



## *Upper Mount Bethel Township*

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UPPER MOUNT BETHEL TOWNSHIP  
BOARD OF SUPERVISORS SPECIAL MEETING MINUTES  
MONDAY, AUGUST 10, 2020 @ 5:30 PM

\*This Special Meeting was held virtually and Live-Streamed through the Upper Mount Bethel Township Facebook page.

### PART I

1. Call to Order-Chairman Bermingham Jr. called the meeting to order at 5:45 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call-Virtually present in addition to Chairman Bermingham Jr. were Supervisor Due, Supervisor Teel, Supervisor Pinter, Supervisor DeFranco, Township Engineer Coyle, and Township Solicitor Karasek. Township Manager Nelson was absent.
4. Approve the Agenda-**MOTION** by Supervisor Pinter to approve the agenda, seconded by Supervisor Due. Vote: 5-0.

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

1. River Pointe Logistics LLC Text Amendment-Chairman Bermingham Jr. stated that this Special Meeting is dedicated to hearing comments and answering questions from the residents regarding the River Pointe Logistics (RPL) Text Amendment.

Renee Gale commented on having in-person meetings again. Agenda items have big impacts on the Township/Residents and it is time to have the meetings in-person so that all residents have the opportunity to attend and speak.

Chairman Bermingham Jr. commented that meetings will be held in person again, starting August 24<sup>th</sup>.

Lynn Rutledge commented on the opposition of any proposed warehouse construction near the Park. The traffic will only add a burden to the roads that are already in disrepair.

Supervisor Teel stated that he spoke with Lynn today and explained that warehouses are not what we want in the Township, but it is currently zoned for warehouses and that is what we are trying to prevent with approving the Text Amendment. Supervisor Pinter commented that at this point, River Pointe can put up 13, (Supervisor DeFranco stated 22) 300,000 sq. ft. warehouses and we are trying to limit the amount of buildings designed for manufacturing. There was a discussion on the truck traffic and what we can do about it.

David Friedman commented on the LVPC recommendations on the Text Amendment and stated the Board needs to step back and take a hard look at the Amendment and what it means for the citizens of the Township.

Supervisor Teel commented on whether the LVPC had the same comments for the people of Tatamy and all the warehouses there. Chairman Bermingham Jr. asked Supervisor Teel if the LVPC is trying to get some of the businesses interested in coming to Upper Mount Bethel, down to the Lehigh Valley. Supervisor Teel stated yes and he feels as though they just want us to remain a Park.

Kyle Dutt commented on the keeping the residents informed of the progress of the River Pointe project, give the public access to the draft of the Text Amendment, explain how this will affect the Township, and stand up for the residents, not the developer, and keep our Township a rural paradise. Supervisor Pinter commented on Mr. Dutt's comment regarding an inevitable accident and stated the comment was an emotional draw.

Chairman Bermingham Jr. asked the Board if anyone received the flyer that was distributed regarding the River Pointe project. No one received it. Supervisor Teel stated in the act of transparency, the Board members should have received it.

Kevin Sorensen commented on his concerns regarding the allowable height of buildings, truck traffic, viable businesses should pay taxes, and adopting the Model Lighting Ordinance to help preserve the dark night skies. Engineer Coyle discussed the building heights. A 50 Ft. maximum building height within 500 Ft. of the Community Park and 60 Ft. within 1000 Ft. of the Community Park and beyond that, the 100 Ft is permissible. Supervisor DeFranco stated the LERTA Tax program was passed 3-4 years ago and a lighting plan will have to be done. Supervisor Teel stated that Marshfield Dr., off Potomac St., will only be used for emergency services, truck traffic will not be using it to access the industrial development.

Jeanette Chiusano commented on her opposition to any commercial development. Chairman Bermingham Jr. stated this property is zoned for industrial and with the Text Amendment, we are trying control what businesses come in.

Gerard Chiusano commented on his opposition of any and all commercial development and would like to keep Mt. Bethel a beautiful, quiet, safe haven.

John Gorman commented on the proposed River Pointe Logistics Text Amendment. Work for the people of the Township not the developer.

Engineer Coyle commented on the current zoning ordinance and its permitted uses.

Maude Davis commented on the negative and irrevocable impact the Text Amendment will have on our community.

Chairman Bermingham Jr. asked each Supervisor if they are personally benefitting from the project:

Chairman Bermingham Jr.-No

Supervisor Pinter-No

Supervisor Teel-No

Supervisor Due-No

Supervisor DeFranco-No

Doreen Fusco commented on her opposition of the River Pointe Text Amendments. Protect this area by maintaining the beauty and uniqueness of it.

Nick Pugliese commented on voting no to the Text Amendment. The residents need to make it known of their strong opposition.

Marian Pugliese commented on voting no to the Text Amendment. Keep the community rural.

Linda Monks commented on including the local residents in any decision on the Text Amendment.

Tim Bolles commented on his disapproval of the RPL Text Amendment.

Rita Bolles commented that an Amendment to our existing zoning laws would be catastrophic to our way of life here in UMBT.

