

Board of Supervisors meeting, intended discussion points.

Good Evening!

Thank you for allowing us, the residents of Greenwich Township, specifically those of us in close proximity to the proposed warehouse project, to speak to you on several matters this evening. Our goal tonight is to review outstanding issues which have not been addressed at this time, and to apprise you of new issues that we will be presenting at the next Planning Commission meeting.

As you know, the majority of your Greenwich Township residents, as well as many Albany residents and Maxatawny residents, are opposed to the building of a warehouse of 505,000 square feet at the location of Rt 737, just north of the Krumsville Town Square intersection of Old 22. The residents of Greenwich Township understand the property is zoned Industrial, and a warehouse is a legal use of the property. We believe that a 505,000 square foot warehouse far exceeds "reasonable uses" for this particular property, due to its location north of a known traffic problematic intersection of Rt 737 and Old 22, and due to the large residential community in close proximity to the property and along the traffic route to the property.

We would like to review OLD BUSINESS prior to bringing before you the NEW BUSINESS that we have to review this evening.

At the next Planning Commission Meeting, we will be disputing the traffic numbers as presented by the developer and justified by Keystone Consulting Engineers in their August 18, 2017 Engineering Review (**exhibit #1**), however, for this review, we will use those numbers of 1900 plus trips per day.

Let's have a visual.

The proposed warehouse sight is exactly one half a mile from the I-78 bridge.

1900 plus trips per day, with approx 40% of those trips being large vehicles like tractor trailers, is the equivalent of 9 miles of traffic. We can expect roughly 75% of that traffic during peak hours, specifically the evening peak traffic hours. That is the equivalent of 6 miles of traffic spread out between two hours in half a mile area of roadway.

And to further aggravate the traffic, we can expect to have an additional peak period as our town of Krumsville does not offer local restaurants, convenience stores, gas stations or other amenities so employees in the warehouse can be expected to leave at lunch time to drive to find these amenities.

ITEM #1, Section 802= The additional traffic generated by this warehouse, will be the cause of the following nuisances:

a) Noise – we submitted two traffic noise studies in April and again in May which show that tractor trailer traffic will exceed the Greenwich Twp property "Noise Ordinance".

b) Property damage – we submitted traffic vibration studies in April and again in July which show the ground vibrations produced by 40,000 pounds of tractor trailer will cause property damage to buildings. We have eighteen documented cases of property damage caused by the construction vehicles running

up and down Rt 737 and Old 22 during the construction of the I-78 bridge. We can expect more of the same damages to occur to our homes and yards with the addition of 1,900 trips per day of traffic on Rt 737 through our community.

c) Safety for auto traffic in the intersection of Old 22 and Rt 737. We requested that the developer provide alternate routes for warehouse traffic assuming the intersection is compromised by a traffic accident, a I-78 detour, loss of electric in the community which shuts down the blinking red light, and any other occurrence in which the traffic would be unable to flow through the intersection.

d) Safety for the southbound vehicles on Rt 737 rounding the curve at 45 mph and having time to stop for an exiting tractor trailer. PennDOT can waive LOS distance requirements for an HOP and we do not believe that moving the driveway south on the property will extend proper LOS for the exiting vehicle, nor for the southbound vehicle (especially now with the corn being high in the field north of the property) (**exhibit #4**)

e) Safety for the Amish and Mennonite buggies which routinely use Rt 737

f) Safety for the bicyclists which routinely ride on Old 22 and go north on Rt 737 into Albany Twp.

g) Health of the residents living along the route, and adjacent to the route, from I-78 to the warehouse due to the diesel and gas fumes generated by 1900 additional trips per day.

h) Safety for travelers on the roads for Tractor Trailer queuing along the sides of Rt 737, Old 22 and in adjoining property parking areas.

i) Safety for pedestrians crossing at this intersection and walking along Old 22 and Rt 737 to visit one of the businesses or another neighbor.

Dan Becker stated at the Planning Commission meeting on August 21, 2017 that the Board of Supervisors refused to act upon our petition to request a 45 day traffic safety study by PennDOT. We would like to know why our Board of Supervisors has refused to act based on the above concerns regarding adding additional traffic being added to this intersection. (see exhibit #5)

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The current warehouse plans contain queuing areas which are not large enough to accommodate the traffic that will be produced by the initially proposed 40 plus bays, which can be expanded to a potential of 100 plus bays. We provided research and documentation in April and again in July, on local warehouse communities in which the queuing traffic has done hundreds of thousands of dollars of damage to local residents properties. At this time, in Krumsville, we already have trucks queuing along Old 22, and have video and photographic documentation. This queuing causes local residents to need to pass these queued vehicles by entering the oncoming traffic lanes.

i) Tractor trailers entering Rt 737 from the warehouse turning north bound will cause traffic delays for vehicles north bound of Rt 737.

j) Tractor trailers entering Rt 737 from the warehouse turning south bound could potentially cause accidents for southbound traffic. The posted speed limit is 45. The average speed coming around that turn southbound is 50 to 60 mph. While a truck driver is sitting high and can have reasonable LOS (line of sight) for traffic, his entry onto Rt 737 is slow and a driver, sitting low and potentially exceeding the posted speed limit, will not see the tractor in time to stop safely, especially during inclement weather.

