PALMER TOWNSHIP PLANNING COMMISSION
MARCH 10, 2026
7:00 PM
PLANNING COMMISSION GENERAL MEETING

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1. **CALL TO ORDER**
2. **APPROVAL OF MEETING MINUTES**
   a. Approval of Meeting Minutes - February 10, 2026
3. **PLAN REVIEW**
4. **OTHER BUSINESS**
   a. Substantive Validity Challenge - Charles Chrin Real Estate Trust
5. **REPORTS**
   a. Staff Report
6. **PUBLIC COMMENT**
7. **ADJOURNMENT**

Approval of Meeting Minutes - February 10, 2026

INFORMATION

Commission action is requested to approve the February 2026 meeting minutes.

ATTACHMENTS:
PC Minutes - February 2026.pdf

PALMER TOWNSHIP PLANNING COMMISSION

GENERAL BUSINESS MEETING

February 10, 2026

7:00 PM

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1) CALL TO ORDER

The Palmer Township Planning Commission held a meeting on Tuesday, February 10, 2026, at 7:00 p.m. in the Municipal Building meeting room. The following were in attendance: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Anthony Lauro, Christopher Hess, and Angelo Perrucci III. Also in attendance were Craig Beavers, Erik Allgood, Justin Coyle, and Danielle Goff.

2) APPROVAL OF MEETING MINUTES

2.a) Approval of January Meeting Minutes

Motion: Approve, Moved by Commission Member Anthony Lauro, Seconded by Thomas Grube. Passed. 6-0. Robin Aydelotte abstained.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Christopher Hess, Anthony Lauro, and Angelo Perrucci III.

3) PLAN REVIEW

3.a). Easton Area High School Phase 1 – Preliminary/Final Plan Review

Applicant: Easton Area School District
Location: 2601 William Penn Highway

Planning Director Craig Beavers presented the staff report for Phase 1 of the high school athletic complex, which includes varsity baseball and softball turf fields, grass fields, and a field house. Township Engineer Justin Coyle discussed stormwater technicalities, noting that internal meetings had resolved most comments.

On behalf of the applicant, Rick Roseberry of Colliers Engineering and Ken Case with Easton Area School District, addressed commission concerns regarding lighting and irrigation. Case clarified that the field lighting is controlled to shut off at the conclusion of sporting events, typically by 9:00 PM, and the spray irrigation system for the grass

fields would utilize a pond system designed for 7-day dewatering to prevent standing water issues.

The following eleven (11) waivers and modifications were recommended by the Commission:

- SMO § 158-304.L (Maximum Water Depth of 6 Feet)
- SMO § 158-304.J(2) (Emergency Spillway)
- SMO § 158-304.K (Dewatering Time)
- SMO § 158-401.aQ(1) (Plan and Profile Sheet)
- SALDO § 165-36.A(2) (Separate Preliminary/Final Plan Review)
- SALDO § 165-59.C(2) (Cartway Widening)
- SALDO § 165-59.F (Street Design Standards)
- SALDO § 165-63.K.(2)(c) (Emergency Spillway Lining)
- SALDO § 165-63.K(3) (Slope of Detention Basin)
- SALDO § 165-63.K(5) (Slope of Basin Bottom)
- SALDO § 165-63.K(10) (Outlet Control Structure)

Motion on Waivers/Modifications: Approved, Moved by Thomas Grube, Seconded by Richard Wilkins. Passed 7-0.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Christopher Hess, Anthony Lauro, and Angelo Perrucci III.

Motion on Preliminary/Final Plan: Approved, Moved by Commission Member Richard Wilkins, Seconded by Christopher Hess. Passed. 7-0.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Christopher Hess, Anthony Lauro, and Angelo Perrucci III.

3.b) Chase Bank – Preliminary/Final Land Development Plan
Applicant: Strasser Enterprises, LLC
Location: Intersection of Kingston Road and Nazareth Road (2601 William Penn Highway)

The Commission reviewed the proposed plan for a new Chase Bank branch. Discussion involved the drive-through configuration and the requirement for outside agency approvals on some of the requested waivers/modifications.

Don Peters from Bohler Engineering provided a detailed overview of the site layout, noting that the demolition of the existing dental office would allow for a more efficient

bank facility. He highlighted that the new design includes significant upgrades to the parking lot and the implementation of modern stormwater management facilities designed to meet current Township standards.

Attorney Mike Corriere addressed the Planning Commission regarding the requested waivers. He emphasized that the requested modifications to the plan and profile scales were necessary for technical clarity and would not impact the overall design integrity.

The Planning Commission voted to recommend the following requested waivers:

- SALDO § 165-36.A(2) (Separate Preliminary/Final Plan Review)
- SALDO § 165-33.A.2(B)(2) – (Plan Scale)
- SALDO § 165-33.A.2(B)(8) – (Profile Scale)
- SALDO § 165-63.N(1) – (Pipe Diameter)

The Planning Commission voted NOT to recommend the following requested waivers:

- SALDO § 165-67 – (Driveway Access)
- SMO § 158-301.Q – (Erosion and Sedimentation Review)

Motion on Waivers/Modifications: Approved four (4) and Did Not Recommend two (2) as stated above, Moved by Thomas Grube, Seconded by Christopher Hess. Passed 7-0.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Christopher Hess, Anthony Lauro, and Angelo Perrucci III.

Motion on Preliminary/Final Plan: Approved, Moved by Commission Member Richard Wilkins, Seconded by Angelo Perrucci III. Passed. 7-0.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Christopher Hess, Anthony Lauro, and Angelo Perrucci III.

3.c) Werner Expansion – Preliminary/Final Plan Review
Applicant: Werner Enterprises, Inc. (c/o Chad Harrington)
Location: 2215 Newlins Mill Road

Chairman Kicska announced that this item was removed from the agenda at the request of the Applicant.

4) OTHER BUSINESS

4.a) 2025 Annual Report

Beavers presented the 2025 Annual Report to the Commission, providing a summary of the Township's planning and development activities over the past year. Once approved by the Commission, it will be presented to the Board of Supervisors.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Christopher Hess, Anthony Lauro, and Angelo Perrucci III.

4.b) Zoning Amendment Request: Parcel K8-10A-5A-5-0324 – HDR to PO/B (Joseph I LP)

Beavers reviewed the request to rezone the parcel to Professional Office/Business, noting that it is consistent with the Township's future land use map.

Motion: Approved, Moved by Commission Member Richard Wilkins, Seconded by Angelo Perrucci III. Passed. 7-0.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Christopher Hess, Anthony Lauro, and Angelo Perrucci III.

5) REPORTS

Beavers updated the Commission on various projects in his monthly staff report.

He provided an overview of the status of various land developments and planning initiatives, including the Bushkill Creek Greenway Master Plan, SALDO Update, and intersection upgrades.

Additionally, Beavers reported the regional activities of the Lehigh Valley Planning Commission, including the new Industrial Land Use Guide and regional development trends.

6) PUBLIC COMMENT

Nick Noel, of 2840 Green Pond Road, raised safety concerns regarding the intersection of Hartley Avenue and William Penn Highway. He described the visibility as “horrible” due to the crest of the hill. Chairman Kicska and Vice Chairman Wilkins concurred, acknowledging the dangerous nature of the intersection.

7) ADJOURNMENT

The meeting was adjourned at 8:11 PM.

Motion: Adjourn, Moved by Commission Member Richard Wilkins, Seconded by Thomas Grube. Passed 7-0.

Commission Members voting Ayes: Jeff Kicska, Richard Wilkins, Thomas Grube, Robin Aydelotte, Anthony Lauro and Angelo Perrucci III.

Respectfully submitted,
Danielle Goff
Recording Secretary

Substantive Validity Challenge - Charles Chrin Real Estate Trust

INFORMATION

ATTACHMENTS:

LVPC Review
01. Submission Letter
02. Substantive Validity Challenge
03. Exhibit A - Property Deed
04. Exhibit B - Chrin Written and Oral Comments on Rezoning
05. Exhibit C - Palmer Township Zoning Map
06. Exhibit D - Upper Nazareth Township Zoning Map
07. Exhibit E - Palmer Township Comprehensive Plan Map
08. Exhibit F - Palmer Township Comprehensive Plan Undeveloped Agricultural Land Map
09. Exhibit G - Challenge Plan
10. Exhibit H - Curative Zoning Map Amendment
11. Zoning Amendment Request Application

Lehigh Valley Planning Commission

CHRISTINA "TORI" MORGAN
Chair

ARMANDO MORITZ-CHAPELLIQUEN
Vice Chair

PHILLIPS ARMSTRONG
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

Planning for the Future of Lehigh and Northampton Counties at 615 Waterfront Drive, Suite 201, Allentown, PA 18102 ■ (610) 264-4544 ■ lvpc@lvpc.org ■ www.lvpc.org

February 20, 2026

Craig Beavers, Director of Planning
Palmer Township
3 Weller Place
Palmer, PA 18045

Re: Curative Amendment – Rezoning Rural Agriculture to North End Business
Palmer Township
Northampton County

Dear Mr. Beavers:

