

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

June 23, 2026

- I. CALL TO ORDER. The Lehigh Township Board of Supervisors held their second monthly meeting on Tuesday, June 23, 2026, at 7:00 p.m. The meeting was held at the Lehigh Township Municipal Building, 1069 Municipal Road, Walnutport. Chairman Mike Jones called the meeting to order with the Pledge of Allegiance and roll call.

Present: Cindy Miller
Mike Jones
Janet Sheats
David Hess
Jerry Pritchard
Alice Rehrig
David Backenstoe

II. APPROVAL OF THE MINUTES

- A. May 26, 2026. Janet Sheats made a motion to approve these minutes. David Hess seconded the motion. David Hess, Jerry Pritchard, Mike Jones, and Janet Sheats voted aye. Cindy Miller abstained due to her absence at the meeting. Motion carried.
- B. June 9, 2026. Janet Sheats made a motion to approve these minutes. Cindy Miller seconded the motion. Cindy Miller noted the following additions to the minutes: On Page 5, second paragraph, Paul Leibenguth asked the Board if they were aware of this and also whether Alice Rehrig had contacted the insurance company, which was not done and also Sheats and Miller had stated it was the first time they heard about it. On Page 6, it should be clarified where it states, “He has been doing” to “Mr. Miller has been doing”, Page 7, there is a typo in Adjournment. Janet Sheats, Mike Jones, and Cindy Miller voted aye. David Hess and Jerry Pritchard abstained due to their absence at the meeting. Motion carried.

III. APPROVAL OF THE BILLS

- A. General Fund Checks 29693 to 29726. Cindy Miller made a motion to approve these checks. David Hess seconded the motion. Cindy Miller questioned Check 29699 to All Traffic Solutions. Alice Rehrig commented it is the annual fee for the programming of the Police Sign Board. The PLCB grant provides a reimbursement for this. Linda Roman questioned what the check to the Fire Company was for. Cindy Miller commented it is to reimburse them for insurance. There are certain items the Township is required to fund. All voted aye. Motion carried.
- B. State Fund Check 1649. David Hess made a motion to approve this bill. Janet Sheats seconded the motion. All voted aye. Motion carried.

IV. PLANNING RELATED ITEMS

A. Extension of Time for Plan Recording

1. Lehigh Valley Resort and Spa. Nicole Galio was present to request an extension of time for one year to record their plan, which would be August 26, 2027. The waste water treatment plan is currently under construction. When they excavate for the tank installation, they will need to place that material on the Resort property because of the space constraints by the plant. They have had a modified redline plan approved by the Conservation District and have prepared an area for this to take place. They have also provided an additional escrow with the Township and an indemnification agreement. They still have a few clean up items on the Resort Plan that need to be taken care of and are not quite in a position to record the plan which is why they are requesting an extension of time to record the plan.

Cindy Miller questioned if a six month extension would work for them. Ms. Galio commented she doesn't have a problem with coming back in six months to do an update, but to record the plan in February, she doesn't know if they will be completely ready by then and they wouldn't be able to start construction until spring. Cindy Miller commented she understands progress is being made, but would really like to see this move along. **It has been seven years.**

Janet Sheats made a motion to grant the extension of time until August 26, 2027, and still have the six month update. Jerry Pritchard seconded the motion. Cindy Miller questioned if the only thing that is left to be done is the recording of the plan. Nicole Galio commented they are still working through the conditions of approval and updating the architectural plans for the building and it is taking a while coordinating the existing buildings with the new buildings. Most of the changes are interior, but the shapes of some of the buildings have changed slightly and they don't want to record a plan that won't match to the construction. All voted aye. Motion carried.

V. OLD BUSINESS

- A. Ordinance 2026-2, Ordinance Establishing Criteria for Data Centers. Attorney Backenstoe reviewed this ordinance which will be a stand alone ordinance and eventually incorporated into the new zoning ordinance. As previously stated, it is critical that the Township enact an ordinance which would regulate Data Centers. He reviewed the draft that Mike Muffley provided and made some formatting changes and also added some additional information from other ordinances he had prepared. He believes that this is now a comprehensive ordinance pertaining to Data Centers. This draft provides for the following general items pertaining to Data Centers: There are definition for a Data Center, and Data Center Accessory Uses; they will be permitted as a conditional use in the Industrial Zoning District; a minimum lot size of

5 acres; must be located along an arterial, connector or collector road; a maximum height of 60 feet; an accessory use cannot be higher than the principal use; must be located 200 feet from a residential zoning district or sensitive receptor; 100 foot buffer yard that must remain in perpetuity; a berm along the frontage of the roadway; noise requirements that are not to exceed 67dBA during the day and 57 dBA in the evening; three sound studies must be conducted, a preliminary sound study, an interim sound study, and an as build sound study; if a public water supply, must provide a will serve letter, if a private well, they must do extensive testing in order to protect neighboring wells and there is a continuing monitoring of the groundwater; an annual report must also be supplied; if connecting to the grid in the area, must provide evidence of sufficient power or provide their own power through an alternate source; provide an emergency management plan and procedures; there are acoustic requirements and aesthetic requirements; traffic studies and parking requirements; an environmental impact study must be conducted; there are decommission requirements; and they must also comply with any other existing zoning requirements.

