

I. OPENING

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Announcement of Executive Session (if applicable)

**Meeting location will be Saucon
Valley High School Cafeteria for
this meeting ONLY**

II. PUBLIC COMMENT PROCEDURE

III. PRESENTATIONS/HEARINGS

- A. Continuation of Public Hearing – Applebutter Road Zoning Map & Text Amendment – Draft Ordinance No. 2013-04

IV. DEVELOPER ITEMS – None

V. TOWNSHIP BUSINESS ITEMS

- A. Resolution #66-2013 – Municipal Curative Amendment to the Township Zoning Ordinance

VI. MISCELLANEOUS BUSINESS ITEMS – None

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

VIII. COUNCIL & STAFF REPORTS

- A. Township Manager
- B. Council
- C. Solicitor
- D. Engineer
- E. Planner

IX. ADJOURNMENT

Next Council Meeting: October 16, 2013
Next Planning Commission Meeting: October 24, 2013
Next Zoning Hearing Board Meeting: October 21, 2013
Next Saucon Rail Trail Oversight Commission Meeting: October 28, 2013 @ Coopersburg Borough
Next Park & Rec Meeting: November 4, 2013
Next EAC Meeting: November 12, 2013
Next Saucon Valley Partnership Meeting: November 13, 2013 @ SVSD

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I. OPENING

CALL TO ORDER: The continued Public Hearing for Ordinance No. 2013-04 of Lower Saucon Township Council was called to order on Wednesday, October 9, 2013 at 7:00 P.M., at the Saucon Valley School District, 2097 Polk Valley Road, Hellertown, PA in the cafeteria, with Mr. Tom Maxfield presiding. Mr. Maxfield called the meeting of Lower Saucon Township Council public hearing of October 9, 2013 to order.

ROLL CALL: Present: Tom Maxfield, Vice President; Dave Willard, Priscilla deLeon and Ron Horiszny, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Manager; Linc Treadwell, Township Solicitor. Absent: Glenn Kern, President.

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Maxfield said Council did not meet in Executive Session between the last meeting and this meeting.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Maxfield said he would like to state that the public comment procedure is outlined back there on the board. Last time at the public hearing he read it, and he'd rather not read it again, so it's there for anyone to read if they would like.

Mr. Maxfield said Resolution #66-2013 which is on the agenda for consideration tonight, the Municipal Curative Amendment to the Township Zoning Ordinance has been removed from the agenda.

III. PRESENTATIONS/HEARINGS

A. PUBLIC HEARING CONTINUATION – APPLEBUTTER ROAD ZONING MAP & TEXT AMENDMENT – DRAFT ORDINANCE NO. 2013-04

MOTION BY: Mrs. deLeon made a motion to re-open the public hearing regarding Ordinance No. 2013-04.
SECOND BY: Mr. Willard
ROLL CALL: 4-0 (Mr. Kern – absent)

Mr. Maxfield said before we start, he will turn this over to our Solicitor to basically explain what we're considering tonight in the order of somewhat what we heard when we started this process a year ago.

Attorney Treadwell said when he explained it to the P/C? Mr. Maxfield said yes. Attorney Treadwell said at the last meeting on the 25th, the first time we had this discussion about the zoning ordinance amendments, he explained the map changes and the text changes that are being considered by Council and are the subject of this public hearing. There is a difference between a zoning map and a zoning text change and the approval of any type of specific use. These amendments that are being considered and discussed and that are the subject of the public hearing involve big picture zoning issues. The main one of those being what zoning designation will the properties that you see on the map and are part of the proposed amendment, what will the zoning designation of those properties be. The proposed amendments that are being considered would change a lot of the properties that you see there to the LI zoning district. The LI zoning district allows a number of different industrial uses, so the purpose of the hearing and the purpose of the

amendments would be to revise the map and some of the regulations that go along with all of those industrial uses, not any one specific use and that's what these hearings are about and that's what he would recommend that Council consider if you advertise these changes for adoption and that you look at the bigger zoning and planning issues and not the issues that are pertinent to any one specific use. These are bigger picture issues and you really need to take a step back from the consideration of the harms and benefits or pros and cons of any specific use and look at the larger zoning and planning issues and use that when you are considering and discussing these amendments and their possible adoption.

Mr. Maxfield said at this point, since we are going to have multiple speakers tonight, we have a list of new speakers plus we have speakers who were signed up last time who did not get to speak. He would like to ask our Transcriptionist to swear in everybody. Last time we did a mass swearing in and we are going to try that again. That would even be somebody who is yielding their time to someone else, please take the oath.

Ms. Suzanne Toto, Transcriptionist swore everyone in.

Mrs. deLeon asked the Solicitor to go over the review letters because there are people here this evening who weren't at the last meeting. Mr. Maxfield said they are already on the record for the hearing. Mrs. deLeon said would it hurt to go over them again for the benefit of the new people. Attorney Treadwell said he doesn't have them in front of him, so he'll go from memory. He did describe them all at the last public hearing and he doesn't want to contradict anything he said at the last hearing, but there were, and again he's going from memory, there's a letter from the Township P/C, there's a letter from the EAC, there's a letter from the City of Bethlehem and there's a letter from the LVPC. In reverse order, the LVPC had some issues with the proposed amendments and were basically stating that they recommend that the Township not enact the amendments. The Township P/C recommended that the amendments be adopted. The City of Bethlehem and he's summarizing, said if the Township does adopt the amendments, there is some traffic and other concerns they have and the EAC recommended that the environmental damage to the area within the proposed LI zone will be greater in the area than if the zoning is not changed. They didn't make a specific recommendation on the amendments; they just had an opinion on the environmental effects.