The Lehigh Valley Planning Commission (LVPC) will consider the application at its Comprehensive Planning Committee and Full Commission meetings, pursuant to the requirements of the Pennsylvania Municipalities Planning Code (MPC). The LVPC will send a revised follow-up letter after those meetings if the Commissioners have any additional comments. Participation in the meetings is encouraged, particularly at the Comprehensive Planning Committee meeting, where agenda items are discussed in greater detail. Meeting information is available at https://lvpc.org/lvpc-meetings. Both meetings will be virtual and held on:

- LVPC Comprehensive Planning Committee Meeting
  - February 24, 2026 at 12:00 PM
- LVPC Full Commission Meeting
  - February 26, 2026, at 7:00 PM

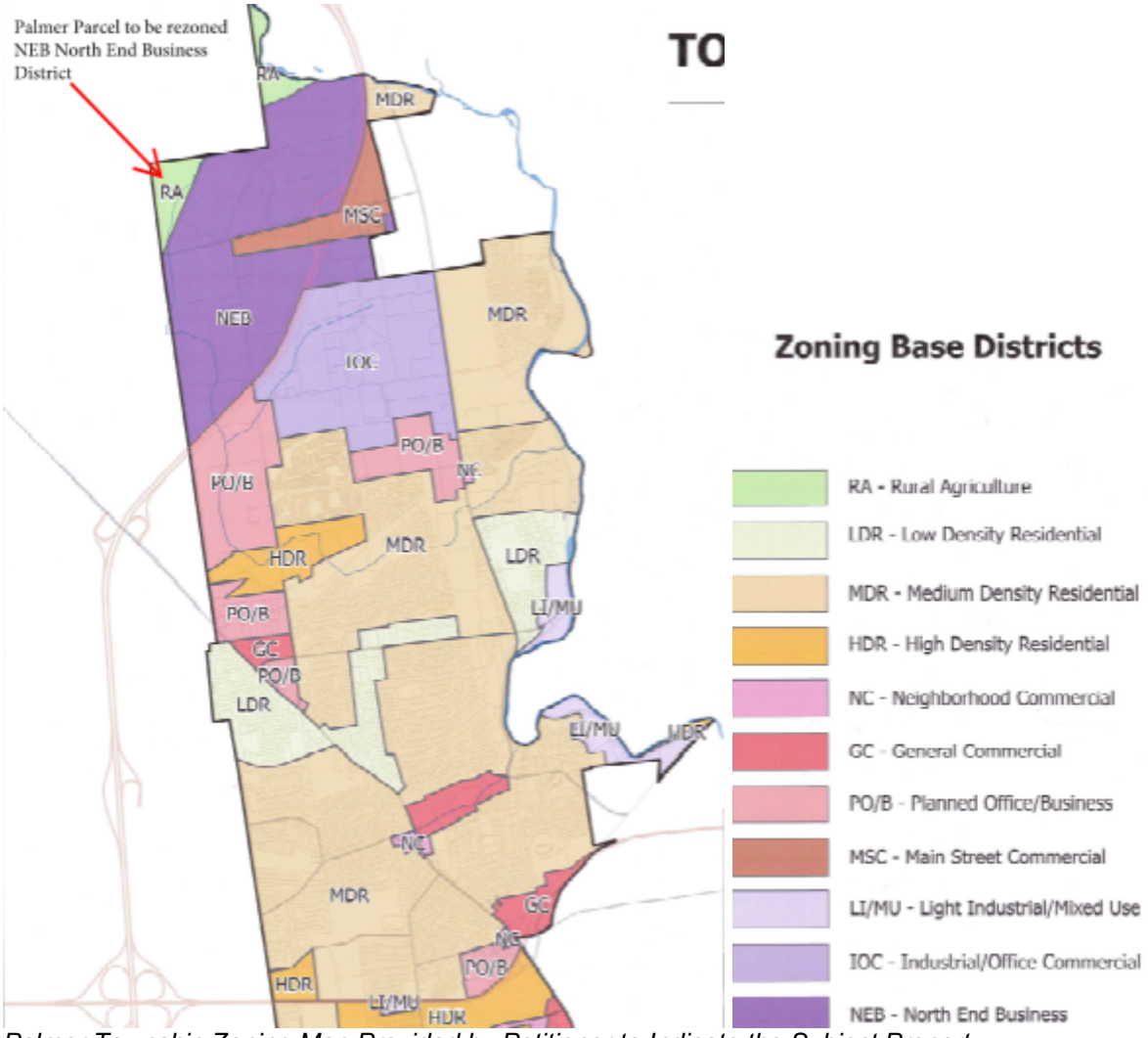
The Pennsylvania Municipalities Planning Code outlines procedures for landowners who desire to challenge, on substantive grounds, the validity of a zoning ordinance, map or any provision thereof which prohibits or restricts the use or development of land in which they have an interest (§609.1 and §916.1).

The Petitioner, The Charles Chrin Real Estate Trust, has submitted a challenge and a curative amendment to Palmer Township pursuant to §609.1 and §916.1 of the Pennsylvania Municipalities Planning Code, requesting that a parcel of land owned by the Petitioner be rezoned from Rural Agriculture (RA) to North End Business (NEB) so that the property may be developed for industrial uses.

The subject property is located on Main Street approximately three-quarters of a mile west of a Route 33 interchange, and is bisected by the Township line between Upper Nazareth Township and Palmer Township. According to the Northampton County Tax

Parcel Viewer, the portion of the property in Palmer Township is approximately 41.19 acres and the portion of the property in Upper Nazareth Township (Parcel ID J8 21 2A 0432) is approximately 50.68 acres.

Following updates to the Palmer Township and Upper Nazareth Township zoning ordinances and maps in recent years, the Petitioner alleges that the subject parcel has become reverse spot-zoned, where a specific parcel is subjected to a different zoning classification than the surrounding area. Palmer Township updated its zoning in 2023, and Upper Nazareth Township updated its zoning in 2025. The Petitioner seeks to amend the Palmer Township Zoning Map to rezone the subject parcel (J8 21 2A 0324) from the current zoning district of RA – Rural Agriculture District to NEB – North End Business District.



Palmer Township Zoning Map Provided by Petitioner to Indicate the Subject Property

The LVPC reviewed the challenge and amendments against the goals and policies of *FutureLV: The Regional Plan* and offers comments to the Township for consideration in the Curative Amendment Process:

Impacts of the Curative Amendment
The proposed curative amendment would rezone the Palmer Parcel from RA – Rural Agriculture to NEB – North End Business District, enabling industrial development on the site. The MPC outlines five factors that the municipal governing body shall consider related to curative amendments (§609.1(c)). The LVPC reviewed the curative amendment against *FutureLV: The Regional Plan* and the factors outlined in the MPC:

§609.1(c)(1) The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;

> The NEB Zoning District permits a variety of high-intensity industrial land uses by right, including beverage production, heavy manufacturing, medical marijuana grower/processor, outdoor industrial storage/supply yard, truck stop, truck, rail, freight terminal, and warehouse/logistics use.
>
> The subject property is located adjacent to an industrial corridor. Industrial development has been constructed and proposed along the 3/4-of-a-mile stretch of Main Street between the subject property and a Route 33 interchange to the west. To the east, this road becomes Tatamy Road, connecting to a residential neighborhood and traveling through Nazareth Borough.
>
> Existing public sewer and water utilities are available to the site, and in principle, concentrating industrial development in locations with existing infrastructure supports matching development intensity to sustainable infrastructure capacity (of Policy 1.1). However, the property boundary (along the Township border) is 500 feet away from Nazareth Area Intermediate School athletic fields to the west, 1,000 feet away from the school building, and 1,500 feet away from the residential development. Given the scale and intensity of industrial uses permitted in the NEB District, rezoning the property to NEB is likely to have a detrimental impact on the nearby school and neighborhood and does not support increasing the social, economic and environmental well-being of the region (of Policy 1.1).
>
> The current RA Zoning District designation for the site permits a range of community-supportive commercial and recreational land uses that can better serve as a transitional buffer between the existing industrial development to the east and existing school and neighborhoods to the west.

Google Aerial Imagery

§609.1(c)(2) If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map;

As the proposed curative amendment facilitates non-residential industrial development, this factor is not applicable.

§609.1(c)(3) The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, flood plains, aquifers, natural resources and other natural features;

The subject property contains a portion of the Schoeneck Creek and numerous identified medium- and high-preservation-priority natural resources, including riparian buffers, wetlands, floodplains, and Natural Heritage Inventory Supporting Landscapes. The presence of these features substantially limit the developable area of the subject property, and the intensity of uses permitted in the NEB district are unsuitable for 'protecting high-priority natural lands and water resources' (of Policy 3.1) and 'minimizing environmental impacts of development' (of Policy 3.2).

LVPC GIS Mapping

§609.1(c)(4) The impact of the proposed use on the site's soils, slopes, woodlands, wetlands, flood plains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts;

Industrial development introduces higher impervious coverage, stormwater runoff, and impacts to adjacent waterways. The LVPC encourages Palmer Township to ensure that riparian buffers, stormwater management standards, and environmental performance criteria are sufficiently robust to protect Schoeneck Creek and downstream resources (of Policy 3.1).

§609.1(c)(5) The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

The subject property and adjacent portion of the lot in Upper Nazareth Township owned by the Petitioner are currently used for agriculture. These lots are the only agricultural use in the immediate vicinity, and are surrounded by development. Although this site is not contiguous to farmland opportunities to lease farmland are becoming more difficult for farmers to find across the region and should be retained where possible (of Policy 3.3).

