

LEHIGH TOWNSHIP BOARD OF SUPERVISORS

Comprehensive Plan Workshop Meeting, July 27, 2022

The Lehigh Township Board of Supervisors and the Lehigh Township Planning Commission held a special joint workshop meeting on Wednesday, July 27, 2022, at 6:00 p.m. The purpose of the meeting was to discuss the draft comprehensive plan for Lehigh Township. The meeting was held at the Lehigh Township Fire Company, 4188 Lehigh Drive, Cherryville, Pa. 18035. Planning Commission Chairman David Shulman called the meeting to order.

Present: David Shulman
Rod Miller
Todd Rousenberger
Attorney Michael Corriere
Cindy Miller
David Hess
Jerry Pritchard
Phil Gogel
Attorney David Backenstoe
Alice Rehrig
Charlie Schmehl, Consultant, Urban Research and Development

Absent: Mike Jones

David Shulman explained the Comprehensive Plan, when approved by the Board of Supervisors, will not change any zoning districts in the Township. The zoning districts are determined under the Zoning Ordinance. The uses in zoning districts are determined by the Zoning Ordinance. The existing Zoning Ordinance does not change by the Comprehensive Plan. The Comprehensive Plan is a vision for the Township. It does not change zoning lines, property lines, or property uses. The Planning Commission and other members of the public are in an ad hoc committee that is in the process of changing the zoning ordinance. That process will take approximately a year to year and a half to complete. When that ordinance goes before the Board of Supervisors, that ordinance will have the new zoning district and new uses or changes in uses within the zoning districts. That will be the time when properties could be subject to the type of district they are located in. The Comprehensive Plan will not in any way change the current zoning of a property. The planning Commission has been working on this for over two years. The Board of Supervisors hired Charlie Schmehl from Urban Research and Development as the consultant to the Township and have been working with the Planning Commission to develop the policies and procedures that are in the Comprehensive Plan.

Phil Gogel commented the Board of Supervisors allocated the money for the Comprehensive Plan. They did not hire Charlie Schmehl. Cindy Miller commented the Board of Supervisors did hire Charlie Schmehl. They needed to approve the recommendation of the Planning Commission. The Board of Supervisors budgeted the money and they made the final decision

and voted to hire Charlie Schmehl. The Planning Commission is only a recommending body. Phil Gogel commented he only remembered allocating the money; he may have been absent at the meeting in which the decision was made.

Phil Gogel commented one of the concerns he had presented to the Board was the area along Route 248, near Cedar, which was designated to go from General Commercial to Agricultural/Rural Residential. He did previously bring up his concerns with areas which were proposed for changes that he felt were inappropriate.

Phil Gogel also noted the Board received a letter from an attorney for Dave McKeever stating concerns about a few of his properties that were slated for proposed changes. As a Supervisor, he would like them to stay as Resort Commercial instead of being changed to Blue Mountain Conservation District. He wanted to know why we were changing some of the lots to non-conforming lots. If you need 10 acres to develop in the Blue Mountain Conservation District, why would you want to change those lots which are small from Resort Commercial. We always try not to create non-conforming lots and keep it in whatever best suits the lot.

Phil Gogel also raised a concern with the proposed change in the area of Walnut Drive and Elm Drive that is being proposed to go from VR to A/RR. It is a small area that is already developed except for one lot. Everyone in that area had the opportunity to develop their lots under the VR requirements except for that one lot. It doesn't make sense to change the rules with only one lot remaining.

David Shulman clarified that they were not changing the zoning at this point in time. They are looking at a vision, how do you want a particular area to be generally zoned? If the zoning lines are that disruptive to the Supervisors, perhaps the lot lines should be removed and just show zoning areas. We are getting hung up on the fact that people believe we are changing the zoning district and changing them now. That is not what is being done. That will not be accomplished until the zoning ordinance is reviewed and revised by the Board of Supervisors. Phil Gogel commented if someone gave this to him and it was approved, then he approved it. Either he or someone else one day will look at this and say they already did the work and are recommending this, and make the changes. We are setting something in motion. Why would you set something in motion to only have it change down the road? You want to try to get something that best suits the needs for that area or best suits our current rules and regulations. David Shulman commented that it is correct that you are looking at the area, but to take a particular lot and say it won't be able to use the VR; that may not be the case when they look at the ordinance. They may decide that it is close to the VR and they will keep it as VR. Phil Gogel commented "may" is the key word. It may change, but not for the betterment of the property owner. David Shulman commented when they look at a vision, they do not look at each individual property owners desires. You look at a vision as to what is best for the

community overall. That is the way the Comprehensive Plan is designed and how the Planning Commission looked at it. It was based upon looking at the maps and determining what area we want to be developed in a certain manner with certain uses, not each individual lot owners desires, needs, or wants. Phil Gogel commented he understands, but why was there just a particular section on Walnut Drive cut out from the VR district. What makes this section any different than any other portion of the VR District?

