50	01	Payroll	\$151,925.30
32	Federal Grants Fund		36	Developers Escrow	\$58,703.38
				Total Funds	\$326,660.88

12. DEPARTMENTAL MATTERS AND REPORTS

12.1. **Engineering**

12.1.1. Engineer's Report

12.2. **Planning**

12.2.1. Resolution 2023-10 – Security Release for Stone Hill Meadows Phase 2

12.2.2. Resolution 2023-11 – Security Release for Stone Hill Meadows Phase 2 for Recreation Fees

12.2.3. Planner's Report

12.3. **Solicitor**

12.3.1. Authorize the Solicitor to Advertise an Ordinance Amending the HE-Highway Enterprise Zoning District Pursuant to the Request from Landston Equities, LLC

12.3.2. Consideration of the Findings of Fact, Conclusions of Law and Decision Approving FireFly Technologies, Inc. Conditional Use Application for the Property Located at 6265 Hamilton Boulevard, Application #LMT 22-0009

12.3.3. Solicitor's Report

12.4. **Township Manager**

12.4.1. Resolution 2023-12 – Approving an Agreement of Sale with the PA Turnpike Commission

12.4.2. Resolution 2023-13 – Approving Appointment of Special Fire Police

12.4.3. Manager's Report

13. OTHER BUSINESS

13.1. **Old Business**

13.1.1. Chapter 18 Sewers Amendment for Updates (To Be Drafted)

13.1.2. Chapter 27 Zoning Amendment, Lookback (To Be Drafted)

13.1.3. Update Lower Macungie Emergency Operation Plan (Being Drafted)

13.1.4. Ordinance Amending Chapter 27 to Increase the Zoning Hearing Board Voting Members to Five and Eliminate the Alternates (Consider March 16th)

13.1.5. Ordinance Setting Bridge Weight Limits (To be drafted)

13.1.6. Farming of Township Land (Review Bids at February Workshop)

13.1.7. Roadway Crack Sealing Project (Review Bids at February Workshop)

13.1.8. Planning Commission Vacancy (Application Deadline is March 20th)

13.2. **New Business**

14. BOARD OF COMMISSIONERS REPORTS

14.1. The next Board Workshop is February 27, 2023 at 6 p.m.

14.2. The next Board Regular Meeting is March 2, 2023 at 6 p.m.

15. EXECUTIVE SESSION (IF NECESSARY)

16. ADJOURNMENT



3400 Brookside Road, Macungie, PA 18062
Phone: 610-966-4343 | Fax: 610-965-3654

December 14, 2022

To: LMT Board of Commissioners
From: LMT Planning Commission
Subject: Lower Macungie Mixed Use/ North Krocks Mixed Use Conditional Use

At our December 13, 2022, Planning Commission Meeting, the Planning Commission discussed the above referenced matter.

The Planning Commission recommends approval of the Lower Macungie Mixed-Use/ North Krocks Mixed-Use Condition Use, conditioned upon the following:

1. The Applicant shall address all comment letters by the Township Engineer, Township Planning Department and Township Zoning Officer to the written satisfaction of each.
2. The Applicant shall address proposed vehicular site access and egress from North Krocks Road to the written satisfaction of the Township Engineer prior to the submission of a preliminary land development application.
3. The Applicant shall provide written verification from PPL and other utility easement/ ROW holders that space may be used for roads, stormwater management, landscaping, walking paths, etc. as depicted on the plan prior to submission of a preliminary land development application.
4. All proposed site architecture shall be reviewed and approved to the written satisfaction of the Township Planning Department and the Township Zoning Officer.
5. The Applicant shall install a traffic signal at the intersection of North Krocks Road and Cetronia Road in Upper Macungie Township, as previously required, at the direction of the Township Engineer and PennDOT.
6. Emergency access, with a gate and Knox Box, shall be designed and provided at the rear of the site from Cetronia Road or Service Plaza Road to the written satisfaction of the Township Engineer.

7. All on-site lighting shall conform to Township Zoning Code, Chapter 27, and be dark sky friendly. The final lighting design shall be reviewed and approved by the Township Engineer.
8. Street walls with landscaping beds containing ornamental plantings shall be installed in front of all parking areas abutting the main loop boulevard of the site to the written satisfaction of the Township Planning Department and the Township Engineer.
9. All stormwater management features shall be naturalized with appropriate seed mixes and plantings to the written satisfaction of the Township Planning Department and the Township Engineer.
10. The final landscaping plans shall be reviewed and approved to the written satisfaction of the Township Engineer and the Township Planning Department.
11. If feasible during formal technical design, the basin abutting the commercial building and immediately to the south of the proposed hotel shall be a water feature basin with fountain.
12. A plaza space connecting the outdoor dining area, bike racks and walking trails shall be included on the Land Development Plan to be reviewed and approved by the Township Planning Department.
13. All on-site landscaping shall be maintained, and as required replaced, by the Applicant and its successors -and assigns, as depicted on the record plan in perpetuity.

Respectfully submitted,

Tom Beil
Chairman
Lower Macungie Township Planning Commission

pc: LMT Planning Commissioners
Bruce Beitel – Township Manager
Nathan Jones, AICP, – Director of Planning & Community Development
Bryan McAdam, P.E. – CKS Engineers, Inc.
David Brooman, Esq. – High Swartz
Carl Best – Zoning Officer

Lower Macungie

TOWNSHIP

EST 1852

3400 Brookside Road, Macungie, PA 18062
Phone: 610-966-4343 | Fax: 610-965-3654

TO: Lower Macungie Township Planning Commission

DATE: December 6, 2022

SUBJECT: North Krocks Road Mixed Use Development Conditional Use Review **UPDATED**

Dear Planning Commission Members:

A Conditional Use Application and plan for a mixed- use development on North Krocks Road across the bypass from Hamilton Crossings has been submitted for your consideration. The project now consists of a **318** unit apartment community with clubhouse, pool, dog run, sports courts, etc. , a 160 room hotel and a single commercial building with just shy of 20,000 square feet of retail/ dining/ service space to be determined. Accessory parking and stormwater management facilities are proposed. **A future Phase II area is now identified where the balance of the previous apartment units would be located.**

Southwestern Lehigh County Comprehensive Plan: The area is planned for Mixed Use which according to the Plan, which is set “to harmonize or to promote the continued co-existence of residences, stores and low-impact services in an arrangement most conducive to non-motorized vehicles and pedestrians.”

FUTURE LV: Regional Comprehensive Plan: The property is within the area shown for “Development” which per the Plan states: “these areas have most or all of the factors needed to support growth, such as sewer and transportation infrastructure capacity and contiguity to existing development, and are capable of accommodating a substantial amount of additional development. These areas are appropriate for a variety of uses, including major commercial, residential and industrial development.”

Zoning Classification: The property is located in the HC (Highway Commercial) District. The purpose of the Highway Commercial District is “to provide a place where Township residents and others can purchase goods and services in the busy auto-oriented portion of the regional Hamilton Boulevard Corridor and Route 222.”

Existing conditions: The site has been vacant for some time and previously was considered for a Hamilton Crossings Phase II that never came to fruition.

Proposed Use: As noted above, the Applicant proposes a large mixed-use development with apartments, a hotel and commercial space.

Planning Considerations:

Site Plan and Architecture: The plans submitted for this sketch show 2 points of access off Krocks Road at the existing access/ maintenance road and then north with a slightly offset second entrance. Traffic will need to be designed to include a traffic signal at Centronia Road per prior subdivision approvals and any other upgrades as necessary in the area. Traffic impacts to Upper Macungie Township should be considered during design. **Given the size and scale of the community, a third emergency access should be negotiated with the Pennsylvania Turnpike at the northeast corner of the site for life safety personnel and vehicles. This access point is strongly urged by Township Staff.** The site is accessed via a loop road that is proposing boulevard style design, this is to be commended. From the boulevard, an internal road network then begins to the apartments, hotel and residential amenities. Interconnectivity of the residences and hotel to the commercial space is vital for making this a functional mixed-use project. The apartment community proposes a full suite of amenities through-out the site, which is a major asset.

Certain accessory uses for stormwater, roadways and parking are located in utility easements. It shall be confirmed that the utility company will permit this as it has with other developments.

The proposed architecture shall comply with Lower Macungie Township Design Guidelines and utilize architectural cladding. The renderings, as presented, show the three uses and their design schemes. The apartments should include a greater mix of siding variation with more stone façade and varying styles of siding that perhaps include more board and batten elements to break up the larger areas of dutch lap. The commercial structure proposes varied rooflines and building materials. Additional siding variation and colors should also be considered. Utilizing design elements similar to Hamilton Crossings or Shepherds Corner are both encouraged. The hotel appears to utilize a corporate branding style with its architecture. Any potential design alterations to mesh with the surrounding development is encouraged. **The resubmission shows an improved commercial/ retail center use. Awning colors should be switched from yellow to a more neutral tone. The proposed apartment structures only show architectural variations with stone on a single side of the structure. Given the openness of the development, the cladding should be uniform on all four sides of the residential buildings.**

Upon further inspection, several parking lot areas show spaces facing out onto the proposed boulevard. Masonry street walls should be installed to shield headlight glare into traffic per the Lower Macungie Township Design Guidelines.

Sidewalks/Walkways: The plan shows a robust walking path system that is highly commended. Connecting residents and hotel customers to the commercial building remains essential, a pathway is shown connecting the residences and hotel to the commercial site. The area should be expanded on the western side of the basin to accommodate a large patio/ plaza instead of the smaller pathway connection shown. **The Plan has been revised showing improvement on the comment. A small plaza where the proposed bike racks are adjoining the outdoor dining area and continuing to provide connectivity between the hotel use and the commercial/ retail use should be included.**

Stormwater: As this is a Conditional Use plan, no formal design is yet done. The Applicant has elected to construct new stormwater facilities and not tie into the existing one immediately abutting the site. All new facilities shall be naturalized per township ordinance. **Further, the basin by the hotel and commercial site should be transitioned to an amenity with a fountain or the like. Special care must be taken for downstream areas as Schantz Road is known to flood during heavy rain events. Also, there is township stormwater infrastructure that travels under the bypass and through the site. This stormwater conveyance shall not be impeded or altered.**

Landscaping and Lighting: No landscaping or lighting is yet proposed for the site as this is a Conditional Use plan, Future submissions will be reviewed and commented upon, as necessary. Open areas with minimal public access should be naturalized to ease maintenance requirements and enhance stormwater benefits. All lighting shall be dark sky compliant to minimize glare and light pollution from the site. The buffer along the Route 222 Bypass should be further enhance for quality of life purposes of the residents. Additionally, where other off site uses are close by, further buffering should be installed. Plantings under utility lines/ within easements will be limited to a specific list by the utility company. **The submitted landscape plan is an appropriate beginning for purposes of the Conditional Use Plan. Street trees should be a variety with a non-invasive root system. Ornamental flowering trees, shrubs and grasses should be utilized through out the site.**

Final Considerations:

1. As before, the internal road system should be named and the township should work with the applicant to devise an addressing system that is comprehensive and convenient for mailing and emergency response purposes. **This item will continued to be addressed during the approval process.**
2. As noted above, traffic and stormwater from this site will require careful design to minimize impacts on the greater area and abutting communities.
3. A Public space enlarging the path and patio area on the eastern side of the commercial building is recommended instead of the simple trail connection shown. **This item is nearly complete at this time.**
4. The Applicant should explore making minor modifications to the apartment and retail structures' facades/ elevations. **The residential structures should include continued improvements to facades.**
5. Enhancing buffering along the 222 Bypass and at the rear of the site near the Turnpike land and utility/ transformer space will be necessary to ensure quality of life for future residents. **This item has been addressed.**
6. **Street walls should be installed where parking faces the proposed boulevard to minimize glare and ensure driver safety while providing an aesthetic solution.**

Please do not hesitate to contact our office with any questions or concerns.


Respectfully Submitted,

Nathan Jones, AICP
Director of Community Development

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3400 Brookside Road, Macungie, PA 18062
Phone: 610-966-4343 | Fax: 610-965-3654

TO: LMT Planning Commission
FROM: Carl L. Best, Zoning Officer 
DATE: November 17, 2022
SUBJECT: 617 N. Krocks Rd.
Mixed Use Development/Sketch Plan

I have received the application and plans for the above referenced property submitted by French & Parrello Associates in behalf of Krocks Road Development. As Zoning Officer, I offer the following comments relative to the **Zoning Ordinance 2019-10, Chapter 27**. Plan Last Revised **November 9, 2022**.

ZONING ORDINANCE (Code of Ordinances) CHAPTER 27

The plan proposes ten-unit (10) apartment buildings totaling 318 dwelling units that include a clubhouse and pool along with a hotel and 19,800 S.F. of retail space. The plan also includes a boulevard style loop road connecting the above referenced uses to N. Krocks Road. The subject property is bounded to the north by the US Rt. 222 By-pass (SR 0222). The plan also proposes outdoor gathering areas, walking paths, a dog park, parking facilities and stormwater basins. The subject property is located in an HC-Highway Commercial Zoning District in which Mixed Use Developments in this District are permitted by Conditional Use with a minimum lot size of ten (10) acres. The plan proposes a Phase II (future) development along the northern portion of the property. The property will be serviced by both public water and sewer. My comments are as follows;

1. **Section 27-2412** Mixed-Use Development in the C-Commercial District.
 1. Purpose and Qualifying Criteria.
 - A. Multifamily apartment dwellings in the C-Commercial District are deemed to be desirable forms of development in order to reduce traffic congestion by locating residential and nonresidential uses in close proximity, thus providing for varied peak traffic times and reducing off-site trips.
 - B. A walkable design for pedestrians shall be a priority, and where applicable, multifamily apartment dwellings shall have an interconnected street and walkway system to produce a safe and comfortable pedestrian environment which is open to the public.
 - C. Such communities shall provide for positive economic benefits to the Township and provide housing choices for Township residents.
 - D. Such communities shall effectively protect important natural features of the site.

- E. Such communities shall utilize sustainable design practices where practical.
- 2. Multifamily apartment dwellings shall comply with the following general performance standards:
 - A. Public water and sewerage service is required.
 - B. All utility service lines shall be placed underground.
 - C. Direct access to an arterial road is required and the dwellings shall be within a 1/2 mile walk of neighborhoods and other business destinations.
 - D. Buffer yards shall be provided as set forth in 27-1803. In cases where a buffer yard would be required to be located in the floodplain or in a woodland, and if vegetation exists that provides equal or greater visual protection to adjacent property owners, no additional buffer plantings are required. The planting requirements of 27-1803.1.D shall otherwise apply, except that buffer yards along arterial roads shall be designed to create a pedestrian-oriented streetscape. In addition to street trees, a combination of ornamental trees, shrubs and ground cover plants, and low-level berming outside of the right-of-way shall be required to soften the appearance of parking lots and buildings from the public view and shall also be elements of an arterial road buffer.
 - E. Pedestrian and bicycle pathway locations shall be coordinated with the Bicycle and Pedestrian Pathway Plan of Lower Macungie Township. Such pathways or sidewalks shall be provided within or adjacent to the community. All sidewalks and pathways shall be constructed in accordance with 22A-805.9.
 - F. Full cut-off dark sky friendly fixtures shall be provided for all roadway and common area lighting to reduce light pollution, light trespass and glare. If there are security issues in certain locations, this standard may be modified in limited areas near buildings and parking lots.
 - G. The applicant shall consider LED fixtures for outdoor lighting in common areas to reduce power consumption.
 - H. Building elevations shall be provided for review and approval of the architectural scheme of the buildings during the conditional use process.
 - I. The lot area, width, building coverage and yard requirements applicable to the C-Commercial District as contained in 27-10A07 and 27-10A08, shall apply. All of the requirements shall be applied on a development-wide basis, without regard to individual uses within the development.
 - J. There shall be at least one area with a bus shelter within or adjacent to the multifamily apartment dwellings use for public and private transportation pick-up and drop-off of passengers.

3. Notwithstanding anything to the contrary in 27-1701, multifamily apartment dwellings shall be permitted only on a lot that contains one or more nonresidential principal uses that are permitted by right or condition in the C-Commercial District; provided, however, that a coordinated development of multifamily apartment dwellings and one or more nonresidential principal uses on multiple lots or parcels may be considered on a single lot or parcel for purposes of this paragraph and the requirements of 27-1007, 27-1008 and Subsections 2, 5 and 6, subject to the following conditions:

A. The multifamily apartment dwellings use with nonresidential use(s) shall be in accordance with a unified site plan and architectural scheme approved by the Township during the conditional use and land development submission process.

B. If the multifamily apartment dwellings use is owned, built, or financed by multiple persons, the Township must receive satisfactory evidence that all such persons are legally bound to conform to the above-required unified site plan and architectural scheme and to insure long-term maintenance of the facilities.

C. The Township must receive satisfactory evidence of reciprocal cross easements which allow for common parking and which provide internal vehicular and pedestrian interconnections between the lots or parcels.

D. The Township must receive the following, which shall be subject to review and approval by the Township Solicitor:

(1) Copies of deed restrictions and/or easements that will apply.

(2) A description of the organization, including its bylaws, and all documents governing maintenance requirements and use restrictions for common facilities.

(3) Membership in the organization shall be mandatory for owners of the lot on which the multifamily apartment dwellings are located.

(4) The organization shall be responsible for maintenance of and insurance on common facilities, such as, but not limited to, stormwater management areas, common driveways, common landscaping, common lighting, and any other common elements or amenities shown on final plans.

(5) The members of the organization shall share equitably the costs of maintaining, insuring and operating common facilities and amenities.

4. For purposes of this section, the residential portion of a lot containing multifamily apartment dwellings shall mean any parcel, tract, building, or structure where the principal use located thereon or therein is multi-family apartment dwellings and 50% of any common area, accessway, or driveway shared by the residential and nonresidential principal uses on the lot. The nonresidential portion of a lot containing multifamily apartment dwellings shall mean any parcel, tract, building, or structure where

the principal use(s) located thereon or therein is nonresidential, and 50% of any common area, accessway, or driveway shared by the residential and nonresidential principal uses on the lot.

5. The following are specific criteria which must be met by the mixed-use development in the C-Commercial District:

A. The maximum density shall be 8.5 dwelling units per acre of the residential portion of a lot; provided, however, acreage offered for recreation lands and dedicated to the Township for public use may be counted in the density calculation.

B. Stormwater management facilities shall be designed as amenities for the development and aesthetically enhance the multifamily apartment dwellings through integration of the facilities into the overall landscaping plan of a lot.

C. Sidewalks, a minimum width of five feet wide, shall be provided within the residential community, linking common parking areas to all building entrances and allowing for walkable connections between buildings. Furthermore, sidewalks shall be provided which link the residential portion to the nonresidential portion.

D. Dominant exterior materials of the buildings must include a combination of wood, brick, stone, concrete masonry units such as split face block or block molded with a textured surface, fiber cement, glass, vinyl, stucco or synthetic stucco. Dominant building and roof colors must be low reflectance, neutral or earth toned. The use of high intensity colors, metallic colors and black is prohibited, although building trim and accents may feature brighter colors.

E. No residential building shall have more than 60 linear feet in continuous wall without a minimum 18 inches horizontal articulation of the building facade which may include changes in building plane and/or materials to break up the scale of the facade. Such articulation may include, but is not limited to, projecting bays, changes in roofline, recessed entries, patios, and balconies. Such setbacks shall be at least two feet in depth.

F. The maximum length of a building shall be 220 feet.

G. No building shall be located closer than 50 feet to any other building.

H. No building shall be located closer than 15 feet to off-street parking areas, unless the area serves as access to a garage. No building shall be located closer than 15 feet to an internal driveway.

I. The minimum floor area for a one-bedroom dwelling unit shall be 600 square feet, 800 square feet for a two-bedroom dwelling unit and 900 square feet for a three-bedroom dwelling unit.

J. The maximum height shall be 50 feet. However, there shall be a maximum of three stories of habitable space. Any additional height above the habitable space shall be to accommodate architectural features of the building.

K. The maximum number of units in a building shall be 36 except when such structure is shown to be a critical element in the overall design or is a focal point of the residential community. In such instances, more units in a building may be permitted as part of the conditional use approval, so long as the massing and articulation of such structures is sufficient to blend with the overall community.

L. A portion of the required number of parking spaces may be met through a reservation of 1/4 quarter space per unit in a reserve area for future parking. The Township may require the reservation for an indefinite period of time.

(1) Such reservation shall be documented in a form acceptable to the Township Solicitor that legally binds current and future owners of the land to keep the reserved parking area in open space and to provide the additional parking if the Township determines it is necessary.

(2) If reserved parking is proposed as part of the conditional use approval process, the applicant shall present a plan that depicts all of the required parking and shall designate those spaces to be held in reserve. The reserve parking area(s) shall be integrated with the overall traffic access and pedestrian access for the site and the reserve parking shall meet all other parking design standards; stormwater management for the reserve area must be designed and installed in the initial phase of development.

(3) The additional parking that is reserved shall be required to be kept as landscaped open area until such time as the Township may authorize the release of the land from the restriction, or until the Township requires that the land be developed as parking.

(4) The Township Zoning Officer will periodically review the sufficiency of the parking that is provided. If the Zoning Officer determines that the reserved parking is needed to meet actual demand, he/she shall provide written notice to the property owner. The property owner shall then have six months from the date of the written notifications to complete the construction of the reserved parking in accordance with Township specifications and the approved plans.

M. Roofs shall include parapets to conceal flat roofs and equipment where they exist, overhanging eaves of at least one foot, sloping roofs with an average slope between 3:1 and 1:1 and a variety in roof slope planes.

N. At least one bicycle rack or locker, allowing storage of at least five bicycles each, for every 25 dwelling units or portion thereof shall be provided.

6. The following specific criteria must be met by the nonresidential use(s) which are the same lot as or part of a coordinated development with the multifamily apartment dwellings:

A. The minimum building to building distance between nonresidential uses shall be 50 feet.

B. Building setbacks from major internal driveways used to provide access to the overall lot shall be a minimum of 25 feet and maximum of 45 feet to the edge of paving and a

minimum of 20 feet to parking areas. In the case of on-street parking, there shall be a minimum fifteen-foot setback to the building.

C. The area devoted to nonresidential uses shall be at least 25% of the total lot acreage.

D. The maximum lot coverage of the nonresidential portion shall be 70%.

E. No free-standing single-tenant building other than a supermarket shall have a building footprint in excess of 20,000 square feet. A supermarket shall not have a building footprint in excess of 75,000 square feet.

F. Primary building entrances shall be accentuated with features such as canopies, overhangs and attractive lighting to provide prominent, aesthetic customer entrances and exterior pedestrian amenities.

G. Buildings shall be constructed of a combination of exterior materials with the architectural appearance to be compatible with the adjacent residential buildings. All buildings, including those on detached pads, shall be architecturally complementary with one another using compatible materials, colors, rooflines and other architectural amenities.

H. All sides of each building shall be designed and constructed with materials consistent with the front facade. Building facades shall be oriented to the commercial street so that utilities, trash bins and service entrances are not visible.

I. The building facade shall include projections, recesses, change of materials, and roofline variations in order to prevent long, unbroken expanses of wall. Where a building facade is visible from a public right-of-way or civic space and is greater than 100 feet in length, the design shall include variation in materials, window openings, or offsets of at least 18 inches in the building plane every 60 linear feet or less.

J. Heating, ventilation, air conditioning, and other mechanical elements shall be shielded from street level view.

K. Outdoor storage, sales and displays are prohibited along store fronts, but for vending machines and seasonal items, outdoor storage and sales areas shall be designated at the time of plan approval and shall be visually screened using materials and vegetation utilized in the shopping center.

L. Two bicycle racks or lockers, allowing storage of at least five bicycles each, shall be provided for every 15,000 square feet of gross floor area or portion thereof.

M. Continuous and uninterrupted sidewalks, a minimum of eight feet in width, with a six-foot minimum of unobstructed surface, shall be installed along all store frontages and connecting all attached portions of the commercial development. In cases where additional sidewalks are needed to allow for safe transit from parking areas to the entrances of the building, a sidewalk a minimum of six feet in width shall be subject to review and approval of the overall site design.

provided. Internal sidewalks shall connect to existing sidewalks on abutting tracts and any nearby transit stops.

N. Raised pedestrian crosswalks shall be provided at major store entrances and major pedestrian street crossing areas.

O. A system of landscaped pedestrian walkways shall be provided within a parking lot to connect clusters of buildings and to provide separation of parking spaces from walkways for safe pedestrian circulation. Pedestrian walkways shall consist of an eight-foot-wide sidewalk and shall be linked to provide pedestrian access throughout the shopping center.

P. Customer loading and unloading zones in front of stores shall be located outside of primary access driveways.

Q. Any outdoor dining areas shall be separate from and in addition to the eight-foot-wide sidewalk.

R. Areas for outdoor dining shall be designated at the time of plan approval and shall be protected from vehicular traffic by use of planters, bollards, decorative wrought iron fencing, masonry knee walls, or equivalent enhanced with decorative vegetation.

S. Support structures for any awnings or pedestrian covers shall not encroach into the eight-foot-wide sidewalk.

T. Awnings and removable pedestrian covers shall not count as part of the building for purposes of calculating building coverage or setbacks from the roadways.

U. Decorative paving patterns shall be used in the walkways, accessways, and crosswalks to delineate pedestrian areas to provide visual awareness to motorists.

V. The off-street parking facilities must comply with the following:

(1) Off-street parking facilities shall comply with the applicable design standards of 27-2302 and 27-2303.

(2) Each retail area group of stores containing more than 40,000 square feet of floor area shall be designed to include one "boulevard style" primary access which shall be lined with street trees and shall include a center median with vegetative landscaping.

(3) Parking lots shall be located to the rear or side of any buildings that have frontage on an arterial roadway.

