

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

August 8, 2023

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their regular monthly meeting on August 8, 2023, at 7:00 p.m. The meeting was held at the Lehigh Township Municipal Building, 1069 Municipal Road, Walnutport Pa. 18088. Chairman Mike Jones called the meeting to order with the Pledge of Allegiance and roll call.

Present: Cindy Miller
Mike Jones
Jerry Pritchard (via telephone)
Attorney David Backenstoe
Mike Muffley
Alice Rehrig
Liz Amato
Scott Fogel
Frank Zamadics

Absent: Phil Gogel
David Hess

II. APPROVAL OF THE MINUTES

- A. Minutes of July 25, 2023. Cindy Miller made a motion to approve the minutes. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

III. APPROVAL OF BILLS.

- A. General Fund Checks 26983 to 27019. Cindy Miller made a motion to approve these bills. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

IV. PLANNING RELATED ITEMS

A. Extension of Time for Approval

1. Timothy Pitts Minor Subdivision. The Developer provided the Board with an extension of time until November 30, 2023. Mark Leuthe was present to represent this plan. They are in the middle of obtaining their environmental permits and wrapping up their HOP. They just completed the bog turtle work associated with the Phase II study which can only be done at certain times in the year. Now that this portion has been completed, they can get the plan submitted to Northampton County and start working through that process. Cindy Miller made a motion to accept the extension of time until November 30, 2023. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

B. Extension of Time for Plan Recording

1. J & T Enterprises. The deadline for plan recording is August 31, 2023. Mark Leuthe was present to represent this plan. Attorney Backenstoe commented the only outstanding item is the title report and then the plan can be signed and recorded. If the information is not submitted by the end of the month, the approval for the plan will be revoked. If the information is not received by the next meeting, the Board will need to take action on it.

V. DEPARTMENTAL/ORGANIZATIONAL REPORTS

- A. Recreation Report. The Rec Board had the stand open for two games on July 8. The leftover food was frozen so it could be used at the Tree Lighting. They are continuing to work on the tree lighting.

The Hock Family has been in touch with Sandy Hopkins regarding utilizing the money that was donated in their father's memory. They would like to have a bench installed at Bryfogle Park.

Sandy Hopkins noted there are some grants that are available and she is looking to see what is available. She will also be meeting with Mike Frohnheiser to discuss the pavilion that the Lions are interested in building at Bryfogle and explain the issues with parking at the park and also trying to utilize that type of building and if there is a better location for that type of structure.

- B. Public Works Report. Frank Zamadics reported he is collecting information on improving the surface of the tennis courts in Danielsville and the ability to line them for pickle ball. There is a crack that runs about 100 feet between the two courts that is approximately 1 ¼" wide. He spoke with Sealmaster and they will be coming up to look at it. They have a mix with silica sand, cement, and an acrylic material that keeps it pliable for filling in that crack. Once this is resolved, they can do the striping for pickleball. Sandy Hopkins commented over the years, Frank Zamadics has had to go out and fix the cracks at Danielsville. There must be water under the courts causing them to crack. The area may need to be reevaluated to see what can be done to either improve draining or make a more permanent repair to the problem. Frank Zamadics commented the product that would be used is still a temporary fix. Cindy Miller commented there may also be a need to move the courts to another area if there is a problem with water. Jerry Pritchard commented it maybe better to address the water issue than rebuild an entire court. Frank Zamadics commented the only way to resolve the issues is to completely resurface the courts. The cracks are not that deep or lifted. The material pulled apart to form the crack. He is suggesting making the temporary repair to see how things go with having a combination pickle

ball/tennis court. He would be proposing to repair the cracks, paint yellow lines to establish a pickleball court on each tennis court and go from there depending upon the use.

The bids for Cottonwood Road are out and he will be meeting with at least two contractors over the next few days. Weather and staffing permitting, they will be completing their piping project on Wednesday.

Mike Jones commented he was approached by some of the younger kids to see if lights could be installed in Danielsville at the Volleyball Court and was wondering if this is something that could be done by our Public Works Department or if it is something that we could need to contract out. He also didn't know what type of cost there would be with this. Frank Zamadics commented when the lights for the tennis courts, basketball courts, and volleyball courts were installed, it was done through the Recreation Board and Dun-Rite Electric. Sandy Hopkins commented it may be more difficult to get power to the volleyball courts in Danielsville because of their location depending upon how the lines are running out there.

