

**TOWNSHIP OF UPPER SAUCON
LEHIGH COUNTY, PENNSYLVANIA**

ORDINANCE NO. 141-V

AN ORDINANCE AMENDING THE UPPER SAUCON TOWNSHIP ZONING ORDINANCE OF 2009 BY AMENDING THE OFFICIAL ZONING MAP OF UPPER SAUCON TOWNSHIP TO DESIGNATE 23.322 ACRES OF LAND, LOCATED ALONG EAST VALLEY AND CAMP MEETING ROADS AND IDENTIFIED AS LEHIGH COUNTY TAX PARCEL NO. 642407229218-1 AND AS PART OF TAX PARCEL NO. 641497532421-1, A CONSERVATION DESIGN BUFFER OVERLAY ZONE

SECTION 1: STATEMENT OF LEGISLATIVE FINDINGS

WHEREAS, on December 20, 2021, the Board of Supervisors (hereinafter, "Supervisors") of Upper Saucon Township (hereinafter, "Township") enacted Ordinance No. 141-U, amending the Township Zoning Ordinance of 2009 by creating a Conservation Design Buffer Overlay Zone (hereinafter, "CDBOZ"); and

WHEREAS, a CDBOZ provides for construction of a development under 2 scenarios, labelled "CDBO-2" and "CDBO-3;" and

WHEREAS, pursuant to Article 9, Section 904.E, of the Zoning Ordinance, East Valley Land, LLC (hereinafter, "Applicant"), submitted a landowner request to amend the Zoning Ordinance by placing a CDBOZ on certain property located in Upper Saucon Township (hereinafter, "Township"); and

WHEREAS, the subject property comprises 23.322 acres and is located partially in the Township's Commercial (C) Zoning District and partially in the Township's Suburban Residential (R-2) Zoning District (hereinafter, "Property"); and

WHEREAS, part of the Property is identified by PIN 642407229218-1, and another part of the Property is identified as part of PIN 641497532421-1; and

WHEREAS, attached hereto and made a part hereof as **Exhibit A** is a true and correct copy of a Metes & Bounds Description for the Property, prepared by Blue Marsh Associates, Inc., and dated, December 16, 2021; and

WHEREAS, attached hereto and made a part hereof as **Exhibit B** is a true and correct copy of a proposed section of the Township Zoning Map prepared by Bohler and dated November 9, 2021; and

WHEREAS, **Exhibit B** reflects the proposed Zoning Map amendment through the placement of a CDBOZ on the Property; and

WHEREAS, the Applicant proposes a plan to develop the Property using the CDBO-2 development option; and

WHEREAS, to demonstrate its ability to comply with the requirements of the CDBO-2 regulations the Applicant has submitted a conceptual drawing prepared by Bohler, dated July 15, 2021, and titled "Zoning Plan;" and

WHEREAS, the Zoning Plan is attached hereto and made a part hereof as **Exhibit C**; and

WHEREAS, the Supervisors find that the proposed Zoning Map amendment, as reflected in **Exhibits A and B**, is consistent with the criteria enumerated in the Zoning Ordinance for the establishment of a CDBOZ; and

WHEREAS, the Supervisors find that **Exhibit C** depicts generally the ability of the Applicant to construct a development consistent with the CDBO-2 regulations; and

WHEREAS, the Supervisors find that the exercise of its legislative discretion to approve Applicant's request for a Zoning Map amendment is consistent with the public health, safety and general welfare.

NOW, THEREFORE, the Board of Supervisors of Upper Saucon Township does hereby enact and ordain the following amendment to the Upper Saucon Township Zoning Ordinance:

SECTION 2: ZONING MAP AMENDMENT

The Official Zoning Map of Upper Saucon Township is amended such that a 23.322-acre tract of land, described in **Exhibit A** and identified as Lehigh County Tax Parcel No. 642407229218-1 and as Part of Lehigh County Tax Parcel No. 641497532421-1, is designated as a Conservation Design Buffer Overlay Zone. A true and correct copy of a map indicating the precise area to be rezoned is attached hereto, made a part hereof, and marked as **Exhibit B**.

SECTION 3: PROTANTO REPEAL

Unless otherwise specifically stated in this Ordinance, all ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4: EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Upper Saucon Township.

SECTION 5: SAVINGS CLAUSE

To the extent that any word, portion or provision of the text hereof is found by any court of competent jurisdiction to be invalid or void on constitutional other grounds, such word, phrase, portion or provision shall, if possible, be deemed to be repealed and those remaining valid portions of the text shall remain in full force and effect if same can be accomplished without the structure of the Ordinance having been destroyed by the elimination of that word, phrase, portion or provision found to be invalid or void.