We reviewed the HOP LOS plans and we find that the Line Of Sight is not compliant with the Pennsylvania HOP requirements "as is" and will require a variance for the driveway to be allowed as such. We do not believe that Greenwich Township should accept any variance of any kind that will directly affect the safety of the travelers on Rt 737.

*(We did a test based on the new plans location of the driveway. Coming around the turn at 45 mph, we were able to safely stop to allow an exiting truck to complete the turn. At 55 mph, our stop was not as safe on dry pavement. Our assumption is on wet or snow covered pavement, a safe stop will not be possible)*

#### **ITEM #2 – Section 802=**

1) The warehouse itself will create a public nuisance. Trucks idling in the parking bays, lights on the warehouse and parking areas 24/7, loss of right-of-way to local residents to cross boundaries, idle truck drivers roaming the area while waiting for their trailer to be unloaded and loaded.

2) The warehouse itself will adversely affect the value of the surrounding area and adjoining properties.

1- FACT: Value of the homes in the vicinity of the New Smithville warehouse district have dropped an average of 11% from 2009 to 2016.

2- FACT: Value of the homes in the vicinity of the Lower Macungie warehouse district have dropped an average of 18% from 2007 to 2016 – this includes homes not on the route to the district, by outlying by as much as half a mile.

3-FACT: Loss of homes and historical buildings due to eminent domain have occurred in the Fogelsville area over the past 20 years as it has expanded into a full blown warehouse district.

4-FACT: Loss of homes and historical buildings due to sales to developers have occurred in the New Smithville, Fogelsville, Lower Macungie, Catasaqua and Tatamy areas.

3) The warehouse itself will detract from the beauty and natural serenity of our community. At this time, the revised plans have moved the driveway south on the property. The driveway will put headlights from exiting traffic shining directly into the front room windows of the neighbor directly across from the driveway.

4) Adding a turning lane on northbound Rt 737 will create a disturbance in the homes along the route, near to the new turning lane, as vehicles slow to enter this new lane, generating braking noises, producing exhaust fumes and clogging traffic patterns.

**ITEM ## - Section 802= In regards to the additional traffic, and any traffic pattern signage and local road NO TRUCKS postings**

We were visited by our local Hamburg State Police officers at the BoS meeting in June 2017. Many residents asked questions and the one of those answers to those questions should cause the township concern:

1) Hamburg State police currently does not have the resources to monitor the traffic that will be generated by the warehouse

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We have a question for our township solicitor: Based on the above items, in which we have brought to your attention on several occasions:

“Who is responsible/liable for the safety of the resident(s) when there are accidents, or property damages, or property value declines or injuries, or long term health issues due to increased traffic?”

And

“Who shall be the defending party to “foresighted negligence” lawsuits arising from these traffic related issues?”

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**ARTICLE VIII – Section 801.1 and Section 801.2**

1) The grading required to build the warehouse and provide burms on the edges of the property will destroy and degraded the ground surface of this property.

2) This property is home to several varieties of wildlife that will need to move. One of which is the Bob White quail which recently returned to our area after a 30 year hiatus, second of which is the Ring Necked Pheasant which was almost extinct in Pennsylvania and has recently returned to our area. We have several other wildlife communities residing in and about this property.

3) This property houses several varieties of birds which cannot exist in our area without the benefit of the field and natural wetlands, one of which is the white heron, second the killdeer, and third the cooper hawk. This property is directly in the migratory flight path of the cooper hawk and every spring and fall the hawks congregate on this property, and adjacent properties to hunt during their migration.

**We would like to take a moment to ask the Board a question. At this time, has the swapping of the Old 22 road been finalized by PennDOT?**

In the past twelve months, we have seen an increase in tractor trailer traffic traveling west on Old 22 from the New Smithville warehouse community to the Krumsville intersection, in which they turn left to go south on Rt 737. We have also seen an increase in traffic in general over the past twelve months. In the event that PennDOT reneges on this road swap, Greenwich Township is responsible road repairs to

Old 22. The additional burden of traffic generated by this warehouse project will add costs you may not be prepared to budget.

And even if PennDOT does not renege, and the swap occurs in a timely manner, based on several documents presented to you in April 2017 (**exhibit #6**) regarding the wear and tear on the existing road, which is not supportive of this kind of traffic at this time, where will warehouse traffic be diverted during road construction in which PennDOT will have to close lanes to make necessary repairs?

We would like to address, for the community at this meeting, to quell the rumors that our Township leaders are pro-warehouse due to the revenues being generated.

Estimate for the fire tax will be about \$14,000.00, Less collection costs of about \$800.00

Total Net Estimated Fire Tax of \$13,200.00

Greenwich gives to 4 Fire Companies if I am correct. Kempton, Hamburg, Kutztown, Virginville

\$13,200.00 divided by 4 is an estimated 3300.00 per company.