Judy Henckel commented on Mr. Pektor calling into an EDC meeting and why this was not made available to people. Judy stated this may be an opportunity to come together for solutions.

Richard Wilford-Hunt asked a few questions regarding the RPL Text Amendment Public Hearing and commented on the truck traffic and road maintenance that will impact our Township.

Fred Clark commented on the Zoning/Changes to development project. Postpone the approval until the changes have clearly identified and communicated the impact of the proposed project to the residents of UMBT.

Cori Eckman commented on the RPL project and what safety precautions are being taken into consideration in the event of a major disaster.

Diane Thompson commented on approving what is planned and how it will change the lovely rural atmosphere drastically.

Margaret and Stanley Szempruch commented on their opposition of the proposed warehouse construction.

Sharon Duffield commented on the LVPC review of the Text Amendment and if their recommendations will be published for the citizens. Ms. Duffield expressed great concerns on the fast movement and lack of community awareness of the immense impact this will have.

Joseph A. Kazarda commented on the moving forward to make amendments during a time of shut downs and social distancing. There should be no votes until it can be done in person, to hear the citizens' voices.

Charles Cole commented on how the RPL project will affect traffic now and in the future, tree harvesting that will be taking place, and the transfer of Marshfield Dr. to RPL.

J Kant commented on his concerns regarding zoning changes, truck traffic, and additional costs for Township services to address the River Pointe property.

Deborah Raesly commented on the Text Amendment, height projections, park/open space fee in lieu, inapplicable zoning and SALDO provisions and Township Officials not being involved in any way with this development.

Jessica Heckman commented on her strong opposition of the RPL Text Amendment and the urgency to vote against these amendments.

JM Gibbs commented on keeping Mt. Bethel rural.

Kathleen Barnes commented on her opposition to the Text Amendments, heavy truck traffic, increased taxes, decreased property values and the loss of a rural community lifestyle.

There was a discussion on advertising for the Public Hearing on the location in the event of inclement weather. Supervisor DeFranco stated a tent is being provided at the Park. Solicitor Karasek stated that Version 10 is what will be advertised and if changes were to be made, it would not be ready for the Public Hearing on August 24, 2020. Engineer Coyle stated there were comments from the Fire Chiefs on the minimum distance between the buildings being only 25 feet and other safety measures.

Chairman Bermingham Jr. stated that further discussion on the RPL Text Amendment will occur after a short break, at the 7:00 meeting.

PART III (Adjournment) **MOTION** by Supervisor DeFranco to adjourn the meeting at 7:20 pm, seconded by Supervisor Due. Vote: 5-0.

Respectfully Submitted by Cindy Beck-Recording Secretary

Please enter the following comment into tonight's record:

Good evening,

Please consider making arrangements to resume our public meetings to in-person & virtual settings. We have plenty of space whether indoor or outdoor that can be utilized to maintain proper social distancing, and should not be limited to the August 24<sup>th</sup> meeting only.

The decisions that are on your agenda will have a big impact on the township residents in one way or another and should be held in a manner that all residents will have the opportunity to attend and speak. The meetings that have been held while Covid kept us home served its purpose at the time and I am thankful that everyone stayed safe and healthy, but it has limited our ability to comment on the discussions made by the board just prior to a vote. Yes we can comment as I am doing now, and yes we have the ability to phone in after the votes are made, but this does not allow the residents a chance to listen to the board discussion during the action items and comment before the vote as is done when in person!

It is time to bring all of these meetings to an open setting again and include the virtual option so that those who cannot attend in person can still listen and comment remotely.

Thank you for your consideration and may God guide you in your decisions.

*Renee' Gale*

Dear Secretary,

I'm writing to you to let you know that I am against the proposed warehouse construction near the Upper Mt. Bethel Park. I really don't see why you would even entertain such an idea. What is your reasoning? These seem to be a very popular way of making money at the moment. There are warehouses popping up all over the Lehigh Valley. They are an eyesore and as far as I can tell they don't add much to the communities that they inhabit. Big trucks will only add a burden to the roads that are already in disrepair. River Road just above the hairpin turn is like a wash board. There is a sink hole in Lower Mt Bethel on the Belvidere Martin's Creek Highway that has traffic diverted to use only one side of the road for over a year now. I know it's a state road and the state is responsible to fix it but, I can only imagine how much worse our roads will be when we get heavy truck traffic on them.

My hope is that you will protect and honor the zoning laws that are in place so that we can preserve our beautiful landscape and our peaceful way of life. If there are valid reasons to do this there should be discussions between the supervisors and the local residents so that we're all in agreement before any permanent decisions are made. If you do decide to have a town meeting I would like to be informed of it so that I can attend.

Thanks for listening,  
Lynne Rutledge

367 Gap View Lane  
Mount Bethel, PA 18343  
August 10, 2020

Board of Supervisors,

At the end of July the LVPC held a meeting to consider the text amendment proposed for the I-2 and I-3 zones on the 725 acres off of River Road. The commission came up with over 30 recommendations and concerns that need to be addressed by the Board of Supervisors. Although too numerous to list here, they include environmental issues, traffic concerns, building on steep slopes, and other important issues which will affect our community.

