

MINUTES

Upper Saucon Township Board of Supervisors
Special Meeting
Wednesday, April 10, 2019 – 6:30 P.M.
Southern Lehigh Middle School

Members Present: Dennis E. Benner, Chairman
Brian J. Farrell, Vice Chairman
Philip W. Spaeth
Kimberly Stehlik

Members Absent: Stephen Wagner

Staff Attending: Thomas F. Beil, Township Manager
Joseph Geib, Assistant Township Manager
Thomas Dinkelacker, Township Solicitor
Charles Unangst, P.E., Township Engineer
Patricia Lang, Director of Community Development
Patrick Leonard, Special Projects Coordinator
Thomas J. Nicoletti, Chief of Police

CALL TO ORDER

Mr. Benner called the meeting to order at 6:30 p.m., in the Auditorium of the Southern Lehigh Middle School, 3715 Preston Lane, Upper Saucon Township, Lehigh County, PA.

PLEDGE OF ALLEGIANCE

Mr. Benner asked all in attendance to stand and recite the “Pledge of Allegiance.”

NOTIFICATION

Mr. Benner announced that all public sessions of the Upper Saucon Township Board of Supervisors are electronically recorded. The recordings are maintained as part of the record of the meeting until the minutes are transcribed and approved by the Board.

PROPOSAL BY KAY BUILDERS FOR A MIXED USE DEVELOPMENT ON 119 +/- ACRES LOCATED ALONG ROUTE 309 (NORTH) BETWEEN THE OLD CENTER VALLEY CLUB GOLF COURSE AND THE PITT-OHIO TRUCKING TERMINAL

Opening remarks – Chairman Benner

Chairman Benner thanked everyone for attending the meeting and taking an interest in this matter. He briefly described the format of the meeting, noting that public input was welcome.

Property history and zoning considerations – Thomas Dinkelacker, Township Solicitor

Solicitor Dinkelacker said the property in question is approximately 120 acres in size with frontage on both Route 309 and East Valley Road. Pitt-Ohio adjoins the site to the south and the former Center Valley Golf Course abuts the site to the north.

Solicitor Dinkelacker presented an in-depth history of the property and described how the zoning designation changed over time. The vast majority of the property is currently zoned Industrial with an Age Qualified Community Overlay. A small portion of the property located along Route 309 is zoned Commercial.

Solicitor Dinkelacker said Lehigh University owns the property. Lehigh University designated the property as “non-mission property” and has expressed a strong desire to lease or sell the property.

Solicitor Dinkelacker discussed the uses that are allowed on the property under current zoning.

Solicitor Dinkelacker said Kay Builders presented a proposal to develop the property as a mixed-use walkable village. The proposal called for retail uses, apartments, townhomes and single-family dwellings in a village-like setting. In addition, Kay Builders proposed preserving a separate 88-acre parcel along Landis Mill Road in coordination with development of the Lehigh University property. The Planning Commission reviewed the proposal in March of 2019 and recommended not to move forward with a zoning change that would allow the subject property to be developed as a mixed-use walkable village.

Solicitor Dinkelacker noted the property is unlikely to remain a farm field. He identified two possible options for the property: 1) Do nothing and keep the current zoning in place or 2) Move forward with the proposed zoning change that would allow the mixed-use walkable village.

Comments by Kay Builders

Attorney James Preston was present on behalf of Kay Builders. He explained Kay Builders submitted an informal proposal for a mixed-use development on the subject property. The proposal was intended to start a conversation about possible uses of the property. He said he was present at the meeting to listen and learn and that whatever happens to the property will be guided by what we hear from the public and the Board. In addition, Attorney Preston

confirmed Kay Builders owns the 88-acre Landis Mill property and is willing to consider options for preserving this property.

Discussion by Board of Supervisors

Chairman Benner said he has been talking about the importance of design and aesthetics for over two years and he was angry and disappointed that the developer has not addressed these issues. He was not in favor of the developer's current proposal.

Ms. Stehlik expressed disappointment with the developer's lack of preparation with respect to their presentation to the Board. She recognized the proposed development could have a significant negative impact on the School District.

Mr. Farrell said he is also concerned about what this development will do to schools.

Mr. Spaeth said this is a difficult issue and each of the options identified has advantages and disadvantages associated with it. He expressed concerns about the proposed development and the effect it could have on the School District. He was hopeful Lehigh University and the Township could work together to find something we can all live with.

