NESTLE PURINA WASTEWATER TREATMENT UPGRADES MAJOR PLAN 2021-102 ATTACHMENTS

- 1. Memorandum
- 2. Site Plan
- 3. Township Engineer Review dated March 6, 2024
- 4. Township Water and Sewer Engineer Review dated December 5, 2023
- 5. Township Geotechnical Consultant Review dated December 7, 2023
- 6. Public Works Department Review dated February 27, 2024
- 7. Community Development Department Review dated March 7, 2024
- 8. Public Safety Commission Review dated March 5, 2024
- 9. Parks and Recreation Board Review dated January 23, 2024
- 10. LVPC Drainage Plan Review dated July 1, 2022
- 11. Applicant's Correspondence:
 - A. Project Narrative dated November 16, 2023
 - B. Waiver Request Letter dated February 8, 2024

TO: PLANNING COMMISSION

FROM: GREGG ADAMS, PLANNER

SUBJECT: NESTLE PURINA WASTEWATER TREATMENT UPGRADES

MAJOR PLAN 2021-102

REQUEST FOR PRELIMINARY/FINAL PLAN REVIEW

DATE: APRIL 12, 2021

COPIES: BOARD OF COMMISSIONERS, T. PETRUCCI, H. BENDER,

D.HARRIER, J., HARRIER, J. ZATOR, ESQ., J. ADLERFER, ESQ,

S. PIDCOCK, APPLICANT, SUB. FILE 2021-102

LOCATION AND INTENT:

An application to further develop the properties located at 2050 Pope Road and 4535 Huckleberry Road. On 2050 Pope Road, the plan proposes the construction of a 21,921 square foot wastewater treatment building on the current site of Waste Disposal Facility Holding Basin 1B, as well as ancillary tanks and piping, on approximately 4 acres of the 114.6-acre tract. The plan proposes that the treated effluent is to be rerouted from its current discharge point into an unnamed tributary to the Jordan Creek. The treated effluent is proposed to be piped north across the remainder of 2050 Pope Road, under Huckleberry Road, and north across 4535 Huckleberry Road to discharge directly into the Jordan Creek. The plan proposes the construction of a gate and driveway on 4535 Huckleberry Road to support monitoring and property maintenance. 2050 Pope Road is zoned IC-1 Industrial-Commercial-1 (Special Height Limitation). 4535 Huckleberry Road is zoned RR-2 Rural Residential-2. Nestle Purina Petcare Company is the owner and applicant.

PREVIOUS TOWNSHIP CONSIDERATION:

At their April 15, 2021 meeting, the Planning Commission reviewed and recommended for approval Nestle Wastewater Treatment Upgrade Major Plan 2021-102. In the interim, the applicant revised the plan to the extent that staff determined that the plan would have to be re-reviewed by the Planning Commission.

At their December 20, 2017 meeting, the Board of Commissioners, through Resolution 2017-64, approved Nestle Permit 4 Application (2018 Expansion) Major Plan 2017-103, which proposed the modification of the Employee Parking Lot previously approved under Major Subdivision #2016-103, an addition to the meat batching building and an expansion of Infiltration Basin C, an addition to the warehouse building, a new administration building, an addition to the utility building, an addition to the canning operations building, an addition to the meat unloading building, and the installation of a water line.

Additionally, improvements to the Huckleberry Road Storm Sewer with proposed concurrently with the above project, as part of Huckleberry Road Storm Sewer Improvements Project 2017-409.

Additionally, temporary offices were permitted concurrently with the above project, as part of Nestle Purina Temporary Offices Project 2017-408.

Additionally, a new employee parking lot was permitted concurrently with the above

project, as part of Nestle Purina New Employee Parking Project 2017-407.

On August 3, 2016, the Board of Commissioners approved Resolution 2016-55 approving Major Subdivision #2016-103 Nestle Purina PetCare, an application proposing the construction of a warehouse addition; construction of two tractor trailer parking areas; modification of an existing employee parking lot; construction of a stormwater management basin; modification of an existing detention basin; installation of a new well; and additional soil amendment to two areas; all to occur on approximately 16 acres of the 114.6-acre parcel.

On December 16, 2015 the Board of Commissioners conditionally waived the land development review requirement as it applied a project to construct three building additions totaling 6,590 ft² to its 500,045 ft², including: Expansion of the Can Plant process area by approximately 4,640 ft²; A "Hydroflex" addition of approximately 1,600 ft²; A 350 ft² addition to the "Ammonia Room"; and Relocation of the fuel storage tanks (Township File No. 2015-703).

On July 15, 2015 the Board of Commissioners conditionally waived the land development review requirement as it applied to a project to raze a portion of an existing utilities building and construct an addition of approximately 1,800± square feet to be used as the new Primary Waste Water Treatment Plant Facility and to re-route utility lines (Township File No. 2015-702)

On October 19, 2011 the Board of Commissioners conditionally waived the land development review requirement as it applied to additions totaling 25,245 square foot to the Dry Plant (21,511 ft² for 2011 and 3,734 ft² future addition) (Township File No. 2011-701 (Formerly 2011-901)).

On March 3, 2010 the Board of Commissioners waived the land development review requirement for two additions to the main production building and the office addition to the warehouse building as shown on the Proposed 2010 Building Projects Plan (Township File No. 2010-701 (Formerly 2010-901)).

On November 19, 2003 the Board of Commissioners approved Resolution 2003-54 waiving the land development review requirement for a 1,500 square foot building addition to the plant (Township File No. 2003-702).

On June 20, 2001 the Board of Commissioners waived the land development review requirement for building renovations to increase the building's height and to construct a 72 square foot addition (Township File No. 2001-705).

On June 21, 2000 the Board of Commissioners waived the land development review requirement for a building addition to enclose the rail and truck receiving area. Friskies did contribute \$2,000 towards the radius improvement at the Pope Road / Route 309 intersection.

On September 1, 1999 the Board of Commissioners waived the land development review requirement to demolish a 16,815 square foot wing for the construction of a 16,000 square foot bio-filter building to address odor issues.

On April 16, 1997 the Board of Commissioners waived the land development review requirement to construct a 1,219 square foot addition and a 450 square foot canopy. No additional impervious surface was created.

On June 21, 1995 the Board of Commissioners approved Resolution No. 95-30 for a 2,142 square foot addition to the Process Building (Township File No. 1995-105).

On January 14, 1992 the Board of Commissioners approved Resolution No. 92-13 for a 4,580 square foot addition to the Pet Research Kennel Building (Township File No. 1991-111).

Zoning Appeals

In May, 2002 the Zoning Hearing Board granted a Special Exception for the creation of 19,700 square feet of additional impervious (asphalt) surfaces for a parking lot near the water tower and for above ground storage near the waste treatment plant (Appeal Docket A-18-2002).

In November, 2002 the Zoning Hearing Board granted a Special Exception for the creation of 82,000 square feet of additional impervious (asphalt) surface for truck trailer stacking (Appeal Docket A-63-2002).

On January 6, 2000 the Zoning Hearing Board granted a Special Exception for the creation of additional impervious surface for asphalt parking as a result of discussion and deliberation of Appeal Docket A-51-1999.

In 1995, the Zoning Hearing Board granted a Special Exception for the creation of 940 additional square feet of impervious surface for picnic table pads and dock entrance asphalt parking as a result of discussion and deliberation of Appeal Docket A-2-1995.

In 1991, the Zoning Hearing Board granted a temporary use approval for a construction trailer (Appeal Docket A-9-1991).

In November 1988, the Zoning Hearing Board granted a Special Exception for the creation of 750 additional square feet of impervious surface (concrete pad) for stabilizing a loading dock (Appeal Docket A-122-88).

In October 1988, the Zoning Hearing Board granted a Special Exception for the creation of 896 additional square feet of impervious surface for the construction of a salt storage facility (Appeal Docket A-106-88).

In September 1988, the Zoning Hearing Board granted a Special Exception for the creation of additional 30,600 square feet square feet of impervious surface for additions to the warehouse building and a variance for a temporary substandard parking lot and roadways (Appeal Dockets A-96-88 and A-97-88).

In February 1983, the Zoning Hearing Board granted a variance to the parking requirements for the construction of a 23,000 square foot building addition to the wet plant facility (Appeal Docket A-7-1983).

In April 1977, the Zoning Hearing Board denied a request to replace non-conforming signage (Appeal Docket A-6-1977).

In May 1976, the Zoning Hearing Board granted a height variance for the construction of a dry food manufacturing plant facility (Appeal Docket A-23-1976) and a setback variance to expand the wastewater treatment facility (Appeal Docket A-9-76).

In 1973, the Zoning Hearing Board granted special exception approval and a setback variance to expand the wastewater treatment facility. (Appeal Docket A-34-1973).

In March 1972, the Zoning Hearing Board granted special exception approval to construct a 300'x 175' truck warehouse with 17 loading docks, parking, and a rail spur extension. Also, the Zoning Hearing Board granted special exception approval to Alpo's then Master Plan. Its approval was subject to the Planning Commission's recommendation. (Appeal Docket A-6-1972).

REVIEWING AGENCIES COMMENTS:

- **A.** <u>Township Engineer</u> The Township Engineer's comments are contained in Mr. Anthony Tallarida's review dated March 6, 2024. Mr. Tallarida is recommending engineering approval at this time. His comments pertain to waivers and deferrals, plan detail, stormwater management, and outside agency approvals.
- **B.** <u>Township Water & Sewer Engineer</u> The Township Water and Sewer Engineer's comments are contained in Mr. Jason Newhard's review dated December 5, 2023. His comments state that the applicant's water and sanitary sewer system are private and not connected to South Whitehall utility systems.
- C. <u>Township Geotechnical Consultant</u> The comments of the Geotechnical Consultant are contained in Mr. Chris Taylor's review dated December 7, 2023. His comments pertain to infiltration testing, probe data, and plan detail.
- **D.** <u>Public Works Department</u> The comments from the Public Works Department are contained in Manager Herb Bender's review dated February 27, 2024. He makes no comments at this time.
- **E.** <u>Lehigh Valley Planning Commission</u> The comments of the Lehigh Valley Planning Commission are contained in Mr. Geoffrey Reese's review dated July 1, 2022. He states that the drainage plan is inconsistent with the Act 167 Plan requirements.
- **F.** <u>Lehigh County Conservation District</u> The comments of the Lehigh County Conservation District have not been received at the time of this writing.
- **G.** <u>Pennsylvania Department of Transportation</u> The comments of the Pennsylvania Department of Transportation have not been received at the time of this writing.
- **H.** Pennsylvania Department of Environmental Protection The applicant is to obtain approvals from the PA Department of Environmental Protection for wetland disturbance, NPDES Permits, and Sewage Facilities Planning Module Exemption.
- **I.** <u>Landscape and Shade Tree Commission</u> The Landscape and Shade Tree Commission reviewed the plan at its April 26, 2021 meeting and deferred to the Planning Commission as to whether street trees should be required along public street rights-of-way.