Charlie Schmehl commented in Walnut Drive/Elm Drive case, they looked at an area of land that would allow four units to an acre, possibly townhouses, but the area was built with single family, detached homes. There was only one lot in the area that was open. They looked at what was existing and built since the zoning was adopted and felt it made sense to change it to A/RR as it was developed and also prevents someone from trying to squeeze in something into the neighborhood that didn't fit to what exists. Phil Gogel commented they wouldn't be able to do that because of the water and sewer standards. Charlie Schmehl commented over the course of time after this plan is adopted, there could possibly be water and sewer in that area. Phil Gogel commented he is on the Water and Sewer Authority and they are not talking about any expansion at all. Charlie Schmehl noted that can change in the future should conditions change. It becomes a questions of "Do you want water, sewer, and possibly townhouses in that area in the future. If you don't, then the recommendation is to reflect the existing development and change it to A/RR.

Jerry Pritchard questioned if the area along Blue Mountain Drive that was scheduled to be changed from Resort Commercial to Blue Mountain Conservation was resolved. This area should be Resort Commercial with the Blue Mountain Resort at the top of the hill. Charlie Schmehl commented the minutes of previous meetings reflect that this area would not be changing. The concern with the area was the access to Blue Mountain Drive and the available site distance and it was agreed that this would be a PennDOT issue and the zoning would be left the same. Phil Gogel commented he believes the Resort Commercial area should be expanded to capitalize on the ski area. Other municipalities are capitalizing on the rails to trails, white water rafting from Jim Thorpe and other opportunities. Everyone is advertising to come to our area because it is beautiful. We have the Lehigh River, the ski slope, hiking, and biking. We are losing out on all this revenue by not being able to develop parcels to accommodate people to come in. In his vision, like when he went to the one Comp Plan meeting and pitched something like this, we would want to develop in a responsible manner that is going to produce a revenue stream for the Township without the hassle of developments that produce more children and traffic which comes with a cost for schools, police and maintenance departments. He had previously raised several issues with the plan.

Charlie Schmehl commented a Country Inn Concept was discussed last year. The idea was to allow a resort facility of limited size with setback from nearby homes with an access to a main road and not require it to be in a commercial zoning district. This could be something where standards would be applied and permitted in multiple areas if the standards were met. The Planning Commission did discuss this and felt it was an issue for the Zoning Ordinance rewrite and wouldn't necessarily need to show up on the Comprehensive Plan.

Phil Gogel commented he doesn't believe the extension of the Neighborhood Commercial District was hashed out in the area where it extends to Green's Garage. There also was a four acre parcel which had Neighborhood Commercial in the front and the rear was Resort Commercial. There should be uniformity to one lot. He also doesn't believe Rose Edward's parcel on Route 248 that was being proposed to be changed from GC to A/RR was ever decided upon. Charlie Schmehl commented he believes this was the .7 acre parcel at 4676 Lehigh Drive. It would be difficult to meet the requirements for a commercial use on this parcel. Phil Gogel commented a commercial developer could come in and buy up several properties like they did on Nor-Bath Boulevard. Charlie Schmehl commented the primary concerns during the discussions was the slopes, curve in the roadway, and bad winter driving conditions. Adding multiple high volume commercial driveways to that area could create a traffic hazard during winter driving conditions. Phil Gogel commented he would refer back to the same argument for the properties along Blue Mountain Drive. It's the State and the property owner's issue, not his issue as a Board member. Charlie Schmehl commented the problem comes when the Township allows commercial uses and PennDOT has to figure out some way to give them proper access. Phil Gogel questioned why he would want to devalue a member of our communities property just because it many not fit the box right.

Jerry Pritchard commented whenever he has a comp plan meeting, Phil Gogel goes back to the area of Green's Garage. Phil Gogel commented that was the area we stopped at. Jerry Pritchard questioned who owns the property and is the owner here and do they have an issue with it. Richard Shelly commented he is one of the owners in the area and he doesn't care what the zoning is changed to. His neighbor with the farm didn't really care one way or another. Jerry Pritchard commented it seems like we keep talking about the same property and never get through this.