Since our township did not do any of their own studies pertaining to this amendment, the Board must rely on the recommendations of the LVPC for guidance.

Most telling at the LVPC meeting were the comments offered by the individual members. They were as follows:

"...very disturbing"

"...have a huge impact on traffic and the environment"

"The township is reacting to the ordinance."

"It should be pushed off until a comprehensive plan is  
in place for the Slate Belt."

"They are moving too fast."

"Specific issues need attention in the township."

"...not a likable project and doesn't belong there."

These statements reinforce the ill-conceived and self-serving nature of this amendment.

The potential of three, one million square foot, ten story buildings, and other proposed changes in this amendment that go against the current zoning and planning ordinances only show that this amendment was written by a developer for a developer.

With these recommendations by the LVPC, the Board needs to step back and take a hard look at this amendment and what it would mean for the citizens of Upper Mount Bethel Township and the rural nature of the community.

David Friedman

From: Kyle Dutt

To: UMBT Board of Supervisors

Re: August 10, 2020 Special Meeting—River Pointe Logistics, LLC Text Amendment proposal; questions and comments

Please consider these comments and be courteous and professional and answer the questions that I have for the Board.

- 1) With a project as enormous as this one proposed, and the ultimate irreversible changes and problems it would bring, it should have been the duty of the Board to ensure that all township residents were aware of it from the beginning and kept abreast of the progress at all times. To think that this would have gone largely unnoticed were it not for a small group of concerned residents and a few reports in the newspaper is nauseating. The Board and others in government and a few private residents have instead questionably have done all they could to keep this amendment's contents and progress as hidden from the residents as possible. Even the solicitor, when asked by concerned residents to see a copy of the draft, were told that a draft of an amendment was exempt from public viewing and cited a part of a PA legal document addressing this to back it up. We should all have been given the opportunity to view the draft at any point. Right-To-Know groups state accurately that even though a draft is one exemption from a Right-To-Know request, it is not mandatory, and if our request to see it were denied the burden of proving why it should be exempted is on the Board of Supervisors. The Board could—and should—have allowed we residents to view it. The Board denied our rights as residents. Why did you not allow us access to the drafts? What are you afraid of and what didn't you want residents to see?
- 2) The developer gave a talk previously about how manufacturing would come and bring help with township taxes, which aren't high at all to start, and that he would abide by all township ordinances in this new project. Within a short time, the text amendment was submitted, which would wipe free many township ordinances, stating our ordinances were not needed because state and federal laws would be enough. Sudden change? How can we rely on state and federal laws when there is not enough manpower to enforce these, and why should we give the developer the right to write his own ordinances and trash ours? And if the property is sold, the text amendment goes along with it. And why a sketch plan with warehouses showing when we were told manufacturing? LOGISTICS=WAREHOUSES=TRUCK TRAFFIC+++, and sketch plan--means anything?? What will you say if you approve the amendment, the warehouses come, and the inevitable happens with the already heavy and dangerous truck traffic, too many passing stopped school buses—a horrific accident with dead people, including children? Will it be, as one regularly says, "What are you going to do, sue me? Will the developer create a charity with the millions of dollars in pocket, in the victims names, which won't bring them back. The sorrow will not go away.
- 3) Stand up for residents, not the developer. Keep our township a rural paradise.

8/9/20

Dear Supervisors,

As an upper Mt. Bethel resident I am 100% against any and all commercial development in our beautiful area. Truck traffic, exhaust, damage to roads are just a few of my many objections.

Come on, really! What are you thinking? Why ruin our beautiful area? For tax revenue that won't materialize for 10 years! It's a poor trade-off anyway.

Our area is very nice just the way it is...we don't need or want warehouses, prisons, large buildings, etc. These belong in existing commercial areas. Let's keep Mt. Bethel a beautiful, quiet, safe haven to return to at the end of a busy day and not live in what most people are trying to escape!

Gerard Chiusano  
88 Frutchey Court  
Mt. Bethel, Pa 18343

Supervisors,

I am against any commercial development in Mt. Bethel. I do not wish a prison, warehouse or any further commercial development. Please leave Mt Bethel rural!

Thank you.

Jeanette Chiusano  
610-730-3959

I own property at 1615 Potomac Street, adjacent to the UMB Community Park. I accept that the land in question is zoned for industrial use and that many of the amendments are justified as explained in Background. However, I have concerns at several points.

1. An allowable building height of 100 feet excluding roof protrusions seems excessive. I recommend limiting building height to the average tree canopy height to help preserve a rural feel.
2. Truck traffic will inevitably increase on routes 611 and 512. That will directly harm the rural character of this area.
3. It is rumored that the developer will not pay taxes for up to 10 years. That means we, the supposed beneficiaries of this development, will be subsidizing it for the next 10 years. Especially at this time of economic weakness, that seems both cruel and exploitative. A viable business should be able to pay taxes.
4. More positively, I recommend that UMBT adopt the Model Lighting Ordinance recommended by the International Dark Sky Association ([www.darksky.org](http://www.darksky.org)). An ordinance like this would help preserve the dark night skies which characterize a rural community, reduce the impact of artificial lighting on animals and people, improve security by minimizing glare, and reduce energy consumption because less light is needed when it is properly directed.

