



Upper Macungie Township
Board of Supervisors
General Business Meeting
Agenda

8330 Schantz Road
Breinigsville, PA 18031

Public Meeting Room

7:00 PM

March 05, 2026

I. CALL TO ORDER - PLEDGE TO THE FLAG

II. PUBLIC HEARING

- A. Vacation of a Portion of Main Street in Fogelsville
- B. LERTA Ordinance

III. ADDITIONS/DELETIONS TO THE AGENDA

IV. MINUTES & FINANCIALS

- A. Minutes - February 5, 2026 - General Business Meeting

Attachments

- 1. [MINUTES 2026.02.05 GENERAL BUSINESS - DRAFT.DOCX](#)

- B. Financials - February 2026

Attachments

- 1. [MARCH 2026 TREASURERS REPORT.PDF](#)

V. PRESENTATIONS

- A. Fire and Police Station Updates

VI. DISCUSSIONS & UPDATES

- A. House Bill 2151 - Data Centers, Sunny Ghai

VII. ORDINANCES

- A. Ordinance #2026-02 Vacation of a Portion of Main Street in Fogelsville , Andrew Schantz

Attachments

- 1. [2026-02 MAIN STREET VACATION.DOCX](#)

- B. Ordinance #2026-03 - Adoption of LERTA Ordinance, Andrew Schantz

Attachments

- 1. [2026-03 LERTA.DOCX](#)
- 2. [IB - LERTA 2026.03.05.DOCX](#)

VIII. RESOLUTIONS

- A. Resolution 2026-11 - Docket #2413, Nursery Street Townhouses, 1500 Nursery Street, Preliminary/Final Land Development Plan, Meredith Keller

Attachments

- 1. [DOCKET 2413 NURSERY STREET BOS REPORT.PDF](#)
- 2. [IB-2413 NURSERY STREET TOWNHOUSES.PDF](#)

- B. Resolution 2026-12 - Docket #2392, 6939 Ruppssville Road, Modification Request, Ryan Kern, Ryan Kern

Attachments

1. [IB-2392 - 6939 RUPPSVILLE RD.PDF](#)
2. [DOCKET 2392 6939 RUPPSVILLE ROAD PC REPORT.PDF](#)

C. Resolution #2026-13 – Identifying/Establishing Deteriorated Areas Located within Upper Macungie Township Eligible for Tax Exemptions, Andrew Schantz

Attachments

1. [RES 2026-13 LERTA DESIGNATED AREA.PDF](#)

D. Resolution #2026-14 – Authorizing the Township Manager to Sign an Intermunicipal Agreement with Whitehall Township and its Police Department, Mike Sitoski

Attachments

1. [RES 2026- 14 WHITEHALL UMT INTERGOVERNMENTAL AGMT POLICE.PDF](#)

IX. MOTIONS

A. Motion to Approve Manhole Replacement Contract, Robert Ibach

A motion authorizing the Township Manager to sign a contract for the use of Pact Two, LLC for sanitary sewer manhole frame and cover replacements in the amount of \$455,000.00.

B. Authorizing the Township Manager to Execute a Venue Agreement with LiveBarn Inc. for Live Streaming Video Service at the Community Lifestyle Center, Ryan Griffiths

Attachments

1. [03.05.2026 LIVE BARN VENUE AGREEMENT IB.DOCX](#)
2. [LIVE BARN AGREEMENT.PDF](#)

C. Authorizing the Township Manager to accept a Memorandum of Understanding from the developer of the Lower Macungie Mixed Use Project located at 617 N. Krocks Road wherein the developer provides a commitment of a financial contribution to the intersection of North Krocks and Cetronia Road, Andrew Schantz

D. Authorizing the Transfer of Funds to be Deposited into an Account to be Used to Fund the Improvements Agreed Upon with the Memorandum of Understanding provided by the developer of the Lower Macungie Mixed Use Project, Andrew Schantz

X. BOARD & STAFF REPORTS

A. Community Development Report, Meredith Keller

Attachments

1. [2-26 CD REPORT.PDF](#)

B. Engineering Monthly Report, Ryan Kern

Attachments

1. [2026-03 HRG ENGINEER REPORT.PDF](#)

C. Public Works Department Report, Scott Faust

D. Recreation Department Report , Ryan Griffiths

Attachments

1. [03-05-2026 RECREATION REPORT.DOCX](#)

E. Police Monthly Report, Chief Sitoski

Attachments

1. [UMTPD - BOS MONTHLY REPORT PUBLIC.PDF](#)

F. Fire Monthly Report, Peter Christ

XI. PUBLIC COMMENT/COURTESY OF THE FLOOR

XII. ADJOURNMENT

I. CALL TO ORDER – PLEDGE TO THE FLAG

The General Business Meeting of the Board of Supervisors of Upper Macungie Township was called to order on February 5, 2026, at 7:00 p.m. in the Municipal Building, 8330 Schantz Road, Breinigsville, PA 18031. Present were Jeff Fleischaker, Chairman; Julien Godborge, Vice-Chairman; Sunny Ghai, Supervisor; Robert Ibach, Jr., Township Manager; Meredith Keller, Director of Community Development; Jazmin Vazquez, Township Secretary; Andrew V. Schantz, Esq., Solicitor; Chief Michael Sitoski, UMTPD; Commissioner Peter Christ, Bureau of Fire; Stan Wojciechowski, Township Engineer; Scott Faust, Public Works Director; Ryan Griffiths, Recreation Manager; and Michelle Souls, Finance Director.

Chairman Fleischaker opened the meeting and asked all present to join him in reciting the Pledge of Allegiance to the Flag of the United States of America.

II. PUBLIC HEARING

A. Conditional Use – Sheetz Windsor

A public hearing was held regarding the conditional use application of Sheetz Windsor for a property consisting of two contiguous lots at 871 North PA Route 100, Allentown, PA 18106, and 7535 West Tilghman Street, Allentown, PA 18106.

Township Solicitor Andrew Schantz noted that the hearing was properly advertised in the Parkland Press on January 21 and January 28, 2026. He explained that all three supervisors were present, constituting a quorum. Solicitor Schantz outlined the legal standards for conditional use applications, noting that once the applicant meets their burden, the burden shifts to objectors to prove that the use would adversely impact health, safety, and welfare beyond what was contemplated when the ordinance was established.

Community Development Director Meredith Keller provided a brief introduction, explaining that the applicant was requesting conditional use to permit construction of an auto service station with accessory convenience store and seating for more than 10 patrons, including a drive-up window service. Both uses (auto service station and convenience store) are conditional uses in the zoning ordinance. The Planning Commission reviewed the application on January 21, 2026, and recommended approval with four conditions.

Julie Wagner Burkart, attorney for Sheetz Inc., presented the application for the 3.8-acre development which would include a 6,139 square foot convenience store with indoor dining, 12 gas fueling positions, and a pickup window. She noted they had received a favorable conditional use review memorandum dated January 16, 2026, and had met with township staff on February 2 to review recommendations.

Victor Grande of Rettew Associates, project engineer, testified about the site design, confirming the plan complied with all conditional use requirements for auto service stations and restaurants. He described site access points from both Route 100 and Tilghman Street, landscaping, buffering, and parking (47 spaces provided, exceeding the 44 required). He confirmed that all utilities, stormwater management, and emergency vehicle access had been addressed in the plan.

David Smith, Senior Real Estate Site Selector for Sheetz, testified that the company currently operates 821 facilities nationwide with 315 in Pennsylvania. He described safety measures including cameras, trained staff, double-walled underground storage tanks with sensors, and breakaway hoses. He explained that the pickup window (not a traditional drive-through) is operated through mobile app orders with typically no more than two vehicles in line during peak hours.

Eric Mountz, traffic engineer, testified that the existing medium volume driveway permits from 2004 would accommodate the project traffic. He explained that 75% of convenience store customers are already passing by on surrounding roadways, resulting in minimal new traffic generation (70-100 additional peak hour trips).

During public comment, Michael Gross, representing his wife Abigail Gross who owns the property at 7619 Tilghman Street, expressed concerns about health impacts, crime statistics related to gas stations, and quality of life impacts including light pollution and noise. Daniel Zeroka of 7617 Tilghman Street also expressed similar concerns.

Motion by Chairman Fleischaker to adjourn the public hearing on the matter of an conditional Use Application for Sheetz Windsor. Seconded by Supervisor Ghai. Motion passed unanimously.

III. ADDITIONS/DELETIONS TO THE AGENDA

NONE

IV. MINUTES & FINANCIALS

A. Minutes – January 5, 2026 – Organization & General Business Meeting

B. Financials – January 2026

Chairman Fleischaker stated that he would dispense with the reading of the minutes of the previous meeting unless there were any objections.

Motion by Chairman Fleischaker to dispense with the reading of meeting minutes from the January 5, 2026 – Organization & General Business Meeting and approve as submitted and authorize the payment of the bills for January 2026 in the amount of \$7,419,028.40. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.

V. PRESENTATIONS

A. Grant Awards – Ryan Griffiths

Mr. Griffiths presented information about three grant awards recently received by the township. Two grants of \$250,000 each were awarded for the Grange Park Loop Trail - one from DCED for the Greenways Recreation Trails Program and another from DCNR's Community Conservation Partnership Program. A third grant was awarded for Grange Park basketball court improvements through the DCED Local Share Account grant. He also shared a general timeline for these projects. For the Grange Park Loop Trail, the township is finalizing grant agreements in February, with potential construction beginning March through October 2027. For the basketball court improvements, work could begin as early as this summer with completion anticipated by fall.

VI. DISCUSSIONS & UPDATES

None

VII. ORDINANCES

A. Ordinance #2026-02 – Vacation of a Portion of Main Street in Fogelsville

This item was tabled to the March 5, 2026, Meeting of the Board of Supervisors.

VIII. RESOLUTIONS

A. Resolution #2026-05 – Fee Schedule Update

Commissioner Christ introduced the resolution to update the fee schedule to include fire extinguisher training. He explained that the Fire Bureau had received numerous commercial business requests for this training. After

discussion, the Board decided to charge a fee of \$250 for up to 10 students, but only for commercial purposes. The Board wanted to ensure that residential training and educational training for schools would remain free.

Motion by Chairman Fleischaker to adopt resolution 2026-05, updating Upper Macungie's Fee Schedule specific to Schedule "H" adding for a fee for fire extinguisher training for commercial purposes only, while maintaining free training for residential and educational purposes of \$250.00 for ten (10) students and \$25.00 for each additional student. Seconded by Supervisor Ghai. Motion passed unanimously.

B. Resolution #2026-06 – Docket #2420, Sheetz Windsor – Conditional Use

Solicitor Schantz stated that there was a public hearing that was held earlier during the meeting and that the Conditional Use for Docket #2420, Sheetz Windsor was now before the Board for action.

Motion by Chairman Fleischaker to adopt Resolution #2026-06, approving the conditional use for Sheetz Windsor with the following conditions: (1) conformity with testimony and exhibits provided, (2) compliance with review letters from Meredith Keller dated January 16, 2026, Marv Walton dated January 12, 2026, HRG dated January 16, 2026, and Chief Christ dated January 6, 2026, and (3) eastern access from Windsor subject to staff and solicitor review and approval. Seconded by Supervisor Ghai. Motion passed unanimously.

C. Resolution #2026-07 – Docket #2336 – Sunset Orchards, Schantz & Ruppssville Road – Preliminary Land Development

Ms. Keller explained that the applicant was proposing to consolidate two existing lots and construct a residential development consisting of 197 townhouse units and 6 single-family semi-detached twin-style homes with associated site improvements. The application included three waivers from sections of the Township SALDO. Ms. Keller noted that the township had requested side paths in lieu of sidewalks to be consistent with the Vision Zero Action Plan, and the applicant had complied.

The applicant's representatives confirmed they would meet all requirements in staff and engineering review letters. They explained the project would be built in three phases, starting from Schantz Road and moving toward Bastian Lane. In response to questions about traffic improvements, they confirmed a right turn lane would be added for traffic heading west on Schantz Road turning north onto Ruppssville Road.

Several neighboring property owners expressed concerns about traffic congestion, potential water runoff onto adjacent farmland, and buffering between the development and existing properties. The Board and applicant addressed these concerns, noting that each phase would need to stand on its own with appropriate turnarounds for emergency vehicles and that stormwater management would be closely regulated through agreements with the HOA.

Motion by Supervisor Ghai to adopt Resolution #2026-07, granting Preliminary Subdivision and Land Development Plan Approval for Docket #2636 Sunset Orchards, including the approval of Waiver Request #1, #2, and #3, all conditioned on the Staff and Engineer Review Letters dated January 29 and January 26, 2026, respectively. Seconded by Chairman Fleischaker. Motion passes unanimously.

D. Resolution #2026-08 – Docket #2343, 121 Nestle Way and 8361 Schantz Road – Preliminary Land Development and Lot Consolidation

Ms. Keller presented the application which proposed consolidation of eight (8) parcels bounded by Schantz Road, Nestle Way, and Schantz Road, and the demolition of existing residential buildings and accessory structures. The plan called for construction of an 82,167 square foot warehouse with associated parking, stormwater management, and other site improvements. A special exception approval had been granted by the Zoning Hearing Board in December 2023 with 14 conditions, all of which were addressed in the plan.

Motion by Vice-Chairman Godborge to adopt Resolution #2026-08, granting Preliminary Lot Consolidation and Land Development Plan Approval for Docket #2343 121 Nestle Way & 8361 Schantz

Road, conditioned on the Staff and Township Engineer review Letters dated January 29 and January 26, 2026, respectively. Seconded by Chairman Fleischaker. Motion passed unanimously.

E. Resolution #2026-09 – Docket #2265A – Revoking Plan for Trexlertown Retail Center

Solicitor Schantz explained that this previously approved plan had been granted conditional final land development approval on November 7, 2024, with the condition that all plans and documents needed for recording be provided to the Township Engineer within 120 days. Despite multiple attempts to seek compliance, the applicant had not secured financial security, which was the missing piece for plan recording. Jim Preston, attorney for the applicant, and Jin Dye, the applicant, explained that they had encountered delays with their bank, which had been involved in a merger. They provided a letter from the bank indicating interest in financing the project, with an expected 60-day timeframe to complete the process. After discussion, the Board agreed to provide a 90-day extension with the understanding that this would be the final extension.

Motion by Chairman Fleischaker to amend Resolution #2026-09, to grant a one-time 90-day extension expiring on May 6, 2026, for Docket 32265-A – Trexlertown Retail Center. Seconded by Supervisor Ghai. Motion passed unanimously.

F. Resolution #2026-10 – Appointing Barry Isett as the Township’s Code Enforcement Officer

Ms. Keller stated that following the resignation of the township’s code enforcement officer, Barry Isett and Associates had been filling in on an interim basis. In order to issue non-traffic citations or file civil complaints, the code enforcement officer needed to be formally appointed by the Board.

Motion by Supervisor Ghai to adopt Resolution #2026-10, appointing Barry Isett & Associates as the Township’s Code Enforcement Officer. Seconded by Chairman Fleischaker. Motion passed unanimously.

VIII. MOTIONS

A. Authorizing a Zoning Update for Height of Automated Storage and Retrieval Systems in the Light Industrial and Limited Light Industrial Districts

Solicitor Schantz explained that while the Township is updating and completely rewriting its zoning ordinance, certain technologies and uses not in the current ordinance need to be implemented sooner. The proposed amendment would allow Automated Storage and Retrieval Systems (ASRS) with a maximum height of 120 feet in the LI and LIL zoning districts, provided they are part of a manufacturing facility in a campus-like setting and occupy no more than 20% of the overall footprint. Supervisor Ghai expressed concern about including this use in the Light Industrial district, preferring to limit it to the Limited Light Industrial district.

Motion by Chairman Fleischaker to authorize the advertisement of an ordinance proposing and amendment to the Zoning Ordinance for Automated Storage and Retrieval Systems (AS/RS) to be considered for adoption at the April 2, 2026, Board of Supervisors Meeting, authorizing Staff to send the Draft Zoning Ordinance Amendment for Automated Storage and Retrieval Systems (AS/RS) to the Lehigh Valley Planning Commission and Upper Macungie Township Planning Commission for recommendation, and authorizing the advertisement of a Public Hearing for April 2, 2026, for the Zoning Ordinance Amendment for Automated Storage and Retrieval Systems (AS/RS). Seconded by Vice-Chairman Godbarge. Motion passed 2-1; Supervisor Ghai opposed.

B. Authorizing Staff to Advertise and Schedule a Public Hearing for a Zoning Ordinance Update for April 2, 2026
Authorization was included with Motion “A”.

C. *Authorizing the Advertisement of a Public Hearing and Adoption of the LERTA Ordinance for March 5, 2026*

Solicitor Schantz stated that LERTA (Local Economic Revitalization Tax Assistance) would designate certain underutilized areas where property tax abatements could be offered as incentives for improvements. The process requires a public hearing to identify the designated area, followed by adoption by resolution and then by ordinance.

Motion by Vice-Chairman Godborge to authorize the advertisement of an Ordinance establishing proposing a LERTA delineating an area bound by Route I-78 to the South; Adams Road to the West; Main street to the North, and Lehigh County Parcel Number 545640893833-1 (8400 Main Street) to the East as under-utilized properties and to be eligible for LERTA which shall be considered for adoption at the March 5, 2026 Board of Supervisors meeting. Seconded by Chairman Fleischaker. Motion passed unanimously.

Motion by Vice-Chairman Godborge to authorize the advertisement of a Public Hearing for March 5, 2026, for the establishment of the area to be designated as areas which are under-utilized and in need of development and which will be recognized as such in the LERTA Ordinance. Seconded by Chairman Fleischaker. Motion passed unanimously.

D. *Authorizing the Township Manager to Provide Food and Lodging During Township Declared Emergencies, Including the Weather Event on January 25 and 26, 2026.*

Mr. Ibach explained that during certain emergencies, staff in essential services like police, fire, and public works cannot get home and need food and lodging. This occurred during the recent storm on January 24-26, 2026, when the Fire Commissioner housed firefighters, and there were food expenses for the public works department.

Motion by Supervisor Ghai to authorize the Township Manager to cover any cost for food and lodging with the January 24-26, 2026, snowstorm and further authorizing the Township Manager to allow for Township expenses for food and lodging during declared emergencies. Seconded by Chairman Fleischaker. Motion passed unanimously.

E. *Authorizing the Township Manager to Enter into a Cable Franchise Agreement*

Mr. Ibach explained that while the township has existing franchise agreements with Service Electric and RCN, Verizon had approached the township to enter into a franchise agreement as well. He noted that the township currently does not charge a franchise fee, though many municipalities do. Solicitor Schantz added that these agreements specify providers' rights and obligations regarding right-of-way access and response times. He noted that the Service Electric agreement was about to expire and would also need renewal. During discussion, concerns were raised about contractors damaging property when installing infrastructure, as had happened in the past. The Board requested that agreements include proper notification to residents, designated contact persons, and accountability for contractors.

Motion by Chairman Fleischaker to authorize the Township Manager to execute a cable franchise agreement with Verizon Pennsylvania LLC, pending the Solicitor's approval of contract conditions. Seconded by Vice-Chairman Godborge. Motion passed unanimously.

F. *Appointing Jacqueline Tindall as the Assistant Township Secretary*

Ms. Vazquez stated that the assistant Township Secretary position is currently vacant and recommended the appointment of Jacqueline Tindall to fill the role in case she would be unable to attend a meeting or be available to sign paperwork.

Motion by Supervisor Ghai to appoint Jacqueline Tindall as the Assistant Township Manager. Seconded by Chairman Fleischaker. Motion passed unanimously.

G. *Appointing Tammy Antonelli as the Deputy Right-to-Know Officer*

Ms. Vazquez mentioned that this position was also vacant and recommended the appointment of Tammy Antonelli to fill the roll in case she is unavailable to fulfill requests.

Motion by Chairman Fleischaker to appoint Tammy Antonelli as the Deputy Right-to-Know Officer. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.

H. *Appointing Julien Godbarge and Michael Sicinski as Township Board Representatives on the Upper Macungie Township Community Fund Board*

Mr. Ibach explained that the Township Board of Supervisors as well as the Chairman of the Recreation Board are positions that are part of the Upper Macungie Township Community Fund Board (UMTCF) and are seeking to appoint Julien Godbarge and Michael Sicinski to the UMTCF Board.