Public comment (conducted by Township Solicitor)

Public comment is summarized as follows:

Lisa Johnson, 4152 Lincoln Avenue, said all the development in the Township is causing flooding, overloading the sewer system and pushing out animals. She said a 55 and older community would be great on this property because it wouldn't impact the School District.

William Ostroski, 3506 Stonegate Drive, said he is fine with the property being developed if it makes sense and does not hurt the schools.

Donna Martonik, 5110 Adriana Court, is concerned about the density being proposed. She said traffic on Route 309 and East Valley Road is already an issue and will only get worse if this proposal moves forward.

Jim Dickey, 3475 Courtney Drive, said he lives on the border of the planned development. He would like to see less density since there are already school and traffic issues. He wanted to see a computer visualization of the proposed development so we get a better picture of what it looks like and how it fits.

Joan Slota, 3880 East Hopewell Road, prefers building a warehouse to a housing development. She said schools and emergency service providers are already stretched thin. She noted traffic in the Township is already bad and will only get worse if this development is approved.

Kyle Romanick, 3557 Station Avenue, inquired if the Landis Mill property will be built on if the Route 309 property is not developed. There was no comment from the developer.

Solicitor Dinkelacker said in all likelihood the Landis Mill property would be developed if the Route 309 project fails to move forward.

Mr. Romanick said Kay Builders did a terrible job selling their development proposal to the public. He suggested developers be responsible for building new schools. He said he is for development if it is done in a smart manner. He did not want to see more warehouses and trucks in the area.

Geraldine Davies, 5468 Glen Road, expressed concern that proposed development will be detrimental to the neighborhood. She said school taxes will go up if this development is approved.

Marlo Colombo, 6445 Robin Lane, would like to see statistics and projections on the impact this development will have on schools, roads and businesses. Ms. Stehlik said the School District is projecting a forty percent increase in elementary school enrollment and a twenty-four percent increase in overall enrollment as a result of the Kay Builders project.

Richard Davies, 5468 Glen Road, questioned why the Board would even consider changing the zoning on this property given the fact there are so few properties zoned Industrial in the entire Township. He would like the Supervisors to say no to the zoning change.

Tommy Santee, 1570 Taylor Drive, said the proposed development would make flooding and traffic much worse.

Laura McCulley, 4030 West Hopewell Road, said the proposed development would exacerbate existing traffic problems on Route 309. She spoke in support of preserving the property as open space.

Thomas Mantore, 3430 Bay Hill Drive South, asked if anyone in attendance supported the developer's proposal. Attorney Preston was the only person to indicate support for the proposed development. Mr. Mantore said people live here because they do not want to live in the city. He was not in favor of the current development plan. He said the Board needs to consider how the proposed development will impact the quality of life for all residents who live in the community.

Steve Druck, 5097 West Saucon Avenue, asked if there was a zoning ordinance amendment drafted for the public to see. Mr. Benner said the Board is still considering whether or not to move forward with a zoning ordinance amendment. He noted that if the Board decides to move forward, then any proposed ordinance would be made available to the public.

Pat D'Amico, 3593 Stonegate Drive, said he probably lives closest to the proposed development. He expressed frustration with the developer's attitude and approach to date. He said the developer should consider a better approach with the public because the residents live here, the developer does not.

James Zawick, 5371 Landis Mill Road, said more mixed-use walkable villages are needed to decrease reliance on cars to get everywhere. He said shopping and working where you live is the future of planning. He said the developer's plan should be pursued despite its deficiencies. He spoke in support of preserving the Landis Mill property due to its proximity to the Township Park.

Melissa Santee, 1570 Taylor Drive, said there has been a drastic change in the Township over the past fifteen years. She said the Township needs to be fair to all existing landowners and not just one particular landowner. She expressed concerns that the proposed development would negatively impact the School District.

Nancy Cygan, 2816 Forest Drive, asked the price of homes the developer is planning and if there will be low-income housing. The developer did not respond. She also inquired how much of the Landis Mill property could be developed and with what type of homes. Solicitor Dinkelacker said approximately 90 homes were proposed on the Landis Mill property and the Township has no control over who lives in the homes. Ms. Cygan expressed concern with the increase in traffic resulting from the development.

Jeannette Baudouy, 2941 Taylor Drive, said building apartments and townhomes would overload our schools, roads and utilities. She said the developer should be forced to widen Route 309. She said a trade school, high-end housing or commercial building would be a good use of the property.

