

**BOARD OF COMMISSIONERS  
REGULAR PUBLIC MEETING**

**APRIL 18, 2022**

**MEMBERS PRESENT**

John J. Merhottein, President  
Malissa K. Davis, Vice President  
Jan Beatty, Commissioner  
John K. Gallagher, Commissioner  
Dale A. Sourbeck, Commissioner

**OTHERS PRESENT**

Anthony Giovannini, Township Solicitor  
Doug Bruce, Township Manager  
Amanda Raudenbush, Planning Director  
Ron Gawlik, Township Engineer  
Brian Panella, Township Conflict Solicitor

**CALL TO ORDER**

President Merhottein called the meeting to order at 7:00 p.m., and led those in attendance in reciting the Pledge of Allegiance.

**COURTESY OF THE  
FLOOR**

**RESIDENT**

The resident said he saw construction work being done at Third and Walnut streets and asked the board what was going on. Mr. Gallagher responded it was most likely work related to the flooding mitigation project. Ms. Raudenbush said she would look into it and offered her business card to the resident.

**MICHAEL STAUFFER  
909 CAYUGA ST.  
BETHLEHEM CITY**

Mr. Stauffer said he believes the township “puts the cart before the horse” when it comes to development, particularly by not requiring traffic improvements ahead of project development.

**BARRY ROTH  
4323 CHETWIN TERR.**

Mr. Roth said he believes the cost of installing the emergency light for the Bethlehem Township Volunteer Fire Company could be reduced if poles in storage were used for the project. Mr. Roth also said the yard waste center is being improperly used for storage of equipment.

**DAVE BUCHERER  
4220 NICHOLAS STREET**

Mr. Bucherer said granting variances to land developments is a privilege. He believes that the way to slow down development would for the board to stop granting waivers and deferrals. Solicitor Giovannini said this board does not grant zoning variances. Mr. Merhottein said the board hasn’t granted many waivers in the past. He said if the applicant is following state law, then the board cannot legally deny projects.

**APPROVAL OF MINUTES**

Upon motion (Davis-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the April 4, 2022, regular public meeting as amended.

**SUBDIVISIONS & LAND  
DEVELOPMENT**

**MOTION**

**A MOTION GRANTING AN EXTENSION TO AUGUST 18, 2022, FOR  
HERITAGE SENIOR LIVING LLC TO COMPLY WITH THE  
CONDITIONS OF RESOLUTION R061-19 GRANTING CONDITIONAL  
APPROVAL OF THE BIRCHES AT BETHLEHEM  
PRELIMINARY/FINAL PLAN**

4-18-2022

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion granting an extension to August 18, 2022, for Heritage Senior Living LLC to comply with the conditions of Resolution R061-19 granting conditional approval of the Birches at Bethlehem Preliminary/Final Plan.

**MOTION**

**A MOTION GRANTING AN EXTENSION TO OCTOBER 7, 2022, FOR FAIRFIELD MANAGEMENT CORPORATION TO COMPLY WITH THE CONDITIONS OF RESOLUTION R052-19 GRANTING CONDITIONAL APPROVAL OF THE HECKTOWN ROAD BUSINESS PARK, LOTS 6 AND 7, FINAL PLAN**

Upon motion (Gallagher-Beatty), the Board of Commissioners voted unanimously by voice vote to approve a motion granting an extension to October 7, 2022, for Fairfield Management Corporation to comply with the conditions of Resolution R052-19 granting conditional approval of the Hecktown Road Business Park, Lots 6 and 7, Final Plan.

**MOTION**

**A MOTION GRANTING A WAIVER OF REQUIREMENTS OF BETHLEHEM TOWNSHIP STORMWATER MANAGEMENT ORDINANCE §218-19.B AS IT RELATES TO A PROJECT PROPOSED BY FRIENDS OF JOHNSTON INC. TO REPLACE AN EXISTING DRAINAGEWAY BRIDGE CROSSING WITH A NEW REINFORCED CONCRETE BOX CULVERT ON ITS PROPERTY AT 1311 SANTEE MILL ROAD**