(4) Shopping cart collection corrals shall be incorporated into the parking lot design for all retail buildings for which shopping carts are provided for customers. Roofed corral structures are not to be counted as part of the shopping center building coverage. Cart corrals may encroach into required yards

(5) Parking lots shall generally be designed so that the parking aisles are perpendicular to the building and shall be designed so that the internal roadway along the storefront(s) shall not be the primary means of accessing the store(s). Parking lots shall also be designed to minimize vehicular use of the roadway along the storefront(s) by encouraging the distribution of vehicles within the parking lot aisles via an access roadway along the opposite end of the parking lot(s) from the storefront(s) and providing intermediate internal roadway(s) through the parking lot(s) perpendicular to the parking aisles to limit the length of parking aisles.

(6) In order to enhance pedestrian safety, appropriate pedestrian linkages shall be provided within the parking lot(s) to allow pedestrian movement from the parking spaces to the buildings without the necessity of walking in the vehicular aisles.

(7) The required parking may be provided in a common parking lot so long as the total number of spaces provided is not less than the sum of the spaces required for each use. However, the overall number of parking spaces may be reduced below this total as part of the conditional use review if it can be demonstrated that the hours or days of peak parking demand needed for the uses are different and that fewer parking spaces will adequately serve the uses on the site.

(8) Fire lanes shall be identified and posted by the developer.

(9) Each layout shall provide access acceptable to the Township fire department to all buildings. Where required, paved surfaces and adequate turning radii shall be provided throughout the commercial site for Township emergency services equipment. Locked security gates restricting access to areas which are critical for emergency services such as firefighting must be equipped with lock boxes or an alternative system approved by the Township fire department to permit unimpeded access to those areas by Township emergency services. ***The applicant shall meet the above referenced requirements and supply the additional information to the Township for the Conditional Use and Land Development review.***

2. **Section 27-10C09-** Special Regulations for All Uses in the Highway Commercial District.

1. All required buffer yards as set forth in 27-1803 and the Lower Macungie Township Design Guideline shall apply, as applicable, and be maintained along all side and rear yards unless specified differently in this section.

2. A project design companion, including a coordinated set of drawings, reference photographs and notes, shall be prepared for buildings, landscaping, pedestrian circulation and public spaces within any proposal. The project design companion shall be submitted with land development plans, during the conditional use or preliminary plan process, whichever comes first. In the case where no procedures listed above occur, the project design companion shall be submitted with any zoning permits for review

and approval. The document shall be reviewed, approved and binding to all Township-related permitting activity. The project design companion shall include, but not be limited to:

- A. Architectural treatment including design, building materials and facades.
 - B. Signage.
 - C. Landscaping standards for all plantings and parking area designs.
 - D. Streetscape enhancements including sidewalks, street trees, crosswalks, buffer fencing per the Hamilton Boulevard Corridor Study and Plan.
 - E. All site lighting.
 - F. Public spaces including pedestrian amenities, pavilions, plazas and gazebos, street and plaza furniture, water features, rain water harvesting and other amenities.
3. Any new land development or subdivisions shall utilize architectural-grade cladding and enhanced architectural features on all newly constructed or renovated buildings.
4. All roof-mounted or nonresidential HVAC systems or building machinery shall be shielded from view utilizing appropriate screening as displayed in the Lower Macungie Township Design Guidelines.
5. All new land development or subdivisions shall include illuminated monument entrance signs per this chapter and the Lower Macungie Township Design Guidelines with associated seasonal landscaping beds and plantings.
6. All new land development or subdivisions shall naturalize all aboveground stormwater management features per this chapter and to the satisfaction of the Township. ***The exterior materials of the proposed buildings shall meet the architectural requirements of this Section. The intent of this Section is the proposed apartment buildings must be visually pleasing, well suited to the needs of the residents, and of good design reflecting the architectural standards of the community in which it is situated. The artists renderings shown on Sheet D-8 for the apartment buildings fall short of our design guidelines. One example is that the building materials on the façade on the front of the building should match the rear and sides of each building. Quality materials and design are the building blocks of good buildings and make for great places to live in a mixed-use development. The plans should be revised and submitted for further review.***
3. **Section 27-2301** Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the 4th Edition of Institute of Transportation Engineers (ITE) Manual. The 85% peak threshold shall be utilized to determine required parking spaces for any use in the Township. The Township shall provide a reference chart for assistance in such calculation. The Township shall review, confirm and approve of the proposed calculations and number of proposed parking spaces. ***The plan proposes a total of 984 off-street parking spaces. The Township Zoning Officer will periodically review***

the sufficiency of the parking that is provided. If the Zoning Officer determines that additional parking is needed to meet actual demand, he/she shall provide written notice to the property owner. The property owner shall then have six months from the date of the written notifications to complete the construction of additional parking in accordance with Township specifications and the approved plans.

4. **Section 27-2303 6. D.** One deciduous tree of a minimum caliper of 2 1/2 inches measured six inches above the ground shall be required for every five required off-street spaces. The trees shall be of the same species as listed in the Township subdivision and land development Ordinance [Chapter 22A]. A Landscape Plan must be submitted and will be reviewed for compliance, meeting the requirements of this Section of the Ordinance. ***A Landscape Plan must be submitted and will be reviewed for compliance, meeting the requirements of this Section of the Ordinance.***

5. **Section 27-2303 4. C. D E.** Nighttime Illumination. All parking lot lighting shall conform to Section 27-1805 of this chapter and the provisions listed below.

C. Any parking area designed for use by eight or more cars after dusk shall be adequately illuminated.

D. All lighting fixtures used to illuminate parking areas shall be shown on a plan and arranged to prevent glare into public streets and adjoining properties.

E. Minimum nighttime illumination shall comply with all provisions of this chapter. ***A Lighting Plan must be submitted and will be reviewed for compliance, meeting the requirements of this Section of the Ordinance.***

6. **Section 27- 2304** General Requirements. Every building or structure in excess of 4,000 square feet hereafter put to a commercial or industrial use or existing building or structure enlarged shall provide one off-street truck loading space for the first 10,000 square feet or less of gross floor area, plus a minimum of one additional off-street truck loading area for each additional 40,000 square feet of gross floor area. Design and Layout of Off-Street Loading Facilities. Off-street loading facilities shall be designed to conform to the following specifications:

A. Each off-street loading and unloading space shall be either (1) at least 14 feet in width by 40 feet in depth or (2) at least 10 feet in width by 60 feet in depth.

B. Each space shall have sufficient maneuvering room separate from other parking to eliminate traffic conflicts within off-street loading and parking areas.

C. Each space shall be located entirely on the lot being served and be so located that each space and all maneuvering room is exclusive of the required buffer areas and rights-of-way.

D. All off-street loading and unloading spaces, maneuvering areas, driveways and entranceways shall be graded, surfaced with asphalt or other material suitable to the Township and drained to the satisfaction of the Township Engineer to the extent necessary to prevent nuisances of dust, erosion or excessive water flow across public ways and to protect adjoining property.

E. No such facilities shall be designed or used in any manner so as to constitute a nuisance, a hazard or an unreasonable impediment to traffic. ***One (1) off-street Loading must be provided for the proposed hotel. The plan should be revised accordingly.***

8. **Section 27- 1702** All methods of sewage, waste treatment and disposal shall be approved by the Pennsylvania Department of Environmental Protection (accordance with the sewage plan of Lower Macungie Township. All subdivisions and land developments require DEP approval under the Sewage Planning Program. The Bethlehem District Office of PA DEP should be contacted to determine which Sewage Facilities Planning documents would be required. ***A DEP Planning Module must be submitted for review and approval.***

cc: Nathan D. Jones, Director Planning, Zoning & Community Development
Zachary Graves, SEO, LMT
Bryan McAdam, CKS Engineers
D. Brooman, Esq.



4259 W. Swamp Road
Suite 410
Doylestown, PA 18902

www.cksengineers.com
215.340.0600

December 7, 2022
Ref: #12506-125:01

Lower Macungie Township
3400 Brookside Road
Macungie, PA 18062

Attention: Nathan D. Jones, Director of Community Development

Reference: 617 North Krocks Road. Krocks Road Development
Conditional Use Application
Lower Macungie Township Project #DE-21-021

Dear Mr. Jones:

CKS Engineers, Inc. has completed our review of the above-referenced Concept Plans for the Krocks Road Development dated November 9, 2022, with no revisions, prepared by French & Parrello Associates. Also included in the submission are Architectural floorplans and elevations with no date, prepared by Thomas J. Brennan Architects.

The applicant proposes a mixed-use development on the 54.4-acre site (PIN # 547567692461) at the northeast corner of the North Krocks Road (T-498) and Fred Jaendl Memorial Highway (S.R.0222) intersection in the HC- Highway Commercial Zoning District. The applicant proposes to construct 318 apartment dwelling units (contained in 10, 3-story buildings) with a club house, a 160-room hotel, and 19,800 square feet of new retail space. The plan indicates 631 parking spaces proposed for the residential portion of the site, 170 spaces for the hotel and 78 parking spaces for the commercial portion of the site as well as five (5) stormwater detention basins. There are two existing buildings, one within the parcel Resurrection Cemetery property and the other on the subject property along N. Krocks Road. The plan does not identify whether these structures are to be removed or are to remain.

We have reviewed the documents for compliance with applicable Zoning and Subdivision and Land Development Ordinance requirements as well as general engineering observations and have the following comments:

1. As referenced in CKS Sketch plan review letter dated August 1, 2022, there are several proposed improvements (driveways, parking, detention basin) shown within the existing PPL easement and the "50.0' PPL Building Restriction Line" on the east side of the PPL easement. The applicant should provide a letter from the utility company verifying that the improvements comply with the requirements of the utility. Depending on the response from the utility companies there is the potential for the overall site layout to be substantially affected. (27-1804)
2. The Zoning Officers Sketch Plan Review Letter confirms that the site is "subject to the requirements of mixed-use development in the HC – Highway Commercial district". We have the following comments specific to this ordinance section: (27-2412)

- a. The maximum density for the residential portion of the site is 8.5 dwelling units per acre. The Plan indicates the residential portion of the site is 37.6 acres. The area on the northeast corner of the site within the residential area is identified on the plan as "Proposed Future Phase 2 Development". The current density as shown is 8.5 dwelling units per acre. A variance would be required to accommodate any additional units that may be proposed in the Phase 2 Development area. (27-2412.5.A)
 - b. The retail layout should be revised to provide access acceptable to the Township fire department. It unclear whether the drive aisle around the rear of the building is intended to provided access for emergency services. Adequate turning radii should be provided for Township emergency service equipment. Fire lanes should be considered along frontage of the retail use. A life safety plan should be provided, indicating turning movements for the largest delivery vehicles expected to service the site as well as fire trucks and trash trucks. (27-24126V.(8), 27-24126V.(9))
 - c. This application for Conditional Use should be revised to include the following: A site plan drawn to a scale of not less than one-inch equals 50 feet, dimensions, location and methods of illumination for signs. The project design companion, including signage and site lighting is also required. (27-2402.2)
3. We have the following comments relative to the overall site layout relative to the effects on pedestrian traffic and safety with adequate sidewalks and vehicular access arrangements. (27-2403.1.E.(6))
- a. A walkable design for pedestrians has been provided. The multifamily apartment buildings are interconnected with streets and a walkway system and appear to provide a safe and comfortable pedestrian environment which is open to the public.
 - b. The plan shows two (2) access drives onto N. Krocks Road; the access to the south is approximately 375 feet north of the intersection with S.R. 0222 and is shown with a right in, right out configuration. The access to the north is currently the access for the Resurrection Cemetery property to the north of the subject parcel. As shown, this access would be reconfigured to provide a dedicated right turn into the site with two exit lanes onto N. Krocks Road.
 - c. North Krocks Road (T-498) is classified as a Collector Road; the Fred Jaendl Memorial Highway (S.R.0222) is classified as an arterial roadway. The proposed intersections of Krocks Road with the proposed Road 'A' do not meet the minimum intersection separation criteria as specified in ordinance section 22A-705.6.C. We also note that neither of the proposed access roads are aligned with Reppert Road, on the west side of North Krocks Road. There will need to be discussions regarding the access points and frontage improvements.
 - d. Single driveways are proposed for the residential areas and the retail use from Road A (and a single drive was previously proposed to the apartments previously proposed but now shown as proposed future phase 2). The revised plan does not propose any new driveway accesses; however, the plan indicates two emergency access locations, one to the west of the retail building pad driveway and one to the west of the apartment complex driveway.

The ordinance requires that residential street networks which have a single point of access to the surrounding road network shall not serve more than 25 dwelling units. Adequate provision shall be made for traffic circulation and movement of emergency vehicles. We are not entirely comfortable with the proposed emergency accesses as proposed, particularly for the apartment complex, due in large part to potential grading issues/slopes as well as acceptance of the proposal by the Township Emergency Services personnel. Another solution should be considered. (22A-703.4.A, 22A-705.7.C)

4. The applicant proposes to purchase a portion of the cemetery's property to consolidate that portion with the subject parcel and provide the new access point. The plan indicates two new access drives to the cemetery from the site's internal roads. We note that this acquisition will require subdivision of the respective parcels as well as consolidation into the subject parcel. The adjacent parcel is mostly located in Upper Macungie Township. The portion contemplated for purchase is within Lower Macungie Township.
5. Space for off-street truck loading should be provided for the retail stores in accordance with ordinance section 27-2304. The area to the rear of the retail building does not provide sufficient maneuvering room for a truck to turn around. (27-2402.2.D)
6. We had previously recommended that a minimum 20-foot setback from the apartment buildings to parking areas was required, per ZO Section 27-2303.5.C, which is the general parking design criteria. There are several locations where the layout does not comply. However, following discussions with Township staff, we agree with the applicant's engineer that ZO Section 27-2412.5.H, (from the Mixed-Use Development zoning criteria) would apply. This section requires a 15-foot setback from the buildings to the parking areas.

We recommend that the dimension be clearly identified on future plans to confirm compliance. We note that the requirement is intended to allow sufficient space for walkways, foundation landscaping and firefighting. The Township Fire Marshal and Emergency Services personnel may wish to weigh in as well.

7. The plan should be revised to include at a minimum, the following: delineation of any streams, ponds, lakes, wetlands, Karst features; County Soil data, delineation of prime agricultural soil, etc. Adjustments to the proposed layout may be necessary upon submission of an engineered sketch plan. A concept plan with existing topography has been provided. We have the following comments specific to the proposed layout relative to the existing grade: (27-2402.2, 22A-303.1)
 - a. The stormwater basin under the high-tension power lines has a substantial grade change along the length of the basin. The layout of the basin as shown relative to the existing grade does not appear to be feasible, nor practical, particularly when factoring in the requirement for all basins to be naturalized. Steeper bottoms in basins are not conducive to current design standards.
 - b. The proposed retail store has a substantial grade change front the front to the rear. The proposed layout may require retaining walls to accommodate the proposed site features.

8. The submission does not include an assessment of the site relative to karst geology. There are areas nearby where sinkholes have recently developed. Setbacks from karst features, if found, could require changes to the proposed layout. (27-2412.3, 27-2406.1.Y.(2), 22A-403.5.N)
9. The applicant should demonstrate how the proposed development will comply with Township Design Guidelines, specifically Part 1: General Standards, Part 2: Commercial Districts, Part 3: Residential Development, Part 4; Design Elements, Part 6: Buffers and Part 7: Environmental Preservation, Management and Design, etc.

In addition, we remind the applicant that the building specific requirements of Ordinance Section 27-2412.5 and 27-2412.6 must be addressed. As presented, it appears that the intention is to comply, however as this is just a sketch, finalized building dimensions are not provided.

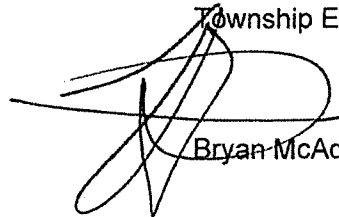
10. Electric charging stations shall be provided at a rate of one per 75 spaces in all parking lots or courts. The plan has been revised to include a note stating this requirement, however, the locations have not been provided. (27-2303.1.I)
11. The plans do not include truck turning templates to show how larger vehicles and emergency services vehicles will navigate the site. A life safety plan will be required as part of a preliminary plan submission but would be helpful in planning out this community. (27-2402.2, 22A-403.5.D)
12. We note that traffic studies are required for proposed uses that consist of 25 or more residential dwelling units. A traffic study has not been submitted but will be required should the application move forward as a land development plan application. Improvements to the site frontage will need to be addressed. We have the following observations of the plan:
 - a. As presented, road widening, curb or sidewalk do not appear to be proposed along Krocks Road. Pedestrian access will need to be addressed once the road widening design is detailed and reviewed.
 - b. The traffic/layout components of the design will need to address internal site movements including that of the driveway and turning lanes entering and exiting the site.
 - c. The plan does not indicate any improvements within the S.R. 0222 right of way. We note that preliminary conversations with PennDOT have suggested that direct connections/accesses to the Fred Jaendl Memorial Highway (S.R.0222) would not be approved by PennDOT without significant coordination, going as far as to effectively say that if an access were to be approved, it would only be considered for a significantly beneficial project. The PennDOT representatives explained that the design and local accesses within Lower Macungie took several years to consider and ultimately approve as constructed and were done only with a coordinated effort for the construction of the SR 0222 highway and interchanges. The Township should be included in any pre application discussions with PennDOT. (27-2402.2, 22A-403.5.M, 22A Attachment 2, 22A-705)
13. The applicant is reminded that the requirements of Ordinance Section 22A-710.3.B, regarding recreation land, must be met. As noted in the section, "Land meeting the criteria for recreation land, active, as set forth in Part 2, Definitions, "recreation land, active," shall be offered for dedication to the Township, subject to the approval of the Board of Commissioners at their sole

discretion. A minimum of 3,400 square feet per lot or dwelling unit shall be offered for dedication (the land required for recreation space per dwelling unit under the Lower Macungie Township Parks, Recreation and Open Space Plan; see this section). The Board of Commissioners shall consider the offer of dedication for recreation land, active, relative to the following factors..." This requirement will need to be addressed if the project moves forward.

14. The existing well/water and sewer service to the existing building on the parcel should be identified on the plan along with the disposition of each, i.e. in use, abandoned, etc. (27-2402.2)
15. There are some site amenities shown within the existing storm sewer easement on site. Easements should be kept clear of any and all structures and obstructions, including but not limited to, buildings, fences, trees, berms, driveways, shrubs, and bike racks unless authorized by the entity controlling the easement. (27-1804)
16. The walking path along the eastern property line adjacent to the PA Turnpike right of way is shown outside the site property line. This minor drafting issue should be addressed.
17. Future submissions should include metes and bounds and more clearly delineated property outbounds, for both proposed and existing parcels. (27-2402.2)
18. Any other data deemed necessary by the Zoning Officer to enable the officer to determine the compliance of the proposed use with the terms of this chapter shall be provided.

We recommend the required information to be submitted to the Township for consideration. Should you have any questions, please feel free to contact me. • • •

Very truly yours,
CKS ENGINEERS, INC.
Township Engineers



Bryan McAdam, P.E.

BMc/paf

cc: Bruce Beitel, Township Manager
Debbie Ward, Admin. Asst. Planning and Zoning
Renea Flexer, Asst. Township Manager
Carl Best, Zoning Officer
David Brooman, Esq., High Swartz LLC
John A Guinco, Applicant (jguinco@ghclaw.com)
Denis F. Keenan P.E., French & Parrello Associates (denis.keenan@fpaengineers.com)
Andreas Heinrich, PE, Heinrich & Klein
Brian M. Cicak P.E., CKS Engineers, Inc.
File

**LOWER MACUNGIE TOWNSHIP
Lehigh County, Pennsylvania**

**ORDINANCE NO. 2023-01
(Duly Adopted February 16, 2023)**

**AN ORDINANCE AMENDING LOWER MACUNGIE
TOWNSHIP CODE CHAPTER 1, ADMINISTRATION AND
GOVERNMENT, PART 2, BOARDS, COMMISSIONS AND
COUNCILS, SECTION 1-212, PLANNING COMMISSION,
TO REDUCE THE NUMBER OF PLANNING
COMMISSION MEMBERS FROM SEVEN TO FIVE, TO
REVISE THE RESTRICTIONS ON MEMBERSHIP ON THE
COMMISSION, AND TO REVISE THE REQUIREMENTS
FOR THE COMMISSION'S RULES OF PROCEDURE.**

NOW, THEREFORE, it is hereby ENACTED and ORDAINED by the Lower Macungie Township Board of Commissioners as follows:

Section 1. The Code of Lower Macungie Township, Chapter 1, "Administration and Government," Part 2, "Boards, Commissions and Councils," Section 1-212, "Planning Commission," shall be amended to reduce the number of Planning Commission members from seven (7) to five (5), and to revise subpart 3, subpart 6, and subpart 7 to read as follows:

§ 1-212. Planning Commission.

* * *

3. Membership; Terms of Office.

A. The Planning Commission shall consist of five members who shall be appointed by the Board of Commissioners for a term of office of four years or until their successors are appointed and qualified.

B. The terms of office of the Planning Commission members shall be so fixed that not more than two members shall be reappointed or replaced during any future calendar year.

C. Present members of the Planning Commission shall continue in office until the end of the term for which they were appointed and, thereafter, shall be reappointed or replaced as hereinbefore provided.

* * *

6. Restrictions. No member of the Planning Commission shall be a current officer or employee of the Township.

7. Rules of Procedure. The Planning Commission shall elect its own chairman and create and fill such other offices as it may deem necessary. The Commission may make and alter rules for its procedures consistent with the ordinances of the Township and the laws of the Commonwealth of Pennsylvania. It shall keep a record of its transactions, findings and determinations, which record shall be a public document. The Commission shall incur only such expenditures as shall be necessary and proper, and all such expenditures shall be authorized by the Board of Commissioners and shall be within amounts appropriated by the Board of Commissioners or made available to the Commission by the Board of Commissioners from other sources.

Section 2. Nothing in this Ordinance or in Chapter 1 of the Code of the Lower Macungie Township, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 1 prior to the adoption of this amendment.

Section 3. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ordinance. It is hereby declared to be the intent of the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 4. This Ordinance is effective immediately upon enactment.

ENACTED and ORDAINED this 16th day of February, 2023.

LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS

ATTEST:

Renea Flexer, Secretary

Brian P. Higgins, President

	Motion	2nd	Yes	No	Abstain
R. Beitler					
B. Higgins					
M. Robert					
B. Shoemaker					
R. Ward					

TOWNSHIP OF LOWER MACUNGIE
Lehigh County, Pennsylvania

RESOLUTION NO. 2023-09
(Duly Adopted February 16, 2023)

**A RESOLUTION RETROACTIVELY APPROVING AN EMERGENCY REPAIR OF
THE TOWNSHIP SANITARY SEWER SYSTEM ON WILLOW LANE BETWEEN
MANHOLES ET-3 AND ET-4**

WHEREAS, by letter dated January 17, 2023, the Township Engineer, CKS Engineers, Inc., informed the Township Manager that it had discovered that the existing liner within a section of the Township sanitary sewer system on Willow Lane between manholes ET-3 and ET-4 was collapsing and required immediate repair; and

WHEREAS, the Township Engineer further advised that there was no way to address the condition quickly and safely without a full replacement of the 182 feet long run of sanitary sewer in that area; and

WHEREAS, the Township Engineer recommended an immediate emergency repair of the subject section of sanitary sewer to prevent the imminent failure of the sewer line and the health risks associated with a sanitary sewer overflow; and

WHEREAS, the Township Engineer thereafter sought four (4) estimates for the emergency repair work and received responses from two contractors; and

WHEREAS, after review of the estimates by the Township Engineer, the Township contracted with Scheuermann Excavating, Inc. to perform the required emergency repairs at a total cost of Fifty-Three Thousand, Seven-Hundred Ninety-Four Dollars and Zero Cents (\$53,794.00); and

WHEREAS, the emergency repairs were completed on January 30-31, 2023, to the satisfaction of the Township Engineer; and

WHEREAS, a copy of the Township Engineer's January 17, 2023, letter, the estimates received, and the Township Engineer's notes regarding the other contractors contacted are attached collectively hereto as Exhibit "A;" and

WHEREAS, the First-Class Township Code, at 53 P.S. § 56802(d)(9), permits a municipality to contract for emergency repairs or replacements for public works of the township, if they do not constitute new additions, extensions or enlargements of existing facilities and equipment, but requires that the Board of Commissioners adopt a resolution stating the actual emergency and the nature of the procurement at the next public meeting.

NOW, THEREFORE, BE IT RESOLVED and it is hereby resolved by the Board of Commissioners of the Township of Lower Macungie that the contract and payment in the amount of Fifty-Three Thousand, Seven-Hundred Ninety-Four Dollars and Zero Cents (\$53,794.00) to Scheuermann Excavating, Inc. for the emergency repairs to the Township sanitary sewer system, recommended by the Township Engineer and itemized in Exhibit A, is hereby approved.

DULY ADOPTED this 16th day of February 2023, by the Board of Commissioners of Lower Macungie Township, in lawful session duly assembled.

LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS

ATTEST:

Renea Flexer, Secretary

Brian P. Higgins, President

EXHIBIT “A”



4259 W. Swamp Road
Suite 410
Doylestown, PA 18902

www.cksengineers.com
215.340.0600

January 17, 2023
Ref: # 12501-051

Lower Macungie Township
3400 Brookside Road
Macungie, PA 18062

Attention: Bruce Beitel, Township Manager

Reference: Emergency Sewer Repair – Willow Lane

Dear Mr. Beitel:

I had a telephone conversation this morning with Mark Danishefsky about a recently discovered problem in the sanitary sewer system which needs immediate attention. The section of sanitary sewer on Willow Lane between Manholes ET-3 and ET-4 needs to be replaced. The existing liner within this sewer run is collapsing, and if the were to fully occur, there could be serious issues with surcharging and sewer system overflows.

This run is 182 feet long and currently consists of vitrified clay pipe with a CIPP lining. The liner has failed after 10 years, and there is no way to address this condition quickly and safely without the full replacement of this sanitary sewer run.