Motion by Supervisor Ghai to appoint Julien Godbarge and Michael Sicinski as Township Board Representatives on the Upper Macungie Township Community Fund Board. Seconded by Chairman Fleischaker. Motion passed unanimously.

I. *Recognizing the Expiration of Jeff Straus and Scott Adams as Deputy Tax Collectors and Appointing Kristen Schmidt Hodavance as Deputy Tax Collector*

Mr. Ibach stated that under the Local Tax Collector Law, a Tax Collector is allowed to appoint a deputy tax collector of their choice, with the approval of the municipality for which the Tax Collector was elected.

Motion by Vice-Chairman Godbarge to appoint Kristen Schmidt Hodavance as Deputy Tax Collector of Upper Macungie Township effective February 6, 2026, and further recognizing the expiration of Jeff Straus and Scott Adams as Deputy Tax collectors. Seconded by Supervisor Ghai. Motion passed unanimously.

J. *Authorizing the Township Manager to Enter into a Contract for Sewer Lateral Repairs with Mr. Rehab*

Mr. Ibach explained that this project is part of Upper Macungie Township's Source Removal Program to comply with the PADEP approved Interim Act 537 Plan and to maintain the SRP schedule moving into the new Act 537 Plan.

Motion by Supervisor Ghai to authorize the Township Manager to sign a contract for the use of Mr. Rehab, LLC. for sanitary sewer lateral inspections and repairs in the amount of \$86,027.50. Seconded by Chairman Fleischaker. Motion passed unanimously.

K. *Updating the Approval of Alcohol Sales at Township Events*

Mr. Griffiths stated that at the January 5, 2026 meeting, the Board approved the sale of alcohol at specific Township events, after this approval Staff finalized an agreement with the Lehigh Valley Chamber of Commerce to host the Paws at the Parks Event. He recommended the approval of the sale of alcohol at this additional event.

Motion by Chairman Fleischaker to approve vendors to serve alcohol at an additional township run event – Paws at the Park, contingent upon the completion by the selected vendor of Upper Macungie Township Certificate of Insurance Alcohol Liability Additionally Insured Requirements, proof of Responsible Alcohol Management (RAMP) Employee Certifications, and proof of Pennsylvania Liquor Control Board (PLCB) Exposition Permit verified by the Township Staff including but not limited to the Township Manager, Recreation Manager, Chief of Police, Township Solicitor, and Finance Director. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.

L. *Authorizing the Sale of a 2014 Chevy Silverado 2500 HD*

Commissioner Christ requested that the Board approve the sale of a 2014 Chevrolet Silverado and a 2019 Chevrolet Tahoe.

Motion by Vice-Chairman Godbarge to authorize the sale of a 2014 Chevrolet Silverado at a purchase price of \$28,000.00 to Laury's Station Volunteer Fire Company #1, and the sale of a 2019 Chevrolet Tahoe at

a purchase price of \$23,000.00 to the Fountain Hill Fire Company. Seconded by Supervisor Ghai. Motion passed unanimously.

M. Authorizing the Sale of a 2019 Chevrolet Tahoe

Item was included in the previous motion.

N. Authorizing the Transfer of Funds to Upper Macungie Township Fire & Rescue Company, Station 57, to Support the Staffing Program

Commissioner Christ requested the transfer of funds to support the retention and improvement fund for the staffing program at Upper Macungie Fire & Rescue Station 57.

Motion by Chairman Fleischaker to authorize the use of Recruitment & Retention Funds to support Upper Macungie Township Fire & Rescue, Station #57, Staffing Program in the amount of \$50,000.00. Seconded by Vice-Chairman Godbarge. Motion passed unanimously.

O. Authorizing an Agreement with Keystone Municipal Solution for the Purpose of Conducting a Township Manager Search

Chairman Fleischaker explained that the Township Manager had informed the Board that 2026 would mark the end of his professional career. After interviewing several recruiting firms, the Board had settled on Keystone Municipal Solutions, which quoted a price of \$12,000, for the search.

Motion by Chairman Fleischaker to authorize an agreement with Keystone Municipal Solutions for the Purpose of Conducting a Township Manager Search. Seconded by Supervisor Ghai. Motion passed unanimously.

IX. BOARD AND STAFF REPORTS

A. Township Manager

Mr. Ibach reported that the elected Board of Auditors had met on January 6, 2026 and set the working supervisor's pay at \$57.00 per hour, a 3% increase from 2025.

B. Township Secretary

Ms. Vazquez stated that there were executive sessions held on January 13, 2026, at 5:30 p.m. and January 30, 2026 at 12:45 p.m. to discuss personnel matters, and on February 5, 2026, at 5:00 p.m. to discuss legal matters.

C. Community Development

Ms. Keller provided a brief update on the zoning ordinance rewrite, noting good progress with the new consultant and an anticipated update soon.

D. Police Department

Chief Sitoski mentioned that their No Shave Campaign has concluded with a donation of \$2,460 that was raised and will be donated to the Humane Society.

E. Finance Department

Ms. Souls stated that the recycling events for 2026 have been scheduled for the following dates: Paper Shredding on April 11 from 9-11 a.m., and the Electronic Recycling Event will be held on May 2.

F. Supervisors

Chairman Fleischaker congratulated Charles Deprill on being recognized as one of the most influential people in the Lehigh Valley.

X. PUBLIC COMMENT/COURTESY OF THE FLOOR

None.

XI. ADJOURNMENT

There being no other business, **Supervisor Ghai made a motion to adjourn the meeting at 11:03 p.m. Seconded by Vice-Chairman Godborge. The motion passed unanimously.**

Submitted by:

Jazmin Vazquez
Township Secretary

DRAFT

Upper Macungie Township
Treasurer's Report - Total Bills for All Funds
Board of Supervisors Meeting
March 5, 2026

Bill Approval for Month of February 2026			
Fund 01 - General Fund -			
Checks		\$ 606,160.98	
ACH Payments (See attached list)		926,693.81	\$ 1,532,854.79
Fund 04 - Firefighter's Fund -			
Checks		106,664.18	
ACH Payments (PPL Electric/UGI)		7,832.22	
Checks (Stipend Payments)		50,000.00	164,496.40
Fund 05 - Refuse & Recycling Fund -			
Checks		27,712.09	
ACH Payments (Whitetail Disposal)		211,840.18	239,552.27
Fund 08 - Sewer Fund -			
Checks		1,980,720.96	
ACH Payments (PPL Electric)		5,064.88	
Fees - Truist Investment			1,985,785.84
Fund 09- Lifestyle Community Center			
Checks		8.94	
ACH Payments			8.94
Fund 19 - Recreation Fund -			
Checks		198,418.09	
ACH Payments		-	198,418.09
Fund 20 - Storm Water Maintenance Fund -			
Checks			-
Fund 31 - Capital Equipment Fund -			
Checks		323,683.70	
ACH Payments			323,683.70
Fund 32 - Open Space Preservation Fund -			
Checks			-
Fund 35 - Liquid Fuels Fund -			
Checks			-
Fund 36 - Traffic Improvement Fund -			
Checks			5,545.21
Fund 91 - Escrow Fund -			
Checks			228,141.72
Fund 99 - Non-Uniform Pension Plan -			
Checks (Benefits Paid)		45,955.36	
Fees		611.54	46,566.90
Total Payments for the Month			\$ 4,725,053.86
Transfers during Month of February 2026			
None			\$ -
Total Transfers			\$ -

Upper Macungie Township		
Treasurer's Report Reconciliation		
Board of Supervisors Meeting		
March 5, 2026		
For the Month of February 2026:		
Paid Checks (per report)*		\$3,527,055.87
ACH Payments -		
PPL	\$14,560.49	
UGI	\$7,594.18	
Astound	\$93.51	
PayChex	\$569.99	
Allied Personnel	\$3,209.54	
Copier Lease	\$344.00	
Mission Square (Non-Uniform DC Plan)	\$5,953.55	
Corebridge Financial (457 DC Plan)	\$23,950.34	
Pennsylvania Muncipal Health	\$307,831.32	
Neopost- postage	\$2,000.00	
PSTATS Unemployment	\$1,202.62	
Paylocity	\$5,090.90	
Trash & Recycling (Whitetail Disposal, ACH)	\$211,840.18	\$584,240.62
Payroll -		
PPD 02/11/2026	\$284,678.20	
PPD 02/17/2026	\$1,308.36	
PPD 02/25/2026	\$281,203.91	
		\$567,190.47
Pension Checks & Fees		\$46,566.90
Total Disbursements		\$ 4,725,053.86

**UPPER MACUNGIE TOWNSHIP
PAYMENTS > \$10,000
MEETING DATE - MARCH 5, 2026**

CHECK DATE	CHECK #	VENDOR	AMOUNT
02/02/2026	102807	LEHIGH COUNTY AUTHORITY	\$1,848,969.60
02/02/2026	102785	ENTERTAINMENT SERVICES GROUP	\$169,949.06
02/02/2026	102792	HERBERT ROWLAND AND GRUBIC, INC	\$145,299.92
02/02/2026	102789	GODSHALL KANE O'ROURKE ARCHITECTS, LLC	\$83,873.50
02/02/2026	102778	CSL SERVICES INC	\$61,600.00
02/02/2026	102801	KEII	\$57,832.67
02/02/2026	102803	KEYSTONE CONS ENGINEERS INC	\$46,531.89
02/02/2026	102793	HERBERT ROWLAND AND GRUBIC, INC	\$38,671.97
02/02/2026	102766	AMERICAN ROCK SALT COMPANY LLC	\$35,045.05
02/02/2026	102805	KML TRANSPORT LLC	\$33,990.08
02/02/2026	102768	BARRY ISETT & ASSOCIATES INC	\$23,134.23
02/02/2026	102782	EASTERN SALT COMPANY	\$21,423.62
02/02/2026	102797	ISETT PROPERTY ONE LLC	\$14,663.77
02/02/2026	ACH	Pennsylvania Muncipal Health	\$307,831.32
02/10/2026	ACH	Whitetail Disposal	\$211,840.18
02/11/2026	ACH	PAYROLL DATED 2.12.26	\$284,678.20
02/13/2026	ACH	COREBRIDGE FINANCIAL	\$23,950.34
02/18/2026	102902	LEVAN MACHINE & TRUCK EQUIPMEN	\$116,775.00
02/18/2026	102941	UMT FIREMEN'S RELIEF ASSOCIATIO	\$70,000.00
02/18/2026	102898	LEHIGH COUNTY AUTHORITY	\$63,971.19
02/18/2026	102916	PARKLAND SCHOOL DISTRICT	\$56,862.63
02/18/2026	102945	UPPER MACUNGIE TOWNSHIP FIRE & RESCUE COMPANY	\$50,000.00
02/18/2026	102853	BARRY ISETT & ASSOCIATES INC	\$41,221.37
02/18/2026	102892	KEII	\$31,246.78
02/18/2026	102863	DAVISON & MCCARTHY PC	\$28,559.22
02/18/2026	102884	INTEGRA ONE	\$24,489.69
02/18/2026	102918	PENNSYLVANIA LAWN & LANDSCAPE	\$21,980.00
02/18/2026	102935	SUNOCO LP	\$18,435.86
02/18/2026	102905	MCNEIL & COMPANY INC	\$18,315.00
02/18/2026	102882	GODSHALL KANE O'ROURKE ARCHITECTS, LLC	\$17,754.00
02/18/2026	102924	REHRIG PACIFIC COMPANY	\$17,500.00

02/18/2026	102891	JWC ENVIRONMENTAL INC	\$15,565.87
02/18/2026	102942	UNITED LABORATORIES	\$15,152.38
02/18/2026	102870	ECKERT SEAMANS CHERIN MELLOTT	\$13,606.00
02/18/2026	102948	VISA	\$12,916.67
02/18/2026	102852	AMERICAN ROCK SALT COMPANY LLC	\$12,554.55
02/18/2026	102893	KELLEY BROS LLC	\$12,440.00
02/18/2026	102869	EASTERN SALT COMPANY	\$12,296.23
02/18/2026	102908	NOREGON SYSTEMS, LLC	\$11,944.96
02/25/2026	ACH	PAYROLL DATED 2.26.26	\$281,203.91
		TOTAL	\$4,374,076.71

TOWNSHIP OF UPPER MACUNGIE
Lehigh County, Pennsylvania

ORDINANCE NO. 2026-02
(Duly adopted on March 5, 2026)

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AMENDING APPENDIX 8-1, ET SEQ. OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF UPPER MACUNGIE, TO ADD THERETO A VACATION OF A PORTION OF MAIN STREET AND PORTIONS OF HAAF ROAD, LOCATED IN THE TOWNSHIP OF UPPER MACUNGIE, LEHIGH COUNTY, PENNSYLVANIA, AS A PUBLIC ROAD; SAID VACATIONS BEING IN ACCORDANCE WITH THE SECOND CLASS TOWNSHIP CODE, 53 P.S. SECTIONS 67304, 67305(a) AND (b) AND 67311.

WHEREAS, the Board of Supervisors of Upper Macungie Township has examined a portion of Main Street (T-463) and portions of Haaf Road (T-520) and, after due investigation, has determined that public use and public convenience warrant the vacation of those portions of Main Street and Haaf Road; and

WHEREAS, pursuant to the provisions of the Second Class Township Code, 53 P.S. Section 67305(a), a ten-day written notice was given to all property owners of land adjacent to the portions of said road involved in the proposed vacation, said notice advising the property owners of the time and place of a scheduled hearing regarding the proposed vacation of those portions of said road; and

WHEREAS, at the conclusion of said hearing, held on the 5th day of March, 2026, the Board of Supervisors of Upper Macungie Township decided in favor of the vacation of the portions of Main Street and Haaf Road and authorized the preparation of the necessary ordinance for the vacation of those portions of said roads; and

WHEREAS, a vacation of portions of the said roads is permitted and authorized pursuant to the provisions of the Second Class Township Code, 53 P.S. Section 67304; and

WHEREAS, pursuant to the provisions of the Second Class Township Code, 53 P.S. Section 67311, the Supervisors may vacate portions of the said roads without the formality of a view when the Supervisors and the property owners affected by the vacation agree that the Township may vacate those portions of the said roads, and those property owners are in agreement with this vacation.

NOW, THEREFORE, BE IT HEREBY ENACTED by the Board of Supervisors of Upper Macungie Township as follows, to wit:

1. The above recitals shall form a part of this Ordinance as though the same were set forth herein at length.

2. The portions of Main Street and Haaf Road in Upper Macungie Township, being more fully described on Exhibits “A,” “B,” and “C” attached hereto and made a part hereof, have been vacated in accordance with the provisions of the Second-Class Township Code, 53 P.S. Sections 67304 and 67305.

3. A copy of this Ordinance, together with a survey showing the location of the vacated portions of the roads, shall be filed with the Office of the Clerk of Courts, Criminal Division, Lehigh County, Pennsylvania.

4. Upper Macungie Township, together with the adjacent property owners, shall execute an agreement for the vacation of the portions of Main Street and Haaf Road, which shall be recorded in the Office of the Recorder of Deeds, Lehigh County, Pennsylvania, said agreement being attached hereto as Exhibit “D” and incorporated by reference.

5. This Ordinance shall become effective immediately after enactment, as provided by law.

6. It is declared that the enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the citizens of the Township.

7. All Ordinances or parts of Ordinances inconsistent herewith shall be and the same are expressly repealed.

8. In the event that any provision, section, clause or part of a section or any clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provisions, sections, clauses or part of a section or any clause, it being the intent of this Township that such remainder shall remain in full force and effect.

DULY ENACTED AND ORDAINED this 5th day of March 2026, by the Board of Supervisors of Upper Macungie Township, Lehigh County, Pennsylvania, in a lawful session duly assembled.

ATTEST

**UPPER MACUNGIE TOWNSHIP
BOARD OF SUPERVISORS**

JAZMIN VAZQUEZ, Secretary

JEFFREY FLEISCHAKER, Chairman

JULIEN GODBARGE, Vice-Chairman

SUNNY GHAI, Member

TOWNSHIP OF UPPER MACUNGIE
Lehigh County, Pennsylvania

ORDINANCE #2026-03

(To be considered, and if appropriate, Duly Adopted March 5, 2026)

AN ORDINANCE ENACTED PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE LAW (LERTA), AUTHORIZING TAX EXEMPTIONS FROM PROPERTY TAX FOR CERTAIN DETERIORATED INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS PROPERTY; DEFINING ELIGIBLE DETERIORATED AREAS; SETTING A MAXIMUM EXEMPTION AMOUNT AND AN EXEMPTION SCHEDULE; AND PROVIDING A PROCEDURE FOR SECURING AN EXEMPTION.

WHEREAS, the General Assembly of the Commonwealth of Pennsylvania passed Act 76 of 1977 (72 P.S. § 4722, et seq.), known as the Local Economic Revitalization Tax Assistance Law (“LERTA” or the “Act”) which authorized local taxing authorities to provide for tax exemption for certain deteriorated industrial, commercial and other business property; and

WHEREAS, the Board of Supervisors of Upper Macungie Township (the “Board”), in accordance with said Act, held a public hearing on March 5, 2026 to determine the boundaries of said deteriorated areas which shall be identified as the “Deteriorated Area”; and

WHEREAS, the Board, at the conclusion of the public hearing, enacted Resolution No. 2026-14 which identified the Deteriorated Areas located within Upper Macungie Township which are eligible for tax exemption pursuant to this Ordinance; and

WHEREAS, the Board now wishes to adopt a new ordinance to establish a new tax exemption pursuant to LERTA for a period of ten (10) years as described herein.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board as follows:

SECTION 1. DEFINITIONS. As used in this Ordinance, the following words and phrases shall have the meaning set forth below:

- A. “Deteriorated Area” means that area of the Township which the Upper Macungie Township Board of Supervisors has so designated in Resolution No. 2026-14, enacted on March 5, 2026, (known as the “Fogelsville West LERTA District”), as meeting the criteria of a “designated area” set forth in Section 4(a) of the Local Economic Revitalization Tax Assistance Act, 72 P.S. § 4725(a).
- B. “Deteriorated Property” means any industrial, commercial or other business property owned by an individual, association or corporation, and

located in a “Deteriorated Area,” as provided by Resolution of the Board or any such property which has been determined to be underutilized with excessive land coverage or the subject of an order by the Board or other governmental agency requiring the unit to be vacated, condemned or demolished by reason of non-compliance with laws, ordinances or regulations.

- C. “Improvement(s)” means construction, including additions, having the effect of rehabilitating a “Deteriorated Property” having the effect of rehabilitating a building or redeveloping or developing an underutilized property. The purpose of the improvement is for the following: the Deteriorated Property becomes habitable or attains higher standards of safety, health, economic use, or amenity; it is adaptively re-used; or is brought into compliance with laws, ordinances, or regulations governing such standards; or is new construction in the LERTA Designated Area. Ordinary upkeep and maintenance shall not be deemed an Improvement.
- D. “Local Governing Body” means the Board of Supervisors of Upper Macungie Township.
- E. “Local Taxing Authority” means Upper Macungie Township, the Parkland School District, the County of Lehigh and any other governmental authority having authority to levy real property taxes.

SECTION 2. EXEMPTION.

- A. The exemption from real property taxes shall be limited:
 - (1) To the exemption schedule as established within this Ordinance.
 - (2) To that portion of the additional assessment attributable to the actual cost of Improvements to the Deteriorated Property.
 - (3) To the assessment valuation attributable to the cost of construction of a new industrial, commercial or other business unit.
- B. Ordinary upkeep and maintenance—painting, roof replacement, landscaping, deteriorated materials replacement—shall not be deemed an improvement. If this work is included in a project, it shall not be counted toward meeting the minimum investment for program eligibility
- C. In all cases, the exemption from taxes shall be limited to that portion of the additional assessment attributable to the Improvement and for which a separate assessment has been made by the Lehigh County Board of Assessment and for which an exemption has been separately requested.

- E. No tax exemption shall be granted if the property owner does not secure the necessary and proper permits prior to improving the property.
- F. No tax exemption shall be granted if the property owner is delinquent in the payment of real estate taxes at the time of application for tax exemption.
- G. In any case, after the effective date of this Ordinance, when Deteriorated Property is damaged, destroyed or demolished, by any cause or for any reason, and the assessed valuation of the property affected has been reduced as a result of said damage, destruction or demolition, the exemption from real property taxation authorized by this Ordinance shall be limited to that portion of new assessment attributable to the actual cost of Improvements that is in excess of the original assessments that existed prior to damage, destruction or demolition of the property.
- H. Any exemption permissible under this Ordinance shall not be applied to any residential home, apartment buildings or other living establishments, except hotels and motels which rent rooms to travelers on a short-term basis.

