

I. OPENING

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

II. PRESENTATIONS/HEARINGS

- A. Final Report by Economic Development Task Force

III. DEVELOPER ITEMS

IV. TOWNSHIP BUSINESS ITEMS

- A. Zoning Hearing Board Variance – Regina Du & Kun Lam – 1953 Leithsville Road – Variance from Lot Width & Coverage Requirements
- B. Polk Valley Park Pavilion Discussion
- C. Service Electric Cable TV – Veteran & Sr. Citizen Discount

V. MISCELLANEOUS BUSINESS ITEMS

- A. Approval of October 1, 2014 Minutes
- B. Approval of September 2014 Financials

VI. PUBLIC COMMENT ON NON-AGENDA ITEMS

VII. COUNCIL & STAFF REPORTS

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

VIII. ADJOURNMENT

Next Zoning Hearing Board Meeting: October 20, 2014
Next Council Meeting: October 22, 2014
Next Planning Commission Meeting: October 23, 2014
Next Saucon Rail Trail Oversight Commission Meeting: October 27, 2014 @ LST
Next Park & Rec Meeting: November 3, 2014
Next EAC Meeting: November 11, 2014
Next Saucon Valley Partnership: November 12, 2014 @ LST

I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, October 15, 2014 at 7:03 P.M., at Lower Saucon Township, 3700 Old Philadelphia Pike, Bethlehem, PA with Mr. Ron Horiszny, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Horiszny said Council did meet in Executive Session this evening to discuss wage negotiations.
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PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Horiszny said if you are on the agenda, you have Council and Staff's undivided attention. If you do choose to speak, we ask that you use one of the microphones. He asks that you give your fellow public the courtesy of the floor. We ask that you state your name for the record so the transcriptionist knows who is speaking in the minutes. If you are up at the table, please speak into the microphone. We had some interest in the PennEast Pipeline and Mr. Maxfield will cover that subject according to the EAC meeting in his report later.

II. PRESENTATIONS/HEARINGS

A. FINAL REPORT BY ECONOMIC DEVELOPMENT TASK FORCE

Mr. Horiszny said the Economic Development Task Force has completed its nine month assignment and representatives from the group are here tonight to present their final report.

Mr. Willard said this has been a nine-month process with some very dedicated residents and experts from our Township. Three people from the Task Force will present the report – Stephanie Weitzman, President of Hellertown-Lower Saucon Chamber of Commerce; Mark Ironside, Executive Director of Business Services at Lehigh University; and Mike Lieberman, 1775 Old Mill Road, a taxpayer, and is in Marketing and Land Development. They all said they appreciated the leadership of Dave Willard, Judy Stern Goldstein, Jack Cahalan and the team for the last nine months.

Mr. Lieberman said economic to him means tax revenue. Their job led by Council was to manage natural growth in a thoughtful and reasonable way. Council should provide guidance and support with legal and appropriate commerce and growth. They are here this evening to answer any questions.

Ms. Weitzman said the introduction is very simply just what you have already established, which is the Task Force. Ms. Weitzman reviewed a PowerPoint presentation. She went over the Plan Development which included data collection, zoning and land use inventory and analysis; demographics; the projects of regional significance; vision statement; and goals and objectives.

Mr. Ironside said after looking at demographics information and touring the Township, they developed appreciation for the variety and the beauty of the Township. The Vision Statement they developed was "Lower Saucon Township will support existing businesses and institutions while developing future opportunities through managed growth that reflects the Township's heritage".

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They thought it was important to focus on what businesses and organizations we have. How can we grow and develop them. The second part is managed growth which is smart growth. The last point is heritage, a wonderful place to live and work and how to preserve that going forward.

Mr. Ironside said there were four goals developed, which were promote economic development growth; explore potential uses/adaptive reuse for existing underutilized parcels within the Township; promote and encourage the creation of new ventures that attract high wage, future-oriented businesses; and maintain and enhance the quality of life in LST. He reviewed each goal.