Sean Dooley, PH.D., P.E., Keystone Consulting Engineers Inc., representing the property owner, said they are requesting a waiver of requirements of the Bethlehem Township Stormwater Management Ordinance (SMO) §218-19.B to replace an existing drainageway bridge crossing with a new reinforced concrete box culvert on the property at 1311 Santee Mill Road. The applicant has applied for a permit. Mr. Gallagher said he had questions about the floodwater elevation and added that the plans don't comply with the standards for a 50-year flood. He also said it is in a flood plain. Victoria Bastidas, Friends of Johnston, said the swale on the property is on an easement granted to the City of Bethlehem who will continue to work with the Friends of Johnston to decrease the amount of water flow. Mr. Sourbeck asked the township engineer if they reviewed the project. Mr. Gawlik said he had no objections.

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve a motion granting a waiver of requirements of Bethlehem Township Stormwater Management Ordinance §218-19.B as it relates to a project proposed by Friends of Johnston Inc. to replace an existing drainageway bridge crossing with a new reinforced concrete box culvert on its property at 1311 Santee Mill Road.

**SKETCH PLAN – MILLER TRACT**

**MILLER TRACT, FARMERSVILLE ROAD, PLANNED RESIDENTIAL DEVELOPMENT, KAY BUILDERS**

Ms. Raudenbush said the applicant is proposing a Planned Residential Development which is a by-right use on a 51.88 acre tract located on Farmersville Road. The property is zoned Medium Density Residential (MDR) which allows a PRD as a by-right use. The proposal includes 60 single family detached units, 40 townhouse units, and 66 garden apartment units. The proposal also includes community gardens, a dog park, numerous community

outdoor gathering spaces, and pedestrian walkway and trail system. This project will be served by public water and public sewer. She said comments were issued by the township's consultants, and forwarded to the applicant. Rick Roseberry, Colliers Engineering & Design, representing the developer, said the purpose of the presentation is to get feedback from the board and the residents. They have received constructive comments from the Bethlehem Township Planning Commission and the Lehigh Valley Plan Commission regarding traffic impact, snow removal, stormwater management, adequate buffering, overflow guest parking, and concerns about the home owners association. Mr. Roseberry said the goal is to build the best project. Ms. Davis said it would be wonderful if they could preserve the barn and the farmhouse. Mr. Roseberry said they have a barn expert looking at it. Ms. Davis said she would like the open space to be more visible. Mr. Gallagher said he would like the applicant to coordinate with the two other proposed projects on Farmersville Road to mitigate traffic. Mr. Roseberry said they will be doing a traffic impact study. Mr. Gallagher said he would like to see the trails connected with the pedestrian trail and bike path. He also said the townhouses are crammed together. Mr. Roseberry said he will look into mixing it up with each unit adjacent to greenspace.

Mr. Sourbeck asked if they would be able to address all of the comments from Public Works, including changing a roadway to a collector road. Mr. Roseberry said they plan on widening the road. Mr. Sourbeck said he would like to see sufficient parking and curbing and sidewalk installed on Farmersville Road. He asked if a community impact study would be done. Mr. Roseberry said it would be once the plan is cleaned up.

Mr. Merhottein asked if a turning lane into the development is proposed. Mr. Roseberry said only if it is warranted. Mr. Merhottein said he would like to see less houses on bigger lots and would like to see green frontage on Farmersville Road.

**PAUL  
WEGRYZNOWICZ  
4147 WALTER ROAD**

Mr. Wegryznowicz said his property borders the Miller tract and would like to see trees planted during construction separating both developments.

**DAVID WONG  
4108 GINGER LANE**

Mr. Wong handed the board data from his research of the property. He said the density is too high and that some of the property is on a flood plain which makes it impossible to build on. He suggested a community impact analysis be done to recommend reduction of the number of homes built. Mr. Wong said extra homes brings neighborhood conflicts. Ms. Davis asked how many homes are proposed. Mr. Roseberry said they have a right to build 260 homes but are proposing 166. Mr. Merhottein asked if anything was being built on the flood plain. Mr. Roseberry said they no structures proposed on it. Ms. Davis asked how they plan to address stormwater. Mr. Roseberry said they will have four basins and spray irrigation to manage it. Mr. Sourbeck thanked Mr. Wong for the data provided and asked the township engineer to review it.

