



## *Upper Mount Bethel Township*

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UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS SPECIAL MEETING MINUTES  
JULY 27, 2020 @ 5:30 PM

\*Due to COVID-19 and the Stay-at-Home Order issued by Governor Wolf of Pennsylvania, this Board of Supervisors' Meeting was a Virtual Meeting held online.

### PART I

1. Call to Order-Chairman Bermingham Jr. called the meeting to order at 5:40 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call-Virtually present in addition to Chairman Bermingham Jr. were Supervisor Due, Supervisor DeFranco, Supervisor Teel, Supervisor Pinter, Township Manager Nelson, Township Engineer Coyle and Township Solicitor Karasek.
4. Approve the Agenda-**MOTION** by Supervisor Pinter to approve the agenda, seconded by Supervisor Due. Vote: 5-0.

PART II (Public Questions/Comments emailed prior to this Meeting) Secretary Cindy Beck read the submitted public questions/comments, which will become part of the record.

1. River Pointe Logistics (RPL) LLC Text Amendment-Chairman Bermingham Jr. stated this special meeting is to hear comments and answer questions regarding the RPL Text Amendment.
  - a. Frances Visicaro expressed concerns on whether a piece of land owned by RPL that comes out to Rt. 611 and if it can be turned into a driveway to the planned industrial park. Supervisor Teel commented that this was discussed with the developer and they stated they are not planning on building a driveway. Supervisor Pinter stated the State would probably not approve a driveway off Rt. 611. Engineer Coyle confirmed the discussion with RPL in which they have no plans on building a driveway off Rt. 611.
  - b. Loren Rabbat commented on the importance of having an in person meeting rather than a virtual meeting to hear the discussions and developments surrounding the PRL Text Amendment. There was discussion on where the meeting on August 10<sup>th</sup> could be held. Chairman Bermingham Jr. stated the Public Hearing is scheduled for August 24<sup>th</sup>, to be held either at the Firehouse or the Park.
  - c. Judy Henckel expressed her concerns of economic development and impact the development will have on our Township. Engineer Coyle stated the land development process still has to go through the approval process. Traffic impact studies will have to be done. The Text Amendment requires a traffic impact study to be submitted with the initial submission of any proposed development, full build out plan. Chairman Bermingham Jr. stated having the Text Amendment in place is giving the Board an opportunity to control what types of businesses can go in the Industrial Park. Under our current Zoning Ordinances, RPL could bring in all warehouses.

- d. Charles Cole commented on the logging that has been occurring on the RPL property. Engineer Coyle stated he has not seen any tree harvesting permit. Manager Nelson stated that prior to obtaining the permit, RPL was clearing some land to plant new trees. Once RPL hired a professional Logging Company, a permit was issued.
- e. Nina Amoroso commented on the well drilling that is occurring next to her property on N. Delaware Dr.
- f. Joseph Kazarda commented on his strong opposition to the proposed RPL development.

At 6:30 pm, there were 51 viewers on Facebook and 2 via conference.

Public Comments-phone calls received during this Meeting

- a. Richard Wilford-Hunt commented on the traffic impact study and the maximum number of buildings on RPL property. Engineer Coyle responded, on the traffic impact study, when RPL initially comes in with a land development plan it will have to have a traffic impact study for the full build out, including the proposed building. In regards to Mr. Wilford-Hunt's comment on the maximum number of 300,000 sq. ft. buildings, Engineer Coyle will research and respond back to the Board. Mr. Wilford-Hunt commented on what recourse the Township has if the Text Amendment is approved. Solicitor Karasek stated that once it gets approved, there is no recourse.
- b. Charles Cole commented on changing the text amendment. Solicitor Karasek stated that an Ordinance can be changed, however if someone develops in the meantime, they are grandfathered in. Charles commented on the traffic impact study. Engineer Coyle stated a traffic impact study will provide recommendations.

Chairman Bermingham Jr. called for recess at 6:50. Callers will remain on hold until meeting reconvenes. The meeting reconvened at 7:00 pm.