- C. Zoning Report. In July, 37 new permit applications were received, 26 permits were issued, and 15 new complaints were received. A new special exception application was received which will be going to the Planning Commission in August and to the Zoning Hearing Board in September. The hearing for the medical marijuana facility will be at the Fire Company on August 24th at 6:00 p.m.

Jerry Pritchard questioned if a permit is required to install a hot tub on someone's property. Liz Amato commented it is required because the electrical connections need to be inspected.

- D. Police Report. The Chief is currently working on a grant to obtain license plate readers. He's looking into what is the best way to accomplish it as far as should it be fixed at certain intersections, something mobile that can be moved around, or fixed in the cars. One of the units he is looking at is similar to the speed board we currently have, but it also has a license plate reader on it. The information that would be collected from the readers would be transmitted back to the vehicles. The benefit to this is that it almost gives them an extra officer for traffic enforcement as well as giving them information that they otherwise wouldn't know while they are driving around, such as suspended license plates, drivers, or stolen vehicles. There have been cases where crimes have been solved because the data that is collected is mapped throughout different jurisdictions and they can track where people have gone and committed crimes. There is a lot of valuable data that is collected. Many of the departments around us are already using these. The one grant he is looking into is the

Northampton County Emergency Services grant which is a 2 to 1 match. There is also one available through the Bureau of Justice Administration which has no match. He is hoping to utilize them together to provide the match for each other.

The new sign for the Police Station has been received and installed.

He will be including information in the upcoming newsletter regarding National Night Out. He believes there were approximately 1,300 to 1,500 people that attended the event based on the parking and food. He also learned that this was the first time that there has been a carousel in the park since 1984. He also wanted to thank the committee who helps him out with putting the event together. It's been nice seeing the event grow each year.

The July monthly report is somewhat incomplete because they are in the process of transferring from one data management software to another. There was nothing in particular that jumped out at him arrest wise. The Police Blotter shows that July was a very busy month, and each month does seem to get busier. They are dealing with a lot of things including people with mental issues and drug issues. The Township is growing beyond homes and businesses with all the traffic that is passing through the Township.

Chief Fogel is still working on finding good candidates to fill the open positions. He had eight applicants and they are now down to one. This one does seem to have good possibilities and may be a likely candidate. He would also like the Board to consider hiring someone who does not have the academy and sponsor them through the academy. A majority of the expenses would be reimbursed from the State. With the difficulty he has been having finding good candidates, this would give an additional avenue to find candidates. He wants to try to stay ahead of things because right now, we are down two officers, another may be moving out of the area, and there are two who will be eligible for retirement next year. Cindy Miller commented the Board needs to do something. She is sure the other municipalities are in the same position. Chief Fogel commented most departments have eliminated the testing requirements unless they are required to do them, such as a civil service requirement. The Board agreed this is a good avenue to pursue to find additional candidates.

Cindy Miller commented she has seen the small speed sign posted on Route 946 and questioned what it would take to get more of these signs and post them throughout the community because she has seen them to be effective in slowing people down. She thinks they may be a good idea since we are having staffing issues at this point and the officers who are on the road are dealing with more important issues pertaining to crime. Chief Fogel commented the signs cost approximately \$3,000 each and about \$1,000 per year for the software package that goes with it. He can look at including

some in the grant application. If he can get the license plate reader which also shows speeds and another small unit, we would be in a pretty good place. Cindy Miller commented she would prefer to see the officers spending their time on other items, especially while we are down officers.

With regard to the Vandling property, he still has not received a call back from the DA's office as to whether or not they will approve the criminal complaint that was submitted. He is hoping he will hear back from them this week.

- E. Municipal Authority Report. There was no report for this meeting.
- F. Planning Commission Report. Cindy Miller commented she didn't have anything additional to report on since their meeting is next week.