**MICHAEL STAUFFER  
909 CAYUGA STREET  
CITY OF BETHLEHEM**

Mr. Stauffer asked who conducts the traffic impact study. Mr. Roseberry said the developer conducts the study, which is then reviewed by the township. Mr. Stauffer said the township needed to "slow things down – this is not a done deal."

**DENISE DEMENA  
4177 WALTER ROAD**

Ms. DeMena said she attended the Planning Commission meeting in March. She is a certified public accountant and is opposed to this project. Ms. DeMena said she spoke with someone at Northampton County and was told the township

could contribute to the purchase of the property. She calculated that \$300 per taxpayer would ensure the property would remain undeveloped. Ms. Davis said she had a conversation with the county executive and was told they did not have the funds to preserve it. Mr. Sourbeck said some of the people in his ward don't care to preserve it. Mr. Merhottein said the Millers have an agreement Kay Builders.

**STEVE MAHER  
4169 WALTER ROAD**

Mr. Maher said he just learned about the sale and is opposed to the development. He said he understands that this is a private sale and that the Millers should profit from it.

**DANA ALYSS  
RESIDENT**

Ms. Alyss said she is a longtime resident and is opposed to the development. She said it would be like putting a small city into a suburb and is concerned that the schools would not be able to support additional students. Solicitor Panella this is only a sketch plan and the applicant doesn't have all the answers at this time. He said studies need to be done. Ms. Elise said the development will negatively impact taxes.

**BILL HABERL  
3002 WILLOW CT.**

Mr. Haberl asked at what point will they see plans for the retention/detention ponds. Mr. Roseberry said once the studies are done and land development plans submitted. Mr. Haberl said the board should contact the Bethlehem Area School District to get their opinion. Mr. Merhottein said the Lehigh Valley Planning Commission does that. Mr. Haberl said he prefers to see a 55 and up community.

**ALLEN BILLIARD, III  
2302 FARMERSVILLE RD.**

Mr. Billiard said all the developers on Farmersville Road should get together to discuss quality of life and traffic mitigation and safety. Ms. Davis said staff and the engineer professionals are working with other developers on this. Mr. Billiard encouraged the public to file traffic roadway concerns with PennDOT.

**STEVE HUNT  
2197 COOK DR.**

Mr. Hunt said he lives in Madison Farms and that Bethlehem Area School District is at 87 percent capacity of its schools. He said he was concerned with detention ponds, rain gardens, and the street being very narrow. Mr. Merhottein said narrow street slows down traffic.

**MICHAEL DEWEY  
4184 ROSS ROAD**

Mr. Dewey commented that this is the opportunity to make a difference by doing something constructive. He said that the residents came to Bethlehem Township for the quality of life and now want to preserve that.

**ROBERT TAYLOR  
4416 ROSEBAY CT.**

Mr. Taylor said this is a missed opportunity and wondered why no one was trying to save the farm. He said it would greatly reduce the quality of life once it's developed.

Mr. Gallagher said he was pleased and encouraged to see residents come and give their comments. He welcomed them to attend future meetings.

As a sketch plan is presented only for review and comments, and does not require formal action, the Board of Commissioners took no action on the plan.

**RESOLUTIONS OF THE  
BOARD OF  
COMMISSIONERS**

**RESOLUTION R042-22**

**A RESOLUTION ADOPTING AND SUBMITTING TO THE  
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL**

4-18-2022

**RESOURCES A REVISION TO THE OFFICIAL SEWAGE FACILITIES PLAN THE SEWAGE PLANNING MODULE FOR LEHIGH VALLEY TRADE CENTER III**

Upon motion (Davis-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R042-22 adopting and submitting to the Pennsylvania Department of Environmental Resources a revision to the Official Sewage Facilities Plan the sewage planning module for Lehigh Valley Trade Center III.

**RESOLUTION R043-22**

**A RESOLUTION APPOINTING A MEMBER TO THE BETHLEHEM TOWNSHIP CIVIL SERVICE COMMISSION**

Mr. Bruce said the recent resignation of a member created a vacancy. He said the board should first vote to accept the resignation of Jack Fliter, before voting on a replacement.