Mr. Ironside said after the goals, they needed an action plan to move forward. In the report you'll see the four goals and the objectives that support those as well as the tasks, timeline and responsible party. He went over the action plan and the objectives that support those tasks. They had the LVEDC and the Chamber of Commerce partner with them and they made it clear that LST is moving forward. Regarding the timeframe, there are a number of ongoing issues already in the Township which should continue. The short-term tasks they would focus on the first year; mid-term in the one to three year timeframe; and long-term in the next five to ten years.

Mr. Lieberman reviewed the conclusions. He said what is not stated here is that they hope their recommendations are well received. They worked hard on those and hope Council will take some guidance and adopt all or part of this plan and begin to implement. The tasks in Phase 1 are at little or no cost to the Township. They are re-examining zoning districts, rezoning of those districts to identify permitted uses in those areas and other dimensional requirements for various parcels in the Township.

Mr. Lieberman said it should be noted that the Applebutter Road redevelopment was brought to them. When discussed further and to see what the vote was about rezoning, it was unanimous. They want Council to understand from this body, they felt that was a priority to bring to your attention. Mrs. deLeon asked if that was unanimous at the meeting? Mr. Lieberman said yes, it was a large group of people. They hope as time permits and Council votes, some of these considerations can be acted upon soon.

Ms. Karen Beyer, Task Force Member, said she wants to make sure the record was clear. When they took that vote for the rezoning, if there was a member or two absent, that was the maximum number absent that day. It was a heavily attended meeting and it was clear what their motivation was which was to send a message to Council that this is an issue that sat for several years now, and the residents and members of the Task Force would like it to move forward.

Mr. Joe Graziano, Task Force Member, said one of the other considerations they had regarding the Applebutter Road expansion was that they have a full Council when that goes to vote.

Mr. Sam Donato, Task Force Member, said the surprising thing was they had a group of residents who put a great amount of time and effort into this program because they wanted to make sure their Township could improve; and at the same time, protect the heritage of the Township, which was the key focus as they drove through managed growth.

Mr. Willard thanked the group for participating. It's one of the responsibilities of government as there are so many opportunities. If the Council approves going forward, this is a step-by-step approach and priority task could be accomplished in the next six months to a year, then have another assessment to see if it's worth going forward from there. They have the support from the LVDEC and Northampton County.

Council thanked the group for their participation. Mr. Maxfield said we are an example for many municipalities. These things can occur, but the balance is critical. He doesn't want to lose major parts of the Township like we were 15 years ago because we weren't ready for it. We didn't have an overall plan and know the consequences of what we were deciding.

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Mr. Willard said he thinks the vision statement is very well crafted and clear. We aren't trying to be something we aren't. We aren't trying to change what we've already built. We are trying to capitalize on opportunities before us. At their last meeting, everyone on the Task Force said they would continue with this process in some manner.

Mr. Matt McClarin, resident, said he attended the last Economic Development Task Force meeting. They talked about branding some of the Township and what our brand would be for this Township. If you ask 99.9% of the people in the Township if they enjoy where they live, he'd guarantee everyone would raise their hand. There's been two major rezoning proposals in the Township; one was Phoebe and one was the landfill. We have thousands of residents in opposition to both. He firmly believes you need to take into consideration regular residents that believe their quality of life is more important than knocking a half of mill off their taxes. Lehigh Township operates on a budget of \$3 million or less.

Mr. Gene Boyer, 2161 Saucon Avenue, said regarding the Vision Statement that Mr. Ironside quoted, the third thing that he explained was quality of life and he'd like to know who is going to define what the quality of life is? The Township has a real concern about open space. He's concerned about the health consciousness that you put new businesses in and the beauty of the Township. If you look at the industrial parks, some are done very nice.

Ms. Heather Pekorek, 2180 Mixsell Avenue, said with the rezoning and quality of life, you step outside of our doors, the odor is horrible. If this keeps going, she's going to pack her bags and leave. She didn't move here to have to worry about this. She moved out of the city to where there was open space.

