

LEHIGH TOWNSHIP PLANNING COMMISSION MEETING

Minutes of July 13, 2026

Present: Cynthia Miller, Vice Chairman
Bill Jones, Secretary
Tim Bartlett
Wayne Kleintop
Roxann Colfer, Zoning Officer
Michael Corriere, Solicitor
Lori Lambert, Planning & Zoning Secretary
Mike Muffley, Township Engineer

Absent: Todd Rousenberger, Chairman

CALL TO ORDER

Cindy Miller sent her condolences to Michael Corriere on the passing of his father.

READING OF THE MINUTES

Planning Commission Minutes

Tim Bartlett made a motion to waive the reading of the minutes and approve the minutes from June 8, 2026, Planning Commission meeting. Bill Jones seconded the motion. All voted aye. Motion carried.

PLAN REVIEW

Riverview Drive (J2-6-1 & H2-9-18), Regal Construction Group, LLC., 9 Lot Preliminary Subdivision, Expires: October 11, 2026

Elliot Leomporra from C2C Design Group was present to represent this project.

This project is a 9-lot subdivision located on Riverview Drive, with on-lot septic and public water (Walnutport Authority). They are proposing a local street to be dedicated to the Township.

A review letter dated July 13, 2026, has been received from the Township Engineer, Mike Muffley of Hanover Engineering. Mike Muffley stated that what will dictate how the plan moves forward is the septic and stormwater testing, and coordination with Walnutport Authority for the water connection. Zoning, Item 1, this property can proceed under the current zoning regulations, the plan should notate as such; the dimensional and setback requirements are the same in A/RR and NC. Item 2-4, the building setbacks and driveway distances should be looked at for Lot 1 and 9., a variance would be required with the current layout.

The driveway for Lot 3 is being constructed over an easement. Item 5, a PennHOP is required. Item 8, steep slope disturbance areas should be shown on a table on the plan. Item 9, grading/earthmoving requirements need to be looked at. The septic areas need to be reserved and not disturbed. Item 10, NPDES approvals are required. Item 11, what to do with the residue parcel: would this area be accepted as open space even though it is not accessible and an easement would be required, one of the neighbors can buy it and annex it onto their property, a new deed would be filed for this piece and it would exist as a landlocked non-conforming lot, add a covenant on the plan and in the deed that it is a non-building lot. SALDO, Item 12, signatures, seals, a title report needs to be issued and reviewed by the Township. Item 15, the link from PASDA can be used to provide contour lines. Clarification is required for the water line, for the PennDOT right-of-way line, and an agreement for the easement from Walnutport Authority. The standard covenants in the Appendix for curbing and grading shall be added to the plan. Item 18, the road specs will be worked out between Mike Muffley and Elliot Leomporra. Item 24, traffic controls shall be provided on the plan. Item 26, this plan shall be submitted to the LVPC for review. Item 30, the cul-de-sac turnaround must be offset to the right, a waiver can be requested from the requirement. Item 31, the grade on the cul-de-sac street shall not exceed 10%. Item 33, the snow storage easement shall be provided at the end of the cul-de-sac, between Lots 6 and 7. Stormwater Management, the review will be issued under separate cover; provide to Township and LVPC so the review can occur at the same time. The basin is located on two separate lots; it will need to be determined who will maintain the basin. Mike Muffley can scan his markups to Elliot Leommporra for his review.

Cindy Miller provided questions from Chairman, Todd Rousenberger. He wanted to know about the drainage easement, where the water is going, the swale seems small and why this is necessary. Mike Muffley stated that everything is going into PennDOT ROW, PennDOT will be reviewing the plan. The plan is going to be reviewed by PennDOT, NCCD, LVPC and the Township. Cindy Miller stated that Todd Rousenberger questioned the proposed grade of 12% for the cul-de-sac road. This was previously addressed. Todd Rousenberger questioned if streetlighting is being proposed. Elliot Leommporra stated that a street lighting plan was submitted, there are 4 proposed. There was discussion regarding the number of streetlights; Mike Muffley stated that it is not uncommon for the Township to waive the requirement. Tim Bartlett stated that the intersection should be illuminated, Mike Muffley stated that PennDOT will have a say in what is being proposed. Roxann Colfer stated that we will be plowing the street, wouldn't it be wise to provide streetlights; also, people like to walk and sidewalks are being provided. Three lights will be provided throughout the development; a waiver request will be submitted from the requirements to provide a reduced number of streetlights. Wayne Kleintop and Bill Jones are not in favor of the sidewalks. Cindy Miller

and Tim Bartlett are in favor of sidewalks; the Board will wait until Todd Rousenberger is back to decide on the sidewalks. Elliot Leommporra stated that he will leave the sidewalks on the plan. Todd Rosenberger has a concern with the sharp horizontal curve of 10% in the winter. Mike Muffley stated that they do have to demonstrate that the design criteria is met. Todd Rousenberger stated that there are no roadway stations on the plan for local road. Mike Muffley stated that there is a station on the profiles, there is more to come on the plans. Mike Muffley suggested that the Board discuss the street trees, who maintains them and who owns them. The Board agreed to reduce the number of trees to every 100 feet. A waiver from the requirement should be submitted.