I am told that this area is subject to very high flows and due to the liner failure, there is extensive infiltration and inflow entering this sewer in multiple locations. Mark has indicated that he can have a contractor replace this liner quickly utilizing two (2) crews and working during times when the site would be accessible. I believe this work should be performed as an emergency repair in order to prevent the imminent failure of the sewer liner and the health risks associated with a sewer overflow. Please note that there will be a need for bypass pumping during the replacement of the existing sewer, and that will be performed by the contractor as part of his work.

If you have any questions or need further assistance on this matter, please do not hesitate to contact me.

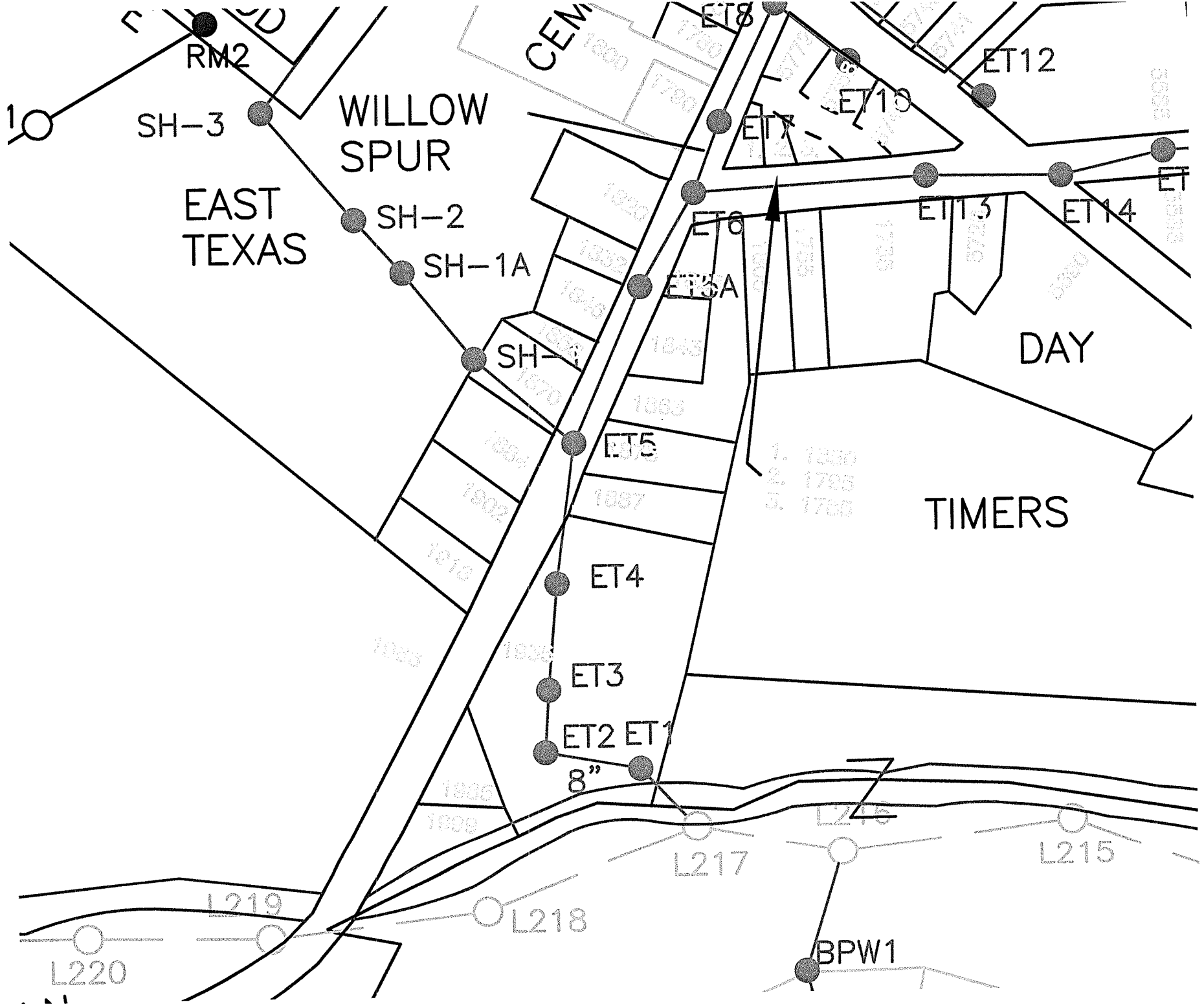
Very truly yours,
CKS ENGINEERS, INC.
Township Engineers


Joseph J. Nolan, P.E.

JJN/paf

cc: David Brooman, Esq., Township Solicitor
Bryan McAdam, PE, Township Engineer
Mark Danishefsky, Public Works Lower Macungie Township
File

Municipal Engineering · Storm Water Management · Water & Wastewater Engineering
Environmental Engineering · Geographic Information Systems (GIS) · Construction Management



RM2

SH-3

WILLOW SPUR

EAST TEXAS

SH-2

SH-1A

CEM
1800

SH-1

ET8

ET12

ET10

ET7

ET6

ET13

ET14

ET3A

DAY

ET5

- 1. 1850
- 2. 1785
- 3. 1785

TIMERS

ET4

ET3

ET2 ET1

8"

L217

L216

L215

L219

L218

L220

BPW1



5285 W. Coplay Road • Whitehall, PA 18052
 Phone: (610) 262-5000 • Fax: (610) 262-5600

PROJECT: Rising River Sanitary Main DATE: 1/10/2023
 OWNER: Lower Macungie Township DRAWING DATE: NONE
 LOCATION: Rising River Brewing ARCH./ENGR.: NONE

Description	Quantity	Matl Unit	Labor Unit	Total Unit	Unit Totals	Sub Totals	Total
1 Preliminary							
Mobilization	1	LS			\$ 2,750.00	\$ 2,750.00	
Sub Total							\$ 2,750.00
2 Sanitary Sewer							
Tie Into Existing (Concrete Encasement)	2	EA			\$ 1,500.00	\$ 3,000.00	
8" SDR-35 Sanitary Main	182	LF	\$ 48.00	LF	\$ 44.00	LF	\$ 16,744.00
Full Depth Stone Backfill	300	CY			\$ 44.00	CY	\$ 13,200.00
Pavement Restoration	200	SY			\$ 58.00	SY	\$ 11,600.00
Bypass Pumping	1	LS			\$ 6,500.00	LS	\$ 6,500.00
Sub Total							\$ 51,044.00
TOTAL							\$ 53,794.00
NOTE:							
All material pricing is based on							
January 2023 costs and are good for							
thirty days only from time of bid -							
A material price adjustment may be							
necessary at time of installation							
Asphalt material pricing is based on							
an asphalt material index of 610.00							
A material price adjustment will be							
necessary at time of installation							



Lower Macungie Township

ATTN: Mark Danishefsky

Rising River Brewing Sanitary Line Replacement

1/12/2023

Pre-Construction Services

Move equipment to and from the site. Cost includes driver and fuel	\$2,500.00
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Sanitary Sewer Connection

8" Sanitary Main (excavation, pipe install, and backfill)195 LF	\$18,525.00
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Full Depth Stone Backfill 290 CY	\$13,340.00
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Tie In at Existing Manholes 2 EA	\$2,850.00
----------------------------------	------------

Asphalt Restoration 205 CY	\$13,530.00
----------------------------	-------------

Bypass Pump Sanitary Sewer 1 EA	\$5,950.00
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Total	\$56,695.00
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EXCLUSIONS:

Sinkholes, permits, layout, notifications, line stripping, rock excavation, and testing.

4714 Valley View Court
Schnecksville, PA 18078
Tel: 484-764-7016
www.marsexcavating.net

Called Semmel Twice, First Time on 1/5/23
No response

Emailed Arrich 1/18/23 No response

Lower Macungie[®] TOWNSHIP

EST. 1832

3400 Brookside Road, Macungie, PA 18062
Phone: 610-966-4343 | Fax: 610-965-3654

Received
FEB 06 2023
Lower Macungie Twp.

Statement of Interest to Volunteer Application

Please identify what Commission, Committee or Board you are applying for. If you have multiple interests, please number your interest with 1 being your first choice.:

<input type="checkbox"/> Audit Advisory Committee	<input type="checkbox"/> Parks & Recreation Advisory Committee
<input type="checkbox"/> Building Code Board of Appeals	<input checked="" type="checkbox"/> Planning Commission
<input type="checkbox"/> Emergency Management Organization	<input type="checkbox"/> Public Safety Advisory Committee
<input type="checkbox"/> Environmental Advisory Council	<input type="checkbox"/> Taxpayer Bill of Rights/Board of Appeals
<input type="checkbox"/> Historical Commission	<input type="checkbox"/> Vacancy Board/Chairperson
<input type="checkbox"/> Library Board	<input checked="" type="checkbox"/> Zoning Hearing Board

Contact info:

Your Name: Matthew Lunning

Address: 1174 Valley View Drive

City/State/Zip: Allentown, PA 18103

Telephone: [REDACTED] Cell: [REDACTED]

E-mail: [REDACTED]

Qualifications: (if possible, please attach your latest Curriculum Vitae/Resume)

- Education: inclusive of school, degree, major, ad-hoc training/certifications

Completed primary education in my hometown of Austin, Minnesota. I graduated from Luther College in Decorah, Iowa with a my Bachelor of Arts degree in Economics in 2016. Activities at Luther College included: Omicron Delta Epsilon international economics society, Luther College Mock Trial, Luther College student investment club. Attached resume for additional details.

- Occupation/Job experience:

Passionate and enthusiastic Consumer Packaged Goods professional experienced in retail sales, customer management, strategy setting, shopper/commerce marketing, category management and analytics, operations, P&L ownership/accountability, brand building, and cross functional leadership. I've been incredibly fortunate in my career to work with iconic American brands that have meaning to consumers and provide experiences that bring people together.

- Municipal government experience - specifically in a Board/Committee/Commission position:

I was fortunate to be a founding member of my hometown's first grassroots economic development project, Vision 2020. In 2012, I was selected to be a founding member of the Idea Selection Committee along with 20 other community leaders to create 10 vision statements/objectives for the local community to achieve by the year 2020. Citizens from my hometown submitted over 1,000 ideas for us to eventually narrow down to 10 concrete and achievable goals. This was an incredible honor - and is a prime reason why I'm passionate about economic and community development.

Please continue on next page...

Page 1 | 2

Applications will be kept on file for one (1) year.

Please forward your Statement of Interest form to Bruce Beitel, Township Manager, at bbeitel@lowermac.com



Statement of Interest to Volunteer Application Continued

Motivation:

- Why are you interested in serving as a Township Volunteer?

I'm passionate about economic and community development, and always looking to make an impact. Serving as a member of the planning commission or zoning hearing board would be an outstanding opportunity to put my passion to good use, and pay it forward for fellow Township members. As my wife and I plan on raising our children in Lower Macungie, it's important to me to give back in any way possible.

- Community involvement history:

In addition to my experience on my hometown's economic development project, I've been active politically in the local communities where I've lived since 2010. Growing up in Austin, Minnesota, I was an active political volunteer for state house, senate, gubernatorial, and congressional elections. During my years living in Cincinnati, Ohio, I consistently volunteered for local political candidates, and also volunteered for out of state candidates/elections. After moving to the Lehigh Valley in 2018, I volunteered frequently at Safe Harbor in Easton, PA with several of my Hormel Foods colleagues as well.

Aspirations/Visions for Lower Macungie Township:

- If selected, what would you like to accomplish?

My ultimate goal is to work collaboratively and productively with other members of the commission/hearing board to ensure the Township remains a safe, productive, and prosperous place for families and future residents. As a passionate business professional, I also want to work collaboratively with other members of the commission/hearing board to expand opportunities for business development and economic growth for the Township. Lower Macungie has so much to offer - and I would be honored to be a member of a commission, board, or committee that represents the best of the Township and what makes it an exceptional place for families, businesses, and citizens of all ages.

Matthew Lunning

Shopper Marketing
Manager

Matthew B. Lunning

1174 Valley View Drive
Allentown, PA 18103

Mobile: [REDACTED]

Email: [REDACTED]

Experience

Ferrero USA, 2022 - Present

Ferrero USA / Shopper Marketing Manager

May 2022 – Present, Parsippany, NJ

Manage the shopper marketing planning, strategy, program execution, agency partners, and development of the shopper-commerce discipline for the \$400MM+ GSV Cookies, Cones, and Crusts portfolios. Led the transition of shopper-commerce assets/strategies/programs from former company to Ferrero USA and established shopper-commerce foundations with our agency partners, sales, marketing leadership, trade marketing.

Hormel Foods, 2015 - 2022

Hormel Foods / Ecommerce & Digital Marketing Manager

August 2021 – May 2022, Bethlehem, PA

Manage the shopper marketing budget for the PLANTERS® snack nuts brand, strategically plan/execute programs inside and outside key power periods. Work with multiple national and regional retailers like Dollar General, Kroger, Albertsons Safeway, Target, UNFI, Ahold Delhaize, Publix, HEB, Wakefern, HyVee, and others. Drive omnichannel sales by executing strategic plans based on category/shopper insights. Led the creation, planning, and execution of Hormel's first ever omnichannel multi-brand campaign for Super Bowl LVI, "*Bowl Bowl*," working with agency partners, front line sales, marketing/category sales teams, analytics/insights, and retail operations to execute the *Bowl Bowl* in B&M and ecommerce spheres. Lead for closing out the transfer of the PLANTERS® brand from Kraft Heinz to Hormel Foods for the \$52MM Amazon.com and Amazon Fresh businesses, #4 customer for the brand.

Hormel Foods / Customer Executive, Weis Markets & AWI, GP

October 2019 – August 2021, Bethlehem, PA

Independently responsible for dry grocery and frozen portfolio sales, budget, and strategy execution at regional grocery Weis Markets (200 stores) and C&S Robesonia warehouse independent grocers. Executed an annual net sales plan of \$11MM and leveraged an annual budget of \$1.2M between both customers. Was the first to successfully execute *Total Food Growth* to drive baseline sales, led the process of becoming permanent on-site vendor partners at Weis Markets headquarters with

unfettered access to their internal systems, and gained distribution on all core grocery and ethnic innovation items – over half of which were first to market in the Northeast. Successfully negotiated favorable annual funding/volume agreement between Hormel Foods and Weis Markets to drive baseline sales and enhance competitive edge in marketplace. Mentored 2 sales trainees, 1 sales intern, and led the Hormel Weis team of 4 people (sales and analytics) on strategies for focused and timely communication, alignment, and execution during the COVID-19 inventory allocation process. Honored recipient of the Pride of the Jersey in FY 2021 for my efforts in this role.

Hormel Foods / Territory Manager, Weis Markets & AWI, MP

October 2018 – October 2019, Bethlehem, PA

Independently responsible for refrigerated product sales to Weis Markets and C&S Robesonia. Sole accountability for total territory of \$5.5MM in net sales and a \$975k budget. Successfully gained distribution on key items, managed through complex internal and external changes, and developed relationships across the organization.

Hormel Foods / Territory Manager, SuperValu East, MP/GP

March 2018 - October 2018, Bethlehem, PA

Co-managed a portfolio of grocery and meat products sales worth \$4MM in net sales to SuperValu Eastern region of over 1,200 stores. Successfully balanced a \$700k budget overspend while growing baseline distribution by +40% within first 5 months.

Hormel Foods / Production Management Intern, GP

May 2015 - August 2015, Dubuque, IA

Managed a team of 10 production professionals manufacturing HORMEL® COMPLEATS®. Learned fundamental lessons in successful business planning and team building in a fast-paced environment.

Company Involvement

Hormel Foods Corporate HYPE board recruitment/retention chair, Northeast Region HYPE ambassador, Lead Inspired Hires ambassador (onboarding new employees), Skippy Spreads Mission Champion for Northeast Region (liaison between field sales, marketing, sales strategy, administration to ensure strategies executed, resource allocation, goals achieved), Lead for Northeast Region Inventory Task Force – a project developing an allocation tool with 4 other cross functional departments that streamlined communication and action in a simple tool used by 275+ people across Consumer Product Sales, sales mentor to a total of 4 sales trainees and 1 sales intern.

Skills/attributes

Project management, leadership, mentorship, coaching, negotiation, communication, cross functional project development and execution, team selling, strategy execution, budget execution, analytical, strategic, detail oriented, quick thinker, passionate learner, people-focused, results driven,

greatly optimistic, team player, team cheerleader. Certified in business analytics and mastery of selling skills from Delta Associates, INC.

Luther College / B.A. Economics
August 2012 - May 2016, Decorah, IA

Education

Lower Macungie

TOWNSHIP

EST 1852

3400 Brookside Road, Macungie, PA 18062
Phone: 610-966-4343 | Fax: 610-965-3654

Received
FEB 10 2023
Lower Macungie Twp.

Statement of Interest to Volunteer Application

Please identify what Commission, Committee or Board you are applying for. If you have multiple interests, please number your interest with 1 being your first choice.:

- | | |
|--|---|
| <input type="checkbox"/> Audit Advisory Committee | <input type="checkbox"/> Parks & Recreation Advisory Committee |
| <input type="checkbox"/> Building Code Board of Appeals | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Emergency Management Organization | <input type="checkbox"/> Public Safety Advisory Committee |
| <input type="checkbox"/> Environmental Advisory Council | <input type="checkbox"/> Taxpayer Bill of Rights/Board of Appeals |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Vacancy Board/Chairperson |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Zoning Hearing Board |

Contact info:

Your Name: Michael Siegel

Address: 1939 Aster Rd

City/State/Zip: Macungie PA 18062

Telephone: [REDACTED] Cell: _____

E-mail: [REDACTED]

Qualifications: (if possible, please attach your latest Curriculum Vitae/Resume)

- Education: inclusive of school, degree, major, ad-hoc training/certifications
see attached resume

- Occupation/Job experience:
see attached resume

- Municipal government experience - specifically in a Board/Committee/Commission position:
see attached resume

Please continue on next page...



Statement of Interest to Volunteer Application Continued

Motivation:

- Why are you interested in serving as a Township Volunteer?

I am interested to serve as a Planning commission member to offer my wealth of experience and education as a retired professional municipal planner to Lower Macungie Township

- Community involvement history:

See resume. Currently very active at this time educating the public in adjoining neighboring municipalities on the role of the importance of creating and adopting local zoning ordinances and regional comp plans for controlled smart growth.

Aspirations/Visions for Lower Macungie Township:

- If selected, what would you like to accomplish?

I would like to accomplish the ability for the township planning commission to play a more important role in implementing future smart growth planning techniques, architectural design specifications, reuse of older structures and warehouses and better greenway and environmental/stormwater planning. I would like to also help instruct the other planning commission members on the importance of the aforementioned issues and pass on my wealth of knowledge to them from my municipal planning experiences as well.

MICHAEL SIEGEL

1939 Aster Rd. Macungie, PA 18062

Phone [REDACTED]

E-mail: [REDACTED]

OBJECTIVE

A municipal administrative position that will maximize opportunities to develop new ideas and implement past experiences, both administratively and educationally.(currently retired)

EDUCATION

University of Memphis

1979-1986

Awarded B.S. Degree in Physical Geography with an Environmental Science Concentration and a Geology Minor in 1981. Obtained post-graduate experience in Environmental and Urban Planning Resource Management from 1984 to 1986.

Highlights - Masters of Fellowship Award-only awarded to one graduate student in all 17 graduate schools-twice awarded for independent research and high GPA average. President of Gamma Theta Upsilon National Honor Society in 1981. Deans List awarded-1981.

Technical Background - Air/Remote Sensing, Quantitative Analysis, GIS Systems, Water Quality Analysis, including Hydrogeological Studies, and Urban Land Use Studies.

PROFESSIONAL EXPERIENCE

2003 to 2009 - Previously held the position at Lower Providence Township as the Director of Community Development. Essential duties include administering, implementing and supervising the Township Building Codes Department, Code Enforcement, Planning, Development and Economic activities, and supervising the creation and administration of all township zoning ordinances, the comprehensive plan and the municipal recreation plan. Accountable for the overall planning in the Township both in broad-long-range planning and detailed review of individual applications for proposed subdivisions and land developments. My responsibilities include supervision and administration for this department of at least four individuals, implementation of PA Act 209 Transportation Study & Projects, GIS Program, PADEP Growing Greener Grants, Ordinance Administration and administration of the NPDES MS4 Municipal Stormwater Permit for the Township. I also serve in the capacity as the Zoning Officer of the Township.

2002 to 2003 - Previously held the position as the Zoning Officer and Planning Administrator at Lower Mt. Bethel Township. Essential duties include enforcement of all zoning ordinances, issuance of all permits, enforcement of the subdivision and planning ordinance, implementation of the PA Municipalities Planning Code, and the Second Class Township Code. Furthermore, I reviewed all subdivision and land developments, responsible for the property records and permits software management system and implementation of the municipal GIS system, and actively communicate with public comments and complaints. Additional responsibilities include management of the subdivision and land development planning department, township grant administrator and roadway administrator. Occasionally performed the duties of a township manager during my tenure.

1999 to 2002 - Previously held the position as the Zoning Officer and Planning Administrator at Lower Nazareth Township. Essential duties include enforcement of all zoning ordinances, issuance of all permits, enforcement of the subdivision and planning ordinance, implementation of the PA Municipalities Planning Code, and the Second Class Township Code. Furthermore, I reviewed all subdivision and land developments, responsible for the property records

and permits software management system. Additional responsibilities include management of the subdivision and land development planning department. Occasionally performed the duties of a township manager during my tenure.

1996 to 1999 - Previously held the position at North Whitehall Township as the Zoning Codes and Enforcement Officer. Essential duties include enforcement of all zoning ordinances, implementation of the PA Municipalities Planning Code, and the Second Class Township Code, review of all subdivision and land developments, computerization of all property records, and actively dealing with public comments and complaints.

1989 to 1996 – Previously held the position of Resource Conservationist for the Lehigh County Conservation District. Reviewed site development plans for subdivision and land developments for PADEP environmental regulations and erosion control. Disseminated information concerning environmental regulations to the public and local municipalities. Reviewed and administered over 1,500 land development site plans during my tenure.

SUMMARY OF SKILLS

- Ability to work with and communicate with governmental and local municipalities on a wide range of issues with the ability to prepare and conduct seminars for private and public groups.
- Ability and working knowledge of computers, including network systems, GIS Arcview 3.2, Microsoft Windows programming, and applicable software in a Microsoft - based environment.
- Ability and knowledge in the field of ACOE Wetland Delineation and Regulations.
- Fiscal Management responsibilities for various accounts within the municipality.
- Extensive knowledge of PADEP Regulations and Federal OSHA, ADA, and the CWA Regulations.
- Ability to coordinate land development and subdivision plans, activities, and operations with local, state, and federal agencies.
- Ability to communicate effectively with a wide range of individuals, both orally and in writing. Effective in the assistance of grant writing for state and federal funding.
- Working knowledge of the PA Municipalities Planning Code and the PA Second Class Township Codes.
- Ability to work independently with minimal supervision.
- Ability to supervise and provide technical guidance to subordinate staff.
- Possesses strong leadership skills and the ability to render decisions on complex administrative issues for the Township
- Certified as an environmental & biology expert witness by the PA Environmental Hearing Board in 2000.

SUMMARY OF PROFESSIONAL QUALIFICATIONS

- 2006 - Legal Aspects of Code Enforcement - PSATS
- 2006 – Preparing for Summer Code Issues - PSATS
- 2006 – PA Land Institute - PSATS
- 2006 – Successful Land Use Strategies - PSATS

- 2005 - Local Floodplain Management – PSATS and PADEP
- 2004 - Municipal Management by the Book -- Township Managers and Administrators
- 2004 - PPA Land Institute Training - Albright College
- 2004 - Certification as a Building Code Official under the PA Uniform Construction Code
- 2003 - Stormwater Runoff and Water Quality Management Seminar - Villanova University
- 2003 - Secrets of Successful Grant Writers – PSATS
- 2003 - Time Management – PSATS
- 2003 –Bidding, Leasing & Purchasing – PSATS
- 2003 - Uniform Construction Code – PSATS
- 2003 - Zoning Decisions – PSATS
- 2003 – Disaster Prevention – PSATS
- 2003 – PPA Land Institute Training-Albright College
- 2002 - Arcview 3.2 GIS – Penn State University
- 2000 - Uniform Code Administration Course – PSATS
- 1999 - BOCA Administration Course – PSATS
- 1998 - Stormwater Quality Management Seminar -Villanova University
- 1996 - Zoning Officials Certification Course – PSATS
- 1996 - Future Codes Administration Course – PSATS
- 1995 - Introductory to PA GIS systems – PSATS
- 1994 - Stormwater Runoff and Water Quality Management Seminar- Penn State University
- 1994 - How to Handle People with Tact and Skill -Career Track
- 1993 - Underground Storage Tank Regulations – PADEP
- 1992 - Effective Presentation Skills and Management –PADEP
- 1992 - Environmental Law and Regulations - Rutgers University
- 1991 - How to Testify as an Expert Witness -Rutgers University
- 1991 - Agronomy Training for Conservation Planning –PADEP
- 1990 - Team Building and Management Interpersonal Skills – PADEP

- 1990 - Seminar for Administrative Management, Dealing with Difficult Situations - Cedar Crest College
- 1990-1995 - Certifications from Natural Resource Conservation in Hydrology, Pesticide Management, Nutrient Management and Wetland Certification from PADEP

PROFESSIONAL PAPERS AND PROFESSIONAL AWARDS

Utilization of Hydrophytic Vegetation and Coconut Matting for the Natural Stabilization Streambank and Replication of the Ecological Functions of a Wetland, Penn State University, 1994.

Little Lehigh Creek Corridor Project, Harry Trexler Foundation, 1994.

Natural Stabilization of a Streambank, Land and Water International Magazine, 1994.

Cabled Concrete Matting: A One Step Answer For Channel Stabilization, Bethlehem Pre-Cast Company, 1994.