SECTION 3. EXEMPTION AREA. The Board enacted Resolution No. 2026-14 on March 5, 2026 which identified the boundaries of the Deteriorated Areas. A copy of Resolution No. 2026-14 is attached hereto as Exhibit "A". Subject to the limitations set forth in this Ordinance, all commercial, industrial, manufacturing or local business properties located in the Deteriorated Areas may be eligible to participate in the tax exemption program established in this Ordinance.

SECTION 4. EXEMPTION SCHEDULE.

Subject to the conditions, requirements, and limitations set forth in this Article, taxpayers making assessable improvements, including new construction, to a Deteriorated Property or "Property" may apply for and may be granted a real estate tax exemption limited to the eligible amount specified in Section 2. above subject to the following schedule:

- A. For the first year immediately following the date upon which the improvement becomes assessable, 100% of the eligible assessment shall be exempted.
- B. For the second year immediately following the date upon which the improvement becomes assessable, 90% of the eligible assessment shall be exempted.
- C. For the third year immediately following the date upon which the improvement becomes assessable, 80% of the eligible assessment shall be exempted.

D. For the fourth year immediately following the date upon which the improvement becomes assessable, 70% of the eligible assessment shall be exempted.

E. For the fifth year immediately following the date upon which the improvement becomes assessable, 60% of the eligible assessment shall be exempted.

F. For the sixth year immediately following the date upon which the improvement becomes assessable, 50% of the eligible assessment shall be exempted.

G. For the seventh year immediately following the date upon which the improvement becomes assessable, 40% of the eligible assessment shall be exempted.

H. For the eighth year immediately following the date upon which the improvement becomes assessable, 30% of the eligible assessment shall be exempted.

I. For the ninth year immediately following the date upon which the improvement becomes assessable, 20% of the eligible assessment shall be exempted.

J. For the tenth year immediately following the date upon which the improvement becomes assessable, 10% of the eligible assessment shall be exempted.

K. After the tenth year the exemption shall terminate.

L. The exemption from taxes granted under this Article shall be upon the property and shall not terminate upon the sale or exchange of the property. If an eligible property is granted tax exemption pursuant to this Ordinance, the Improvement shall not, during the exemption period, be considered a factor in assessing other properties.

M. The exemption of new construction or improvements to the Property shall commence in the tax year immediately following the year in which the final phase of the new construction or improvement is completed. The owner of the Property shall be responsible for the full amount of any interim real estate tax bills issued for the tax year(s) of the County in which a portion or the entirety of the new construction or improvement is completed but the final phase of the new construction or improvement is not yet completed.

SECTION 5. NOTICE TO TAXPAYERS.

- A. There shall be placed on the form application for a building permit the following notation:

Under the provisions of Ordinance No. 2026-xx, you may be entitled to a property tax exemption on your contemplated alteration or new construction. An application for exemption may be secured from the Director of Community Development and must be filed with the Township at the time a building permit is secured.

- B. At the time a building permit is secured for the construction of an Improvement for which an exemption is requested, the taxpayer shall apply to the Board of Supervisors for the exemption provided for in this Ordinance. A request for the exemption must be in writing and include the following information:

- (1) The date the building permit was issued for the Improvements.
- (2) The type of Improvement.
- (3) The summary of the plan of the Improvement.
- (4) The cost of the Improvement.
- (5) Any or all such additional information required.

SECTION 6. PROCEDURE FOR OBTAINING EXEMPTION. A copy of the written request for exemption shall be forwarded to the Lehigh County Assessment Office by the Township. Upon completion of the Improvement, the taxpayer shall notify the Board of Supervisors so that the Board may have the Assessor assess the Improvements separately for the purpose of calculating the amount of assessment eligible for tax exemption in accordance with the limits established in this Ordinance. The Township will then obtain from the Assessor the amount of the assessment eligible for exemption, and will notify the taxpayer. Appeals from the assessments and the amount eligible for the exemption may be taken by the taxpayer or the Township as provided by law. However, after the initial assessment is deemed final and unappealable, the applicant waives the right to appeal the assessment for the term of the program or exemption.

SECTION 7. TERMINATION. Unless otherwise repealed by the Board of Supervisors, this Ordinance shall terminate ten (10) years from the effective date hereof. Nothing contained herein shall act to prohibit the Board of Supervisors from enacting a similar Ordinance, or extending this one. Any property tax exemptions granted under the provisions of this Ordinance shall be permitted to continue according to the exemption schedule even if this Ordinance expires or is repealed.

SECTION 9. SEVERABILITY. The provisions of this Ordinance are severable, and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

SECTION 10. REPEALER. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 11. EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

ENACTED AND ORDAINED the 5th day of March, 2026 by the Board of Supervisors of the Township of Upper Macungie, Lehigh County, Pennsylvania, in lawful session duly assembled.

ATTEST

**UPPER MACUNGIE TOWNSHIP
BOARD OF SUPERVISORS**

JAZMIN VAZQUEZ, Secretary

JEFFREY FLEISCHAKER, Chairman

JULIEN GODBARGE, Vice-Chairman

SUNNY GHAI, Member



UPPER
MACUNGIE
TOWNSHIP

BOARD OF SUPERVISORS
ISSUE BRIEFING

DEPARTMENT MANAGER: Andrew Schantz, Esq., Township Solicitor

DATE: March 5, 2026

ISSUE/TOPIC: A. Motion Authorizing Advertisement of an Ordinance establishing a Local Economic Revitalization Tax Assistance Act/Program or LERTA within a designated area of the Township; B. Motion Authorizing the Advertisement of a Public Hearing for March 5, 2026, to establish the area in which the LERTA will be applicable – the Designated Area.

I. Action/Motion to Be Considered:

- A. Motion to authorize the advertisement of an Ordinance establishing proposing a LERTA delineating an area bound by Rte. I-78 to the south; Adams Road to the west; Main Street to the North and Lehigh County Parcel Number 545640893833-1 (8400 Main Street) to the east as underutilized properties and to be eligible for the LERTA which shall be considered for adoption at the March 5, 2026 BOS Meeting.
- B. Motion to authorize the advertisement of a public hearing for March 5, 2026 for the establishment of the area to be designated as areas which are underutilized and in need of development and which will be recognized as such in the LERTA Ordinance.

II. Reason Why This Issue Needs Consideration:

The Commonwealth, through the Local Economic Revitalization Tax Assistance Act allows taxing bodies to establish areas which are distressed or underutilized to provide tax incentives through local property tax abatements for new construction or improvements in designated revitalization zones. This encourages development by phasing in taxes on the increased value of the improvements (and only improvements) over several years, rather than the whole property. The span is generally proposed as a ten (10) year period and the abatement diminishes over the length of time.

The Township can, and does, proposes certain conditions in which a developer must satisfy in order to qualify for the abatement. Each year the Developer submits the value of its improvements to the County Assessor's Office in order for those improvements to be considered in the property's assessment and abatement.

The School District and County will need to adopt similar ordinances for their respective real estate taxes. Both PSD and the County are aware of the Township's intent and view the designation as favorable.

III. Current Policy or Practice:

The Board of Supervisors adopts ordinances which stimulate the economy for the betterment of the Township time to time upon staff recommendation.

IV. Other Background Information:

Numerous Municipalities in the Lehigh Valley has adopted LERTAs with success. The Township first considered a LERTA or similar designation in the past in and along the proposed Adams Road Interchange.

V. Impact on Township Finances:

While the Township will not recognize the full taxability on newly constructed improvements within the LERTA, it is believed the long term positive impacts of those improvements in the way of EIT, LST and other revenue generated by improvements will offset, if not provide a positive return, on any negative impact on Township Finances.

Included in Budget: Yes No

Account No. N/A

Current Balance: N/A

VI. Recommendations:

Pass the motion as presented.



Memo

**UPPER MACUNGIE
TOWNSHIP**

DATE: February 25, 2026
TO: Upper Macungie Township Board of Supervisors
FROM: Meredith Keller, AICP, Director of Community Development
RE: Plan Name: Nursery Street Townhouses
Plan Type: Preliminary/Final Land Development
UMT Docket No.: 2413
Property Parcel ID: 545666567237-1
Property Address: 1500 Nursery Street, Fogelsville
Zoning District: NC – Neighborhood Commercial

The applicant is proposing to develop one lot within the larger Lehigh Hills development. Construction would include thirty-six (36) townhouse units on Lot 245 that would be accessed from a private drive intersecting Nursery Street. The project includes site improvements, such as the construction of a waterline, sanitary sewer, associated access drives, and storm sewer.

WAIVERS/MODIFICATION

The applicant has submitted a modification request letter identifying two (2) waivers from sections of the Township’s S.A.L.D.O., which are outlined in detail in the attached Township Engineer’s review letter. The applicant previously received approval by the Board of Supervisors on December 4, 2025 through Resolution 2025-46 for three (3) waivers from sections of the Township’s S.A.L.D.O.

TIMELINE

The following table presents the review period timeline for the above referenced application.

PLAN REVIEW PERIOD	CURRENT DATES
Application Date	3/10/2025
Review Period Beginning Date	3/19/2025
Last Available Planning Commission Meeting	1/21/2026
Last Available Board of Supervisors Meeting	3/5/2026
Review Period End Date	3/14/2026

OTHER AGENCY REVIEWS

The following agencies were notified that this plan is available for review.

AGENCY	SUBMISSION OF COMMENTS
Community Development Department	2/25/2026
Township Engineer (HRG)	2/23/2026
Bureau of Fire	1/6/2026
Zoning & Codes Officer	2/16/2026
Lehigh Valley Planning Commission	4/9/2025
Lehigh & Northampton Transportation Authority	1/8/2026

2019 COMPREHENSIVE PLAN REVIEW

The area proposed for development is currently one of the last two undeveloped lots within the larger Lehigh Hills development, a mixed-use community containing low- to high-density residential and commercial uses. The Future Land Use Map in the 2019 Comprehensive Plan identifies Lot 245 as medium density residential, which aligns with the proposed development. The lot is currently zoned NC – Neighborhood Commercial, where townhouses are permitted by right.

PEDESTRIAN/BICYCLE ACCESS

The Vision Zero Action Plan (VZAP, 2023) depicts several connections within the Lehigh Hills development, including sidewalks along the property's Nursery Street frontage, which currently exist. The VZAP also recommends the construction of a hiking trail along the frontage of PA Route 100 that would extend from the intersection of Route 100 and Nursery Street and would ultimately connect to the Haasen Creek along the parcel's northern property line. The plan shows an easement for a future pedestrian trail; however, the easement terminates at a point on Route 100 where no pedestrian facility exists and does not extend to the intersection of Nursery Street and Route 100.

S.A.L.D.O. § 22-704.9 requires public sidewalks along the roadway frontage of all improved roads. The applicant has submitted a modification request to waive construction of sidewalk and curb along the Route 100 frontage, noting that interior sidewalks will be constructed along all proposed drives that will serve as a substitute for sidewalk along the Route 100 frontage. Additionally, the applicant has submitted a waiver request letter noting that the obligation to improve Route 100, including curb and sidewalk, was satisfied through a boundary road upgrade fee submitted to the township during a prior phase of the Lehigh Hills development.

LANTA REPORT

Provided by Molly Wood, Planner/Land Use Specialist, mwood@lantabus-pa.gov.

LANTA provides fixed-route public transportation directly to the project site, with LANtaBus Routes 613 and 218 serving the "Weis at LVHN Fogelsville" bus stop located approximately .15 miles south of the Nursery Street intersection at the Weis access drive and the Access Drive A to the project site. LANta Routes 613 and 218 also serves the bus stop at Nursery Street and Leyla Way, approximately .10 miles west of the Access Drive B of the project site. There is an existing comprehensive sidewalk network along Nursery Street and the Weis Access Road that will significantly benefit users of the site for access to existing transit service. Upon completion of the project, LANTA plans to add a new secondary bus stop on Nursery Street, immediately west of the Access Drive B, to help residents avoid the steep elevation to the nearby bus stop at Leyla Way. LANTA recommends a 5' concrete pad in between the existing sidewalk and the curb for accessible boarding/alighting at the proposed bus stop.

LANTA appreciates all efforts made to provide a walkable environment for the proposed residential and commercial uses.

ZONING REPORT

See attached Zoning Review letter provided by Marv Walton, Township Zoning Officer.

ENGINEER REPORT

See attached Engineering Review letter provided by Ryan Kern, P.E., Township Engineer.

BUREAU OF FIRE

See attached Bureau of Fire Review Letter provided by Peter Christ, Fire Commissioner.

RECOMMENDED PLAN ACTION

Township Staff and Consultants recommend that the Board of Supervisors grant approval through the following motion: **Motion to approve Resolution #2026-11, granting Preliminary/Final Land Development Plan approval to Docket #2413, Nursery Street Townhouses, including approval of Waiver Request #3a and #3b, conditioned on the comments found in the Staff and Township Engineer reports dated February 25, 2026 and February 23, 2026, respectively.**

cc: Board of Supervisors
Robert Ibach, Jr., Township Manager
Andrew V. Schantz, Esq., Davison & McCarthy
Ryan Kern, P.E., Township Engineer, HRG, Inc.
Anderson Deutschman, E.I.T., HRG, Inc.
David Jaindl, Jaindl Land Company
John McRoberts, P.E., The Pidcock Company
Nicole Galio, P.E., Jaindl Land Company



Herbert, Rowland & Grubic, Inc.
 1275 Glenlivet Drive, Suite 330
 Allentown, PA 18106
 610.351.0311
 www.hrg-inc.com

LAND DEVELOPMENT REVIEW LETTER #3

UPPER MACUNGIE TOWNSHIP

Attn: Meredith Keller, Director of Community Development

Nursery Street Townhouses
 Preliminary/Final Land Development Plan

February 23, 2026

Reference: Docket #2413
 Location: Address: 1500 Nursery Street, Fogelsville, PA 180851
 PIN: 545666567237-1
 Zoning Dist.: NC – Neighborhood Commercial District
 Applicant: David M. Jaindl, Jaindl Land Company
 3150 Coffeetown Road, Orefield, PA 18069
 610-395-3333 – Nicole.galio@jaindl.com
 Owner: Same as Applicant
 Engineer: John M. McRoberts, PE, The Pidcock Company
 2451 Parkwood Drive, Allentown, PA 18103
 610-791-2252 – jmcroberts@pidcockcompany.com
 Time Clock: Date of First PC Meeting: 4/16/2025
 Expiration Date: 3/14/2026

We have completed our review of the following information for the above-referenced project:

Submission:	Dated:	Last Revised:
Land Development Plan Set 1-17 of 17 (Plan) & Supplemental Plans (Total 31 Sheets)	March 10, 2025	February 3, 2026
Stormwater Management Report (SWM Report)	March 10, 2025	February 3, 2026
Erosion and Sedimentation Control Report	March 19, 2025	February 3, 2026
Plan Showing Drainage & Utility Easement Over Lot 245	December 19, 2025	--
Plan Showing Access & Utility Easement Over Lot 245	December 18, 2025	--
Plan Showing Common Open Space Over Lot 245	October 20, 2025	--
Plan Showing Access and Utility Easement Over Lot 245	October 20, 2025	--
Plan Showing 20' Wide Sanitary Sewer and Emergency Access Easement Over Lot 245	December 22, 2025	--

Plan Showing Sanitary Sewer Easement Over Lot 245	December 29, 2025	--
Plan Showing 20' Wide Sanitary Sewer Easement Over Lot 4	February 2, 2026	--

The applicant has submitted the following requests for relief:

Requested Modifications(s):	Dated:	Ordinance Section:
1. Waiver of preliminary plan submission	October 20, 2025	SALDO 22-503.1
2. Waiver to allow separation of 200 ft between center lines for access drives	October 20, 2025	SALDO 22-703.3.G.2(b)
3A. Waiver of sidewalk along Route 100	December 22, 2025	SALDO 22-704.9.A
3B. Waiver of curb along Route 100	December 22, 2025	SALDO 22-704.9.C
4. Waiver to allow deeper than 14 feet sewer manholes	October 20, 2025	SALDO 22-705.3.L

We offer the following comments: (**Bolded** comments = Key comments for discussion)

MODIFICATIONS

- WAIVER of SALDO [22-503.1]** - A final major subdivision & final major land development plan may not be submitted to the Township Community Development Department for Planning Commission consideration prior to the Board of Supervisors' approval of a preliminary plan.
****Note: Approved by the Board of Supervisors at their 12/4/2025 meeting****
- WAIVER of SALDO [22-703.3.F.2(b)]** - Center lines of access roads or driveways, at the point of access to a street, shall not be located closer to the center line of a street intersection than the following distances: Two hundred feet if either street is a collector street.
****Note: Approved by the Board of Supervisors at their 12/4/2025 meeting****
- 3A. WAIVER of SALDO [22-704.9.A]** - Sidewalks.
 - Summary of applicant's relief request: See Applicant's request waiver.
 - HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**.
- 3B. WAIVER of SALDO [22-704.9.C]** - Curbs.
 - Summary of applicant's relief request: Same as Modification 3A. See above.
 - HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**.
- WAIVER of SALDO [22-705.3.L]** - Manholes shall not exceed 14 feet in depth.
****Note: Approved by the Board of Supervisors at their 12/4/2025 meeting****

SUBDIVISION AND LAND DEVELOPMENT (CHAPTER 22)

- Upper Macungie Detail 1-8 should be included on the drawings [22-403.4.E & 22-503.4.C & Appendix I].

2. Pavement Marking and Signage Note 3 identifies the Sign Bollard detail as being located on Miscellaneous Sheet 2, but this detail is located on Miscellaneous Sheet 3. This discrepancy shall be corrected [22-403.4.E & 22-503.4.C & Appendix I].
3. On Sheet 11 of the plans, the profile labeled EX. SAN MH to SAN MH 4 should depict the 10" DIP crossing of the existing waterline between SAN.MH.2 and SAN.MH.3 [22-503.5.A(2)].
4. The ADA ramp detail for "Intersection at Nursery St and Access Drive B" shall be corrected to address the following [General]:
 - a. Horizontal slope from access drive to turning space shall not exceed 8.33%. The slope going up the DWS and before the turning space has been calculated at 12.5%. PennDOT recommends for the design to be 7.5% to account for practical construction precision.
 - b. Spot elevations shall be provided to verify slope across the road for access from one ramp to the other.
5. The ADA ramp detail for "East Access Drive A Parking" shall be corrected to address the following [General]:
 - a. The accessible parking stalls cross slopes shall not exceed 2.08% in any direction.
6. The ADA ramp detail for "Intersection at Nursery St and Access Drive A" shall be corrected to address the following [General]:
7. Accessibility ramp on the east side 3.7% slope shall be verified, during review this slope was calculated to be 5.0%.
8. Direction of slope arrow for 2.2% on west side shall be verified.
 - a. Spot elevations shall be provided to verify slope across the road for access from one ramp to the other.
9. If any of the slope concerns identified in Items 4, 5, and 6 above are unable to be met, then the Design Engineer shall provide appropriate Technically Infeasible Forms (TIFs) to document this condition [General].
10. The plan date or last revision shown in the Drawing Index for the Easement Plan (February 3, 2026) shall be consistent with the title block of the Easement Plan (dated March 10, 2025 with no revision history) [General].
11. On Sheet 4 of Soil Erosion and Sedimentation Control Plans, please adjust inlet protection for Inlet 519 to be shown on said inlet and not in grass area [General].
12. For all Erosion and Sediment Control Plans and Notes, please amend to not include FS-T4 as it was removed during this submission [General].
13. Labels for accessible parking signs in the 5-space parking area between Buildings 3 & 4 shall be removed as they are no longer accessible parking spaces [General].

14. Two Access & Utility Easement Exhibits were provided, Exhibit S-12494 and S-12520. The Design engineer should confirm the correct easement for inclusion for recording [General].