G. K. Sorensen



Dear Supervisors,

After reading your proposed ordinance changes regarding new industrial parks.

It is very clear to see these proposed changes were written by the developers attorney.

Allowing hotels, malls, truck stops, gas stations, office blocks and anything other than residential buildings to be built in industrial zones is changing the zoning to commercial.

Stating we don't have ordinances in place for a new industrial park is untrue as the building of the current industrial park on river rd was built to current regulations.

Allowing for the affluent from the on site sewage treatment plants to be dumped on the site is a serious concern for air and water pollution.

Allowing this project not to abide by our current ordinances for community impact report, traffic impact report, environmental impact report and slope restrictions is an injustice to all the people of this township who put you in you positions.

All of these reports should be supplied to you by independent consultants prior to considering the plan not after like is proposed in the ordinance.

The buffers are highly inadequate. The park view should be preserved. Building a 100' building 50' from a residential property?

Besides the massive footprint of these plans and the ability of the developer to change at any time as written. The height of 100' or 110' to roof level will multiply their s/f by approximately 800%.

We do not have the infrastructure in this township to facilitate such a project nor does our citizens want our laws to be changed to facilitate such a project.

I understand the land is zoned industrial and should be used as such.

But it is unacceptable to let an outside developer rewrite our current zoning laws for the sole purpose of his financial gain.

Please stick to our current zoning laws and have an outside independent party review all reports and plans for you to review prior to permit approval.

I also don't see any mention of the DRBC in this document.

This area is in the special protected waters of the Delaware River basin so falls under their jurisdiction.

Please remember the people of this township put you in office to work for them. Not for this developer.

If you do decide to go with the developer's ordinance I ask on behalf of the people if UMBT that you put this decision up for referendum in November as this will have a huge impact on our township for generations to come.

Thank you for your attention to this matter, John Gorman

Dear Supervisors --

Please consider that the officers of the River Point Logistics, LLC did their due diligence prior to making an investment in Mount Bethel. In other words, the "numbers" worked for them before they bought the land. Rewriting our current zoning laws to permit a 100 foot high warehouse will have a negative and irrevocable impact on our community. Please vote against such a change.

As representatives of your constituents, consider putting this issue on the ballot in November and letting the people in Mount Bethel vote on it.

Respectfully,

Maude Davis

*Maude Davis, PhD(c)*  
*Diploma Candidate*  
*CG Jung Institute Zurich*  
*505-459-8361*

Hello,

I am writing this email to express vehement opposition to the above. We moved to the beautiful area of Mount Bethel for all that it is now. Immediately, when pulling off Route 80/Portland Bridge, you are eased into a beautiful, tranquil setting and the effect is so overwhelmingly beneficial for a work/life balance that it cannot even be captured in words. Very shortly, there will be so many existing office complexes and shopping malls that will be abundant in empty space, with truck loading docks and ample parking, that new construction for industrial uses will be completely unnecessary and an irresponsible waste of landscape and current resources.

We ask that you protect this area by voting to maintain the beauty and uniqueness of it and not entertain destroying this precious landscape with construction that is not needed here, or quite frankly, anywhere with the real estate changes on the horizon.

We need more areas like the Mount Bethel that exists now and we need to keep these places protected for us and for future generations.

Respectfully,

Doreen Fusco  
973-713-3950

We have been living in UMBT for the last 30 years. I can't believe we are now facing another threat to our beautiful community in exchange for noise, traffic, trucks, a huge building, fumes etc. We do not want this "progress" to change our lives. If we wanted these things in our own backyard, we could choose to sell and move to a more developed area. But we choose to spend our tax dollars living in a rural area and we want it to ***STAY RURAL!!*** **It is so crucial that our township supervisors understand and appreciate that we, and many other residents, DO NOT WANT THIS FOR UMBT!!**

Please put this to rest and vote NO to support this project.

With respect,  
Marian Pugliese

Town Supervisors,

Why do we continue to entertain destructive endeavors that will forever change the quiet peaceful UMBT community we all cherish and care for? We successfully stopped the Marshfield development 7 years ago and we need to stop this logistics development right away. Our beautiful park will be trashed with noise, truck fumes and traffic. Our roads will be clogged with trucks day and night. Our tax dollars maintain our park and rural community and you have no right to take our way of life away from us. So many of us have been here for 20, 30 50 years or more raising our families and do not want "progress" to change our lives. We can move to any of a dozen communities nearby for "progress". We choose to stay here. ***We choose to stay rural! It is imperative that the township supervisors understand that above all things.***

I have not heard anything about prior discussions or votes on this, but I am going to fully engage with other community members to make our strong opposition known to you all. This is unacceptable in our community and needs to be put to an end. We do not need outside profit seekers to pillage our community and then disappear for the next money maker. Do not support this project.