Mrs. deLeon said she dislikes the comment about the rezoning from the Task Force. You would be the first ones here complaining if they were to change the zoning on your property to put in a landfill. Mrs. deLeon said do you know where the natural areas are that the LVPC pointed out. Part of the land they want to expand to has natural resources. Mr. Joe Graziano said he agrees with Mrs. deLeon. He's not going to change where he lives to experience it, but it's an existing landfill that's expanding, he wouldn't consider those natural areas where he would go to a playground or go hunting as there's been a landfill there. Mr. Graziano said his concept of quality of life is balancing all of it.

Mr. Maxfield said with all due respect to the LVPC, they provided us with a natural features map of areas that are considered by them to be natural resources; and they actually have the existing landfill marked as an area of high priority for conservation. He doesn't put too much stock in that. Mr. Graziano said there are opportunities as well for future use and re-use and re-development of properties such as landfills in various ways. Mr. Maxfield said we have a south facing slope at the landfill. We just have to think creatively.

Mr. Cahalan said the Council will review the report in-depth. They are putting the 2015 budget together and trying to make some guesstimates about work that you may direct the staff or consultants to do. The next step would be up to the Council.

III. DEVELOPER ITEMS – None

IV. TOWNSHIP BUSINESS ITEMS

A. ZONING HEARING BOARD VARIANCE – REGINA DU & KUN LAM – 1953 LEITHSVILLE ROAD – VARIANCE FROM LOT WIDTH AND COVERAGE REQUIREMENTS (7:46 pm)

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Mr. Horiszny said the applicant is seeking zoning relief to subdivide an existing residential lot. The proposed subdivision does not meet minimum lot width or maximum impervious surface requirements.

Erich Schock, Attorney and Terry DeGroot, Engineer were present. Mr. Schock said they are seeking two variances; one dealing with street frontage and the other impervious coverage based on how their subdivision work as two residential lots.

Mr. DeGroot reviewed plans for the lot. They have 12.3 acres on the property. The owner would like to build a house in the area where the clearing is. To do so, they'd like to subdivide the property. They performed site capacity calculations for the property and ended up with a net total buildable site area of 3.5 acres for the entire property. The existing impervious coverage of the house, barn and driveway actually exceeds by a tenth of a percent. They are asking for a variance to allow 50' of frontage for the second lot.

Mrs. deLeon asked what the current zoning is? Mr. Schock said 40,000 as it's less than an acre. Mr. Maxfield said they are pretty tight on the impervious coverage. Mr. Schock said yes, it's a very high number and explained the current impervious coverage and that it exceeds the allowable by .1% for the entire property. Mr. Maxfield said if we were to allow a subdivision of these lots and creating a lot with 63% impervious, is that creating a non-conformity? Attorney Treadwell said it's clearly a non-conformity because it's over and above what your normal regulation would require; however, if the release is obtained from the ZHB, then it's a permitted non-conformity. Mr. Maxfield said if you are looking to put a shared access, why bother with the flag lot and why not subdivide off the property in the back? Mr. Schock said the ordinance requires all properties have frontage along the road.

Mr. Horiszny said what would prevent you from making the lot, house and barn, longer and deeper to get within the impervious coverage? Mr. Schock said it's impossible as the existing impervious surface there now is already over what's allowed for the 12.3 acres.

Mr. Maxfield said you need a variance to create an isolated lot, like a land-locked parcel. Would it be your preference to have a flag lot created rather than a land-locked parcel? Ms. Stern Goldstein said most definitely because a flag lot would still have frontage on a public street, and a land-locked lot would not and that would be quite problematic in the future when landowners don't agree where that easement is for the driveway. There was further discussion regarding the non-conformity and further subdivision of the property. Ms. Stern-Goldstein said however with the impervious being maxed already under current ordinance, they would not be permitted to subdivide again, although they could go to the ZHB. Mr. Maxfield said it wouldn't hurt them, but suggest to the ZHB that be a condition that would be acceptable to apply to the variance? Attorney Treadwell said since the subdivision will come before Council and since subdivision is a Council issue as opposed to a ZHB issue you would be better served by making it a condition of the subdivision than the zoning ruling. Attorney Treadwell asked if the applicant would be willing to put a note on the plan that no further subdivision of Lot B be allowed. The applicant said they would be fine with that.