Phil Gogel commented there is also a property next to the Fire Company, across from Bethany Wesleyan and the Post Office that is being changed from VR to GC. He doesn't understand why this change is being made. Charlie Schmehl commented it was discussed at a previous meeting and it was agreed that it would be left as VR.

Phil Gogel commented the area on Walnut Drive, by Elm, still has not been resolved. In his opinion, it shouldn't change. There is no water and sewer so you won't be able to put in the

town homes or whatever the scary thought was. He doesn't believe it is an issue and it should stay VR. Cindy Miller noted there is one lot left in this general area. Charlie Schmehl commented the development was developed on one acre lots. Phil Gogel commented everything around there is VR except for across the street. It is only one block. When just a particular section is being carved out, it throws up a red flag. He would just say no; there is no reason to change. Cindy Miller commented it makes sense to change it. All the properties have been developed as one acre lots and there is only one lot left. Phil Gogel commented the setbacks would change if the zoning district changes. Charlie Schmehl commented if the Board feels the setbacks are too great, then they should be changed in the zoning. Phil Gogel commented everything around it is VR. Why change the zoning district then have to go and change the zoning ordinance to accommodate the district so that people have less of a setback if they want to put up a shed. Just leave the zoning the same. Charlie Schmehl commented it is their recommendation for all communities that the setbacks for a shed be small in all cases. Otherwise, you are outlawing what everyone wants to do. Most people want to put their shed close to the property lines. There shouldn't be large setbacks for sheds in any district. Phil Gogel commented he would agree with that, but he doesn't just want to grab a section or block of property and carve it out and make it A/RR. Cindy Miller questioned if these lots were developed under 1 acre. Charlie Schmehl commented they were one acre since there was no water and sewer. Cindy Miller commented if they were developed into one acre lots and there is only one lot left, then they should be zoned as A/RR. Phil Gogel commented the whole section should be changed, not just that one block. Charlie Schmehl commented if you go too much further, you do get into some undeveloped property and it does effect more people.

David Hess noted it was discussed at the last meeting about squaring off the area and extending the A/RR out to Blue Mountain Drive. Cindy Miller commented if the area was developed as A/RR, why not have the zoning as A/RR. Phil Gogel commented it had to be developed as A/RR by ordinance because there was no public water and sewer to developed it any other way. If you are going to look at how the lots were developed, why not go all the way up to Monroe Street. Danielsville Park abuts everything. There is an isolated area of Neighborhood Commercial, why not just take the whole chunk. Then there is only one lot, it gives the appearance that you are targeting or picking someone, even if you are not. It just looks suspicious. Charlie Schmehl commented there is one substantial piece of land which may include wet areas. It is to the west of the area along Blue Mountain Drive. Other than that, most of the lots are in the vicinity of one acre. If you are concerned about limiting people's development options, you may impact them if you go further west. Phil Gogel commented he is just trying to get the reasonality. What was stated, really doesn't have enough merit to change it.

Jerry Pritchard questioned if the Board could agree to square off the area and change it to A/RR, leave the upper park Neighborhood Commercial and then you would have the Danielsville Park

as shown in the green and move on to discussing other parts of the Township. We've been focusing on this one section for the past three meetings. Phil Gogel commented things have been moving, slowly, which is what should have happened over the past two years. You should move slowly and take notice of things and how they affect people. He did look at making the whole section A/RR, but there would be a lot of non-conformity because some the home are like town homes. Both Blue Mountain Drive and Walnut Drive have small lots which is why he feels it is best not to change it and move on. There is no purpose to this change. It is just a matter of grabbing a section and making a change.

William Billman 3891 Banyan Drive commented the current map shows his property in Village Residential. When he purchased his lot, it was A/RR with one acre zoning. Mr. Billman commented there is one open lot and it would be a shame to see town houses built on it. There already is sewerage to the lots. He believes water will probably come through sooner or later. Phil Gogel commented water wouldn't be coming through because it takes a lot to bring water to this location. Mr. Billman noted he thought the same about sewage. Phil Gogel commented the sewer came through because of DEP issues.

