

PUBLIC NOTICE
CURATIVE AMENDMENT TO ZONING ORDINANCE

Notice is hereby provided pursuant to Sections 610 and 916.1 of the Pennsylvania Municipalities Planning Code (“MPC”), 53 P.S. §§ 10610 and 10916.1, that the Board of Supervisors of the Township of Upper Saucon (“Supervisors”) will hold a public hearing on Tuesday, October 29, 2019, commencing at 6:30 pm in the auditorium at the Southern Lehigh Middle School, 3715 Preston Lane, Center Valley, Pennsylvania. The purpose of the hearing will be to take testimony and receive evidence in connection with an application filed by Kay Lehigh, LLC (“Applicant”), claiming that the Upper Saucon Township Zoning Ordinance (“Ordinance”) is exclusionary, arbitrary and unduly restrictive and confiscatory as it relates to “warehousing” (“Application”). The specific Ordinance Section at issue is Sub-section 484.E.

Sub-section 484.E relates to “Truck or Motor Freight Terminals” and reads:

The subject property shall be located no closer than five hundred feet (500’) from any (OSR, R-1, R-2, R-3 and AQC) Zone and/or property containing a school, day-care facility, park, playground, library, hospital, nursing, rest or retirement home, or medical residential campus.

The property which is the subject of the Application is located on the eastern side of Route 309, south of its intersection with Center Valley Parkway. The property is identified by the following PINs: 641570334543-1, 641469756846-1, 641479112072-1 and 641479326044-1; contains approximately 119.23 acres and is zoned part Industrial and part Commercial. The property also has an Age Qualified Community Overlay.

Based upon its claim that the Ordinance is invalid, the Applicant has filed a curative amendment (“Amendment”) pursuant to Sections 609.1 and 916.1 of the MPC. The Amendment is titled:

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF
UPPER SAUCON TOWNSHIP, COUNTY OF LEHIGH,
COMMONWEALTH OF PENNSYLVANIA TO AMEND THE
CODE OF ORDINANCES BY AMENDING THE TEXT OF THE
‘UPPER SAUCON TOWNSHIP ZONING ORDINANCE’ TO
REMOVE A CERTAIN IMPEDIMENT TO LOCATING TRUCK
OR MOTOR FREIGHT TERMINALS IN THE TOWNSHIP

The Amendment proposes to eliminate Sub-section 484.E in its entirety.

The Amendment and supporting documents may be examined at the Upper Saucon Township municipal building located at 5500 Camp Meeting Road, Center Valley, Pennsylvania, during normal business hours, Monday through Friday, from 8:00 a.m. to 4:30 p.m. In addition, pursuant to Section 610 of the MPC, 53 P.S. § 10610, attested copies of the proposed Amendment and supporting documents have been filed in the Lehigh County Department of Law (Lehigh County Government Center, 17 S. 7th Street, Allentown, PA) and at The Morning Call newspaper.

UPPER SAUCON TOWNSHIP
BOARD OF SUPERVISORS
DENNIS BENNER, CHAIRMAN