ADMINISTRATIVE ITEMS TO BE COMPLETED PRIOR TO/UPON PLAN APPROVAL

1. The applicant has submitted an opinion of probable cost for the proposed improvements. A review of the estimate will be provided under separate cover upon finalization of the plans [22-404.1.F & 22-501.3.F].
2. The applicant shall establish a performance security for public improvements and an escrow for construction inspections [22-404.1.C & 22-404.1.F & 22-804].
3. A disclosure to property owners identifying protective covenances and encumbrances on the property, and which will be recorded and required to be signed by the property owner at the time of application for a building permit will be required [22-503.5.E].
4. The applicant shall furnish all necessary approvals by local, county, state, and federal agencies including but not limited to Lehigh County Conservation District and Pennsylvania Department of Environmental Protection (PADEP) [17-302].
5. The applicant shall execute agreements with the Board of Supervisors regarding the installation of all improvements shown on the plan and required by the Subdivision and Land Development Ordinance. Before the final plan may be endorsed by the Board of Supervisors, any required agreements shall be executed by the developer and the Board of Supervisors [22-801].
6. The applicant shall execute a Stormwater Facilities O&M Agreement [17-704].
7. As part of the Township's ongoing cooperation with the PADEP for the MS4 stormwater requirements, all BMP facilities installed per the approved PCSM plans shall be documented. Upon plan approval, the applicant's Engineer shall fill out a BMP Inventory Sheet for each proposed BMP [22-709.1.A.(3)].
- 8. The applicant shall dedicate park land or pay a fee in lieu of park land dedication in the amount of \$3,500 per dwelling unit, equaling \$126,000 for 36 proposed units [22-711.5].**
9. The applicant shall pay all required fees and charges [22-905 & 17-601].
10. The developer will be responsible to pay all established Upper Macungie Township and Lehigh County Authority allocation and application fees for connection to the public sanitary sewer system. The UMT Tapping Fee shall be imposed under Ordinance 2020-06.

11. Within 120 days of the execution of the resolution approving the subdivision, unless an extension has been granted in writing by the Board of Supervisors, the applicant's Engineer shall supply all required documentation in accordance with Section 22-504.1.
12. All seals and signatures shall be on the plans prior to approval [General].
13. Any revisions made to the plans after final plan approval shall be noted and made apparent to the review engineer upon the submission of a check set [22-403.4.K(13)].
14. Proof of securing the temporary construction easement should be provided to the Township prior to construction [General].

This review is based solely on the documents referenced above and does not relieve the design professional of any responsibility, nor does it imply any design responsibility by Herbert, Rowland & Grubic, Inc. HRG reserves the right to make additional comments in the future based on newly-supplied or revised information as provided by the applicant or their representative(s).
Sincerely,

Herbert, Rowland & Grubic, Inc.

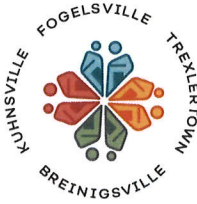


Ryan M. Kern, P.E.
Group Manager – Municipal & Water Resources

SMS/AED/RMK/pk

P:\0086\008621_0427\110 - Nursery St. Townhouses D#2413\A - PLAN REVIEW\PR#3 - PH110 - Nursery Street Townhouses D#2413.docx

- c: Jackie Tindall, UMT Planning and Zoning Administrative Assistant (via e-mail)
Andrew Schantz, Esq., UMT Solicitor (via e-mail)



UPPER MACUNGIE TOWNSHIP

8330 Schantz Road
Breinigsville, PA 18031

p 610.395.4892

f 610.395.9355

UpperMac.org

TO: Upper Macungie Township Board of Supervisors

DATE: February 16, 2026

SUBJECT: #2413 – Nursery Street Townhouses
Preliminary/Final Land Development Plan
Property Address: 1500 Nursery Street, Fogelsville, PA 18051
Parcel # 545666567237-1
11.933 Acres (Lot 245)

ZONING DISTRICT: NC – Neighborhood Commercial District (Developed pursuant to R4
Medium Density Residential District Regulations)

Dear Supervisors,

The applicant is proposing to develop the subject parcel previously created as part of the Lehigh Hills development. Construction includes thirty-six (36) townhouse units on Lot 245 that will be accessed from a private drive intersecting Nursery Street. The project includes site improvements such as the construction of a waterline, sanitary sewer, associated access drives and off-street parking areas and stormwater management controls. Comments are offered based on a review of the plans titled "Preliminary/Final Land Development Plan Submission for Nursery Street Townhouses" prepared by The Pidcock Company, dated March 10, 2025, last revised February 3, 2026, for consistency with Section 27 (Zoning) of the Upper Macungie Township Code of Ordinances.

The applicant satisfactorily addressed all zoning issues during the Planning Commission review of the project. Accordingly, this office has no additional comment.

Sincerely,

Marv Walton
Zoning Officer

PC: Meredith Keller, AICP, Director of Community Development
Allie Scarfaro, Zoning Officer
Ryan Kern, P.E., HRG, Inc.
Stan Wojciechowski, PE, CME, HRG, Inc.
Anderson Deutschman, EIT, HRG, Inc.



UPPER MACUNGIE TOWNSHIP

8330 Schantz Road
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UpperMac.org

January 6, 2026

Planning Commission Upper Macungie Township

Re: Nursery Street Townhouses, Preliminary/Final Land Development

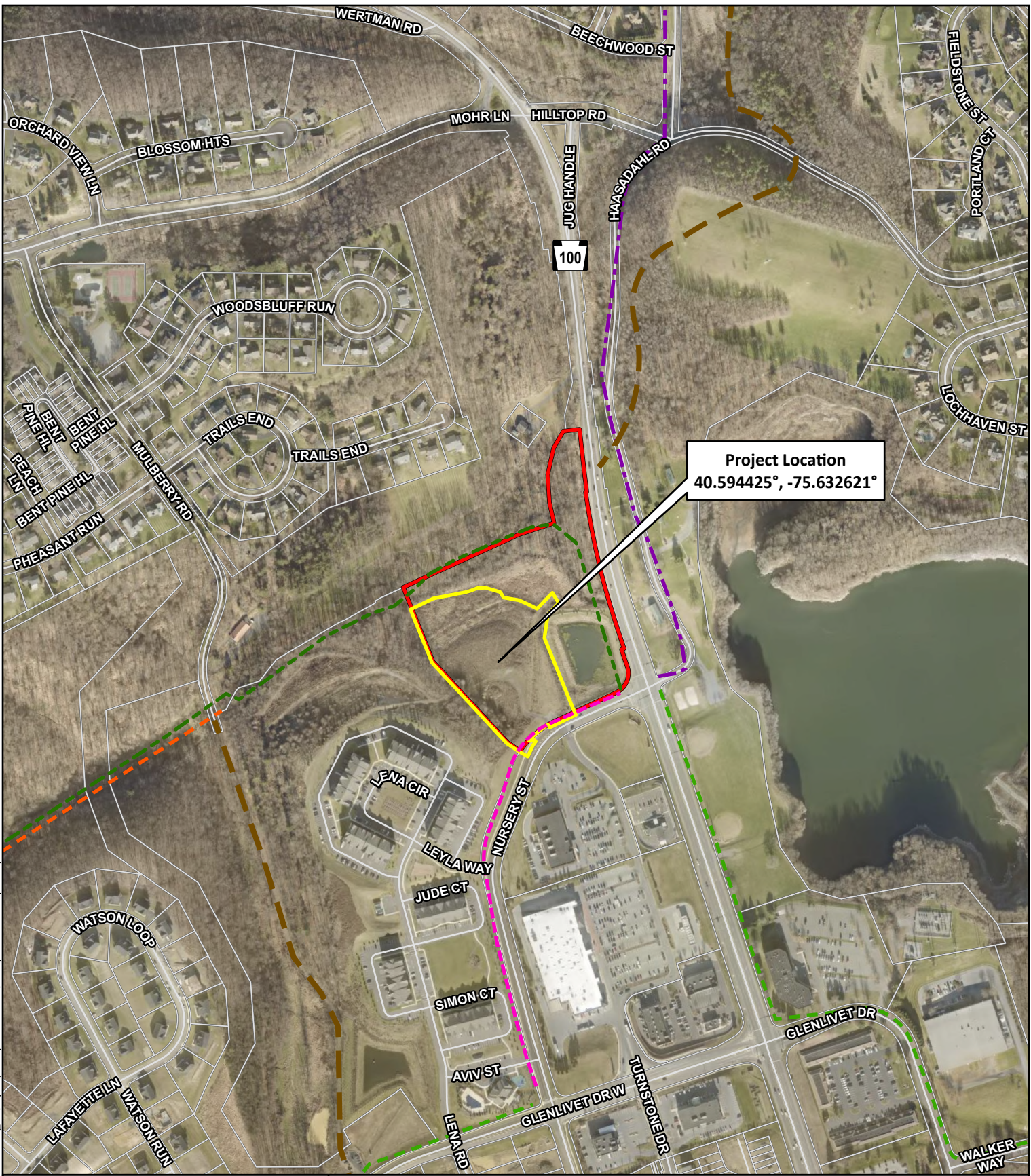
Members,

During the plan review on January 6, 2026, the following was noted. All references listed below are from the 2018 International Fire Code by Township Ordinance #2018-05 (duly adopted July 5, 2018), #2021-06 (duly adopted May 6, 2021) and UMT Codified (Ordinance 01-11, 6/21/2001, 22-706). Amended by Ord. No. 2021-14, 12/2/2021.

During the final plan review of plan S-12412, revision date of December 22, 2025, from the Jaindl Land Company/The Pidcock Company, I have no comments to be addressed.

Sincerely,
Upper Macungie Township

Peter D. Christ
Fire Commissioner



Project Location
40.594425°, -75.632621°



Mapping derived from data provided by Lehigh County GIS, ESRI, PennDOT, and USGS.

10/30/2025 PM: AD GIS: NGV QA: JDD R008621.0427

HRG
Mill Run Office Center
1275 Glenlivet Drive, Suite 330
Allentown, PA 18106
610.351.0311 [phone]
www.hrg-inc.com

- | | |
|--------------------------------|---------------------------|
| Existing Hiking Trail - Public | Proposed Sidewalk |
| Existing Trail - Private | Road |
| Proposed Hiking Trail | Proposed Development Area |
| Proposed Sharrow | Project Location |
| Proposed Sidepath | Parcel Boundary |

**Nursery St. Townhouses
Location Map
UMT Docket No. 2413**

Upper Macungie Township
Lehigh County, Pennsylvania



Lehigh Valley Planning Commission

DR. CHRISTOPHER R. AMATO
Chair

CHRISTINA V. MORGAN
Vice Chair

ARMANDO MORITZ-CHAPELLIQUEN
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

April 9, 2025

Mr. Kal A. Sostarecz, Director of Community Development
Upper Macungie Township
8330 Schantz Road
Breinigsville, Pennsylvania 18031

**Re: Nursery Street Townhouses – Land Development
Upper Macungie Township
Lehigh County**

Dear Mr. Sostarecz:

The application proposes to construct 36 townhouse dwelling units and 6,000 square feet of retail space at 1431 and 1500 Nursery Street (parcel numbers 545665892003 and 545666567237).

Background

Both sites are currently undeveloped. The site proposed for retail space on the south side of Nursery Street is located adjacent to commercial and medical office uses to the west. The site proposed for townhouse dwelling units is located adjacent to an existing residential development to the west, and both sites are located adjacent to Route 100 and Upper Macungie Park to the east.

Site Suitability

The project is located in the Development area identified in the General Land Use Plan of *FutureLV: The Regional Plan*. Infill development using vacant land adjacent to existing development and infrastructure aligns with *FutureLV* (of Policy 5.4).

Housing

According to the Lehigh Valley Housing Dashboard, the Township has a shortage of 294 units today, and an additional 6,760 units are needed by the year 2050 to keep up with the Township’s anticipated population growth. Additionally, single family detached housing units only make up 23% of the Township’s existing housing supply. The proposal helps meet the Township’s housing demand and increases attainable housing opportunities (of Policy 4.5). More information about housing in the Township and throughout the Lehigh Valley is available at lvpc.org/housing.

The existing sound barrier wall between the highway and project site and the proposed 20-foot planted buffer yard can minimize the noise impacts the proximity of high traffic volumes may have on residents. The LVPC encourages sound testing on site to support the public health, safety and welfare (of *FutureLV* Policy 3.2).

Transportation

The project is located in a growing area of the Lehigh Valley and is highly accessible by a variety of transportation modes, including sidewalks, transit service and access to Interstate 78 to the south. According to the Institute of Transportation Engineers Trip Generation Manual 11th Edition, the project is anticipated to generate an average of 259 trips per day. Monitoring the traffic impacts of cumulative development projects is essential to optimize roadway capacity and identify opportunities to enhance existing transportation infrastructure (of *FutureLV* Policies 2.1 and 2.6).

Environment

The project site is located within the Jordan Creek Watershed. This watershed has a fully implemented Act 167 Stormwater Management Ordinance. Comments relative to our review of the project's stormwater management plan are included as Attachment 1.

Municipalities, when considering subdivision/land developments, should reasonably attempt to be consistent with *FutureLV: The Regional Plan*, as required by the Pennsylvania Municipalities Planning Code (MPC) [Article 1§105, Article III§303, §304 & §306(a), Article VI§603(j)]. The LVPC review does not include an in-depth examination of plans relative to subdivision design standards or ordinance requirements since these items are covered in the municipal review.

Sincerely,



Jill Seitz
Chief Community and Regional Planner

cc: Jaindl Land Company, Applicant; John McRoberts, PE, The Pidcock Company, Project Engineer;
Ryan Kern, HRG, Township Engineer.

ATTACHMENT 1

Act 167 Drainage Plan Review

April 9, 2025

Re: Nursery Street Townhouses
Plans Dated March 10, 2025
Upper Macungie Township
Lehigh County

The proposed storm drainage concept presented in the plans and storm drainage calculations dated March 10, 2025 has been reviewed for consistency with the *Jordan Creek Watershed Act 167 Storm Water Management Ordinance*, May 1992. A brief narrative of the review findings is as follows:

The proposed development is located within drainage district 111 of the Jordan Creek Watershed as delineated in the Act 167 Plan. As such, the runoff control criteria for the site are a 30% Release Rate for the 2-year storm and a 100% Release Rate for the 10-, 25- and 100-year return period storms. The proposed site is located on lots 4 and 5 of the Lehigh Hills subdivision for which a stormwater design was previously approved and the proposed impervious area acreages are within the range of future impervious area allocated for these lots in 2014 and 2016, respectively. Based on review of the plans, the Drainage Plan has been found to be consistent with the Act 167 requirements.

Please call with any questions regarding these comments.

Sincerely yours,



Geoffrey A. Reese, PE
Master Planner and Engineer



Denjam Khadka
Senior Civil/Environmental Engineer



UPPER
MACUNGIE
TOWNSHIP

BOARD OF SUPERVISORS
ISSUE BRIEFING

DEPARTMENT MANAGER: Meredith Keller, Director of Community Development

DATE: March 5, 2026

ISSUE/TOPIC: Resolution #2026-11 – Docket #2413 – Nursery Street Townhouses – 1500 Nursery Street – Preliminary/Final Land Development Plan

I. Action/Motion to Be Considered:

Motion to approve Resolution #2026-11, granting Preliminary/Final Land Development Plan approval to Docket #2413, Nursery Street Townhouses, including approval of Waiver Request #3a and #3b, conditioned on the comments found in the Staff and Township Engineer reports dated February 25, 2026 and February 23, 2026, respectively.

II. Reason Why This Issue Needs Consideration:

- A. The Planning Commission recommended Conditional Preliminary/Final Plan Approval on January 21, 2026.
- B. The Planning Commission recommended approval of two (2) waiver requests.
- C. The Board of Supervisors granted conditional approval of three (3) waiver requests at the December 4, 2025 meeting through Resolution #2025-46.

III. Current Policy or Practice:

The Board grants approvals based on input from the Township Solicitor, Staff and Engineer with recommendations from the Planning Commission.

IV. Other Background Information:

The plan under consideration as Docket #2413 Nursery Street Townhouses was initially submitted and reviewed by the Planning Commission under Docket #2396 Nursery Street Townhouses and Commercial Development, which was a Preliminary Land Development Plan that combined Lots 4 and 245 in the Lehigh Hills development. The plan included the townhouses in addition to a proposed commercial development. At the township's request, the plan was split into a residential plan (Docket #2413) and a commercial plan (Docket #2396).

In addition to the PC and BOS meetings noted above, this plan was also reviewed by the Planning Commission at the November 19, 2025 meeting.

V. Impact on Township Finances:

N/A: Review fees are paid from developer's escrow account.

VI. Recommendations:

Pass the motion as presented.



UPPER
MACUNGIE
TOWNSHIP

BOARD OF SUPERVISORS
ISSUE BRIEFING

DEPARTMENT MANAGER: Ryan Kern, PE, Township Engineer

DATE: March 5th, 2026

ISSUE/TOPIC: Resolution #2026-12 – Docket #2392 – 6939 Ruppsville Road – Request for Modification

I. **Action/Motion to Be Considered:**

Motion to approve Resolution #2026-12, granting approval of ten (10) waivers and two (2) deferrals to Docket #2392 - 6939 Ruppsville Road.

II. **Reason Why This Issue Needs Consideration:**

- A. The Planning Commission recommended approval of Waiver Requests #1-8, 11, 12 and Deferrals #9+10 on February 18th, 2026.

III. **Current Policy or Practice:**

The Board grants approvals based on input from the Township Staff and Consultants with recommendations from the Planning Commission.

IV. **Other Background Information:**

The Applicant is still proceeding through the Preliminary/Final Land Development Plan Approval process.

V. **Impact on Township Finances:**

N/A: Review fees are paid from developer's escrow account.

VI. **Recommendations:**

Pass the motion as presented.



**UPPER MACUNGIE
TOWNSHIP**

DATE: February 13, 2026

TO: Upper Macungie Township Planning Commission

FROM: Meredith Keller, AICP, Director of Community Development

RE: Plan Name: 6939 Ruppssville Road
 Plan Type: Preliminary/Final Land Development Plan
 UMT Docket No.: 2392
 Property Parcel ID: 546558492007-1
 Property Address: 6939 Ruppssville Road, Allentown, PA 18106
 Zoning District: LI – Light Industrial

The application proposes the expansion of an existing topsoil stockpile and the construction of two additional storage/soil screening buildings to support landscaping business activities. The property includes two (2) single-family detached dwellings, which are existing nonconformities and are to remain, as well as several accessory buildings. The proposed buildings would be 3,000 square feet and 2,400 square feet, and the plan includes associated erosion and sediment pollution and stormwater management controls.

WAIVERS/MODIFICATION

The applicant has submitted a modification request letter identifying ten (10) waivers and two (2) deferrals from the Township’s S.A.L.D.O. and Stormwater Management Ordinance, which are outlined in detail in the attached Township Engineer’s review letter.

TIMELINE

The following table presents the review period timeline for the above referenced application.

PLAN REVIEW PERIOD	CURRENT DATES
Application Date	9/15/2025
Review Period Beginning Date	9/17/2025
Last Available Planning Commission Meeting	4/15/2026
Last Available Board of Supervisors Meeting	6/4/2026
Review Period End Date	6/14/2026

OTHER AGENCY REVIEWS

The following agencies were notified that this plan is available for review.

AGENCY	SUBMISSION OF COMMENTS
Community Development Department	2/13/2026
Township Engineer (HRG)	2/13/2026
Bureau of Fire	9/22/2025
Zoning & Codes Officer	1/28/2026
Lehigh Valley Planning Commission	11/7/2025; 12/24/2025
Lehigh & Northampton Transportation Authority	No Comment; 1/20/2026

ZONING HEARING BOARD DECISION

On May 14, 2025, the Zoning Hearing Board granted Special Exception approval for an outdoor storage use of between 25% and 65% of the total lot area, subject to seven conditions. In the LI – Light Industrial Zoning District, outdoor storage and display is a use permitted by Special Exception. The seven conditions are outlined in detail in the Zoning Review Letter provided by Marv Walton, Township Zoning Officer.

2019 COMPREHENSIVE PLAN REVIEW

The property currently supports a mix of uses, including two (2) single-family detached dwellings with accessory structures and Western Lehigh Services' landscaping business activities. Map 3: Future Land Use Map of the 2019 Comprehensive Plan identifies the parcel as low-medium density residential, consistent with the surrounding properties currently zoned R-2. While not consistent with the future land use map, the proposed plan does not impact the existing residential portion of the property, nor does it impact the ability to rezone the property in the future.

PEDESTRIAN/BICYCLE ACCESS

The Vision Zero Action Plan (VZAP, 2023) depicts a sidepath connection along the southern (opposite) side of Ruppssville Road, proposing connection to a future Grange Park loop trail and adjacent residential neighborhoods. To discourage unsafe pedestrian crossings along Ruppssville Road, staff and consultants recommend that the applicant not install sidewalks along the property's frontage and provide a fee in lieu of sidewalk.

