

MINUTES

Upper Saucon Township Board of Supervisors
Special Meeting
Wednesday, September 29, 2021 – 6:30 P.M.
Southern Lehigh Middle School

Members Present: Brian J. Farrell, Chairman
Philip W. Spaeth, Vice Chairman
John G. Inglis, III
Dennis Benner
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

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Chairman Farrell asked all in attendance to stand and recite the “Pledge of Allegiance.”

NOTIFICATION

Chairman Farrell 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.

PUBLIC COMMENT

None

**PROPOSED ORDINANCE NO. 141-S AMENDING SECTION 484 OF THE
TOWNSHIP ZONING ORDINANCE RELATING TO TRUCK OR MOTOR
FREIGHT TERMINALS**

Solicitor Dinkelacker explained the origins and rationale for proposed Ordinance No. 141-S. He summarized the provisions of the proposed Ordinance and described how it would affect the Kay-Lehigh warehouse project planned for the 119 acre property along the east side of Route 309 between Center Valley Parkway and East Hopewell Road. A concept plan was displayed showing how the Kay-Lehigh warehouse project would be redesigned to comply with the proposed Ordinance. Solicitor Dinkelacker highlighted how the concept plan was an improvement over previous development plans for the site.

Solicitor Dinkelacker invited the public to comment on the proposed Ordinance.

Public comment is summarized as follows:

Patty Minguillon, 3542 Sunnyside Drive, had concerns regarding the effectiveness of the proposed berms along East Valley Road given the topography of the land.

Jim Dickey, 3475 Courtney Drive, thanked the Township for holding tonight's meeting. He had various questions concerning the concept plan to which Attorney Dinkelacker responded. Mr. Dickey expressed concerns with the height of the proposed warehouse buildings, saying he hoped the buildings would be 40 feet tall rather than 60 feet tall. He said the 500 foot separation zone called for in the proposed Ordinance will benefit the residents of Sunrise Valley. He was critical of Lehigh University for selling the land to Kay-Lehigh for a warehouse project, noting that Lehigh University went after the money instead of protecting the community. He asked Kay-Lehigh to consider doing a residential development instead of a warehouse project.

Glenn Kasten, 3198 Friedens Lane, posed various questions regarding the Township's need to accommodate warehouses. Attorney Dinkelacker explained that state law requires the Township to accommodate every type of use, including warehouses. Mr. Kasten asked how many more warehouses the Township would have to accommodate. Attorney Dinkelacker said this question is difficult to answer because there are many factors that could come into play, including legal considerations, availability of Industrial zoned land and whether it's feasible to consolidate smaller Industrial zoned parcels into larger, more usable tracts.

Mike Pera, 3590 Sunnyside Road, said the current concept plan is the best of the plans he's seen to date. He questioned the need for the new connector road running between Route 309 to East Valley Road. Attorney Dinkelacker said the new road is being required by PennDOT to better accommodate the east-west flow of traffic in the Township. Mr. Pera wanted to know what was being done to prevent trucks from using East Valley Road. Attorney Dinkelacker described the measures being taken to keep trucks off East Valley Road. Mr. Pera noted a warehouse project is probably better for the School District than a residential housing development.

Kris Kingsbury, 3405 Courtney Drive, expressed concerns about increased traffic resulting from the warehouse project. He asked about the scope of the traffic study and whether it would look at traffic in the neighborhoods. Attorney Dinkelacker said PennDOT will likely define the scope of the traffic study and the Township has certain traffic requirements which the developer will have to meet. In addition, Attorney Dinkelacker listed the various measures being taken to discourage cut-through traffic from using Courtney Drive. Mr. Kingsbury agreed the current concept plan is much better than the previous plans, noting the warehouses will not negatively impact the School District.

Jeff Crandall, 3548 Sunnyside Road, generally spoke in support of the current concept plan. He thanked the Township for coming up with a better plan.

Roger Brown, 4463 Allegiant Street, commented that Lanark Road experiences traffic backups whenever there is an accident on Route 309, and wanted to know if anything can be done to alleviate this condition in the future. Attorney Dinkelacker said the developer should be prepared to address issues like this during the conditional use review process. In addition, Attorney Dinkelacker mentioned the proposed grade separated interchange at Route 309 and Center Valley Parkway will help alleviate traffic congestion in the area.