Attorney Treadwell said the other issue with trying to put a driveway or road on that 50' flag is that's a PennDOT road so you need a PennDOT highway occupancy permit which he doesn't think you are going to get because of the location. Mrs. deLeon asked about notification to the property owners that they are at their maximum with coverage? Attorney Treadwell said the subdivision plan will note the amount of impervious that has been allocated.

Mr. Schock said that would be documented on the subdivision plan and it's the intention to hold both lots at this time. At that time, the buyer would be made aware of the property. It will be noted on the subdivision plan as well. The owner of that lot does have the option of reducing some

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of the impervious surface behind the barn. If they wanted to put in a patio or small pool, they could reduce that area further in the back on Lot A. Mrs. deLeon said she thought he said they couldn't do that. Mr. Schock said what they are proposing is some reduction of 2700', that's a large parking area behind the barn to help offset the impervious surface. The future owner of the lot could do the same thing by trading off the remaining impervious surface behind the barn for other uses. Mr. Maxfield said it looks like plenty of impervious behind the barn. He really appreciates their willingness to agree to a condition like that. With the agreement of a condition like that, he'd almost want to support that application.

MOTION BY: Mr. Maxfield moved to support the application, with the condition that there would be no further subdivision of Lot B.

Mr. Willard said he understands what you are trying to achieve and it seems quite reasonable but he would feel more comfortable with take no action. Mr. Maxfield said his support is based on the fact that we usually don't ask for the imposition of any kind of condition without support. Mrs. deLeon said technically, we're going to the ZHB with no action. Attorney Treadwell said the motion was support. Mr. Maxfield said he likes the fact they agreed to the condition.

SECOND BY: Mr. Horiszny

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

ROLL CALL: 4-0 (Absent – Mr. Kern)

B. POLK VALLEY PARK PAVILION DISCUSSION (8:05 pm)

Mr. Horiszny said the Manager will make final recommendations for the construction of the pavilion at Polk Valley Park.

Mr. Cahalan said the playground structures have been put in place. PW has done an excellent job with the grading of those three areas and encircled it with a barrier and rubberized mulch has been put down. The second part of it was the pavilion which they have been trying to complete this year and they came to Council indicating they were running into a problem before it was a three-step process: put down a concrete pad, buy the pavilion structure, then erect the pavilion structure. PW was able to do that at Kingston Park. This was bigger and PW indicated they could not do the concrete pad so we were left putting it out to bid. The lowest bid was \$71,782.00 and staff recommended that be rejected as it exceeded the amount budgeted. Since that time, there were discussions with Roger and PW who took another look it and realized that PW could do the concrete pad installation for no more than \$10,000.00. The cost of the pavilion for Polk Valley Park would be \$35,750.00. This is budgeted in the 2014 budget with funds received from Northampton County in a grant. He'd like to give the go-ahead to PW to order the pavilion and proceed with the concrete work.

MOTION BY: Mr. Willard moved for approval to purchase the pavilion for Polk Valley Park at a price of \$35,750.00 along with the concrete work for \$10,000.00. Total price would be \$45,750.00.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Absent – Mr. Kern)

