

Upper Milford Township  
Board of Supervisors  
Township Building, Old Zionsville, PA 18068  
June 2<sup>nd</sup>, 2022, 7pm  
REGULAR MEETING MINUTES

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**ATTENDANCE:** Supervisors; Daniel Mohr, Joyce Moore, John Zgura; Manager Edward Carter; Solicitor Marc Fisher, Secretary/treasurer Jessi O'Donald

Pledge of Allegiance to the flag.

**ANNOUNCEMENTS:**

This meeting is being recorded principally to aid in the preparation of Minutes and for such other purposes as the Board sees fit. For that reason, will each person wanting to give any comments during this meeting, please state your name for the record and address the Board of Supervisors.

**PUBLIC INPUT:**

Phil Casey asked if the Chamber received the money for the grants.

Supervisor Zgura, Moore and Treasurer O'Donald confirmed that no money has gone to the Chamber and they will receive 5% of what the Board of Supervisors is recommended to disburse after the grant process is worked through.

**ACCEPTANCE OF MINUTES:**

Approval of May 19<sup>th</sup>, 2022 regular meeting minutes.

**MOTION:** Supervisor Moore made a motion to approve the minutes as presented. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**APPROVAL OF PAYMENT OF BILLS:**

**GENERAL FUND:**

PLGIT XXXX7096 - Check No's. **21278 to 21307** in the amount of **\$ 13,862.55**

**ACKNOWLEDGEMENT OF BANK TRANSFERS:**

No Transfers

**MOTION:** Supervisor Moore made a motion to pay the bills as read. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**SOLICITOR'S REPORT:** No Report

**OLD BUSINESS:** None

## **NEW BUSINESS:**

- 1.) Approval of Financial & Improvements Agreements – WB Homes, Estates at Maple Ridge
  - a. Memo from Planning Coordinator Brian Miller

Letter from Brian Miller: A copy of the Subdivision & Land Development Improvements Agreement for the Estates at Maple Ridge (COSDO) is presented. The site improvement cost estimate has been reviewed and approved by the Township Engineer, and is ready for the township to execute as part of final plan approval contingencies.

**MOTION:** Supervisor Moore made a motion to accept the improvements & financial agreements for The Estates at Maple Ridge as presented. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Acceptance of original Estates at Maple Ridge approved plan withdraw
  - a. Memo from Justin Strahorn of W.B. Homes

Please accept this letter as a request to withdraw the previously approved “Estates at Maple Ridge” Subdivision and Land Development approval as granted by the Upper Milford Township Board of Supervisors. As you are aware, we are proceeding with the project as set forth by the COSDO Final Land Development approval granted by the Board of Supervisors on 12/03/2020.

**MOTION:** Supervisor Moore made a motion to accept the plan withdrawal as requested in Justin Strahorn’s letter dated May 31<sup>st</sup>, 2022. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

## **DEP MODULES / SEWAGE PLANNING:**

- 1.) Resolution 2022-032 - 6880 Tollgate Rd - Planning Module
  - a. Letter from SEO Brian Miller

The Planning Commission reviewed the Planning Module for 6880 Tollgate road at their meeting on May 31st, 2022. The Sewage Planning Module is required due to the previous subdivision (Ruth Yoder - 6774 Tollgate Road) designating this lot as agricultural and using an Agricultural waiver for its creation. At this time the property has been sold and the new owner must complete a DEP Planning Module prior to the lot being considered a building lot. Soil testing for Primary and Alternate On-Lot Septic Sites has been completed on the property. The Component 1 Planning Module has been completed by Keystone Engineering. The Planning Commission recommended that the Planning Module be Acknowledged, Signed and forwarded to DEP for review & approval. If the Board agrees the Module can be signed by Jessi O’Donald & myself and forwarded to DEP.

