

Borough of Emmaus
Monday, June 16, 2014, 7:00 p.m.
Emmaus Town Hall

Public Hearing

1. Attendance of Council Members
 - a. Public Hearing on **Ordinance No. 1107** - An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, by Amending the Zoning Map of June 21, 1993, as Amended, for the Purpose of Designating as an Age Qualified Community Overlay District A 12.54 Acre Tract of Land Located to the North of Chestnut Street (SR 0029) and to the West of Cedar Crest Boulevard, the Same Being Part of the Former Indian Creek Golf Course, Emmaus, Lehigh County, Pennsylvania

 2. Solicitor Comments

 3. Public Comments

 4. Council Comments

 5. Adjournment
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A Public Hearing was held at 7:00 p.m., prior to the start of the June 16, 2014 Council Meeting.

CALL TO ORDER

Lee Ann Gilbert, Council President, acting as Mayor in the absence of Mayor Iobst; Brian Holtzhafer, Council Vice President, acting as Council President; Councilman Brent Labenberg; Councilman Wesley Barrett; Councilman Roy Anders; Councilman Jeff Shubzda; Councilman

Nathan Brown; Borough Manager, Shane Pepe; and Solicitors, Jeffrey Dimmich and Tom Dinkelacker.

PUBLIC HEARING – ORDINANCE NO. 1107

Ordinance No. 1107 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, for the Purpose of Designating as an Age Qualified Community Overlay District, a 12.54 Acre Tract of Land Located to the North of Chestnut Street (SR 0029) and to the West of Cedar Crest Boulevard, the Same Being Part of the Former Indian Creek Golf Course, Emmaus, Lehigh County, Pennsylvania.

Solicitor Dinkelacker explained that in 2013, the Borough passed Ordinance No. 1098, which created a use known as an Age Qualified Community and allows for Age Qualified Communities to be established or created in Age Qualified Community Overlay Districts. He explained that an Overlay District is a District that is placed as part of another District and allows for the uses of the underlying District as well as what is permitted in the Overlay District. He further explained that an Age Qualified Community is typically an age 55+ community with a higher density of development. The proposed Overlay District is on the border of Upper Milford Township and the higher density of development is a permitted use in the Township. Solicitor Dinkelacker presented several Exhibits:

- Borough Exhibit 1: The proposed Amendment.
- Borough Exhibit 2: A letter from Mr. Pepe to the East Penn Press, dated May 30, 2014, providing the public notice to the Press for publication.
- Borough Exhibit 3: The advertisement for the Public Notice, which was run in the East Penn Press on June 4, 2014.
- Borough Exhibit 4: A letter from Lehigh County with the filing fee and acknowledgment of the filing fee for the Ordinance.
- Borough Exhibit 5: A letter from Solicitor Dinkelacker to Emmaus Planning Commission Chairman, Michael Gibson. On April 25, 2014, the Emmaus Planning Commission voted 4-1 to recommend the adoption of the Ordinance.
- Borough Exhibit 6: A letter dated April 25, 2014, from Solicitor Dinkelacker providing the Ordinance to the Lehigh Valley Planning Commission for their review and comment. Solicitor Dinkelacker explained that the Planning Commission must be given notice 45 days prior to a Public Hearing for review and comments. A letter dated May 30, 2014, was received from the Lehigh Valley Planning Commission with comments.

Attorney John Hacker, Council for the Developer, explained the proposed communities' compliance with the factors in the Overlay Ordinance.

Solicitor Dinkelacker opened the floor for public comment.

Public Comment – None.

Motion by Mr. Labenberg seconded by Mr. Anders to close the Public Hearing.

The Public Hearing concluded at 7:15 p.m.