There was no further discussion on the plan, this plan was tabled.

JLS Property Holdings, LLC, 500 Cypress Street, Sketch Land Development Plan

Joe Gruver from Benchmark Civil Engineering and Jason Santos were present to represent this project.

This plan is a sketch plan; Roxann Colfer stated that Jason Santos is working with her regarding the violations on the property; a notice of violation has not been sent. Joe Gruver stated there are some existing structures on the property, Mr. Santos erected a couple of new buildings for storing his equipment without proper permitting.

A review letter dated July 13, 2026, has been received from the Township Engineer, Mike Muffley of Hanover Engineering. This property is located in the Industrial zone, there is a crossover of uses; (1) nursery and garden materials and stock which is a subset of sales, storage and/or wholesaling and (2) landscape business which is a special exception in the Industrial zone with specific criteria. Joe Gruver stated that the intent of the property is for the storage of landscape material; stone, mulch, pavers, extra material, no sales, no pools, no business being conducted on site. Jason Santos stated that the equipment stored on site are excavators, skid steers, wheel loaders, dump trucks, snowplows, pusher boxes. The trucks are loaded in the morning with the materials needed for the day and return at the end of the day, which is 10-12 hours later. It is the intention to remove the three existing buildings labeled as prior to 2025. Fuel is stored on site, (2) above ground 500-gallon tanks which need to be depicted on the plan. The tanks are stored inside the smaller building on the east side of the property. Roxann Colfer stated that DEP has above ground storage tank inspections; this should be looked into to make sure the tanks meet DEP regulations. SALDO, 4.d, there is no septic on site which is required; port-o-lets are not permitted. Cindy Miller stated that public sewer is located in that area; they may want to check with Walnutport

Authority to compare costs of public versus on lot. Jason Santos stated that there is no office on site, he runs the business out of his home on Del Drive in the Township. Roxann Colfer questioned if he has a home occupation permit; this will have to be looked into. Jason Santos stated that he just runs the business out of an office in his home. Roxann Colfer stated that the sizes of the structures need to be verified, if they are over 1,000 square feet and have electric and plumbing, a building permit is required. Zoning, Item 1.b, the site does not appear to be set back 500 feet from the closest residential property. This requirement is applicable if the use is considered as Landscape Material and Equipment Storage. Joe Gruver stated that a variance would be required. Screening and landscaping are required; existing trees shall be depicted on the plan. Stormwater and E&S requirements will need to be met. Zoning: Item 2, for multiple buildings on the same lot there shall be provided a minimum of 25 feet between the closest points of such buildings. It appears that the recently constructed buildings are in violation of the 25-foot separation setback requirement. If the buildings are connected with a roof structure, it would meet the setback; however, building codes need to be met. Roxann Colfer stated that she would like a list of what each building is being used for, what is being stored inside and the sizes. If they are demolishing buildings, building permits are required. SALDO, Item 3, the plan will have to be sent to the Lehigh Valley Planning Commission for review. Mike Muffley stated that the existing dwelling on the property is non-conforming, as long as it is not changed it can remain. If it is removed, it cannot be rebuilt. If the dwelling remains, it needs to be shown on the plan as non-conforming. The buildings being removed and buildings remaining will need to be depicted on the plan. The driveway permit would be at the discretion of Walnutport Borough.

Mike Muffley stated that this project could be either one of the uses, the applicant should determine what use this falls under. This will require Zoning Hearing Board approval, either special exception or variance. Roxann Colfer stated that the Zoning Hearing Board will weigh heavily on the buildings that were constructed without permits. Joe Gruver understands; this is why they are here, trying to make it right.

Mike Muffley stated that once the official land development plan is submitted, it should also be provided to Walnutport Borough for comment. This plan is required to be submitted within the next 90 days.

There were no further questions or comments on this project, this plan was tabled.

ORDINANCE REVIEW

Proposed Ordinance 2026-2, defining and adding specific requirements for data centers and data center accessory uses

A draft ordinance pertaining to data centers has been provided by Attorney David Backenstoe. This has been sent to the Lehigh Valley Planning Commission for their review and comment. The Planning Commission shall provide comments and a recommendation to the Board of Supervisors so the Ordinance can be advertised for adoption.

