

# LEHIGH TOWNSHIP AD HOC COMMITTEE

Minutes of February 28, 2024

Present: Bill Hart  
Bill Jones  
Katherine Mack  
Cindy Miller  
Todd Rousenberger  
David Shulman (via phone)  
Kristin Soldridge  
Charlie Schmehl, Urban Research and Development Corp.  
Liz Amato, Zoning Officer  
Michael Corriere, Solicitor  
Lori Lambert, Planning & Zoning Secretary  
Mike Muffley, Township Engineer

Absent:

## READING OF THE MINUTES

Bill Jones made a motion to waive the reading of the minutes and approve the minutes from the January 24, 2024, Ad Hoc meeting. Kristin Soldridge seconded the motion. All voted aye. Motion carried.

## PRESENTATION

Mark Leuthe from Lehigh Engineering was present to discuss his proposal for the lot on Birch Drive, tax parcel J2-18-20-0516, which is approximately 34 acres and on the south side of Route 145 on Riverview Drive there is approximately 32 acre which is tax parcel K2-2-7-0516. A prior plan for a medical marijuana campus was submitted for this piece of ground; went to the ZHB and was denied and has now been appealed to County Court. At the public meetings, he heard reference from the audience that residential would be better suited for the site as opposed to what was proposed. Rather than fight for the next 15 years for what was proposed, he would like to discuss a use that would be a benefit to everyone. This property which is zoned General Commercial; is located on Route 145 on the western edge of the Township and has public water and sewer. He has had the property for sale for years. The days of big box stores are gone; the land is too large for a strip mall and other uses just aren't interested.

Mark Leuthe provided a sketch with some townhouses located towards the rear abutting The Hills at Greenock, apartments towards the front of the property and commercial uses, potentially a strip mall, towards Route 145. A second sketch was provided showing a layout of townhouses with a mix of commercial uses. The design of apartments which have their own garages and look very similar to the townhouses. Each complex would have two- and three-bedroom apartments; with only one, one

bedroom. The only problem is that when you mix the apartments and townhouses together, you get into public (Township roads) versus private (apartment & commercial areas; parking). There would be an HOA in either senecio for the common areas. The developmental phase of the plan is not to the point of being able to say if there would be things such as a club house, pool or park.

Dave Shulman stated that he does not have a problem with the mix of apartments and townhouses. He feels that there is a lack of parking; an additional parking area should be incorporated. He would rather see the commercial exit onto Route 145. Charlie Schmehl stated that the good thing about Birch Drive is that there is plenty of room for turn lanes. Mark Leuthe stated that it is up to PennDOT, a traffic study will be submitted but if the warrants are not there, a traffic light will not be required.

Dave Shulman questioned if they are looking to have the zoning changed. Charlie Schmehl stated that there are a couple of options. We could have commercial zoning along the frontage and have a straight separation to the Village Residential zone to the rear which would mix with the Hills at Greenock. The second option would be Traditional Neighborhood Development; which would have more standards on the layout and design. He agrees that the whole property shouldn't remain General Commercial, there should be residential closer to the existing homes to the north.

Cindy Miller stated that this area would make sense for a round-about. Charlie Schmehl stated that one of the advantages of roundabouts is that they reduce the number of higher speed injury crashes. Mark Leuthe stated that he would propose the same type of development on the property across Route 145 as well. Mark Leuthe doesn't want to overdue the commercial, he would prefer to do 10% commercial and 90% residential because there will also be commercial on the property across the street.

Charlie Schmehl stated that we could create a new zoning district; which would provide flexibility in the boundary with the placement of the commercial but with a limited amount. We would come up with a list of allowed uses such as fast-food restaurants, no car lots or vehicle repair shops and allowing the mix of housing types. Mike Muffley stated that we could do the TND overlay. Charlie Schmehl will take the comments from tonight and bring ideas back to the Committee for review.

## ZONING ORDINANCE REVIEW

Charlie Schmehl stated that as a follow up from last meeting; he looked into adding commercial zoning along Route 248 in the southeastern part of the Township in the Pennsville area, he could not find any good sites.

There were questions on what we could do with the property on Cherryville Road, the Gourmet Chalet property (an arial photo was provided), west of the PRRC district. The west side of Cherryville Road is zoned as A/RR, do we want to extend the PRRC zone or keep it as A/RR. Dave Shulman stated that the restaurant previously received a variance for a personal care facility (in the current zoning it is a special exception). Charlie Schmehl stated that maybe the property is not practical for new uses; we were proposing to remove restaurants from the A/RR as a special exception use.