I appreciate your consideration and ACTION to put this to an end!

*Nick*

Nick Pugliese  
Business Development Manager  
Ace Electronics Defense Systems, LLC  
Office: (443) 327- 6100  
Mobile: (732) 439- 6507  
*For your best connection, there is no higher quality.*  
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AUSA Past President  
Picatinny Arsenal- Middle Forge Chapter



***Let Freedom Ring!***

After my initial reading of the “text amendment” located on umbt.org I have some thoughts and questions concerning adoption of the new zoning ordinance.

1. Input by **local** residents should always count in any decision making process by our local BOS. Because of the current social distancing regulations, the local residents cannot come out in person to meetings and many people do not have the equipment or knowledge to attend a zoom/Facebook meeting.
2. Who authored this zoning change? Someone who enjoys legalese, gets paid big bucks, and most probably works for the applicant/developer tailored this gem of an ordinance specifically addressing the wants/needs of his developer boss. It is very obvious that the applicant had his hand in drawing up the particulars. It sounds very much in favor his needs and not the township’s needs. The wording is highly geared to the “developer”, his options, rights, and only mentions the township as if in passing. Did the township have any say/authority over this proposal? My feeling is they did not have the time to really consider what they are giving up or what residents will have to contend with in the future if this new ordinance is adopted.
3. If anyone on the board has property near or abutting this acreage and thinks this ordinance will in any way benefit them maybe that person(s) should recuse themselves from voting yea or nay.
4. Maximum height of a building is 100 feet? And this can be overridden by the supervisors if the developer asks to have it raised to 110’? If each floor is 10’ in height then the building

would be 10 or 11 floors tall? Wow! That's one way to change the landscape. I personally prefer the current landscape.

5. Has the developer already begun work on the lots involved by clearing trees?
6. How sure is the BOS in relinquishing control of this 700+ acres to Chapter 102 Regulations and the NPDES without having our own township environmental rules and oversight in place? Or proposing new definitions of a new use category, steep slope, further subdivision, and changing percentage figures formerly in use? Has everyone on the board yielded to Mr. Pektor? We've been through this before with his firm, Ashley Development.
7. Are you ignoring the advice given by the Lehigh Valley Planning Commission? Why? They're quoted as saying, "This is critically important because the amendment, as presented, fails to protect air and water quality and can lead to significant sewer problems." and "It looks like this was written by the developer for a developer and they (BOS) shouldn't allow that to happen." (Huh, and I guessed that last sentence just by reading the "text amendment"...so nice to have it repeated by a respected member of LVPC.)

My personal advice: Don't sign this proposal! Please represent the people of Upper Mount Bethel and NOT the outside developer.

Linda Monks

I am writing to voice my disapproval of giving RPL approval for their text amendment. This will not be good for our rural community. After reading the opinion of the Lehigh Valley Planning Board, which was not favorable for this, I am convinced that this should not be allowed to go forward. We have zoning in place to protect us and it should not be altered.

If you vote for this, then I will be forced to vote against you in the next election. Please don't be a voice that helps to ruin our way of life.

Respectively,

Tim Bolles

This email is to voice my opinion that an amendment to our existing zoning laws would be catastrophic to our way of life here in UMBT. The LV Planning Board has also agreed with my opinion. I think they said something to the effect that "it sounds like it was written by a developer for a developer". Sounds pretty cut and dried to me. Please do not agree with RPL at the expense of the residents of our great township.

Thank you for your time,

Rita Bolles

Comment for Special Supervisor August 10, 2020 meeting  
Judy Henckel

It had been said we could meet with Mr. Pektor, but on Thursday August 6, 2020 the Economic Development Committee (EDC) had a live stream meeting where Mr. Pektor called in. That would have been a chance to hear from him ourselves, even if we could not ask questions. How was that opportunity made available to people?

I have been hearing over the past year at EDC meetings, from Supervisors and others that we need a tax base, but not warehouses. The developer says he does not want warehouses. People throughout the Lehigh Valley and western New Jersey do not want more warehouses. Then why change the ordinances to accommodate such large buildings and take away the land constraints allowing that?

Ten people have the power to make the decisions for our seven thousand residents impacting the whole region, five Supervisors and five Zoning Hearing Board members appointed by the Supervisors. Trees are being cut, land probed and measured just within legal rights of a landowner. The owner knew the land, the ordinances and the community identity when he purchased.

This may be the opportunity to come together for solutions. For such massive changes to our lives, now and into the future, who is listening to the people they serve? Who do they serve?



Richard Wilford-Hunt  
2012 Shady Lane

Has the RPL Text Amendment Public Hearing been advertised and if so when and where has it been advertised?

Will the public hearing be held at the Community Park? If so, what will be the format? When will public comment be allowed?

Are the BOS planning on voting on the RPL text Amendment, as is, on Aug 24th 2020?

Has UMBT received a copy of the NPDES permit for the Pektor lot "303 Demi Rd LLC?"  
This is REQUIRED before any earth disturbance.