Cindy Miller questioned if wind must be allowed as an alternate power supply. If not, she would want to see that removed. Attorney Backenstoe commented it is not required and he can remove it.

Attorney Backenstoe commented there may be some minor edits that will be made, but overall, he feels this ordinance is ready and asked that the Board authorize him to send it to the Lehigh Valley Planning Commission so they can begin their review. If the Board has any other changes they would want to see, they can provide them to him over the next few days.

Cindy Miller made a motion to authorize Attorney Backenstoe to send the ordinance to the Lehigh Valley Planning Commission. Janet Sheats seconded the motion. Mike Jones questioned if the replacement trees can be required to be of the same size so that if a tree grows to nine feet, it must be replaced with a nine foot tree. Attorney Backenstoe will look into this. Jerry Pritchard commented he would like to see it where they must provide their own power and not be allowed to utilize the grid. Janet Sheats questioned if a minimum of 10 acres was possible. Cindy Miller commented the Planning Commission had wanted to go to 10 acres but were advised that there could be exclusionary issues because of only allowing the use in the Industrial District and the land availability. John Knoblach questioned if noise technology could be used. Attorney Backenstoe commented he believes that they will need to use it in order to keep to the decibel levels that are set. Mr. Knoblach also questioned the power because he has read that the rates tend to go through the roof because they need to pull the power from elsewhere to meet the need of the center. Attorney Backenstoe commented the Power Companies must provide a will serve letter. If

evidence can be provided at the hearing that the rates will go through the roof, that could be a reason for potentially denying the application. Merion Miller commented he has heard that a lot of the data centers are in the process of developing their own nuclear generated electricity and should be able to provide that shortly. He is wondering if anyone heard this is true. Cindy Miller noted Microsoft bought TMI and either Amazon or Google are looking at Susquehanna so they are going for the nuclear plants. Mr. Miller commented he thought they were looking into small on site plants. Wendy Kleintop questioned how much noise the data centers make. Attorney Backenstoe commented it is his understanding that it is a hum and based on the studies that he has seen, the decibel levels in the ordinance should make it controllable for the community. Ms. Kleintop also questioned where in the Township there would be 400,000 gallons of water per day available. Attorney Backenstoe commented there may not be a place in the Township which could be a reason that the Township may not ever see a data center. Tom Szoke questioned how the height requirements compare to the other requirements in the zoning ordinance. Attorney Backenstoe commented it is consistent with the warehouse requirements. All voted aye. Motion carried.

Janet Sheats questioned how long the Lehigh Valley Planning Commission has to review the ordinance. Attorney Backenstoe commented they have 30 days. The Board could plan on holding a hearing at the end of August because they should have the review from the LVPC by that time. This ordinance will also need to go to the Township Planning Commission for their review.

David Hess made a motion to authorize the ordinance to be advertised. Cindy Miller seconded the motion. All voted aye. Motion carried.

VI. NEW BUSINESS

A. Recreation Items

1. E-Bikes. Jerry Pritchard commented Marc Krajci, 1086 South Cottonwood Road, came to the Rec Board meeting with a concern regarding issues other areas are having with e-bikes and the potential dangers they can pose to other people who are in the parks. Marc Krajci provided additional information regarding e-bikes. He is not seeing a whole lot of them here like you do in the Borough of Walnutport, but is concerned that over time they may become more popular here. As the parks grow and more equipment is added, you may see more people in the parks as well as e-bikes, or more concerning, e-scooters. The Rec Board has been discussing updating their signs, so now may be a good time to get ahead of things, and start posting signs to restrict e-bikes. With motorized equipment in parks, you run the risk of someone getting hurt. The irresponsible use of these items can present a liability to the Township. Mr. Krajci noted that various police departments had posted a fact sheet regarding these items on Facebook. The one

thing that caught his eye was e-scooters can only be used on private property. He understands enforcement is difficult, but if there were signs in the park, it would provide notification to people and make things clear for enforcement by officers. Hanover Township has a really good sign to address this type of issue and help protect the Township from the liability.

Mike Jones commented his concern with restricting the pedal assist e-bike is that there are some older people who use them to help keep themselves active. He hates singling out those people who use those bikes correctly because of others who are irresponsible when they use them.

Jerry Pritchard commented he would like to see larger information boards provided at the parks. This type of information could be added to them. Marc Kracje commented this would be a great way to disseminate information about the Township whether it be the parks, events, or general information.