RECREATION REPORT

Provided by Ryan Griffiths, Recreation Manager, rgriffiths@uppermac.org.

The Upper Macungie Township Recreation Department has reviewed the plan and recommends the acceptance of a fee in lieu of parkland dedication, as this option will better support the Township's overall recreational needs and ongoing park improvements.

ZONING REPORT

See attached Zoning Review letter provided by Marv Walton, Township Zoning Officer.

ENGINEER REPORT

See attached Engineering Review letter provided by Ryan Kern, P.E., Township Engineer.

BUREAU OF FIRE

See attached Bureau of Fire Review Letter provided by Peter Christ, Fire Commissioner.

RECOMMENDED PLAN ACTION

Township Staff and Consultants recommend that the Planning Commission recommend approval of Waiver Request #1, #2, #3, #4, #5, #6, #7, #8, #11, and #12, conditioned on the Township Engineer's Review Letter dated February 13, 2026, as well as any other conditions identified during the course of the meeting.

Township Staff and Consultants recommend that the Planning Commission recommend approval of Deferral Request #9 and #10, conditioned on the Township Engineer's Review Letter dated February 13, 2026, as well as any other conditions identified during the course of the meeting.

Township Staff and Consultants recommend that the plan not be acted upon at this time and be tabled until adequate revisions are made to address the comment letters.

cc: Board of Supervisors
Robert Ibach, Jr., Township Manager
Andrew V. Schantz, Esq., Davison & McCarthy
Ryan Kern, P.E., Township Engineer, HRG, Inc.
Stan Wojciechowski, P.E., C.M.E., HRG, Inc.
Anderson Deutschman, E.I.T., HRG, Inc.
Brian Schultz, Western Lehigh Services, Inc.
Sean Policelli, P.E., Gilmore & Associates
Jacob Longenbach, Western Lehigh Services, Inc.



Herbert, Rowland & Grubic, Inc.
 1275 Glenlivet Drive, Suite 330
 Allentown, PA 18106
 610.351.0311
 www.hrg-inc.com

LAND DEVELOPMENT REVIEW LETTER #3

UPPER MACUNGIE TOWNSHIP

Attn: Meredith Keller, Director of Community Development

6939 Ruppsville Road
 Preliminary/Final Land Development Plan

February 13, 2026

Reference: Docket #2394
 Location: Address: 6939 Ruppsville Road, Allentown, PA 18106
 PIN: 546558492007-1
 Zoning Dist.: LI
 Applicant: Brian Schultz, Western Lehigh Services, Inc.
 7127 Ruppsville Road, Allentown, PA 18106-9205
 610-395-5557 - bschultz@westernlehighservices.com
 Owner: Richard J & Peggy Ann Karpeuk
 6939 Ruppsville Road, Allentown, PA 18106-9276
 610-597-1811 - Rick87@rcn.com
 Engineer: Sean F. Policelli, P.E., Gilmore & Associates
 3850 Sierra Circle, Suite 100, Center Valley, PA 18034
 610-910-9505 - spolicelli@gilmore-assoc.com
 Time Clock: Date of First PC Meeting: 10/15/2025
 Expiration Date: 6/14/2026

We have completed our review of the following information for the above-referenced project:

Submission:	Dated:	Last Revised:
Plan Sheets 1-22 of 22 (Plan)	September 12, 2025	January 16, 2026
Post Construction Stormwater Management Report (PCSM Report)	September 2025	January 2026
Erosion & Sediment Control Report (E&S Report)	September 2025	January 2026
Proposed ROW Dedication	November 14, 2025	--
Opinion of Record Title	November 14, 2025	--
Property Deed	November 12, 2003	--
Stormwater Discharge Acknowledgement	January 8, 2026	--
Carbonate Assessment Report	November 6, 2025	--
Infiltration Assessment	August 5, 2025	--
Trip Generation	November 14, 2025	--

The applicant has submitted the following requests for relief:

Requested Modification(s):	Dated:	Ordinance Section:
1. Waiver of preliminary plan submission	February 10, 2026	SALDO 22-503.1
2. Waiver of curbing along access drives	February 10, 2026	SALDO 22-703.3.D(4)
3. Waiver of 200 ft separation between driveways	February 10, 2026	SALDO 22-703.3.G(2)(b)
4. Waiver of widening Ruppssville Road	February 10, 2026	SALDO 22-704.1.H
5. Waiver of sidewalks on Ruppssville Rd.	February 10, 2026	SALDO 22-704.9.A
6. Waiver of private sidewalks	February 10, 2026	SALDO 22-704.9.B
7. Waiver of curbs on Ruppssville Rd.	February 10, 2026	SALDO 22-704.9.C
8. Waiver of access drive lighting	February 10, 2026	SALDO 22-704.10
9. Deferral of connection to public sewer	February 10, 2026	SALDO 22-705.1.A(1) & 22-705.3.F
10. Deferral of connection to public water	February 10, 2026	SALDO 22-706.1.A(1)
11. Waiver of 2% slope in detention basins	February 10, 2026	SALDO 22-707.4.C.2.h
12. Waiver of freeboard in detention basins	February 10, 2026	SALDO 22-707.3.D & SWM 17-307.8

We offer the following comments: (**Bolded** comments = Key comments for discussion)

MODIFICATIONS

- WAIVER of SALDO [22-503.1]** – A final major subdivision and final major land development plan may not be submitted to the Township Community Development Department for Planning Commission consideration prior to the Board of Supervisors' approval of a preliminary plan.
 - Summary of applicant's relief request: Do (sic.) to the limited scale of the proposed improvements, a waiver is requested to allow the application to be processed as a combined Preliminary/Final Plan.
 - HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**.
- WAIVER of SALDO [22-703.3.D(4)]** – Access drives shall be clearly defined by curbing.
 - Summary of applicant's relief request: The proposed use of the access drive consists of a single-family dwelling and Western Lehigh's topsoil stockpile operations. This access drive is not proposed for public use and will only serve these two private entities. Curbing is not needed for stormwater management.
 - HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**.
- WAIVER of SALDO [22-703.3.G(2)(b)]** – Center lines for access drives, at a point of access to a street or access drive, shall not be located closer to the center line of a street intersection or access drive, than the following distances: Two hundred feet (200') if either street is a collector street.
 - Summary of applicant's relief request: The existing driveways do not currently comply with this requirement. The overall alignment of these driveways will remain. However the centerline of the primary driveway will shift slightly due to the proposed widening, which

is required to comply with other sections of the Township ordinance. The primary driveway apron is up against the property boundary and cannot be shifted any further to the south. It should also be noted that the secondary driveway is only utilized by the homeowner to occasionally access a small existing garage which is used for storage.

- HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**.
4. **WAIVER of SALDO [22-704.1.H]** – Any street or streets adjacent to a subdivision or land development shall be improved to the width specified under the requirements as defined in Subsection 2A of this section.
- Summary of applicant’s relief request: The current project only resides on approximately 50 feet of frontage along Ruppsville Road. Widening a short, isolated section of roadway does not improve functionality and can be detrimental to safety by creating motorist confusion and additional otherwise unnecessary signage. Ruppsville Road is a PennDOT road, any improvements required by PennDOT will be included within the plan set and constructed. It should also be noted that the current proposal is solely for a topsoil stockpile, should any further development take place, those plans would be required to go through the Township approval process where road widening could again be considered. The reasonableness of this request is supported by the fact that the Township recently developed a large parcel across the street and did not include any road widening along Ruppsville. A fee in lieu of widening is proposed in support of this waiver.
 - HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**. **HRG and Township staff support a fee in lieu of road widening.**
5. **WAIVER of SALDO [22-704.9.A]** – Public sidewalks shall be required along the roadway frontage of all improved roads in multifamily, single-family attached/detached developments and all nonresidential subdivisions and land developments.
- Summary of applicant’s relief request: No sidewalk is present within the vicinity of the site frontage. An isolated strip of sidewalk does not provide any benefit for the community. A fee in lieu of sidewalk installation is proposed as an alternative. This way an equivalent amount of sidewalk can be installed at the discretion of the Township where it can better serve the community.
 - HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**. **HRG and Township staff support a fee in lieu of sidewalks.**
6. **WAIVER of SALDO [22-704.9.B]** – Private sidewalks or pedestrian accessways shall be provided for nonresidential use. The intent of this requirement is to provide safe pedestrian and/or bicycle connections from public rights-of-way to proposed buildings.
- Summary of applicant’s relief request: The proposed development consists of a topsoil stockpile. No pedestrian facilities are provided. There will only be two employees accessing this site.
 - HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**. **Based on the operations of this specific use described by the applicant, HRG recommends approval of this waiver.**
7. **WAIVER of SALDO [22-704.9.C]** – Curbs shall be required in all nonresidential subdivisions and land developments as well as in multifamily and single-family attached/detached

developments along existing and proposed roads, parking areas, parking islands, loading areas and driveways, other than those leading to individual garages.

- Summary of applicant's relief request: To maintain the current drainage pattern and allow sheet flow to come from Ruppssville Road onto the site, no curbing should be installed along the development's frontage. Additionally, there is no curbing along Ruppssville Road within ~700 feet of the site. A fee in lieu of curb is proposed in support of this waiver.
- HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**. **HRG and Township staff support a fee in lieu of curbs.**

8. **WAIVER of SALDO [22-704.10]** – Streetlighting along access drives.

- Summary of applicant's relief request: No evening operations are proposed. The proposed development consists of a topsoil stockpile which does not require any lighting for operation or for safety. The access drive also serves the existing single-family dwelling. Single family dwelling access drives do not require illumination.
- HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**. **HRG recommends approval of this waiver as it relates to providing lighting along the access drive.**

9. **DEFERRAL of SALDO [22-705.1.A(1) & 22-705.3.F]** – Each proposed subdivision or proposed land development which is located within the current Act 537 Public Sewer Service Area boundary and is within 1,000 feet of an existing public sanitary sewage system shall be connected by the developer to such system, unless such connection is not technically feasible, as determined by the Township. AND Sewer mains shall be extended along existing public streets for the full frontage of the property being developed.

- Summary of applicant's relief request: There is already an existing sanitary sewer system for the single-family residence on site. No new sewage flows are proposed as a part of the land development. The proposed development consists solely of a topsoil stockpile operation and supporting stormwater management; no electric, no water, no sewer, or any other utilities are proposed. Should any improvements be proposed in the future that include sanitary sewer flows, that plan would be required to go through the Township's approval process. The connection to the main would be evaluated at that time. Should the existing on-lot septic system fail, connection to the public sanitary system would occur at that time.
- HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **DEFERRAL**.

10. **DEFERRAL of SALDO [22-706.1.A]** – Each proposed subdivision or land development within 1,000 feet of an existing public water supply system shall be connected by the developer to such system, unless such connection is not technically feasible.

- Summary of applicant's relief request: There is already an existing water connection for the single family residence on site (i.e. well). No new water demand is proposed as a part of the land development. Should any improvements be proposed in the future requiring water, those plans would be required to go through the Township approval process and connection to the water main would be evaluated at that time. Should the existing on-lot water system fail, connection to the public water system would occur at that time.

- HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **DEFERRAL**.

11. **WAIVER of SALDO [22-707.4.C.2.h]** – The bottom of all stormwater detention basins shall slope to the outlet structure at a grade not less than 2%.

- Summary of applicant's relief request: We request a partial waiver to allow the slope to be 0.5% due to uniquely flat topography on-site that limits the ability to provide a 2% slope. Additionally, the three facilities include an underground detention basin, an evapotranspiration facility (rain garden), and a sediment trap. Note that the sediment trap will have a 0% bottom slope due to the function of this long-term temporary facility (sediment storage zone is below lowest orifice). This facility is designed to trap sediment, not for rate attenuation.

- HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**.

12. **WAIVER of SALDO [22-707.3.D] & SWM [17-307.8]** – All stormwater detention facilities shall provide a minimum 1.0-foot freeboard above the maximum pool elevation associated with the two- through 25-year runoff events. A 0.5-foot freeboard shall be provided above the maximum pool elevation of the 100-year runoff event. The freeboard shall be measured from the maximum pool elevation to the invert of the emergency spillway. The two-through 100-year storm events shall be controlled by the primary outlet structure. An emergency spillway for each basin shall be designed to pass the 100-year return frequency storm peak basin inflow rate with a minimum 0.5-foot freeboard measured to the top of basin.

- Summary of applicant's relief request: A waiver is requested from the free board requirements for the following reasons:

- The stormwater management facility in question is a Rain Garden. Rain gardens are designed to be significantly smaller and shallower than detention basins. While they do provide rate attenuation, their primary function is stormwater volume and quality control.
- The site's topography is uniquely flat. The lack of elevational drop across the site, and the lack of nearby receiving watercourses or storm sewers, produces a physical limitation which inhibits the ability to provide a stormwater control facility that will be able to both drain and comply with the freeboard requirements listed in the above noted sections of the SALDO and Stormwater Ordinance.
- The LVPC (Act 167) stormwater rate control requirements are more stringent than the Municipal stormwater rate control requirements, requiring a 50% reduction to the 100-year predevelopment runoff rate. Site limitations inhibit the ability of the stormwater facility to comply with both of these requirements. The facility was designed to meet the LVPC (Act 167) rate reductions.
- Due to the small size of the facility and corresponding drainage area, combined with the overall stormwater management of the site (i.e. reduction to stormwater runoff), the health, safety, and welfare of the community will be preserved.

- HRG recommends **Approval**; **Approval and Modification**; **Denial** of this **WAIVER**. HRG recommends approval of this waiver provided that they meet all requirements of our review letter.

SUBDIVISION AND LAND DEVELOPMENT (CHAPTER 22)

1. The Waiver Request list on the Land Development Plan (Sheet 3 of 22) shall list all waivers and deferrals; be numbered per the Modification Request Letter and this review letter, and shall indicate the date of approval by the Board of Supervisors [22-906.2].
2. The certification of ownership shall be filled out with the owner's name [22-403.4.K(9)].
3. Provide copies of the proposed deed restrictions, and protective and restrictive covenants, referenced to the Preliminary Plans, and as required by the Township Solicitor. V-102 and V-104 may be removed from the plans [22-403.4.K(11) & 22-503.4.F].
4. Verify if the second existing dwelling on the property has an on-lot septic area [22-403.4.K(20) & 22-503.5.A(5)].
5. Provide correspondence from PPL stating that work proposed within the easement is permitted and in compliance with their design criteria [22-403.5.M].
6. Any comments from the Township Solicitor regarding the record title shall be addressed to his satisfaction. [22-503.5.C & 22-704.1.G(2)].
7. The access drive radius to Ruppssville Road shall be 20 ft vs. 14' as shown on Sheet 4 [22-703.3.D(1) & 22-703.3.D(3)].
8. The average and maximum footcandles for the proposed parking spaces shall be an average of 2.5fc and a maximum of 5.0fc [22-704.10.F].
9. Additional trees along the paved driveway in addition to the three American Hollies shall be provided to screen the topsoil storage area from view from the street or a fence shall be provided in this area [22-710.5.E].
10. Provide a tie-in point and gate for the proposed fence across the access drive [General].
11. Provide the following details on the plans: ADA signage, fence & gate [General].
12. Revise the plans to minimize overlapping text and drafting errors listed below [General]:
 - a. Sheet 3 has conflicting labels along the ROW and at the eastern monument label.
 - b. The scale for the driveway alignment profile on Sheet 7 is not accurate to the actual profile, and the graphic scale does not match the written scale.
 - c. Some spot elevations on Sheets 4, 5, 6, 8 are existing but bolded. Please clarify.
 - d. Sheet 8 has conflicting labels near the sediment trap and rain garden.
 - e. The scales for the UGB cross section, rain garden cross section, and sediment trap cross section on Sheet 4 are not accurate to the actual cross sections.

STORMWATER MANAGEMENT (CHAPTER 17 & CHAPTER 22)

There are still several concerns with the drainage areas, time of concentration paths, and the model which will require remodeling and may cause changes to the stormwater report.

Additional comments may be generated upon review of additional information included in future submissions [General].

1. Changes were made to the model, but dewatering calculations were not updated. For example, the year storm elevations were not updated and the UGB storage was not updated. Update dewatering calculations to use data consistent with the model [17-301.10 & 22-707.4.C].
2. The overall model that has been provided for the site on Page 83 of the PCSM Report has several errors noted as follows [17-306.1]:
 - a. Line 13: the inflow hydrograph for "Rte Thru Offsite Basin" should be Hydrograph 11, "Offsite Drainage to Offsite Basin."
 - b. Line 49: the "Combined Post no SCMs" hydrograph should be Lines 31, 32, 33, 24, 25, and 29.
 - c. Line 50: the "Combined Post w/ SCMs" hydrograph should include Hydrograph 29, "Offsite to DA-5."
3. While this requirement appears to be met, a summary table should be provided to confirm that a 100% release rate is met at DP/POA 001 and DP/POA 002 [17-306.5].
4. The predevelopment "Offsite to Area B to DA-1" and post development "Offsite to DA-3" drainage area boundaries should follow the drainage area boundary from the excerpt from the 6845 Patterson Court plans and should extend to contain the area where the 18" HDPE pipe discharges on to the property [17-306.10].
5. Freeboard below the spillway for the 2 25-year and 100-year storms (WSEL 1 ft below & 0.5ft below spillway elevation respectively) have not been addressed. Spillway calculations shall clearly show the emergency spillway elevation to the design storm. Provide these calculations for each SCM [17-307.8 & 22-707.3.D].
 - a. Underground Detention Basin: Freeboard through the spillway is met. Based on hydrograph elevations, freeboard below the spillway appears to be met.
 - b. Sediment Trap: Freeboard through the spillway is not met (0.20 ft provided, 0.50 ft required). Based on hydrograph elevations, freeboard below the spillway appears NOT to be met.
 - c. Rain Garden: Freeboard through the spillway is not met (0.36 ft provided, 0.50 ft required). Based on hydrograph elevations, freeboard below the spillway appears NOT to be met.
6. On Page 66 and 74 of the PCSM report, the Tc Calculations Group DA-1 (Pre-Development) (Inside LOD), Offsite Basin to DA-1 (Pre), Offsite Area A to DA-1 (Pre), and Offsite Area B to DA-1 (Pre), but the DA maps show a separate Tc path for Offsite Basin to DA-1 (Pre) and Offsite Area B to DA-1 (Pre). Please clarify [17-307.14].

7. Some of the Tc calculations labeled as LCCD calculations (Pages 66, 67, 68, 69, 70) use Manning's roughness coefficients for LVPC per the DA maps. Revise for consistency with the DA maps [17-307.14].
8. On Page 74 of the PCSM report, "LVPC DA-1 Pre..", the Manning's roughness coefficient for Segment 1 should be cultivated soil. Revise in the calculations and on the DA map [17-307.14].
9. On Hydrograph 11, a Tc of 22.70 minutes is used in the model for the offsite area to the offsite basin, while the calculations on Page 81 of the PCSM report state that a 6-minute Tc will be used. Per the 6845 Patterson Court plans and based on the land cover, the minimum Tc value should be used [17-307.14].
10. On Page 62 of the PCSM report, the stage storage calculations should include the stone void ratio [17-403.C(2)].
11. Clarify where the flows used in the pipe capacity calculations are derived from [17-403.C(2)].
12. Any comments from the Township Solicitor regarding the Ludwig Storm Water Consent Form shall be addressed to his satisfaction [22-707.2.B].
13. The discharge point from the sediment basin and rain garden has moved closer to the property line. An agreement like the one above should be obtained, signed by the adjoining property owner, or a level spreader should be used so as not to create a concentrated discharge [22-707.2.B].
14. The liner anchor detail on plan Sheet 15 should show the geotextile fabric [22-707.4.C.2.f].
15. Inspection ports/observation wells shall be no less than twelve-inch diameter and have a cleanout hatch no less than twenty-four-inch diameter. Revise the "observation well" detail to comply [22-707.4.C.2.j].
16. Verify if the pipe connections at the corners of the UGB are observation wells, as they share the same symbol. It is recommended to place observation wells at pipe connections [General].
17. Provide a 100-year Inlet Grate Capacity calculations to demonstrate that Inlet 203 can safely capture the flow routed to UGB-1. As there are structures located near the SCM, calculations are required to show that the gutter spread does not impact these features [22-707.5.A(5)].
18. The following comments shall be addressed for the RG-1 model on Page 92 [General]:
 - a. The top stage storage elevation is 444.00, while the emergency spillway detail shows 444.50 (Sheet 15), and the spot elevations on the grading plan (Sheet 4) show 444.07. Revise for consistency.
 - b. Culvert A pipe length and slope are inconsistent with the profiles on Sheet 14.
19. The following comments shall be addressed for the ST-1 model on Page 92 [General]:
 - a. Clarify why the total storage is different from the stage storage calculated on Page 61.