- **J.** <u>Public Safety Committee</u> The Public Safety Commission reviewed the plan at its March 4, 2024 meeting and recommended the following:
 - 1. The fire apparatus turning radius drawing should be changed to provide the vehicle approach from the main gate side of the access road to the new wastewater building.
 - 2. Soil bearing details for the entirety of the gravel fire department access road should be indicated in order to determine if it will support heavy fire apparatus.
 - 3. The proposed fire water line size should be indicated on the plan.
 - 4. The proposed fire water line should be indicated up to the connection point to the existing water system.
 - 5. A SALDO compliant fire hydrant should be indicated of the proposed building on the north side of the complex.
 - 6. The SWT specification detail for fire hydrants should be included on the plans.
- **K.** Parks and Recreation Board —The Parks and Recreation Board reviewed the plan at its January 8, 2024 meeting and recommended that the applicant contribute money in lieu of land dedication to meet the parks and open space requirements of the Subdivision and Land Development Ordinance.
- L. <u>Community Development Department</u> The Department's technical review is dated March 7, 2024 and provides comment pertaining to zoning, public safety, recreation and open space, erosion and sedimentation control, flood plains, legal and plan detail commentary, plan recording commentary, waiver and deferral commentary, and Comprehensive Plan and Official Map consistency.

COMMUNITY DEVELOPMENT DEPARTMENT RECOMMENDATION:

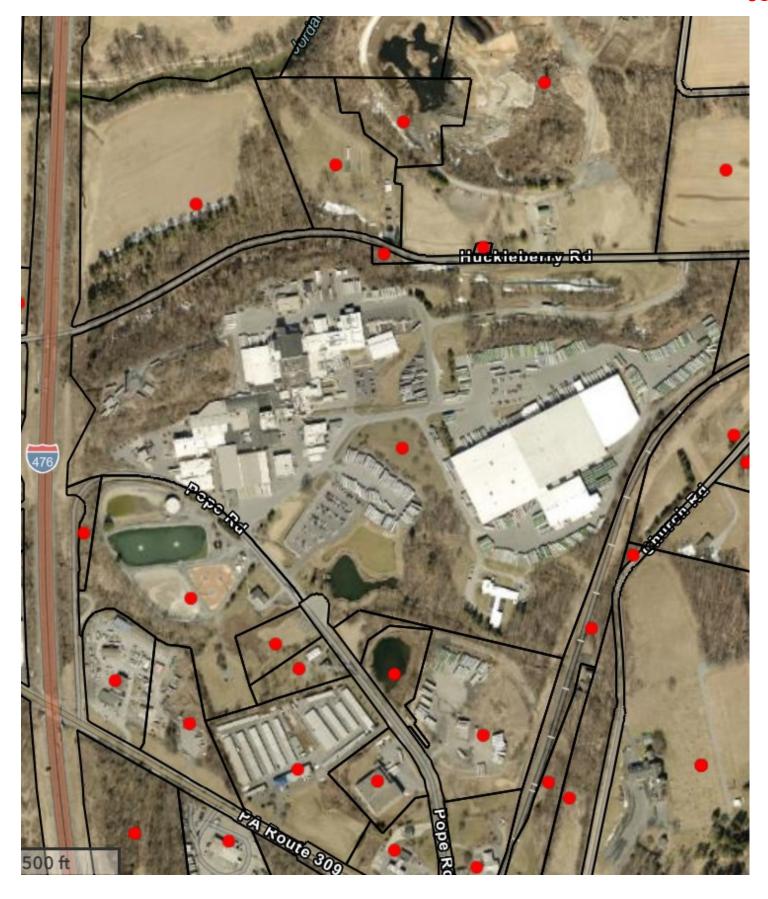
The Department recommends that the Planning Commission take the plan under advisement to afford the applicant the time necessary to address the reviewing agencies' comments. Our recommendation is contingent upon the applicant granting the Township a waiver from the timeframe in which to act upon the plan.

Planning Commission deadline date to act on the plan:

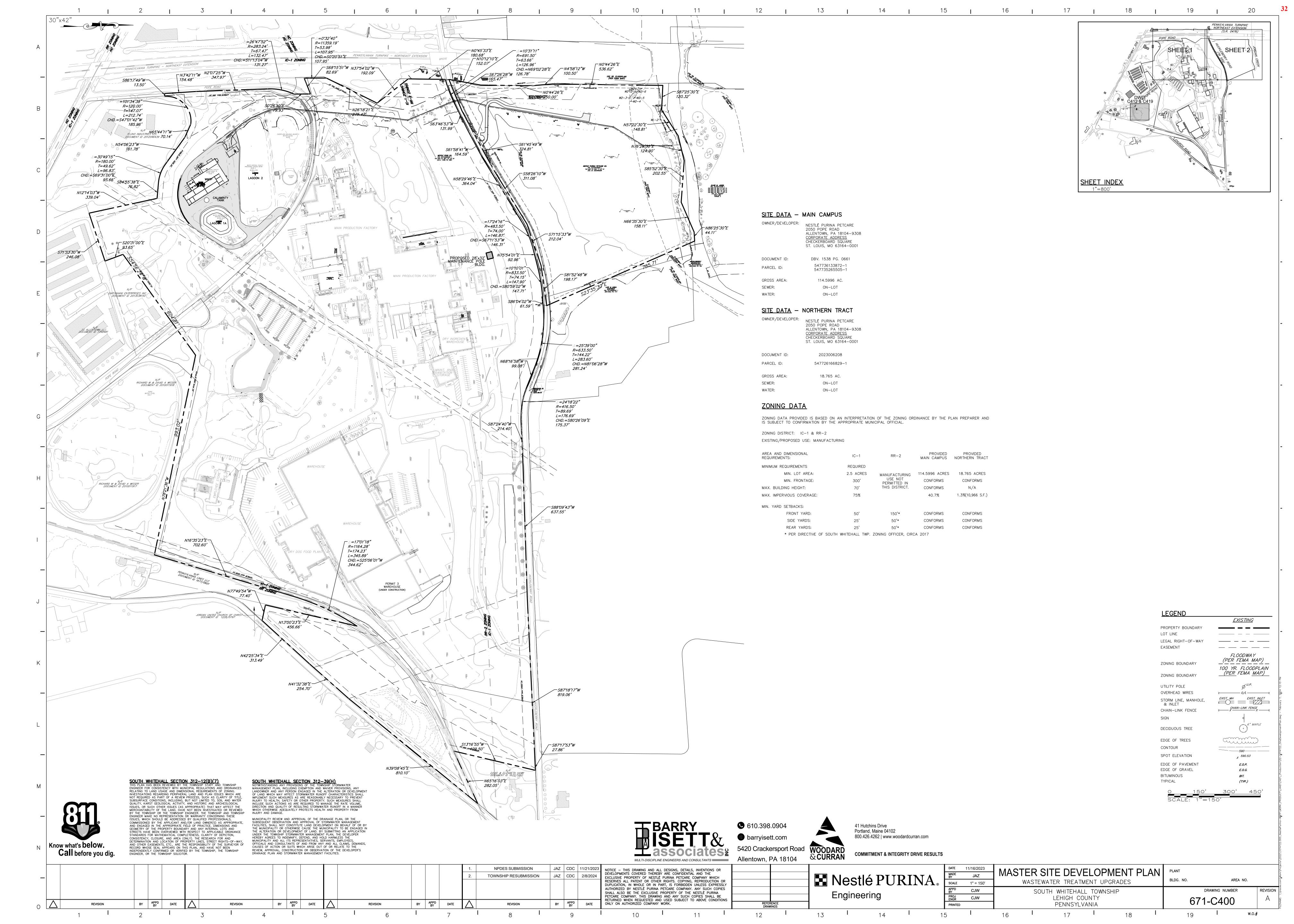
April 8, 2024

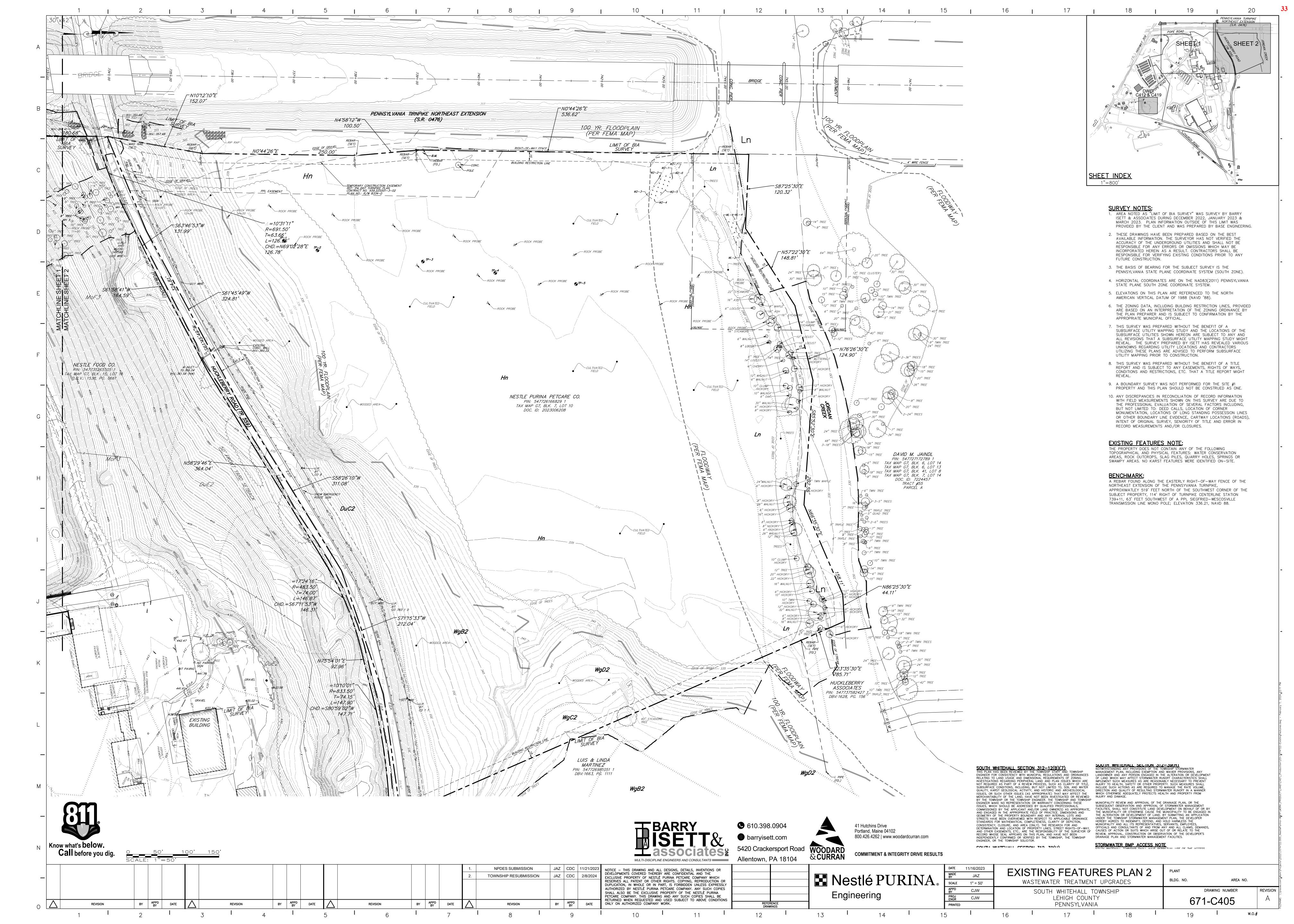
Board of Commissioners deadline date to act on the plan:

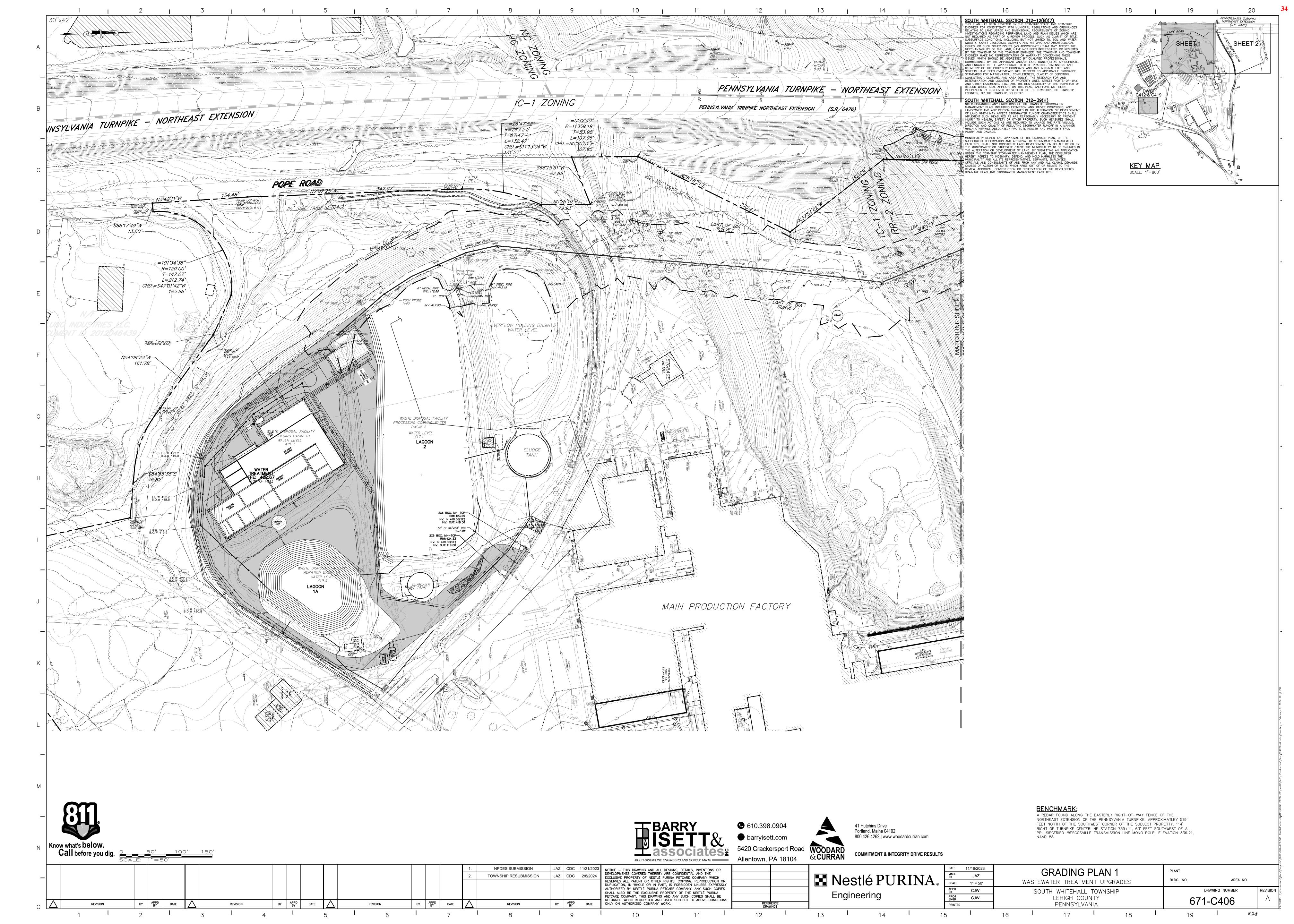
May 8, 2024

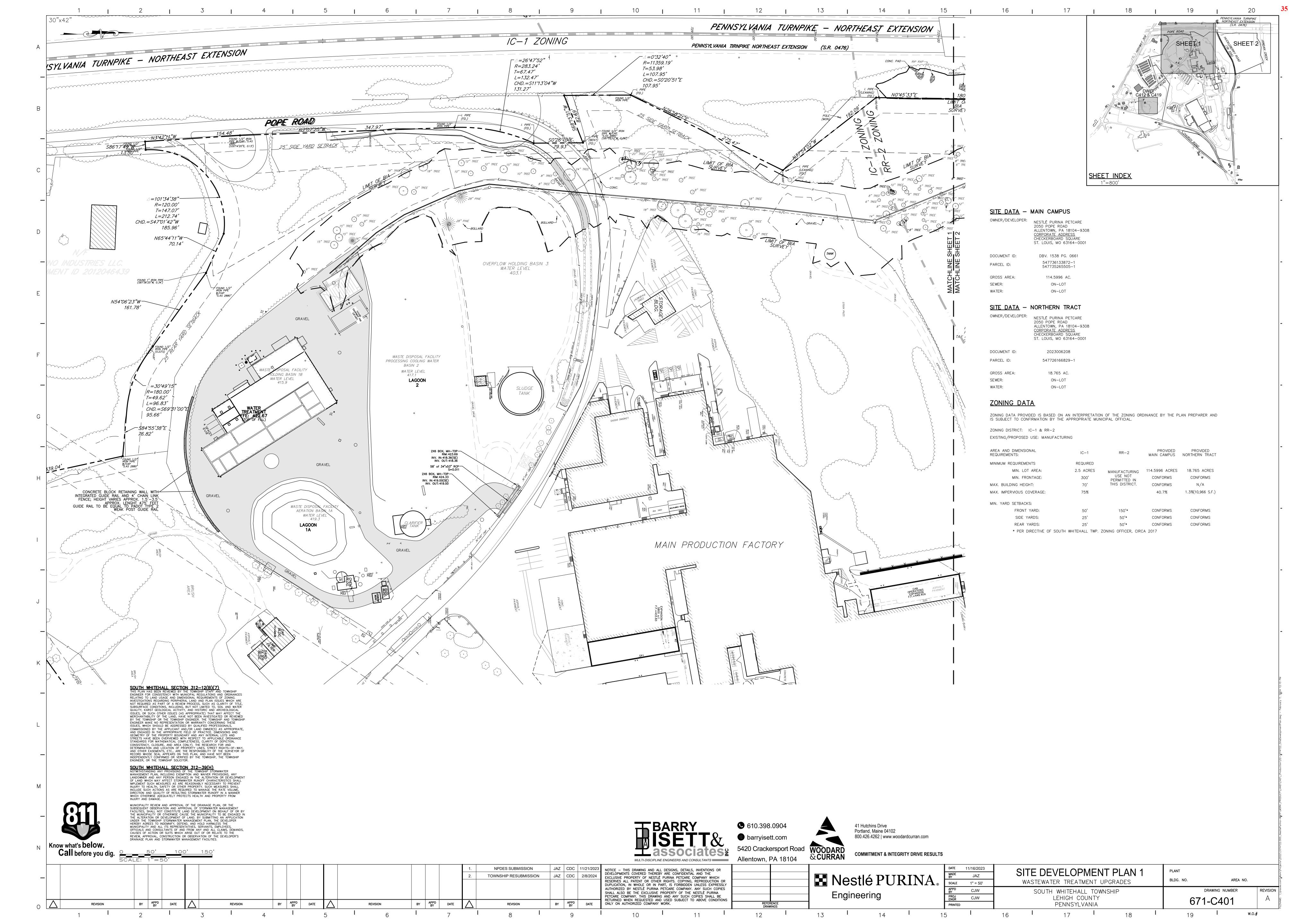


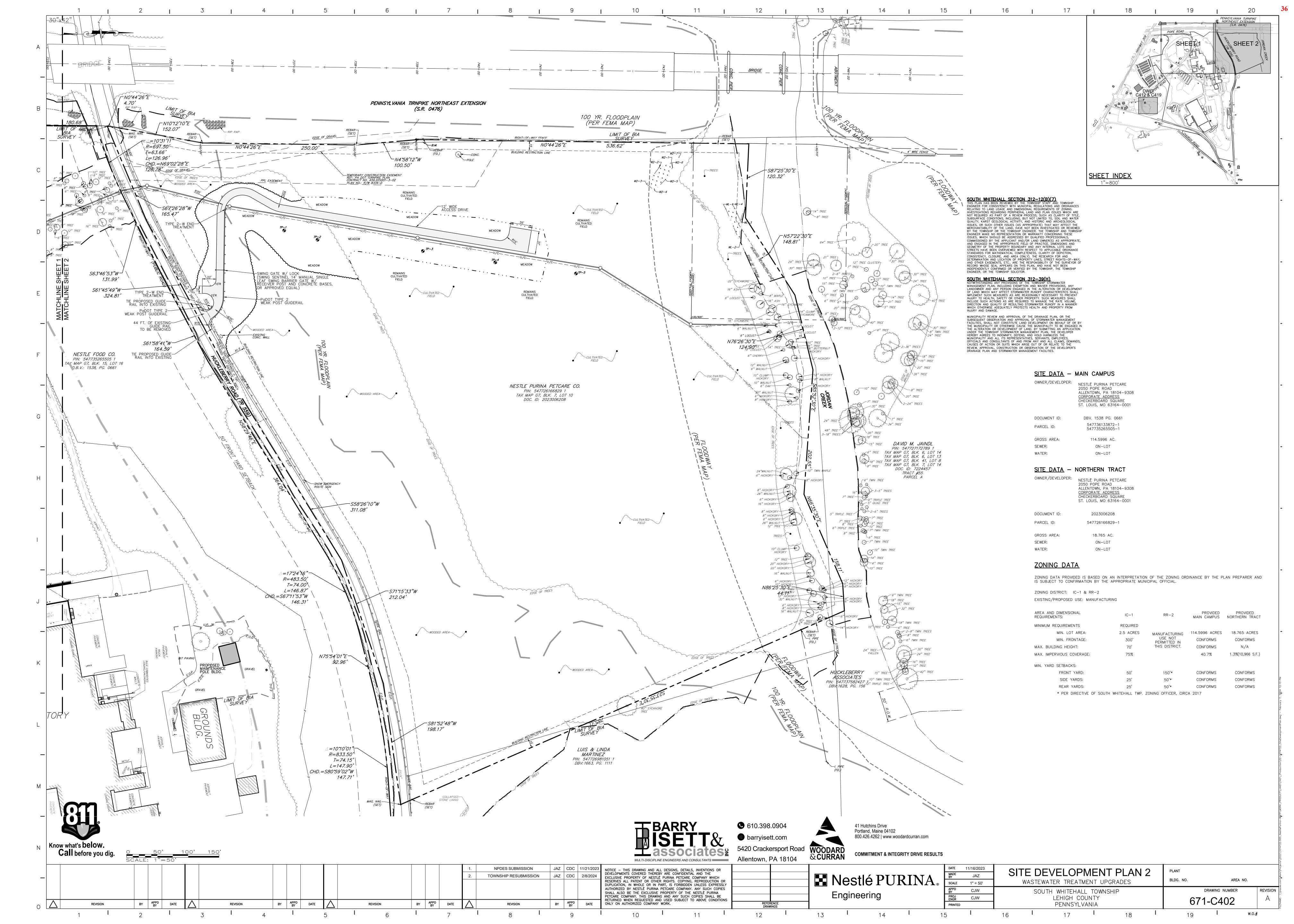
Nestle Purina Wastewater Treatment Upgrades Major Plan 2021-102