The subject property is located within an area identified for Development in the General Land Use Plan of *FutureLV: The Regional Plan*, and the area contains existing development and infrastructure able to support additional development. However, additional development must align with the context of existing land uses in the vicinity. The proposed curative amendment, if enacted, would create potential land use conflicts that would have substantial quality of life impacts on the nearby residences and educational facility uses as well as adverse impacts on the existing environmental features on the site, and is therefore not recommended for adoption.

The Substance of the Challenge
In addition to the evaluation of curative amendment impacts outlined above, the LVPC evaluated the substance of the challenge (per MPC §916.1) and finds that the reasoning of the curative amendment does not appear to have merit.

The Petitioner argues that "due to the location of the Palmer Parcel in the northern end of the Township; the industrial character of the surrounding area; the proximity of the Property to the Route 33 corridor; the existing transportation infrastructure; and the accessible connections to both public water and public sewer services, the Palmer Parcel is appropriate for zoning within the NEB District".

> While these features are present and support industrial development, referring to "the industrial character of the area" is only accurate to describe the area east of the subject property, and the Petition fails to acknowledge the residential and educational land uses to the west. The LVPC disagrees that the subject property is appropriate for zoning within the NEB District due to these land use conflicts and the presence of environmentally sensitive features on the site.

The Petitioner alleges that a reverse spot zoning has occurred on the subject property, effectively creating an 'island' sited for agricultural uses while all surrounding parcels permit industrial development. The Petitioner argues there is no justifiable purpose for differential treatment of this parcel.

> Despite the naming of the RA – Rural Agricultural Zoning District applied to the subject property, the RA District permits a range uses other than agricultural uses by right, with several others permitted by special exception and conditional use. Given these allowable uses, the LVPC disagrees that the zoning has created an island of agricultural uses. Due to the nearby sensitive receptors (residential neighborhood and school) and natural features present on the site, the LVPC also disagrees that there is no justifiable purpose for differential treatment of this parcel, and that the permitted uses provide more appropriate compatibility with the sensitive receptors.

Municipalities, when considering Curative Amendments, 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)].

Please feel free to reach out if you have any questions.

Jillian Seitz
Chief Community and Regional Planner

cc: Lisa Klem, Upper Nazareth Township Manager

Kaplin Stewart
Attorneys at Law

Marc B. Kaplin, Esquire
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Direct Fax: (610) 684-2000
mkaplin@kaplaw.com
www.kaplaw.com

January 22, 2026

BY HAND DELIVERY

Craig Beavers, Director of Planning
Palmer Township Planning Department
3 Weller Place
Palmer, PA 18045

RE: Request for Curative Amendment of The Charles Chrin Real Estate Trust
Northampton County Parcel I.D. No. J8-21-2A-0324
Our File No. 17436-7

Dear Mr. Beavers:

I represent The Charles Chrin Real Estate Trust (**"Chrin"**), the owner of a tract of land located to the north of Main Street and Tatamy Road in Easton, Pennsylvania, being identified as Northampton County Parcel Identification Numbers J8-21-2A-0324 & J8-21-2A-0432 (collectively, the **"Property"**).

The Property is a uniquely located parcel, being bisected by the township lines of Upper Nazareth Township and Palmer Township. The larger portion of the Property (being Northampton County Parcel Identification Number J8-21-2A-0432) is situated in Upper Nazareth Township and contains an area of approximately 48.89 acres (+/-)(**"Upper Nazareth Parcel"**). The smaller portion of the Property (being Northampton County Parcel Identification Number J8-21-2A-0324) is situated in Palmer Township and contains an area of approximately 40.20 acres (+/-) (**"Palmer Parcel"**).

Commencing in 2018 and 2022, respectively, both Palmer Township and Upper Nazareth Township undertook significant updates to their respective zoning ordinances and zoning maps, under which the Palmer Parcel continued to be zoned in Palmer Township's RA Rural Agriculture Zoning District (**"RA District"**), with portions of the Palmer Parcel subject to the RBO Riparian Buffer Overlay, while the Upper Nazareth Parcel was rezoned to Upper Nazareth Township's TD10 Assembly and Distribution Zoning District (**"TD10 District"**).

As such, the comprehensive rezonings undertaken by Palmer Township and Upper Nazareth Township have resulted in the Property being split-zoned into two contradictory and ill-matched zoning designations, which permits one half of the Property to be used for various uses and purposes permitted

by the TD10 District-zoning of the Upper Nazareth Parcel, which uses and purposes are not permitted on the other half of the Property pursuant to the Palmer Parcel's RA District zoning designation.

Moreover, not only is the zoning of the Palmer Parcel in the RA District now inconsistent with the zoning of the remainder of the Property located in Upper Nazareth's TD10 District, but the Palmer Parcel is now an island of RA District-zoned land surrounded by other (non-RA) districts and/or uses not permitted in the RA District.

As such, on behalf of Chrin, I am filing a Challenge to the Substantive Validity of the Palmer Township Zoning Map as Amended by Ordinance No. 2023-484 and Request for Curative Amendment Pursuant to Sections 609.1 and 916.1 of the Pennsylvania Municipalities Planning Code requesting that the Palmer Parcel be rezoned from the RA District classification in which it is currently zoned, to Palmer Township's NEB North End Business Zoning District. In connection therewith, enclosed please find each of the following:

1. One (1) original and three (3) copies of the completed Request for Zoning Amendment application with an Addendum and supporting exhibits (**"Request for Zoning Amendment"**);

2. One (1) original and three (3) copies of the executed Palmer Township Professional Services Agreement;

3. One (1) original and three (3) copies of a completed Request for Taxpayer Identification Number and Certification; and

4. One (1) check in the amount of $3,000.00 made payable to Palmer Township, which I understand is the required application fee for a Zoning Map Amendment.

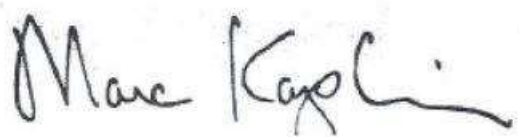
I did not see an escrow deposit fee for Zoning Map Amendments on the Township's Fee Schedule. Kindly advise if such an escrow deposit is required for the Request for Zoning Amendment and we will make arrangements to promptly submit payment of same.

Chrin would like the opportunity to meet with Township staff and consultants to discuss the Request for Zoning Amendment. Therefore, we respectfully request that you forward the Request for Zoning Amendment and related materials to the appropriate Township staff and consultants for their review, and authorize them to meet with us to discuss the Request for Zoning Amendment. In this regard, we also request that you provide us with advance notice of any and all meetings at which the Request for Zoning Amendment will be discussed, as well as copies of all memoranda, reviews, reports and/or non-privileged communications sent/received by the Township or any Township representative regarding the Request for Zoning Map Amendment and/or the Property as soon as they are generated/received.

Should you have any questions or require any further information to process this Request for Zoning Map Amendment, please feel free to contact this office.

Thank you for your attention to this matter.

Very truly yours,



Marc B. Kaplin

MBK:jrw
Enclosures

cc: The Charles Chrin Real Estate Trust (w/enclosures via Email)

Kaplin Stewart Meloff Reiter & Stein, P.C.
By: Marc B. Kaplin, Esquire
Attorney Identification Number 4465
Union Meeting Corporate Center
910 Harvest Drive
P.O. Box 3037
Blue Bell, PA 19422
(610) 260-6000 *Attorney for Applicant / Challenger*
mkaplin@kaplaw.com

BEFORE THE BOARD OF SUPERVISORS OF PALMER TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA

CHALLENGE OF THE CHARLES CHRIN REAL ESTATE TRUST TO THE SUBSTANTIVE VALIDITY OF THE PALMER TOWNSHIP ZONING MAP	:	**Northampton County Parcel I.D. No. J8-21-2A-0324**

CHALLENGE TO THE SUBSTANTIVE VALIDITY OF THE PALMER TOWNSHIP ZONING MAP AS AMENDED BY ORDINANCE NO. 2023-484 AND REQUEST FOR CURATIVE AMENDMENT PURSUANT TO SECTIONS 609.1 AND 916.1 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE

The Charles Chrin Real Estate Trust, by and through counsel, Marc B. Kaplin, Esquire, hereby challenges the substantive validity of the Township of Palmer Official Zoning Map adopted December 27, 2023 by Ordinance No. 2023-484, and requests the adoption of a curative amendment pursuant to Sections 609.1 and 916.1 of the Pennsylvania Municipalities Planning Code (**"MPC"**), and in support thereof avers as follows:

A. Challenger/Property

1. Applicant / Challenger is The Charles Chrin Real Estate Trust (hereinafter, **"Chrin"** or **"Challenger"**), c/o Gregory R. Chrin, Trustee, 400 South Greenwood Avenue, Easton, Pennsylvania 18045.