Cindy Miller stated that the key additions to the Ordinance are:

- The minimum lot size is 5 acres.
- This will be a conditional use in the Industrial Zone, before the Board of Supervisors; conditions/criteria can be set.
- Must be located along an arterial, connector, or collector road.
- The maximum building height of 60 feet.
- Accessory uses cannot be higher than the principal use.
- Must be located 250 feet from a residential zone.
- A 100-foot buffer yard is required.
- A berm of 14 feet is required along the frontage of the highway.
- Noise requirements; cannot exceed 67 dB(A) during daytime.
- A sound study is required; preliminary, interim and an as-built.
- Public water supply must supply a will serve letter.
- Private well, extensive testing is required to protect neighboring wells.
- Monitoring of groundwater. An annual report must be provided.
- Shall use closed-loop cooling systems.
- Evidence of sufficient power must be provided if connected to the grid or provide power through an alternate source (solar, fossil fuel, or nuclear energy generating system).
- Emergency management plans and procedures shall be provided.
- Acoustic and astatic requirements.
- Traffic study and parking requirements.
- Environmental impact study must be conducted.
- Decommission requirements.
- Comply with any other existing zoning requirements.

Tim Barlett stated that with technology changing so frequently, does this allow for future changes. Cindy Miller stated that Ordinances can always be amended. Parameters can also be put on the proposal by the Board of Supervisors. The Planning Commission did not have any further questions or comments on the proposed Ordinance.

Bill Jones made a motion to send a recommendation letter to the Board of Supervisors that they adopt the Ordinance as proposed. Tim Bartlett seconded the motion. All voted aye. Motion carried.

Proposed Ordinance 2026-3, amending Chapter 103 (nuisances), repealing Chapter 51 (animals) and certain sections of Chapter 111 (peace and good order)

Cindy Miller stated that the proposed changes have been thoroughly reviewed by the Board of Supervisors. The proposed Ordinance has been sent to the Lehigh Valley Planning Commission for their review and comment. The Planning Commission shall provide comments and a recommendation to the Board of Supervisors so the Ordinance can be advertised for adoption.

Cindy Miller questioned why Section 1.B, **P** is bold and underlined. This is because Section P is being deleted. The Planning Commission has reviewed the proposed Ordinance and did not have any further comments or questions.

Tim Bartlett made a motion to send a recommendation letter to the Board of Supervisors that they adopt the Ordinance as proposed. Wayne Kleintop seconded the motion. All voted aye. Motion carried.

Zoning Ordinance - Draft

The draft zoning ordinance (marked July 2026) was emailed to the Board on Friday, July 10, 2026. Todd Rousenberger ran Charlie Schmehl's and Pennoni's last versions through AI, which created a document. This document was emailed to the Board on June 16, 2026. Roxann stated that she told Pennoni to stop formatting, we need to focus on getting the content accurate. The information that she has reviewed since being with the Township has now been added. Prior Ad Hoc content, she cannot confirm if it is accurate. Lori Lambert stated that she has spent minimal time reviewing the latest version; criteria have not been added for the adult day care center, there is no definition for machine shop. Mike Muffley stated that the entire document has to be gone through for accuracy. We need to make sure that we have a definition for each use in all zoning districts, if it is a special exception or conditional use, we need to make sure that there are criteria. Roxann Colfer stated that if we divide the zones up among all the Board members, we can get this done.

Roxann Colfer stated that for each zone it needs to be confirmed that there is a definition for each use and specific criteria for special exceptions and conditional uses. Inconsistencies should be written down on that page of the ordinance and that can either be emailed or brought to the office so that Lori Lambert can make a copy and forward to Pennoni. The Board agreed to review the following zones:

Tim Bartlett – Section 180-16 Agriculture/Rural Residential (A/RR), Section 180-17 Village Residential (VR) and Section 180-19 Neighborhood Commercial/Village Residential (NC/VR)

Wayne Kleintop – Section 180-18 Medium Density Residential (MDR) and Section 180-20 Resort Commercial (RC)

Bill Jones – Section 180-21 Planned Resort Residential Community (PRRC) and Section 180-22 Neighborhood Commercial (NC)

Cindy Miller – Section 180-23 General Commercial (GC), Section 180-24 Business Park (BP) and Section 180-25 Industrial/Commercial (IC)

Todd Rousenberger – Section 180-26 Blue Mountain Conservation (BMC) and Section 180-17 Village Residential (VR)

Lori Lambert stated that all of the minutes from the Ad Hoc Meetings are on the Township website under: Departments, Planning, Agenda/Minutes tab, Archived Minutes Menu (bottom of page). Mike Muffley stated that the most important thing to check is all the uses have definitions.

Hard copies of the July 2026 draft zoning ordinance will be provided to the Board members. As soon as each person is done with their section it should be provided to Lori Lambert.

GENERAL BOARD DISCUSSION

Bill Jones will not be present for the August 10, 2026, meeting. Roxann Colfer stated that she may not be present, she is due in 5 weeks. Lori Lambert will not be present at the September 14, 2026, meeting.

PUBLIC COMMENT

There was no public comment at this time.

ADJOURN

Tim Bartlett made a motion to adjourn. Wayne Kleintop seconded the motion. All voted aye. Motion carried.