C. SERVICE ELECTRIC CABLE TV – VETERAN & SR. CITIZEN DISCOUNT (8:10 pm)

Mr. Cahalan said SECTV is requesting Council approval to offer a discount in cable rates to Township residents who qualify as veterans or low-income seniors. This needs to be approved by Council and doesn't cost the Township any money. The discount is \$2.00 off the life-line cable rate or \$4.00 off the full channel cable rate for residents who qualify. Mrs. deLeon said isn't this going to affect us with that percentage as it's going to be less money? Mr. Cahalan said no, it won't affect the payment they are making. Attorney Treadwell said the franchise fee is the percentage of the cable service revenues, so if 100 people get the \$2.00 discount, your revenues will go down by \$200.00. Your percentage is 3% now, and 3% of \$200.00 would make it go down

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by \$6.00. Mrs. deLeon said we should ask them. Attorney Treadwell said each individual has to apply for this each year and send it to SECTV to qualify. Mr. Cahalan said we'll find out.

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF OCTOBER 1, 2014 MINUTES (8:14 pm)

Mr. Horiszny said the minutes of the October 1st Council meeting have been prepared and are ready for Council's approval.

Mr. Willard said page 4, on line 21, the motion says Seidersville basin, change it to "basement". Line 44, change the word "request" to "requesting".

MOTION BY: Mr. Willard moved for approval of the October 1, 2014 minutes, with corrections.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 3-1 (No – Mrs. deLeon; Absent – Mr. Kern)

B. APPROVAL OF SEPTEMBER 2014 FINANCIALS (8:15 pm)

Mr. Horiszny said the September 2014 financial report has been prepared and is ready for Council's approval.

Mr. Horiszny said page 10, 69876 and 69877, they are both for the PD Pension Fund, one is MMO and one is contribution. Mr. Cahalan said that comes in one payment and Cathy has to split that between the two pension funds. Mr. Willard said a couple of the larger funds, most are kept in a money market, but there are references to CD's as well. He's wondering if we have a policy or how that split is made. Mr. Cahalan said she tries to keep a portion that she estimates of what the Open Space Committee might recommend during the year in liquid form and the CD would be locked up.

MOTION BY: Mr. Maxfield moved for approval of the September 2014 financial report.

SECOND BY: Mrs. deLeon

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

ROLL CALL: 4-0 (Absent – Mr. Kern)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS (8:18 pm) – None

VII. COUNCIL & STAFF REPORTS

B. COUNCIL/JR. COUNCIL

Mr. Maxfield

➤ He said last night at EAC they went over information they had for the proposed PennEast Pipeline. They realized along with the audience members that most of the information they have, may or may not be reliable. The goal was to request that Council try to set up a meeting with Staff and Council similar to the DEP meeting that we had with representatives from PennEast Pipeline. The reason he proposed that was because in the news it's been reported that PennEast has been cancelling public meetings. They are getting tired of getting yelled at. If we try to have a constructive smaller meeting, we might get some more information. EAC member, Allan Johnson, put together a list of information to be distributed to Council members and to ask that Linc look at it. He explained the route of the pipeline and one of the really bad impacts is the Pichel Farm, which we should try to do something about. He'd like to make a motion that the staff attempt to set up a meeting with PennEast Pipeline representatives we can begin to get some real information. He promised the people that attended the EAC meeting, that we keep in touch with them and give them all the information we have.

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MOTION BY: Mr. Maxfield moved for approval that the Staff attempt to score us a meeting with PennEast Pipeline representatives with Staff and Council representatives so we can begin to get some real information.