2. Chrin is the legal owner of a tract of land located to the north of Main Street and Tatamy Road in Easton, Pennsylvania, being identified as Northampton County Parcel

Identification Numbers J8-21-2A-0324 & J8-21-2A-0432 (collectively, the **"Property"**). A copy of the Deed to the Property confirming Challenger's ownership thereof and setting forth the metes and bounds description of the Property is attached hereto and made a part hereof as **Exhibit "A."**

3. The Property is a uniquely located parcel, being bisected by the township lines of Upper Nazareth Township and Palmer Township. The larger portion of the Property (being Northampton County Parcel Identification Number J8-21-2A-0432) is situated in Upper Nazareth Township and contains an area of approximately 48.89 acres (+/-)(**"Upper Nazareth Parcel"**).

4. The smaller portion of the Property (being Northampton County Parcel Identification Number J8-21-2A-0324) is situated in Palmer Township and contains an area of approximately 40.20 acres (+/-) (**"Palmer Parcel"**).

5. The Property is currently unimproved and consists primarily of open fields, while portions of the Property contain rock outcrops and small wooded areas.

6. The Property is bounded along its northern and eastern property lines by the Schoeneck Creek. There is a designated "one-hundred-year" floodplain and accompanying floodway area associated with Schoeneck Creek that is mapped by FEMA that extends from the northern property line through the southeastern part of the Property. The Buzzi Unicem Stockertown Quarry is also located to the immediate north of the Property.

7. The Property is bounded along its western and southwestern property lines by lands owned by the Nazareth Area School District, and a residential development located in Upper Nazareth Township's R-4 Medium Density Residential District (**"R-4 District"**) abuts the Property to the northwest.

8. The Property is bounded along its eastern property line by a portion of the Norfolk Southern Railroad. The lands across the Norfolk Southern Railroad to the east and northeast of the Property are located in Palmer Township's NEB North End Business District (**"NEB District"**) and are currently improved with, among other things, the ABE4 Amazon Fulfillment Center, the ABB, Inc. warehousing center and the UPS BETPA HUB.

9. The Property is located approximately 0.75 miles from the Route 33 Interchange and is located within the Northampton County IDA Tax Increment Financing District established in 2013 for the SR0033/SR1002 Chrin Interchange Project.

B. <u>Zoning of the Property and the Surrounding Parcels</u>

10. Commencing in 2018 and 2022, respectively, both Palmer and Upper Nazareth Townships undertook significant updates to their respective zoning ordinances and zoning maps.

11. Throughout the course of each Townships' respective rezoning processes, Chrin, on multiple occasions, provided both written and oral comments to the members of Palmer and Upper Nazareth Townships respective planning and zoning staff, bodies and commissions, urging them to adopt a comprehensive approach with respect to the zoning changes proposed for the Palmer Parcel and the Upper Nazareth Parcel. True and correct copies of some of the written and oral comments provided by Chrin to the Planning Commission and Board of Supervisors of Palmer Township are attached hereto and made a part hereof as **Exhibit "B."**

12. More specifically, in its comments provided to both the planning and zoning staff of Palmer and Upper Nazareth Townships, Chrin specifically urged the respective Township professionals to ensure that any and all proposed zoning changes considered the Property as a whole in accordance with principles of sound planning and in avoidance of inconsistent and incompatible zoning designations being assigned to a singular Property.

13. However, pursuant to the Township of Palmer Official Zoning Map adopted December 27, 2023 (**"Palmer Zoning Map"**) by Ordinance No. 2023-484, the Palmer Parcel continues to be zoned in Palmer Township's RA Rural Agriculture Zoning District (**"RA District"**), with portions of the Palmer Parcel subject to the RBO Riparian Buffer Overlay (**"RBO Overlay"**), while pursuant to the Upper Nazareth Township Zoning Map, as adopted by the Upper Nazareth Township Board of Supervisors on January 15, 2025 (**"Upper Nazareth Zoning Map"**), the Upper Nazareth Parcel was rezoned to Upper Nazareth Township's TD10 Assembly and Distribution Zoning District (**"TD10 District"**).

14. A copy the Palmer Zoning Map enacted pursuant to Palmer Township Ordinance No. 2023-484 is attached hereto as **Exhibit "C,"** and a copy of the Upper Nazareth Zoning Map enacted pursuant to Upper Nazareth Township Ord. No. 199 is attached hereto as **Exhibit "D."**

15. As such, and Chrin's recommendations notwithstanding, the comprehensive rezonings undertaken by Palmer Township and Upper Nazareth Township have resulted in the Property being split-zoned into two contradictory and ill-matched zoning designations.

16. Moreover, and as depicted on both the Palmer Zoning Map and the Upper Nazareth Zoning Map, not only is the zoning of the Palmer Parcel in the RA District now inconsistent with the zoning of the remainder of the Property located in Upper Nazareth's TD10 District, but the Palmer Parcel is now an island of RA District-zoned land surrounded by other (non-RA) districts and/or uses not permitted in the RA District.

17. In particular, the lands across the Norfolk Southern Railroad to the immediate east of the Palmer Parcel are now located in Palmer Township's NEB District and used for purposes not permitted in the RA District, including beverage production and distribution, light and heavy manufacturing, warehousing, wholesale sales and mineral extraction.

18. The land to the immediate north of the Palmer Parcel is now located in Upper Nazareth Township's TD11 Manufacturing, Extraction and Processing District (**"TD11 District"**) and is used for uses not permitted in the RA District, including warehousing, wholesale sales and mineral extraction.

19. The lands to the immediate south across Main Street / Tatamy Road from the Palmer Parcel are now located in multiple zoning districts, being partially located in Palmer Township's NEB District and partially located in Upper Nazareth Township's TD11 District. These parcels are also being used for essential services, heavy manufacturing and similar purposes not permitted in the RA District, including the Heidelberg Materials Asphalt Plant, the New Enterprise Stone & Lime Co., Inc. facility and the Nazareth Borough Wastewater Treatment Plant.

20. Most importantly, the rezoning of the Upper Nazareth Parcel, which as stated above comprises the larger share of the Property's acreage, to the TD10 District permits one half of the Property to be used for various industrial uses and purposes such as light manufacturing, warehousing and wholesale sales, among others, that are not permitted on the other half of the Property under the existing RA District-zoning.

21. Moreover, the stated purpose of the RA District is to "[E]encourage the preservation of agricultural activities and conservation of areas of unique natural beauty of low-impact recreation." *See Palmer Township Zoning Ordinance 190 Attachment 1:1.*.

22. However, as part of its preparation for the update to its Zoning Ordinance and Zoning Map, Palmer Township also completed an update to its Comprehensive Plan in 2018, and pursuant to Palmer Township's Comprehensive Plan Map, a copy of which is attached hereto as **Exhibit "E,"** the Palmer Parcel is designated as land identified for "Non-Residential" development

purposes, not for Park or Open Space uses as would be required pursuant to the uses permitted in the RA District.

23. As such, the Palmer Parcel's designation within the RA District is not only inconsistent with its intended land use as identified by the Comprehensive Plan, but the fact that the Palmer Parcel is surrounded on all sides by industrial uses and activities (and indeed, one half of the Property is zoned for similar industrial uses) renders moot any justification for its current designation within the RA District to conserve "areas of unique beauty" or "low-impact recreation" where the characteristics of the Palmer Parcel and the surrounding area deem it appropriate for neither conservation nor recreational uses.

24. Additionally, despite the fact that the Palmer Township Zoning Ordinance identifies the "preservation of agricultural activities" as the intended purpose of RA District-zoned parcels, the Palmer Parcel is not one of the identified properties on the Comprehensive Plan's Undeveloped/Agricultural Land Map," a copy of which is attached hereto as **Exhibit "F."**

25. In light of the surrounding industrial districts and uses, the zoning classification of the Palmer Parcel in the RA District is inconsistent with the surrounding zoning classifications and land uses in that the Palmer Parcel is surrounded on all sides by existing or anticipated industrial uses.

26. The Palmer Parcel is similar to the surrounding properties in terms of its proximity to the surrounding interstate highway system, proximity to the adjoining industrial uses and access to public utility infrastructure, including public water and public sewer.

27. As set forth in the following Counts of this Challenge, Chrin believes that the RA District zoning of the Palmer Parcel constitutes impermissible reverse spot zoning, is confiscatory,

arbitrary and irrational, prevents the reasonable use of the Palmer Parcel, and is therefore substantively invalid.

C. **Curative Amendment**

28. In order to cure the invalidity of the RA District zoning of the Palmer Parcel, Chrin seeks a curative amendment that would rezone the Palmer Parcel to the NEB District so that the Property may be comprehensively developed for similar industrial uses (**"Proposed Development"**), as depicted on a plan entitled "Lot Development Plan," dated December 4, 2025, prepared by Hanover Engineering (the **"Challenge Plan"**), a copy of which is attached hereto as **Exhibit "G."**

29. A copy of Chrin's proposed curative amendment to the Palmer Zoning Map (**"Proposed Curative Amendment"**) is attached hereto and made part hereof as **Exhibit "H."**

30. Section 190 Attachment 11:1 of the Palmer Township Zoning Ordinance sets forth the "Purpose" of the NEB District as follows:

> The purpose of the NEB District is to provide sufficient space to meet current anticipated future regional needs for industrial, office and commercial development that will benefit the Township and the region, both economically and aesthetically; to provide a mechanism that will allow areas planned for industrial, office and commercial uses to be developed in the northern end of the Township along the Route 33 corridor; and to allow for prudent business decision-making by future property owners and encourage investments in land and infrastructure to be made with the knowledge that the Township will permit such industrial, office and commercial development to be occupied and to operate.