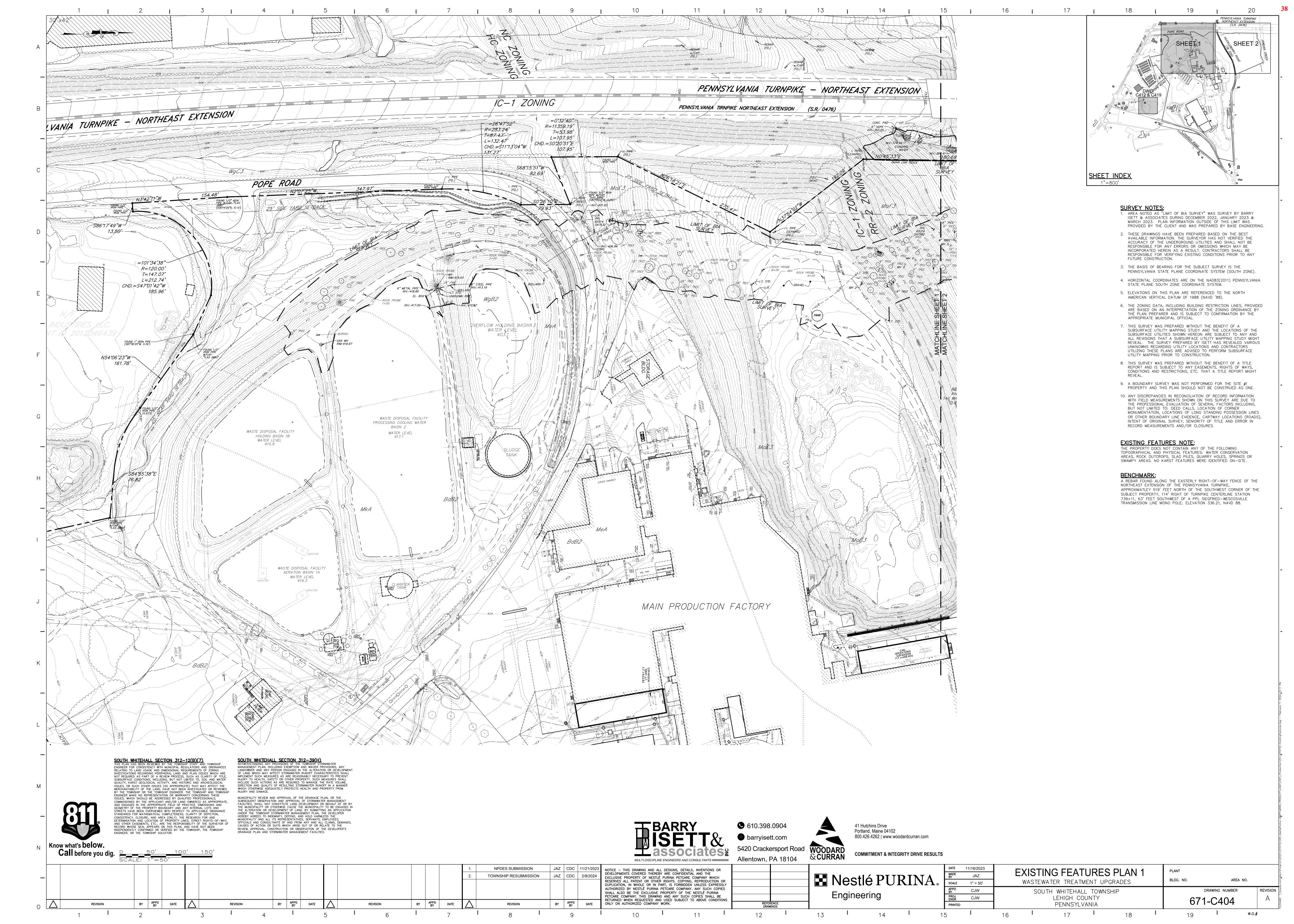


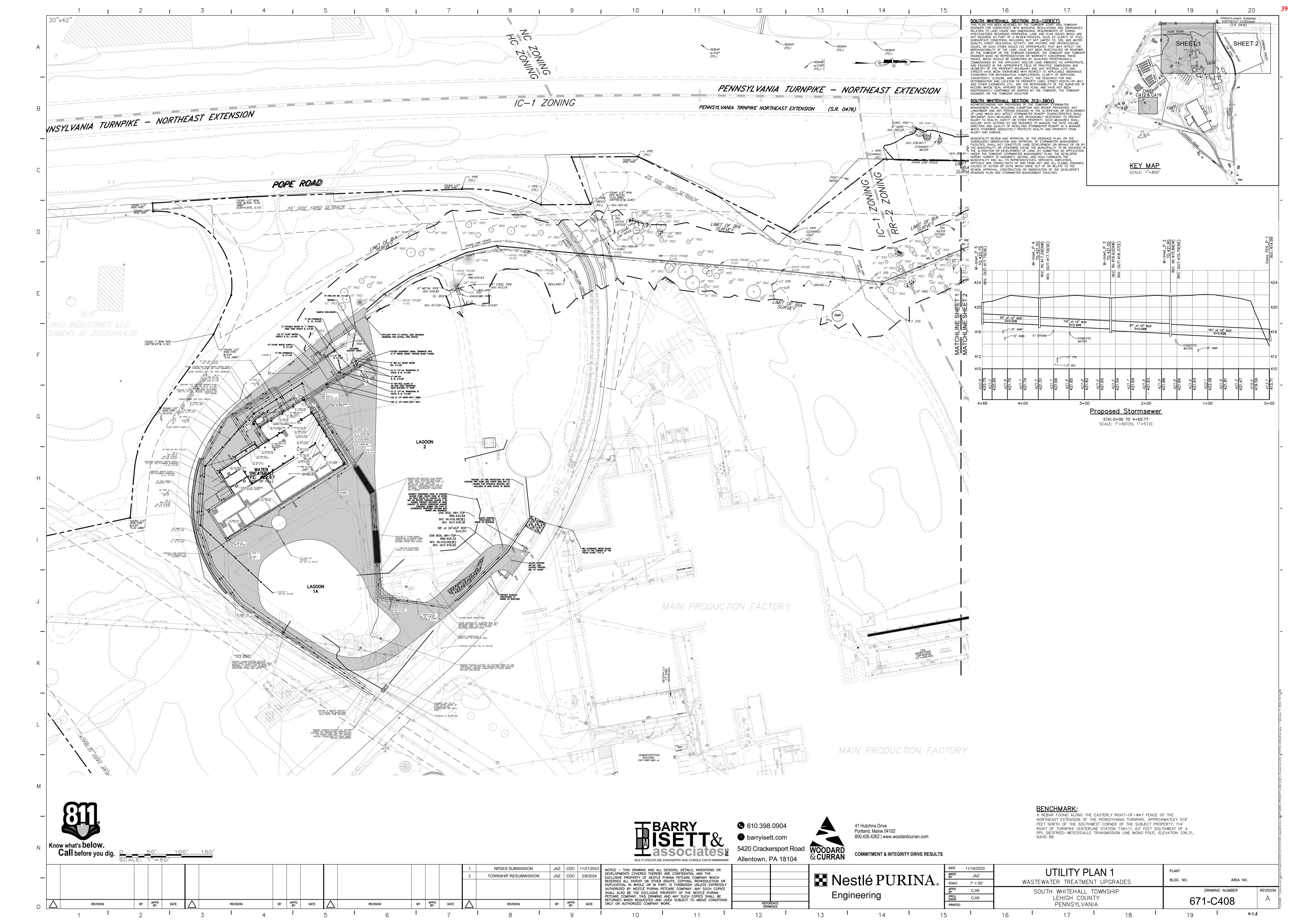


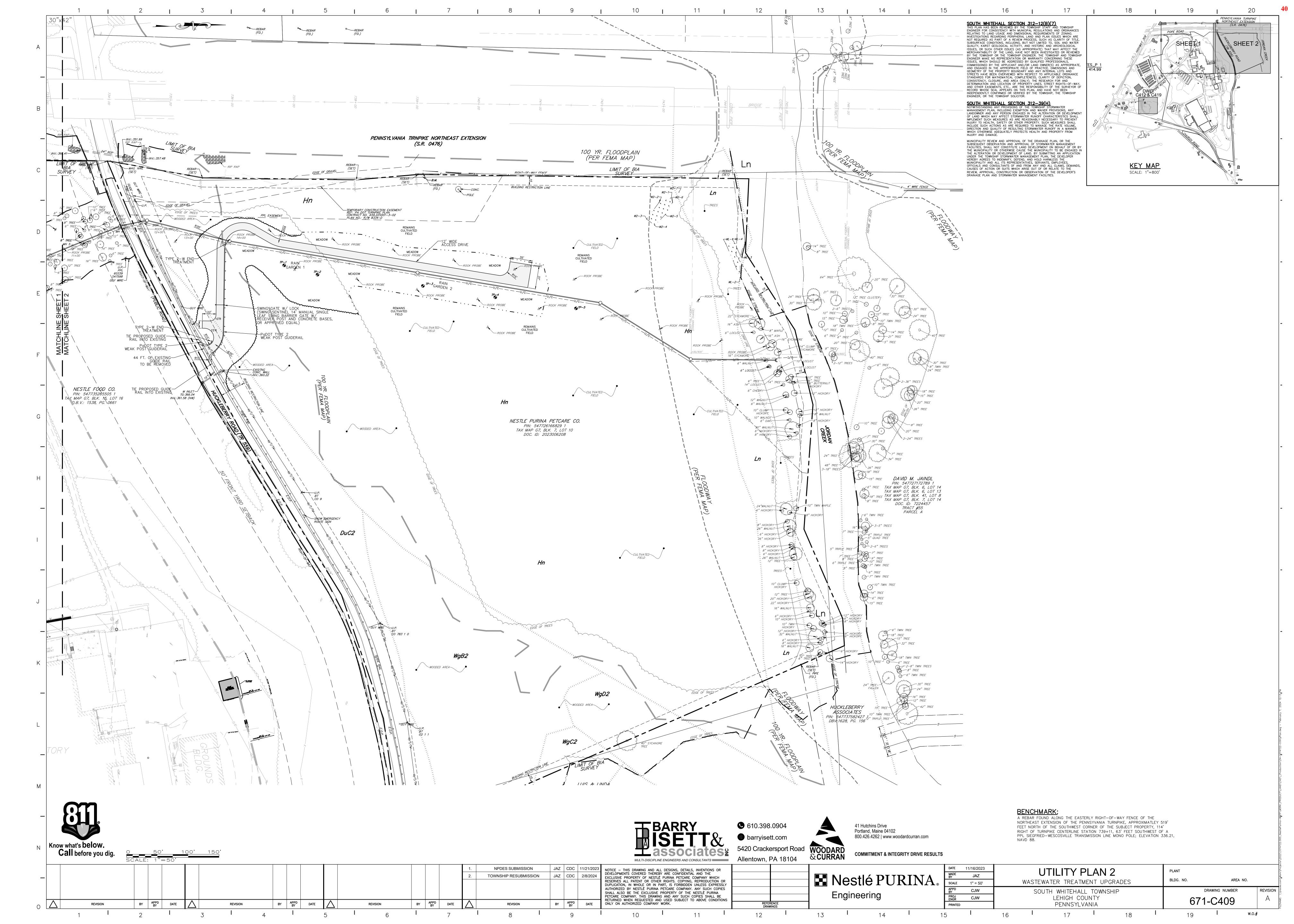












THE PIDCOCK COMPANY

CIVIL ENGINEERING AND LAND PLANNING

ARCHITECTURE

LAND SURVEYING

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Established 1924 J. Scott Pidcock, P.E., R.A.

Bruce E. Anderson, P.E., LEED AP Brian A. Dillman, P.E. Ronald J. Gawlik, P.E. Brian E. Harman, P.E., PTOE James A. Rothdeutsch, P.E., LEED AP John R. Russek, Jr., P.E. Brent C. Tucker, P.E.

Douglas E. Haberbosch, P.E. William G. Kmetz, P.L.S. Jeffrey R. Matyus John M. McRoberts, P.E. Brent D. Shriver, P.E. Todd L. Sonntag, R.A., LEED AP Anthony F. Tallarida, P.E. Ryan R. Troutman, P.E.

G. Edwin Pidcock, P.E., P.L.S. 1924-1967 John S. Pidcock, P.E., P.L.S. 1954-1999 Ralph M. Pidcock, P.L.S. 1952-2000 (Retired)

<u>MEMORANDUM</u>

TO: Mr. Gregg R. Adams via e-mail

Planner, Community Development Department

South Whitehall Township

FROM: Mr. Anthony F. Tallarida, PE

Manager, Municipal Engineering Services

SUBJECT: South Whitehall Township

Nestle Wastewater Treatment Upgrades

Major Subdivision #2021-102 Preliminary/Final Plan Review

DATE: March 6, 2024

COPIES: Mr. Thomas R. Petrucci, MPA

Township Manager

South Whitehall Township

Mr. David Manhardt, AICP

Director of Community Development

South Whitehall Township

Mr. Herb Bender

Director of Township Operations

South Whitehall Township

Mr. Mike Elias

Public Works Utility and MS4 Program Coordinator

South Whitehall Township

Ms. Tracy J.B. Fehnel Insurance Administrator & Executive Assistant South Whitehall Township

Ms. Laura M. Harrier, BCO Building Code Official/Zoning Officer South Whitehall Township

Mr. John G. Frantz, CFEI, BCO Fire Marshal, Building Code Official South Whitehall Township

Joseph A. Zator, II, Esq. South Whitehall Township Solicitor Zator Law

Jennifer R. Alderfer, Esq. Assistant South Whitehall Township Solicitor Zator Law

Mr. Christopher A. Taylor, PG Senior Geologist Hanover Engineering Associates, Inc.

Mr. Christopher Williams, P.E. Senior Project Manager Barry Isett & Associates, Inc.

Mr. Ryan Hammonds Nestle Purina Petcare Company

(all via e-mail)

Mr. Ronald J. Gawlik, PE, Township Engineer

REPORT:

South Whitehall Township Ordinances:

Zoning Ordinance (ZO)

Subdivision and Land Development Ordinance (SALDO)

Stormwater Management Plan (SMP)

See attached list for documents reviewed.

Proposal:

The Plans propose upgrades to the secondary wastewater treatment system including a 21,900± square foot building with a detached chlorine contact tank and reaeration cascade. A separate 28' x 32' Pole Building is proposed behind the Main Production Factory Building. The site is located in the Industrial Commercial-1 (IC-1) and the Rural Residential-2 (RR-2) Zoning Districts. The project is served by on-lot water and sewer systems.

Waivers / Variances Granted:

None to date.

Recommendation:

Engineering approval is not recommended at this time.

jfw/laf

Enclosures

South Whitehall Township Nestle Wastewater Treatment Upgrades Major Subdivision #2021-102 Preliminary/Final Plan Review

March 6, 2024

REVIEW COMMENTS

A. Planning

- 1. The following waivers have been requested by the Design Engineer in a letter dated February 8, 2024:
 - a. SALDO §312-36(c)(3)(B) waiver to allow the driveway off Huckleberry Road to be greater than 10% slope (15% slope proposed); and
 - b. SALDO §312-12(b)(19) and §312-12(b)(20) waiver of the requirement of showing existing features within 100 feet on the Plans.
- 2. The following waivers/deferrals were recommended for approval by the Planning Commission at their meeting on April 15, 2021. The applicant should confirm the applicability of the waivers/deferrals, and list all requested on the Plans:
 - a. SALDO §312-12(b)(15) and §312-12(b)(21) waiver for the requirement of contours on adjacent land and the location of sidewalks, trails, driveways, streets, easements, and right-of-way within 400 feet of the site;
 - b. SALDO §312-35(b)(3)(A)(i)(1) deferral for the installation of concrete curb along the internal streets. A waiver was requested;
 - c. SALDO §312-35(b)(3)(A)(i)(1) deferral requested for the installation of concrete curb along public streets;
 - d. SALDO §312-35(b)(3)(A)(i)(2) deferral for the installation of concrete curb along the internal driveways and off-street parking areas;
 - e. SALDO §312-35(b)(3)(A)(ii)(1)(A) deferral requested for installation of concrete sidewalks along access drives;
 - f. SALDO §312-35(b)(3)(A)(ii)(1)(A) deferral for the installation of concrete sidewalks along public streets along the perimeter of the property;
 - g. SALDO §312-35(b)(3) deferral pertaining to the Right-of-Way dedication along perimeter roadways;
 - h. SALDO §312-40 deferral pertaining to the planting of street/shade trees along perimeter roadways; and
 - i. SALDO §312-13(f)(3) waiver pertaining to the issuance of building permits prior to completion of the subdivision plan recording.

In the event waivers and deferrals are granted, the Waiver Requests Note should include the date of the Board of Commissioners' approval and be revised to reflect the type of relief granted (waiver/deferral).

B. General

- 1. Clarify the intent of the gravel in the limit of disturbance, as we note the shaded area does not reflect current gravel areas using aerial images, specifically near the chemical building around Lagoon 1A;
- 2. Provide a Landscape, Lighting, and Zoning Plan, or confirmation that they will not be required, SALDO §312-12(b)(36), §312-12(b)(37), and §312-12(b)(41); and
- 3. Provide details of the retaining wall(s) which should ultimately be reviewed and approved by the Township Building Code Official prior to construction.