20. The following comments shall be addressed for the UGB-1 model on Page 93 [General]:

- a. Culvert A pipe length and slope are inconsistent with the profiles on Sheet 14.
- b. Weir A crest elevation is modeled as the 4'x4' box, OS-201. However, this box should not be modeled as it has a manhole cover, not an inlet grate. Inlet 203 is the weir that should be modeled.

21. The following comments shall be addressed for Appendix D, Land Cover Summaries [General]:

- a. A calculation sheet is missing for "Pre Development Offsite to DA-2 LCCD". There is a duplicate for "Pre Development Offsite to DA-2 LVPC" (Pages 46 & 52), which is assumed should be replaced with the LCCD calculation.
- b. On Page 34, "Pre Development DA-1 inside LOD LCCD" total area does not match the drainage area map.
- c. On Page 36, "Pre Development Total Inside LOD LCCD" total area does not match the actual total area.
- d. On Page 39, "Pre Development Total Inside LOD LVPC" uses CN values for meadow under the row crops lines.
- e. On Page 42, "Post Development DA-3 to Sediment Trap Onsite LVPC & LCCD" and on Page 59, "Post Development Sediment Trap On Site" verify where the CN values for bare earth are derived from, as TR-55 uses 77, 86, 91, 94 for bare soil with HSG B.
- f. On Page 45, "Post Development DA Total within LOD LVPC & LCCD" there is no bare earth line, while on site calculations that would be part of this total quantify bare soil.
- g. On Page 46 & 52, "Pre Development Offsite to DA-2 LVPC", and on Page 48, "Pre Development Offsite Area A to DA-1 LVPC", the calculations model woods, but there does not appear to be woods in pre-development conditions.

22. Consistency between the model and the supporting calculations (drainage area/land cover and Tc calculations) will be reviewed once the supporting calculations are accurate and consistent with the drainage area maps [General].

23. The rain garden cross section on Plan Sheet 14 labels the top of amended soil as Elevation 442, while the calculations on Page 171 of the PCSM report use Elevation 441.50. Revise for consistency [General].

24. The cross sections on plan Sheet 14, the profiles on Sheet 17, and the pipe calculations in the PCSM report use incorrect top of grate elevations for OS 103 and OS 104 [General].

ADMINISTRATIVE ITEMS TO BE COMPLETED PRIOR TO/UPON PLAN APPROVAL

1. The applicant shall submit an opinion of probable cost for the proposed improvements [22-404.1.F & 22-501.3.F]

2. The applicant shall establish an escrow for public improvements and construction inspections [22-404.1.C & 22-404.1.F & 22-804].
3. The applicant shall furnish all necessary approvals by local, county, state, and federal agencies including but not limited to LVPC, LCCD, PennDOT, and DEP [22-503.5.B, 22-503.8, 17-302, & 17-303].
4. The applicant shall execute agreements with the Board of Supervisors regarding the installation of all improvements shown on the plan and required by the Subdivision and Land Development Ordinance. Before the final plan may be endorsed by the Board of Supervisors, any required agreements shall be executed by the developer and the Board of Supervisors [22-801].
5. The applicant shall execute a Stormwater Facilities Operation and Maintenance Agreement [17-704].
6. As part of the Township's ongoing cooperation with DEP for the MS4 stormwater requirements, all BMP facilities installed per the approved PCSM plans shall be documented. Upon plan approval, the applicant's Engineer shall fill out a BMP Inventory Sheet for each proposed BMP [22-709.1.A.(3)].
7. The applicant shall pay all required fees and charges [22-905 & 17-601].
8. Within 120 days of the execution of the resolution approving the subdivision unless an extension has been granted in writing by the Board of Supervisors, the applicant's Engineer shall supply all required documentation in accordance with this section [22-504.1].
9. All seals and signatures shall be on the plans prior to approval [General].
10. Any revisions made to the plans after final plan approval shall be noted and made apparent to the review engineer upon the submission of a check set [22-403.4.K(13)].

This review is based solely on the documents referenced above and does not relieve the design professional of any responsibility, nor does it imply any design responsibility by Herbert, Rowland & Grubic, Inc. HRG reserves the right to make additional comments in the future based on newly-supplied or revised information as provided by the applicant or their representative(s).

Sincerely,

Herbert, Rowland & Grubic, Inc.



Ryan M. Kern, P.E.
Group Manager – Municipal & Water Resources

AED/SGW/RMK/pk

6939 Ruppsville Road
Upper Macungie Township
February 13, 2026
Page 11

c: Jackie Tindall, UMT, Planning and Zoning Administrative Assistant
Andrew Schantz, Esq., UMT Solicitor (via e-mail)



UPPER MACUNGIE TOWNSHIP

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UpperMac.org

TO: Upper Macungie Township Planning Commission

DATE: January 28, 2026

SUBJECT: #2392 – 6939 Ruppsville Road Preliminary/Final Land Development Plan

PROPERTY ADDRESS: 6939 Ruppsville Road Allentown, PA 18106
Parcel #546558492007 1 8.13 Acres

Zoning District: LI – Light Industrial Park Zoning District

Dear Planning Commission Members,

The applicant proposes the expansion of an existing topsoil stockpile and the construction of two new storage/soil screening buildings to support landscaping business activities. The property includes two (2) single-family detached dwellings, which are existing nonconformities and are to remain, as well as several accessory buildings. The proposal qualifies as a Land Development as it involves the improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively. The proposed buildings would be 3,000 square feet and 2,400 square feet respectively and the Plan also includes associated erosion and sediment pollution and stormwater management controls. The comments below are offered based on a review of a plan titled "Land Development Plan for Western Lehigh Services 6939 Ruppsville Road" prepared by Gilmore & Associates, Inc., dated September 12, 2025, last revised January 16, 2025, as well as a Zoning Response Letter from Sean F. Policelli, P.E. of Gilmore & Associates, Inc. also dated January 16, 2026, for consistency with Section 27 (Zoning) of the Upper Macungie Township Code of Ordinances. This Plan was last reviewed on December 2, 2025, responses to that review and/or new comments are listed in **bold**.

Zoning Review:

1. § 27-306.2. Table of Permitted Uses. This property and use has been the subject of multiple hearings before the Township Zoning Hearing Board. On September 13, 2023, the Board voted to reverse the decision of the Zoning Officer that the single-family dwelling use would need to be removed before the proposed topsoil stockpile use could be considered and directed the applicant and the Township to work through the standard zoning use review process to determine whether the proposed use may be considered as a second principal use, which is allowed in the LI District. Subsequent to that decision, the Township Zoning Office determined the proposed use is a second primary use on the property and falls under the use classification of "Outdoor storage and display, other than storage of vehicles for sale or rental, involving more than 25% but less than 65% of total lot area", which is a Special Exception Use in the LI Zoning District. On May 14, 2025, the Zoning Hearing Board approved a Special Exception application for the outdoor storage and display, other than storage of vehicles for sale or rental, involving more than 25% but less than 65% of total lot area use, subject to seven (7) conditions as follows:

- a. Condition #1. Applicant shall develop and operate the Subject Property in a manner consistent with the testimony and evidence presented in connection with this Appeal, including but not limited to the submitted Sketch Plan / Site Plan submitted as Exhibit ZB-10.
- b. Condition # 2. Applicant shall file and obtain land development approval for Applicant's Proposed Use of the Subject Property in a manner consistent with and in compliance with the Upper Macungie Township Subdivision and Land Development Ordinance ("SALDO").
- c. Condition # 3. But for the zoning relief granted to Applicant in connection with this Appeal, Applicant's development and any operations occurring upon any portion of the Subject Property shall strictly comply with all other applicable law, including state and federal law and applicable Township Ordinances.
- d. Condition # 4. Violations of these conditions shall be considered violations of the Zoning Ordinance.
- e. Condition # 5. Applicant shall comply with all Pennsylvania Department of Transportation ("PENN DOT") requirements related to any existing Highway Occupancy Permit ("HOP") for the Subject Property and any modifications required by PENN DOT to said HOP or the Subject Property based on Applicant's proposed use and development of the Subject Property.
- f. Condition # 6 These conditions shall run with the land and shall apply to Applicant, Landowners (whether equitable or legal), and any future landowner(s) or future occupants of the Subject Property. Any and all leases, operating agreements, or other contracts related to the occupancy or use of any portion of the Subject Property used for Applicant's Proposed Use shall contain provisions requiring any tenant, operator, or occupant of the Subject Property to strictly comply with all of the conditions set upon any relief granted to Applicant by the Zoning Board.
- g. Condition # 7. Applicant's Proposed Use's hours of operation shall be limited to Monday through Friday between the hours of 6 a.m. and 6 p.m. In the event that Applicant is not able to operate during Applicant's normal hours in a particular Monday through Friday period, Applicant may operate on the immediately following Saturday up to the number of hours Applicant was not able to operate during the immediately preceding Monday through Friday period but in no event shall any operation of Applicant's Proposed Use occur earlier than 6 a.m. or later than 6 p.m.

It is recommended that a reference to the Special Exception approval and the seven (7) conditions, in particular the required hours of operation, be shown on the Record Plan. Comment addressed; however, it is recommended the Special Exception approval note be revised to state: "This use received a Special Exception approval from the Upper Macungie Township Zoning Hearing Board on May 14, 2025, under and subject to the conditions listed below." **Comment not addressed. Please include the above-referenced language as part of the Special Exception note.**

2. § 27-513. Placement and Screening of Waste Containers and Outdoor Machinery and Fencing of Storage. Pursuant to § 27-513.4., Fencing of Outdoor Storage and Machinery, the following shall be secured by fencing or walls that are reasonably adequate to make it

extremely difficult for children under the age of nine to enter, unless the applicant proves in writing to the satisfaction of the Zoning Officer that such fencing or walls are not needed:

- a. Outdoor industrial storage areas involving storage covering more than 5,000 square feet of land.
- b. Stationary hazardous machinery and equipment that are outdoors.
- c. Outdoor bulk aboveground or surface storage of potentially explosive or hazardous liquids, gases or substances.

The applicant should clarify if a, b or c above will apply to the use. Comment partially addressed; pursuant to information provided by the applicant, the site will be secured by a fence. A fence detail should be provided on the Plan. **Comment not addressed. No fence detail has been provided.**

Sincerely,



Marv Walton
Zoning Officer

PC: Meredith Keller, AICP, Director of Community Development
Allie Scarfaro, Zoning Officer
Ryan Kern, P.E., HRG, Inc.
Stan Wojciechowski, PE, CME, HRG, Inc.
Anderson Deutschman, EIT, HRG, Inc.



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September 22, 2025

**Planning Commission
Upper Macungie Township**

Re: 6939 Ruppssville Road/Preliminary/Final Land Development

Members,

During the plan review on September 22, 2025, the following was noted. All references listed below are from the 2018 International Fire Code by Township Ordinance #2018-05 (duly adopted July 5, 2018), #2021-06 (duly adopted May 6, 2021) and UMT Codified (Ordinance 01-11, 6/21/2001, 22-706). Amended by Ord. No. 2021-14, 12/2/2021.

I have no comment on the provided plan to construct two storage/soil screening buildings as part of a landscaping business.

Sincerely,
Upper Macungie Township

Peter D. Christ
Fire Commissioner

TOWNSHIP OF UPPER MACUNGIE
Lehigh County, Pennsylvania

RESOLUTION #2026-13
(Duly Adopted March 5, 2026)

A RESOLUTION OF UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, ESTABLISHING CERTAIN DETERIORATED AND UNDEVELOPED AREAS TO BE SUBJECT TO ABATEMENT OF NEW IMPROVEMENTS CONSTRUCTED WITHIN THOSE AREAS PURSUANT TO THE LOCAL ECONOMIC REVITALIZATION TAX ASSISTANCE (LERTA) PROGRAM WITHIN THE TOWNSHIP.

WHEREAS, Township of Upper Macungie, Lehigh County, Pennsylvania is a local taxing authority, authorized by the Local Economic Revitalization Tax Assistance Act, the Act of December 1, 1977, P.L. 237, No. 76, (72 P.S. §4722 et seq.) (the "Act") to provide tax exemption for new construction in certain identified deteriorated areas and for improvements to certain deteriorated industrial, commercial, manufacturing and other business properties; and

WHEREAS, the Board of Supervisors desires to encourage new industrial, commercial, business development and improvements to certain deteriorated or underutilized properties within the Township through the use of tax exemptions under the provisions of the Act; and

WHEREAS, Township staff and consultants have studied areas of the Township and have identified certain properties that are underdeveloped, deteriorated and/or underutilized and which are appropriate to be designated as areas in need of encouragement to be improved and/or developed through the use of the Act ("Designated Areas"); and

WHEREAS, the Upper Macungie Township Planning Commission, at its meeting of January 21, 2026, recommended approval of the proposed Designated Area; and

WHEREAS, the Board of Supervisors of the Township of Upper Macungie, Lehigh County, Pennsylvania held a public hearing on March 5, 2026 for the purpose of determining the boundaries of the Designated Area(s);and

WHEREAS, the Board of Supervisors, following the recommendation of the Upper Macungie Township Planning Commission and evidence and testimony provided at the March 5, 2026 public hearing, desires to adopt a Designated Area which will be subject to abatement of real estate taxes as provided by the Act and as adopted by the Township by Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of Upper Macungie, Lehigh County, Pennsylvania (the "Township"), adopt the LERTA map as follows:

Section 1: Eligible Areas. The Board of Supervisors after public hearing, determines that the areas shown on the map attached as Exhibit A shall be the deteriorated areas(s) within the Township which contain deteriorated properties which are eligible for tax exemption under this Resolution.

Section 2: Conflict. Any Ordinance, Resolution or part of any Ordinance or Resolution, which conflicts with the provisions of this Resolution are hereby, repealed.

Section 3: Severability.

If any sentence, clause, section, or part of this Resolution is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby declared as the intent of the Board of Supervisors that this Resolution would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 4: Repealer.

All Resolutions or parts of Resolutions conflicting or inconsistent herewith are hereby repealed.

Section 5: Effective Date

This Resolution shall become effective upon enactment as provided by law.

DULY ADOPTED this 5th Day of March, 2026, by the Board of Supervisors of Upper Macungie Township in a lawful session duly assembled.

**UPPER MACUNGIE TOWNSHIP ATTEST
BOARD OF SUPERVISORS**

JAZMIN VAZQUEZ, Secretary

JEFF FLEISCHAKER, Chairman

JULIEN GODBARGE, Vice-Chairman

SUNNY GHAI, Member

TOWNSHIP OF UPPER MACUNGIE
Lehigh County, Pennsylvania

RESOLUTION #2026- 14
(Duly Adopted March 5, 2026)

A RESOLUTION OF UPPER MACUNGIE TOWNSHIP, LEHIGH COUNTY, PENNSYLVANIA, TO ALLOW INTERMUNICIPAL COOPERATION BY AND BETWEEN THE TOWNSHIP OF UPPER MACUNGIE AND WHITEHALL TOWNSHIP WHEREBY UPPER THE PARTIES SEEK TO MEMORIALIZE MUTUAL COOPERATION, AID AND ASSISTANCE BETWEEN AND AMONG EACH MUNICIPALITY'S RESPECTIVE POLICE DEPARTMENTS WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO THE SHARING OF TRAINING, RESOURCES, EQUIPMENT AND FACILITIES UNDER CERTAIN CIRCUMSTANCES AS DEEMED NECESSARY BY AND BETWEEN THE POLICE DEPARTMENTS, BY AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH WHITEHALL TOWNSHIP DISTRICT FOR THIS PURPOSE WITH THE TERMS AND CONDITIONS SET FORTH WITHIN SAID AGREEMENT

WHEREAS, two or more municipalities, by act of its governing body may cooperate or agree in the exercise of any function, power or responsibility with or delegate or transfer any function, power or responsibility to one or more other local governments through an intergovernmental agreement adopted under the authority of the Pennsylvania Intergovernmental Cooperation Act, 53 Pa.C.S. § 2301, et seq.; and

WHEREAS, additional authority to provide such cooperation is set forth in the Municipal Police Jurisdiction Act (42 Pa. C.S.A. § 8953); the Political Subdivision Tort Claims Act (42 Pa. C.S.A. § 8501 et seq.) and Act 93 of 2008-Intrastate Mutual Aid Act (35 Pa. C.S.A. § 7331 et seq.); and

WHEREAS, Upper Macungie Township, Lehigh County, Pennsylvania (“Upper Macungie”), is a duly organized and existing township of the Second Class within the County of Lehigh, Commonwealth of Pennsylvania and is a “local government” as such term is defined in the Intergovernmental Cooperation Act, 53 Pa. C.S.A. Section 2301 et seq.(the “Act”); and

WHEREAS, Whitehall Township, a Pennsylvania Home Rule Municipality and political subdivision of the Commonwealth of Pennsylvania, with offices at 3219 MacArthur Road, Whitehall, Pennsylvania and is also a “local government” under the Act; and

WHEREAS, both townships and their respective police departments desire to enter into an intergovernmental agreement mutual cooperation, aid and assistance between and among each municipality’s respective police departments which shall include, but not be limited to the sharing of training, resources, equipment and facilities under certain circumstances as deemed necessary by and between the police departments; and

WHEREAS, the Townships together have determined that the health, safety and general welfare of the residents of the parties hereto will be promoted and served by enacting this Resolution.

NOW, THEREFORE, BE IT HEREBY ADOPTED AND RESOLVED, that the Board of Supervisors of the Township of Upper Macungie, in lawful fashion duly assembled as follows:

Section 1: Adoption

The Township of Upper Macungie hereby adopts the intergovernmental cooperation agreement for the Township of Upper Macungie and Whitehall Township to provide mutual cooperation, aid and assistance between and among each municipality's respective police departments which shall include, but not be limited to the sharing of training, resources, equipment and facilities under certain circumstances as deemed necessary by and between the police departments said intergovernmental cooperation agreement is attached to this resolution as Exhibit A and is hereinafter referred to as the Agreement.

Section 2: Authorization.

The Township Manager shall be authorized to execute the Agreement. The appropriate officers of Upper Macungie are authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.

Section 3: Term.

The Agreement shall have a term of five (5) years from the Effective Date of the Agreement and which may be extended by mutual written agreement of the Parties, details of which are set forth in the Agreement.

Section 4: Manner and Extent of Financing the Agreement.

The payment of and costs and/or expenses are to be incurred as set forth in detail in the Agreement and its Exhibits.

Section 5: Severability

If any sentence, clause, section, or part of this Resolution is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, parts, or sections hereof. It is hereby declared as the intent of the Board of Supervisors that this Resolution would have been adopted had such unconstitutional, illegal or invalid sentence, clause, part or section thereof not been included herein.

Section 4: Repealer

All Resolutions or parts of Resolutions conflicting or inconsistent herewith are hereby repealed.

Section 5: Effective Date

This Resolution shall become effective upon enactment as provided by law.

DULY ADOPTED this 5th Day of March, 2026, by the Board of Supervisors
of Upper Macungie Township in a lawful session duly assembled.

**UPPER MACUNGIE TOWNSHIP ATTEST
BOARD OF SUPERVISORS**

JAZMIN VAZQUEZ, Secretary

JEFF FLEISCHAKER, Chairman

JULIEN GODBARGE, Vice-Chairman

SUNNY GHAI, Member



UPPER
MACUNGIE
TOWNSHIP

BOARD OF SUPERVISORS
ISSUE BRIEFING

DEPARTMENT MANAGER: Ryan Griffiths- Recreation Manager

DATE: March 5th, 2026

ISSUE/TOPIC: Authorizing the Township Manager to Execute a Venue Agreement with LiveBarn Inc.

I. Action/Motion to Be Considered:

A motion authorizing the Township Manager to execute a venue agreement with LiveBarn Inc., pending the Solicitor's approval of contract conditions.