Mr. Maxfield said he'd like to address the speakers who are signed up from last time and when he gets to the last one, he will make sure that no one was overlooked, then he will proceed to the speakers who were signed up for this evening. The first person he has on his list is Barbara Grophic.

The following persons provided testimony on the Applebutter Road Zoning Map and Text Amendment (detailed testimony will be available in the transcript when completed):

Bob Wells, Gene Medei Stacy Mesczenski, Veronica Oswald, Stephanie Brown, Doreen Shosh, Dave Horvath, Robert Walters, Ken Bloss, David Buzzell, Kent Weaver, Sandra McClaskie, Huhn Dugan, Matt McClarin, Ray O'Donnell, Jr.

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Ms. Stephanie Brown had questions about the work that was done on Meadows Road by the creek bed. She saw it for the first time. She asked who did the engineering? How was that whole thing done? Did some of that come when the study was done by Lehigh County Conservation District? How was what engineered and the work done, was the bridge taken into consideration? Mr. Cahalan said we don't have the engineer here tonight, so we can't answer any of those questions. He doesn't know how to answer other than HEA and the scientists on their staff put together than plan that had to be submitted to the state to DEP where you get a permit, and that's what took most of the time. It has to be approved by Fish & Game, so it went through all the various approvals to

undertake the work. Mr. Maxfield our engineer would be the one to answer those questions. Ms. Brown said she gets a little confused down there on what responsibility for the land, the stream bed is the Township's and what belongs to the County. She made a phone call a month ago and talked to Mr. Stoffa and there were concerns she had with the bridge on information she had on debris floating down during a storm and hitting the bridge from a property off of Old Mill Road. She was wondering has the county and the township talked recently about the bridge? Mr. Cahalan said you should contact Tom Kahler, who is the County Bridge Supervisor. Ms. Brown said so that's a no, okay. She already spoke with Mr. Stoffa and he said he'd get back to her and she's still waiting to hear from him.

- Ms. Donna Louder said she got some emails regarding Form Q. She knows the Landfill submitted them and what they basically want to do is get a by-product from the sewage treatment plant and mix it with dirt and spread it across the top of the landfill for cover. She doesn't know if you are aware of that. There's a lot going on. Mr. Cahalan said it's been distributed and reviewed by your committee and the consultants. They'll have a report to bring back to Council about their review.

Mrs. deLeon said she has the letter here and to make the public and the Council aware, she doesn't know what glass cullet is, but she will be finding out. In landfill construction applications and the alternative daily cover, she only got part 1 of the submission. It's composted municipal sewage dredge material, co ash as possible daily material. She asked when the review period was. Mr. Cahalan said Jim Birdsall is checking that with DEP. Mrs. deLeon said we have a council meeting on October 16th, and then if we need to be able to provide comment to DEP we may have to do it at our budget meeting on October 23rd. Mr. Cahalan said he's sure he can ask for an extension. Mrs. deLeon said they didn't give us a disk. Mr. Cahalan said we're checking with IESI. This came from their engineer's office. Mr. Horiszny said glass cullet is little chips of glass probably from bottles. They tumble them to take off the sharp edges. It's used in paving, but how it's used in the landfill is going to be interesting to see. Mrs. deLeon googled it but didn't have time to read everything.

VIII. COUNCIL & STAFF REPORTS

A. TOWNSHIP MANAGER

None

B. COUNCIL

Mrs. deLeon

Mrs. deLeon said she was going to bring up what Ms. Louder brought up.

Mr. Horiszny

None

Mr. Willard

Mr. Willard said it's mostly for the council. The list that was handed over and was the base for the emails they received and he brought it to Sam's attention they were getting multiple emails from the same residents. Just for our convenience as a Council, and the message is the same, and yes on every one, he asked IESI to present the database to present the list so we don't have to open all those emails. He would ask that the Township track for residency if it's possible. He doesn't know if the addresses are in the databases or not. Mr. Cahalan said they can check the zip code. Mr. Willard said he thinks most of them are going to be Township residents. We have to know that in the petition database. Mrs. deLeon said you really can't go by zip code as Hellertown is 18055 and she lives in Steel City and it's 18015. There's Bethlehem that is 18015 also. Mr. Cahalan said if it's not 18055 or 18015 we know it's not in LST or Hellertown. Mr. Willard said they were very forthcoming in giving us this information and if there's more information in their database that we need to determine residency, he's sure they would bring it forward. Mr. Maxfield said we haven't

Public Hearing (cont.)
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asked to do that sort of investigation with any of the other petitions we received. He's not against it, but if we do it to one, we should do it to all. Mr. Willard said he agrees.

Mr. Maxfield – No report

Mr. Kern – Absent

B. SOLICITOR – No report

C. ENGINEER – No report

D. PLANNER – No report

V. ADJOURNMENT

MOTION BY: Mr. Horiszny moved for adjournment. The time was 8:28 p.m.

SECOND BY: Mr. Willard

Mr. Maxfield asked if anyone had any questions? No one raised their hand.

ROLL CALL: 4-0 (Mr. Kern - Absent)

Submitted by:

Jack Cahalan
Township Manager

Tom Maxfield
Vice President of Council