Mike Muffley provided an update on the recording of the Northwoods Plan. The plan included a lot consolidation plan which was to merge three properties into one. It was going to be the Nikki Inc. property, the LuRRs property, and a small lot consisting of one or two acres from Heritage Village. There were some issues with the mortgage on the Heritage Village property because it was through Freddie Mac. Because it is through one of the Federal programs, they have been having difficulty in transferring the title to Northwoods to complete the lot consolidation. He has met with Mark Leuthe to determine what was the best way to approach this and resolve it because it is holding up the ability for the plan to be recorded. Mark Leuthe commented there is a small piece of land which is included in the Heritage Village property which is serving as a means to connect the existing Heritage Village to the proposed Northwoods Development by a roadway. In order to avoid a lengthy process with Freddie Mac, they are proposing to keep this plot of land with Heritage Village and provide a blanket easement across the property to Northwoods which would allow for the crossing and any construction that needs to be done. Everything else would remain the same other than this tract of land will be deeded to Heritage Village LLC instead of Northwoods LLC as originally planned. The same parent company owns both corporations so they would be giving themselves the easement. The plans would need to be revised to show the easement area instead of a land transfer and consolidation. It is not a lot of engineering work that needs to be done; it's mostly charts. Mike Muffley commented the changes that will be needed are administrative in nature. His suggestion was rather than having this go back through the entire planning process since the plans are already approved and this is administrative in nature, he could just to the additional review as the Township Engineer. It would then need to be signed by the Planning Commission and Board of Supervisors. He felt this would be the best approach to this in the interest of time. Attorney Backenstoe commented that he agreed this would be a reasonable approach to resolve the issue. The Board had no objection to this process.

Mike Muffley noted that Northwoods is continuing with their construction. They have installed additional curbing and are soon ready to start with the paving of the roads.

Mike Muffley also noted the site contractor for the Maintenance Building has all of the storm sewers in the ground, rain garden installed, and subbase for the parking areas and driveways have also been installed. They are ready for starting the foundation. The rebar is scheduled to come in next week so they are moving along on schedule.

G. Fire Company Report. There was no report for this meeting.

Cindy Miller commented that since the chassis for the new ladder truck has been ordered and paid, she feels it would be appropriate for the Fire Company to submit their 2022 financials.

VI. OLD BUSINESS

A. Maintenance Building.

1. Livengood Excavators, Payment Request #1. Jerry Pritchard made a motion to approve Payment Request #1 to Livengood Excavators in the amount of \$147,281.52. Cindy Miller seconded the motion. Mike Muffley commented he would normally provide a letter of recommendation, but his office has been without power from the storms. The application was submitted for work done through the end of July. He can confirm that Livengood is well beyond the work for which the payment is being requested. All voted aye. Motion carried.
2. Bracy Construction, Draft Payment Request #2. The subcontractor who is providing the pre-engineered building is requesting that the material be paid for upon ordering rather than upon delivery. As an alternative, they would accept information showing proof of funds. Alice Rehrig also reached out to Adam Raker and his recommendation was that we not release payment. If we were to release anything, he would not recommend releasing anything more than 25 percent. Cindy Miller commented she agrees with holding until delivery.

Cindy Miller made a motion that payment not be released and we hold it until delivery and show the proof of funding so they know the funding is available. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

Alice Rehrig noted she is in the process of setting up a meeting with W2A at their office to pick the colors for the interior of the building. Once a date and time is confirmed, she will let everyone know if they are interested in participating.

VII. NEW BUSINESS

A. Ordinances for forwarding to Lehigh Valley Planning Commission and Advertisement

1. Ordinance 2023-4, Amending Zoning Ordinance pertaining to Wireless Facilities.
Cindy Miller made a motion to authorize the ordinance be sent to the Lehigh Valley Planning Commission for review and advertised. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

2. Ordinance 2023-5, Amending Zoning Ordinance pertaining to Medical Marijuana.
Cindy Miller made a motion to authorize the ordinance be sent to the Lehigh Valley Planning Commission for review and advertised. Jerry Pritchard seconded the motion. Linda Roman questioned what was being amended by this ordinance. Cindy Miller commented it is limiting the area where the facilities are permitted to the Industrial zoning district. It removes it from all other districts. All voted aye. Motion carried.