Special Environmental Commendation from Whitehall Township, PA , 1992

PA Governors Excellence Award for Innovative Planning & Sound Land Use Practices, 2005

Selected as a member of Who's Who for Professional Administrators, 2005

PROFESSIONAL MEMBERSHIPS

1. Former Member of the Pennsylvania Association of Township Supervisors.
2. Former Member of the Local Governors Response Team for Lehigh County Business & Economic Development.
3. Former Member of the Lehigh & Northampton County Association of Second Class Townships
4. Former Member of the Montgomery County Association of Second Class Townships
5. Former Member of the Building Officials and Code Administrators Association
6. Former Member of the Pennsylvania Association of Environmental Professionals
7. Former Member of the Pennsylvania Planning Association
8. Former Member of the American Planning Association

MILITARY RECORD

Served in the US Navy from 1976 to 1978

Honorably Discharged

COMMUNITY ACTIVITIES

1. Lehigh County Representative for ACT 167 Stormwater Boards for the Coplay, Saucon, Jordan, and Little Lehigh Creek Watersheds 1990-1997.
2. Member of the Groundwater and Wellhead Protection Forum for the Lehigh Valley.

3. Boy Scout Merit Badge Counselor and Eagle Scout Project Counselor.
4. Former President and member of the Ancient Oak West Homeowners Association.
5. President of the Little Lehigh Watershed Coalition.
6. Past Judge of the PA Junior Science Academy from 1994 to 1997
7. Vice Chairman to the Lower Macungie Township Environmental Advisory Council 2016-2019 and briefly on the Planning Commission in 2006-08
8. Served as an alternate to the Lower Macungie Zoning Hearing Board 2006-2007
9. Judge for Delaware Valley Science Fair 2016-2023.
10. Zoning, Planning and Environmental Mentor for the Allentown School District 2017 to present.

RE: BIOGRAPHY- MICHAEL SIEGEL

Michael Siegel is currently retired as an Urban Planner. Previously Michael served as the Director of Community Development for Lower Providence Township. Michael Siegel is a graduate from the University of Memphis with a B.S. degree in Physical Geography with an Environmental Concentration and a Minor in Geology. Mr. Siegel has also received post-graduate work in Urban Resources Planning at the University of Memphis. He has authored several articles for national land use planning publications and has presented several papers at national and local seminars on topics such stormwater quality and soil bioengineering techniques for wetland construction stormwater basin conversions. Mr. Siegel has received training certifications for hydrology, water quality management, wetland determinations and conservation planning with the Natural Resource Conservation Service and Pennsylvania Department of Environmental Protection. Additionally, Michael has received extensive training for Environmental Law and Regulations from Rutgers University and for Wetland Delineation from Shippensburg University. Mr. Siegel has served as an adviser for several PA Act 167 stormwater management watershed boards for Lehigh County, PA and for the Groundwater and Wellhead Protection Program for Lehigh and Northampton County, PA. Michael previously held the certification of a certified Building Code Official under the Pennsylvania Uniform Construction Code. Michael has been certified as an expert witness for stormwater best management practices from the PA Environmental Hearing Board and is currently the President of the Little Lehigh Watershed Coalition which helped authored PADEP's current stormwater water quality policy. Michael has also previously served on the Lower Macungie Township Zoning Hearing Board and Planning Commission and as the vice chairman of the Lower Macungie Township Environmental Advisory Council

Michael has previously held the position of the Environmental Coordinator and Conservation Resource Specialist with the Lehigh County Conservation District. He has also held several municipal positions such as the Zoning Officer for North Whitehall Township and the Zoning and Planning Administrator for Lower Nazareth Township and Lower Mt. Bethel Township. Furthermore, Michael has served as the Environmental Advisory Council Liaison for Lower Nazareth, Lower Macungie and Lower Mt. Bethel Townships. During this tenure he has authored several zoning ordinances on topics such as the Environmental Advisory Council, riparian buffer areas, floodplain management, landscaping requirements, architectural features, signage and various other subdivision and land development ordinances and municipal zoning ordinances during his tenure. Michael has co-authored comprehensive plans for Lower Providence Township. Michael was a past member of the Pennsylvania Association of Township Supervisors, a past member of the American and Pennsylvania Planning Associations and a member of the Pennsylvania Association of Environmental Professionals.

Finally Michael has received several key awards for planning and smart growth techniques including twice being awarded Pennsylvania Governors Award for Excellence in Planning, the Montgomery County Award for Excellence in Planning, Whitehall Township Environmental Award and the Pennsylvania Horticultural Greening Award.

Renea Flexer

From: Nathan Jones
Sent: Wednesday, December 21, 2022 11:47 AM
To: Renea Flexer; Bruce Beitel
Subject: FW: New development

FYI

-----Original Message-----

From: Lisa Fedullo [REDACTED]
Sent: Wednesday, December 21, 2022 11:02 AM
To: Nathan Jones <NJones@lowermac.com>
Cc: Bob Thompson [REDACTED]
Subject: New development

Good morning Mr Jones,

As a resident of Lower Macungie Township since 1987, I want to go on the record and express my dismay at the development proposed for the eastern industries land I'm not sure where you live , but driving Hamilton boulevard is a hazard lately with the massive increase in traffic and with drivers not observing red lights/ stop signs. Not only that , but trying to get anywhere in lower macungie now is almost impossible. I was driving to bamboo restaurant last evening and it took me 40 minutes to get there from my home - normally a 10 to 15 minute drive in prior days. Anyone with a medical emergency would never make it to the hospital in a timely fashion.

Now there is a proposal to greatly increase traffic in our area. What exactly about this proposal is so appealing to the persons on the planning commission/ supervisory board, who should be looking out for , and representing, the inhabitants of Lower Macungie ? I read on next door neighbor how people no longer want to move to lower Macungie because of the terrible and dangerous traffic.

I am curious to the thought process of those who should be looking out for us, but instead seem to be more interested in rapidly destroying the prior beauty and peace of Lower Macungie Township

Thank you.

Lisa Fedullo

Sent from my iPhone

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

The Board of Commissioners met on February 2, 2023 for a regular meeting. The meeting was held both via Zoom.com, an online audio/video meeting, and at the Township Building, 3400 Brookside Road, Macungie, PA 18062.

1. CALL MEETING TO ORDER

President Higgins called the meeting to order at 6:01 p.m.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Brian P. Higgins, President	Present
Richard V. Ward, Vice President	Present
Ron R. Beitler, Commissioner	Absent
Maury G. Robert, Commissioner	Present
Brian L. Shoemaker, Commissioner	Present
Bruce Beitel, Township Manager	Present
David Brooman, Township Solicitor	Present
Renea Flexer, Asst. Manager/Secretary	Present
Nathan Jones, Director of Planning	Present
Bryan McAdam, Township Engineer	Present via Zoom

4. AGENDA MODIFICATIONS (At Discretion of Board President) – None

5. ANNOUNCEMENTS & PRESENTATIONS – None

6. HEARINGS & APPROVALS

President Higgins adjourned the regular meeting at 6:02 p.m. for the following hearing.

- 6.1. Conditional Use Hearing for FireFly Technologies, Inc. – Solicitor Brooman explained the conditional use procedure. A stenographic record was taken of the hearing. The applicant proposes ultra-light manufacturing at 6265 Hamilton Blvd. Units 4 & 6, located in the C-Commercial Zoning District. The applicant provided information on what will be made at the facility on weekdays between 8 a.m. and 5 p.m. Parking is available for all employees and trucks will come to the site a few times a month. There are no direct sales and no customers off the street. The items manufactured are sold to companies that use them to manufacture their products. There is no storage of chemicals outside the buildings and other than what was noted in the offer of proof, no other hazardous substance is stored in the building. There was no public comment.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the conditional use application of FireFly Technologies, Inc., to authorize ultra-light manufacturing at the property located at 6265 Hamilton Boulevard, Allentown, PA, 18106, PIN 547513420268, subject to the following conditions: 1) Applicant shall comply in all material respects with the testimony and exhibits presented to the Board of Commissioners 2) Applicant shall address the comments contained in the Planning Department's review memorandum dated December 8, 2022, and the Zoning Officer's review memorandum dated November 21, 2022, to the satisfaction of the Township Engineer and Director of Planning and Community Development 3) At no point shall the approved facility or business operate in any way that is beyond the definition of ultra-light manufacturing. Further, at no point shall the proposed use ever conduct business or operations that meet the definition of the warehouse, wholesale, storage or distribution use. There were 4 ayes. Motion carried.

President Higgins closed the hearing and reconvened the regular meeting at 6:19 p.m.

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

- 6.2. Resolution 2023-05 – RESOLUTION CONFIRMING AND AFFIRMING SPRUCE ROAD AS THE CORRECT NAME FOR THE ROAD IN ALLEN WEST ESTATES, ALSO KNOWN AS PINE GROVE PARK

There has been confusion if it should be Street or Road and this Resolution would eliminate any confusion. Two businesses would change to Road; all residents are already Road.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-05. There were 4 ayes. Motion carried.

- 6.3. Resolution 2023-06 – A RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO SIGN A TRAFFIC SIGNAL MAINTENANCE AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION

This Agreement is part of PennDOT's new process. Previously, all signal changes were approved by resolution with a PennDOT TE-160 form. Going forward, only a PennDOT TE-160 form is needed.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-06. There were 4 ayes. Motion carried.

- 6.4. Consideration of Traffic Signal Applications (TE-160) for Ten Intersections Included in the Adaptive Signal Upgrade Project – These are required applications that authorize us to apply to install the adaptive technology. Intersections are: 1) Hamilton Blvd. and Shepherd Lane 2) Hamilton Blvd. and Krocks Ct. 3) Hamilton Blvd. and N. Krocks Rd. 4) Hamilton Blvd. and private drive 5) Hamilton Blvd. and Brookside Rd. 6) Hamilton Blvd. and Minesite Rd. 7) N. Krocks Rd. and private drive 8) Rt. 222 and N. Krocks Rd. 9) Hamilton Blvd. and Mill Creek Rd. 10) Hamilton Blvd. and Commercial Center Dr.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the Traffic Signal Applications (TE-160) for ten intersections included in the Adaptive Signal Upgrade Project. There were 4 ayes. Motion carried.

7. PUBLIC COMMENT ON NON-AGENDA TOPICS – None

8. COMMUNICATIONS

- 8.1. Robert Rust, Planning Commission – Letter of resignation.

Motion by Commissioner Robert, seconded by Commissioner Ward, to accept the resignation of Robert Rust from the Planning Commission with regret. There were 4 ayes. Motion carried.

9. APPOINTMENTS TO VARIOUS BOARDS, COMMITTEES, AND COMMISSIONS

- 9.1. Library Board of Directors – Appoint Two with Terms Expiring January 31, 2026

Motion by Commissioner Robert, seconded by Commissioner Ward, to appoint Jason Raines and George Doughty to the Library Board with terms expiring January 31, 2026. There were 4 ayes. Motion carried.

10. APPROVAL OF MINUTES OF PREVIOUS MEETING(S)

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the January 19, 2023 minutes as drafted. There were 4 ayes. Motion carried.

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

11. APPROVAL OF TRANSFERS, BILL LIST AND PAYROLL

11.1. Mr. Beitel reviewed the February 2, 2023 Bill List, which is always posted to the Township's website prior to the meeting.

01	General Fund	\$316,410.21	33	Open Space Fund	
08	Sewer Fund	\$509,371.51	35	Liquid Fuels	\$16,892.00
19	Debt Service Fund		37	Developers Impact	
30	Capital Projects Fund	\$8,954.28	01	Payroll	\$154,096.41
32	Federal Grants Fund		36	Developers Escrow	\$14,982.33
				Total Funds	\$1,020,706.74

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the February 2, 2023 Bill List as drafted. There were 4 ayes. Motion carried.

12. DEPARTMENTAL MATTERS

12.1. Engineering

12.1.1. Engineer's Report – No Report

12.2. Planning

12.2.1. Resolution 2023-07 – A RESOLUTION REDUCING THE FINANCIAL SECURITY FOR THE COMMERCIAL LAND DEVELOPMENT OF ELK INVESTMENTS, LLC, DOING BUSINESS AS GREEN ACRES OUTDOOR LIVING, AT 219 SCHANTZ RD., WESCOSVILLE, PA

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-07. There were 4 ayes. Motion carried.

12.2.2. Resolution 2023-08 – A RESOLUTION REDUCING AND TERMINATING THE FINANCIAL SECURITY, AND CLOSING OUT THE GRAYMOOR SUBDIVISION AND LAND DEVELOPMENT PROJECT OF PULTE HOMES OF PA, LP

This project was approved in December 2003. There was a minor modification to the NPDES permit for the final stormwater quality work. All development work has been satisfied and is ready for project closeout.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve Resolution 2023-08. There were 4 ayes. Motion carried.

12.2.3. Planner's Report: 1) There will be another conditional use hearing at the next Board meeting for the North Krocks Road mixed use project.

12.3. Solicitor

12.3.1. Solicitor's Report – No Report

12.4. Township Manager

12.4.1. Consideration of Animal Control Services Contract until December 31, 2023

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the Animal Control Services Contract with The Sanctuary at Haafsville until December 31, 2023. There were 4 ayes. Motion carried.

12.4.2. Consideration of Approving the Updated Fund Balance Policy – The Policy is GASB compliant and designates how we are able to allocate the fund balance.

**LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS MEETING MINUTES**

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve the updated Fund Balance Policy. There were 4 ayes. Motion carried.

- 12.4.3. Consideration to Participate in the Sewer Lateral Grouting Project with Lehigh County Authority with a Cost Not to Exceed \$200,000 – This project would be part of our ongoing capital maintenance for sewers. LCA would sponsor the project, which would include bidding, construction oversight and management and the Township would then reimburse LCA.

Motion by Commissioner Robert, seconded by Commissioner Ward, to approve participation in the Sewer Line Grouting Project with Lehigh County Authority with a cost not to exceed \$200,000. There were 4 ayes. Motion carried.

- 12.4.4. Manager's Report: 1) An Executive Session will be held immediately following this meeting.

13. OTHER BUSINESS

13.1. Old Business

- 13.1.1. Chapter 18 Sewers Amendment for Updates (To Be Drafted)
- 13.1.2. Chapter 27 Zoning Amendment, Lookback (To Be Drafted)
- 13.1.3. Update Lower Macungie Emergency Operation Plan (Being Drafted)
- 13.1.4. Ordinance Amending Chapter 1 to Reduce the Number of Planning Commission Members to Five (Consider February 16th)
- 13.1.5. Ordinance Amending Chapter 27 to Increase the Zoning Hearing Board Voting Members to Five and Eliminate the Alternates (Consider March 16th)
- 13.1.6. Ordinance Setting Bridge Weight Limits (To be drafted)
- 13.1.7. Farming of Township Land (Review Bids at February Workshop)
- 13.1.8. Authorize the Solicitor to Advertise an Ordinance Amending the HE-Highway Enterprise Zoning District Pursuant to the Request from Landston Equities, LLC (Consider February 16th)
- 13.1.9. Conditional Use Hearing for Lower Macungie Mixed Use Development LLC (February 16th)

13.2. New Business – None

14. BOARD OF COMMISSIONERS REPORT

- 14.1. The next Board Regular Meeting is February 16, 2023 at 6 p.m.
- 14.2. The next Board Workshop is February 27, 2023 at 6 p.m.

15. EXECUTIVE SESSION

- 15.1. An Executive Session was held immediately following this meeting regarding land acquisition.

16. ADJOURNMENT

President Higgins adjourned the meeting at 6:31 p.m.

Bruce Beitel
Township Manager

Renea Flexer
Asst. Township Manager/Secretary
February 9, 2023

Township of Lower Macungie
Board of Commissioners Meeting - Payment of Bills
Accounts Payable Report - February 10, 2023

BOC Meeting Date: February 16, 2023

	Current Checks	Interim Checks and ACH	Total
01 General Fund	\$85,507.99	\$7,666.78	\$93,174.77
08 Sewer Fund	\$2,834.34	\$0.00	\$2,834.34
19 Debt Service Fund	\$0.00	\$0.00	\$0.00
30 Capital Projects Fund	\$1,191.50	\$0.00	\$1,191.50
32 Federal Grants Fund	\$0.00	\$0.00	\$0.00
33 Open Space Fund	\$1,643.00	\$0.00	\$1,643.00
35 Liquid Fuels Fund	\$17,188.59	\$0.00	\$17,188.59
37 Developers Impact Fund	\$0.00	\$0.00	\$0.00
Township Excl Payroll	\$108,365.42	\$7,666.78	\$116,032.20
Payroll February 10th	\$0.00	\$151,925.30	\$151,925.30
36 Developers Escrow Fund	\$58,703.38	\$0.00	\$58,703.38
Grand Total	\$167,068.80	\$159,592.08	\$326,660.88

Commissioner _____

Approval Date _____

Report Criteria:

Detail report.
 Invoice detail records above \$0.00 included.
 Only unpaid invoices included.
 Invoice.Batch = "021623"
 [Report].GL Account Number (2 Characters) = {<->} "36"

Vendor	Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
142 Iron works							
2041	142 Iron works	22-10843	Chruch Lane Field Sign Aluminum	02/01/2023	30.493.637 Park Signage	420.00	021623
Total 142 Iron works:						420.00	
ADT Commercial							
1764	ADT Commercial	148913365	Monitoring of PW	01/17/2023	01.409.318 Alarm/Security S	659.40	021623
1764	ADT Commercial	148913365	Monitoring of Mun Buiding	01/17/2023	01.409.318 Alarm/Security S	160.40	021623
Total ADT Commercial:						819.80	
ADT Security Services							
1664	ADT Security Services	970173942	Monitoring Hills, 2/12-3/11	01/24/2023	01.409.318 Alarm/Security S	57.62	021623
1664	ADT Security Services	970173942	Monitoring Wescos 2/12-3/11	01/24/2023	01.409.318 Alarm/Security S	53.54	021623
1664	ADT Security Services	970173942	Monitoring Camp o 2/12-3/11	01/24/2023	01.409.318 Alarm/Security S	39.04	021623
Total ADT Security Services:						150.20	
All-Jays Portable Toilets & Septic Serv							
578	All-Jays Portable Toilets & Septic	2219	Jan yard waste sites	02/01/2023	01.426.372 Repairs & Mainte	170.00	021623
Total All-Jays Portable Toilets & Septic Serv:						170.00	
American Rock Salt Company LLC							
30	American Rock Salt Company LL	0732234	Road salt Act # 001057	01/26/2023	35.432.281 Salt	17,188.59	021623
Total American Rock Salt Company LLC:						17,188.59	
Anchor Fence Company Inc							
32	Anchor Fence Company Inc	7839	fence materials	01/30/2023	01.454.372 Repairs & Mainte	212.76	021623
Total Anchor Fence Company Inc:						212.76	
Auto Zone							
40	Auto Zone	1870631299	glow plug unit 17	01/31/2023	01.430.378 Vehicle Repairs	31.99	021623
40	Auto Zone	1870631663	seat covers unit 26	02/01/2023	01.430.374 Equipment Repai	148.48	021623
40	Auto Zone	1870632294	unit 90 oil filter, rotors, brakes	02/02/2023	01.454.378 Vehicle Repairs	649.02	021623
40	Auto Zone	1870632630	rotor and break pads unit 90	02/03/2023	01.454.378 Vehicle Repairs	350.97	021623
Total Auto Zone:						1,180.46	
Automotive Lift Specialist, Inc.							
909	Automotive Lift Specialist, Inc.	12581	lift inspection	01/18/2023	01.430.372 Repairs & Mainte	461.00	021623
Total Automotive Lift Specialist, Inc.:						461.00	
Bergey's Inc							
48	Bergey's Inc	TG166862R	o ring flang etc unit 37	01/31/2023	01.430.374 Equipment Repai	634.42	021623
Total Bergey's Inc:						634.42	

Vendor	Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
Certified Laboratories Division							
76	Certified Laboratories Division	8090490	free aerosol, GRRR	01/28/2023	01.430.241 Operating Suppli	334.65	021623
Total Certified Laboratories Division:						334.65	
Cintas Corporation							
1732	Cintas Corporation	5142684147	Medical Supplies	01/27/2023	01.409.241 Operating Suppli	23.32	021623
1732	Cintas Corporation	5142684160	Medical Supplies Annex	01/27/2023	01.409.241 Operating Suppli	41.31	021623
1732	Cintas Corporation	5142684179	Medical Supplies Communitiy Cen	01/27/2023	01.451.241 Operating Suppli	37.01	021623
Total Cintas Corporation:						101.64	
Cintas Corporation #101							
1720	Cintas Corporation #101	1903477574	direct buy gear	12/20/2022	01.409.191 Uniform & Safety	446.13	021623
1720	Cintas Corporation #101	1903477574	direct buy gear	12/20/2022	01.430.191 Uniform & Safety	446.13	021623
1720	Cintas Corporation #101	1903477574	direct buy gear	12/20/2022	01.454.191 Uniform & Safety	446.13	021623
1720	Cintas Corporation #101	1903477574	direct buy gear	12/20/2022	08.429.191 Uniform & Safety	446.10	021623
1720	Cintas Corporation #101	4145134691	mats, mops mun bld	01/31/2023	01.409.372 Repairs & Mainte	4.99	021623
1720	Cintas Corporation #101	4145134691	uniforms permits dept	01/31/2023	01.413.191 Uniform & Safety	48.62	021623
1720	Cintas Corporation #101	4145135515	mats, mops towels annex	01/31/2023	01.409.372 Repairs & Mainte	32.23	021623
1720	Cintas Corporation #101	4145135515	uniforms facilities	01/31/2023	01.409.191 Uniform & Safety	70.96	021623
1720	Cintas Corporation #101	4145135515	uniforms roads	01/31/2023	01.440.191 Uniform & Safety	145.53	021623
1720	Cintas Corporation #101	4145135515	uniforms parks	01/31/2023	01.454.191 Uniform & Safety	90.36	021623
1720	Cintas Corporation #101	4145135515	uniforms sewers	01/31/2023	08.429.191 Uniform & Safety	70.55	021623
1720	Cintas Corporation #101	4145135515	uniforms pw admin	01/31/2023	01.440.191 Uniform & Safety	11.54	021623
1720	Cintas Corporation #101	4145785736	mats, mops mun bld	02/07/2023	01.409.372 Repairs & Mainte	4.99	021623
1720	Cintas Corporation #101	4145785736	uniforms permits dept	02/07/2023	01.413.191 Uniform & Safety	48.62	021623
1720	Cintas Corporation #101	4145786298	mats mops, towels annex	02/07/2023	01.409.372 Repairs & Mainte	74.13	021623
1720	Cintas Corporation #101	4145786298	uniforms facilities	02/07/2023	01.409.191 Uniform & Safety	70.69	021623
1720	Cintas Corporation #101	4145786298	uniforms roads	02/07/2023	01.430.191 Uniform & Safety	145.53	021623
1720	Cintas Corporation #101	4145786298	uniforms pw admin	02/07/2023	01.440.191 Uniform & Safety	11.54	021623
1720	Cintas Corporation #101	4145786298	uniforms parks	02/07/2023	01.454.191 Uniform & Safety	90.36	021623
1720	Cintas Corporation #101	4145786298	uniforms sewers	02/07/2023	08.429.191 Uniform & Safety	70.55	021623
Total Cintas Corporation #101:						2,775.68	
Community Center Reimbursements							
1724	Edna Lucas	2023-130	Refund security Deposit Hills @ L	02/07/2023	01.250000 Security Reserve	300.00	021623
1724	Yahaira Rosario	2023-132	refund sec deposit Wesc Rec Feb	02/08/2023	01.250200 Road Opening De	275.00	021623
Total Community Center Reimbursements:						575.00	
Corkery & Almonti Attorneys At Law							
1388	Corkery & Almonti Attorneys At La	2022-1474	Legal ZHB	12/21/2022	01.404.404 Legal Zoning Boa	1,221.00	021623
Total Corkery & Almonti Attorneys At Law:						1,221.00	
Critical Response Protection Group							
1961	Critical Response Protection Grou	1305	November security guard	12/29/2022	01.451.318 Alarm/Security S	840.38	021623
1961	Critical Response Protection Grou	1344	security guard January	02/06/2023	01.451.318 Alarm/Security S	1,128.26	021623
Total Critical Response Protection Group:						1,968.64	
Culligan Water Conditioning							
1990	Culligan Water Conditioning	359068	water bottles	02/01/2023	01.409.241 Operating Suppli	76.90	021623
1990	Culligan Water Conditioning	359550	cooler rental 2	02/01/2023	01.409.241 Operating Suppli	130.00	021623