Upon motion (Sourbeck-Beatty), the Board of Commissioners voted unanimously by voice vote to accept the resignation of a member of the Civil Service Commission.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R043-22 appointing Luke Verdes to the Bethlehem Township Civil Service Commission.

**RESOLUTION R044-22**

**A RESOLUTION APPROVING A COMMUNITY PROJECT FUNDING GRANT APPLICATION**

Mr. Merhottein said this is for federal funding for the realignment of Freemansburg Avenue and Farmersville Road intersection. The grant is for the \$2 million and the total cost of the project is over \$7 million.

**STEVE HUNT  
2197 COOK DR.**

Mr. Hunt asked how much of Freemansburg Avenue would be widened. Mr. Gawlik said only at the intersection.

**BARRY ROTH  
4323 CHETWIN TERR.**

Mr. Roth asked how far down Freemansburg Avenue is widened and where it narrows. He believes that St. Luke's is responsible for not completing their part of the road. Mr. Gawlik said that was the limit of their project.

Upon motion (Sourbeck-Davis), the Board of Commissioners voted unanimously by voice vote to approve Resolution R044-22 approving a Community Project Funding grant application.

**RESOLUTION R045-22**

**A RESOLUTION AUTHORIZING AN APPLICATION TO THE WALKWORKS GRANT PROGRAM OF THE COMMONWEALTH DEPARTMENT OF HEALTH**

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R045-22 authorizing an application to the WalkWorks grant program of the Commonwealth Department of Health.

**MOTIONS OF THE  
BOARD OF  
COMMISSIONERS**

**MOTION**

**A MOTION ACCEPTING THE RESIGNATION OF A MEMBER OF THE BETHLEHEM TOWNSHIP CIVIL SERVICE COMMISSION**

This motion was voted on earlier in the meeting when Resolution R043-22 was being discussed.

**MOTION**

**A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH T&M ASSOCIATES FOR BIDDING, CONSTRUCTION, AND GRANT ADMINISTRATION FOR THE THIRD PHASE OF THE HOUSENICK TRAILS PROJECT**

Upon motion (Davis-Gallagher), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township manager to enter into an agreement with T&M Associates for bidding, construction, and grant administration for the third phase of the Housenick trails project.

**APPROVAL OF BILL AGENDA OF APRIL 13, 2022**

Upon motion (Sourbeck-Beatty), the Board of Commissioners unanimously voted by voice vote to approve the Bill Agenda of April 13, 2022.

**APPROVAL OF PURCHASE ORDERS**

- PO 20220829 – DUKE SALES AND SERVICE – PPIS – \$3,360.00**
- PO 20220890 – GOLDEN EQUIPMENT CO. – PW – \$2,911.22**
- PO 20220937 – CHAPMAN AUTO GROUP – BTPD – \$41,069.00**
- PO 20220938 – KOCH 33 FORD TOYOTA – BTPD – \$42,665.00**
- PO 20220939 – KOCH 33 FORD TOYOTA – BTPD – \$42,665.00**
- PO 20220940 – KOCH 33 FORD TOYOTA – BTPD – \$50,342.00**
- PO 20220941 – KOCH 33 FORD TOYOTA – BTPD – \$50,342.00**

Upon motion (Sourbeck-Davis), the Board of Commissioners unanimously voted by voice to approve Purchase Orders 20220829, 20220890, 20220937, 20220938, 20220939, 20220940 and 20220941 as presented.

**APPROVAL OF TREASURER’S REPORT OF MARCH 31, 2022**

Upon motion (Sourbeck-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve the Treasurer’s Report of March 31, 2022 as presented, subject to audit.

**ZONING HEARING BOARD MEETING OF APRIL 27, 2022**

Upon motion (Gallagher-Sourbeck), the Board of Commissioners unanimously voted by voice vote to direct the township solicitor to represent the township at the April 27, 2022 Zoning Hearing Board meeting.

**MONTHLY REPORTS**

All monthly reports were accepted.

**ADJOURNMENT**

There being no other business, upon motion (Sourbeck-Davis), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

Laura G. Zapata  
Recording Secretary