Janet Sheats questioned how we would be able to enforce it. The officers cannot be everywhere. By the time they are called, the bikes are gone. Jerry Pritchard commented he understands, but at least the Township would be protected if there was signage.

Cindy Miller commented she thinks Hanover Township did a great job with their sign. Why not adopt their sign and include e-scooters? Jerry Pritchard commented our ordinance should be updated to meet this information. Mike Jones commented he still has a concern about eliminating the peddle assist bikes.

Janet Sheats made a motion to table this until the next meeting so that a discussion can be held with John Henry and Frank Zamadics. Cindy Miller seconded the motion. All voted aye. Motion carried.

2. Locking of Danielsville Ballfield. Mike Jones commented he had locked the large gate on the large softball field because of the damage that was taking place in the field. Dogs were defecating on the field and digging holes, bikes were tearing up the infield and people were vandalizing the advertising signs that were paid for by businesses. It seems that the vandalism was taking place on the large field because it is somewhat hidden from the neighboring backyards. There was no issue with the smaller field because everyone's backyard is against it. Last meeting there was a concern about liability because someone's grandson climbed the fence to retrieve a ball and fell. In speaking with Attorney Backenstoe and what was learned from our insurance company, there is not an issue. Attorney Backenstoe cannot imagine how locking a fence would be an issue. Alice Rehrig commented when she contacted the insurance company, there was no issue if

there would have been a claim. Locking a park or gate because of vandalism is reasonable; however, the fence creates an exposure in general because of the potential of kids climbing a fence regardless and suggests that signs be added that would state Do Not Climb Fence. Janet Sheats commented she believes we should get the signs. This is the world we live in where there is no common sense.

Jerry Pritchard commented with the amount of work that is done at a field, if someone needs to lock it up because of vandalism, then so be it. Mike Jones commented there is a key available to those who are authorize to use the field and if a resident wants to use it, they can, they just need to use the smaller gates by the dugouts.

Cindy Miller commented she believes the Township should also take the suggestion of the insurance company regarding replacing the stakes in Berlinsville with weighted signs.

Janet Sheats made a motion to add the signs that state do not climb fence. Mike Jones suggested holding off until new park signs are established. The Board had no objection to leaving the large gate locked and agreed that signs should be held off until new park signs are created. Janet Sheats rescinded her motion.

- B. Manager's Report. Alice Rehrig provided the Board with a rough draft of the capital improvements plan and a five year budget. The detailed explanation will follow. She is expecting budget discussions will start towards the end of July.

Alice Rehrig also reminded the Board of the Executive Session that will be held prior to the next meeting to conduct interviews for Police Sergeant.

Paul Nikisher questioned how much the budget is increasing over the five year period. Alice Rehrig commented it currently is increasing by roughly \$200,000 to \$500,000.

- C. Solicitor's Report. Attorney Backenstoe did not have anything specific to discuss.

- VII. PUBLIC COMMENT. Tom and Phyllis Budihwas were present to discuss concerns they had with their ability to get a permit to build a shed. When they initially came in for the permit with it located to the side of the driveway, they were told "no" because it was in their front yard. Now they came in and showed it placed to the side of their home and within the dashed lines on their plan and they are still told no, they can't do it. It is a 30' X 30' structure which will be a shed with a patio where they could possibly put a picnic table and swing. They will be 60 feet from the roads. They are told their lot has three

front yards. They can't place the trees behind the home because of all the trees that are there. They feel they are being harassed by zoning. Mike Jones commented a variance would be needed because the zoning ordinance does not allow sheds in the front yard. Unfortunately, there are three roads around the property which is creating the front yard issues. Mrs. Budihas commented there has to be some level of common sense involved with the project. Mr. Budihas commented a variance will cost \$750, plus the permit fees. They will have \$1,000 into this before they even turn a shovel of dirt. Mike Jones commented it is unfortunate, but the zoning laws have been in effect for many years and the Board of Supervisors doesn't have the ability to grant zoning relief.

Mr. Budihas questioned if he can attend the next Zoning Hearing. Mike Jones commented Zoning Hearings are not open meetings where you can just talk to them to get permission. Attorney Backenstoe commented an application would need to be filed and then a hearing would be scheduled. Mr. Budihas commented he looked at the application and he didn't understand it at all.

Zack Szoke commented the newsletter regarding open space is in the process of being printed and should be in the mail in the next two weeks. He also has two in-person presentations scheduled at the Blue Mountain Fish and Game on July 20 and August 17 at 7:00 p.m. The presentation will be the same presentation that was previously provided to the Board of Supervisors and the meeting at the meeting at the Fire Company.

- VIII. ADJOURN. Janet Sheats made a motion to adjourn. David Hess seconded the motion. All voted aye. Motion carried.