II. Reason Why This Issue Needs Consideration:

LiveBarn provides a fully automated, subscription-based streaming platform that allows families, friends, and spectators to watch events live or on demand from anywhere. LiveBarn operates on a subscription basis and offers a revenue-sharing component to partner facilities. Having LiveBarn in place positions the Community Lifestyle Center as a modern, competitive facility capable of attracting high-quality events and rentals. LiveBarn delivers measurable returns in revenue and visibility making it a strategic addition to the facility.

III. Current Policy or Practice:

The Board of Supervisors' approval is required to enter into contracts .

IV. Other Background Information:

LiveBarn will install all equipment at no cost to the township. The revenue share outlined in the agreement will be a revenue stream for the Community Lifestyle Center.

V. Impact on Township Finances:

Not Applicable

Account No.

Current Balance:

VI. Recommendations:

Recommend the motion as written.



VENUE AGREEMENT

DATE:

BETWEEN: LIVEBARN INC. ("LiveBarn")

and

_____ ("Venue Owner")

WHEREAS LiveBarn Inc. and Venue Owner wish to enter into this Agreement pursuant to which LiveBarn will install at Venue Owner's Playing Surfaces described in the attached Schedule "A" (each "Playing Surface" being a basketball court, swimming pool, baseball field or similar kind etc. a fully automated sports broadcasting system for the delivery of live and/or on demand video and audio streaming to internet connected devices such as smartphones, computers or tablets (the "Automated Online Broadcast Service");

WHEREAS the Automated Online Broadcast Service offered by LiveBarn can broadcast Content (as defined below) via LiveBarn's subscription-based platform (the "LiveBarn Platform") and/or, in the case of specific events and tournaments, via LiveBarn's Pay-Per-View platform (the "BeTheBeast Platform");

NOW, THEREFORE, in consideration for the mutual promises set out below, and for other good and valuable consideration acknowledged by the parties, LiveBarn and Venue Owner agree as follows:

1 AUTOMATED ONLINE BROADCAST SERVICE

1.1 LiveBarn shall, at its own expense, install and maintain all hardware and software required for the operation and maintenance of the Automated Online Broadcast Service in regard to each Playing Surface. The initial installation will occur within six (6) months from the date of this Agreement (such six (6)-month date being herein referred to as the "Latest Install Date"); it will be scheduled with the written approval (including email) of Venue Owner, and concurrently with the installation, LiveBarn will specifically explain to Venue Owner representative onsite exactly where any hardware or other components will be installed. Installation will then only proceed with the consent of Venue Owner which consent will be deemed upon LiveBarn undertaking its installation. The initial installation for each Playing Surface shall include up to one (1) computer, one (1) router, one (1) modem, between one (1) and three (3) power converters, and up to two (2) cameras to be placed on the side walls or on the beams or columns extending from the walls or roof, or on a backstop adjacent to the field. The internet connection and accompanying hardware shall be located adjacent to the respective Playing Surface in a secure location with electrical power outlets. The exact selection of camera locations will be made after consideration for optimal broadcast quality and avoidance of any obstruction. Any modification to the installation will only be undertaken with the permission and process with Venue Owner as outlined above. Venue Owner shall assume the cost of

electricity for the components installed in connection with this Agreement.

1.2 In addition LiveBarn shall, at its expense and upon Venue Owner's request, install one TV which will display a combination of LiveBarn highlights and a live feed, as well as additional LiveBarn information.

1.3 Title to all hardware, software, and wiring shall remain in the name of LiveBarn.

1.4 Subject to sections 1.8 and 1.9 below, all content broadcast using the Automated Online Broadcast Service, including the video and audio relating to all sports and recreational activities occurring on each Playing Surface (collectively, the "Content") will be made available to subscribers of the LiveBarn Platform on a monthly subscription basis, provided, however, that for specific events and tournaments as per copyright as determined by LiveBarn, the Content may be made available only to users on the BeTheBeast Platform. In either case, LiveBarn will determine the pricing for the Automated Online Broadcast Service. From time to time, LiveBarn may provide a free trial at its discretion.

1.5 Revenue generated from the Automated Online Broadcast Service will be the property of LiveBarn; however, LiveBarn will supply Venue Owner with a unique code to enable it to market and solicit new memberships for the LiveBarn Platform, for which LiveBarn will pay Venue Owner thirty percent (30%) of the revenues collected from these memberships over the full lifetime of these memberships, during the term of this Agreement. Venue Owner will be responsible for the cost and installation of a dedicated internet connection with a minimum of 10 MBS upload per Playing Surface. LiveBarn will work together with Venue Owner in facilitating this process, and LiveBarn will be provided with internet account access for troubleshooting. If Venue Owner is unable or unwilling to provide a dedicated internet connection, LiveBarn will, at its own expense, install and maintain the internet bandwidth required, and the quarterly amount payable to Venue Owner will be offset by the cumulative amount paid by LiveBarn for the Venue local internet, defined for the purpose of this calculation at \$85 per month per installed playing surface, however Venue Owner shall not be responsible for the outlay of any of this cost if the amount of revenue share owing to it is less than the calculation above. The above code will enable Venue Owner to solicit LiveBarn Platform memberships by providing potential members with the attraction of a 10% discount. The above payments to Venue Owner will only apply to LiveBarn Platform memberships originated with the unique code allocated to Venue Owner. LiveBarn will pay Venue Owner its revenue share within thirty (30) days of the end of each calendar quarter. Venue Owner will provide a staff person to communicate with and receive LiveBarn's various local marketing initiatives (including social media) as described below.



VENUE AGREEMENT

1.6 In addition to the revenue share outlined in section 1.5 above, LiveBarn agrees to pay Venue Owner five percent (5%) of all streaming media revenue collected by LiveBarn from the use of the BeTheBeast Platform for any third party owned events and tournaments held on any of the Playing Surfaces. Venue Owner may also choose to stream any of its owned tournaments or events on the BeTheBeast Platform by giving LiveBarn 30 days advance written notice. Under this scenario LiveBarn shall pay Venue Owner a total of thirty percent (30%) of all streaming media revenue collected by LiveBarn from the use of the BeTheBeast Platform for such event or tournament. These additional revenue share payments will be made within thirty (30) days of the end of each calendar quarter, along with the revenue share and statements outlined in section 1.5.

1.7 LiveBarn shall be the exclusive owner of all rights in and to the Content, and shall have the exclusive right to broadcast the Content for all purposes and in any manner it determines in its sole discretion, including by providing its broadcast signal to national broadcasters and digital media distributors. Without limiting the foregoing, Venue Owner acknowledges that online distributions of the Content from each Playing Surface will be made available to all LiveBarn Platform subscribers and/or BeTheBeast Platform users, subject to sections 1.8 and 1.9 below.

1.8 LiveBarn will provide Venue Owner with an exclusive online administrative password to enable Venue Owner in its discretion to "blackout" any particular dates or time periods from being broadcast on any selected Playing Surface.

1.9 LiveBarn will also provide Venue Owner with the ability in its discretion to restrict viewer access to any broadcasts from its venue to a pre-selected potential audience for privacy purposes.

1.10 During the Term (as defined below), LiveBarn will provide Venue Owner with three (3) complimentary LiveBarn accounts for each Playing Surface.

1.11 LiveBarn will hold Venue Owner harmless for any injuries to LiveBarn employees and agents in connection with their work.

2 TERM AND TERMINATION

2.1 The term of this Agreement commences on the date hereof and continues until the six year anniversary of the Latest Install Date (the "Term"), and it will automatically renew for successive terms of two (2) years, unless either party notifies the other in writing of its intent to discontinue this Agreement at least ninety (90) days before the expiration of the then current term.

2.2 Notwithstanding the foregoing, but subject to Subsection 3.1 below, either party shall have the right to terminate this Agreement for any reason upon giving (90) days written notice to the other party.

2.3 Upon termination of this Agreement by expiration of the term or for any other cause, LiveBarn shall, at its own cost and expense, remove all hardware, software and wiring from Venue Owner's location.

2.4 Venue Owner shall have the right to terminate this Agreement if LiveBarn materially breaches this Agreement and the material breach is not cured to within forty (40) days after Venue Owner provides written notice which outlines such breach to LiveBarn.

3 EXCLUSIVITY

3.1 In consideration for the investment of time and expense incurred by LiveBarn to fulfill its obligations under this Agreement, the receipt and sufficiency of which is hereby acknowledged, the Venue Owner hereby declares and agrees that for the initial period of six (6) years, and all renewal periods, from the commencement date of the Term, and notwithstanding the termination of this Agreement by the Venue Owner, for any reason, LiveBarn shall have the absolute exclusivity to broadcast the Content from each of the Playing Surfaces using unmanned operated cameras. For greater certainty, the said exclusivity shall apply for the six (6) year period even if the Venue Owner elects to terminate this Agreement pursuant to Subsection 2.2 above prior to the expiration of the Term.

3.2 Venue Owner hereby declares and acknowledges that the foregoing exclusivity, including the term thereof, is reasonable in the circumstances, and that LiveBarn is relying upon such exclusivity in connection with the provision of the Automated Online Broadcast Service and that LiveBarn would not have entered into this Agreement without such exclusivity. However, the foregoing exclusivity shall not apply should LiveBarn cease operations or to the extent Venue Owner terminates this agreement in accordance with section 2.4.

3.3 Venue Owner acknowledges and agrees that, in the event of a breach or threatened breach by it of the provisions of Subsection 3.1 above, LiveBarn will have no adequate remedy in money or damages and, accordingly, shall be entitled to an injunction in a court of competent jurisdiction against such breach. However, no specification in this Agreement of any specific legal or equitable remedy shall be construed as a waiver or prohibition against any other legal or equitable remedies in the event of a breach of any of the provisions of this Agreement.

4 SUPPLY OF AUTOMATED ONLINE BROADCAST SERVICE

4.1 LiveBarn will use reasonable skill and care to make the Automated Online Broadcast Service available throughout the Term. Notwithstanding the foregoing, LiveBarn shall have no responsibility, liability, or obligation whatsoever to Venue Owner, or any other third party, for any interruptions of the Automated Online Broadcast Service.

4.2 LiveBarn may, without any liability to Venue Owner, suspend the supply of all or part of the Automated



VENUE AGREEMENT

Online Broadcast Service upon giving Venue Owner notice. This would occur if the LiveBarn equipment is repeatedly damaged or LiveBarn is unable to obtain a sufficient internet signal to the venue.

4.3 The Venue Owner agrees to notify LiveBarn by email to venuesupport@livebarn.com as soon as it becomes aware of any interruption or malfunction with the Automated Online Broadcast Service. Venue Owner will not be responsible for damage or malfunction of any equipment and LiveBarn will repair or replace at its cost any malfunctioning components which is required. Any required service visit by LiveBarn will be scheduled with the written approval (including email) of Venue Owner. LiveBarn will specifically explain the repair, replacement or service work to Venue Owner representative onsite and this work will only proceed with the consent of Venue Owner which consent will be deemed upon LiveBarn undertaking its work.

4.4 From time to time there will be a need for on-site assistance from the Venue to perform basic troubleshooting and Venue Owner will be responsible to assist when necessary.

5 NOTICE TO PUBLIC

5.1 Venue Owner agrees to post a notice at the entrance to its venue and inside each Playing Surface, advising the public that the venue is monitored by video cameras for security, safety and commercial purposes, and participants waive any claim relating to the capture or public transmission of his/her participation while at the venue. LiveBarn will supply and post these notices during its initial installation and reserves the right to modify the language contained therein from time to time, in its sole discretion, to satisfy its legal obligations.

5.2 In all agreements with third parties for the usage of the Venue, Venue Owner will include provisions both disclosing the existence of LiveBarn broadcasting at the Venue and requiring such parties to notify all users of the Venue of such broadcasting.

6 MARKETING

6.1 Venue Owner agrees to promote LiveBarn through all available avenues discussed in this section, understanding that it is in Venue's best interest financially to market LiveBarn to their customers and patrons. LiveBarn will also provide, at its expense, a standard print marketing kit and digital marketing and social media assets branded with Venue Owner's unique code described in Subsection 1.5, to be displayed within Venue Owner's lobby in a prominent location. Venue Owner understands that failure to comply and make reasonable promotion and marketing efforts will result in lower revenue share payments to Venue Owner.

6.2 Venue Owner will provide a marketing contact who will be responsible for interacting with LiveBarn and becoming knowledgeable about the various aspects of

LiveBarn marketing and promotion initiatives. Upon installation of LiveBarn, Venue Owner will make said contact available for a 30 minute video web session, serving as an orientation into all of the best practices for introducing and promoting LiveBarn. This person will subsequently be responsible for implementing promotion and marketing initiatives to Venue's customers and patrons.

6.3 Venue Owner will place a LiveBarn banner or link on their website with a backlink to livebarn.com and embed pre-written, provided text and image assets as provided by LiveBarn marketing. Venue Owner will do the same with any organizations, associations, clubs and affiliates that it owns that use their facility.

6.4 Venue Owner will announce the LiveBarn installation as well as embed any demo video on all of their social media networks. Venue Owner will also like and follow LiveBarn on said social media networks as well as share content when tagged, acknowledging that this will only be used when venue is directly involved with any video shared. Venue Owner will do the same with any organizations, associations, clubs, affiliates that it owns that use their facility.

7 GENERAL

7.1 Any amendment to this Agreement must be in writing and signed by both parties.

7.2 Although LiveBarn will remain liable for its obligations hereunder, LiveBarn shall be permitted to use agents and subcontracts to perform its installation, maintenance and repair obligations hereunder.

7.3 The waiver of a breach of any provision of this Agreement will not operate or be interpreted as a waiver of any other or subsequent breach.

7.4 If any part of this Agreement is held to be invalid or unenforceable, that part will be severed and the rest of the Agreement will remain in force. Headings herein are for reference only.

7.5 LiveBarn hereby represents that it maintains \$5,000,000 of General Liability Insurance, and that upon execution of this Agreement Venue Owner will become a Certificate Holder, with its name and location included.

7.6 All notices required under this Agreement must be given in writing and by email to LiveBarn at venuesupport@livebarn.com, fmiller@livebarn.com, ray@livebarn.com, ben@livebarn.com and to Venue Owner at its address listed herein. Either party may change its address from time to time by providing notice of such change to the other party.

7.7 This Agreement describes the entire understanding and agreement of the parties and supersedes all oral and written agreements or understandings between them related to its subject matter.



VENUE AGREEMENT

7.8 This Agreement may be executed in one or more counterparts, each of which will be deemed an original, and all of which taken together will be deemed to be one instrument.

7.9 This Agreement is governed by and will be interpreted under the laws of the State of New York. Any disputes shall be heard in the courts of the State of New York.

7.10 Each party shall keep the terms contained herein confidential and neither of its directors, officers, employees, agents or representatives, where applicable, shall disclose the terms contained herein without the express written consent of the other party, unless such disclosure is required by applicable law.

7.11 Venue Owner will not be liable to LiveBarn by reason of inconvenience or annoyance for any damages or lost revenue due to power loss or shortage, mechanical breakdown, structural damage,

roof collapse, fire, flood, renovations, improvements, alterations, or closure of the facility by it or any regulatory agency.

7.12 LiveBarn consents to Venue Owner promoting in its marketing materials that LiveBarn supplies it with the LiveBarn installed product.

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date and at the place first above mentioned.

LIVEBARN INC.

Per: _____

VENUE OWNER

Per: _____

Print Name: Ryan Griffiths

Date:

SCHEDULE A (REQUIRED)

Venue Name and Address:

Name of Each Playing Surface:

(i.e. Court #1 or Main Field)

Venue TAX ID: (required to ship to US Venues from Canada)



VENUE AGREEMENT

Please indicate which ISP solution will be utilized per paragraph 1.5.

LiveBarn provided internet _____

Venue provided internet _____

Regardless of solution, please provide the name of your current Internet Service Provider: _____

Please provide the name of one point of contact within the venue to initiate communication. This person will receive an introductory email with a request to complete an online form to gather additional information.

Name:

Preferred Phone Number:

Email Address:

Upper Macungie Township Community Development Report February 2026



Current Planning Dockets

Docket	Project	90 or 45 Day Period (MPC Section 508)
2413	Nursery Street Townhouses	<u>3/14/2026</u>
2354	Estates at Woodmere	<u>4/5/2026</u>
2372	V Parkland Development	<u>4/6/2026</u>
2404	HEA2 Guard House and Site Improvements	<u>4/12/2026</u>
2379	Trexler Travel Center (Truck Stop)	<u>4/13/2026</u>
2397	7 Brew Coffee	<u>4/13/2026</u>
2338	Twin Ponds Mixed-Use	<u>4/18/2026</u>
2421	Hassen Creek Minor Subdivision	<u>4/21/2026</u>
2408	American Craft Brewery Wastewater Treatment Plant	<u>5/18/2026</u>
2407	Hickory Lane Minor Subdivision	<u>5/18/2026</u>
2390	611-17 Grammes Lane Parking Lot	<u>5/18/2026</u>
2415	Cetronia Road Data Center	<u>5/18/2026</u>
2409	Project Kennedy	<u>5/19/2026</u>
2426	UMT Fire Station	<u>5/19/2026</u>
2427	7036 Ruppsville Road	<u>5/19/2026</u>
2361	Archdiocese of Allentown	<u>6/5/2026</u>
2385	Delta Solar Energy	<u>6/10/2026</u>
2396	Nursery Street Commercial Development	<u>6/12/2026</u>
2403	Xtra Lease LLC Office & Maintenance Building	<u>6/12/2026</u>
2419	7602 Kuhns Drive	<u>6/14/2026</u>
2392	6939 Ruppsville Road	<u>6/14/2026</u>
2411	339 Grange Road Residential Subdivision	<u>N/A</u>
2406	Allentown Retail Center	<u>N/A</u>
2399	St. Mary & St. Bishoy Coptic Orthodox Church Expansion	<u>N/A</u>
2384	Redevelopment of 7660 Imperial Way	<u>N/A</u>
2365A	Ferber Mixed-Use 1	<u>N/A</u>
2365B	Ferber Mixed-Use 2	<u>N/A</u>
2365C	Ferber Mixed-Use 3	<u>N/A</u>
2333	7512 Ruppsville Road	<u>N/A</u>

February 11 Zoning Hearing Board Agenda:

- 1 26 01 Continued from the January 14, 2026 ZHB meeting. DPR Construction, 8810-9802 Main Street, Fogelsville – The ZHB approved a height variance from Section 27-307.(2)(C)(g) of the Upper Macungie Township Zoning Ordinance to permit a portion of a proposed manufacturing building to be constructed at a maximum height of 110 feet where the ordinance allows a maximum building height of 75 feet. The project site consists of six (6) parcels totaling 150.278 acres.

February 18 Planning Commission Agenda:

- #2408 American Craft Brewery Wastewater Pre-Treatment Plant, 7880 Penn Drive, Preliminary/Final Land Development Plan – The applicant is proposing to construct a wastewater pre-treatment plant to replace an existing onsite wastewater pre-treatment plant. The existing screening building and surge tank will remain. The project is located within the Township’s LI – Light Industrial Residential Zoning District. The Planning Commission recommended approval.
- #2392 6939 Ruppsville Road, Preliminary/Final Land Development Plan – The applicant is proposing to expand an existing topsoil stockpile and to construct two (2) storage/soil screening buildings as part of a landscaping business. All existing structures on the site will remain. The property is located within the Township’s LI – Light Industrial Zoning District. The Planning Commission recommended approval of the modification requests and tabled the plan.
- #2397 7 Brew Coffee – 7150 Hamilton Boulevard, Preliminary/Final Land Development Plan – The applicant is proposing to construct a drive-through coffee shop consisting of a 510-square-foot building with a 280 square-foot accessory cooler and storage structure, dumpster enclosure, and associate site improvements. The property is located within the Township’s HC – Highway Commercial Zoning District. The Planning Commission tabled the plan.
- #2403 Xtra Lease LLC Office & Maintenance Building, 5316 and 5324 Oak View Drive, Preliminary/Final Subdivision & Land Development Plan – The applicant is proposing to consolidate the two parcels at 5316 and 5324 Oak View Drive and to construct separate office and maintenance buildings, as well as associated parking and other improvements. The site is located within the Township’s GI – General Industrial Zoning District. The Planning Commission recommended approval.
- #2338 Twin Ponds Mixed-Use, 8739 Hamilton Boulevard, Revised Final Land Development Plan – The applicant is proposing the modification of a recorded land development plan related to the construction of 132 residential apartment units within 22 buildings and a daycare facility approved under the now-repealed Mixed-Use Zoning Overlay. The revised plan proposes to align the fronts of several buildings, relocate trees, and adjust grading. The project is located within the Township’s NC – Neighborhood Commercial Zoning District. The Planning Commission recommended approval.