3. Ordinance 2023-6, Amending Zoning Ordinance pertaining to Principal Solar Energy.
Cindy Miller made a motion to authorize the ordinance be sent to the Lehigh Valley Planning Commission for review and advertised. Jerry Pritchard seconded the motion. Jerry Pritchard commented this amendment is similar to Ordinance 2023-5 in that it is limiting the area where a principal solar energy system can go to Industrial. Cindy Miller commented that is the intention for now. Jerry Pritchard wanted to verify that if someone were to submit an application prior to the adoption of the ordinance, they would be grandfathered under the existing ordinance. Cindy Miller confirmed that would be the case. Jerry Pritchard also confirmed that the motion is to advertise the ordinance, not to adopt the ordinance. He has heard a lot of talk about this over the past few months; if someone has plans on doing this, they should submit their application. Dan Ziegenfus commented that he would ask the Supervisors consider the farmers and land owners and what they want. He has been dealing with the Planning Commission and they didn't seem to want to hear what they had to say. There really is no good reason to change the ordinance. The Township already has a good one. He is trying to create a solar farm on one of his farms. Creating a solar farm on the farms can be additional income as they consider buying more farms. They currently own three farms, two of which are in farmland preservation so no development can take place, not even a solar farm. They are not trying to build, but maintain their land. This is an opportunity for farmers to have a supplemental income. A solar farm is not like a housing development where you can never get the land back. The solar farm will only exist for as long as the lease exists. When the lease is up, he could renegotiate the lease or decide to discontinue and it can be returned to a farm field. Mike Jones commented there would still need to be stormwater management for this. Dan Ziegenfus commented he understands you

will need to follow the Township requirements, but the impact from a solar farm will be less than a housing development because there will not be roads installed. It will not require additional services from the Police. In the past, Ms. Miller commented she would prefer houses over solar. Cindy Miller commented that was not an accurate statement. What she had said when asked during a meeting if she would want solar or housing. She said her preference would be housing because she does not feel solar has been perfected. Dan Ziegenfus commented the Planning Commission just pushed this through and said they would look into this in the future, but they have no reason to do that. It was more of the agenda of the people on the Planning Commission. This is going to force his hand to submit a plan, which he will, but he will be submitting a plan earlier than what he should, but he planning on putting a solar farm on one of his properties. It is his land. He wishes that this would have been done with more thought from the property owners of the Township rather than the Planning Commission members. Mike Jones commented this is going on in all the Townships around and the people are against the solar farms. Dan Ziegenfus commented Moore Township loves it. You need to remember they are farming; this is solar farming. Mike Jones commented solar farms are not farming. Dan Ziegenfus commented it is; they are harvesting something God created to use it just like they are using the ground God created harvest crops. People put solar panels on their homes and there is no screening. All he is looking to do is have a principal solar energy system that no one will see and be able to provide an income for his family and continue to grow in this community. He understands that there needs to be rules; but when he was asked if he would want a junk yard next to him, he said if it is permitted, then yes, it was their land. He worked hard to buy the land he owns. He bought three pieces of land and it cost him a lot of money. They sold their development rights on two of their farms to the County. They paid them to give up their rights. They feel like this is not giving them a choice in giving up their right to have solar. He just wishes that the Planning Commission would have listened to him more. They did say they may circle back to this. Initially, they did say they would try to work with them by adding additional language, but it got tabled and went back to let's just take it out. They feel like they don't have a choice; it's their land, but they don't get to choose what they do with it. Jerry Pritchard commented if the application is submitted, Mr. Ziegenfus will not have anything to worry about because he will be grandfathered. Nothing will be taken away. Mr. Ziegenfus commented the planning process takes time and is new to him. He is worried he will have to file for some type of extensions. This could be a two or three year process until build starts. His fear is that he gets the plan submitted and will need an extension. He wants to be certain he can work his way through this. Liz Amato commented she had spoken with Mr. Ziegenfus today. The process does not start with Planning Commission. It starts with conditional use approval. He would need to submit his conditional use application, go to Planning Commission

for his advisory letter, then a conditional use hearing would be scheduled with the Board. If the use gets approved through conditional use, he would then submit his plan. There is a requirement of time for holding the conditional use hearing which is 60 days, but once the use is approved, there is no time limit as to how quickly you must submit your land development plan. Mr. Ziegenfus commented his concern would be that this wouldn't get approved because there is an ordinance pending. Liz Amato commented there is a set of criteria that the Board would review to determine if the submission meets the requirements of the current ordinance. They can also set additional conditions, but they cannot just deny the application because they are planning on changing the ordinance. All voted aye. Motion carried.

Mike Jones commented this is nothing against Mr. Ziegenfus; there are more and more trying to come into this area and it is getting to be too much. Cindy Miller commented they are coming in this area because of the open lands. Mike Muffley commented the bigger picture is that most of the Township is in the A/RR zoning district. It was one district that covers a lot of different property and land. The Planning Commission's concern was that, yes, there may be certain properties where this makes sense, but throughout the entire Township they need to reconsider from the whole zoning ordinance perspective if it makes sense to address solar in a different way such as an overlay districts or creating different districts. That is part of the process they are going through in working on rewriting all of the zoning ordinances. Adopting this ordinance now is a temporary gap until they get to the final goal of updating the entire zoning regulations for the entire township. With the push by the companies for solar, there was a concern that as a Township, they didn't want to see an excessive amount of applications for principal solar energy systems all over the Township. Liz Amato also noted the amendment was not specific to A/RR. The ordinance is removing it from all districts, except Industrial.