- c. Judy Henckel responded to a comment that Supervisor Teel made in regards to the Enacted 2004 Zoning Ordinance, before she was in office, that there were already three Industrial Zones in place.
- d. Sharon Duffield commented on the impact of the RPL Text Amendment. Solicitor Karasek stated that if an applicant meets the Township Zoning Ordinance provisions, the Township must grant approval. Sharon commented on changes that are made to the Text Amendment. Solicitor Karasek stated that the August 24<sup>th</sup> meeting is being selected as a date when hopefully the final draft is ready for review, however, if any revisions to the Text Amendment are made and if the Board of Supervisors' elect to make the changes, they will need to be re-reviewed the LVPC and the Township Planning Commission before the BOS approve and adopt the Ordinance. Ms. Duffield commented on the Board of Supervisors' power over what types of businesses come in. Solicitor Karasek discussed businesses that are already approved for the I-2, I-3 Zones. Solicitor Karasek stated the Board of Supervisors' have some control over what businesses come in. Ms. Duffield commented on the traffic and it will affect everyone in the Township.
- e. David Friedman asked how much weight will be considered on the LVPC comments. David commented on the conceptual plan. Engineer Coyle discussed the proposed conceptual plan and the process the developer has to follow.

**PART III (Adjournment)-MOTION** by Supervisor DeFranco to adjourn the Special Meeting at 7:22 pm, seconded by Supervisor Teel. Vote: 5-0.

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I have concerns about #5 on the UMBT RPL Text amendment. There is a piece of RPL's land that comes out to 611. Can this piece of land be turned into a drive way to the plan industrial park? 611 has tractor trailers coming off 80. It's so bad I can not open my front windows. They are polluting my air and the air in this town.

You as our supervisors were voted in to be our voice for the people of UMB. I feel you voice is not for the people but for the developer. If you leave the zoning code as is then RPL developer will have to follow our zoning code not theirs.

Frances Visicaro

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Gentleman of the Board~

I would kindly ask that you read the below INTO the public comments section of the Township meeting this evening.

I am BEGGING you, the gentlemen of the Board to please provide an IN PERSON meeting, rather than a virtual meeting to hear the discussions and developments surrounding the RPL Text Amendments.

This is a matter of huge import to this community, and a socially distanced meeting is absolutely necessary!

Sincerely,  
*Loren Rabbat*

## Comment on RPL Text Amendment for BOS Special Meeting, July 27, 2020

Judy Henckel

I am still concerned after Supervisors have been forthcoming in unofficial conversations at residents' requests. It is encouraging to hear efforts have been made by Supervisors, in informal discussions with the developer's team, to claw back some requests on the industrial zone ordinance rewrite.

My fears still prevail in that there are no assurances that promises made by the developer and any future lot or building owners will feel obliged to honor them. Each will go by the written document and try to stretch that as far as possible for their interests. The logging and land disturbance that has taken place on the property for two months do not bode well for a trusting relationship. By the way, what happened to all the osprey pairs nesting over the past 40 years, up to five at one time.

There seems to be a sticking or breaking point in the vision for our community. Can financial interests, as well meaning as they may be, or quality of life for our home coordinate instead of compete? Today Amazon announced a 170,000 square foot campus for its iCloud web business in Ireland. This is a scale and value-added investment that would well fit our situation. The proximity to major financial markets on the east coast work as well as it does for produce manufacturing and distribution. It would seem wiser to negotiate for a higher standard than to succumb to the bottom of the barrel on regulations with questionable commitment. Urban scale manufacturing and warehousing, especially in the mist of several national and international landmarks, does not put us on a most desirable place to live list.

What is the rush? To scour the land before the pandemic and national election have set a path to new economic realities? This is a large chunk of land that by any accounts should have had environmental and other studies before any work began as it would have for any of us residents. To negate local regulations, when federal regulations have been waived in the war on the pandemic and weakened to promote economic development leaves little comfort. Designating the farm fields and woodlands a LERTA distressed industrial site was a slight of hand.

So here we are, trading habitat that provides air and water quality on a property allowing coverage of 60% or 435 acres of impervious buildings, parking and roads possible 99 acres.

The question is whether we can all stand back to work together, and with the developer, to do more fact finding on bringing in jobs appropriate for our community. And by all means, find the EDC study done last year as a starting point.