Vendor	Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
Total Culligan Water Conditioning:						206.90	
D'Huy Engineering							
1175	D'Huy Engineering	57064	assess admng bld	01/27/2023	01.408.313 Engineering & Ar	1,715.00	021623
Total D'Huy Engineering:						1,715.00	
Donations							
1952	Jordan U.C.C. Mermorial Fund	2023-127	Sympathy Donation- Calvin Schae	01/30/2023	01.405.249 General Expense	50.00	021623
Total Donations:						50.00	
Dual Temp Company Inc							
547	Dual Temp Company Inc	3010	brandywine repair call	01/06/2023	01.411.510 Brandywine Fire	522.50	021623
547	Dual Temp Company Inc	4212	annex repair call	01/20/2023	01.409.372 Repairs & Mainte	2,997.50	021623
547	Dual Temp Company Inc	4226	repair leaking relief valve	01/13/2023	01.451.372 Repairs & Mainte	1,344.22	021623
Total Dual Temp Company Inc:						4,864.22	
E M Kutz							
130	E M Kutz	2023-129	overpay inv 34795	01/13/2023	01.430.378 Vehicle Repairs	3.00	021623
130	E M Kutz	38454	lenses etch unit 306	01/06/2023	01.426.372 Repairs & Mainte	200.60	021623
130	E M Kutz	38620	parts unti 23	01/25/2023	01.409.378 Vehicle Repairs	186.02	021623
130	E M Kutz	38620	parts unit 8	01/25/2023	01.454.374 Equipment Repai	765.60	021623
130	E M Kutz	38731	round led leaf collection	02/02/2023	01.426.372 Repairs & Mainte	554.00	021623
Total E M Kutz:						1,703.22	
ECCO Communications LLC							
138	ECCO Communications LLC	81010	2 ambler LED	01/26/2023	01.409.378 Vehicle Repairs	196.00	021623
Total ECCO Communications LLC:						196.00	
GameTime							
933	GameTime	PJL-201278	Camp O Differs	01/21/2023	01.454.254 Park Replaceme	2,264.80	021623
Total GameTime:						2,264.80	
Grainger Industrial Commercial							
188	Grainger Industrial Commercial	9591368452	flush sensors cc	01/31/2023	01.451.372 Repairs & Mainte	931.62	021623
Total Grainger Industrial Commercial:						931.62	
Hale Trailer Brake & Wheel Inc							
202	Hale Trailer Brake & Wheel Inc	1537482	cable ties windy	01/27/2023	01.426.372 Repairs & Mainte	35.87	021623
202	Hale Trailer Brake & Wheel Inc	1538017	pig tail kit strope windy	01/30/2023	01.426.372 Repairs & Mainte	203.30	021623
Total Hale Trailer Brake & Wheel Inc:						239.17	
Harned-Durham Oil Company Inc							
204	Harned-Durham Oil Company Inc	12386	propane pole barn annex	01/31/2023	01.409.230 Heating Fuel	558.11	021623
Total Harned-Durham Oil Company Inc:						558.11	
High Swartz LLP							
1734	High Swartz LLP	127038-0	Firefly CU	01/03/2023	01.404.401 Solicitor	252.00	021623
1734	High Swartz LLP	128936	Public works	02/03/2023	01.404.401 Solicitor	268.00	021623

Vendor	Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
1734	High Swartz LLP	128937	General Agreements	02/03/2023	01.404.401 Solicitor	2,501.50	021623
1734	High Swartz LLP	128938	Land acquisition Dorney Tract	02/03/2023	33.493.200 Land Purchases	1,643.00	021623
1734	High Swartz LLP	128939	general solicitor	02/03/2023	01.404.401 Solicitor	2,840.00	021623
1734	High Swartz LLP	128939	legal planning	02/03/2023	01.404.403 Legal Planning	1,676.00	021623
1734	High Swartz LLP	128940	Labor relations	02/03/2023	01.404.402 Labor Relations	2,394.50	021623
1734	High Swartz LLP	128976	General solicitor	02/03/2023	01.404.401 Solicitor	529.00	021623
1734	High Swartz LLP	128976	litigation	02/03/2023	01.404.405 Litigation	395.00	021623
1734	High Swartz LLP	128980	Community Center Construction C	02/03/2023	30.493.635 Comm Center Im	559.00	021623
1734	High Swartz LLP	128982	sewer legal	02/03/2023	08.404.401 Solicitor	885.00	021623
1734	High Swartz LLP	128983	Chapter 27 zoning ordianance ch	02/03/2023	01.404.401 Solicitor	1,120.00	021623
1734	High Swartz LLP	128984	Chapter 21- Streets and sidewalk	02/03/2023	01.404.403 Legal Planning	236.00	021623
1734	High Swartz LLP	128985	Chapter 18	02/03/2023	08.404.401 Solicitor	147.50	021623
1734	High Swartz LLP	128987	Chapter 24- Taxation	02/03/2023	01.404.401 Solicitor	50.00	021623
1734	High Swartz LLP	128988	Chapter 1: Administration and Gvt	02/03/2023	01.404.401 Solicitor	1,515.50	021623
Total High Swartz LLP:						<u>17,012.00</u>	
Interstate Battery of Allentown							
2031	Interstate Battery of Allentown	50067343	battery	02/03/2023	01.426.372 Repairs & Mainte	141.95	021623
Total Interstate Battery of Allentown:						<u>141.95</u>	
Jose A Hernandez							
1521	Jose A Hernandez	88	3455 Brookside Barn Joint repair	01/30/2023	01.409.372 Repairs & Mainte	3,500.00	021623
Total Jose A Hernandez:						<u>3,500.00</u>	
Lehigh Fuels							
288	Lehigh Fuels	401182	Heating oil MUB	02/06/2023	01.409.230 Heating Fuel	2,267.38	021623
Total Lehigh Fuels:						<u>2,267.38</u>	
Levan Machine & Truck Equipment							
934	Levan Machine & Truck Equipmen	179501	hook chain	10/25/2022	01.430.378 Vehicle Repairs	28.80	021623
Total Levan Machine & Truck Equipment:						<u>28.80</u>	
Linde Gas & Equipment							
195	Linde Gas & Equipment	33727980	cylinder retnal 12/20-1/20	01/23/2023	01.430.384 Machinery & Equi	63.00	021623
195	Linde Gas & Equipment	33791530	welding wire etc	01/26/2023	01.430.241 Operating Suppli	119.60	021623
Total Linde Gas & Equipment:						<u>182.60</u>	
Line-X Of South Central PA							
1762	Line-X Of South Central PA	7706	Krown application unit 83	02/01/2023	08.429.378 Vehicle Repairs	159.95	021623
1762	Line-X Of South Central PA	7706	Krown Appllication Unit 95	02/01/2023	01.409.378 Vehicle Repairs	159.95	021623
Total Line-X Of South Central PA:						<u>319.90</u>	
Lowe and Moyer Garage Inc							
303	Lowe and Moyer Garage Inc	365836	filters unit 305	02/06/2023	01.426.372 Repairs & Mainte	35.11	021623
Total Lowe and Moyer Garage Inc:						<u>35.11</u>	
Lower Macungie Library							
306	Lower Macungie Library	2023-1475	Library Tax Revenue 2022	02/07/2023	01.456.500 Library Subsidy	25,605.86	021623

Vendor	Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
Total Lower Macungie Library:						25,605.86	
Nelson Wire Rope Corporation							
1602	Nelson Wire Rope Corporation	334290-1	clevis hook	01/27/2023	08.429.260 Small Tools & Mi	66.04	021623
Total Nelson Wire Rope Corporation:						66.04	
Northern Safety Company Inc							
353	Northern Safety Company Inc	905229405/102	Clear safety glasses	01/26/2023	01.430.191 Uniform & Safety	10.40	021623
353	Northern Safety Company Inc	905229405/102	Clear safety glasses	01/26/2023	01.454.191 Uniform & Safety	10.40	021623
353	Northern Safety Company Inc	905229405/102	Clear safety glasses	01/26/2023	08.429.191 Uniform & Safety	10.40	021623
Total Northern Safety Company Inc:						31.20	
PA Municipal Health Insurance							
369	PA Municipal Health Insurance	117898-0	Dental & Vision Coverage March	02/06/2023	01.487.196 Health Insurance	2,030.93	021623
Total PA Municipal Health Insurance:						2,030.93	
PA One Call System Inc							
370	PA One Call System Inc	0000993980	Monthly Activity Fee Jan 2023	01/31/2023	01.430.249 General Expense	122.74	021623
Total PA One Call System Inc:						122.74	
PAPCO Inc							
918	PAPCO Inc	3378313	diesel fuel	01/26/2023	01.430.231 Vehicle Fuel	1,703.27	021623
918	PAPCO Inc	3378505	diesel fuel	01/30/2023	01.430.231 Vehicle Fuel	385.60	021623
918	PAPCO Inc	3378506	gasoline	01/30/2023	01.430.231 Vehicle Fuel	747.43	021623
918	PAPCO Inc	3378616	diesel fuel	02/01/2023	01.430.231 Vehicle Fuel	790.50	021623
Total PAPCO Inc:						3,626.80	
Pure Water Technology of Central PA							
1315	Pure Water Technology of Central	168990	Monthly Rental water unit	02/01/2023	01.409.372 Repairs & Mainte	59.00	021623
Total Pure Water Technology of Central PA:						59.00	
Quill Corporation							
405	Quill Corporation	30612071	Office Supplies	02/03/2023	01.405.210 Office Supplies	97.97	021623
Total Quill Corporation:						97.97	
R H Lorish Mower Shop							
407	R H Lorish Mower Shop	0000021114	gravely mower parts	01/20/2023	01.454.253 Machinery & Equi	188.25	021623
407	R H Lorish Mower Shop	0000021149	gravey mower blades	01/27/2023	01.454.253 Machinery & Equi	278.55	021623
407	R H Lorish Mower Shop	0000021193	Gravey 472 repair	02/02/2023	01.454.253 Machinery & Equi	88.47	021623
Total R H Lorish Mower Shop:						555.27	
RelaDyne Northeast LLC							
1700	RelaDyne Northeast LLC	R046515-IN	fuel tank rental Jan 2023	01/31/2023	01.409.372 Repairs & Mainte	300.00	021623
Total RelaDyne Northeast LLC:						300.00	
Rockin Ramaley							
844	Rockin Ramaley	2023-131	Deposit for Photobooth Communit	02/09/2023	01.451.311 Community Days	550.00	021623

Vendor	Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
Total Rockin Ramaley:						550.00	
Ronald Sweigart							
425	Ronald Sweigart	2023-126	CDL Renewal	01/31/2023	08.429.249 General Expense	72.00	021623
Total Ronald Sweigart:						72.00	
S & S Worldwide Inc							
436	S & S Worldwide Inc	IN101125320	Playground Supplies	01/03/2023	01.453.247 Playground Supp	3,498.84	021623
Total S & S Worldwide Inc:						3,498.84	
Times News Inc							
765	Times News Inc	100530804	RFP Farming bids	01/26/2023	01.405.341 Advertising	158.89	021623
Total Times News Inc:						158.89	
TransEdge Truck Center							
498	TransEdge Truck Center	50788P1	mirror and ventilator unit 26	02/06/2023	01.430.374 Equipment Repai	265.07	021623
Total TransEdge Truck Center:						265.07	
Uline Shipping Supplies							
974	Uline Shipping Supplies	159058529	cable ties, drum opener shipping	01/23/2023	01.454.372 Repairs & Mainte	381.32	021623
Total Uline Shipping Supplies:						381.32	
Upper Macungie Township Authority							
507	Upper Macungie Township Authori	2023-128	Sewer Transfer fees 4Q 2022	02/07/2023	08.429.364 Sewer Treatment	906.25	021623
Total Upper Macungie Township Authority:						906.25	
USI Insurance Services LLC							
1226	USI Insurance Services LLC	4460024	2023 Tax Collector Bond	01/18/2023	01.403.450 Contracted Servi	212.50	021623
1226	USI Insurance Services LLC	4460024	2023 Tax Collector Bond	01/18/2023	30.403.450 Contracted Servi	212.50	021623
Total USI Insurance Services LLC:						425.00	
Veritext Corp.							
513	Veritext Corp.	6317101	ZHB 1/24/23	01/25/2023	01.414.454 Stenographer	550.00	021623
Total Veritext Corp.:						550.00	
Wehrung's Macungie LLC							
1810	Wehrung's Macungie LLC	20242	bolts	01/20/2023	01.454.372 Repairs & Mainte	93.86	021623
1810	Wehrung's Macungie LLC	20337	plumbing parts	01/23/2023	01.409.372 Repairs & Mainte	62.63	021623
1810	Wehrung's Macungie LLC	20452	light pole repairs	01/26/2023	01.409.372 Repairs & Mainte	52.24	021623
1810	Wehrung's Macungie LLC	20506	shop supplies	01/27/2023	01.430.378 Vehicle Repairs	33.24	021623
1810	Wehrung's Macungie LLC	20506	shop supplies	01/27/2023	01.430.241 Operating Suppli	34.17	021623
1810	Wehrung's Macungie LLC	20570	tools	01/30/2023	01.454.260 Small Tools & Mi	52.23	021623
1810	Wehrung's Macungie LLC	20579	supplies	01/30/2023	01.454.241 Operating Suppli	25.44	021623
1810	Wehrung's Macungie LLC	20706	squeegees for shop	02/01/2023	01.430.241 Operating Suppli	18.03	021623
1810	Wehrung's Macungie LLC	20728	bolts camp o light repair	02/01/2023	01.409.372 Repairs & Mainte	12.32	021623
1810	Wehrung's Macungie LLC	20770	3 keys and spray paint	02/02/2023	01.454.241 Operating Suppli	14.78	021623
1810	Wehrung's Macungie LLC	20894	Columns, wood hills pavilion	02/06/2023	01.409.372 Repairs & Mainte	1,951.06	021623
1810	Wehrung's Macungie LLC	21011	green fence	02/08/2023	01.436.372 Repairs & Mainte	113.99	021623

Vendor	Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
Total Wehrung's Macungie LLC:						2,463.99	
Wendy Von Holt							
1579	Wendy Von Holt	32	Insturctor Adult Cupcake decorati	02/04/2023	01.451.310 Prof. Svs/Intructo	352.00	021623
Total Wendy Von Holt:						352.00	
Wetzel Enterprises							
527	Wetzel Enterprises	23-2-15	sink drain repair campus	02/06/2023	01.409.372 Repairs & Mainte	488.00	021623
527	Wetzel Enterprises	23-2-3	Camp O bollard repair	02/01/2023	01.409.372 Repairs & Mainte	680.00	021623
527	Wetzel Enterprises	23-2-7	prep for exhaust fan annex	02/03/2023	01.409.372 Repairs & Mainte	647.63	021623
Total Wetzel Enterprises:						1,815.63	
Grand Totals:						108,365.42	

Dated: _____

Commissioner: _____

Report Criteria:

Detail report.

Invoice detail records above \$0.00 included.

Only unpaid invoices included.

Invoice Batch = "021623"

[Report].GL Account Number (2 Characters) = {<-} "36"

Report Criteria:

Detail report.

Invoice detail records above \$0.00 included.

Only paid invoices included.

Invoice.Batch = "021623"

[Report].GL Account Number (2 Characters) = {<->} "36"

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
Direct Energy Business							
1252	Direct Energy Business	HS33447610	Natural Gas Community Center	01/24/2023	01.409.230 Heating Fuel	5,226.40	021623
Total Direct Energy Business:						5,226.40	
Infradapt LLC							
1729	Infradapt LLC	33243004	General IT Support	01/16/2023	01.407.450 Contracted Servi	1,642.97	021623
Total Infradapt LLC:						1,642.97	
PA Department of Labor & Industry							
365	PA Department of Labor & Industr	2023-117	Residentail Energy Inspector- Rob	02/03/2023	01.413.460 Training & Confer	117.60	021623
Total PA Department of Labor & Industry:						117.60	
PPL Inc							
398	PPL Inc	20022-1432	01100-08001	12/17/2022	01.433.361 Electricity	31.88	021623
398	PPL Inc	2022-1416	88300-09024	12/17/2022	01.433.361 Electricity	38.85	021623
398	PPL Inc	2022-1430	87900-09002	12/17/2022	01.433.361 Electricity	33.35	021623
398	PPL Inc	2022-1431	02676-00000	12/17/2022	01.433.361 Electricity	35.84	021623
398	PPL Inc	2022-1433	48547-21096	12/18/2022	01.433.361 Electricity	40.83	021623
398	PPL Inc	2022-1434	84292-15018	12/18/2022	01.433.361 Electricity	77.94	021623
398	PPL Inc	2022-1435	91458-90016	12/27/2022	01.409.361 Electricity	93.22	021623
398	PPL Inc	2022-1436	82771-35018	12/27/2022	01.409.361 Electricity	32.43	021623
398	PPL Inc	2022-1437	62214-34588	12/27/2022	01.433.361 Electricity	33.09	021623
398	PPL Inc	2022-1438	28340-16001	12/27/2022	01.433.361 Electricity	24.33	021623
398	PPL Inc	2022-1439	23140-16005	12/27/2022	01.433.361 Electricity	24.40	021623
398	PPL Inc	2022-1440	99471-89003	12/27/2022	01.433.361 Electricity	51.63	021623
398	PPL Inc	2022-1441	65953-88011	12/30/2022	01.433.361 Electricity	86.04	021623
Total PPL Inc:						603.83	
Tractor Supply Credit Plan							
496	Tractor Supply Credit Plan	200038121	no flat tire shop	01/23/2023	01.430.241 Operating Suppli	75.98	021623
Total Tractor Supply Credit Plan:						75.98	
Grand Totals:						7,666.78	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
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Dated: _____

Commissioner: _____

Report Criteria:

Detail report.

Invoice detail records above \$0.00 included.

Only paid invoices included.

Invoice.Batch = "021623"

[Report].GL Account Number (2 Characters) = {<>} "36"

Report Criteria:

Detail report.

Invoice detail records above \$0.00 included.

Paid and unpaid invoices included.

[Report].Vendor Number =

1930,1929,1928,220,1874,1904,1903,1902,1901,1900,1881,1882,1872,1883,1884,1853,1857,1856,1855,1854,1852,1851,1850,1849,1848,1859,1858,691,1842,164,16
 52,1642,825,1589,1635,1629,1630,1513,1589,527,993,1564,267,1467,765,665,741,1186,513,1510,1513,1512,737,1527,1310,1228,1554,1513,164,1018,164,1635,126
 4,258,1684,1675,1705,1714,1715,1734,1751,148,1214,414,172,36,1831,1858,1868,1869,1873,1872,1256,1511,1868,1874,1877,1876,1875,1936,1851,1937,1948,194
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 12560","21-12586","21-12567","127016","127039","126995","21-12579","21-12570","21-12584","21-12568","21-12571","21-12572","127030","21-12558","21-12578","21-
 -12573","21-12556","21-12559","126996","21-12587","125869","21-12569","21-12574","127012","126993","21-12583","21-12566","21-12564","125844-0","121746-
 0","21-11609","21-12131","125870","123523","121747","121756","21-11100","123497","21-11623","21-11585","21-11612","125884-0","2023-140"

[Report].GL Account Number (2 Characters) = "36"

[Report].Vendor Number = {OR} {IS NULL}

[Report].Invoice Number = {OR} {IS NULL}

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
CKS Engineers, Inc.							
1715	CKS Engineers, Inc.	21-11100	MertztownRd	10/03/2022	36.414.313 DEV ESC Engineerin	120.00	
1715	CKS Engineers, Inc.	21-11585	1591-1601 Greystone Ctr	11/01/2022	36.414.313 DEV ESC Engineerin	301.92	
1715	CKS Engineers, Inc.	21-11609	Jaindl S Cedarbook Mixed Use	11/01/2022	36.414.313 DEV ESC Engineerin	2,295.00	
1715	CKS Engineers, Inc.	21-11612	Chick-fil-A	11/01/2022	36.414.313 DEV ESC Engineerin	1,236.38	
1715	CKS Engineers, Inc.	21-11623	Mertztown Rd	11/01/2022	36.414.313 DEV ESC Engineerin	490.00	
1715	CKS Engineers, Inc.	21-12131	Jaindl- S Cedarbrook	12/05/2022	36.414.313 DEV ESC Engineerin	1,147.22	
1715	CKS Engineers, Inc.	21-12556	Mountain View Estates	01/03/2023	36.414.313 DEV ESC Engineerin	113.80	
1715	CKS Engineers, Inc.	21-12558	Trexler Bus Center Lot 1 units 2,3	01/03/2023	36.414.313 DEV ESC Engineerin	120.00	
1715	CKS Engineers, Inc.	21-12559	4725 Hamilton Blvd	01/03/2023	36.414.313 DEV ESC Engineerin	325.00	
1715	CKS Engineers, Inc.	21-12560	Mack Trucks Parking Area Expans	01/03/2023	36.414.313 DEV ESC Engineerin	3,061.80	
1715	CKS Engineers, Inc.	21-12561	Wolbach 2 Lot sub	01/03/2023	36.414.313 DEV ESC Engineerin	65.00	
1715	CKS Engineers, Inc.	21-12563	Millbrook Farms section VI	01/03/2023	36.414.313 DEV ESC Engineerin	635.52	
1715	CKS Engineers, Inc.	21-12564	Hamilton Walk	01/03/2023	36.414.313 DEV ESC Engineerin	1,865.10	
1715	CKS Engineers, Inc.	21-12566	Stone Hill Meadows Ph 2	01/03/2023	36.414.313 DEV ESC Engineerin	1,624.80	
1715	CKS Engineers, Inc.	21-12567	Prologis Lot 12	01/03/2023	36.414.313 DEV ESC Engineerin	905.00	
1715	CKS Engineers, Inc.	21-12568	Shepherds Corner	01/03/2023	36.414.313 DEV ESC Engineerin	442.28	
1715	CKS Engineers, Inc.	21-12569	U-Haul	01/03/2023	36.414.313 DEV ESC Engineerin	100.64	
1715	CKS Engineers, Inc.	21-12570	Indian Creek Village	01/03/2023	36.414.313 DEV ESC Engineerin	100.06	
1715	CKS Engineers, Inc.	21-12571	Greentree Ind Park	01/03/2023	36.414.313 DEV ESC Engineerin	220.64	
1715	CKS Engineers, Inc.	21-12572	Green Acres	01/03/2023	36.414.313 DEV ESC Engineerin	2,188.52	
1715	CKS Engineers, Inc.	21-12573	2024 Elbow Ln	01/03/2023	36.414.313 DEV ESC Engineerin	1,450.00	
1715	CKS Engineers, Inc.	21-12574	1741 Trexlertown Rd	01/03/2023	36.414.313 DEV ESC Engineerin	190.00	
1715	CKS Engineers, Inc.	21-12578	Fields at Brookside	01/03/2023	36.414.313 DEV ESC Engineerin	125.00	
1715	CKS Engineers, Inc.	21-12579	617 N Krocks Rd	01/03/2023	36.414.313 DEV ESC Engineerin	1,474.18	
1715	CKS Engineers, Inc.	21-12580	7991 Quarry Rd	01/03/2023	36.414.313 DEV ESC Engineerin	265.12	
1715	CKS Engineers, Inc.	21-12582	Home Depot	01/03/2023	36.414.313 DEV ESC Engineerin	10,017.54	
1715	CKS Engineers, Inc.	21-12583	3369 Rt 100	01/03/2023	36.414.313 DEV ESC Engineerin	3,674.56	
1715	CKS Engineers, Inc.	21-12584	4316 Hamilton Blvd	01/03/2023	36.414.313 DEV ESC Engineerin	2,080.30	
1715	CKS Engineers, Inc.	21-12585	1345 Minesite Rd	01/03/2023	36.414.313 DEV ESC Engineerin	65.00	
1715	CKS Engineers, Inc.	21-12586	Mack Trucks	01/03/2023	36.414.313 DEV ESC Engineerin	1,763.50	
1715	CKS Engineers, Inc.	21-12587	4440 Cedarbrook Rd	01/03/2023	36.414.313 DEV ESC Engineerin	888.50	
Total CKS Engineers, Inc.:						<u>39,352.38</u>	
Developer Escrow Refunds							
1982	Developer Escrow Refunds	2023-140	Project refund 12535	02/09/2023	36.250150 Developer Refunds	420.00	
Total Developer Escrow Refunds:						<u>420.00</u>	
High Swartz LLP							
1734	High Swartz LLP	121746-0	Sauerkraut Ln Jaindl	10/03/2022	36.404.401 DEV ESC Solicitor	325.00	
1734	High Swartz LLP	121747	Trexler Business Center	10/03/2022	36.404.401 DEV ESC Solicitor	2,308.00	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	GL Account and Title	Amount	Batch
1734	High Swartz LLP	121756	Mertztown Rd Jaindl	10/03/2022	36.404.401 DEV ESC Solicitor	227.00	
1734	High Swartz LLP	123466	4915 Lower Macungie Rd	11/02/2022	36.404.401 DEV ESC Solicitor	812.50	
1734	High Swartz LLP	123497	Mertztown Rd- Jaindl	11/02/2022	36.404.401 DEV ESC Solicitor	1,705.00	
1734	High Swartz LLP	123523	Jaindl South Cedarbrook Mixed u	11/02/2022	36.404.401 DEV ESC Solicitor	803.50	
1734	High Swartz LLP	125869	Tyler Pipe	12/06/2022	36.404.401 DEV ESC Solicitor	177.00	
1734	High Swartz LLP	125870	Jaindl South Cedarbrook	12/06/2022	36.404.401 DEV ESC Solicitor	1,611.50	
1734	High Swartz LLP	125884-0	Sauerkraut Ln Jaindl	12/06/2022	36.404.401 DEV ESC Solicitor	625.00	
1734	High Swartz LLP	125889	Wolback Bike Path	12/06/2022	36.404.401 DEV ESC Solicitor	100.00	
1734	High Swartz LLP	126986	3109 Macungie Rd	01/03/2023	36.404.401 DEV ESC Solicitor	50.00	
1734	High Swartz LLP	126989	3510 Macungie Rd	01/03/2023	36.404.401 DEV ESC Solicitor	265.50	
1734	High Swartz LLP	126993	Embree 3369 Rt 100	01/03/2023	36.404.401 DEV ESC Solicitor	4,919.00	
1734	High Swartz LLP	126995	617 Krock's Rd	01/03/2023	36.404.401 DEV ESC Solicitor	147.50	
1734	High Swartz LLP	126996	Audi Allentown 15-047	01/03/2023	36.404.401 DEV ESC Solicitor	468.00	
1734	High Swartz LLP	127012	Ventru Capital- 1741 Trexlertown	01/03/2023	36.404.401 DEV ESC Solicitor	981.50	
1734	High Swartz LLP	127016	Prologis lot 12	01/03/2023	36.404.401 DEV ESC Solicitor	202.00	
1734	High Swartz LLP	127017	Millbrook Farms Section 6	01/03/2023	36.404.401 DEV ESC Solicitor	59.00	
1734	High Swartz LLP	127019	1345 Minesite Rd	01/03/2023	36.404.401 DEV ESC Solicitor	297.50	
1734	High Swartz LLP	127030	Green Acres	01/03/2023	36.404.401 DEV ESC Solicitor	1,278.00	
1734	High Swartz LLP	127032	4915 Lower Macungie Rd	01/03/2023	36.404.401 DEV ESC Solicitor	501.50	
1734	High Swartz LLP	127039	617 N Krock's Rd	01/03/2023	36.404.401 DEV ESC Solicitor	1,067.00	
Total High Swartz LLP:						18,931.00	
Grand Totals:						58,703.38	

Dated: _____

Commissioner: _____

Report Criteria:

Detail report.