31. Due to the location of the Palmer Parcel in the northern end of the Township; the industrial character of the surrounding area; the proximity of the Property to the Route 33 corridor; the existing transportation infrastructure; and the accessible connections to both public water and public sewer services, the Palmer Parcel is appropriate for zoning within the NEB District.

32. As depicted on the Challenge Plan, the Proposed Development has been designed to comply with the applicable area and bulk requirements of the NEB District, e.g., minimum lot size, maximum impervious coverage, building coverage, building setbacks, building height, and required off-street parking facilities.

COUNT I
REVERSE SPOT ZONING

33. Paragraphs 1 through 32 above are hereby incorporated by reference as though fully set forth herein.

34. The Palmer Parcel has been singled out for disparate treatment. "Reverse spot zoning occurs where an 'island' develops as a result of a municipality's failure to rezone a portion of land to bring it into conformance with similar surrounding parcels that are indistinguishable." *In re Realen Valley Forge Greenes Assocs.,* 576 Pa. 115, 838 A.2d 718 (2003).

35. There is no legitimate police power justification to single out the Palmer Parcel for different treatment from the surrounding parcels, in that:

a. The Palmer Parcel is completely surrounded on all sides by properties used and zoned for industrial purposes not permitted in the RA District in which the Palmer Parcel is located, most notably being the Upper Nazareth Parcel that comprises the remaining half of the Property;

b. The character of the Palmer Parcel and the surrounding area is not consistent with the stated purpose of the RA District;

c. The zoning of the Palmer Parcel in the RA District is inconsistent with its intended use and designations under the Palmer Township Comprehensive Plan; and

d. The Palmer Parcel is similar to the immediately surrounding properties in terms of topography, proximity to highways, proximity to existing industrial uses and districts and access to public sewer and water.

36. As such, the RA District zoning designation of the Palmer Parcel constitutes unconstitutional reverse spot zoning.

COUNT II
ARBITRARY AND IRRATIONAL ZONING

37. Paragraphs 1 through 36 above are hereby incorporated by reference as though fully set forth herein.

38. The RA District regulations effectively require that the Palmer Parcel be developed for agricultural, horticultural or recreational uses.[1]

39. However, given the location of the Palmer Parcel and the existing uses of the immediately surrounding properties, the Palmer Parcel is not suitable for development in accordance with the RA District regulations.

40. The RA District zoning of the Palmer Parcel has no relationship to rational planning or zoning purposes considering the adjoining zoning and land uses.

41. The restrictions on the use of the Palmer Parcel is greater than necessary for the protection of the public health, safety and welfare, are unduly restrictive, and indeed prevents the reasonable use and development of the Property as a singular parcel.

[1] In accordance with 190 Attachment 1:1 of the Zoning Ordinance, the use permitted by right in the RA District include: Campground, limited to tent sites; Cemetery; Cemetery, animal; Commercial outdoor recreation; Commercial stable or riding academy; Community garden; Crop farming; Essential services; Forestry; Golf course; Governmental and emergency services facility; Group home; Kennel; Membership club, lodge or fraternal organization; Nature reserve; Place of assembly or worship; Plant nursery; Public park/recreation; Raising of livestock; Single-family detached dwelling; Veterinarian office or animal hospital

42. The singling out of the Palmer Parcel for different treatment than surrounding properties is therefore unnecessary, arbitrary and irrational.

WHEREFORE, Challenger, The Charles Chrin Real Estate Trust, requests that the Zoning Map be amended to cure the present reverse spot-zoning of the Palmer Parcel by rezoning the Palmer Parcel to the NEB District, by adopting the Proposed Curative Amendment.

Respectfully submitted,

_____
Marc B. Kaplin, Esquire
Attorney for Applicant / Challenger,
The Charles Chrin Real Estate Trust

Dated: January 21, 2026

Exhibit "A"

Property Deed

COUNTY OF NORTHAMPTON

RECORDER OF DEEDS
NORTHAMPTON COUNTY GOVERNMENT CENTER
669 WASHINGTON STREET
EASTON, PENNSYLVANIA 18042-7486
Area Code (610) 559-3077

Ann L. Achatz - Recorder
Andrea F. Suter - Lead Deputy
Dorothy J. Edelman - Deputy

AFFIDAVIT FILED

Book - 2010-1 Starting Page - 220778
***Total Pages - 18**

Instrument Number - 2010032292
Recorded On 10/26/2010 At 12:54:39 PM
*** Instrument Type - DEED**
Invoice Number - 661765
*** Grantor - CHRIN, CHARLES**
*** Grantee - CHRIN, CHARLES REAL ESTATE TRUST**
User - DLO
*** Customer - STEVEN N GOUDSOUZIAN**

*** FEES**	
STATE WRIT TAX	$0.50
JCS/ACCESS TO JUSTICE	$23.50
RECORDING FEES	$39.00
AFFORDABLE HOUSING	$14.02
AFFORDABLE HOUSING - ADMIN FEE	$2.48
COUNTY RECORDS IMPROVEMENT FEE	$2.00
DEEDS RECORDS IMPROVEMENT FEE	$3.00
TOTAL PAID	$84.50

***RECORDED BY:**
STEVEN N GOUDSOUZIAN
2925 WILLIAM PENN HWY STE 301
EASTON, PA 18045-5283

I hereby CERTIFY that this document is recorded in the Recorder's Office Of Northampton County, Pennsylvania

Ann L. Achatz
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

Do Not Detach

THIS PAGE IS NOW THE FIRST PAGE OF THIS LEGAL DOCUMENT

008JFE

Book: 2010-1 Page: 220778

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

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Prepared by: Steven N. Goudsouzian, Esquire
2925 William Penn Highway, Ste 301
Easton, PA 18045

Return to: Steven N. Goudsouzian, Esquire
2925 William Penn Highway, Ste 301
Easton, PA 18045

This indenture made this 25th day of October in the year of our Lord Two Thousand Ten (2010).

BETWEEN CHARLES CHRIN, of the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania, party of the first party,

and

CHARLES CHRIN REAL ESTATE TRUST, dated October 25, 2010, of the Township of Palmer, County of Northampton and Commonwealth of Pennsylvania, party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of **ONE ($1.00) DOLLAR** lawful money of the United States of America, well and truly paid by the said party of the second part to the said party of the first part, at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien,

enfeoff, release, convey and confirm unto the said party of the second part, its successors and/or assigns,

ALL THOSE 709 acres, more or less, located in Palmer Township, Upper Nazareth Township and Tatamy Borough, consisting of Tax Parcel Nos. J8/14/6, J8/21/2A, J8/22/2, J8/23/1, J8/23A/1, J8/27A/1, J8/27A/1A, J8/27A/1B, J8/27A/1C, J8/27A/1D, J8/27A/1E, J8/27A/1F, J8/27A/1H, J8/27A/1J, J8/27A/1K, K8/3/4, K8/4/2, K8/5/1, K8/5A/1, more fully described on Exhibit A attached hereto.

IT BEING THE SAME PREMISES which Thomas P. Stitt, Sr., Executor of the Estate of Doris M. Remaly, deceased by his deed dated May 29, 2001 and recorded in the Recorder of Deeds Office, in and for the County of Northampton at Easton, Pennsylvania in Record Book Volume 2001-1, Page 93825, did grant and convey unto Charles Chrin.

THIS TRANSFER IS EXEMPT FROM TRANSFER TAXES SINCE THIS IS A TRANSFER TO A REVOCABLE TRUST

TOGETHER with all and singular, the buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions; remainder and remainders, rents, issues, and profits thereof, and of every part and parcel thereof; AND ALSO all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the said party of the first part, of, in and to the said premises, with the appurtenances:

TO HAVE AND TO HOLD the said premises, with all and singular the appurtenances unto the said party of the second part, its successors and/or assigns, to the only proper use, benefit and behoof of the said party of the second part, its successors and/or assigns forever,

AND the said party of the first part, his heirs, assigns, executors and administrators, does by these presents, covenant, grant and agree, to and with the

said party of the second part, its successors and/or assigns forever, that he the said party of the first part, his heirs, assigns, executors and administrators, all and singular the hereditaments and premises hereinabove described and granted, or mentioned and intended so to be, with the appurtenances, unto the said party of the second part, its successors and/or assigns, against him the said party of the first part, his heirs and against all and every other person or persons, whosoever lawfully claiming or to claim the same or any part thereof, by, from or under him, her, them or any of them, **SHALL AND WILL WARRANT** and forever **DEFEND.**

IN WITNESS WHEREOF, the said party of the first part to these presents has hereunto set his hand and seal. Dated the day and year first above written.