Supervisor Teel repeatedly has said he wants to do something about all the truck traffic in town and with this text amendment we would be able to control truck traffic coming to and from the warehousing/industrial park. That is only partly true because we could limit the trucks to only River Rd. But the much bigger impact on our township will be the trucks travelling to and from the warehousing/industrial park from Rt. 611 through Martins Creek, Stone Church and Middle Village.

Who will be paying for yearly road maintenance to maintain this section of River Rd?

By what authority does UMBT have to mitigate or control truck traffic along Rt. 611 and RT 512?

The New Jersey rock wall project, while disruptive for a five year span, will pale in comparison to the relentless 24 hour truck traffic generated by this proposed warehousing/industrial park. And because a thorough independent traffic impact study will not be completed BEFORE the text amendment is approved, how will you know how many trucks there will be?

Has UMBT talked with prospective tenants of the warehousing/industrial park? If so who and what types of businesses are these?

Thank you.

To all,

Regarding the Zoning Exceptions/Changes to the subject development project:

I do not oppose the right of a property owner to develop their property to make a profit, except when that development stresses the local infrastructure beyond its original design and taxation of local residents to reinforce local infrastructure subsidizes the development project or the project degrades the property value and/or standard of living of other local property owners.

In reviewing the "River Pointe Logistics Park Fact Sheet", the developer indicated that the development would comply with a number of local and state ordinances. The developer understood (or should have understood) the ordinances that were in effect for the subject property when they entered into the contract to purchase the land. Now, instead of the developer complying with the ordinance, the developer is requesting the ordinance be made to comply with their needs. It is unclear why the Zoning Board is considering changes to the zoning of the property in question without a clear understanding of the impact to the local township infrastructure, subsequent tax/standard of living consequences to local residents, and clearly articulating them to the taxpayers/residents of Upper Mount Bethel township.

Please postpone approving the changes until you have clearly identified and communicated the impact of the proposed project to the residents of Upper Mount Bethel and they have indicated that they approve of the project.

Regards,

Fred Clark

I moved to Mt. Bethel, 2 years ago. I've been coming up here for camping & sheep dog trials for over 20 years. This is where I wanted to live, it was a dream come true, moving to Mt. Bethel.

Approving what is planned, will change the lovely rural atmosphere drastically.

It will become exactly what I moved away from.

Approved it will not make things better, it will destroy Mt. Bethel.

Diane Thompson

120 Gallery Lane

Mt. Bethel

732-567-2053

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We are Upper Mt. Bethel residents and vehemently oppose the proposed warehouse construction on Potomac Street in Upper Mt. Bethel Township.

Margaret and Stanley Szempruch

1476 Shady Lane

Mt. Bethel, PA. 18343

570-242-1699

One of my concerns with the RPL project is what are the safety precautions that are being taken into consideration if a chemical spill, Explosion or major fire were to take place? We all know that we have a fire company with 13 volunteers that have full time jobs and are not readily available. We as residents have been told when this question has been asked, we will leave that up to the fire company.

That is not a good enough answer. Regardless with the joining of North Bangor that will not solve the problem nor Pektor giving the fire company a 100 foot ladder truck solve the problem. These young men have never had the proper training to handle extreme situations that could jeopardize the whole community with enormous fires from one building to the next or a chemical spill that's highly toxic and flammable. What are the plans to protect the volunteers and the community from a major disaster. RPL is looking to expand and buy more properties on 611 and across Potomac street but 1st I feel we need to have protection from a catastrophic fire or spill that could destroy surrounding areas.

RPL is already starting to destroy UMBT, let's at least put some thought into not having a equipped fire company to protect our firefighters and our township.

Thank you

Cori Eckman

I just, recently, learned of the rapid movement and all the changes requested regarding the Pektor development. The last "virtual" meeting attorney Karasek mentioned a Lehigh Valley Planning Commission Report expected after their review of the "Text Amendment" exceptions and said if the Twp was going to review LVPC oversight evaluation and recommendations and make any changes there wouldn't be enough time before August 24th and if this Text Amendment is voted on and accepted, as is, it's unchangeable even if it's realized it was a mistake. I'd like to know if the LVPC evaluation of the Text Amendment and recommendations are going to be published for the citizens and when supervisors will be asking for citizen input on those and acting on them? I understand, from reading articles, the findings of the LVPC oversight recommend not adopting the Text Amendment as it's bad for our township as it stands. "Written by a developer for a developer" are the words in the article that stood out for me. Will there be a vote on the Text Amendment Aug 24<sup>th</sup> by the 5 supervisors voting to represent us or will there be an in person meeting for the citizens on August 24th and then time elapse for another meeting for voting?