Mrs. deLeon said she attended the Williams Township meeting last Tuesday when a good portion of their meeting was with PennEast. PennEast gave a 15-minute presentation which is on the Williams Township website, followed by a 45-minute comment and question period. She walked out with Alisa Harris from PennEast and asked for a map which was sent to her and it was circulated to the Township. She asked Ms. Harris to come to a meeting, so she'd like to change Tom's motion to a meeting where residents can come and don't give them an option for a private meeting. Ms. Harris said she would work on a Power Point presentation for LST's specific information. Mr. Maxfield said he won't change his motion as it has been publicized that they have been cancelling public meetings. They already had some scheduled and they are cancelled. He wants to meet with them and sit down and ask them pertinent questions. He said Mrs. deLeon may be talking to one representative but there was a leaked email from someone that said they were going to be cancelling meetings because a lot of the same public was showing up and they were getting tired of being yelled at. He doesn't want to invite them to what they may perceive as a circus. Mrs. deLeon said at the Williams Township meeting, everyone was professional and Alisa gave the presentation and told Mrs. deLeon that they are going to be doing open house meetings. She will support a motion to first invite them to a public meeting. Mr. Maxfield said that cannot be the first thing we do. Mr. Horiszny said why can't we ask them for an either or. Mr. Maxfield said we could, but we've invited DEP here for small meetings and we finally got down to some core issues that weren't handled at other times. We got some real straight-forward information, no one yelled and no one made a scene. He is opposed to this thing turning into some type of hysteria. He wants good, truthful information we can rely on. Mr. Willard said if it's a private meeting, the only thing we can do is pass the information on to our residents. Is there any benefit to LST to have this pipeline coming through? We may not be able to do a thing. Mr. Maxfield said there isn't any benefit. He believes it's coming. We should be able to work with these people and guide them away from areas that they shouldn't be in. The hysteria factor bothers him as he heard some tonight. He wants to stay away from that. Mrs. deLeon said how are we going to tell the ten property owners the details.

SECOND BY: Mr. Horiszny
Andrea Danner, Peach Tree Lane said why can't we request two meetings from them? Ms. Danner said one for the Council, then one for the public. She would like to see the presentation. Mr. Horiszny said there are a number of open houses being scheduled.

ROLL CALL:

MOTION BY: Mr. Maxfield moved for approval to reach out to PennEast Pipeline to request first a small meeting with Staff and Council, and then a larger public meeting to address the issues that have been brought up about PennEast Pipeline going through LST.

Alan Johnson said he attended a two informative meetings and some of the meetings did get a little emotional. There's a big meeting on October 20th at Northampton Community College.

SECOND BY: Mr. Horiszny

ROLL CALL: 4-0 (Absent – Glenn Kern)

A. TOWNSHIP MANAGER

➤ Mr. Cahalan said he has a recommendation from the Parks & Recreation Board for an event held by Cub Pack 319 here at Town Hall Park. It's the Cub Car Rally and it's on a Sunday, November 9, 2014. There have been no issues and it's been reviewed with the PD and the Fire Marshal. There will be adult supervision throughout the event and they clean up after the event.

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MOTION BY: Mr. Maxfield moved for approval to let Cub Pack 319 hold its Cub Car Rally at Town Hall Park on Sunday, November 9, 2014.

SECOND BY: Mrs. deLeon

ROLL CALL: 4-0 (Absent – Glenn Kern)

- The Halloween Parade is this Sunday, October 19th. They will have a vehicle for the Council President and Mayor and a truck for the other Council members.

B. COUNCIL/JR. COUNCIL

Mr. Maxfield:

- He said we have the prescription drug collection box in the foyer of the PD, 365 days a year, 24 hours a day. Please use the box instead of flushing it down your toilet.

Matt Smith, Jr. Council – No report

Mrs. deLeon – No report

Mr. Kern – Absent

Mr. Willard

- He wanted to thank Jack and Judy for their strong support on the Task Force.

Mr. Horiszny

- He said he received a congratulations letter from Wildlands on our Woodland Hills purchase.
- There was a letter from Green Gables that praised our Zoning people and thanked them for their help as well as the staff.
- He wondered if we should do a letter thanking PennDOT for their performance on 378 re-paving and the TWIDDLE lanes.

C. SOLICITOR – No report

D. PLANNER – No report

E. ENGINEER – No report

VIII. ADJOURNMENT

MOTION BY: Mr. Willard moved for adjournment. The time was 8:44 pm.

SECOND BY: Mr. Maxfield

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

ROLL CALL: 4-0 (Absent – Mr. Kern)

Submitted by:

Jack Cahalan
Township Manager

Ron Horiszny
Council President