4. Ordinance 2023-7, Amending Zoning Ordinance pertaining to Recreational Marijuana. Cindy Miller made a motion to authorize the ordinance be sent to the Lehigh Valley Planning Commission for review and advertised. Jerry Pritchard seconded the motion. All voted aye. Motion carried.
- B. Resolution 2023-11, Adding J3 1 1, J3 2 1, H3 28 2 into Ag Security Area. Cindy Miller made a motion to adopt Resolution 2023-11. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

- C. Resolution 2023-12, Authorizing Chairman and Secretary to sign 902 Recycling Grant. This resolution is needed so a contract can be developed for the grant that was received from DEP for the recycling center. Cindy Miller made a motion to adopt Resolution 2023-12. Jerry Pritchard seconded the motion. All voted aye. Motion carried.
- D. Awarding of Bids for Police Patrol Vehicle. In April or May, we tried to order a car through Co-stars vendors, but no one was able to guarantee that our order would be processed in time to actually receive a vehicle because this is the last year for this model. Since we hadn't received a confirmation on the building of a car, Alice Rehrig put the vehicle to bid hoping to find a vehicle that was already sitting on a lot and available within 30 days to prevent this type of situation. She received two bids for the car. The lowest bidder, Joe Cecconi's Chrysler Complex in the amount of \$37,899, did not meet the specification of having a unit available and would be ordering the vehicle and being placed in the que for building in hopes that they would get to the order before the cut off. The second bid, John Jones Police Pursuit Vehicles in the amount of \$44,395 does have a car available within the 30 day specification. When she spoke with the representative from Joe Cecconi, she was told that the delivery couldn't be guaranteed because 2023 was the last model year for the Charger and the best way to get a Charger was to find one on a lot. During the conversation, it was also noted that the Durango production ended for 2023 and they are now producing the 2024 Models. Chief Fogel commented he spoke with Chapman Motors who is the Co-Stars dealer and the vehicle we had ordered hasn't reached production yet so it would still be in limbo. Mike Jones questioned what was budgeted for the vehicle. Alice Rehrig commented we budgeted \$41,000, but we are also receiving a grant from the County for \$14,300. The grant is expiring at the end of the year, but if we have a purchase order for a vehicle dated in 2023, they will extend the grant. The concern is that we could get to the point where we will not be able to get a Charger and have to purchase a different model which will be more expensive and also require the purchase of equipment to upfit the vehicle which will cost another \$8,000 to \$10,000. Depending upon timing, we also could lose the County grant if the replacement vehicle is not ordered in 2023. Chief Fogel noted there are only SUVs available in police packages.

Cindy Miller made a motion to purchase the 2023 Dodge Charger from John Jones Police Pursuit Vehicles in the amount of \$44,395. Jerry Pritchard seconded the motion. Jerry Pritchard commented he doesn't understand why someone would put a bid in if they know they may not be able to deliver the vehicle. All voted aye. Motion carried.

- E. Manager's Report. Alice Rehrig reported she will be having the Capital Improvements Plan before the Board for the next meeting as well as try to have a draft of the budget available.

The road bids are due in next Thursday. They will be tallied and be before the Board for awarding at the next meeting.

The proposals for redoing the SALDO and Zoning Ordinances are due on August 21. The results will be distributed to the Board for discussion at the next meeting as to what the next step will be.

- F. Solicitor's Report. Attorney Backenstoe did not have anything additional to report. Jay Cooperman questioned if the Board of Supervisors have the authority to vote on a zoning amendment. Attorney Backenstoe commented it is specifically outlined in the Second Class Township Code that the Board of Supervisors are the legislative body that creates, modifies, and update ordinances.

- VII. PUBLIC COMMENT. Paul Nikisher commented that everyone who participated with National Night Out did an amazing job. The people who were there really enjoyed the evening. People don't realize the amount of work that goes into something like that.