February 25 Zoning Hearing Board Agenda:

12 25 16 Continued from the December 16, 2025 ZHB meeting. Air Products & Chemicals, Inc., 7300 Cetronia Road – The applicant is seeking approval from the Zoning Hearing Board to permit a Data Center on the subject property identified as 7300 Cetronia Road Allentown, PA 18106, as a “similar use” to those permitted within the LI Zoning District, pursuant to § 27-105 of the Upper Macungie Township Zoning Ordinance as well as the Land Use Category “Other uses not specifically listed in this § 27-306, except the Zoning Hearing Board may permit a use if an applicant specifically proves to the satisfaction of the Zoning Hearing Board that the use would meet all of the following standards: a) The use would clearly be less intensive in external impacts and nuisances than uses permitted in that district; b) The applicant demonstrates that the proposed use is closely similar in impacts and character to uses permitted in that district; c) The use can meet the general standards listed in § 27-118 entitled “Standards for Decisions;” and d) The use is not specifically prohibited in the district.”, found in § 27-306.2. Permitted Uses Table-Business Districts of the Upper Macungie Township Zoning Ordinance. The ZHB voted to grant a second continuance. The matter is now scheduled to be heard at the May 27, 2026 meeting.

March 2026 Planning and Zoning Meeting Schedule:

Wednesday, March 11	6:30 PM	Zoning Hearing Board
Monday, March 16	7:00 PM	Planning Commission Workshop
Wednesday, March 18	7:00 PM	Planning Commission Meeting
Wednesday, March 25	6:30 PM	Zoning Hearing Board

March 11 Zoning Hearing Board Agenda:

No applications are currently pending. The meeting will be canceled if none are received.

March 18 Planning Commission Agenda:

- #2426 Upper Macungie Township Fire Station, 37 Grim Road, Preliminary/Final Subdivision & Land Development Plan – The applicant is proposing to consolidate four (4) lots into one (1) 8.8-acre lot and to convert the Township’s existing police station into a 32,300 square foot fire station with associate parking and stormwater management facilities. The project is located within the Township’s LI – Light Industrial Residential Zoning District

- #2427 7036 Ruppsville Road Lot Line Adjustment, Preliminary/Final Lot Consolidation Plan – The applicant is proposing to consolidate a parcel at 7036 Ruppsville Road with a larger parcel at 560 Grange Road, which currently contains a portion of Grange Park. The project is located within the Township’s R2 – Low Density Residential Zoning District.

#2409 Project Kennedy – 8810-9802 Main Street, Preliminary Subdivision & Land Development Plan – The applicant is proposing to construct a 797,432 square foot pharmaceutical manufacturing facility. The project includes associated parking, stormwater management, landscape improvements, and additional utility upgrades. The property is located within the Township’s LI(L) – Limited Light Industrial Zoning District.

March 25 Zoning Hearing Board Agenda:

- 01 26 03 Amazon/Prologis, 8400 Industrial Boulevard – The applicant filed an appeal of the zoning officer’s determination letter denying the use and occupancy application stating that the use of a Package Delivery Services Distribution Center is a Warehouse/Distribution Center, which is a prohibited use on this property. The appeal is currently on hold, pending the outcome of a Traffic Impact Study.
- 03 26 04 Subbu Perugu, 7602 Kuhns Drive – The applicant requested a variance from § 27-402.KKK(1)(f) of the zoning ordinance to permit the construction of townhouses on a 1.23-acre parcel, where the ordinance requires a minimum lot size of two (2) acres.

Development Reports

Residential Development Report:

Twp. Docket	Project	Type	Total Dwelling Units	Remaining Dwelling Units
1884	Hamilton Walk	Single Family	157	0
1999	Parkland Crossing	Townhouse	144	6
2020	Wrenfield	Townhouse	98	3
2084	Lehigh Hills Phase 2 Single Family	Single Family	233	5
2299	Hidden Meadows Phase 3	Townhouse	20	0
2304	Trexler Point	Townhouse	128	63
2316	Fallbrooke	Single Family	90	62
2324	Glenlivet	Single Family	52	51
2326	Carriage East	Single Family	10	9
2338	Twin Ponds	Apartments	132	120
		Total:	1,064	319

Nonresidential Development Report:

Docket	Project	Type	Status
2265	Trexlertown Retail Center	Fuel Service/Market	Approved
2273	749 Route 100 Warehouse	Warehouse/Logistics	Under Construction
2291	Yourway Facility Expansion	Pharma/Campus	Under Construction
2303	7312 Windsor Drive	Warehouse/Logistics	Approved
2305	Heeps Meats	Processing	Under Construction
2317	1001 Glenlivet Drive	Warehouse/Logistics	Approved
2328	Millipore Sigma – Building Addition	Warehouse Modification	Under Construction
2337	Sam Adams Parking Lot Addition	Parking	Under Construction
2339	APCI Redevelopment	Warehouse/Logistics	Approved
2344	Americold Building Expansion	Warehouse/Logistics	Under Construction
2357	XPO Logistics Expansion	Distribution Center	Approved
2355	TransEdge Truck Centers	Manufacturing	Under Construction
2334	BlueTriton Semi-Trailer Entrance	Access	Approved
2388	Ocean Spray Wastewater Upgrade	Manufacturing	Approved
2383	Chase Bank Trexlertown	Financial Institution	Under Construction
2363	Eastern Lift Truck Expansion	Industrial Equip. Sales	Under Construction
2347	Lehigh Valley West 57 (110 PA Route 100 Warehouse)	Warehouse/Logistics	Approved
2394	American Craft Brewery ASRS Building	Brewery	Approved

Permitting

Building & Zoning Permits:

NOTE: Below statistics are through February 25, 2026

Permits:	February 2025	February 2026	Y.T.D.
Blasting/Demolition Permits:	2	0	0
Building Permits:	40	41	73
Electrical Permits:	7	5	9
Mechanical Permits:	8	8	18
On-lot Septic Permits:	2	0	0
Plumbing Permits:	0	3	6
Road Opening Permits:	2	3	8
Fire Alarm/Sprinkler Permits:	3	3	4
Zoning Permits:	11	10	29
Total Permits:	75	73	147
Plumbers Licenses:	7	7	28
Electricians Licenses:	10	18	52
Total Licenses:	17	25	80
New Residential Dwelling Units:	8	13	17
Single Family Detached:	8	1	5
Single Family Attached (Twins and Townhomes):	0	0	0
Multi-Family (Apartments):	0	12	12
New Commercial Structures:	0	0	0
Revenue:			
Permit & License Fees:		\$131,403.64	\$210,396.93
Planning & Zoning Fees:		\$3,150.00	\$11,375.00

Summary of Zoning Rewrite Update

This memo outlines the initial recommendations and framework for creating and updating zoning regulations in the mixed-use and village areas of Upper Macungie Township. The update aims to align with the township’s comprehensive plan to foster walkable, vibrant, and context-sensitive development while preserving the unique character of existing villages.

Key Objectives

- Create clear, context-sensitive zoning districts with objective standards that are easier to administer.
- Address scale differences between small village parcels and large development sites, ensuring a human-scaled, walkable environment.
- Preserve community character by regulating design elements that reflect the township’s historic and suburban building eras (pre-1940s vs. post-1940s housing forms).
- Encourage diverse and affordable housing options by:
 - Allowing small-scale multi-unit residential buildings in more locations.
 - Using design standards focusing on building scale, garage placement, front porches, and streetscape integration.
 - Promoting mixed-use developments with usable open spaces on larger sites.
- Ensure safe, accessible multi-modal transportation primarily focused on walkability and bikeability within villages.
- Provide objective, predictable processes for managing large site developments that incorporate walkable blocks, streetscape design, and high-quality materials.

Draft Mixed-Use District Zones

The update proposes several new zoning districts based on existing building forms, current zoning, and future land use designations:

Zone Code	Name	Replaces / Corresponds to	Future Land Use Designation
MX-C	Mixed-Use Storefronts - Corridors	HC (Town Center)	Mixed-Use Commercial

Zone Code	Name	Replaces / Corresponds to	Future Land Use Designation
MX-V	Mixed-Use/Commercial Storefront - Village	NC (Mixed Use in villages)	Mixed-Use Village
GX-C	General Residential-Office-Service Mix - Corridor	HC (Town Center)	Residential/Office Mix
GX-V	General Residential-Office-Service Mix - Village	NC (Mixed Use in villages)	Residential/Office Mix
RX-T	Residential Mix - Traditional	R4 Medium-High Density	Traditional Residential
RX-S	Residential Mix - Suburban	R3 Medium Density	Suburban Residential
R-T	Traditional Residential (new district)	Single- and two-unit traditional housing	Single and Two Family Neighborhood
R-S	Suburban Residential	R2, R3, or mixed use where no change expected	Suburban Residential
CX	Commercial-Industrial Mix	C-2, C-3 Corridor Commercial, Industrial	Commercial-Industrial
P1	Parks & Open Space	–	Parks & Open Space
P2	Public & Institutional	Institutional, Utilities	Public/Institutional

Master Plan Developments (MPD)

MPD regulations aim to guide large parcel developments toward creating walkable, human-scaled blocks with a mix of building types and usable open spaces. Unlike typical large-scale suburban development characterized by disconnected pods and expansive parking, MPDs emphasize:

- Interconnected streets and walkable blocks with sidewalks, street trees, bicycle facilities, and trails.
 - Defined street frontages with primary and secondary street designations to shape building placement and access.
 - Open space types and standards preserving natural features such as trees and waterways, ensuring visibility and accessibility.
 - Use of building types that allow phased development and simplify site plan approvals.
 - A more objective, streamlined approval process compared to traditional Planned Unit Developments (PUDs), reducing subjective negotiations and speeding up approvals.
 - A relief system for adjustments or exceptions to objective standards that balances flexibility with predictability.
-

Design and Development Standards

- Emphasize walkability by requiring streetscape areas and regulating building placement close to corridors.
- Incorporate context-sensitive design reflecting traditional and suburban eras, including garage placement (rear/alley-loaded vs. front-loaded) and front porches.
- Promote a variety of housing types and mixed uses within designated zones.
- Encourage multi-modal transportation access, primarily walking and biking, to link residences and commercial areas.



Herbert, Rowland & Grubic, Inc.
1275 Glenlivet Drive, Suite 330
Allentown, PA 18106
610.351.0311
www.hrg-inc.com

ENGINEER'S REPORT

MARCH 5TH, 2026

Attn: Robert Ibach - Township Manager
Upper Macungie Township Board of Supervisors
Ryan Kern, PE - HRG
George White - HRG

UPPER MACUNGIE TOWNSHIP PROJECTS

HRG Project Number: R008621.0426

GREEN LIGHT GO – TILGHMAN STREET / HAMILTON BLVD

HRG PROJECT MANAGER: *ERIC STUMP*

PROJECT STATUS:

- Kickoff meeting and field view held on 3/28/25.
- The signal permit plans for Tilghman Street were initially submitted (7/22). Comments have been provided by PennDOT. Comments received from PennDOT on 12/5. Only 1 permit plan and the system plan have outstanding comments. HRG is planning to resubmit in January. Anticipate PennDOT approval with that submission.
- Half of the Tilghman Street corridor signals will utilize cell connectivity (Windsor to Blue Barn). The other 4 signals on the west end of the system will still be fiberoptic.
- For the Hamilton Blvd. corridor, the Township has contracted with Signal Service to perform a Radio Site Survey at 8 locations along the corridor. The survey was conducted in October. Based on the recommendations of the sight line study, we are proceeding with radio connection above the roadway with one repeater pole. Submission in late December.
- Anticipate Bidding in Summer of 2026

ARLE - AUTOMATED RED LIGHT ENFORCEMENT GRANT

HRG PROJECT MANAGER: *ERIC STUMP*

PROJECT STATUS:

- On 2/20/2026, HRG was authorized by the Township to proceed with the implementation of this Grant.
- HRG will design updates to signal permit and system plans to show new radio/video detectors (13 signal permit plans and 1 system plan).
- The following intersections are included within the project scope:
 - Trexlertown Rd & Hamilton Blvd
 - SR 100 & Mohr Ln/Hilltop Rd
 - Tilghman St & Blue Barn Rd
 - Schantz Rd & Nestle Way/Grim Rd
 - Ruppsville Rd & Schantz Rd
 - Tilghman St & Windsor Dr West
 - Hamilton Blvd & Weilers Rd
 - SR 100 & Weilers Rd/Schaefer Run Rd
 - SR 222 & Grim Rd/Cetronia Rd
 - Tilghman St & Ruppsville Rd
 - Cetronia Rd & Grange Rd
 - Trexlertown Rd & Cetronia Rd
 - Grim Rd & Industrial Blvd
- HRG held an internal design kick-off meeting on March 3rd, 2026.

PROPOSED FIRE STATION

HRG PROJECT MANAGER: *SCOTT SMITH*

PROJECT STATUS:

- HRG submitted the Preliminary/Final Land Development plans in February for consideration at the March PC meeting.

6517 CETRONIA ROAD / PROPOSED POLICE STATION

HRG PROJECT MANAGER: *SCOTT SMITH*

PROJECT STATUS:

- Lot Consolidation Plan submitted to the Township on 9/15/25 for consideration at the October Planning Commission meeting. Approval received. **Plan was Recorded in mid-January.**
- Earth-moving application submitted to Lehigh County Conservation District on 9/25/2025. Permit received in January. **LCCD Pre-Con meeting held on February 25th.**

- As requested by Scott Faust, HRG staked out the site on 11/18 for re-grading and E+S Controls.
- Police Station Land Development submission is scheduled for March 2026 for consideration at the April PC meeting.

Thank you for this opportunity to be of service and we look forward to 2026.

Sincerely,

A handwritten signature in blue ink that reads "Ryan M. Kern". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Ryan M. Kern, P.E.

Municipal Engineer

Herbert, Rowland & Grubic, Inc.

rmk



UPPER MACUNGIE TOWNSHIP
 Recreation Department Report
 3.05.26 Board of Supervisors Meeting

2026 Programming Updates

Program Name	Date	# Of Participants	Full / Open
Mighty Kicks Winter Session II	2/10/26	33	
WinterFest	2/15/26	996	
Lil Athletics Winter Session	2/19/26	28	
Snowshoeing & Hot Chocolate	2/21/26	24	
LVMA FREE Self Defense Class	2/28/26	9	
Zumba – Spring Session	3/2/26	42	

2026 Upcoming Program & Events Announcements

- Summer Camp Registration Opened on Monday 3/2/26 for Residents
- Spring/Summer Township Newsletter going out to households week of 3/2/26
- FREE Self Defense Class on Saturday 3/14/26 at LVMA from 12:00-1:00pm
- Fossil Exploration and Modern Dinosaurs on 3/21/26 at Lone Lane Park Pavilion from 4:00-5:00pm
- Bunny Hop Trunk Hunt on Saturday 3/28/26 at Grange Park from 10:00am -2:00pm

Recreation Department General Update

- 2.1.26 E-Newsletter Metrics

8,453 subscribers	63% engagement rate	657 Link Clicks
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Monthly Parks & Recreation Board Update

- The Parks & Recreation Board met on 2.19.2026. Items discussed were:
 - Park and Recreation Ordinance Updates
 - 2026 Sponsorship & Recognition Opportunities
 - Park Naming Discussion
 - CPROSP Recommendation Prioritization
 - Programming & Events Report

Grants Status

AWARDED

- 2025 DCNR(C2P2) Grant- Grange Park Loop Trail (\$250,000)
- 2025 DCNR (C2P2) Grant- Lone Lane Park Master Plan (\$50,000)
- 2025 DCED (GTRP) Grant- Grange Park Loop Trail (\$250,000)
- 2024 DCED Statewide Local Share Account Grant- Public Works Leaf Truck (\$224,759)
- 2024 DCED Statewide Local Share Account Grant- Earl Adams Memorial Park Playground Equipment Replacement (\$78,435)
- 2024 DCED Statewide Local Share Account Grant- Grange Park Basketball Court Improvements (\$193,053)
- LV Greenways Mini Grant 2025 (Plant 80 trees at Grange Park Spring 2025) (\$10,000)
- Fall 2024 Tree Pennsylvania Environmental Justice Grant (Plant 60 trees at Earl Adams Park in spring 2025) (\$7,200)
- LV Greenways Mini Grant 2024 (Plant 19 trees at Lone Lane Park in Spring 2024)
- Spring 2024 Tree Pennsylvania Bare Roots Tree Grant (Plant 30 trees in Grange Park)
- Fall 2023 Tree Pennsylvania Bare Roots Tree Grant (Plant 20 trees in Grange Park)
- Spring 2023 Tree Pennsylvania Bare Roots Tree Grant (Plant 20 trees in Grange Park)
- LV Greenways Mini Grant 2023 (to install a message center, publication racks and trees)
- DCED Statewide Local Share Account Grant (construction of UMT Community Lifestyle Center)
- Keystone Communities Additional Appropriation Grant (construction of UMT Community Lifestyle Center)
- Leigh County Tourism Development Grant (Electronic Message Board at Grange Park)
- HUD Grant (construction of the UMT Community Lifestyle Center)
- RCAP Grant (construction of the UMT Community Lifestyle Center)

AWAITING STATUS

- 2025 DCED LSA Grant- Grange Park Loop Trail
- 2025 DCED LSA Grant – Lone Lane Park Master Plan
- 2025 DCED LSA Grant – Grange Park Turf Improvements
- LV Main Street Chamber grant to help offset costs of improvement projects at Grange Park
- 2024 DCED Capital Projects Fund grant to help offset the costs of the Community Center construction & supplies

NOT AWARDED

- 2025 DCED (GTRP) Grant- Lone Lane Park Master Plan
- Fall 2024 Tree Pennsylvania Bare Roots Tree Grant (Plant 30 trees at Grange Park)
- 2024 DCED (GTRP) grant- Phase 1 of Grange Park Loop Trail
- 2024 DCNR(C2P2) grant -Phase 1 of Grange Park Loop Trail



Upper Macungie Township Police Department Monthly Incident/Activity Report

	Jan 29 – Feb 26, 2026	Year to Date	February 2025
Total Calls for Service	1,060	2,374	963
Reportable Crashes	22	47	16
Non-Reportable Crashes	53	94	14
Private Property Crashes	8	17	2
Criminal Arrest (Misdemeanor/Felony)	20	49	19
Non-Traffic Citations (summary)	20	29	1
Traffic Citations	243	442	204
Parking Tickets	25	46	63
Written Warnings	102	186	26
False Alarms	101	207	71

Reported Crimes:

Crime Type	#
Arsons	0
Assaults	1
Burglaries	0
Disturbing the Peace Crimes	21
Drug/Alcohol Violations	7
DUI Offenses	3
Fraud Crimes	8
Homicides	0
Motor Vehicle Thefts	0
Robberies	0
Sex Offenses	1
Thefts	2
Vandalism/Criminal Mischiefs	9
Vehicle Break-in/Thefts	2
Weapon Offenses	0

K-9 Statistics

Upper Macungie Township	Assist Other Jurisdiction
6	1

Tracking	Narcotics	Explosives Check	Bldg. Search	Apprehension /Surrender	Stop Assists	Public Demonstration
0	6	0	1	0	0	0

*Officer Malischewski on light duty

Motor Carrier Safety Assistance Program

Total Inspections	3
Level I Inspections (full driver and vehicle)	0
Level II Inspections (driver and vehicle – except brakes)	0
Level III Inspections (driver and documents only)	3
Inspections resulting in Out of Service Drivers	1
Inspections resulting in Out of Service Vehicle	0
Total Violations Discovered	9
Total Citations Issued	4

Community Events

Nixel Alerts - 0

Operation Bee Safe –

Car Seat Inspections –

D.A.R.E. classes –



Monthly Highlights

Upper Macungie Township Police Department

February 2026

On February 24th, UMTPD attended a Criminal Justice Career Expo at DeSales University. The event gave us an opportunity to speak with students about Upper Macungie Township Police and upcoming hiring opportunities.

On February 25th, Officer Rohrbach spoke to a group of Northampton Community Service Officers about our HUB program.

Follow us on Social Media

✉ [facebook.com/UMTPD](https://www.facebook.com/UMTPD)

🐦 [@UpperMacungiePD](https://twitter.com/UpperMacungiePD)

📷 [@umtpd_k9unit](https://www.instagram.com/umtpd_k9unit)