

**MINUTES**  
**UPPER SAUCON TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting**  
**Tuesday, March 5, 2019 - 6:30 p.m.**  
**Township Municipal Building**

**Call to Order/Pledge of Allegiance**

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

**Members Present:**            **Samantha Falcone, Chair**  
   **Gerry Anthony, Vice Chair**  
   **Dennis Aranyos**  
   **George Bloeser**  
   **Rod Chirumbolo**  
   **Bryan Macfarlane**  
   **Antonio Roman**

**Staff Attending:**            **Trisha Lang, Secretary/Director of Community Development**  
   **Roxann Steelman, Township Solicitor's office**  
   **Kevin Chimics, Township Engineer**

**Board of Supervisors Meeting Actions**

The Chair quickly summarized the items that were acted on at the Board of Supervisors meeting held on February 11, 2018.

**Minutes**

The minutes of the February 5, 2019 meeting were reviewed. Mr. Bloeser's attendance at the meeting by phone was noted and added to the minutes. No other changes were made, and the minutes were unanimously approved.

**Subdivision and Land Development Reviews**

*None*

**Public Comment**

*None*

**Discussion**

**Presentation by Kay Builders**

Rick Koze and Richard Brooks representing Kay Builders, and Jim DePetris of Legend Properties, Inc. discussed their plan for development of the +/- 120-acre Lehigh owned parcel along Route 309. Mr. Koze provided a brief overview of his involvement with the property and the effort to seek new zoning for a mixed-use development of the parcel, stating that there was "no intent to go back to the original zoning." Mr. DePetris discussed the commercial aspect of the proposal, assuring the Commission that this was not a strip shopping center, that the major

supermarket (which could not be identified) would be a strong anchor for the remainder of the project which would employ “very, very, high-end architecture.” Mr. DePetris indicated that the unnamed tenant for the grocery store would estimate doing one (1) million dollars/week in business but suggested that the site was intended to draw only local, rather than regional, shopping trips.

The applicant’s architectural representative reviewed the pictures provided in a handout to reflect the “upscale environment” that was proposed. Upon inquiry from the Commission, this representative indicated that none of the work shown in the handout was attributable to him or his firm and that he had never worked with Legend Properties, Inc. in the past.

After this brief presentation, the discussion was opened to residents in attendance who raised the following concerns about the project.

- Negative impact on the School District
- Cut-through traffic in Sunrise Valley
- Density and scale – the magnitude of the project was too large
- Removal of industrially zoned land from the tax base in exchange for residential development
- Impact on the watershed, water quality, flooding concerns – too urban
- No environmentally innovative ideas incorporated
- Traffic impacts on Route 309; additional vehicles passing through the already dangerous intersection with Center Valley Parkway
- Impact on Township-wide emergency services and other infrastructure (sewer, water, parks)
- Negative impact to Promenade
- Consistency with Town Center Core zoning which does not provide for more than one “Town Center”

Commission members echoed these concerns and, in addition identified the following issues:

- The “cost” of acquiring the less than fifty (50) acre developable portion of the Landis Mill tract
- The disconnect between the plan view of the commercial core and the drawings provided in the handout
- The lack of walkability reflected in the plan view

Additionally, staff noted that multiple iterations of a Draft Ordinance for the original design proposal had been crafted and presented to the applicant without the ability to reach a consensus on the basic elements of the zoning district.

After much discussion and a polling of each Commission member, the consensus was to recommend to the Board of Supervisors that they not continue to consider the requested rezoning of this acreage that would allow for this mixed-use development proposal.

**Adjournment**

There being no further business, the meeting adjourned at 8:27 p.m. The next regular meeting is scheduled for April 2, 2019, at 6:30 p.m.

Respectfully submitted,

Patricia Lang,  
Secretary