**MOTION:** Supervisor Moore made a motion to approve Resolution 2022-032 for the DEP Planning Module for 6880 Tollgate Rd per Brian Miller’s letter dated June 2, 2022. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

## **PLANNING COMMISSION – OLD BUSINESS:** - None

## **PLANNING COMMISSION – NEW BUSINESS:**

- 1.) Upper Saucon Plan Review
  - a. Letter from Planning Coordinator Brian Miller

The Township received a copy of the proposed Upper Saucon Township Comprehensive Recreation & Open Space Plan for review and comment, The Planning Commission had no comments and recommends that the Board of Supervisors thank Upper Saucon for the chance to review the proposed Plan. If you agree I will send a letter thanking Upper Saucon Township as noted above.

The Board of Supervisors directed Staff to thank Upper Saucon for the courtesy of the review.

- 2.) Approval 180 day Time Extensions until 12/31/2022 for:
  - Goldstein Subdivision, expires 6/30/22
  - Indian Creek Industrial Park Subdivision, expires 6/30/22
  - Indian Creek Industrial Park Lot #10 Land development, expires 6/30/22
  - 4054 Chestnut St. Land Development, expires 6/30/22
  - Dale A. & Lucy A. Dries Subdivision, expires 6/30/22
  - a. Letter from Planning Coordinator Brian Miller

**MOTION:** Supervisor Moore made a motion to approve the Time Extensions as requested in Brian Miller's letter dated June 2, 2022 and listed above. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

## **SUBDIVISIONS – IMPROVEMENTS:**

- 1.) Approval – Omega Homes Time Extension until 12/20/2022
  - a. Letter from Omega Homes – Avi Hornstein

Omega Homes, Inc. requests that the existing Improvements Agreement, currently scheduled to expire on June 20, 2022 be granted a 180 day extension to December 20, 2022. Please forward this request to the Upper Milford Township Board of Supervisors.

**MOTION:** Supervisor Moore made a motion to approve the Time extension for Omega Homes, Indian Mill Creek Townhouses per the request letter dated May 31<sup>st</sup>, 2022. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Approval – Fields at Indian Creek Phase 3 time extension until August 7<sup>th</sup>, 2023
  - a. Letter from Richard Koze

Please accept this request for a 365-day time extension for the Improvements Agreement for the Indian Creek Major Subdivision Phase 3 to allow time to complete the necessary improvements. Kay Builders will ensure that Irrevocable Letter of Credit No 1350000660211 with People's Security Bank and Trust will be extended to a date beyond the new expiration date of the Improvements Agreement.

**MOTION:** Supervisor Moore made a motion to approve the Time Extension as requested for The Fields at Indian Creek Phase 3 in the Kay Builders' letter dated May 31<sup>st</sup>, 2022. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 3.) Approval – Fields at Indian Creek Phase 4/5 time extension until August 30<sup>th</sup>, 2023
  - a. Letter from Richard Koze

Please accept this request for a 365 day time extension for the Improvements Agreement for the Indian Creek Major Subdivision Phase 4/5 to allow time to complete the necessary improvements. Kay Builders will ensure that Irrevocable Letter of Credit No. 1350000660217 with People's Security Bank and Trust will be extended to a date beyond the new expiration date of the Improvements Agreement.

**MOTION:** Supervisor Moore made a motion to approve the Time Extension as requested for The Fields at Indian Creek Phase 4/5 in the Kay Builders' letter dated May 31<sup>st</sup>, 2022. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 4.) Approval – Fields at Jasper Ridge time extension until August 7<sup>th</sup>, 2023
  - a. Letter from Richard Koze

**MOTION:** Supervisor Moore made a motion to approve the Time Extension as requested for The Fields at Jasper Ridge in the Kay Builders' letter dated May 31<sup>st</sup>, 2022. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