Cindy Miller made a motion to keep the area of Walnut Drive and Banyan Drive as proposed by changing the zoning from VR to A/RR. Jerry Pritchard seconded the motion. Phil Gogel questioned how Cindy Miller could make a motion on a plan that she helped create as a member of the Planning Commission. Attorney Backenstoe commented that is not an issue because she is both a Supervisor and a Planning Commission member. Katherine Mack, 3774 Peach Drive, commented she lives in that area and drives through there all the time. All the lots are already developed and have single family homes on them. If you change the corner to VR you could potentially have different types of homes which would not fit into the nature of the area. She would rather see single family homes on the lots rather than the town homes or apartments that are allowed in the VR District. When you come down from Walnut, you better stop and look for someone coming down from Elm. There is no stop sign anywhere. If it is developed as a VR area with more people and traffic, you will need to do something with traffic control in the area. It should stay as one acre single family homes. Phil Gogel commented it would have to be developed that way because there is no water in the area. William Billman commented it was his understanding that if you have sewerage, you can have a smaller lot. Cindy Miller, Jerry Pritchard, and David Hess voted aye. Phil Gogel was opposed. Motion carried.

Phil Gogel commented he disagrees with the proposed changes along Route 248 where they are taking areas of GC and changing them to A/RR. He believes all the properties that abut to Route 248 should remain as GC. He understands not including the lots that are one back, but if they are along Route 248 which is a major thoroughfare, they should stay GC. Charlie Schmehl commented most of the area being changed does not front on Route 248. The primary concern is the area southeast of Beckys Drive-In as you are going down the hill, in the curve.

This area is an area where people were concerned about winter driving conditions being mixed with commercial driveways. There could be multiple different commercial driveways on that hill. There could be as many as 10 commercial driveways on that hill. Phil Gogel commented a single developer could buy up several lots like they did on Nor-Bath Boulevard.

Michael Kuchovik, 1365 Blue Mountain Drive, commented Route 248 is a State road. Wouldn't an HOP be needed from PennDOT in order to develop the property. Charlie Schmehl commented it would be needed and in cases where there is not adequate site distance, they would restrict driveways to right turn only. However, people tend not to follow the requirements and violate the rules. In addition, you also would get cars turning around in other peoples driveways if they follow the right turn only.

Phil Gogel commented if we worry about every little aspect of everything, we wouldn't get anything developed. Charlie Schmehl commented the concern is this is an unusually hazardous location, unlike the rest of Route 248. Phil Gogel commented that would be determined by the developer and the State. Cindy Miller commented it is the responsibility of the Township to make sure our residents are kept safe. Charlie Schmehl noted PennDOT gets irritated when zoning allows development in an area with poor site distance. Jerry Pritchard commented Route 248 is a major artery, shouldn't it be where the commercial zoning is. Charlie Schmehl commented the vast majority of Route 248 would still continue to have areas for commercial zoning areas. This location is particularly hazardous. David Hess commented Route 248 hasn't changed over the years. Why was it zoned as General Commercial in the first place? Charlie Schmehl commented they didn't think it through. They just ran a wide corridor of commercial down Route 248 regardless of whether it went through a subdivision or home. It just wasn't thought through. Phil Gogel commented someone paid a premium for that property because it was located in a commercial area and how you are devaluing it by changing the zoning. If he wanted to buy a General Commercial property, it was always more valuable than residential.

Linda Metcalf, 4604/4606 Mountain View Drive, she has seen horrible accidents with the turn in the road. The dump trucks and tractor trailers on the road are not doing the speed limit. You factor that into people pulling out of businesses, it is dangerous.

Phil Gogel commented the people already are going in and out to do their shopping and go to work. He does not want to change anything to devalue anyone's property. If a developer were to buy several lots and want to develop, it would be their responsibility to make the line of site. Maybe they would fix the road and do something positive. If we keep at a negative attitude, you will never get anything fixed and it will grind to a halt, the way we have been for the past 40 years. Charlie Schmehl commented the zoning can always be changed in the future, but based upon the current lot lines and the current alignment and sight distance, their recommendation

would be to remove the commercial. If someone ten year from now acquired all the land and comes in with a good plan to address sight distance, merge lots, have some rear access, then he would recommend a change at that time. Right now, with the existing conditions, you will have the hazard. Phil Gogel commented you will never have anyone looking at it if you don't have that opportunity. Right now, you are saying someone has to take the risk of buying the property under A/RR and with a hope and prayer, knowing that the Board is sticklers and put a thumb on the developer to do everything they need to do, they will never develop and you will always have that hazard and problem. Charlie Schmehl noted with the current lot configuration, there could be as many as 12 commercial driveways in that segment. Phil Gogel commented that is not an accurate depiction of how it would happen. Charlie Schmehl commented it is their opinion that there are better areas more suited for commercial development with better site distance than what is in that stretch.