SIGNED, SEALED and DELIVERED
IN THE PRESENCE OF:

(SEAL)
CHARLES CHRIN

STATE OF PENNSYLVANIA :

: ss:

COUNTY OF NORTHAMPTON :

On the 25TH day of OCTOBER 2010, before me, a Notary Public in and for the county and state aforesaid, the undersigned officer, personally appeared Charles Chrin, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and desired the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

John Katchur

Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
John Katchur, Jr., Notary Public
Palmer Twp., Northampton County
My Commission Expires Sept. 4, 2011
Member, Pennsylvania Association of Notaries

I hereby certify the precise address of the Grantee is:

3201 Rocky Lane
Easton, PA 18045 - 3111

Joanne Palmeri

\\server\Clients\2010\Chrin (Refinance) 16\Deed to Charles Chrin Trust\DEED TO TRUST Remaly Tract.doc

EXHIBIT "A"

Parcel D:

Tract No. 1 - ALL THAT CERTAIN tract, piece or parcel of land, with the buildings and improvements thereon erected, SITUATE in the Borough of Tatamy, County and State aforesaid, bounded and described as follows:

BEGINNING at a concrete monument in line of lands of Chester Snyder and Joseph H. Fulmer; THENCE along lands of Joseph H. Fulmer the following five courses and distances: (1) N 3° 13' W 1074.20 feet to a concrete monument; (2) N 83° 13' E 807.18 feet to a concrete monument; (3) N 4° 45' W 1432.20 feet (crossing the macadam road leading from Tatamy to Nazareth) to a concrete monument; (4) S 89° 54' W 268.67 feet to a concrete monument; and (5) N 1° 29' W 1516.48 feet to a post in line of lands late of John E. Garis; THENCE along lands late of John E. Garis and along lands late of Samuel Shively, N 88° 46' E 1233.72 feet (crossing the concrete road leading from Tatamy to Stockertown) to a cherry tree in line of lands late of S. S. Messinger; THENCE along the lands late of S. S. Messinger, S 1° 22' E 1018.30 feet to a concrete monument in line of other lands of the Grantors, THENCE along other lands of the Grantors, S 88° 31' W 342.05 feet to an iron pin on the east edge of the concrete roadway leading from Stockertown to Tatamy; THENCE along the east edge of the concrete roadway leading from Stockertown to Tatamy, S 11° 06' E 990.18 feet to a drill hole in the intersection of the E. edge of the concrete roadway leading from Stockertown to Tatamy with the north edge of the concrete roadway known as Main Street; THENCE along the east side of the macadam roadway leading from Tatamy to Easton, S 5° 23' E 452.10 feet to a stake in the center line of Broad Street; THENCE along the center line of Broad Street, N 83° 55' E 712.46 feet to an iron pin in line of lands now or late of Dramatic Organization of Tatamy, Pennsylvania; THENCE along lands now or late of Dramatic Organization of Tatamy, Pennsylvania, the two following courses and distances: (1) S 1° 38' E 266.04 feet to a concrete monument and (2) N 83° 55' E 132.00 feet to a concrete monument in line of lands late of S. S. Messinger; THENCE along the lands late of S. S. Messinger, the two following courses and distances: (1) S 1° 38' E 847.16 feet to a concrete monument, and (2) N 89° 29' E 514.80 feet to a concrete monument in line of lands now or late of Thevon Sandt; THENCE along lands now or late of Thevon Sandt, S 2° 01' E 598.75 feet to a concrete monument in line of lands now or late of Abraham Transue; THENCE along lands now or late of Abraham Transue, S 88° 46' W 1349.20 feet to a point in the center line of the macadam roadway leading from Easton to Tatamy; THENCE along the center line of the macadam roadway leading from Easton to Tatamy, N 1° 14' W 145.2 feet to a point in line now or late of Augustus Sloyer; THENCE along lands now or late of Augustus Sloyer the two following courses

and distances: (1) S 88° 46' W 300.00 feet to a post and (2) S 1° 14' E 145.2 feet to a post in line of lands of Chester Snyder; THENCE along lands of Chester Snyder, S 88° 46' W 1221.88 feet to the point of BEGINNING.

BOUNDED on the North by lands late of John E. Garis and lands late of Samuel Shively; on the East by lands late of S. S. Messinger, other lands of the Grantors, land now or late of Dramatic Organization of Tatamy, Pennsylvania, lands late of said S. S. Messinger, and lands now or late of Thevon Sandt; on the South by lands now or late of Abraham Transue, lands now or late of Augustus Sloyer, and lands of Chester Snyder; and on the West by lands of Joseph H. Fulmer.

EXCEPTING there out and therefrom the certain tract of land granted and conveyed by William H. Kirkpatrick and Mabel S. Steckel, Executors and Trustees of Daniel E. Steckel, Deceased, to Tatamy Heat, Light and Power Company, by Indenture dated May 12, 1927, recorded in the Office of the Recorder of Deeds of said County in Deed Book B Vol. 57, Page 684, etc., and described as follows:

BEGINNING at a stake in the intersection of the west property line of the road leading from Stockertown to Tatamy and the north property line of Prospect Street produced westwardly; thence along the north property line of Prospect Street produced S 78° 54' W. 125.00 feet to a point in line of other lands herein described, the two following courses and distances: (1) N 11° 06' W 125.00 feet to a point, and (2) N 78° 54' E 125.00 feet to a point in the west property line of the road leading from Stockertown to Tatamy; THENCE along the west property line of the road leading from Stockertown to Tatamy, S 11° 06' E 125.00 feet to the point or place of beginning. CONTAINING 0.3587 acres of land, more or less.

AND UNDER AND SUBJECT TO

(a) The right granted by the Grantors to the Metropolitan Edison Company to construct, maintain and operate an electric line, etc., upon, over, across and under said Tract No. 1, by the two Indentures dated May 9, 1941, and recorded in the said Office of the Recorder of Deeds in Misc. Book 97, Pages 668 and 669.

(b) Other easements and building restrictions, if any;

(c) Existing leases;

(d) The state of facts shown on the plan made by John B. Aicher, Registered Surveyor, bearing date October 8, 1940, and entitled "Plan Showing the Property of Daniel E. Steckel Est., located in the Borough of Tatamy, Northampton Co., Pa."

Said Tract No. 1 hereby granted and released, or mentioned and intended so to be, CONTAINING 141.008 acres of land, more or less.

Tract No. 2 - ALL THAT CERTAIN tenement and farm or tract of land SITUATED partly in Upper Nazareth Township and partly in Palmer Township, in the County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a corner in the middle of the public road, leading from Seipsville to Friedenstal; THENCE in and along said road, North eighty-eight and three-quarter degrees, East twenty-seven

and five-tenths perches to a corner; THENCE along the same, North one-half degree, East twenty-eight and five-tenths perches to a corner in line of lands of the said Ephraim Knecht and William Albert; THENCE along lands of the said William Albert, South eighty-eight and one-half degrees, East fifty-three and six-tenths perches to a corner; THENCE along the same and lands of Philip Sandt and William Shimer, South three quarter degree, West one hundred and forty-six and four-tenths perches to a corner; THENCE along land of said William Shimer and Estate of Richard Knecht, North eighty-seven and three quarter degrees West eighty-one perches to a corner, in line of lands of Edward Nolf, North one-half degrees East one hundred and sixteen and six tenths perches to a corner the place of beginning. CONTAINING sixty-eight acres and one hundred and forty perches, more or less.

Tract No. 3 - ALL THAT CERTAIN messuage or tenement and three contiguous tracts of land SITUATE in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

Purpart No. 1: BEGINNING at a beech stump on the side of Bushkill Creek; THENCE across said creek by land late of Catharine Heller South eighty-eight (88) degrees West, ten and two-tenths (10.2) perches to a stone; THENCE by the same land South two and three-quarters (2 3/4) degrees East, one hundred thirty-seven and six-tenths (137.6) perches to a stone; THENCE by land late of Charles Brown South eighty-eight and one-half (88 ½) degrees West, eighty-seven and two-tenths (87.2) perches to a stone; THENCE by land late of Abraham Knecht North two and one-half (2 ½) degrees West one hundred three and four-tenths (103.4) perches to a stone; THENCE by the same South eighty-eight and three-quarters (88 3/4) degrees West, fifty-one (51) perches to a stone; THENCE by land late of Charles Young North two and one-quarter (2 1/4) degrees West, fifty-nine and four-tenths (59.4) perches to a stone; THENCE by land late of George P. Heller, and across Bushkill Creek, North eighty-seven and three-quarters (87 3/4) degrees East, thirty-eight and six-tenths (38.6) perches to a stone; THENCE by land late of Christian Bender South fourteen and one-half (14 ½) degrees West, six (6) perches to a stone on a small island in said creek; THENCE in the middle of the same, partly by the same and partly by land late of Peter B. Steinmetz, South seventy-seven and three-quarters (77 3/4) degrees East, fifty-one and four-tenths (51.4) perches to a corner in said creek, North seventy-six and three-quarters (76 3/4) degrees East, twenty-two (22) perches to a corner and North eighty-seven (87) degrees East, forty-one and four-tenths (41.4) perches to a post on the side of said creek; THENCE along the side of the same and by the same land South one-quarter (1/4) degree East, eleven and six-tenths (11.6) perches to the place of beginning. CONTAINING ninety-nine (99) acres and one hundred forty-two (142) perches, strict measure.

Purpart No. 2: BEGINNING at a post; THENCE along other land late of Peter Wottring North eighty-nine and one-half (89 ½) degrees East, twenty-seven and five-tenths (27.5) perches to a stone; THENCE along the same, and partly by land late of Daniel Brown, South one (1) degree East, one hundred eighteen and four-tenths (118.4) perches to a stone; THENCE by land late of the said Daniel Brown West twenty-seven and seven-tenths (27.7) perches to a stone; THENCE by other land late of Abraham Knecht North one and one-half (1 ½) degrees West, one hundred seventeen and eight-tenths (117.8) perches to the place of beginning. CONTAINING twenty (20) acres and forty-three (43) perches, strict measure.