**CORRESPONDENCE:**

- 1.) Request from Macungie Borough for Special Fire Police for:
  - Antique Truck show - June 17 & 18<sup>th</sup> 2022
  - Das Awkscht Fescht Car Show - August 5-7, 2022
  - Wheels of Time Car Show - August 26-28, 2022
  - a. Letter from Macungie Manager John Brown

**MOTION:** Supervisor Moore made a motion to allow Special Fire Police from Stations #28 and #19 to participate in the events as listed in John Brown's letter dated May 6<sup>th</sup>, 2022 if willing and available. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

- 2.) Request for Fire Police Assistance from Emmaus Borough
  - Halloween Parade October 15, 2022 at 7:30 pm and the rain date of October 16<sup>th</sup> at 6:30 pm
  - a. Letter from Operations Sergeant Bryan Hamscher

**MOTION:** Supervisor Moore made a motion to allow Special Fire Police from Stations #28 and #19 to participate in the Emmaus Halloween Parade as listed in Bryan Hamscher's letter dated May 20<sup>th</sup>, 2022 if willing and available. Supervisor Zgura seconded the motion. Hearing no questions or comments, all were in favor, motion carried.

### 3.) Parking Concerns letter

#### a. Letter from Jasper Ridge HOA

We are writing on behalf of our community, Fields at Jasper Ridge (aka The Kohler Tract), to inquire about the planned parking restrictions to be implemented when Kay Builders turns over responsibility for the streets to UMT, upon completion of the development. It has come to our attention that the final plan calls for 27 No Parking signs to be installed, in effect prohibiting parking on both sides of all streets throughout our development. A copy of the plans is attached for your reference with the planned locations and type of signs highlighted in yellow. We feel these parking restrictions are unreasonable and we have significant concerns that they will cause undue hardship on our residents and their visitors. Nearly half of the homes (60 of 122) in our community have single-car garages/driveways. Additionally, there are families in our neighborhood that have more than two vehicles due to one or more of their children currently being of driving age or that will be in the coming years. Furthermore, having no street parking available throughout the community severely limits the ability of visitors to our neighborhood to park their vehicles. We already experience parking capacity challenges, in some areas of the community, even with the current state of unrestricted on-street parking. This will become a significant issue if no street parking is allowed. Although there is a 60-space HOA parking lot planned that may alleviate some of the capacity issues, this lot is not centrally located and requires walking a considerable distance, up a substantial incline, to reach most units. We would like to understand if this plan to prohibit on-street parking community-wide was designed because of a requirement of UMT or if the Kay Builders team decided and implemented this on their own. If this is a UMT requirement, we would like to understand the reasoning for this restriction and if there are any alternatives that can be considered, such as prohibiting parking on only one side of the street. If this is not a UMT requirement, we would like to understand the process for modifying this plan, before it is implemented, to allow on-street parking throughout the community. Thank you in advance for your consideration in this matter.

There was a brief discussion. Jim Krippe asked why the HOA was inquiring now as the roads had not been dedicated yet. Manager Carter stated he felt they were just trying to be proactive. All three Supervisors felt as though the no parking had been agreed upon during planning and in consultation with the fire department and engineers and while they understood why the request was made that they did not want to make any changes as this was the approved plan. Staff was directed to send a written response to the HOA.

**OTHER ISSUES:** - None

#### **REPORTS:**

Emergency Services Committee Report: N/A

Township Emergency Management Coordinator: N/A

Emergency Services Call Report: No Report

Fire Companies: No Report

Emmaus Library: No Report

Recreation Commission: No Report

Township Manager:

Bud Carter – Seal Coat will start on Monday and should be done by mid-week.

Supervisors:

John D. Zgura – No Report

Joyce K. Moore – No Report

Daniel J. Mohr – No Report

**EXECUTIVE SESSION:** - Not needed

**ADJOURNMENT:** Meeting was adjourned at 7:31 pm.

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Chairman Daniel J. Mohr

**June 16<sup>th</sup>, 2022**

**Date**

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Secretary Jessi O'Donald