Comment:

I am greatly concerned about the fast movement and lack of community awareness of the immense impact this will have. There was much concern over steep slopes, marsh preservation in the past and now it seems that is being downplayed. The peaceful, beautiful park and views could be destroyed by massive buildings, lighting, truck traffic, fumes and noise. Our chosen way of community life, built for many of us by our hands and those of our great grandfathers for our families, children and grandchildren and our peace, clean air, and beautiful existence will change and our community will be sacrificed for a developer. We are the citizens of this township along with many other now fellow citizens who have come here for the same reasons--quality of life. I am hearing that Mr. Pektor has knocked on other community members' doors asking to buy property or to buy them out altogether. Some not even on the same side of the road as the property he bought. He must have reason to think this is a done deal. Why? And, why would he be knocking on doors if not to go even further into our community as done elsewhere? Now, we are to silently stomach tremendous changes and possible massive warehouses that could tie hundreds of trucks to surrounding warehouses in bordering areas? Rte 100 can't handle the mess that started small on farmland and exploded. Bloomington CA, rural town gradually obliterated. Those who remain have patches of grass with farm animals surrounded by massive structures. Miserable. We should learn from what has happened where developers were given a toe hold that became a boot, given priority and the citizens' way of life, legacy and community was sold out for dollars.

Sharon Duffield

554 Potomac St Mt Bethel, PA

UMBT BOS ,  
I find it very worrisome and inappropriate that during a time of shut downs and “social distancing” that the UMBT BOS and EDC are continuing to make amendments which deal with the changes to the existing zoning laws that will negatively effect this community and it’s citizens FOREVER.

NONE of this should be done in a virtual setting where the people of the community are merely spectators in the imminent destruction of our township , while the supervisors sit behind a keyboard making decisions without having to face us in person and hear OUR voices !

There should be NO VOTES or hearings held until it can be done in public , in person , indoors , in a climate controlled setting so all can attend and interact with OUR ELECTED officials. Anything else is an affront to our democratic process and reeks of corruption and cowardice.

Will you stand tall and strong with your constituents , your neighbors or will you fold feebly to the demands of Lou pektor and his invading force of destruction?

We the people of this township are watching and we WILL hold you all accountable.

The LVPC has also expressed concern and disbelief that the BOS/EDC have submitted such outrageous amendments to the zoning ordinance that would allow untold destruction to our infrastructure and alter our beautiful community in perpetuity that commissioner Stephen Melnick was quoted to say that “ "This looks like it was written by a developer for a developer," and Samantha Smith said that the zoning changes would be "generally inconsistent" with the LVPC's regional plan. Smith, the chief community planner, said that the zoning amendment for industrial parks would be "contrary to the character of the township and fiscally unsustainable in terms of road and bridge maintenance."

The potential changes would threaten the qualify of life, property values and tax base of Upper Mount Bethel.

Please take careful consideration to the concerns I have expressed as I’m sure I speak for the vast majority of residents in our community

Sincerely

Joseph A. Kazarda

Text Amendment questions/comments

For August 10, 2020 Meeting

1. The Text Amendment (V10) states that there will be a Traffic Impact Study (TIS) based on the Overall Conceptual Sketch Plan when the first Land Development Plan is submitted. The problem is that this study is done too late to adjust this Text Amendment and there is no plan or control based on the amount of traffic including trucks. Just to do a study means little, if there is no action to be taken, based on it. What is projected daily traffic (total and truck) in one year, five years, ten years, and twenty years from now based on the conceptual plan of RPL today? How will more traffic be prevented on Rt 611 and Rt 512? How will the RPL project and traffic be coordinated with the I80 Rockwall Project?
2. RPL's Conceptual Plan indicates that there will be significant clearing of land to place the buildings, since there is a large portion of this tract which is wooded. The Township has an Ordinance for Tree Harvesting. It specifically prohibits "Clear Cut Logging" unless a Use Change is dictated. There is no use change, as this land is already Zoned industrial, so therefore the land cannot be cleared for the proposed massive buildings. When the township passed this Ordinance, they obviously did not want Felling of substantially all trees on a tract of land or portion thereof. We cannot have this massive development because of this!
3. We understand that the BOS intends to transfer Marshfield Drive to RPL. How can the Township give to a developer, a public road which each resident is a part owner? That nearly one-mile long road must be worth millions, and it is not the BOS to give away. What is the BOS response?

C. A. Cole

Comment:

*J. Kart*

The Lehigh Valley Planning Commission has stated that changes in zoning will create economic and quality of life hardships on the residents of the town. As the developer knew of the constraints of the property and the zoning laws before purchasing the property, the developer should not expect the town to change zoning. I am against allowing any zoning changes/ amendments for River Point Logistics, LLC property.

Questions:

1. If the zoning changes are passed, will the township/developer pay residents for the decrease in property values which would result from the respective changes?
2. If the zoning changes are passed will residents be compensated for the damage to their homes/property/ health from increased traffic?
3. If the Lehigh Valley Planning Commission has come out against having 100-foot-high buildings, why would the Mt. Bethel Township Zoning allow such changes to the zoning?
4. Zoning changes would appear to impact the ability of the fire department to respond to emergencies on the property. As a ladder truck to address fires for a 100-foot structure would cost over \$1.5 Million, how would the Township meet the additional costs of the fire department without raising taxes?
5. What will the township do to prevent 18 wheelers from using secondary roads not meant for truck traffic with the development of the respective property? Just this past weekend an 18-wheeler from the Dollar Tree was using Boulder/ Bollinger Drive to travel. These roads are not meant for this kind of traffic and allowing the use by 18 wheels could result in serious injury to township residents. Additionally, such truck traffic would create additional road maintenance issues/costs.
6. Has the township developed an estimate of the additional costs for township services to address the River Point Property? Such costs would include upgraded fire equipment, utility upgrades, housing of equipment, personnel training, additional township road vehicles, additional township staffing, and associated costs with the afore mention expenditures.
7. What are the costs to residents of the associated utilities upgrades (water/ electric/ sewer / water run-off) relating to the property development?

