

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 Monday, September 30, 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



**PUBLIC NOTICE
CURATIVE AMENDMENT TO ZONING
ORDINANCE**

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UPPER SAUCON TOWNSHIP
BOARD OF SUPERVISORS
DENNIS BENNER, CHAIRMAN
#6439667 — 9/16, 9/23/19

**PUBLIC NOTICE
CURATIVE AMENDMENT TO ZONING
ORDINANCE**

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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.

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UPPER SAUCON TOWNSHIP
BOARD OF SUPERVISORS
DENNIS BENNER, CHAIRMAN
#6439667 — 9/16, 9/23/19





Upper Saucon Township
 Zoning Hearing Board
 5500 Camp Meeting Road
 Center Valley, PA 18034
 (610) 282-1171

AFFIDAVIT OF POSTING

I, Trent Sear, Zoning Officer of Upper Saucon Township, being duly authorized, do hereby declare that on the 18TH day of SEPTEMBER, 2019, posted one copy of the attached notice for the Application of KAY/LEHIGH UC on the property located at

4728 E. VALLEY ROAD & 4691/4677/4557 Rt. 309:

Location Address

4728 E. VALLEY ROAD
 4691 RT. 309
 4677 RT. 309
 4557 RT. 309

Parcel No.

6415 7033 4543
 6414 7932 6044
 6414 7911 2072
 6414 6975 6846

Signed:

Trent Sear,

Zoning Officer



#1



#5



#2



#3



4

#7



#9



#6

#8

PUBLIC NOTICE

PUBLIC NOTICE CURATIVE AMENDMENT TO ZONING ORDINANCE

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

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UPPER SAUCON TOWNSHIP
BOARD OF SUPERVISORS
DENNIS BENNER, CHAIRMAN

UPPER SAUCON TOWNSHIP

Notification List
Kay Lehigh LLC – Curative Amendment Hearing on September 30, 2019

A copy of the public notice for the September 30, 2019 Kay Lehigh Curative Amendment Hearing is attached hereto, made a part hereof and identified as Attachment 1.

On 9-11-2019 , paper public notices were sent via US mail to the following addresses:

- Rick Koze, [REDACTED] Allentown, PA 18106
- Mark Ironside, [REDACTED] Bethlehem, PA 18105
- James F. Preston, [REDACTED] Bethlehem, PA 18018
- Matthew N. McClure, [REDACTED] Philadelphia, PA 19103-7599
- John Tiemann, [REDACTED] Center Valley, PA 18034

On 9-11-2019 , electronic public notices were sent to the following email addresses:

Email address: [REDACTED]
Intended recipient: Ryan F. Holmes

Email address: [REDACTED]
Intended recipient: James Zawick

Email address: [REDACTED]
Intended recipient: Mr. & Mrs. Dale Howe

Email address: [REDACTED]
Intended recipient: Bobbie Schwendeman

Email address: [REDACTED]
Intended recipient: Elaine Lorenzi

Email address: [REDACTED]
Intended recipient: Jack and Judy Worsley

Email address: [REDACTED]
Intended recipient: Marc Rosenberg

Email address: [REDACTED]
Intended recipient: Susan Dennis

Email address: [REDACTED]
Intended recipient: Samantha Ciotti Falcone

Email address: [REDACTED]
Intended recipient: Mike Lovett



Email address: [REDACTED]

Intended recipient: Richard Brooks

Email address: [REDACTED]

Intended recipient: Jim Depetris

Email address: [REDACTED]

Intended recipient: Erin Kintzer

Email address: [REDACTED]

Intended recipient: Glenn Doell

Email address: [REDACTED]

Intended recipient: Steve Goudsouzian

Email address: [REDACTED]

Intended recipient: Prem N. Mehta

Email address: [REDACTED]

Intended recipient: Rick Koze

Email address: [REDACTED]

Intended recipient: Mark Ironside

Email address: [REDACTED]

