

LEHIGH TOWNSHIP AD HOC COMMITTEE

Minutes of March 27, 2024

Present: Bill Hart
Bill Jones
Katherine Mack
Todd Rousenberger
David Shulman
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: Cindy Miller

READING OF THE MINUTES

Bill Hart made a motion to waive the reading of the minutes and approve the minutes from the February 28, 2024, Ad Hoc meeting. Bill Jones seconded the motion. Bill Hart, Bill Jones, Katherine Mack, Todd Rousenberger and Kristin Soldridge voted aye. Dave Shulman voted nay. Motion carried.

Charlie Schmehl stated that a letter dated February 12, 2024, has been received from Max Cerciello, owner of 4390 Lehigh Drive, Walnutport, requesting that his property not be changed to neighborhood commercial. The property is currently being utilized for auto sales and he feels that changing it from general commercial would lower the value of the property. Dave Shulman stated that this is his brother in-law's property. Charlie Schmehl stated that the general commercial zone allows auto sales, auto repairs and some other intensive commercial uses and the neighborhood commercial zone does not allow most of the intensive commercial uses. As part of the Comprehensive Plan review, we looked at areas of general commercial where there is a lot of residential homes and decided that some of these general commercial areas should be changed to neighborhood commercial. It is his recommendation that we keep the proposed change, the property owner can continue the auto sales use and activity he currently has today that is legal. Under the provisions of State Law, he can sell the property as currently used and change the use as long as it is not more intensive as the current use. The property owner, upon request, can go to the zoning officer, show what he is currently is doing and a letter (Certificate of Non-Conformity) can be provided stating the current use as of a certain date. Dave Shulman stated that having a commercial property is more valuable than having a neighborhood commercial property. If you go a couple blocks up, all the other car lots are remaining in the GC zone. Charlie Schmehl stated that the properties to the northwest and southwest have been changed from

GC to NC. The only difference between NC and GC is that auto sales, auto repairs, gas stations, and drive-thru restaurants are not permitted in NC; however, the use can remain if it's continual. The property is also limited due to the size. If the use is not abandoned; meaning there is an effort made to lease out the property for auto sales, for more than a year, it can continue. Mike Muffley stated that he has looked at the properties in this area, which are primarily residential and this specific property is the only one in the area that is used as a general commercial use. He doesn't feel that the property is being devalued by the zoning change; it makes more sense to change the property to neighborhood commercial and the auto sales has the right to continue. Charlie Schmehl stated that we looked at ariel photos and there was a lot of public discussion. There was no motion to leave the property as GC; it will remain as proposed to change to NC.

ZONING ORDINANCE REVIEW

Charlie Schmehl provided the Committee with a handout of Chapter 180, Zoning Ordinance, March 2024 draft, which contains updates from the last two meetings.

There was discussion last month in regards to property along Route 145 at Birch Drive; the property owner provided sketch drawings of proposed ideas for development of the property. Section 180-17.1, is proposed.

Section 180-17.1, creates a neighborhood commercial/village residential district (NC/VR).

Mix of NC and VR uses

Transitional district

- 30% for commercial uses
- Allow drive-thru
- Singles, twins, townhouses and multiple-family apartment buildings
- 15% open space
- Density: 4 by right and 5 by conditional use (incentive-based system to achieve recreation improvements)
- Multiple-family dwellings setback, 300' from VR district boundary
- Maximum 30% multiple-family
- Required landscape buffer for dwelling units within 100' of arterial road

The following should be considered:

- Additional off-street parking areas
- Parking on one side of road
- Increase parking to 2.75 or 3 spaces
- Increase parking spaces to 10' x 20'

Section 180-16, Agriculture/Rural Residential District (A/RR)

- CAFO not permitted, limited to Industrial District
- D. (3), Golf courses. Todd Rousenberger will reach out to Mr. Lack from Woodstone Golf Course to attend a future workshop to provide suggestions on future development.

Section 180-17, Village Residential District (VR)

- (G) Age-Qualified housing option has been added
 - To use the incentive: person age 55 and older, no one under 18
 - Reduced side yard setbacks
 - Increased density by 25%
 - Increased lot coverage
 - Increased lot width

Section 180-18.1, Planned Resort Residential Community (PRRC)

- 5. (1) 100' setback requirement; single-family dwelling
- A berm shall be required in all cases
- PRCC should be corrected to PRRC
- Charlie to confirm that no shared driveways permitted in any other district other than PRRC

Section 180-21, Business Park District (BP)

- J. Prohibited: warehousing, truck stops, trucking company terminals and logistics centers

General Regulations

- Add amendments for solar regulations
- Add amendments for cell towers
- F. Added provisions for electric vehicle recharging, no stations permitted in A/RR and VR districts
- 180-26, commercial forestry, (10) has been removed
- D. Swimming pools; add that zoning & building permits are required

Section 180-32, Height limitation exceptions and regulations

- D. Remove "unless the structure meets the principal building setback"
- Detached garage or accessory structure: change 18' to 20' for accessory and 25' if the principal building setback is met

Section 180-36, Manufactured/mobile homes

- A. Reference State installation requirements

Section 180-37, Off-street parking and loading

- Townhouses and multifamily dwellings, increase to 3 spaces
- Increase parking space size to 10' x 20'

- Pedestrian friendly requirements will be added
- Look into shopping cart requirements for parking lots with a slope over "X"

PUBLIC COMMENT

Jerry Schneck was present to represent the property on Old Main Street (J2-7-15), Walnutport and questioned the status of the zoning change for this property. Dave Shulman stated that we discussed changing it back to A/RR, the property is too small and too sloped for a TND. The neighboring residents also voiced their concerns with apartments. Jerry Schneck stated that it is limiting to require one acre lots with single-family dwellings. Dave Shulman stated that if you do apartments or townhouses, it's going to cost a fortune to run the public water and sewer and improve the road going up to the development.

Katherine Mack made a motion to change the zoning on the property located on Old Main Street (J2-7-15), which is north of Mountain View Drive, east of Walnutport Borough and west of the Intermediate Unit parking area, to Agriculture/Rural Residential (A/RR). Kristin Soldridge seconded the motion. All voted aye. Motion carried. Charlie Schmehl will make this change.

Phil Gogel, owner of 4128 Mountain View Drive, was present to request that the extension of the Neighborhood Commercial zone be extended down to 4162 Mountain View Drive, (tax map H3-1-9), which currently has a business known as 551 Custom Gallery LLC. Dave Shulman stated that his request should be put in writing and sent to Lori Lambert for the Committee to discuss at a future meeting.

Jerry Schneck questioned the time frame for approval of the changes. Charlie Schmehl stated that a realistic objective would be the end of the year. If there are time constraints, they could always ask the Board of Supervisors to do a separate amendment. Dave Shulman stated that the end of the year time frame would be for the Committee; it then goes to the Board of Supervisors and we wouldn't know how long it would take them for approval since there are advertising and public hearing requirements that would need to be met prior to adoption.

The next meeting will be held on Wednesday, April 24, 2024, at 6:00 pm.

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