Jay Cooperman commented he applied for a variance to have a multi-family housing development and was denied, which was not a surprise because it is difficult to show a hardship. The lot is a commercially zoned lot that is surrounded by residential properties. In the course of the Zoning Hearing Board application, it was stated that this piece of property may have been zoned incorrectly or not the best zone for the area. He is interested in applying for or discussing a zoning amendment for this lot to allow for housing. He is interested in building high end rental units where the rent would start at approximately \$1,800 per month. It wouldn't be subsidized housing. There is a need for this type of housing not only in Lehigh Township, but in surrounding areas. There is a housing shortage nationally and in this area. It is ideal for this as it is withing walking distances to commercial places for food and groceries. Additionally, with the addition of roofs, the old Kmart building may be able to become something beneficial to the area. He is wondering if this is something the Board would entertain or do they not want to see this type of housing in this area. Cindy Miller commented the Board just worked on their Comp Plan and the Planners recommended this area be kept as GC. The plan is ready to be finalized. During the process, there was some discussion about whether or not it should go into housing, but it was decided they would leave it as GC. Mr. Cooperman commented it is a tough lot or area for GC. The problem is finding the right commercial applicant for that lot because it is a difficult area. It is definitely best suited for residential. At the Zoning Hearing Board, he met with most of the neighbors around the

property. While some said they would rather it stay the way it is, others were asking if they do it, what would be done for their privacy. He had a sidebar with them about fence lines and buffers and he is willing to do all that because there is a need for this type of housing. Right now, there is zero tax base for the Township. If they bring in the type of development they are looking at, it brings in at least \$60,000 to \$70,000 per year, maybe more. A police vehicle could be paid for in one year by one development. He knows it would bring a significant tax base. The lot next to it will be the solar farm so you won't be bothering anyone there and he has already spoken with most of the neighbors. They are not all necessarily supportive of it, but he believes they will be okay with it if there is the property buffering. If the Board is supportive of this, he would be willing to move forward with the process. Mike Jones questioned if the rezoning of one lot would be considered spot zoning. Attorney Backenstoe commented it would depend. Cindy Miller commented in order to put in apartments, you would need to be zoned VR. Everything around the property is GC. Attorney Backenstoe commented if everything around it is zoning GC and you are making this one small section VR, that could very well be spot zoning. A resident commented all the properties in the Borough a residential. Attorney Backenstoe suggested that a letter and proposal be sent to the Planning Commission to get their opinion on it. If they look at it and think it is a good idea, they may make a recommendation for the Board to consider. A member of the audience commented the property is currently in an estate and has been for sale for ten years. There is limited access to Main Street for commercial uses. They cannot meet the requirements. Residential makes the most sense. All the properties around it are residential. Hearing tonight that you want to keep it GC, you might as well just throw the inherited property into the garbage. It will never get sold with the GC criteria. Another audience member commented when they do find someone with an idea for a use and they bring it forward, the Zoning Officer doesn't permit it. They have tried a landscape business with a home, storage units. Cindy Miller commented these uses are either not permitted in the district or are two principal uses on one property. You need to bring in a single use that is permitted in the GC zone. The audience member commented that the uses that are listed for this property are not practical. General Commercial is not feasible because of the condition of Old Main Street and the size. The road doesn't allow for the access of these uses. She was told that this property used to be residential, but it was changed to commercial. Cindy Miler commented that the last rezoning was done in 2000. Jay Cooperman commented when he was at the Zoning Hearing Board, Katherine Mack told him that she believed it was zoned incorrectly as well. Bill Jones questioned how many units there would be and would they be able to handle the stormwater from this property. Jay Cooperman commented it would be greater than 10, less than 100. They need to allow for parking and stormwater. The lot can hold 72. When they went to the Zoning Hearing Board, they proposed 84, but the number was not discussed because they were there for a use variance. Bill Jones noted commercial development may be difficult because of how narrow Old Main Street is. Mike Jones commented it was stated that this property was for sale for 10 years, yet during the Comp Plan process and months and

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months of meetings, this was never brought to the Board. Linda Roman questioned why all the developers only worry about the money. It is more than the money. People like our rural community. Sandy Hopkins commented there is a lot of runoff issues associated with this property. Mr. Cooperman commented he will take a presentation before the Planning Commission.

- VIII. EXECUTIVE SESSION. The Board went into Executive Session to discuss personnel. No action was taken.
- IX. ADJOURN. Cindy Miller made a motion to adjourn. Jerry Pritchard seconded the motion. All voted aye. Motion carried.