Darryl Snover, 637 Blue Mountain Drive, question where the additional areas that are more suitable for commercial development are located. Which areas are being changed to GC? Is it enough to replace what is being removed? Charlie Schmehl commented GC and NC both allow for commercial development. There was not a recommendation for additional commercial areas to be added to Route 248. There was an area on Route 145 north of Walnutport that was added as NC and there are several other NC and GC designed areas along Routes 145, 946, and 248. Darryl Snover commented there should be something added back to Route 248 to offset what was removed. Charlie Schmehl commented there was a net reduction on Route 248 and an increase along Route 145 which resulted in a net zero change for the entire Township.

Darryl Snover questioned what the compensation would be for the individuals who are losing their GC development rights for the reduction in the value of their land. Charlie Schmehl commented the Township is required to allow everyone reasonable use of their property, not necessarily a real estate agent's view of the use. Darryl Snover commented as a land owner, if you change the zoning district out from underneath him, you have changed his property rights. Whether the individual likes it or not, you are changing their property rights after they have purchased their property. If someone purchased a piece of property with the intent of developing it a certain way 20 years down the road, and you change the zoning, you are removing that ability from the property owner. It's not the Township's job to plan and zone his safety, but to ensure his liberty, that is the first and fundamental obligation. Cindy Miller commented the Township is to provide for the health, welfare, and safety of the residents. Charlie Schmehl noted the Municipalities Planning Code has a list of purposes for zoning and providing for public safety is close to the top of the list. Darryl Snover noted you are removing property rights to do so. Charlie Schmehl noted removing property problems is also towards the top of the list.

Phil Gogel commented if a large developer came in and purchased all the properties, they would have to readjust the road to make it a safer, more accessible piece of property. Charlie Schmehl commented if someone came in with that plan, he would suggest the Board revisit the zoning at that time. Phil Gogel noted we don't do it that way. Charlie Schmehl commented for the existing lot lines and current configuration of the property, he'd suggest to the Board it is dangerous to leave the commercial zoning in that segment.

Charlie Schmehl commented the goal of the Comprehensive Plan is to look at things comprehensively as far as how traffic impacts development and how residential neighborhoods nearby are effected. The goal is to look at things on a corridor or regional basis rather than waiting until someone walks in the door with plans that you may not like that could cause serious problems for the neighbors or general public. It's intended to be a preemptive effort when you look at all the different factors together at one time and think of what you would like to see in an area rather than waiting for a plan to walk in the door.

Darryl Snover questioned how you would compensate the land owner for devaluing their property. What is the value of GC per acre? Cindy Miller commented the value changes. You can't just say it is a value per acre. It is based on a lot of things, not just location. People are not coming to Lehigh Township right now so you will not have the same value as MacArthur Road. That is not how you do a comprehensive plan. Darryl Snover questioned if you are not devaluing the land by going from General Commercial to Neighborhood Commercial or Agricultural/Rural Residential. Have any studies been done to determine what the change in value would be? The answer would be no. Cindy Miller commented she didn't do any studies. That is not the intent of the Comprehensive Plan. People need to understand that by law, the Township is to visit the Comprehensive Plan and we haven't done that for 20 years. Phil Gogel commented visiting it and changing all of this are not the same thing. Cindy Miller commented you are supposed to look at what changes you need to make for your community. Phil Gogel questioned if the law requires you to make changes. Cindy Miller commented if the Board doesn't want to make changes, then don't make the changes. Phil Gogel commented then we could scrap the whole plan. Darryl Snover commented he wouldn't be in favor of scrapping the whole plan; there is value to parts of the plan. He is concerned with property owner rights and diminishing those rights.

Cindy Miller commented she is also concerned where things are located, such as short term rentals. We just went through a whole episode on short term rentals because the Board didn't adopt an ordinance when they could have. After doing an analysis, the Township spend over \$21,000 to \$30,000 in tax payer dollars to represent people in legal battles to get rid of short term rentals in neighborhoods. That is the type of things that Planning looks at and anticipates avoiding so that we don't get into those situations moving forward. Phil Gogel commented that was a zoning issue; we needed to change the zoning. Cindy Miller commented it was a zoning

issue, but you are looking at your mapping as to where you want these items. Phil Gogel commented it was changed into Resort Commercial and you can get waivers for the others.