Thank you

Charles Cole

Comments for RPL Draft Text Amendment Mtg.

Monday 7/27/20

Logging has been occurring on the RPL Property for several weeks. But, records show that UMBT just issued a Tree Harvest Permit on 7/16/20. It was issued for "site clearance for future development". Two things quickly come to mind when thinking about this logging:

Why did the owner and Township allow logging to start without the permit?

And, has the Township done any onsite review of what was proposed and what was happening? The E&S plan appeared to be a generic cookie cutter document.

If my initial perceptions are correct, this is a prerequisite of what will happen in the future. The developer will do basically what he wants!

> Hi John,

> Not sure if you remember me I'm Nina from 2891 N Delaware- just thought I would let you know the property next door to my left if looking at my house - I suppose is RPL because they are drilling a well outside my property but can still see and hear it is about half way down.

> I know can't do anything but just letting you know.

> Also, as an FYI the neighbor to my right had a visit from Lou Pektor in person and they sold him

> 1 1/2 acres of their property- not sure where but neighbor said it was the end of their property.

> Just wanted to

> Let someone know from town

You can make my comments public at the town meeting.

> Thanks,

> Nina Amoroso



Upper mount bethel township BOS , to be entered into the public record and read into the minutes.

I am writing today to voice my strong opposition to the proposed RPL development that is currently being forced on us by Lou pektor and his cohorts. It is an outrage that the supervisors are seemingly bending over backwards to allow RPL to destroy the natural beauty of our community FOREVER.

I live on 611 in the middle village corridor , we moved here in 2003. In that time I have seen the commercial industrial traffic increase to an atrocious amount. Between the dump trucks bringing In and dumping polluted dirt from New York and New Jersey Into our water table via the quarry at capital and the constant tractor trailer traffic living on 611 has become increasingly difficult , simply pulling out of my driveway has become a dangerous proposition. The noise , the rumbling , the jake brakes , morning , noon and night, all day every day. What do you people think it's going to be like if you allow this monstrosity to be built in our backyards ? Millions of square feet of commercial industrial will undoubtedly lead to a major increase in tractor trailer traffic up and down 611 and 512. They all drive like maniacs , they come across the bridge and are hammer down , up shifting , turbos whining , blowing past our homes and small businesses like they are still on route 80. This is a major safety concern. Will there be a traffic impact study done For 611 and 512 to be submitted to penndot ?

How about our property values for this of us who own property and homes along these corridors ? Who is going to want to buy a home on a road that's riddled with tractor trailer and construction traffic ? Is Lou pektor and his group of investors going to reimburse us for our losses or subsidize us for our loss or are they going to build this monstrosity , line their pockets with our misery and go back to their lush lifestyles leaving behind the destruction of a once beauty rural community ?? How about the township , will they compensate those of us who will be directly affected by the fallout of this project ? Will we receive a tax abatement for our misery and loss of property values ? After all this project is being sold as a huge tax revenue stream for the township and if that's so then you don't need our money and that's the least you people should do for the residents Who's lives are going to be permanently altered by YOUR decisions! Your making amendments to the zoning in order to make it easier for Lou pektor and his cohorts to construct buildings one hundred feet in height then you should also make amendments to turn the 611 corridor in the middle village into a property tax free zone funded by the RPL development revenue. RPL should also fund privacy fences and noise barriers for residents who want it along said corridors as well as working with penndot to make 611 a safety corridor with reduce speeds for commercial truck traffic with Hefty fines for violations along with an increased enforcement which should also be funded by RPL .

RPL also claims this will bring in jobs , which may be true for a time but inevitably automation WILL replace man power in this and the next decade. The result will be less jobs but the same amount of traffic. RPL have publicly stated at the February meeting that they will build warehouses on the property and in these economic times caused by covid the need of new manufacturing facilities being built and occupied is highly unlikely which inevitably will lead them to increase the overall square footage of warehousing facilities constructed on the property .

I honestly hope you take these points into serious consideration as you make decisions which will change the fabric of our community FOREVER !

Sincerely and with great sadness for our communities future

Joseph A. Kazarda