Intended recipient: James F. Preston

Email address: [REDACTED]

Intended recipient: Matthew N. McClure

Email address: [REDACTED]

Intended recipient: Renee D'Amico

Email address: [REDACTED]

Intended recipient: Joan Slota



Thomas F. Beil, Township Secretary

UPPER
SAUCON
TOWNSHIP

5500 Camp Meeting Road
Center Valley, Pennsylvania 18034-9444



US POSTAGE
\$00.50⁰
First-Class

Mailed From 18034
09/11/2019
032A 0061817268

RICK KOZE

[REDACTED]
ALLENTOWN, PA 18106

UPPER
SAUCON
TOWNSHIP

5500 Camp Meeting Road
Center Valley, Pennsylvania 18034-9444



US POSTAGE
\$00.50⁰
First-Class

Mailed From 18034
09/11/2019
032A 0061817268

MARK IRONSIDE

[REDACTED]
BETHLEHEM, PA 18105

UPPER
SAUCON
TOWNSHIP

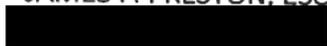
5500 Camp Meeting Road
Center Valley, Pennsylvania 18034-9444



US POSTAGE
\$00.50⁹
First-Class

Mailed From 18034
09/11/2019
032A 0061817268

JAMES F. PRESTON, ESQUIRE



BETHLEHEM, PA 18018

UPPER
SAUCON
TOWNSHIP

5500 Camp Meeting Road
Center Valley, Pennsylvania 18034-9444



US POSTAGE
\$00.50⁹
First-Class

Mailed From 18034
09/11/2019
032A 0061817268

MATTHEW N. MCCLURE



PHILADELPHIA, PA 19103-7599

UPPER
SAUCON
TOWNSHIP

5500 Camp Meeting Road
Center Valley, Pennsylvania 18034-9444



US POSTAGE
\$00.50⁹

First-Class

Mailed From 18034

09/11/2019

032A 0061817268

JOHN TIEMANN

[REDACTED]
CENTER VALLEY, PA 18034

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 12:20 PM
To: Ryan F. Holmes [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Holmes: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 12:21 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Zawick: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 12:23 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. & Mrs. Howe: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 12:25 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Ms. Schwendeman: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:03 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Ms. Lorenzi: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:12 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. & Mrs. Worsley: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:13 PM
To: Marc Rosenberg [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Rosenberg: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:14 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Ms. Dennis: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

*Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222*

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:15 PM
To: 'Samantha Ciotti Falcone'
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
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Ms. Falcone: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:17 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Lovett: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:19 PM
To: 'Richard Brooks'
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Brooks: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

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Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:22 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Depetris: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:24 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Ms. Kintzer: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

*Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222*

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:25 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Doell: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

*Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222*

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:28 PM
To: 'Steven Goudsouzian'
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Goudsouzian: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:29 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Mehta: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:31 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Koze: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

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Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

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Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:32 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. Ironside: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:34 PM
To: James F. Preston - Broughal & DeVito, LLP [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Atty. Preston: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:35 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Mr. McClure: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

*Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222*

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:37 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Ms. D'Amico: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

A day without laughter is a day wasted. – Charlie Chaplin

Sandra Diacogiannis

From: Sandra Diacogiannis
Sent: Wednesday, September 11, 2019 1:38 PM
To: [REDACTED]
Cc: Thomas Beil
Subject: PUBLIC NOTICE - KAY LEHIGH, LLC - CURATIVE AMENDMENT HEARING - 9-30-19
Attachments: Public Notice - Curative Amendment Hearing on 9-30-19.docx

Ms. Slota: The attached Public Notice is for your information. The meeting will be held on September 30, 2019 at the Southern Lehigh Middle School Auditorium at 6:30 pm.

Thank you.

Sandy Diacogiannis
Admin. Secretary
Upper Saucon Twp.
610-282-1171, ext. 1222

A day without laughter is a day wasted. – Charlie Chaplin

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 Monday, September 30, 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