DULY ENACTED AND ORDAINED this 28th day of March, 2022, by the Board of Supervisors of the Township of Upper Saucon, Lehigh County, Pennsylvania, in lawful session duly assembled.

**TOWNSHIP OF UPPER SAUCON
BOARD OF SUPERVISORS**



CHAIRMAN

VICE CHAIRMAN



SUPERVISOR



SUPERVISOR

ATTEST:



SECRETARY



SUPERVISOR



BLUE MARSH ASSOCIATES, INC.
LAND SURVEYORS AND PLANNERS

BMA#20-B-264
DECEMBER 16, 2021

METES & BOUNDS DESCRIPTION
ZONING AMENDMENT
PIN #642407229218-1 &
PART OF PIN #641497532421-1
UPPER SAUCON TOWNSHIP, LEHIGH COUNTY
COMMONWEALTH OF PENNSYLVANIA

BEGINNING AT A POINT ALONG THE TITLE LINE IN THE BED OF EAST VALLEY ROAD (A.K.A. T-458; VARIABLE WIDTH R.O.W.), SAID POINT BEING DISTANT THE FOLLOWING TWO (2) COURSES AND DISTANCES FROM A POINT OF INTERSECTION CONNECTING THE TITLE LINE IN THE BED OF EAST VALLEY ROAD WITH THE NORTHEASTERLY REQUIRED RIGHT-OF-WAY LINE OF STATE ROUTE 309 (A.K.A. BETHLEHEM PIKE; VARIABLE WIDTH R.O.W.):

THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG THE TITLE LINE THROUGH THE BED OF EAST VALLEY ROAD:

- A. NORTH 11 DEGREES 21 MINUTES 53 SECONDS EAST, A DISTANCE OF 214.31 FEET TO A POINT, THENCE;
- B. NORTH 00 DEGREES 55 MINUTES 07 SECONDS WEST, A DISTANCE OF 130.28 FEET TO THE TRUE POINT AND PLACE OF BEGINNING AND FROM SAID POINT OF BEGINNING, RUNNING THENCE;

THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG THE TITLE LINE THROUGH THE BED OF EAST VALLEY ROAD:

- 1. NORTH 00 DEGREES 55 MINUTES 07 SECONDS WEST, A DISTANCE OF 56.71 FEET TO A POINT, THENCE;
- 2. NORTH 00 DEGREES 41 MINUTES 37 SECONDS WEST, A DISTANCE OF 215.00 FEET TO A POINT, THENCE;

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551 Easton Road, Suite A
Warrington, PA 18976-2370
215-278-4053 FX 215-343-0218

1541 Route 37 East, Suite B
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3. NORTH 00 DEGREES 46 MINUTES 16 SECONDS WEST, A DISTANCE OF 167.73 FEET TO A POINT, THENCE;
4. NORTH 00 DEGREES 40 MINUTES 14 SECONDS WEST, A DISTANCE OF 375.37 FEET TO A POINT, THENCE;
5. ALONG THE COMMON DIVIDING LINE BETWEEN PIN #641497532421-1; PIN #641498017540-1; PIN #641498314464-1 AND PIN #641498510733-1, SOUTH 77 DEGREES 21 MINUTES 34 SECONDS EAST, A DISTANCE OF 614.75 FEET TO A POINT, THENCE;
6. ALONG THE COMMON DIVIDING LINE BETWEEN PIN #641497532421-1; PIN #641498608620-1; PIN #641497699905-1; PIN #641497790333-1; PIN #641497781742-1 AND PIN #641497777536-1, SOUTH 00 DEGREES 05 MINUTES 19 SECONDS EAST, A DISTANCE OF 272.71 FEET TO A POINT, THENCE;
7. ALONG THE DIVIDING LINE BETWEEN PIN #641497532421-1 AND PIN #641497777536-1, SOUTH 88 DEGREES 25 MINUTES 13 SECONDS EAST, A DISTANCE OF 82.31 FEET TO A POINT, THENCE;
8. ALONG THE DIVIDING LINE BETWEEN PIN #641497532421-1 AND PIN #641497853320-1, SOUTH 01 DEGREES 51 MINUTES 58 SECONDS WEST, A DISTANCE OF 407.77 FEET TO A POINT, THENCE;
9. ALONG THE COMMON DIVIDING LINE BETWEEN PIN #641497532424-1; PIN #642407229218-1; PIN #641497853320-1, PIN #641497954371-1; PIN #642407056345-1; PIN #642407158318-1; PIN #642407259452-1; PIN #642407450445-1 AND PIN #642407551486-1, SOUTH 80 DEGREES 28 MINUTES 53 SECONDS EAST, A DISTANCE OF 831.66 FEET TO A POINT ALONG THE TITLE LINE IN THE BED OF CAMP MEETING ROAD (A.K.A. S.R. 2049; A.K.A. L.R. 39081; 33 FOOT WIDE R.O.W.), THENCE;
10. ALONG THE TITLE LINE THROUGH THE BED OF CAMP MEETING ROAD, SOUTH 02 DEGREES 44 MINUTES 43 SECONDS WEST, A DISTANCE OF 149.88 FEET TO A POINT, THENCE;