James Largay, 4344 Allegiant Street, was impressed with the apparent cooperation between the Township and the developer, noting this cooperation likely resulted in a better plan. He theorized the construction of the proposed warehouses will result in more trucks using Lanark Road. He asked if there was any way to keep trucks off Lanark Road. Attorney Dinkelacker replied that Lanark Road falls under PennDOT's jurisdiction, and the Township is very limited in what it can do.

Joan Slota, 3880 East Hopewell Road, said she is pleasantly surprised with the current concept plan but still has concerns. She expressed concerns about truck traffic, flooding and possible pollution of the aquifer. She had various questions concerning the proposed Ordinance, traffic patterns along Route 309 and truck parking issues. Attorney Dinkelacker responded to her questions. She was opposed to any restrictions that would prohibit southbound traffic on Route 309 from making a left turn onto East Hopewell Road. She thanked the Board for putting language in the proposed Ordinance that limits noise from public address systems and requires equipment to remove snow from trucks. She was happy there's a lounge for truckers to use but suggested showers be provided. She was concerned Kay Lehigh will try to circumvent Township regulations by asking for variances.

Renee D'Amico, 3593 Stonegate Drive, wanted it noted for the record that her comments represent the opinions of both her and her husband, Pat. She spoke in support of proposed Ordinance No. 141-S, explaining it will help to minimize the impacts of the proposed warehouse project on her neighborhood. She said the proposed Ordinance achieves the proper balance between the rights of developers and the protection of existing homeowners. She emphasized the current concept plan is much better than either the curative amendment

plan or the conditional use plan. She thanked Township officials for taking the time to ensure residents are informed and prioritized.

Kelly Bedics, 3355 Courtney Drive, appreciated the Township's efforts to keep her neighborhood safe and limit cut-through traffic on Courtney Drive. She said cut-through traffic presents a serious safety concern for her neighborhood.

Nick Alexiades, 3595 Sunnyside Road, said extending a road from Center Valley Parkway to the proposed warehouse development might alleviate some of the cut-through traffic on nearby neighborhood streets. He said he liked proposed Ordinance No. 141-S, but questioned if the proposed Ordinance might be susceptible to a legal challenge in the future. Attorney Dinkelacker offered his opinion on the matter noting the Ordinance is likely to survive a challenge. Mr. Alexiades asked if the Township examined the other Industrial zoned areas to determine if warehouses are feasible. Attorney Dinkelacker said these issues were first raised during the curative amendment hearings and were further explored while drafting the proposed Ordinance.

Jim Dickey, 3475 Courtney Drive, expressed concerns about truck traffic, backup beeper noise and warehouse building color schemes. He suggested stiffer fines for trucks parking on streets where they're not supposed to be. He said the warehouse buildings should be a color other than white in an attempt to better camouflage the buildings.

Supervisor Wagner expressed concerns about residential properties along West Hopewell Road being adversely impacted by truck traffic from the Kay-Lehigh warehouse project. He suggested doing a traffic study to determine if trucks should be prohibited on West Hopewell Road. The other Supervisors were supportive of this suggestion, and Mr. Beil said he would direct the Township Engineer to study West Hopewell Road to determine if a truck prohibition is warranted.

Supervisor Inglis said he observed the trucking operations in Hellertown, and the backup alarms did not seem to be a significant problem at that facility. In addition, he said the proposed Ordinance will make it possible for the Township to obtain 88 acres of open space contiguous to the Township Community Park.

Motion made by Mr. Spaeth and seconded by Mr. Benner to authorize advertisement of proposed Ordinance No. 141-S so final adoption of the proposed Ordinance can be considered at the November 15, 2021, Board of Supervisors' meeting.

The motion was approved by a vote of 5 to 0.

ADJOURNMENT

Motion made by Mr. Benner and seconded by Mr. Inglis to adjourn the meeting.

The motion was approved by a vote of 5 to 0.

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



Secretary