Glenn Kasten, 3198 Friedens Lane, asked about water management and runoff. Mr. Benner explained these issues would be addressed in the planning process if the project moves forward.

Jim Bedics, 3355 Courtney Drive, inquired about the proposed traffic signal at the intersection of Route 309 and West Hopewell Road and whether there would be an adequate truck stacking lane. He speculated impervious cover would be a problem given the vast area proposed to be covered with hard surfaces. Mr. Bedics said Lehigh University should gift the land to the Township instead of selling it.

Ed Hepner, 2974 Forest Drive, asked if the property has been sold. Attorney Preston confirmed there is an agreement of sale which means the property is sold but has not closed.

Matt Staack, 2809 Pike Avenue, said he has watched the Township develop over the years and traffic has gotten so bad he cannot get out of his driveway. He is concerned about traffic and schools.

Richard Bogdany, 2992 Forest Drive, would like to see more roadwork done before adding more development. He suggested a bypass around Coopersburg and Center Valley that would connect to I-78.

Barbara Repsher, 4413 Vera Cruz Road, asked who authorized the new traffic light on Route 309. Solicitor Dinkelacker said it was PennDOT's decision. Ms. Repsher asked if zoning is

not changed, must an AQC be built. Solicitor Dinkelacker said the property essentially has dual zoning which would allow either an age qualified community or Industrial uses. Ms. Repsher asked if the Township could consider a zoning change to create a mixed-use walkable village with less density. Solicitor Dinkelacker said anything is possible.

Renee D'Amico, 3593 Stonegate Drive, said she attended the Planning Commission meeting when the developer's plan was discussed. She wanted to reiterate the concerns that other speakers raised concerning traffic, schools, utilities and the environment. She said at the Planning Commission meeting the developer failed to adequately respond to resident questions and concerns leaving many residents feeling insulted and exasperated. She asked the Board of Supervisors to demand trust, respect and partnership of Kay Builders.

John Worsley, 5659 Landis Mill Road, favors minimal density housing if the property needs to be developed. He said water runoff and flooding of the Saucon Creek is already bad from development. He asked Kay Builders to consider restoring the creek bed along the Landis Mill property.

Dave Romanick, 5344 Old Bethlehem Pike, is also concerned about flooding. He said the flooding problems need to be addressed now instead of worrying about the future.

Richard Bogdany, 2992 Forest Drive, said he would rather look at a cornfield than more homes.

Roslyn Schroeder, 7643 Carlton Road, was in favor of keeping the current zoning in place. She asked if the Township had a goal in mind in terms of how much land to give up to development. Mr. Benner said staff is currently working on updating the Comprehensive Plan and there will probably be some numbers that come out of that process. Ms. Schroeder wanted to know if the Township would post information on its web site to keep residents up to date on this matter. Mr. Benner replied yes.

Ed Iversen, 4820 Leeds Court, asked why the developer only sent his attorney to tonight's meeting and did not attend himself. Mr. Benner said the developer may proceed as they wish.

Barbara Tantaros, 4200 Indian Creek Road, said she lives in Upper Milford Township. She wanted to warn Township residents about the negative experience she had with Kay Builders developing beside her property. She described the owner of Kay Builders as arrogant, disrespectful, uncaring and rude. She said the residents should stand firm and stop Kay Builders.

Joan Slota, 3880 East Hopewell Road, said the fact the representatives of Kay Builders keep saying "no comment" shows how they feel about the residents of the Township,

Lisa Johnson, 4152 Lincoln Avenue, questioned why the Township will not let residents cut trees down but developers can. She wanted to see more trees and wildlife rather than buildings.

Jody Miller, 5350 Old Bethlehem Pike, said he was disappointed Kay Builders did not make a presentation in support of their project. He shared the concerns other speakers had about stormwater runoff and the environment and spoke in support of preserving the Landis Mill property.

Further discussion/concluding remarks by Board of Supervisors

Ms. Stehlik thanked those in attendance for their interest and participation. Mr. Benner echoed Mr. Stehlik's remarks and thanked the public for attending the meeting.

ADJOURNMENT

Motion made by Mr. Farrell and seconded by Mr. Spaeth to adjourn the meeting.

The motion was approved by a vote of 4 to 0.

The meeting was adjourned at approximately 8:42 p.m.

Secretary