Invoice detail records above \$0.00 included.

Paid and unpaid invoices included.

[Report].Vendor Number =

1930,1929,1928,220,1874,1904,1903,1902,1901,1900,1881,1882,1872,1883,1884,1853,1857,1856,1855,1854,1852,1851,1850,1849,1848,1859,1858,691,1842,164,1652,1642,825,1589,1635,1629,1630,1513,1589,527,993,1564,267,1467,765,665,741,1186,513,1510,1513,1512,737,1527,1310,1228,1554,1513,164,1018,164,1635,1264,258,1684,1675,1705,1714,1715,1734,1751,148,1214,414,172,36,1831,1858,1868,1869,1873,1872,1256,1511,1868,1874,1877,1876,1875,1936,1851,1937,1948,1946,172,1982,1018

[Report].Invoice Number = "21-12561","127032","125889","123466","21-12580","21-12585","127019","21-12563","127017","126989","21-12582","126986","21-12560","21-12586","21-12567","127016","127039","126995","21-12579","21-12570","21-12584","21-12568","21-12571","21-12572","127030","21-12558","21-12578","21-12573","21-12556","21-12559","126996","21-12587","125869","21-12569","21-12574","127012","126993","21-12583","21-12566","21-12564","125844-0","121746-0","21-11609","21-12131","125870","123523","121747","121756","21-11100","123497","21-11623","21-11585","21-11612","125884-0","2023-140"

[Report].GL Account Number (2 Characters) = "36"

[Report].Vendor Number = {OR} {IS NULL}

[Report].Invoice Number = {OR} {IS NULL}

TOWNSHIP OF LOWER MACUNGIE
Lehigh County, Pennsylvania

RESOLUTION NO. 2023-10
(Duly Adopted February 16, 2023)

**A RESOLUTION REDUCING FINANCIAL SECURITY
FOR THE STONE HILL MEADOWS PHASE 2 FINAL SUBDIVISION AND LAND
DEVELOPMENT**

WHEREAS, the Township of Lower Macungie approved the Stone Hill Meadows Phase 2 Final Subdivision and Land Development (the “Development”) on September 20, 2018 in Resolution No. 2018-24; and

WHEREAS, pursuant to said approval, and the Development Agreement dated January 9, 2019, the Developer, BT Stone Hill, L.P., was required to post financial security, in the form of a Letter of Credit issued by Penn Community Bank, to guarantee the installation of the improvements shown on the plans for said Development; and

WHEREAS, the original amount of said Letter of Credit posted to guarantee the installation of the improvements for the Development was Two Million, Six-Hundred Thousand, Four-Hundred Nine Dollars and Ninety Cents (\$2,600,409.90); and

WHEREAS, the remaining fund balance of said Letter of Credit posted by Developer to guarantee the construction of the required improvements is Seven-Hundred Fifty-Six Thousand, Six Hundred Dollars and Sixty-Eight Cents (\$756,600.68); and

WHEREAS, the Developer has requested the said financial security be reduced to account for the completion of certain required improvements; and

WHEREAS, after review and verification, the Township Engineer, Bryan McAdam, P.E., of CKS Engineers, Inc., has recommended by letter dated February 7, 2023, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference, that the financial security for said improvements be reduced by Thirty Thousand, Nine-Hundred Thirty-Nine Dollars and Sixty-Six Cents (\$30,939.66); and

NOW, THEREFORE, BE IT RESOLVED and it is hereby resolved by the Board of Commissioners of the Township of Lower Macungie that the remaining financial security posted by the Developer, in the amount of Seven-Hundred Fifty-Six Thousand, Six Hundred Dollars and Sixty-Eight Cents (\$756,600.68), shall be reduced to the sum of Seven-Hundred Twenty-Five Thousand, Six Hundred Sixty-One Dollars and Two Cents (\$725,661.02), and that Thirty Thousand, Nine-Hundred Thirty-Nine Dollars and Sixty-Six Cents (\$30,939.66) shall be released.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the Developer, BT Stone Hill, LP, and to Penn Community Bank.

DULY ADOPTED this 16th day of February 2023, by the Board of Commissioners of Lower Macungie Township, in lawful session duly assembled.

LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS

ATTEST:

Brian P. Higgins, President

Renea Flexer, Secretary



4259 W. Swamp Road
Suite 410
Doylestown, PA 18902

www.cksenineers.com
215.340.0600

February 7, 2023
Ref: # 12506-66

Lower Macungie Township
3400 Brookside Road
Macungie, PA 18062

Attention: Kim Molnar

Reference: Stone Hill Meadows (Phase II)
Escrow Release No. Seventeen (17)
(LMT# 16-062-B)

Dear Kim:

Enclosed please find the supporting documents for Escrow Release No. 17 for Stone Hill Meadows (Phase 2) in Lower Macungie Township. We have reviewed the items for which the release is requested and, based on our field observation and review, we recommend that \$30,939.66 be released from the escrow account. The remaining balance in the escrow is \$725,661.02. Attached please also find a breakdown of the escrow amount which should accompany the escrow release certificate.

Please contact our office if you have any questions concerning this matter.

Very truly yours,
CKS ENGINEERS, INC.
Township Engineers

Bryan McAdam, P.E.

BMc/paf
Enclosure

cc: w/enclosures
Bruce Beitel, Township Manager
Nathan Jones, Community Development Director
Jeff Waltemyer, Director of Finance
Renea Flexer, Assistant Township Manager
David Brooman, Esq., Township Solicitor
Mark Thaler, Applicant
File

REQUEST FOR RELEASE OF ESCROW FUNDS

Enclosed is Requisition Number Seventeen (17) submitted in February 2023 and approved as noted in the amount of \$30,939.66.

Escrow Agent: Penn Community Bank
LOC 319

Development Agreement Date: January 7, 2019

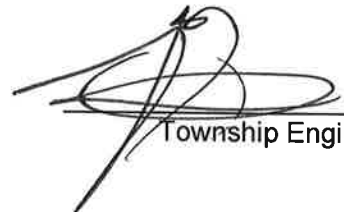
Subdivision: Stone Hill Meadows (Phase II)

Developer: B.T. Stone Hill, L.P.

I hereby certify that I have inspected the improvements required for the above-designated subdivision: that I am satisfied that they have been completed, to the extent of this request, in a satisfactory manner; that the amount of the request is within the estimated cost of the improvements and does not exceed one hundred percent (100%) of the estimated costs. You are requested to authorize the release by the Escrow Agent of payment as listed below:

NAME AND ADDRESS OF PAYEE	WORK PERFORMED OR MATERIALS SUPPLIED	AMOUNT
BT Stone Hill, L.P. 116 Union Avenue Altoona, PA 16602	See Attached Breakdown Sheet	\$30,939.66

Date: February 7, 2023



Township Engineer

Escrow Fund Balance: \$756,600.68
Amount of Request: \$ 30,939.66
Current Balance*: \$725,661.02

*Current balance reflects current release as well as retainage for maintenance.

You are hereby authorized to make payments to the payee(s) as listed in accordance with the terms of the above-mentioned Agreement.

Sincerely,
Lower Macungie Township

Jeff Waltemyer
Director of Finance

**LOWER MACUNGIE TOWNSHIP
ESCROW RELEASE CERTIFICATION
IMPROVEMENTS COST ESTIMATE**

PROJECT : Stone Hills Meadows
Owner: BT Stone Hill, L.P.
CERTIFICATION: #17

TOTAL ESCROW AMOUNT: \$2,600,409.90
TYPE OF SECURITY : LOC 319
LENDER: Penn Community Bank

ITEM	DESCRIPTION	IMPROVEMENTS AGREEMENT QUANTITY	UNIT PRICE	AMOUNT	ESTIMATED % OF WORK COMPLETED		VALUE OF WORK COMPLETED		INCOMPLETE IMPROVEMENTS
					THIS PERIOD	TO DATE	THIS PERIOD	TO DATE	
A. SOIL EROSION CONTROL									
1	Rock Construction Entrance	1 EA	\$3,200.00	\$3,200.00	0.00%	100.00%	\$0.00	\$3,200.00	\$0.00
2	12" Compost Filter Sock	2300 LF	\$4.00	\$9,200.00	0.00%	100.00%	\$0.00	\$9,200.00	\$0.00
3	18" Compost Filter Sock	820 LF	\$7.00	\$5,740.00	0.00%	100.00%	\$0.00	\$5,740.00	\$0.00
4	32" Compost Filter Sock	40 LF	\$14.00	\$560.00	0.00%	100.00%	\$0.00	\$560.00	\$0.00
5	Tree Protection Fence	4000 LF	\$3.00	\$12,000.00	0.00%	100.00%	\$0.00	\$12,000.00	\$0.00
6	Inlet Protection	5 EA	\$120.00	\$600.00	0.00%	100.00%	\$0.00	\$600.00	\$0.00
7	Swales	5700 SF	\$0.75	\$4,275.00	0.00%	100.00%	\$0.00	\$4,275.00	\$0.00
8	Temporary Seeding	87800 SF	\$0.04	\$3,512.00	0.00%	100.00%	\$0.00	\$3,512.00	\$0.00
9	Erosion Control Matting	60000 SF	\$0.12	\$7,200.00	0.00%	100.00%	\$0.00	\$7,200.00	\$0.00
B. DEMOLITION									
1	Clearing & Grubbing	1 AC	\$6,800.00	\$6,800.00	0.00%	100.00%	\$0.00	\$6,800.00	\$0.00
C. EARTHWORK									
1	Strip Topsoil in ROW	6740 CY	\$2.50	\$16,850.00	0.00%	100.00%	\$0.00	\$16,850.00	\$0.00
2	Cut to Fill (ROW)	13480 CY	\$2.75	\$37,070.00	0.00%	100.00%	\$0.00	\$37,070.00	\$0.00
3	Rough Grade (ROW)	182000 SF	\$0.04	\$7,280.00	0.00%	100.00%	\$0.00	\$7,280.00	\$0.00
4	Return Topsoil to ROW	1350 CY	\$4.00	\$5,400.00	0.00%	100.00%	\$0.00	\$5,400.00	\$0.00
D. BASINS (BASIN 1, 2, 3)									
1	Strip Topsoil	10200 CY	\$2.25	\$22,950.00	0.00%	100.00%	\$0.00	\$22,950.00	\$0.00
2	Core/Keyway	1800 CY	\$3.00	\$5,400.00	0.00%	100.00%	\$0.00	\$5,400.00	\$0.00
3	Cut to Fill	12900 CY	\$2.00	\$25,800.00	0.00%	100.00%	\$0.00	\$25,800.00	\$0.00
4	Temp Riser/Trash Rack	3 LS	\$2,300.00	\$6,900.00	0.00%	100.00%	\$0.00	\$6,900.00	\$0.00
5	Baffle Wall Super Silt Fence	1230 LF	\$20.00	\$24,600.00	0.00%	100.00%	\$0.00	\$24,600.00	\$0.00
6	Outlet Structure	3 LS	\$3,800.00	\$11,400.00	0.00%	100.00%	\$0.00	\$11,400.00	\$0.00
7	Anti-Seep Collars	8 EA	\$1,400.00	\$11,200.00	0.00%	100.00%	\$0.00	\$11,200.00	\$0.00
8	Outfall Pipe	260 LF	\$30.00	\$7,800.00	0.00%	100.00%	\$0.00	\$7,800.00	\$0.00
9	Head/Endwall	3 EA	\$1,500.00	\$4,500.00	0.00%	100.00%	\$0.00	\$4,500.00	\$0.00
10	Perm Spillway Landlok 450	30000 SF	\$0.30	\$9,000.00	0.00%	100.00%	\$0.00	\$9,000.00	\$0.00
11	Respread Topsoil	8150 SY	\$4.00	\$32,600.00	0.00%	100.00%	\$0.00	\$32,600.00	\$0.00
12	Rip Rap	45 TON	\$40.00	\$1,800.00	0.00%	100.00%	\$0.00	\$1,800.00	\$0.00
13	Liner & Anchor Trench (Basin 2 Only)	1 LS	\$70,000.00	\$70,000.00	0.00%	0.00%	\$0.00	\$0.00	\$70,000.00
SITE IMPROVEMENTS									
E. CONCRETE WORK									
1	Concrete Curb	7440 LF	\$15.00	\$111,600.00	0.00%	100.00%	\$0.00	\$111,600.00	\$0.00
2	Concrete Sidewalk	25610 SF	\$4.80	\$122,928.00	6.00%	94.99%	\$7,372.80	\$116,774.40	\$6,153.60
3	Driveway Aprons	8300 SF	\$5.20	\$43,160.00	6.00%	95.00%	\$2,589.60	\$41,002.00	\$2,158.00
4	Handicap Ramps	8 EA	\$300.00	\$2,400.00	25.00%	75.00%	\$600.00	\$1,800.00	\$600.00
F. PAVING									
1	Fine Grade	13130 SY	\$1.00	\$13,130.00	0.00%	100.00%	\$0.00	\$13,130.00	\$0.00
2	6" 2A Modified	13130 SY	\$5.50	\$72,215.00	0.00%	100.00%	\$0.00	\$72,215.00	\$0.00
3	5" BCBC	13130 SY	\$16.00	\$210,080.00	0.00%	100.00%	\$0.00	\$210,080.00	\$0.00
4	1.5" Wearing	13130 SY	\$7.50	\$98,475.00	0.00%	0.00%	\$0.00	\$0.00	\$98,475.00
5	Sweep, Tack, and Seal	13130 SY	\$0.50	\$6,565.00	0.00%	0.00%	\$0.00	\$0.00	\$6,565.00
6	Winterization and Removal	72 EA	\$75.00	\$5,400.00	0.00%	0.00%	\$0.00	\$0.00	\$5,400.00
7	Walking/Biking Trail	6200 SY	\$17.00	\$105,400.00	0.00%	95.00%	\$0.00	\$100,130.00	\$5,270.00
G. MISCELLANEOUS									
1	Regulatory Sign	16 EA	\$250.00	\$4,000.00	0.00%	100.00%	\$0.00	\$4,000.00	\$0.00
2	Street Name Signs	8 EA	\$275.00	\$2,200.00	0.00%	100.00%	\$0.00	\$2,200.00	\$0.00
3	Stop Bar Striping	120 LF	\$4.00	\$480.00	0.00%	0.00%	\$0.00	\$0.00	\$480.00
4	Basin Fencing	1400 LF	\$13.00	\$18,200.00	0.00%	0.00%	\$0.00	\$0.00	\$18,200.00
5	Street Lights	23 EA	\$1,500.00	\$34,500.00	0.00%	100.00%	\$0.00	\$34,500.00	\$0.00
H. STORM DRAINAGE									
1	15" HDPE	1040 LF	\$26.00	\$27,040.00	0.00%	100.00%	\$0.00	\$27,040.00	\$0.00
2	18" HDPE	1280 LF	\$28.00	\$35,840.00	0.00%	100.00%	\$0.00	\$35,840.00	\$0.00
3	24" HDPE	1680 LF	\$34.00	\$57,120.00	0.00%	100.00%	\$0.00	\$57,120.00	\$0.00
4	30" HDPE	1140 LF	\$44.00	\$50,160.00	0.00%	100.00%	\$0.00	\$50,160.00	\$0.00
5	36" HDPE	200 LF	\$53.00	\$10,600.00	0.00%	100.00%	\$0.00	\$10,600.00	\$0.00
6	42" HDPE	450 LF	\$65.00	\$29,250.00	0.00%	100.00%	\$0.00	\$29,250.00	\$0.00
7	48" HDPE	345 LF	\$80.00	\$27,600.00	0.00%	100.00%	\$0.00	\$27,600.00	\$0.00
8	15" Headwall/Endwall	1 EA	\$1,300.00	\$1,300.00	0.00%	100.00%	\$0.00	\$1,300.00	\$0.00
9	18" Headwall/Endwall	1 EA	\$1,500.00	\$1,500.00	0.00%	100.00%	\$0.00	\$1,500.00	\$0.00
10	24" Headwall/Endwall	2 EA	\$2,000.00	\$4,000.00	0.00%	100.00%	\$0.00	\$4,000.00	\$0.00
11	30" - 36" Headwall/Endwall	2 EA	\$2,500.00	\$5,000.00	0.00%	100.00%	\$0.00	\$5,000.00	\$0.00
12	Double 36" Headwall/Endwall	2 EA	\$7,500.00	\$15,000.00	0.00%	100.00%	\$0.00	\$15,000.00	\$0.00
13	48" Headwall/Endwall	1 EA	\$3,200.00	\$3,200.00	0.00%	100.00%	\$0.00	\$3,200.00	\$0.00

**LOWER MACUNGIE TOWNSHIP
ESCROW RELEASE CERTIFICATION
IMPROVEMENTS COST ESTIMATE**

PROJECT : Stone Hills Meadows
Owner: BT Stone Hill, L.P.
CERTIFICATION: #17

TOTAL ESCROW AMOUNT: \$2,600,409.90
TYPE OF SECURITY : LOC 319
LENDER: Penn Community Bank

ITEM	DESCRIPTION	IMPROVEMENTS AGREEMENT QUANTITY	UNIT PRICE	AMOUNT	ESTIMATED % OF WORK COMPLETED		VALUE OF WORK COMPLETED		INCOMPLETE IMPROVEMENTS
					THIS PERIOD	TO DATE	THIS PERIOD	TO DATE	
14	Type "C" Inlet	23 EA	\$2,000.00	\$46,000.00	0.00%	100.00%	\$0.00	\$46,000.00	\$0.00
15	Modified Type "C" Inlet	8 EA	\$2,300.00	\$18,400.00	0.00%	100.00%	\$0.00	\$18,400.00	\$0.00
16	Type "M" Inlet	5 EA	\$1,600.00	\$8,000.00	0.00%	100.00%	\$0.00	\$8,000.00	\$0.00
17	Modified Type "M" Inlet	2 EA	\$2,200.00	\$4,400.00	0.00%	100.00%	\$0.00	\$4,400.00	\$0.00
18	48" Manhole	12 EA	\$2,250.00	\$27,000.00	0.00%	100.00%	\$0.00	\$27,000.00	\$0.00
19	6" Underdrain	240 LF	\$12.00	\$2,880.00	0.00%	100.00%	\$0.00	\$2,880.00	\$0.00
20	Rip Rap	120 TON	\$40.00	\$4,800.00	0.00%	100.00%	\$0.00	\$4,800.00	\$0.00
21	Pump Station and Irrigation Spray Field	1 LS	\$115,000.00	\$115,000.00	0.00%	0.00%	\$0.00	\$0.00	\$115,000.00
I. SANITARY									
1	6" PVC Laterals	2450 LF	\$26.00	\$63,700.00	0.00%	100.00%	\$0.00	\$63,700.00	\$0.00
2	6" DIP Laterals	100 LF	\$48.00	\$4,800.00	0.00%	100.00%	\$0.00	\$4,800.00	\$0.00
3	8" PVC SDR-26	2770 LF	\$27.00	\$74,790.00	0.00%	100.00%	\$0.00	\$74,790.00	\$0.00
4	8" DIP Epoxy Coated	2160 LF	\$51.00	\$110,160.00	0.00%	100.00%	\$0.00	\$110,160.00	\$0.00
5	Tie into Existing	1 LS	\$1,200.00	\$1,200.00	0.00%	100.00%	\$0.00	\$1,200.00	\$0.00
6	Manhole 0-12"	18 EA	\$2,800.00	\$50,400.00	0.00%	100.00%	\$0.00	\$50,400.00	\$0.00
7	Manhole 12-16"	6 EA	\$3,500.00	\$21,000.00	0.00%	100.00%	\$0.00	\$21,000.00	\$0.00
8	Doghouse Manhole	1 EA	\$5,000.00	\$5,000.00	0.00%	100.00%	\$0.00	\$5,000.00	\$0.00
9	Drop Manhole	2 EA	\$3,500.00	\$7,000.00	0.00%	100.00%	\$0.00	\$7,000.00	\$0.00
10	Lateral Connections	83 EA	\$330.00	\$27,390.00	0.00%	100.00%	\$0.00	\$27,390.00	\$0.00
11	Testing (Mandrel)	1 LS	\$2,800.00	\$2,800.00	0.00%	100.00%	\$0.00	\$2,800.00	\$0.00
12	Wrapid Seal Manholes	1 LS	\$3,000.00	\$3,000.00	0.00%	100.00%	\$0.00	\$3,000.00	\$0.00
J. LANDSCAPING									
1	Street Trees (2.5" Cal.)	142 EA	\$270.00	\$38,340.00	29.58%	79.58%	\$11,340.00	\$30,510.00	\$7,830.00
2	Shade Trees (2.5" Cal.)	50 EA	\$270.00	\$13,500.00	0.00%	50.00%	\$0.00	\$6,750.00	\$6,750.00
3	Ornamental Trees	53 EA	\$250.00	\$13,250.00	24.53%	74.53%	\$3,250.00	\$9,875.00	\$3,375.00
4	Evergreen (6-7")	213 EA	\$150.00	\$31,950.00	24.88%	74.88%	\$7,950.00	\$23,925.00	\$8,025.00
5	Shrubs	375 EA	\$20.00	\$7,500.00	0.00%	50.00%	\$0.00	\$3,750.00	\$3,750.00
6	Forest Restoration Shrubs	538 EA	\$7.00	\$3,766.00	0.00%	70.00%	\$0.00	\$2,636.20	\$1,129.80
7	Forest Restoration Shrub (Shade, Understory)	1522 EA	\$10.00	\$15,220.00	0.00%	70.00%	\$0.00	\$10,654.00	\$4,566.00
K. SURVEYING									
1	Stakeout	1 LS	\$42,500.00	\$42,500.00	3.00%	98.00%	\$1,275.00	\$41,650.00	\$850.00
2	As-builts, Pins, Monuments	1 LS	\$25,500.00	\$25,500.00	0.00%	55.00%	\$0.00	\$14,025.00	\$11,475.00
SUBTOTAL				\$2,261,226.00			\$34,377.40	\$1,885,173.60	\$376,052.40
ACT 247 COVERAGE (10% of subtotal)				\$226,122.60		78.76%	\$0.00	\$178,094.16	\$48,028.44
TOWNSHIP INSPECTION (5% of subtotal)				\$113,061.30	1.52%	83.37%	\$1,718.87	\$94,258.65	\$18,802.65
TOTAL				\$2,600,409.90			\$36,096.27	\$2,157,526.41	\$442,883.49

Notes: 1) Water Distribution improvements secured under separate agreement with Lehigh County Authority
2) Quantities, units, and/or pricing are engineering estimates only prepared for budget purposes and must not be relied on as guarantee. Proposals, bids and/or construction costs may vary from amounts indicated.

Total Escrow Posted	\$2,600,409.90	Gross Value Completed	\$2,157,526.41
Previously Released	\$1,843,809.22	Less Retainage (15% Subtotal)	\$268,799.81
Current Balance (After Release #16)	\$756,600.68	Net Value Completed	\$1,888,726.60
Current Release Amount (#17)	\$30,939.66	Net Value Previously Completed	\$1,848,965.49
New Escrow Balance (as of #17)- Inc. Retainage	\$725,661.02	Net Value Completed This Period	\$30,939.66
Cumulative Total of Retainage Held (15% Subtotal)	\$268,799.81		
Remaining Contingencies	\$66,831.09		
Total Construction Costs Remaining	\$376,052.40		

We have reviewed this request for release of escrow monies and concur that the work listed hereon has been preformed satisfactorily

Bryan McAdam, P.E. Township Representative

Date:

2/7/2023

TOWNSHIP OF LOWER MACUNGIE
Lehigh County, Pennsylvania

RESOLUTION NO. 2023-11
(Duly Adopted February 16, 2023)

**A RESOLUTION REDUCING FINANCIAL SECURITY
FOR THE STONE HILL MEADOWS PHASE 2 FINAL SUBDIVISION AND LAND
DEVELOPMENT**

WHEREAS, on September 20, 2018, pursuant to Resolution No. 2018-24, the Township of Lower Macungie approved the Stone Hill Meadows Phase 2 Final Subdivision and Land Development (“Development”); and

WHEREAS, pursuant to said approval, the Developer, BT Stone Hill, L.P. (“Developer”), was required to post financial security, in the form of a Letter of Credit issued by Penn Community Bank, to guarantee the payment of recreational fees for the Development; and

WHEREAS, the total amount of said Letter of Credit posted to guarantee the payment of recreational fees was \$319,200.00; and

WHEREAS, the Developer has requested that said financial security be reduced to account for the payment of additional recreational fees; and

WHEREAS, pursuant to review and verification, the Lower Macungie Township Community Development Department Permits Division has recommended that the financial security for the said recreational fees be reduced by the amount of \$3,800.00 at this time; and

WHEREAS, a spreadsheet computing the fees paid and requested reduction is attached hereto as “Exhibit A.”

NOW, THEREFORE, BE IT RESOLVED and it is hereby resolved by the Board of Commissioners of the Township of Lower Macungie that that the remaining financial security posted by the Developer to guarantee the payment of recreational fees for the Development, in the amount of Eleven Thousand Four Hundred Dollars and Zero Cents (\$11,400.00), shall be reduced to the sum of Seven Thousand Six Hundred Dollars and Zero Cents (\$7,600.00), and the amount of Three Thousand Eight Hundred Dollars and Zero Cents (\$3,800.00) shall be released.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to the Developer, BT Stone Hill, LP and to Penn Community Bank.

DULY ADOPTED this 16th day of February 2023, by the Board of Commissioners of Lower Macungie Township, in lawful session duly assembled.

LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS

ATTEST:

Brian P. Higgins, President

Renea Flexer, Secretary

EXHIBIT “A”

DEVELOPMENT: STONE HILL MEADOWS - PHASE II REC FEES

TOTAL ESCROW AMOUNT: \$319,200.00

OWNER: BT Stone Hill, LP

TYPE OF SECURITY: LOC 321

CERTIFICATION: #19 (1-30-23)

LENDER: Penn Community Bank

LOT #	BUILDER	AMOUNT	ESTIMATED % OF WORK COMPLETED		VALUE OF WORK COMPLETED		REMAINING FEES
			THIS PERIOD	TO DATE	THIS PERIOD	TO DATE	
25	Longridge	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
26	Longridge	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
27	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
28	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
29	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
30	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
31	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
32	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
33	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
34	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
35	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
36	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
37	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
38	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
39	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
40	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
41	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
42	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
43	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
44	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
45	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
46	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
47	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
48	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
49	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
50	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
51	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
52	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
53	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
54	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
55		\$3,800.00	100.00%	100.00%	\$3,800.00	\$3,800.00	\$0.00
56	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
57		\$3,800.00	0.00%	0.00%	\$0.00	\$0.00	\$3,800.00
58	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
59	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
60		\$3,800.00	0.00%	0.00%	\$0.00	\$0.00	\$3,800.00
61	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
62	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
63	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
64	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
65	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
66	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
67	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
68	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
69	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
70	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
71	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00

72	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
73	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
74	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
75	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
76	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
77	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
78	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
79	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
80	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
81	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
82	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
83	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
84	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
85	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
86	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
87	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
88	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
89	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
90	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
91	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
92	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
93	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
94	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
95	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
96	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
97	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
98	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
99	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
100	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
101	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
102	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
103	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
104	Longridge	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
105	Longridge	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
106	Longridge	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
107	Ryan Homes	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
108	Longridge	\$3,800.00	0.00%	100.00%	\$0.00	\$3,800.00	\$0.00
109	Ryan Homes	\$0.00	0.00%	100.00%	\$0.00	\$0.00	\$0.00

TOTAL ESCROW FOR RECREATIONAL FEES	\$319,200.00	Submitted By (Developer) <u>Rock Westcott</u> Date <u>1/30/23</u>
TOTAL ESCROW RELEASED TO DATE FOR RECREATIONAL FEES PAID (CONFIRMED BY CKS)	\$307,800.00	
TOTAL ESCROW REQUESTED TO BE RELEASED FOR ADDITIONAL RECREATIONAL FEES PAID (CONFIRMED BY CKS)	\$3,800.00	
TOTAL REMAINING SECURITY AFTER THIS RELEASE	\$7,600.00	

We have reviewed this request for the release of escrow monies and concur that the fees listed heron have been paid.

Township Representative

LOWER MACUNGIE TOWNSHIP
Lehigh County, Pennsylvania

ORDINANCE NO. _____
(Duly adopted _____, 2023)

AN ORDINANCE OF THE TOWNSHIP OF LOWER MACUNGIE, LEHIGH COUNTY, AMENDING CHAPTER 27 “ZONING” OF THE LOWER MACUNGIE TOWNSHIP CODE OF ORDINANCES BY PERMITTING MIXED-USE DEVELOPMENT BY CONDITIONAL USE IN THE “HE” – HIGHWAY ENTERPRISE DISTRICT; AMENDING CHAPTER 27, “ZONING”, PART 24 “CONDITIONAL USES, SPECIAL EXCEPTION USES, AND CERTAIN USES BY RIGHT SUBJECT TO SPECIFIC ADDITIONAL CRITERIA” BY ADDING NEW SUBSECTION §27-2417 “MIXED USE DEVELOPMENT IN THE HE- HIGHWAY ENTERPRISE DISTRICT”; PROVIDING DIMENSIONAL REGULATIONS; PROVIDING FOR A MIXED USE GOLF DRIVING RANGE WITH HOURS OF OPERATION FROM 9:00 A.M. TO 2:00 A.M. ON FRIDAY AND SATURDAY AND FROM 9:00 A.M. TO 12:00 A.M. FROM SUNDAY THROUGH THURSDAY WITH DIMMED LIGHTING OPERATED UNTIL TWO HOURS AFTER CLOSING FOR MAINTENANCE; PROVIDING FOR AQUARIUM, PERFORMANCE THEATRE, AND MIXED-USE SPORTS RETAIL USES; PROVIDING FOR ACCESSORY USES; ALLOWING FOR A MAXIMUM FREESTANDING SIGN HEIGHT OF 50’ FOR A SINGLE FREESTANDING SIGN WITH FRONTAGE ON I-78; AMENDING PERFORMANCE STANDARDS FOR LIGHTING; AND MAKING OTHER CHANGES

WHEREAS, the Pennsylvania First Class Township Code authorizes the Board of Commissioners of Lower Macungie Township, a Township of the First Class, to make and adopt ordinances consistent with the Constitution and laws of the Commonwealth; and

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et. seq.*, as amended, confers upon the Board of Commissioners of Lower Macungie Township the authority to adopt, amend, change, and/or modify its Zoning Ordinance; and

WHEREAS, the Board of Commissioners previously adopted the Lower Macungie Township Zoning Ordinance of 2019 (the “**Ordinance**”), as amended; and

WHEREAS, a stated objective of the Ordinance is to promote the public health, safety, morals and general welfare of the present and future residents of Lower Macungie Township by giving effect to the policies, proposals and the statement of objectives and policies contained in the Southwest Lehigh County Comprehensive Plan of 2017 (the “**Comprehensive Plan**”); and

WHEREAS, a stated objective of the Comprehensive Plan for mixed-use development is to “harmonize or to promote the continued co-existence of residences, stores and low-impact services in an arrangement most conducive to non-motorized vehicles and pedestrians;” and

WHEREAS, in furtherance of such objective, the Comprehensive Plan recommends combining residential land uses such as apartments and condominiums with commercial land uses such as stores and recreation facilities; and

WHEREAS, to promote the public health, safety, morals and general welfare of the present and future residents of Lower Macungie Township, and in conformity with the stated objectives and Ordinance and the Comprehensive Plan, the Board of Commissioners hereby desires to amend the Zoning Ordinance of Lower Macungie Township.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Commissioners of the Township of Lower Macungie, Lehigh County, Pennsylvania that the Lower Macungie Township Zoning Ordinance is hereby amended as follows:

ARTICLE I. Chapter 27 “Zoning” Attachment 2 – “Zoning Use Table” and Attachment 3 – “Zoning Use Charts” of the Ordinance shall be amended to include Mixed-Use Development as a use permitted by Conditional Use in the HE- “Highway Enterprise” Zoning District.

ARTICLE II. Chapter 27 “Zoning” Attachment 5 – “Exhibit B: Sign Heights” is hereby amended to read as follows:

Exhibit B: Sign Height Table

Type of Sign Structure	I, HC, HE, HISC and ORLIC Districts
Freestanding sign	14 ⁵

⁵ Pursuant to §27-2417(5)(A) one freestanding sign for a Mixed-Use Development in the HE District with frontage along I-78 is permitted to be placed along I-78 at a maximum height of 50’.

ARTICLE III. Chapter 27 “Zoning”, Part 24 “Conditional Uses, Special Exception Uses, and Certain Uses by Right Subject to Specific Additional Criteria”, is hereby amended by the addition of the following subsection:

“§27-2417- Mixed-Use Development in the HE – Highway Enterprise District.

1. A Mixed-Use Development located in the HE Zoning District shall only be permitted pursuant to the standards set forth in §27-2417(1)(A) and shall meet the following additional standards:
 - (i) Twenty (20) or more acres;
 - (ii) Two (2) or more Mixed-Use Structures, and
 - (iii) the devotion of 100% of the total first floor area of at least two of its Mixed-Use Structures, except for those areas set aside and necessary for the private use of residents of the Mixed-Use Structures, to commercial, dining, or other permitted non-residential uses.

- A. A Mixed-Use Development shall be subject to the standards of §27-2412 – Mixed-Use Development in the C-Commercial District - except that the following dimensional criteria shall apply in the HE-Highway Enterprise District:
 - (1) The maximum density on the residential portion of the lot shall be 12 dwelling units per gross acre of the entire Mixed-Used Development.
 - (2) The maximum height shall be the height permitted for “All other uses unless specified” under Section 27-1406 of the Zoning Ordinance (including the Notes to Section 27-1406), and there shall be a maximum of six (6) stories of habitable space.
 - (3) The maximum number of units in a residential building shall be two hundred (200) units.
 - (4) The maximum length of a residential building shall be four hundred (400) feet and shall include architectural treatment as displayed in the Lower Macungie Township Design Guidelines.
 - (5) No building shall be located closer than 25 feet to any other building.
 - (6) All signs, structures, public areas, streetscapes and landscaping in any Mixed-Used Development in the HE District shall be in conformity with the Lower Macungie Design Guidelines.
 - (7) A free-standing single-tenant nonresidential building shall be permitted a building footprint in excess of 20,000 square feet but no more than 75,000 square feet.
 - (8) Any building constructed pursuant to this section shall maintain integrated pedestrian access to the remainder of the Mixed-Use Development and shall be constructed in conformity with the Lower Macungie Design Guidelines.

The above dimensional criteria shall apply and supersede any contrary restriction in the Zoning Ordinance, including but not limited to §27-2412 subsections 4, 5.A, 5.F, 5.G, 5.J, 5.K, 6.A, 6.C and 6.E.

2. Notwithstanding any other provision of the Zoning Ordinance, and in addition to the uses permitted in a Mixed-Use Development by its definition and the definition of Amusement and Outdoor Recreation, a Mixed-Use Development in the “HE” District may further include the following uses:
 - A. Mixed-Use Golf Driving Range - A sports entertainment venue with hours of operation from 9:00 AM - 2:00 AM on Friday and Saturday and 9:00 AM to 12:00 AM on Sunday through Thursday consisting of a technologically advanced golf driving range, full-service restaurant and bar use(s), amusement devices, outdoor dining, outdoor patio, outdoor lounge area, and event space and/or an entertainment complex and containing an outfield with electronic targets.
 - B. Performance Theater - An auditorium including a stage which is primarily designed for public assembly to allow patrons to experience visual or auditory performances with a maximum seating capacity of 5,000.
 - C. Aquarium - An establishment that maintains a collection of wild animals, typically in a park, garden, or a transparent tank of water for display to the public. This use shall include a touch tank allowing patrons to interact with and touch aquatic animals and shall further allow for a retail store as an accessory use.
 - D. Mixed-Use Sports Retail Establishment – A commercial establishment dedicated primarily to the retail sale of sporting goods and consisting of indoor multi-sport interactive experiences including but not limited to rock-climbing walls, turf fields and tracks, batting cages, golf hitting bays, and putting greens. This use shall further consist of customer services including but not limited to yoga and other fitness classes, athletic training courses, and the sale of freshly prepared and prepackaged juices and other wellness products.
 - E. Any other use permitted in the C-Commercial District which is determined by the Board of Commissioners to be compatible with a Mixed-Use Development shall be permitted in a Mixed-Use Development by Conditional Use approval of the Board of Commissioners.
3. Notwithstanding any other provision of the Zoning Ordinance, a Mixed-Use Golf Driving Range shall include, along with those uses customary and incidental, the following accessory uses permitted by right:
 - A. Barrier netting and poles not to exceed one hundred seventy-five (175) feet in height above the floor elevation of the building.
 - B. High-definition digital screens located outside the outfield netting and facing internally towards the building to be used for the operation of the venue.

4. Lighting Standards:

A. Notwithstanding any other provision of the Zoning Ordinance, lighting standards for a Mixed-Use Development in the “HE” District shall be governed by Chapter 27 “Zoning”, Part 18 “General Performance Standards” Section §27-1805 “Lighting” except as follows:

- (1) Recreational lighting for a Mixed-Use Golf Driving Range is permitted a maximum mounting height of fifty-five (55) feet.
- (2) Full cutoff fixtures shall not be required for lighting for a Mixed-Use Golf Driving Range and instead such lighting must comply with the remaining standards and specifications of §27-1805.6M.
- (3) A Mixed-Use Golf Driving Range may operate outdoor lighting until 2 hours after closing for maintenance as follows:
 - (a) From 12:00 A.M. Sunday through Thursday, a Mixed-Use Golf Driving Range shall cease fully illuminated outdoor lighting at 12:00 A.M. and outdoor lighting shall be operated at dimmed levels until no later than 2:00 A.M for the sole purpose of maintenance.
 - (b) From 2:00 A.M. Friday through Saturday, a Mixed-Use Golf Driving Range shall cease fully illuminated outdoor lighting at 2:00 A.M. and outdoor lighting shall be operated at dimmed levels until no later than 4:00 A.M. for the sole purpose of maintenance.

5. Sign Standards:

In addition to any other signage allowed for such use under the other provisions of this Zoning Ordinance, a Mixed-Use Development in the “HE” District with frontage along I-78 is allowed one freestanding sign with a maximum display area of 360 square feet and a height of 50’ if placed along I-78. No more than 50% of the sign area may be dedicated to digital advertisement.”

ARTICLE IV. REPEALER

All ordinances or parts of ordinances, together with all amendments and supplements thereto, are hereby repealed to the extent that the same conflict with the provisions of this Zoning Ordinance Amendment. This Zoning Ordinance Amendment shall not affect any suit or prosecution pending or to be instituted to enforce any provision of such repealed ordinance or to punish any offense against any such repealed ordinance committed prior to the effective date of this Zoning Ordinance Amendment.

ARTICLE V. SEVERABILITY

If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Zoning Ordinance Amendment is declared for any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect or impair the validity of the Zoning Ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase word or remaining portion of the Zoning Ordinance. The Board of Commissioners of the Township of Lower Macungie hereby declare that it would have adopted this Zoning Ordinance Amendment and each article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof irrespective of the fact that any one or more of the articles, sections, subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

ARTICLE VI. EFFECTIVE DATE.

This Ordinance shall become effective five (5) days after the date of its enactment.

DULY ENACTED AND ORDAINED this ___ day of _____, 2023, by the Board of Commissioners of Lower Macungie Township, Lehigh County, Pennsylvania, in lawful session duly assembled.

**BOARD OF COMMISSIONERS OF LOWER
MACUNGIE TOWNSHIP**

By: _____
Brian P. Higgins, President

ATTEST:

Renee Flexer, Secretary

**BEFORE THE LOWER MACUNGIE TOWNSHIP BOARD OF COMMISSIONERS
LEHIGH COUNTY, PENNSYLVANIA**

In re: Conditional Use Application of	:	Application # 12584
FireFly Technologies, Inc.	:	LMT-22-0009
6265 Hamilton Boulevard,	:	
Allentown, PA 18106	:	Hearing Date: February 2, 2023

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

I. INTRODUCTION

On February 2, 2023, after due advertisement and other required public notice, the Board of Commissioners of Lower Macungie Township (the “Board”) held a hearing on the conditional use application of FireFly Technologies, Inc. (the “Applicant”). (Township Exhibits 2, 3, and 4.) The application requested conditional use authorization to occupy Suites 4 and 6 of the industrial building located at 6265 Hamilton Boulevard, Allentown, PA 18106 (the “Property”) and conduct ultra-light manufacturing, which involves building electrical wiring harnesses and control panels. (Township Exhibit 1.) The Property lies in the C-Commercial Zoning District in which ultra-light manufacturing is permitted by conditional use pursuant to Section 27-1003 of the Township Zoning Code.

The Lower Macungie Township Planning Commission reviewed the conditional use application at its December 13, 2022, meeting and recommended approval. (Township Exhibit 7.)

At the public hearing on February 2, 2023, the following exhibits were offered and entered into the record:

- Township Exhibit 1: FireFly Technologies, Inc. Conditional Use Application dated November 9, 2022.
- Township Exhibit 2: Legal Notice for Conditional Use Hearing, as published in East Penn Press on January 18, 2023, and January 25, 2023.

- Township Exhibit 3: Certification of Property Posting by Nathan Jones, Director of Community Development, and Vince Tranguch, Deputy Director of Community Development, dated January 23, 2023.
- Township Exhibit 4: Certificate of Mailing Notification by Carl L. Best, dated January 17, 2023.
- Township Exhibit 5: Memorandum from Nathan Jones, Director of Planning & Community Development, to the Lower Macungie Township Planning Commission, dated December 8, 2022.
- Township Exhibit 6: Memorandum from Carl L. Best, Zoning Officer, to the Lower Macungie Township Planning Commission, dated November 21, 2022.
- Township Exhibit 7: Planning Commission Recommendation dated December 14, 2022.
- Applicant Exhibit A-1: Conditional Use Application dated November 9, 2022.
- Applicant Exhibit A-2: Planning Commission Recommendation dated December 14, 2022.
- Applicant Exhibit A-3: Memorandum from Nathan Jones, Director of Planning & Community Development, to the Lower Macungie Township Planning Commission, dated December 8, 2022.
- Applicant Exhibit A-4: Lease Agreement, dated September 1, 2022, with FireFly Technologies, Inc. as tenant.
- Applicant Exhibit A-5: Excerpt of Lower Macungie Township Zoning Map.
- Applicant Exhibit A-6: Site Plan, 6265 Hamilton Boulevard, prepared by Newton Engineers.
- Applicant Exhibit A-7: Photo of exterior of the building.
- Applicant Exhibit A-8: Photo of access into the site, and exterior of the building.
- Applicant Exhibit A-9: Photo of the loading dock.
- Applicant Exhibit A-10: Photo of the exterior of the building.
- Applicant Exhibit A-11: Photo of the exterior of the building.
- Applicant Exhibit A-12: Photo of a typical electrical cabinet.
- Applicant Exhibit A-13: Photo of a typical electrical cabinet.

- Applicant Exhibit A-14: Photo of a circuit breaker.
- Applicant Exhibit A-15: First Floor, Floor Plan.
- Applicant Exhibit A-16: Second Floor, Floor Plan.

No member of the public appeared at the hearing on February 2, 2023, either in support or in opposition to the conditional use application. After the presentation of evidence, the Board, pursuant to the authority of Section 913.2 of the Municipalities Planning Code, 53 P.S. §10913.2, and the Township Zoning Code, §27-2403, voted unanimously to grant the conditional use application, subject to certain conditions.

II. FINDINGS OF FACT

1. The Applicant is FireFly Technologies, Inc.
2. The Applicant proposes to occupy Suites 4 and 6 of the industrial building located at 6265 Hamilton Boulevard, Allentown, PA 18106, and conduct ultra-light manufacturing which involves assembling electrical wiring harnesses and control panels. (Applicant Exhibits 12, 13 and 14.)
3. The Applicant leases the Property from Lloyd H. Jones. (Applicant Exhibit A-4.)
4. The Property lies in the C-Commercial Zoning District.
5. The building is served by public water and sewer.
6. The proposed ultra-light manufacturing operation involves the assemblage of circuit boards and electrical circuits for various uses and applications.
7. The operation does not involve the use of chemicals or hazardous substances.
8. The operation will not generate noise or odors.
9. The operation will not generate industrial wastewater.
10. The Property is surrounded by commercial uses and a condominium development to the south.

III. CONCLUSIONS OF LAW

1. Ultra-Light Manufacturing is permitted by conditional use in the C-Commercial Zoning District. Township Zoning Code § 27-1003 and Exhibit 1: Zoning Use Matrix.

2. In reviewing this application for conditional use, the Board considered the criteria set forth in Township Zoning Code § 27-2403.E.

3. The proposed ultra-light manufacturing at the Property is in accordance with the land use objectives of the Southwest Lehigh County Comprehensive Plan and consistent with the spirit, purposes and intent of the Zoning Code, Chapter 27. Township Zoning Code § 27-2403.E.(1).

4. The proposed ultra-light manufacturing at the Property is consistent with the best interests of the Township, the convenience of the community, and the public welfare. Township Zoning Code § 27-2403.E.(2).

5. The proposed ultra-light manufacturing is suitable for the Property in question, and will be designed, constructed, operated and maintained so as to be in harmony with and appropriate in scale, appearance and intensity of use with the existing or intended character of the general vicinity/neighborhood. Township Zoning Code § 27-2403.E.(3).

6. The proposed ultra-light manufacturing is designed in conformance with all applicable requirements of the Zoning Code. Township Zoning Code § 27-2403.E.(4).

7. The proposed ultra-light manufacturing at the Property will not have a negative impact on the logical, safe, efficient, and economical extension of public services and facilities in the community. Township Zoning Code § 27-2403.E.(5).

8. The proposed ultra-light manufacturing at the Property will not have a negative impact on street traffic and safety. Township Zoning Code § 27-2403.E.(6).

9. The proposed ultra-light manufacturing at the Property will not have an adverse impact on the health, safety, and welfare of the neighborhood and/or the community if properly operated consistent with the testimony and exhibits provided by the Applicant.

IV. DECISION AND ORDER

AND NOW, this 16th day of February 2023, the conditional use application of FireFly Technologies, Inc., for authorization to conduct ultra-light manufacturing, specifically assemblage of electrical wiring harnesses and control panels, at the property located at 6265 Hamilton Boulevard, Allentown, PA, within the C-Commercial Zoning District, is GRANTED subject to the following special conditions:

1. Applicant shall comply in all material respects with the testimony and exhibits presented to the Board of Commissioners.
2. Applicant shall address the comments contained in the Planning Department's review memorandum dated December 8, 2022, and the Zoning Officer's review memorandum dated November 21, 2022, to the satisfaction of the Director of Planning and Community Development.
3. At no point shall the approved facility or business operate in any way that is beyond the definition of ultra-light manufacturing. Further, at no point shall the proposed use ever conduct business or operations that meet the definition of the Warehouse, wholesale, storage, or distribution use.

The offers of proof, testimony, exhibits, plans and representations made at the conditional use hearing, as affirmed by the Applicant and accepted by the Board of Commissioners, are incorporated herein by reference and form the basis for this Decision and Order. No deviation

therefrom shall be permitted without further approval by the Board of Commissioners of Lower Macungie Township.

If you or anyone else present at the hearing(s) and entering their appearance disagree with this Findings of Fact, Conclusions of Law and Decision in any way, there is a strict time limit of THIRTY (30) days from the date of the MAILING of the Findings of Fact, Conclusions of Law and Decision within which to take an appeal of this Findings of Fact, Conclusions of Law and Decision to the Court of Common Pleas of Lehigh County, Pennsylvania.

Date: February 16, 2023

LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS

Attest

Brian P. Higgins, President

Renea Flexer, Secretary

TOWNSHIP OF LOWER MACUNGIE
Lehigh County, Pennsylvania

RESOLUTION NO. 2023-12
(Duly Adopted February 16, 2023)

RESOLUTION AUTHORIZING AN AGREEMENT OF SALE
WITH THE PENNSYLVANIA TURNPIKE COMMISSION,
AND A TEMPORARY EASEMENT IN FAVOR OF THE
PENNSYLVANIA TURNPIKE COMMISSION, IN LIEU OF
CONDEMNATION, IN CONNECTION WITH THE
EXPANSION OF THE NORTHEAST EXTENSION OF THE
PENNSYLVANIA TURNPIKE

WHEREAS, on January 25, 2022, pursuant to the Pennsylvania First Class Township Code (53 P.S. § 56901, *et seq.*) and Eminent Domain Code (26 Pa.C.S. § 101, *et seq.*), the Township filed a Declaration of Taking in the Court of Common Pleas of Lehigh County, Pennsylvania, at Docket No. 2022-C-0174, pursuant to which the Township acquired the following properties for the establishment of public park land and open space:

- 2525 Lower Macungie Road, Emmaus, PA 18049, being Lehigh County tax parcel identification number 548449206770.
- 2700 Lower Macungie Road, Emmaus, PA 18049, being Lehigh County tax parcel identification number 548458530739.
- 2740 Lower Macungie Road, Emmaus, PA 18049, being Lehigh County tax parcel identification number 548467782380.
- 2250 Riverbend Road, Allentown, PA 18103, being Lehigh County tax parcel identification number 548459023659, and
- 2300 Riverbend Road, Allentown, PA 18103, being Lehigh County tax parcel identification number 548469002576.

(the foregoing properties are collectively referred to herein as the “Properties.”)

WHEREAS, the Pennsylvania Turnpike Commission (“PTC”) is in the process of widening and expanding the Northeast Extension of the Pennsylvania Turnpike (“Turnpike Expansion Project”) and has informed the Township that it must acquire certain portions of the Properties as required right-of-way, permanent easements, and temporary construction easement, for the Turnpike Expansion Project; and

WHEREAS, the portions of the Properties that the PTC must acquire as required right-of-way, permanent easements, and temporary construction easement for the Turnpike Expansion Project are depicted on certain plans provided by the PTC that are attached hereto as Exhibit “1” and incorporated herein by reference as if set forth at length; and

WHEREAS, the PTC is authorized by Pennsylvania law to acquire by purchase or condemnation property deemed necessary for the construction and operation of the Pennsylvania Turnpike; and

WHEREAS, in lieu of the time and expense of condemnation proceedings, the Township desires to sell to the PTC to the portions of the Properties needed for required right-of-way and permanent easements, and to amicably provide to the PTC the temporary construction easement on the Properties, in exchange for a negotiated fair market value of said property interests; and

WHEREAS, an Agreement of Sale for the portions of the Properties that the PTC must acquire as required right-of-way and permanent easements for the Turnpike Expansion Project is attached hereto as Exhibit “2” and incorporated herein by reference as if set forth at length, which Agreement of Sale identifies the purchase price to be paid by the PTC to the Township in the amount of Six Hundred Fifteen Thousand, One Hundred Dollars and Zero Cents (\$615,100.00); and

WHEREAS, a Temporary Construction Easement for the Turnpike Expansion Project is attached hereto as Exhibit “3” and incorporated herein by reference as if set forth at length, which easement identifies the price to be paid by PTC to the Township for the easement in the amount of Six Thousand Dollars and Zero Cents (\$6,000.00); and

WHEREAS, after review by the Township staff and consultants, the Township finds the compensation offered by the PTC for the aforementioned interests in the Properties to be fair and reasonable, and consistent with the just compensation paid by the Township for the entirety of the Properties.