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THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG THE DIVIDING LINE BETWEEN
PIN #642407229218-1 AND PIN #642407523214-1:

11. NORTH 86 DEGREES 40 MINUTES 17 SECONDS WEST, A DISTANCE OF 200.00 FEET TO A
POINT, THENCE;
12. SOUTH 02 DEGREES 44 MINUTES 43 SECONDS WEST, A DISTANCE OF 100.00 FEET TO A
POINT, THENCE;
13. SOUTH 86 DEGREES 40 MINUTES 17 SECONDS EAST, A DISTANCE OF 200.51 FEET TO A
POINT ALONG THE TITLE LINE IN THE BED OF CAMP MEETING ROAD, THENCE;
14. ALONG THE TITLE LINE THROUGH THE BED OF CAMP MEETING ROAD, SOUTH 02 DEGREES
43 MINUTES 16 SECONDS WEST, A DISTANCE OF 239.91 FEET TO A POINT, THENCE;
15. ALONG THE DIVIDING LINE BETWEEN PIN #642407229218-1 AND PIN #642406394541-1,
NORTH 76 DEGREES 17 MINUTES 44 SECONDS WEST, A DISTANCE OF 670.54 FEET TO A
POINT, THENCE;
16. ALONG THE COMMON DIVIDING LINE BETWEEN PIN #641497532421-1; PIN
#642406394541-1; PIN #642406385489-1; PIN #642406377426-1; PIN #642406368411-1
AND PIN #642406342285-1, SOUTH 02 DEGREES 43 MINUTES 16 SECONDS WEST, A
DISTANCE OF 356.87 FEET TO A POINT OF NON-TANGENT CURVATURE, THENCE;

THE FOLLOWING SIX (6) COURSES AND DISTANCES ALONG A LINE RUNNING THROUGH PIN
#641497532421-1:

17. ALONG THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 215.00 FEET
AND AN ARC LENGTH OF 106.02 FEET TO A POINT OF TANGENCY, THENCE;
18. SOUTH 35 DEGREES 30 MINUTES 25 SECONDS EAST, A DISTANCE OF 472.61 FEET TO A
POINT OF CURVATURE, THENCE;
19. ALONG THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET
AND AN ARC LENGTH OF 121.80 FEET TO A POINT OF TANGENCY, THENCE;

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20. SOUTH 01 DEGREES 19 MINUTES 07 SECONDS EAST, A DISTANCE OF 98.23 FEET TO A POINT OF CURVATURE, THENCE;
21. ALONG THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 185.00 FEET AND AN ARC LENGTH OF 267.56 FEET TO A POINT OF TANGENCY, THENCE;
22. SOUTH 89 DEGREES 58 MINUTES 01 SECONDS WEST, A DISTANCE OF 215.03 FEET TO THE POINT AND PLACE OF BEGINNING.


CONTAINING 1,015,887 SQUARE FEET OR 23.322 ACRES

THIS PROPERTY IS SUBJECT TO RESTRICTIONS, COVENANTS AND/OR EASEMENTS EITHER WRITTEN OR IMPLIED.

THIS DESCRIPTION WAS WRITTEN BASED UPON A MAP ENTITLED "LEGAL DESCRIPTION EXHIBIT, EAST VALLEY LAND, LLC, EAST VALLEY ROAD & CAMP MEETING ROAD, UPPER SAUCON TOWNSHIP, LEHIGH COUNTY, PA" PREPARED BY BOHLER ENGINEERING, INC., PROJECT NO. PY202051, DATED 11-09-2021.



BLUE MARSH ASSOCIATES, INC.