Bill Hart had sent out an email providing the history of the PRRC zone in regards to requiring a perimeter setback from the PRRC to the four properties in the Heather Court area. Charlie Schmehl stated that we could make a minor change in the Ordinance and add a 50-foot building setback from an existing single family detached lot that is abutting. Bill Hart stated that it was discussed with Mr. Jaendl that he would put in a berm and trees; however, the berm wouldn't help because these properties are higher and would look down on the rooftops. Does anyone have a list of any of the promises and have they been documented? Cindy Miller stated that potential changes to the plan (parking, hotel, swimming pool) were brought to the one of the last BOS meetings; changes to the plan are still being worked on. Dave Shulman thought that there was an agreement made that it would be a 100-foot setback plus a berm. If the 100-foot setback and the berm is satisfactory to the neighbors then we should make that change. Charlie Schmehl will make the change.

## ZONING ORDINANCE AND SALDO UPDATES

Charlie Schmehl stated that we got through the zoning districts last month, the revisions will be provided to the Committee shortly. There were no additional questions on the zoning districts.

Charlie Schmehl provided the Committee with draft changes to Article III, General Regulations. He provided a brief overview; the Committee should review for next meeting and provide any comments. Proposed changes are as follows:

#### Section 180-25, Accessory uses and structures

- A., Alternate energy systems. Wind turbine, maximum height of 200 feet, 10 acres on an agriculture property. The setback has to be twice the height from a dwelling.
- B., Satellite dish antennas, 3 feet or less in diameter that are used to receive television or other electronic signals are not regulated by this Ordinance.
- C., Swimming pools, the Uniform Construction Code regulates any swimming pool capable of holding more than 24 inches of water; as part of the permit process the applicant shall provide compliance with the UCC Code.
- F., Electric vehicle recharging, no more than 3 vehicle recharging stations that are open to the public shall be allowed in the A/RR or VR district.

#### Section 180-26, Commercial forestry

- A buffer along streets and a neighbor's property cannot be required.
- Clear cutting can be limited to a certain extent.

#### Section 180-30, Erection of more than one principal use per lot

- More than one principal use may be permitted on a single lot within a commercial or industrial zone.

#### Section 180-31, Flag lots

- C., Removal of the maximum width of 32 feet should be struck. Discussion included leaving it as currently written and/ or having a maximum width of 32 feet at the right-of-way only.

#### Section 180-35, Minimum habitable floor area

- The proposed change that each dwelling unit shall include a minimum of 500 square feet of habitable indoor heated floor area, not including vehicle garages. The 500 will be struck and changed to 750.

Section 180-36, Manufactured/mobile homes

- B. Added reference to the UCC code, the standards of the manufacturer and applicable State regulations.

Section 180-37, Off-street parking and loading

- Standards will be looked at and updates will be provided.
- Suggestion to consider pedestrian friendly parking lots.
- Pg. 114, (7)(b), Remove “lease restriction, or plan amendment (whichever method is applicable).”
- Pg. 115, Add maximum lighting spillover onto a residential property, such as 0.5 footcandle. This should also be added for sign spillover.
- Proposed language for sign lighting: cannot be more than 0.3 footcandles above the ambient light.
- Pg. 121, Nonconforming signs, proposed to eliminate E.(1) and E.(2) and add: “A lawful non-conforming sign may be replaced with a new sign, provided the new sign is not more non-conforming in any manner than the previous sign”.
- Charlie Schmehl will look at the billboard regulations. We do not have to allow the large billboards; we do have to allow a maximum 300 square foot billboard. Vehicle (such as tractor trailer body) used primarily as a sign can be prohibited.
- Noise regulations should be limited to recurring land uses.

Charlie Schmehl stated that he will provide new sections for review at next month’s meeting and text to address the issue on Birch Drive.

Cindy Miller questioned if we can add aesthetic requirements depending on the area. Charlie Schmehl stated that we are limited; however, we can require them to submit architectural plans early in the planning process. Landscaping is key and makes a difference in appearance. Katherine Mack suggested that the developer incorporate these types of items in the deed restrictions; however, deed restrictions are not enforceable by the Township.

Katherine Mack stated that we need to add to the accessory structure that tractor trailer bodies are prohibited. Liz Amato stated that we added language to the accessory structure definition. Charlie Schmehl will make sure that the language has been added to the definition.

The next meeting will be held on Wednesday, March 27, 2024, at 6:00 pm.

Cindy Miller made a motion to adjourn. Bill Jones seconded the motion. All voted aye. Motion carried.