Jerry Pritchard commented the economy is a moving piece and it always will be. Right now, industrial warehouses are going up like hot cakes. General Commercial is sitting stagnant, it is not hot. To say you are devaluing general commercial is not accurate because it really is not a hot item. Residential, luxury buildings is what is moving right now. In the future, it may come back, but right now, commercial is not driving the market. He agrees, he wants people to get the most for their property, but where that value is at any given time is a moving target. Cindy Miller commented Industrial and Distribution is where the market is and when you talk to the residents, they don't want large distribution. The Planners have to look at all of this and decide what that means moving forward and you have to look at all the uses and how to include them and form the community.

Todd Dreisbach, 4315 Fox Drive, questioned if any of the Board members have property that will be effected by the proposed changes. Phil Gogel commented his property was split between VR and A/RR and is now going to have one zoning, VR; Mike Jones was VR and is now going to MDR. Charlie Schmehl noted that the small lots along Route 946 will stay as VR. Only the large lots will be going to MDR. Cindy Miller commented her zoning is A/RR. Charlie Schmehl commented most of the Township is zoned as A/RR. Phil Gogel commented it is their job to worry about the residents' rights. Jerry Pritchard commented the Supervisors didn't draw the plan. It was developed by the Planning Commission as an advisory board and recommended to the Supervisors. It wasn't drawn to effect or not effect the Supervisors. Cindy Miller commented the Planning Commission didn't look at specific properties. They looked at the items that Charlie Schmehl has been talking about. Charlie Schmehl commented he tries not to know who owns what. Cindy Miller commented when the plans were developed, they did not look to see who owned what lot.

Phil Gogel commented all the lots along Route 248 should remain as General Commercial. He can understand the change for the lots that are behind the frontage lots, but would prefer not to devalue anyone's lot and keep the General Commercial the same as it currently is.

Darryl Snover noted his property at 637 Blue Mountain Drive is designated to go from GC to A/RR. What was the purpose of the change when the lot for the proposed Turkey Hill is not changing, but is directly across the street from his lot? He also noted that he is currently zoned as Neighborhood Commercial, not General Commercial. It is his understanding that NC would permit him to do a B & B or short term rental. If you are removing that ability from him, he is losing a perceived value. Charlie Schmehl commented he didn't recall the specifics of the proposed change and wouldn't have concerns with leaving it as the current zoning or changing it; this section does not contain the hazards that were previously discussed for the properties

that were located along Route 248. It would be a reasonable policy choice to keep the zoning the same. David Shulman commented he believes part of the reason for the change was they wanted to keep the residential that existed in the area. Making a left turn from the driveways is difficult and by adding commercial, it would make the situation worse. Some of this may be alleviated in part when there is a left hand turn lane installed with the new Turkey Hill. They would have been looking at it from a safety perspective. Hopefully, by the time they get to the ordinances, the left hand turn lane will exist and the area could be revisited. The Comprehensive Plan will not change the current zoning. When they get to the specific districts, they may decide it could remain as is because the traffic issues were resolved. This would apply to all the areas that are being proposed to change under the plan.

Phil Gogel commented the issue is when a developer comes in and buys several lots and puts them together to make a commercial development. They will expand the road or do whatever they have to do to comply, just like Turkey Hill did. They have to alleviate the issues. There are all kinds of things they will need to go through. If he were looking to buy property that is commercial in nature, he will know what he needs to do. He is not going to buy a piece of property is VR or A/RR and try to go through the hoops to make it GC. It is not feasible; you have to spend a lot of money on attorneys, plan development and everything else to find out you may not be able to develop it. You want GC areas along your major thoroughfares where there is opportunity.

Cindy Miller made a motion to not change the proposed zoning and keep the four lots along Blue Mountain Drive, adjacent to the current Turkey Hill as their current zoning. Jerry Pritchard seconded the motion. All voted aye. Motion carried.