C. Stormwater Management

- 1. All correspondence as well as the modification to the Pennsylvania Department of Environmental Protection (PADEP) Wastewater Permit should be forwarded to our office;
- 2. Clarify the operations of the lagoon as it relates to the intake of sanitary flow as well as stormwater flow. Additionally, we request clarification/details regarding:
 - a. The dewatering of the lagoon;
 - b. The specifications of the storm pipes as it relates to water tight, punching through the liner, etc.; and
 - c. The acceptability to allow sanitary water in the storm sewer pipes and the open grate inlets surrounding the buildings.

It should be determined what portions of the operation are being reviewed by the PADEP as part of the sewage system permit, and confirm their acceptability of the system;

- 3. Revise the storm sewer calculations to utilize the starting Hydraulic Grade Line (HGL) elevation to be consistent with the water level elevation in the Waste Disposal Facility Aeration Basin 1A. In modifying this elevation, it appears that surcharge may occur within the storm sewerage system;
- 4. The proposed riparian buffer, in lieu of traditional volume control, should be fully documented on the Plans and in the Report. The analysis should be in accordance with PADEP guidance documents, and we note that Lehigh County Conservation District is responsible for the review and approval of the riparian buffer as part of the NPDES Permit;
- 5. Clarify the Restoration Area listed on the PADEP Worksheet on the PCSM Plans;
- 6. Provide inlet capacity calculations for the proposed storm sewer network, SALDO §312-39(b)(10);
- 7. Revise the storm sewer details to be consistent with the latest Township Standard Construction Details. We note that this will be provided to your office under

- separate cover. Additionally, revise the storm sewerage system to utilize a minimum pipe size of 15 inches and identify the type of structure for the proposed inlets, SALDO §312-39(g);
- 8. Provide stormwater management easements surrounding Rain Gardens 1 and 2 or a blanket easement that would provide Township ingress to and egress from the public right-of-way, SMP §296-18.B(13) and §296-31;
- 9. We defer to the Township Solicitor regarding the acceptability of the Stormwater BMP Access Note on the Note Sheet (Sheet 2); and
- 10. A BMP Operations and Maintenance Plan, describing the proposed procedures, identifying the person responsible, and noting any applicable easements, should be provided, SMP §296-28 and §296-30. The Plan should include a statement, signed by the property owner, acknowledging that stormwater BMPs are fixtures that cannot be altered or removed without approval by the Township, SMP §296-29. Additionally, an Operations and Maintenance Agreement should be executed for the proposed stormwater BMPs, SMP §296-32.

D. Policy and Information

- 1. Upon submission of plans for recording, all Statements and Certifications shall be signed and sealed/notarized as applicable, SALDO §312-12(b)(6) and §312-14(b)(2);
- 2. We defer to the Township Geotechnical Consultant for review of all geotechnical aspects of the design;
- 3. Obtain any permits as necessary (e.g., Federal, State, or Local) for any work within the Floodway and Floodplain per the Township Floodplain Management Ordinance (Chapter 181). We defer to FEMA to review the complete map revision submissions;
- 4. Copies of all correspondence, including all data submitted to outside agencies regarding required permits and approvals, should be provided to the Township and our office. Ultimately the outside agency note should be updated with the date of approval;
- 5. The sequence of construction for building construction on an existing waste disposal holding basin should be confirmed with PADEP;
- 6. Certification of on-lot sewer and water system extensions to the new building should be provided as applicable per SALDO §312-12(a)(7); and
- 7. Any concerns of the Township Fire Marshal and Public Safety Commission regarding emergency access, including but not limited to the maneuverability of fire trucks over the existing and proposed gravel paved areas and fire protection requirements should be addressed.

The comments noted above are the result of our engineering review. We have not reviewed items associated with legal, geotechnical, lighting, water/sanitary sewerage systems, environmental, building code, public safety, and other non-engineering issues, which should be reviewed by the appropriate Township Staff and Consultants.

South Whitehall Township Nestle Wastewater Treatment Upgrades Major Subdivision #2021-102 Preliminary/Final Plan Review

List of Plans and Supplemental Information Prepared by Barry Isett & Associates, Inc. and dated or revised February 8, 2024 (except as noted)

- 1. Title Sheet, Sheet 1 of 24;
- 2. Note Sheet, Sheet 2 of 24;
- 3. Master Site Development Plan, Sheet 3 of 24;
- 4. Site Development Plan 1, Sheet 4 of 24;
- 5. Site Development Plan 2, Sheet 5 of 24;
- 6. Master Existing Features Plan, Sheet 6 of 24 (cursory review only);
- 7. Existing Features Plan 1, Sheet 7 of 24 (cursory review only);
- 8. Existing Features Plan 2, Sheet 8 of 24 (cursory review only);
- 9. Grading Plan 1, Sheet 9 of 24;
- 10. Grading Plan 2, Sheet 10 of 24;
- 11. Utility Plan 1, Sheet 11 of 24;
- 12. Utility Plan 2, Sheet 12 of 24;
- 13. Master PCSM Plan, Sheet 13 of 24;
- 14. PCSM Plan 1, Sheet 14 of 24;
- 15. PCSM Plan 2, Sheet 15 of 24;
- 16. PCSM Details 1, Sheet 16 of 24;
- 17. PCSM Details 2, Sheet 17 of 24;
- 18. Riparian Buffer Plan, Sheet 18 of 24 (cursory review only);
- 19. Riparian Buffer Note Sheet, Sheet 19 of 24 (cursory review only);
- 20. Master Erosion Control Plan, Sheet 20 of 24 (cursory review only);
- 21. Erosion Control Plan 1, Sheet 21 of 24 (cursory review only);
- 22. Erosion Control Plan 2, Sheet 22 of 24 (cursory review only);
- 23. Erosion Control Details 1, Sheet 23 of 24 (cursory review only);
- 24. Construction Detail, Sheet 24 of 24;
- 25. SWT Fire Truck Movement Plan, Sheet AT-1; and

- 26. Post Construction Stormwater Management Plan Report.
- In addition, we have received the following information in support of the Application:
 - 1. Geotechnical Engineering Report, dated March 27, 2023;
 - 2. Special Flood Hazard Permit Application and Supporting Documents;
 - 3. Waiver Request Letter;
 - 4. Response Letter;
 - 5. Subdivision & Land Development Review Application; and
 - 6. Transmittal Letter.

Spotts, Stevens and McCoy

Roma Corporate Center, Suite 106 1605 N. Cedar Crest Blvd. > Allentown PA 18104 610.849.9700 > F. 610.621.2001> SSMGROUP.COM



December 5, 2023

Gregg Adams, Planner South Whitehall Township 4444 Walbert Avenue Allentown PA 18104

Re: Nestles Purina Wastewater Treatment upgrade

Land Development #2021-102 Review of Preliminary Plan SSM File 103400.0060

Dear Mr. Adams:

This correspondence is provided as a review of the Preliminary Land Development Plan submitted for the above referenced project revised on November 16, 2023. The project is the wastewater treatment upgrades. We have the following comments regarding the water and sanitary sewer utilities:

General Comments:

1. This is a private water and sanitary sewer system that is not connect to South Whitehall Township utility systems. No further comments at this time.

Please contact us should you have any questions, or require any additional information regarding our comments.

Sincerely,

Spotts, Stevens and McCoy

Jason M. Newhard, CMIT, LO

Manager, Construction Management Services

Environmental Engineering

jason.newhard@ssmgroup.com

cc: SWT, PW

252 Brodhead Road • Suite 100 • Bethlehem, PA 18017-8944 Phone: 610.691.5644 • Fax: 610.691.6968 • HanoverEng.com

December 7, 2023

Mr. Gregg Adams, Planner South Whitehall Township 4444 Walbert Avenue Allentown, PA 18104-1699 RE: Geotechnical Engineering Review of Provided Documents Nestle Wastewater Treatment System Upgrade Major Sketch Plan 2021-102 South Whitehall Township, Lehigh County, Pennsylvania Hanover Project SWT21-11(004)

Dear Mr. Adams:

Hanover Engineering (Hanover) has reviewed the information received on November 28, 2023 via electronic link. Reviewed documents pertaining to the geotechnical aspects of the proposed project at the above-referenced site consisted of the following:

- Document entitled "Project Narrative for Nestle Purina Petcare, Allentown, PA Facility Wastewater Treatment Upgrades", prepared by Barry Isett & Associates, Inc. (BIA), dated November 16, 2023.
- 2. Report entitled "Post Construction Stormwater Management Plan", prepared by BIA, dated November 16, 2023.
- 3. Report entitled "Stormwater Infiltration Evaluation for Wastewater Treatment Upgrades" prepared by BIA, dated July 26, 2023 and contained as part of the larger report referenced in Item 2 above.
- 4. Engineering plan set entitled "Preliminary/Final Land Development Plans Wastewater Treatment Upgrades", Sheets 671-C398 10 through 671-C421 inclusive, dated November 16, 2023, unrevised.

Based on our review, it is our understanding that the subject property located at 2050 Pope Road contains an existing pet food manufacturing plant and appurtenant improvements. The applicant is proposing construction of an upgraded secondary Wastewater Treatment (WWT) plant, a discharge pipe for the plant effluent into the Jordan Creek, a paved access drive to maintain the new discharge pipe, and an offsetting riparian buffer. Rain gardens are proposed to manage runoff from the new access drive. The applicant states that the proposed impervious is less than 10,000 square feet and therefore Act 167 requirements to not apply. We offer the following comments:

- 1. In the report, the Non-Structural BMP Volume Credits lists the infiltration rate for BMP 1 as 0.77 inches per hour (in/hr) and for BMP 2 as 2.66 in/hr. It appears that these rates were calculated by using the individual rates from all tests that fall within the footprint of each facility. The fastest test should be discarded from the calculation per the Best Management Practices (BMP Manual). The rates shall re-calculated accordingly. It is noted that this office was not contacted to observe this testing.
- 2. On Sheet 671-C405, multiple points are shown and labeled as "rock probe". The data obtained from these probes shall be provided to this office for review.
- 3. On Sheet 671-C414, Rain Garden details, the dimension for the thickness of the sand/compost/topsoil blend should be listed as eighteen inches (18") in the label to match the other dimensions and elevations provided.
- 4. Section 312.12(b)(18) of the Subdivision and Land Development Ordinance: Provide and label the location of all significant features listed, or provide a note stating which features do not exist on the site.