NOW, THEREFORE, BE IT ADOPTED AND RESOLVED by the Board of Commissioners of the Township of Lower Macungie, Lehigh County, Pennsylvania, as follows:

1. The Recitals set forth above and Exhibits attached hereto are incorporated herein by reference as if set forth in full.
2. In the interest of avoiding the unnecessary time and expense of condemnation proceedings by the PTC, the Agreement of Sale attached hereto as Exhibit “1” and the Temporary Construction Easement attached hereto as Exhibit “2” are hereby approved and may be executed by the Township Manager on behalf of the Township.
3. The Township Solicitor, Township Engineer, and Township Manager are authorized and directed to take all such action as may be necessary and appropriate to implement the actions authorized in this Resolution.
4. All resolutions or parts thereof inconsistent herewith are hereby repealed to the extent of any such inconsistency.

5. This Resolution shall become effective immediately upon adoption.

DULY ADOPTED this 16th day of February 2023, by the Board of Commissioners of Lower Macungie Township, in lawful session duly assembled.

LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS

Brian P. Higgins, President

Attest:

Renea Flexer, Secretary

EXHIBIT “1”

NOTES:

- SEE DRAWING 1 OF 5 FOR NOTES.
- SEE DRAWING 1 OF 5 FOR PLOT AREA.
- SEE DRAWING 5 OF 5 FOR REQUIRED METES AND BOUNDS TABULATIONS.
- BUILDINGS AND STRUCTURES MARKED [C] HAVE BEEN OR ARE TO BE REMOVED OR ALTERED BY THE COMMISSION OR OTHER AUTHORITY RESPONSIBLE FOR THE PAYMENT OF PROPERTY DAMAGES.
- REQUIRED RIGHT-OF-WAY EASEMENT FOR LEHIGH COUNTY AUTHORITY, IN ACCORDANCE WITH THE ACT OF JUNE 1, 1945, P.L. 1242, SECTION 412, AS AMENDED.

WITH THE RIGHT FOR THE UTILITY, ITS SUCCESSORS AND ASSIGNS, A PERMANENT VARIABLE WIDTH EASEMENT, AS DESCRIBED ON DRAWING 5, TOGETHER WITH THE RIGHT TO OCCUPY SUCH AREA AS MAY BE NECESSARY TO CONSTRUCT A TYPE OF LINE AND ALL NECESSARY APPURTENANCES THERETO, WITH THE RIGHT OF INGRESS AND EGRESS FROM S.R. 2012, ITS SUCCESSORS, LESSEES AND ASSIGNS, FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTING, RENEWING, REPAIRING, REPLACING, RELOCATING, PARALLELING, RENOVATING AND MAINTAINING SAID TYPE OF LINE AND APPURTENANCES OR ANY PARTS THEREOF, ACROSS, THROUGH, AND UNDER LAND TO BE CONVEYED BY THE PROPERTY OWNER WITH THE RIGHT FROM TIME TO TIME, AND AT ANY TIME, TO CUT DOWN, TRIM, REMOVE AND KEEP CUT ALL TREES AND BRUSH UPON SAID EASEMENT.

PROPERTY OWNER RESERVES THE USE AND ENJOYMENT OF THE PREMISES EXCEPT FOR THE EASEMENT HEREIN GRANTED AND EXCEPT THAT NO BUILDINGS OR STRUCTURES OF ANY KIND SHALL BE PLACED OR ERRECTED BY THE PROPERTY OWNER WITHIN 25 FEET OF ANY TYPE OF LINE LAID HEREUNDER.

UTILITY AGREES TO PAY ANY DAMAGES TO CROPS, TREES, AND FENCES CAUSED BY LAYING, MAINTAINING, REPLACING, AND REMOVING SAID TYPE OF LINES; AND IN THE EVENT THAT SUCH DAMAGES ARE NOT MUTUALLY AGREED UPON, THE SAME SHALL BE DETERMINED BY THREE DISINTERESTED PERSONS, ONE APPOINTED BY THE PROPERTY OWNER, ONE BY THE UTILITY, AND THE THIRD BY THE TWO SO APPOINTED, AND THE AWARD OF SUCH THREE PERSONS SHALL BE CONCLUSIVE.

THE FUTURE EASEMENT INTEREST SHALL VEST IN THE SAID COMPANY IF AND WHEN THE HIGHWAY RIGHT-OF-WAY IS VACATED.

SR 2012 SURVEY & RIGHT-OF-WAY E
 PI STA = 367+27.44
 D = 0°59'59.95"
 T = 172.97'
 L = 345.83'
 R = 5729.65'
 E = 2.61'
 SE = NC
 PC STA = 365+54.47
 PT STA = 369+00.30

SR 2012 SURVEY & RIGHT-OF-WAY E
 PI STA = 364+06.34
 D = 8°45'05" RT
 T = 202.77'
 L = 404.76'
 R = 2650.00'
 E = 7.75'
 SE = NC
 PC STA = 362+03.57
 PRC STA = 366+08.33

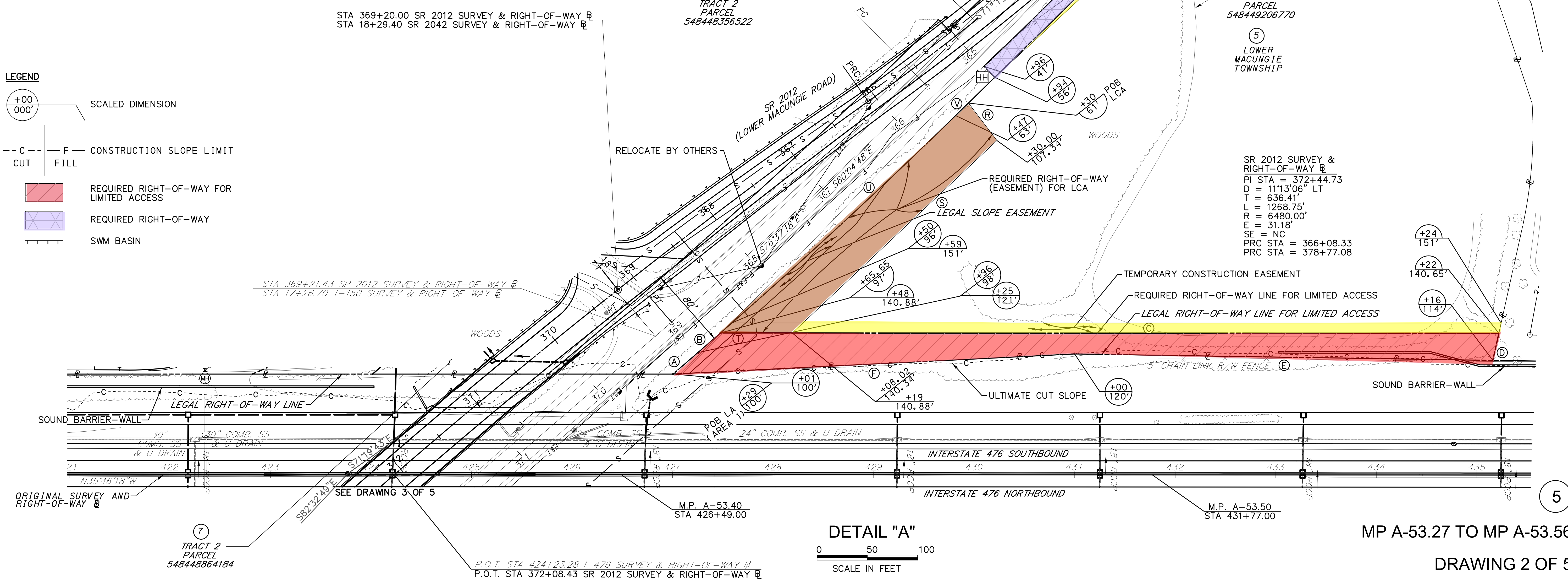
7
 KENNETH J. DORNEY AND
 LINDA J. RUHE
 ADULT INDIVIDUALS,
 AS EQUAL TENANTS IN COMMON
 TRACT 2
 PARCEL
 5484448356522

5
 LOWER
 MACUNGIE
 TOWNSHIP
 TRACT 2
 PARCEL
 548449206770

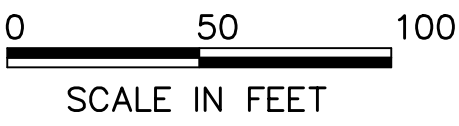
SR 2012 SURVEY & RIGHT-OF-WAY E
 PI STA = 372+44.73
 D = 11°13'06" LT
 T = 636.41'
 L = 1268.75'
 R = 6480.00'
 E = 31.18'
 SE = NC
 PRC STA = 366+08.33
 PRC STA = 378+77.08

LEGEND

- +00 / 000' SCALED DIMENSION
- CUT / FILL CONSTRUCTION SLOPE LIMIT
- REQUIRED RIGHT-OF-WAY FOR LIMITED ACCESS
- REQUIRED RIGHT-OF-WAY
- SWM BASIN

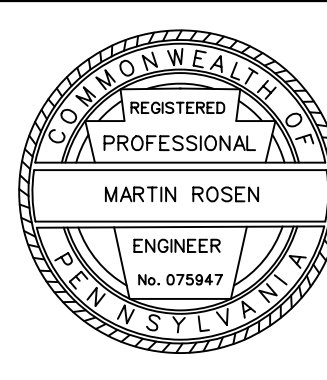


DETAIL "A"



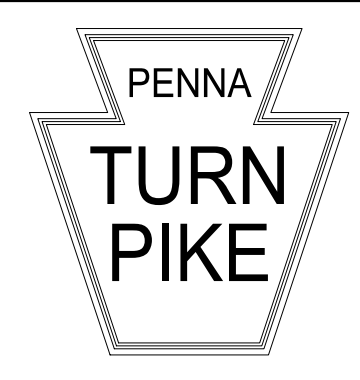
MP A-53.27 TO MP A-53.56

DRAWING 2 OF 5



PREPARED BY:
 TRAFFIC PLANNING AND DESIGN, INC.
 2500 E HIGH STREET
 POTTSTOWN, PA 19464

PREPARED FOR:
 THE PENNSYLVANIA
 TURNPIKE COMMISSION



WBS NO. A-053.00T001-4-08
NETWORK NUMBER: 6011722
FILE NAME: RWpl05-02.dgn
DRAWING TYPE: 3R
STRUCTURE NUMBER: NB-336
SCALE: AS NOTED

**ROADWAY AND
 BRIDGE RECONSTRUCTION
 FROM MP A53 TO A57**

DISTRICT: 05 COUNTY: LEHIGH
 TOWNSHIP / BOROUGH: LOWER MACUNGIE

PTC PROPERTY PLOT PLAN	
PLAN NO.: RW 8268-B	
PROPERTY OWNER(S): LOWER MACUNGIE TOWNSHIP	GRANTOR(S): SEE SUMMARY OF PROPERTY INTEREST
ON DRAWING 1	
DRAWING: 2	OF 5
SHEET: OF	

FILE: p:\ofmer-pw\berri\paw\Documents\Projects\9826A-53 to A-57 Total Reconstruction\CADD Files\02 Right-of-Way\06 Property Plots\LR Bridge Realign\Wpl05-02.dgn
 DATE: 10/21/2022 8:11 AM
 USER:

NOTES:

1. SEE DRAWING 1 OF 5 FOR NOTES.
2. SEE DRAWING 1 OF 5 FOR PLOT AREA.

REQUIRED RIGHT-OF-WAY FOR LIMITED ACCESS (AREA 1)
STA. 427+01 TO STA. 435+22 LT.

SIDE	BEARING	LENGTH, FT.
A	N76°37'18"W	32.51'
B	N76°46'12"W (CHD) ARC/RADIUS	29.85' (CHD) L=29.85' R=5769.65' LT
C	N35°45'18"W	774.25'
D	N66°46'07"E	27.71'
E	S34°53'25"E	415.97'
F	S38°38'03"E	399.93'
AREA = 0.491 ACRE*		

* INCLUDES 0.014 ACRES OF LEGAL SLOPE EASEMENT.

REQUIRED RIGHT-OF-WAY FOR LIMITED ACCESS (AREA 2)
STA. 423+16.95 TO STA. 434+37 RT.

SIDE	BEARING	LENGTH, FT.
G	N68°08'21"E	35.36'
H	S35°45'18"E	280.26'
I	N82°23'44"E	626.36'
J	S00°48'22"W	511.50'
K	N85°27'24"W	4.19'
L	S13°16'41"W	194.28'
M	N76°37'18"W	201.32'
N	N35°46'18"W	330.76'
O	N33°37'27"W	400.28'
P	N39°35'09"W	225.50'
Q	N35°46'18"W	11.77'
AREA = 6.667 ACRES*		

* INCLUDES 0.248 ACRES OF RIGHT-OF-WAY (EASEMENT) RESERVED BY LCA.

REQUIRED RIGHT-OF-WAY (EASEMENT) FOR LCA
STA. 365+30 TO STA. 368+66 LT.

SIDE	BEARING	LENGTH, FT.
R	N16°58'38"E	46.80'
S	S78°59'02"E	279.31'
T	S35°45'18"E	71.40'
U	N78°29'56"W (CHD) ARC/RADIUS	318.36' (CHD) L=318.40' R=5769.65' LT
V	N80°04'48"W	17.86'
AREA = 0.324 ACRE*		

* INCLUDES 0.041 ACRES OF LEGAL SLOPE EASEMENT.

REQUIRED DRAINAGE EASEMENT (AREA 1)
STA. 375+83 TO STA. 376+51 LT.

SIDE	BEARING	LENGTH, FT.
A	S13°58'33"W	25.00'
B	N76°37'18"W	59.03'
C	N03°55'06"W	26.18'
D	S76°37'18"E	67.08'
AREA = 0.036 ACRES		

REQUIRED DRAINAGE EASEMENT (AREA 2)
STA. 376+10 TO STA. 376+54 RT.

SIDE	BEARING	LENGTH, FT.
E	S05°16'49"W	222.94'
F	N35°46'18"W	69.00'
G	N05°30'48"E	172.39'
H	S82°48'51"E	44.64'
AREA = 0.204 ACRES		

REQUIRED RIGHT-OF-WAY (AREA 1)
STA. 373+32 TO STA. 384+75.00 RT.

SIDE	BEARING	LENGTH, FT.
I	S16°43'39"W	25.00'
J	N75°16'42"W	370.27'
K	N85°46'57"W	297.66'
L	N82°48'51"W	348.28'
M	N35°46'18"W	169.46'
N	S76°37'18"E	498.86'
O	N13°22'42"E	23.50'
P	S76°37'18"E	45.00'
Q	S13°22'42"W	3.50'
R	S76°37'18"E	30.13'
S	S74°56'49"E (CHD) ARC/RADIUS	291.07' (CHD) L=291.11' R=4980.00' RT
T	S73°16'21"E	10.92'
U	S16°43'39"W	5.00'
V	S73°16'21"E	264.83'
AREA = 1.631 ACRES*		

* INCLUDES 0.274 ACRES OF RIGHT-OF-WAY (EASEMENT) RESERVED BY LCA.

REQUIRED RIGHT-OF-WAY (AREA 2)
STA. 0+95 TO STA. 3+00.00 RT.

SIDE	BEARING	LENGTH, FT.
W	S85°27'24"E	5.66'
X	S03°55'06"E	216.35'
Y	N37°54'28"W (CHD) ARC/RADIUS	37.53' (CHD) L=40.54' R=30.00' RT
Z	N00°48'22"E	186.70'
AREA = 0.068 ACRE		

REQUIRED RIGHT-OF-WAY (AREA 3)
STA. 1+02 TO STA. 3+00.00 LT.

SIDE	BEARING	LENGTH, FT.
AA	S00°48'22"W	162.28'
BB	S52°05'32"W (CHD) ARC/RADIUS	46.82' (CHD) L=53.71' R=30.00' RT
CC	N76°37'18"W	9.84'
DD	N13°16'41"E	194.28'
EE	S85°27'24"E	4.19'
AREA = 0.108 ACRE*		

* INCLUDES 0.074 ACRE OF RIGHT-OF-WAY (EASEMENT) RESERVED BY LCA.

REQUIRED RIGHT-OF-WAY (AREA 4)
STA. 360+75.00 TO STA. 364+96.04 LT.

SIDE	BEARING	LENGTH, FT.
FF	N88°36'37"E	76.49'
GG	S80°04'48"E	350.00'
HH	S9°55'12"W	15.00'
II	N80°04'48"W	425.00'
AREA = 0.133 ACRE		

FILE: p:\net-pw\berri\proj\59826\A-53 to A-57 Total Reconstruction\CADD Files\02 Right-of-Way\06 Property Plots\LR Bridge Realignment\Wp105-05.dgn
DATE: 10/21/2022 8:11 AM BY: SP151 LB PDL/ALS


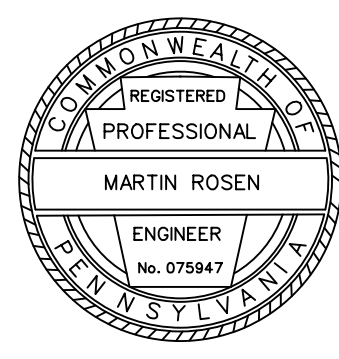
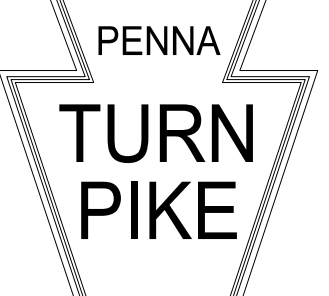
		PREPARED BY: TRAFFIC PLANNING AND DESIGN, INC. 2500 E HIGH STREET POTTSTOWN, PA 19464							ROADWAY AND BRIDGE RECONSTRUCTION FROM MP A53 TO A57	PTC PROPERTY PLOT PLAN	
		PREPARED FOR: THE PENNSYLVANIA TURNPIKE COMMISSION		WBS NO. A-053.00T001-4-08	NETWORK NUMBER: 6011722 FILE NAME: RWp105-05.dgn DRAWING TYPE: 3R STRUCTURE NUMBER: NB-336	DISTRICT: 05 COUNTY: LEHIGH TOWNSHIP / BOROUGH: LOWER MACUNGIE	PLAN NO.: R/W 8268-B PROPERTY OWNER(S): LOWER MACUNGIE TOWNSHIP	GRANTOR(S): SEE SUMMARY OF PROPERTY INTEREST ON DRAWING 1		DRAWING: 5 OF 5 SHEET: OF	

EXHIBIT “2”



AGREEMENT OF SALE
(Partial Take: Fee Simple Conveyance)

MADE THIS _____ day of _____, 2023, by and between Lower Macungie Township (Sellers);

AND

PENNSYLVANIA TURNPIKE COMMISSION, an instrumentality of the Commonwealth of Pennsylvania, of P.O. Box 67676, Harrisburg, Pennsylvania 17106-7676 (Buyer).

WHEREAS, the Buyer is authorized and empowered by Section 6 of the Act of May 21, 1937, P.L. 774, No. 211, as amended, to acquire by purchase or condemnation any lands, rights, easements, franchises and other property deemed necessary or convenient for the construction or efficient operation of the Turnpike; and

WHEREAS, in lieu of condemnation, the Sellers have agreed to sell the needed property to the Buyer;

NOW THEREFORE, in consideration of One Dollar and 00/100 (\$1.00) in hand paid and the mutual promises contained herein, the parties agree as follows:

1) Sellers will sell and the Buyer will purchase the property situate in Lower Macungie Township, Lehigh County, Pennsylvania; being part of the property at Tax Parcel No. 548449206770-1, 548458530739-1, 548467782380-1, 548469002576-1 & 548459023659-1 conveyed to the Sellers by Declaration of Taking and recorded in the Lehigh County Recorder of Deeds office in Instrument No. 2022003354. The property purchased is more particularly described on Buyer's Property Plot Plan identified as R/W No. 8268-B, dated October 28, 2022, and attached hereto as Exhibit "A", and includes the following areas: 7.158 Acres of Required Right-of-Way for Limited Access, 1.940 Acres of Required Right-of-Way for SR 2012 & SR 2042, 0.240 Acres of Required Drainage Easement and 0.324 Acres of Required Easement for LCA

2) The sale price, which in the event of a partial take includes damages, if any, to the remainder, shall be Six Hundred Fifteen Thousand One Hundred Dollars (\$615,100.00) payable upon execution and delivery of the Deed and Release, if necessary, and in no event later than ninety (90) days from the date of this Agreement, except for cause shown.

3) Sellers agree to convey the property free and clear of all liens, encumbrances, and leases or agreements, which the Sellers have the right to terminate or remove. Further, Sellers will convey good and marketable title, as determined by the Buyer's counsel or settlement agent, and will generally warrant the interest to be conveyed.

4) If applicable, Sellers will assign to the Buyer all of Sellers' right, title, and interest in those leases, agreements, and other encumbrances, which cannot be terminated or removed.

5) All expenses for the examination of the title and for the preparation and recording of the Deed and any transfer taxes shall be paid by the Buyer. The parties hereby agree that, at closing, county and local real estate taxes will be pro rated based upon the calendar year; school real estate tax will be pro rated based upon a fiscal year.

6) Sellers agree that with the execution of this Agreement the Buyer, its agents, and contractors shall have the right to enter said property to make studies, tests, soundings, surveys, and in general do any other work necessary for the purpose for which this acquisition is made. However, Buyer agrees that its agents and contractors will not enter the dwelling prior to Sellers' vacation of the same.

7) Sellers, upon closing, do remise, release, quitclaim, and discharge forever the Buyer, its successors and assigns, or its employees or representatives of and from all suits, damages, claims, demands, actions and causes of action which the Sellers might have been entitled to assert for or on account of Buyer's acquisition of the Sellers' property under the Pennsylvania Eminent Domain Code incidental to or consequential upon the construction, operation, and maintenance of the Buyer's roadway, except damages, if any, under 26 Pa.C.S. §710.

8) This Agreement shall be binding upon the heirs, executors, administrators, successors, or assigns of the respective parties hereto.

INTENDING TO BE LEGALLY BOUND, THE PARTIES HERETO EXECUTE THIS AGREEMENT ON THE DATE ABOVE WRITTEN.

CORPORATE SIGNATURE:
Lower Macungie Township

ATTEST:

By: _____
Name:
Title:

By: _____
Name:
Title:

ATTEST:

PENNSYLVANIA TURNPIKE COMMISSION

Ann Louise Edwards
Assistant Secretary-Treasurer

By: _____
Wadud Ahmad
Chair

APPROVED AS TO FORM AND LEGALITY: _____

EXHIBIT “3”



PENNSYLVANIA TURNPIKE COMMISSION TEMPORARY CONSTRUCTION EASEMENT

WBS Element No.: T-053.00T001-4-08
County: Lehigh
Municipality: Lower Macungie Township
Parcel No.: 5
R/W No.: 8268-B
Claimant(S): Lower Macungie Township

KNOW ALL BY THESE PRESENTS, that Lower Macungie Township, (hereinafter, whether singular or plural, referred to as Grantor”), owner of certain lands situated in Lower Macungie Township, Lehigh County, Pennsylvania, designated on Pennsylvania Turnpike Commission Right-of-Way Plan numbered 8268-B, dated October 28, 2022 (See attached Exhibit “A”).

Grantor does hereby grant to the Pennsylvania Turnpike Commission (hereinafter referred to as “Commission”), and its engineers, employees, contractors, and agents the right to enter upon said land and do such work as necessary and required by the Commission together with the right, liberty and privileges of ingress, egress and regress over, in and upon said land with its vehicles, machinery, tools and mechanical devises for the purpose of construction operations required for construction of the MP 53-57 Lower Macungie Road Bridge Project (hereinafter the “Project”) and its requirements.

It is further understood and agreed that the Commission and its contractors engaged in the construction of the Project shall save the Grantor harmless from any and all liability for any loss, injury or damage to persons or property that may be sustained by reason of the occupancy of said land and the construction of the Project by the said Commission and its contractors.

NOW THEREFORE, in consideration of the sum of Six Thousand Dollars, (\$6,000.00), the Grantor grants the Commission a temporary easement for the purpose of undertaking the above construction or improvements.

It is further agreed that the Commission and its contractors will restore the proper grade to the said land, re-seed grass in affected area, and restore the said area upon completion of the project.

The temporary easement for construction shall endure for a period of 2 years to commence on the date that the Commission’s contractor enters the temporary construction easement area to begin work. The temporary construction easement area is 0.451 acre(s).

This shall be considered a total release for all damages and claims against the Commission as a result of the granting of the Temporary Construction Easement designated at Parcel No. 5 on the site plan to the Commission.

INTENDING TO BE LEGALLY BOUND THIS _____ DAY OF _____, 2023.

CORPORATE SIGNATURE:

Lower Macungie Township

ATTEST:

By: _____

Name:

Title:

By: _____

Name:

Title:

ATTEST:

PENNSYLVANIA TURNPIKE COMMISSION

Ann Louise Edwards
Assistant Secretary-Treasurer

Wadud Ahmad
Chair

Approved as to form and legality: _____

**LOWER MACUNGIE TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA**

RESOLUTION 2023-13
Duly Adopted February 16, 2023

RESOLUTION SANCTIONING SPECIAL FIRE POLICE APPOINTMENTS

BE IT ADOPTED AND RESOLVED, that the Board of Commissioners does hereby appoint the following person as Special Fire Police of the Lower Macungie Fire Department:

Joseph Prat

DULY RESOLVED, this 16th day of February, 2023, by the Board of Commissioners of Lower Macungie Township, in lawful session duly assembled.

LOWER MACUNGIE TOWNSHIP
BOARD OF COMMISSIONERS

Brian P. Higgins, President

Attest:

Renea Flexer, Secretary