Phil Gogel made a motion to not change any of the existing zoning for of any lots along all of Route 248 corridor and to keep the zoning along Route 248 as it currently exists. If it is GC it stays as GC; A/RR stays as A/RR. David Hess seconded the motion. Phil Gogel commented they only way to correct the issues is to have it developed. The roads were cart paths at one time and they didn't care about cars driving at excessive speeds. When you go thorough the development process, they will have to correct that in order to develop. Rod Miller commented if you are going to leave the current zoning along all of Route 248 you might as well throw out most of the plan. The goals and objectives of the plan were to try to provide diversity and commercial opportunities to people along the major corridors. Neighborhood Commercial gives you a lot more flexibility to do that than General Commercial. If you look at the General Commercial corridor right now you have a mix of junk yards, gas stations, and used car lots. The Planning Commission didn't want to continue that because none of these types of facilities provide opportunities for Township residents to enjoy a restaurant, coffee shop, or dry cleaners. They spent a lot of time on the commercial corridors. Charlie Schmehl commented the

Neighborhood Commercial districts were proposed in areas where there were homes mixed in or a lot of homes right behind it. The Neighborhood Commercial uses are typically the types of uses that make good neighbors to homes. General Commercial uses include many things that are not good neighbors to homes. Phil Gogel commented he hears what it being said, but none of this was brought up during any of the meetings so far. Rod Miller commented the plan was forwarded to the Board a year ago. Phil Gogel commented it wasn't until recently where we started having meetings to hash things out. No one fully explained this. He didn't know the Planning Commissions interpretation of the different areas and reasonability of changing the different zones. Rod Miller commented the goals and objectives explain the plan. Phil Gogel commented the goals and objectives don't match to what is being done. You took an area where a development was zoned Blue Mountain Conservation and made it Agricultural Rural Residential when it really should have been made to Village Residential. If he is supposed to understand the plan without an interpreter, he wants to review the area. You are proposing to keep it country, so why is there an area of 28 acres that is being kept at VR and not changed to A/RR when there is no water and sewer in sight? If he has to interpret things on his own, he does it his own way. He brought up these issues the first time we had a Comp Plan meeting here at the Fire Company. He even brought them up during Board meetings. Cindy Miller is on Planning and she didn't provide an interpretation. Cindy Miller commented the Planning Commission held monthly meetings for the two years that they were working on this. All meetings are open to the public. Any supervisor could have attended any of those meetings at any time and questioned anything. Only one time did a Supervisor, Phil Gogel, come to any of the meetings in those two years. David Hess noted he and Jerry Pritchard were not Supervisors during that process. Jerry Pritchard commented the Planners invested a lot of time, energy, and put good thoughts into this project; we can't just tear the whole thing down. We trusted our Planners to bring us a plan, you don't just go and rip it apart. David Hess commented if he was on the Board two years ago, he would not have approved to spend the money it took to do the project. Darryl Snover commented the letter he received regarding the plan did not provide the specifics of how his property was going to be affected. As the Board votes, they may want to keep in mind that residents received the letter that was non-descriptive for their particular piece of property. Carol Simcoe commented she has property along Route 248 and 4610 Mountain View Drive that is currently zoned General Commercial. How will this motion affect her properties? Phil Gogel commented whatever the property is currently zoned as, it would remain. Charlie Schmehl clarified, if the current zoning is General Commercial 600 feet from Route 248, it will stay as General Commercial. He also noted that single family detached homes are not permitted in the General Commercial district. The existing homes would be non-conforming uses. This could become an issue with insurance and financing for a mortgage because if it is a non-conforming house, there could be a concern with the ability to reconstruct it if it were to burn down. Phil Gogel commented there was an issue a few years ago where there was a barn shared by two individuals and cut out a piece of property and put the barn on one parcel and they were allowed to rebuild the barn. It was not a big issue. Charlie Schmehl commented it still could be an issue for the mortgage or insurance company. Phil Gogel

commented it is a point, but you will not be able to build less now by keeping it the same. He doesn't want to devalue anyone's property. Cindy Miller wanted to discuss the value placed on land. She is a commercial realtor. The way property is valued is based on fair market value; whatever the market is going to bear. They take a lot of items into account when they look at the property. They look at sales comps, financial analysis are done on commercial properties. There are a lot of components that go into deciding the value of a property. They are not just looking at the zoning. They will look at the value of the properties that sold in the area, around the area, the type of property, the location, the topographics, wetlands, access, frontage, everything. They do not just look at the zoning map. Carol Simcoe commented she sold a few properties and was able to get what she wanted because they were zoned General Commercial. Cindy Miller commented if a property is in A/RR and in a good location and someone wants it, they will pay for that as well. A lot is based on location. Rod Miller commented this is not about an individual parcel. They tried to lay out a long term plan that they thought was the best for the development of the Township. Phil Gogel and David Hess voted aye to not have any changes in the proposed zoning along all of Route 248. Cindy Miller and Jerry Pritchard were opposed. Motion did not carry. The proposed draft map will remain as presented.