We trust that this is the information that you require. Should you have any questions or concerns regarding this information, please do not hesitate to contact our office.

Respectfully,

HANOVER ENGINEERING

Christobher A. Tavlor. PG

cat:cat/sas

S:\Projects\Municipaf\SWhitehallTownship\Swt21-11{004}-NestlePurinaWastewaterTreatmentUpgradeMajorPlan2021-102\Docs\20231207-SWTGeotech, NestlePurinaWastewaterTreatmentUpgrades
geotech.cmt.ltr.Z.doc

cc: Mr. Dave Manhardt, Director of Community Development (via email)

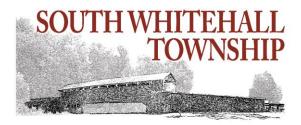
Mr. Herb Bender, Public Works Director (via email)

Mr. Anthony F. Tallarida, PE, The Pidcock Company (via email)

Mr. Mark Gnall, PE, The Pidcock Company (via email)

Mr. Ryan Hammonds, Plant Manager, Nestle Purina Petcare

Mr. Christopher Williams, PE, Barry Isett & Associates, Inc.



INTEROFFICE MEMORANDUM

To: Dave Manhardt, director of Community Development

FROM: HERB BENDER, PUBLIC WORKS MANAGER

DATE: FEBRUARY 27, 2024

SUBJECT: NESTLE PURINA WASTEWATER UPGRADES MAJOR PLAN 2021-102

The Public Works Dept. reviewed the above project and has the following comments:

1. No Comment

SOUTH WHITEHALL TOWNSHIP

4444 Walbert Avenue, Allentown, PA 18104-1699 www.southwhitehall.com • (610) 398-0401

March 7, 2024

Nestle Purina PetCare Company Attn: Ryan Hammonds 2050 Pope Road Allentown, PA 18104

Re: Nestle Wastewater Treatment Upgrade

Major Plan 2021-102

Request for Preliminary/Final Plan Review

Dear Mr. Hammonds:

The purpose of this letter is to report zoning and non-engineering related comments that are to be addressed. My comments follow:

A. Zoning

- 1. The proposal is to upgrade the existing secondary waste water system on site by adding a wastewater treatment structure over the existing lagoon.
- 2. There is no increase to impervious coverage. The building setbacks and height are all in compliance. There are no changes to parking, and the enclosed structure will not add to the number of employees.
- 3. The addition of a maintenance building has since been added to this plan. A district boundary line of both IC-1 and RR-2 runs parallel with Huckleberry Road and intersects with the proposed structure. The maintenance building is overwhelmingly within the IC-1 zoning district and a small corner of the structure is located in the RR-2 zoning district.
- 4. The principal use of the parcel is regulated under the IC-1 district criteria and this building is considered part of the principal use. The portion of the building in the RR-2 zone does meet the RR-2 setbacks.

B. Fire Inspector

The Fire Inspector reports that the Public Safety Commission in conjunction with the Fire Chief recommends that:

- 1. The fire apparatus turning radius drawing should be changed to provide the vehicle approach from the main gate side of the access road to the new wastewater building.
- 2. Soil bearing details for the entirety of the gravel fire department access road should be indicated in order to determine if it will support heavy fire apparatus.
- 3. The proposed fire water line size should be indicated on the plan.
- 4. The proposed fire water line should be indicated up to the connection point to the existing water system.





- 5. A SALDO compliant fire hydrant should be indicated of the proposed building on the north side of the complex.
- 6. The SWT specification detail for fire hydrants should be included on the plans.

C. Open Space and Recreation

1. The Parks and Recreation Board recommended that the developer pay fees in lieu of common open space land dedication to meet the open space and recreation requirements of Section 312-36(d)(4) of the Subdivision and Land Development Ordinance. For nonresidential developments a fee shall be Twenty-Five Cents (\$0.25) per square foot of additional proposed impervious coverage (post-development impervious surface minus pre-development impervious surface) in lieu of the requirement for public dedication of land. Please provide the additional square footage of impervious surface in the Zoning Data Block of the Cover Sheet with the next plan submission so that the fee can be calculated.

D. Water & Sewer

1. An Erosion and Sediment Control Plan is required for any earth disturbance activity of more than 5,000 square feet pursuant to Section 296-11(B) of the South Whitehall Township Codified Ordinance (Stormwater Management Plan).

E. Flood Plain

- 1. Pursuant to Section 181-12 of the South Whitehall Township Codified Ordinances (Floodplain Management), any development in any identified floodplain area may be submitted to the Township Engineer for review and comment.
- 2. For any development located entirely or partially in any identified floodplain area, the applicant shall provide plans and documentation that meet the minimum requirements of Section 181-10(C) of the South Whitehall Township Floodplain Ordinance.
- 3. Pursuant to Section 181-3 of the South Whitehall Township Codified Ordinance (Floodplain Ordinance), a permit issued by the Floodplain Administrator is required for any construction in the floodplain.
- 4. Pursuant to Section 181-9 of the South Whitehall Township Codified Ordinance (Floodplain Ordinance), the Floodplain Administrator shall issue a permit only after it has been determined that the proposed work to be undertaken will be in conformance with of this and all other applicable codes and ordinances. No permit shall be issued until it has been determined if all other necessary government permits required by state and federal laws have been obtained or determined not to be necessary.

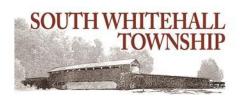


F. Legal and Other

- 1. Township policy with regard to the deferral of sidewalk and curbing has changed and deferrals shall no longer be granted. The applicant should be prepared to discuss compliance with SALDO Section 312-35(b)(3)(A)(ii).
- The Township Solicitor and Township Engineer may want to comment upon the legal requirements of the MS4 program with regard to any private stormwater management facilities.
- 3. If a dumpster is to be used, the location shall be identified on the plan and screened and buffered in accordance with Section 350-42(b) of the Zoning Ordinance and Section 288-4(c) of the Codified Ordinances.
- 4. Please consider the following in placement locations for street trees:
 - a. Placement over inlets should be avoided;
 - b. Provide ample clearance from street lights and hydrants.
- 5. If additional site lighting is proposed, a note shall be added to the plan (in the Construction Notes section) stating that a building permit is required for light pole foundations prior to installation.
- 6. Confirmation of a plan submittal to LANTA shall be provided.
- 7. Signature Blocks and Certifications to appear on each plan sheet to be recorded.

G. Plan Recording Requirements

- 1. Signature Blocks and Certifications to appear on each plan sheet to be recorded.
- 2. The size of the plan sheet shall be noted on the upper left-hand corner of every plan sheet to be recorded.
- 3. Wherever a Parcel ID is shown on a plan sheet to be recorded, it shall include the appropriate parnum suffix, such as 547677593477<u>-1</u> or 547687003997<u>-59</u>.
- 4. Wherever an Owner's signature is required, the Signature shall be accompanied by a Printed Name and Title (Owner or Title within the owning organization), and an area for a Notary stamp. If there are multiple owners, there shall be signature blocks and areas for Notary stamps for each and every owner's name. The name of the owner (individual and/or organization) in the signature block shall match the name listed elsewhere on the plan.
- 5. On the cover sheet or (if no cover sheet is present) the site plan sheet, include a table listing all of the properties involved in the project, including PIN and Parnum. This information may be included with an existing table or a new table may be created.
- 6. The review date of the Planning Commission and the review date and Resolution number of the Board of Commissioners shall be placed into the appropriate Board endorsement



notes on the appropriate plan sheet to be recorded. Dates and Resolution number may be obtained from South Whitehall Township.

H. Waiver and Deferral Request Commentary

- 1. Request to waive SALDO Section 312-36(c)(3)(b) requiring driveway grades not to exceed 10% onto local or collector roads. Staff defers to the Township Engineer.
- 2. Request to waive SALDO Section 312-12(b)(19) requiring the plan to show existing buildings with 100 feet of the tract. Staff defers to the Township Engineer.
- 3. Request to waive SALDO Section 312-12(b)(20) requiring the plan to show existing underground utilities with 100 feet of the tract. Staff defers to the Township Engineer.

The Planning Commission made recommendations on 10 waiver and deferral requests at their April 15, 2021 meeting.

I. Official Map & Comprehensive Plan

- 1. The Official Map depicts the subject parcel as including steep (15% to 25% and 25% or greater) slopes and containing areas within the approximate limits of the corridor for the Jordan Creek Greenway Route.
- 2. The Comprehensive Plan indicates natural areas within and adjoining the tract. Natural areas should be a priority for preservation when possible. In some cases, development can be supported in these areas but may require site-level analysis.
 - The Comprehensive Plan envisions the Huckleberry Road parcel as within the Jordan Valley Land Use Type. The goal of the Jordan Valley is to preserve the rural and historic character of the Jordan Valley by:
 - Preserving natural resources and important landscapes through incentives and cooperation with landowners
 - Enhancing crossroad villages with attention to the surrounding landscape
 - Encouraging the continuation of active agriculture by allowing uses consistent with operations of working farms
 - And incentivizing the utilization of Conservation Subdivisions for future land development.
 - Jordan Valley Place Type supports Open Space, Agriculture, Rural, and Conservation Subdivision place types.

The Comprehensive Plan envisions the 2050 Pope Road parcel as within an Industrial Land Use Type. The goal of Industrial is:



- To support the manufacturing and distribution of goods and materials. Intensity
 of development is dependent on the availability of utilities and connections to
 road infrastructure.
- Require buffers to be proportionate to the degree of impact and intensity of development.
- Consider transit and multimodal connection to support industrial employees.
- Coordinate development along transportation routes that can appropriately accommodate traffic impacts and require necessary transportation improvements.
- Industrial Land Use supports Open Space, Agriculture, Conservation Subdivision, Regional Employment Center, and Industrial place types.

Your plan is scheduled to be reviewed by the Planning Commission on Thursday, March 14, 2024 at 7:00 p.m. in the South Whitehall Township Municipal Building located at 4444 Walbert Avenue. The meeting will be also be livestreamed via GoToMeeting. To access the meeting though your computer, go to https://global.gotomeeting.com/join/757430189. To access the meeting through your phone, dial 1-224-501-3412 and, when prompted, enter 757 430 189 to join the meeting. If you have any questions, please call.