PLEASE SUBMIT FOR TONIGHT'S MEETING CONCERNING THE AMENDMENT BEING DISCUSSED:

Article 1 #13, Maximum Height, states that "no building shall exceed 100 feet "FRONT ELEVATION ALONG THE STREET FRONTAGE", but states that it doesn't apply to projections through and added to the roof surface, which will ultimately add considerable height above the 100 feet.

*Why do the limitations not apply to the "projections, etc" for a measurement of overall height AND IF NOT WHY NOT?*

*Article 1 #33i states that .05 acres will be dedicated to park/open space but "ii" allows the developer to pay a one-time fee of \$2000.00 in lieu of that provision. Explain how this is fair to our township residents and our wildlife.*

*Article III INAPPLICABLE ZONING AND SALDO PROVISIONS appears to set aside more than 12 existing township zoning regulations. The same regulations that all of us have had to following in building or improving our properties. Explain why this is happening and how that is fair to those of us who have followed township zoning ordinances all along.*

Will every township official guarantee that no one serving in any capacity (including supervisors and employees of UMBT) that they will not be involved in any way with this development, beyond it's regulation, that creates a financial conflict of interest and/or financial benefit to them?

Deborah Raesly

1452 Potomac Street



Dear Supervisors,

I'm writing this email after reading through the RPL Text Amendments and to voice my strong opposition to these amended changes. These updates are short sighted and clearly favor the developer over the concerns that have been raised loudly by your constituents for the past few months.

I've sat through several Board meetings this year, pre-COVID, and listened to concerns about how our budget isn't balanced, there isn't enough tax revenue, our fire departments cannot even afford new hoses, we can't pave enough of our roads annually, etc. etc.. Yet, this board is pushing massive tax relief to this developer just at the very idea of promises regarding jobs. The very location of these buildings will draw people from NJ and the Poconos. There are no guarantees that these jobs will even go to citizens in our community.

Additionally, in these meetings, traffic concerns along the 512/611 corridor have been discussed at length. We are already being forced to pay for a traffic light and these proposed businesses will bring more heavy truck traffic. I've listened, in person, to Supervisor DeFranco explain that we aren't even adequately paving enough mileage annually as it is. I've listened to Supervisor Teel state that Pektor so generously donated money to purchase a new hose for the fire department, for the township dropping the non pursuable lawsuit against him from his previous failed business attempt in this township. The Chief himself sat in that meeting stating that it was enough hose to cover ONE of our fire houses, not two. These proposed businesses and zoning ordinance changes will exacerbate the already glaring problems our township is facing.

Supervisor Teel is quoted in the article by LehighValleyLive.com on July 3rd as saying "this is what \*they\* wanted, no warehousing." Presumably, THEY, in this quote, are your constituents. As part of the 'they' you're referring to, I can assure you that we don't want warehouses OR manufacturing, which you all well know as the opinions were expressed in person, online and in every media outlet the citizens of Upper Mount Bethel can get their voice heard on.

While this land is zoned industrial and Pektor has the right to develop that land within the confines of the current zoning laws, we are under no obligation to change the zoning ordinances to so blatantly favor his business endeavors. These changes are short sighted and, ultimately, are not what the citizens in this community want. I am urging you to vote against these amendments.

Thank you,  
Jessica Heckman

>> News of emergency zoning change is concerning. Those of us who moved from NY and NJ did so because we were told this was a rural community.

>>

Keep Mt, Bethel Rural.

Joan Gibbs

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Upper Mt. Bethel Township Supervisors –

I am writing about my opposition to the “Text Amendments” zoning exceptions to benefit the River Pointe Logistics covering 700+ acres on Potomac/Marshfield Drive and River Road. Passage of the “Text Amendments” will allow warehouses of up to a 1 million square feet building.

Upper Mt. Bethel Township is a **RURAL** community.

Passage of the “Text Amendments” will lead to:

- **Heavy truck traffic** on already-busy roads
- **Increased taxes** to infrastructure development
- **Dramatic decrease** in property values from the huge warehouses
- **Lose of a rural community lifestyle**

Please set aside your own personal interests and represent the interests of the people of Upper Mt. Bethel Township to maintain the rural community lifestyle which is the reason so many of us live here.

Please do not let your vote be the reason Upper Mt. Bethel Township turns into a warehouse community.

- Kathleen Barnes

1831 S Delaware Drive, Mt. Bethel, PA 18343