John Hedmeck, 1020 Riverview Drive questioned how it will affect his property at the corner of Riverview Drive and Alder Drive because he is agriculture and now you are proposing it to be industrial. Charlie Schmehl commented there is no new industrial areas being created. The area of Route 145 and Alder Drive, going north and to the east is proposed to be going to Neighborhood Commercial. This will allow for residential and commercial uses. Mr. Hedmeck questioned if his taxes would go up. Charlie Schmehl commented taxes are generally based upon the use, not the zoning. Mr. Hedmeck questioned if he were to sell that parcel, who would have to pay the 515 taxes. Charlie Schmehl commented the purchaser typically is the one who would pay the back taxes. Attorney Backenstoe commented the only time the back taxes would be owed is if the covenant on the land is broken. The individual who breaks the covenant would be responsible to pay them. If nothing changes on the land, there would not be any roll back taxes owed.

Jan Ryan 4112 Butternut Drive, commented she owns a parcel behind her home that is being designated to go to MDR. When she bought the property it was agricultural, then it changed to Village Residential when Heritage Village went in, now it is proposed to go to MDR. Their six acre parcel is not part of Heritage Village or Northwoods and doesn't believe it should be included in that zoning. Charlie Schmehl commented the intent was to only include the manufactured home communities in the MDR district. This parcel may have been picked up by mistake.

Cindy Miller made a motion to remove the Ryan parcel from the MDR district and keep it as it is currently zoned, VR. David Hess seconded the motion. Darryl Snover questioned if the

change to MDR would create a higher density development. Charlie Schmehl commented the MDR areas are existing or already proposed manufactured home communities. All voted aye. Motion carried.

Todd Dreisbach commented he owns several homes along Spring Drive and Deer Path Drive. What is the proposed zoning? Charlie Schmehl commented it is being proposed to go to Village Residential because the homes are already existing on smaller lots. The VR will allow for reduced setbacks which will make it easier for people to make improvements to their property. Mr. Dreisbach questioned if this means that he can keep the home that just burned down at a 10 foot setback to the property line. Charlie Schmehl commented most communities have a provision for rebuilding in the event of a fire.

Darryl Snover questioned if each homeowner will receive a detailed letter outlining exactly what the effect will be to their property. David Shulman commented when the zoning ordinance is proposed to the Board of Supervisors and the proposed changes in the zoning map move forward, the property owners will be notified of that change. Darryl Snover questioned if there will be specifics. David Backenstoe commented the letters that went out with regard to the Comprehensive Plan were general in nature because any proposal within the Comprehensive Plan does not change anyone's zoning. The Supervisors and the Planning Commission wanted to be sure people were aware that there may be some changes. Amending the Zoning is an entirely different process. If the zoning district for a property is being changed, not only will the individuals receive personal written notice explaining the modifications, their property will also be posted. Everyone would have the right to come to the meeting and speak their piece or object. Charlie Schmehl commented there will be at least two additional public meetings before there would be a proposed zoning change.

A resident questioned if they will be notified of the next meeting. David Shulman commented if the information was provided on the sign in sheet, they will be notified.

Charlie Schmehl will prepare an update to the plans based upon the comments and motions made and present a final plan for approval by the Planning Commission and Board of Supervisors. The Lehigh Valley Planning Commission also requested some informational text changes that will need to be updated in the Comprehensive Plan. The Planning Commission will be able to move the plan forward with a motion at a regular meeting. There is no need for an additional hearing at the Planning Commission level. The Solicitor will need to make the determination if the changes that are being made to the plan are considered to be substantial enough to warrant holding another public hearing. If it is considered to be a substantive change, another public hearing will need to be held.

Comprehensive Plan Workshop
July 27, 2022

David Shulman commented the Ad Hoc Committee is working on the updates to the Zoning Ordinance which includes the zoning districts, uses, and definitions. They meet on the 4th Wednesday of the month at the Township Building. Everyone is welcome to attend and ask questions or make comments. Any changes to the meeting dates will be posted on the website. Jerry Pritchard encouraged residents to attend the meetings so they understand what is being proposed and be part the process that they are going through to update the ordinances.

David Hess made a motion to adjourn. Phil Gogel seconded the motion. All voted aye. Motion carried.