JOSEPH J. WRIGHT
PENNSYLVANIA PROFESSIONAL LAND SURVEYOR #SU-37826-E

12/16/21

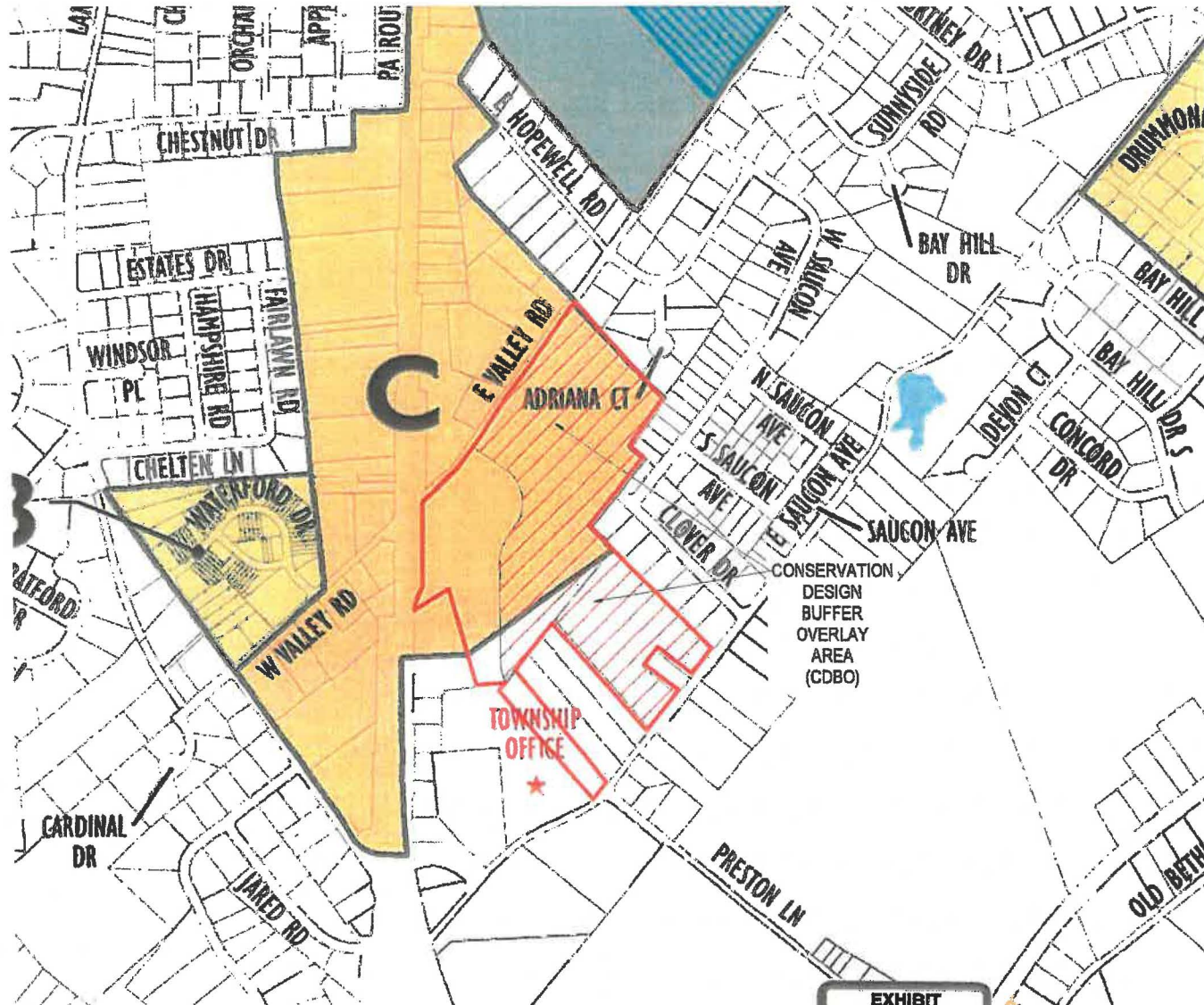
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LEGEND

- OSR OPEN SPACE RESIDENTIAL
- C COMMERCIAL
- I INDUSTRIAL
- TMC SOUTH MOUNTAIN CONSERVATION
- A AGRICULTURAL PRESERVATION
- R-1 RURAL RESIDENTIAL
- R-2 SUBURBAN RESIDENTIAL
- R-3 MULTI-FAMILY RESIDENTIAL
- CDBO CONSERVATION DESIGN BUFFER OVERLAY AREA

PROJECT NAME: **EAST VALLEY LAND, LLC.**
 EAST VALLEY ROAD & CAMP MEETING ROAD
 UPPER SAUCON TOWNSHIP, LEHIGH COUNTY, PA

SHEET TITLE: **PROPOSED TOWNSHIP ZONING MAP EXHIBIT**

SCALE: 1"=200' DATE: 11-09-2021 CHECKED BY: HSL PROJECT NUMBER: PY212051

BOHLER

74 W. BROAD STREET, SUITE 600, BETHLEHEM, PA 18018
 PHONES: (610) 738-0071 FAX: (610) 738-0078



R:\V\PROJECTS\LEHIGH\CHIEFS\MAP CHANGE EXHIBITS\REV-0\PY212051 - EXHIBIT 11-09-2021 - JAVIERE EX-1