Sincerely,

Gregg R. Adams, Planner South Whitehall Township

cc: T. Petrucci H. Bender D. Manhardt L. Harrier M. Elias S. Pidcock A. Tallarida J. Zator, Esq J. Alderfer, Esq C. Williams, Barry Isett Sub. File 2021-102

Gregg R. Adams

From: John G. Frantz

Sent: Tuesday, March 5, 2024 11:31 AM

To: Gregg R. Adams

Subject: Nestle Purina Wasterwater Upgrades - 2012-102

Gregg,

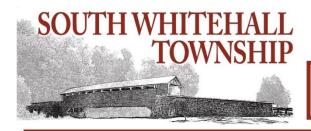
The PSC made the recommendation that my following comments be addressed.

- 1. The fire apparatus turning radius drawing should be changed to provide the vehicle approach from the main gate side of the access road to the new wastewater building.
- 2. Soil bearing details for the entirety of the gravel fire department access road should be indicated in order to determine if it will support heavy fire apparatus.
- 3. The proposed fire water line size should be indicated on the plan.
- 4. The proposed fire water line should be indicated up to the connection point to the existing water system.
- 5. A SALDO compliant fire hydrant should be indicated of the proposed building on the north side of the complex.
- 6. The SWT specification detail for fire hydrants should be included on the plans.

John G. Frantz, CFEI, BCO

Fire Marshal, Building Code Official South Whitehall Township 4444 Walbert Avenue Allentown PA 18104-1699 610-398-0401 (office) 610-398-1068 (fax) www.southwhitehall.com

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MEMORANDUM

To: Planning Commission **From:** Gregg Adams, Planner

DATE: January 23, 2024

SUBJECT: Subdivision Plan Review

Nestle Purina Wastewater Treatment Upgrade

Major Plan 2021-102

Plan Dated November 16, 2023

COPIES: Parks and Recreation Board, T. Petrucci, L. Matula, D. Manhardt,

J. Alderfer, S. Pidcock, A. Tallarida, Applicant

At their January 8, 2024 meeting, the Parks and Recreation Board reviewed the plan and determined the following:

The Parks and Recreation Board recommended that the developer work with staff to investigate potential open space uses compatible with the proposed use on the Huckleberry Road parcel. They also recommended that the developer pay fees in lieu of common open space land dedication to meet the open space and recreation requirements of Section 312-36(d)(4) of the Subdivision and Land Development Ordinance. The amount of fees to be paid in lieu of common open space land dedication in non-residential subdivision or land development shall be Twenty-Five Cents (\$0.25) per square foot of additional proposed impervious coverage (post-development impervious surface minus pre-development impervious surface). The plan shall be revised to show additional impervious surface proposed for both the Main Campus and the Northern Tract so that a Fee may be calculated.

Respectfully submitted,

Gregg Adams, Planner

Community Development Department

CHRISTOPHER AMATO Vice Chair

> **KEVIN SCHMIDT** Treasurer

BECKY A. BRADLEY, AICP Executive Director

July 1, 2022

Mr. David Manhardt, Director Community Development Department South Whitehall Township 4444 Walbert Avenue Allentown, Pennsylvania 18104

> Re: Nestle Purina PetCare Basin F Reconstruction Plans Revised February 2022 South Whitehall Township **Lehigh County**

Dear Mr. Manhardt:

The proposed storm drainage concept presented in the plans dated February 2022 and storm drainage calculations dated March 2022 has been reviewed for consistency with the Jordan Creek Watershed Act 167 Storm Water Management Ordinance, May 1992. A brief narrative of the review findings is as follows:

The proposed development is located within drainage district 118 of the Jordan Creek Watershed as delineated in the Act 167 Plan. As such, the runoff control criteria for the site are a 30% Release Rate for the 2-year storm and a 100% Release Rate for the 10-, 25- and 100-year return period storms. Based on review of the plans and calculations, the following deficiencies are noted. The Drainage plan needs to show a pre- and post-development peak outflow analysis for Basin F as well as Watershed B on-site to assure compliance with approved release rates. Therefore, the Drainage Plan has been found to be inconsistent with the Act 167 requirements.

Notable portions of the Drainage Plan not reviewed include any aspect of the post-construction storm water management plan concerning water quality, the details and design of any proposed water quality BMPs, the Erosion and Sedimentation Control Plan and the details of the runoff collection system (piping). These items are reviewed by the municipal engineer and/or others, as applicable.

Mr. David Manhardt South Whitehall Township July 1, 2022 Page 2

Once the outlined issues have been addressed, the revised plans, completed application form and appropriate review fee will need to be resubmitted to our office. Please call me with any questions regarding these comments.

Sincerely yours,

Geoffrey A. Reese, PE

Master Planner and Engineer

cc: Ron Gawlik, PE, The Pidcock Company Anthony Tallarida, PE, The Pidcock Company Avalon Chambers, The Pidcock Company Susan Ambler, PE, Woodard & Curran Lehigh County Conservation District

Gregg R. Adams

From: Cody Callahan, PE <ccallahan@barryisett.com>

Sent: Friday, February 9, 2024 10:17 AM

To: Gregg R. Adams

Cc: Chris Williams, PE, LEED AP; Lee, Jeanne, US-Allentown; Connelly, Patrick, US-St. Louis **Subject:** FW: NPPC Allentown PA Facility - Wastewater Treatment Upgrades Project - Lanta

Review

Good morning Gregg,

I forwarded the plans from the Township resubmission that we made yesterday to LANTA and we received the comments below from Molly.

Let me know if you have any questions.

Thanks, Cody

From: Molly Wood <mwood@lantabus-pa.gov> Sent: Thursday, February 8, 2024 3:21 PM

To: Cody Callahan, PE <ccallahan@barryisett.com>

Cc: Chris Williams, PE, LEED AP <cwilliams@barryisett.com>; Lee,Jeanne,US-Allentown <Jeanne.Lee@purina.nestle.com>

Subject: RE: NPPC Allentown PA Facility - Wastewater Treatment Upgrades Project - Lanta Review

Caution: This is an external email. If unexpected, do not click on links or open attachments unless you have confirmed the sender.

Hi Cody,

Thank you for reaching out regarding the project site at the existing Nestle facility on Pope Road. LANTA has no plans to deviate service off 309 to Pope Road. When possible, we always recommend pedestrian connectivity on a project site and along the property frontage to allow employees safer access to the nearby existing bus stops at the 309 and Pope Road intersection.

For follow up or any additional questions, please feel free to contact me.

Thanks, Molly



Molly S. Wood, AICP

Planner/Land Use Specialist Lehigh and Northampton Transportation Authority 1074722.000 November 16, 2023

PROJECT NARRATIVE

FOR

NESTLE PURINA PETCARE, ALLENTOWN, PA FACILITY – WASTEWATER TREATMENT UPGRADES

South Whitehall Township, Lehigh County, Pennsylvania

The proposed development consists of an upgrade to the facility's existing wastewater treatment system. The applicant is under a settlement agreement with DRBC to upgrade the system to improve treatment efficiency. The project will not result in an increase to employee counts, traffic, parking demand, water consumption, sewage disposal, or impervious area on the main plant property.

This project was previously submitted for land development approval in 2021. Subsequent design modifications have resulted in alterations to the project's overall scope. We are now proposing that the plant's effluent discharge line be routed to the north and discharge directly to the Jordan Creek rather than the unnamed tributary adjacent to the plant. The path between the treatment plant and the Jordan Creek involves crossing beneath Huckleberry Road as well as a property north of Huckleberry Road which is also owned by the applicant, Nestle Purina.

To accommodate the required monitoring of this new discharge location, we are also proposing a driveway on the property north of Huckleberry Road. This driveway will only be used for the required monitoring and property maintenance. No further development is proposed on this property. Proposed grades on this property will be balanced so that no additional fill is required within the 100-year floodplain of Jordan Creek.

The driveway impervious has been limited to less than 10,000 square-feet. Stormwater management is proposed, however, to meet NPDES stormwater requirements. Since the treatment plant is located within the 150-foot buffer of the tributary around the plant, a new riparian buffer is proposed on the property north of Huckleberry Road to satisfy PA DEP's riparian buffer regulations.



§ 5420 Crackersport Road, Allentown, PA 18104

610.398.0904 🖨 610.481.9098

barryisett.com

February 8, 2024 Project #1074722.000

South Whitehall Township Planning Commission South Whitehall Township 4444 Walbert Avenue Allentown, PA 18104-1699

Dear Planning Commission Members:

RE: NPPC ALLENTOWN, PA FACILITY - WASTEWATER TREATMENT UPGRADES South Whitehall Township, Lehigh County, Pennsylvania

Waiver Requests

On behalf of Nestle Purina PetCare Company, Barry Isett & Associates, Inc. is hereby requesting waivers from the following sections of the South Whitehall Township Subdivision and Land Development Ordinance:

Subdivision and Land Development Ordinance (SALDO), Section 312-36(c)(3)(b)

This section of the ordinance requires that driveway grades shall not exceed 10% with access to a local or collector street.

We are requesting a waiver from this section to allow the driveway off Huckleberry Road to be constructed at 15% slope. Due to the existing 100-year Floodplain, reducing the grade of the driveway to a maximum of 10% would require additional fill within the floodplain. The proposed driveway will only be utilized as periodic access to the proposed treatment plant outfall and will not be regularly utilized. A guide rail is also provided along the driveway.

2. Subdivision and Land Development Ordinance (SALDO), Section 312-12(b)(19) & (20)

These sections of the ordinance requires that existing buildings, sewer mains, water mains, culverts, storm sewers, petroleum or petroleum products lines, gas lines, transmission lines, fire hydrants, underground tanks, wells, septic systems, within 100 feet of the site, be shown on the plans.

We are requesting a waiver from this section because the project is within the interior of the plant property with only one utility crossing of the Township right-of-way. Due to the overall size of the properties and drawing scale needed to clearly present the proposed development, there is not enough available space to adequately show this information.

Please contact our office at 610-398-0904 if you have any questions or require further information.

Sincerely,
Christiph Williams

Christopher Williams, PE

Operations Manager, Lehigh Valley

Civil Department