Is this amount sufficient enough for coverage of all the increased accidents as well as the additional equipment needed for a structure of this size. If it is not, volunteer companies will be requesting more dollars from the Township who in turn will increase ALL taxpayers fire tax percentage in Greenwich.

Now for the Portion of the tax that is Greenwich General Account Funds.

This amount is estimated to be about \$21,000.00, Less collection costs of about \$1200.00

Total Net estimated Gen Township Tax is \$19,800.00

Not sure what the costs will be of checking the systems that will be built into the plans by Zoning Officer.

Other costs could be road resurfacing of surrounding township roads, more often than now due to more traffic use. Especially as traffic will be diverted onto the local township residential roads during a time of intersection closure or I-78 detour.

Our belief is that the taxes on this property will not cover the expenses it will incur. In short, this warehouse will potential cost the township more money that it is generating in tax revenue which in turn will cost the residents when the township increases taxes to cover the deficit.

Now, some new business we would like to address with the Board of Supervisors:

At the August 21, 2017 Planning Commission meeting, Keystone Consulting Engineers, as represented by Chris Noll, stated that the revised plans submitted in August 2017 met all the SALDO requirements and there were no technical issues. Our solicitor, Daniel Becker advised to hold off making any recommendations from the Planning Commission to the Board of Supervisors until several items from

the warehouse plan could be reviewed, namely all the documents, research and data presented to the planning Commission members in May and June of 2017.

Mr. Becker also advised that he needed to research two items that the developer asked to be waived. One for the utilities SALDO and one for recreational SALDO.

The developer's solicitor, [Kate ?] cautioned our township solicitor [Daniel Becker] that the developer "has the right" to build a warehouse according to the township ordinances.

Based on those very same ordinances, we have presented enough data, backed by research and documentation, to empower our Board of Supervisors "the right" to use discretionary judgment and authority as given to them by the Commonwealth of Pennsylvania and deny a building permit for this warehouse.

We beseech the Board of Supervisors to use their discretionary authority and utilize our ordinances 801.1, 801.2 and 802 to deny the Crossroads X Warehouse building permit.

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We had the revised plans, presented at the August 21, 2017 PC meeting, independently reviewed by two separate Pennsylvania licensed professional engineers. They provided us with several issues within the warehouse plans, which were not discussed in the engineering review presented by Chris Noll on behalf of Keystone Consulting Engineers on August 21, 2017. **(exhibit 1)**

We will bring those twelve issues to the September Planning Commission meeting on Monday, September 18, 2017. **(exhibit 2)**

K.C.E. published in their Engineering Review dated August 18, 2017 a chart of estimated traffic increase based on LUC 150 vs LUC 152, and broke it out by number of trucks and passenger vehicles. **(See page 4 of the Engineering Review)** We will be challenging those numbers at the September Planning Commission meeting as untrue and incorrect data, based on the ITE 10<sup>th</sup> edition, in which these traffic numbers can, and will, vary greatly based upon the tenant and use of the warehouse. **(exhibit 3)** The developer clearly stated at the August PC meeting that they do not have a tenant and as such, all numbers presented should be at the farthest range.

Furthermore, with the current inconsistencies in the engineering reviews dated November 16, 2016 (in which we presented the nine issues at the April 2017 PC meeting) and dated August 16, 2017 (in which we will present the twelve at the September 2017 PC meeting) we would like to discuss with our Board of Supervisors:

**MCP code Article 1, Section 107. Definitions:**

***"Municipal engineer," a professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the engineer for a municipality, planning agency or joint planning commission."***

Township code: (found at this URL) <http://www.legis.state.pa.us/WU01/LI/LI/US/HTM/1933/0/0069..HTM>

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***MCP Code Article XII. Township Engineer: "Section 1201. Township Engineer.-The board of supervisors may appoint and determine the compensation of a township engineer who shall be a registered professional engineer. The township engineer serves at the pleasure of the board of supervisors."***

The township solicitor stated at the June 2017 BoS meeting that it is common practice to utilize non-engineer personnel to sit on the Board and the Planning Commission to save costs. Based on the wording of the above Section 1201 ... "a township engineer who shall be" ... we believe that this common practice is jeopardizing our township in the matter of this warehouse project and the magnitude of the planning and engineering expertise needed to properly assess that all aspects of the plan to meet all codes, ordinances and permits as required.

The reviews for this warehouse plan have not been signed by nor sealed by a licensed professional engineer, hence the township has no legal assurances that the warehouse plans were reviewed by a licensed P.E. While we are still awaiting a written judgment from the Pennsylvania State Board of Engineering Professionals, we do have a verbal statement that in Pennsylvania, all engineering reviews of building plans, road accesses and excavations are to be signed and sealed by a licensed state P.E.

We, the Greenwich Township residents, are requesting that the Crossroads X Warehouse project plans be under review by, and signed and sealed by, a Pennsylvania licensed Professional Engineer. We are prepared to petition for a writ of mandamus on this matter.

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