Purpart No. 3: BEGINNING at a stone, also a corner of land late of C. A. Heller; THENCE along the same South one-half (½) degree West, three and one-tenth (3.1) perches to a post; THENCE by land late of William L. Shimer North eighty-eight and three-quarters (88 3/4) degrees West, eighty-seven (87) perches to a post; THENCE North one-half (½) degree East, three and one-tenth (3.1) perches to a stone; THENCE by land late of Matilda Sandt South eighty-eight and three-quarters (88 3/4) degrees East, eighty-seven (87) perches to a stone, the place of beginning. CONTAINING one (1) acre and one hundred nine (109) perches, strict measure.

EXCEPTING AND RESERVING, however, therefrom and there out, so much of Purpart No. 1 above described as was conveyed by Peter Wotring and Margaret, his wife, to Abraham Knecht, by Indenture bearing date the fifteenth day of December, A. D. 1866, and recorded in the Office for the Recording of Deeds at Easton, Pa., in and for the County of Northampton, in Deed Book G Vol. 11, Page 43, etc., AND

EXCEPTING AND RESERVING, also, however, therefrom and there out, so much of Purpart No. 2 above described as was conveyed by Matilda Sandt and Philip, her husband, to William L. Shimer, by Indenture bearing date the twenty-seventh day of April, A. D. 1896, and recorded in said Office in Deed Book C, Vol. 27, Page 168, etc.

Tract No. 4 - ALL THAT CERTAIN messuage or tenement and three tracts or pieces of land, SITUATE in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

Purpart No. 1: BEGINNING at a stone in a line of land of John Shively; THENCE by land of Richard Knecht North three-quarters (3/4) degree West, one hundred sixty (160) perches to a hickory tree in a line of land of Amandus Knecht; THENCE by same and other land of the said Daniel G. Brown hereinafter mentioned and described as No. 2 and intended hereby to be conveyed and land of C. A. Heller South eighty-nine and one-half (89 ½) degrees East one hundred thirty and eight-tenth (130.8) perches to a stone; THENCE by land of Nicholas Dewalt South three and three-quarter (3 3/4) degrees East, eighty-six and six-tenth (86.6) perches to a stone; THENCE by the same South eighty-three and one-half (83 ½) degrees West, forty-eight and seven-tenth (48.7) perches to a stone; THENCE South two and one-quarter (2 1/4) degrees East, sixty-four and nine-tenth (64.9) perches to the same to a stone; THENCE by land of Samuel Shively and John Shively South eighty-nine and one-quarter (89 1/4) degrees West, Ninety-five and three-tenth (95.3) perches to a stone, the place of beginning. CONTAINING one hundred nineteen (119) acres and twenty-five (25) perches or thereabouts (said courses and distances being according to a survey made by Frank Kunkel, December 4, 1850).

Purpart No. 2: BEGINNING at a stone; THENCE by land late of the heirs of Adam Stocker, deceased, North two and three-quarter (2 3/4) degrees West, thirteen (13) perches to a stone; THENCE by land late of Peter B. Steinmetz North eighty-eight and one-quarter (88 1/4) degrees East, eighty-seven (87) perches to a post; THENCE by land now or late of Catharine Heller South three (3) degrees East, fourteen (14) perches to a post; THENCE by land late of Charles Brown, being the premises hereinbefore described as No. 1 and intended to be conveyed, South eighty-nine

(89) degrees West, eighty-seven (87) perches to the place of beginning. CONTAINING seven (7) acres and fifty-four (54) perches, strict measure.

Purpart No. 3: BEGINNING at a stone also a corner of Amandus Knecht; THENCE along lands of the same North one-half (½) degree East, nine and nine-tenth (9.9) perches to a post; THENCE by lands of the party of the first part South eighty-eight and three-quarter (88 3/4) degrees East, twenty-seven and two tenth (27.2) perches to a post; THENCE by lands of the party of the first part South one-half (½) degree West nine and nine-tenth (9.9) perches to a stone; THENCE North eighty-eight and three-quarter (88 3/4) degrees West, twenty-seven and two-tenth (27.2) perches to a stone, the place of beginning. CONTAINING one (1) acre and one hundred nine (109) perches, strict measure.

EXCEPTING, however, therefrom and there out:

ALL THAT CERTAIN messuage or tenement and tract of land, SITUATE in Palmer Township, Northampton County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stone also a corner of land of the late C. A. Heller, deceased; THENCE along the same South one-half (½) degree West three and one-tenth (3.1) perches to a post; THENCE by lands of the party of the first part North eighty-eight and three-quarter (88 3/4) degrees West, eighty-seven (87) perches to a post; THENCE North one-half (½) degree East, three and one-tenth (3.1) perches to a stone; THENCE by land of the said party South eighty-eight and three-quarter (88 3/4) degrees East eighty-seven (87) perches to a stone, the place of beginning. CONTAINING one (1) acre and one hundred nine (109) perches, strict measure.

LESS AND EXCEPTING from Parcel D above-described, the following conveyances:

(1) Conveyance from Girard Trust Corn Exchange Bank and Lester H. Miller, Trustees under Will of Lottie Cope Fulmer, deceased, to Sherwood E. Cole, Allen P. Remel and Ella C. Remel, his wife, by deed dated November 9, 1955 and recorded in Deed Book A, Volume 96, Page 299.

(2) Conveyance from Lester H. Miller and Girard Trust Bank, formerly Girard Trust Corn Exchange Bank, Trustees under the Last Will and Testament of Lottie C. Fulmer, to Hope Lutheran Church of Tatamy, by deed dated October 5, 1971 and recorded in Deed Book Volume 411, Page 517.

(3) Conveyance from Girard Trust Bank and Lester H. Miller, Trustees under the Will of Lottie Cope Fulmer, deceased, to Arling J. Kiefer, Jr. and Frances E. Kiefer, his wife, by deed dated July 15, 1977 and recorded in Deed Book Volume 568, Page 760.

(4) Conveyance from Charles Chrin and Judith Chrin, married, to Atlantic Van Buren Road, L.P., a Pennsylvania Limited Partnership, by deed dated June 4, 2004 and recorded in Record Book 2004-1, Page 230234.

(5) Conveyance from Charles Chrin to Industrial Developments International Inc. by deed dated November 21, 2008 and recorded in Record Book 2008-1, Page 309390.

EXCEPTING from the above described parcels all roads, streets, avenues, highways, including but not limited to: Pennsylvania Route 911, Van Buren Road, Corriere Road, L.R. 48025, Pennsylvania Route 33, and T.R. 516.

LESS AND EXCEPTING FROM THE ABOVE DESCRIBED PARCEL D NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIERS: MAP J8, BLOCK 24, LOT 2; MAP J8, BLOCK 28, LOT 2; MAP K7, BLOCK 20, LOT 7; MAP K8, BLOCK 14, LOT 5; MAP K8, BLOCK 15, LOT 2; MAP J8, BLOCK 27A, LOT 1G

7

THE INTENT OF THIS DEED IS TO CONVEY ONLY THE REAL ESTATE KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIERS: MAP J8, BLOCK 14, LOT 6; MAP J8, BLOCK 23A, LOT 1; MAP J8, BLOCK 27A, LOT 1; MAP J8, BLOCK 27A, LOT 1A; MAP J8, BLOCK 27A, LOT 1B; MAP J8, BLOCK 27A, LOT 1C; MAP J8, BLOCK 27A, LOT 1D; MAP J8, BLOCK 27A, LOT 1E; MAP J8, BLOCK 27A, LOT 1F; MAP J8, BLOCK 27A, LOT 1H; MAP J8, BLOCK 27A, LOT 1J; MAP J8, BLOCK 26A, LOT 1K

DESCRIPTION OF PROPERTY of the Estate of Doris M. Remaly, known as Estate Parcel 3, located in Palmer Township and Upper Nazareth Township, Northampton County, Pennsylvania:

BEGINNING at a railroad spike (set) in the centerline of Pennsylvania State Route 1002, also known as Main Street or Tatamy Road (33.00 feet wide), in the westerly line of lands of Consolidated Rail Corporation, formerly the Nazareth Branch of the former Lehigh and New England Railroad (Deed recorded in Deed Book Volume 579, at Page 716), and in line of lands of Bil Rich, Inc. (Deed recorded in Deed Book Volume 303, at Page 21); thence (1) along the centerline of Pennsylvania State Route 1002 and along the lands of Bil Rich, Inc., S 85° 15' 24" W 86.00 feet to a railroad spike (set); thence (2) continuing along the lands of Bil Rich, Inc., and partially crossing Pennsylvania State Route 1002, S 0° 45' 24" W 16.58 feet to a railroad spike (set); thence (3) continuing along the lands of Bil Rich, Inc., S 84° 51' 46" W 346.93 feet to an iron pin (set) at the most northeasterly property corner of lands of Eastern Industries, Inc. (Deed recorded in Deed Book volume 565, at Page 139); thence (4) along the lands of Eastern Industries, Inc., and partially in and along Pennsylvania State Route 1002, N 68° 49' 28" W 397.47 feet to a railroad spike (set); thence (5) partially crossing Pennsylvania State Route 1002 (passing through an iron pin [found] north of the northerly legal right-of-way line), crossing the westerly terminus of a Nazareth Borough Municipal Authority easement (recorded in Deed Book Volume 774, at Page 495) and along lands of the Nazareth Area School District (Deed recorded in Record Book Volume 1996-1, at Page 64316), N 23° 05' 35" E 358.03 feet to an iron pin (found); thence continuing along lands of the Nazareth Area School District the two following courses and distances: (6) N 8° 30' 00" E 1,692.16 feet to an iron pin (set) and (7) N 81° 30' 00" W 970.00 feet to an iron pin (set), in line of lands of the Farmview Estates subdivision (recorded in Map Book Volume 88, at Pages 327A and 327B); thence (8) along lands of the Farmview Estates subdivision, passing through a concrete monument (found) on this property line, and crossing the westerly terminus of another Nazareth Borough Municipal Authority easement (also recorded in Deed Book Volume 774, at Page 495), N 8° 30' 00" E 367.65 feet to an iron pin (set) in line of lands of the Hercules Cement Company (Deed recorded in Deed Book Volume 622, at Page 405); thence along lands of the Hercules Cement Company, crossing the northerly terminus of the other Nazareth Borough Municipal Authority easement, crossing the northerly terminus of another Nazareth Borough Municipal Authority easement (also recorded in Deed Book Volume 774, at Page 495), and crossing the Schoeneck Creek, S 89° 56' 20" E 2,869.38 feet to an iron pin (found); thence (10) continuing along lands of the Hercules Cement Company, N 78° 59' 38" E 68.89 feet to an iron pin (found) on a curve in line of the aforesaid lands of the Consolidated Rail Corporation; thence (11) along the lands of the Consolidated Rail Corporation, on a curve to the left having a radius of 1,940.08 feet (delta 3° 19' 22", tangent 56.27 feet, chord S 33° 26' 49" W 112.50 feet) for an arc distance of 112.51 feet to an iron pin (set) at a point of tangency; thence (12) continuing along lands of the Consolidated Rail Corporation, crossing the

Schoeneck Creek, and partially crossing Pennsylvania State Route 1002, S 31° 47' 08" W 2,958.68 feet to the point or place of beginning. Containing 90.050 Acres.

The above-described property may be subject to recorded and unrecorded easements and rights-of-way or encroachments by others not called for in this description.

All as shown on a survey entitled "Property Survey Plan Showing Lands Known As Estate Parcel 3 of The Estate of Doris M. Remaly, Located in Upper Nazareth Township and Palmer Township, Northampton County, Pennsylvania", dated February 9, 2001, revised May 4, 2001, bearing File Number S-9700, prepared by The Pidcock Company, Civil Engineers - Architects - Land Planners - Surveyors, Allentown, Pennsylvania.

NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP J8, BLOCK 21, LOT 2A

DESCRIPTION OF PROPERTY of the Estate of Doris M. Remaly, known as Estate Parcel 4, located in Palmer Township and Upper Nazareth Township, Northampton County, Pennsylvania:

BEGINNING at a railroad spike (set), the intersection of the centerline of Pennsylvania State Route 1002, also known as Main Street or Tatamy Road (33.00 feet wide), with the centerline of Palmer Township Road 516, also known as Van Buren Road (33.00) feet wide), in the westerly property line of lands of Arling J. Kiefer, Jr., and Frances E. Kiefer (Deed recorded in Record book Volume 1994-6, at Page 108638), also being the most northeasterly property corner of lands of Nazareth Borough Municipal Authority (Deed recorded in Record Book volume 2000-1, at Page 24903), and in a Metropolitan Edison Company Easement (recorded in Miscellaneous volume M123, at page 602); thence (1) along the centerline of Pennsylvania State Route 1002, partially crossing Palmer Township Road 516, partially crossing the Metropolitan Edison Company easement, along lands of the Nazareth Borough Municipal Authority, and crossing the Schoeneck Creek, S 84° 39' 27" W 1,797.08 feet to a railroad spike (set) in line of lands of the Consolidated Rail Corporation, formerly known as the Nazareth Branch of the former Lehigh New England Railroad (Deed recorded in Deed Book Volume 579, at Page 716); thence (2) partially crossing Pennsylvania State Route 1002, along lands of the Consolidated Rail Corporation, crossing the northwesterly terminus of a Nazareth Borough Municipal Authority easement (recorded in Deed Book Volume 774, at Page 495), and re-crossing the Schoeneck Creek, N 31° 47' 08" E 2,914.09 feet to an iron pin (set), a point of curvature; thence (3) continuing along lands of the Consolidated Rail Corporation and partially crossing the northerly terminus of the aforesaid Metropolitan Edison Company easement, and partially crossing Palmer Township Road 516, on a curve to the right having a radius of 1,880.08 feet (delta 21° 07' 30", tangent 350.57 feet, chord N 42° 20' 53" E 689.27 feet) for an arc distance of 693.19 feet to an iron pin (set), at a point of intersection of curves in the centerline of Palmer Township Road 516 and in line of other lands of the Estate of Doris M. Remaly, known as Estate Parcel 5; thence along the centerline of Palmer Township Road 516, along the other lands of the Estate of Doris M. Remaly, known as Estate Parcel 5, and through the Metropolitan Edison Company easement the six following courses and distances: (4) on a curve to the left having a radius of 100.00 feet (delta 26° 03' 34", tangent 23.14 feet, chord S 16° 11' 35" W 45.09 feet) for an arc distance of 45.48 feet to a point of tangency, (5) S 3° 09' 48" W 1,052.48 feet to a point of curvature,

(6) on a curve to the right having a radius of 3,000.00 feet (delta 4° 51' 20", tangent 127.19 feet, chord S 5° 35' 28" W 254.16 feet) for an arc distance of 254.24 feet to a point of tangency, (7) S 8° 01' 08" W 78.12 feet to a point of curvature, (8) on a curve to the right having a radius of 500.00 feet (delta 12° 15' 57", tangent 53.72 feet, chord S 14° 09' 07" W 106.83 feet) for an arc distance of 107.04 feet to a point of tangency, and (9) S 20° 17' 05" W 183.84 feet to a point in the northerly property line of the lands of Arling J. Kiefer, Jr. and Frances E. Kiefer; thence (10) along lands of Arling J. Kiefer, Jr. and Frances E. Kiefer, continuing through the Metropolitan Edison Company easement, and partially crossing Palmer Township Road 516, N 89° 31' 17" W 19.13 feet to an iron pin (set) at the most northwesterly property corner of the lands of Arling J. Kiefer, Jr. and Frances E. Kiefer; thence (11) partially re-crossing and along the centerline of Palmer Township Road 516, along lands of Arling J. Kiefer, Jr. and Frances E. Kiefer, continuing through the Metropolitan Edison Company easement, and partially crossing Pennsylvania State Route 1002, S 0° 16' 17" E 1,118.81 feet to the point or place of beginning. Containing 60.801 Acres.

The above-described property may be subject to recorded and unrecorded easements and rights-of-way or encroachments by others not called for in this description.

All as shown on a survey entitled "Property Survey Plan Showing Lands Known As Estate Parcel 4 of The Estate of Doris M. Remaly, Located In Upper Nazareth Township And Palmer Township, Northampton County, Pennsylvania", dated February 9, 2001, last revised April 4, 2001, bearing File Number S-9701, as prepared by The Pidcock Company, Civil Engineers - Architects - Land Planners - Surveyors, Allentown, Pennsylvania.

NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP J8, BLOCK 22, LOT 2

DESCRIPTION OF PROPERTY of the Estate of Doris M. Remaly, known as Estate Parcel 5, located in Upper Nazareth Township and Palmer Township, Northampton County, Pennsylvania:

BEGINNING at an iron pin (set) at the intersection of the westerly legal right-of-way line for limited access of Pennsylvania State Route 0033, formerly known as L. R. 1098 (variable width) with the northerly legal right-of-way line of Pennsylvania State Route 1002, also known as Main Street and Tatamy Road (variable width); thence along the northerly legal right-of-way line of Pennsylvania State Route 1002 the three following courses and distances: (1) S 79° 47' 23" W 38.61 feet to an iron pin (set), (2) S 89° 47' 07" W 201.00 feet to an iron pin (set), and (3) S 75° 15' 50" W 367.63 feet to an iron pin (set) in line of lands of Arling J. Kiefer, Jr. and Frances E. Kiefer (Deed recorded in Record Book Volume 1994-6, at Page 108638); thence (4) along the lands of Arling J. Kiefer, Jr. and Frances E. Kiefer N 0° 17' 31" W 815.93 feet to an iron pin (set); thence (5) continuing along the lands of Arling J. Kiefer, Jr. and Frances E. Kiefer, partially crossing a Metropolitan Edison Company Easement (recorded in Miscellaneous Volume M123, at Page 602), and partially crossing Palmer Township Road 516, also known as Van Buren Road (33.00 feet wide), N 89° 31' 17" W 2,004.89 feet to a point in the centerline of Palmer Township Road 516, and in line of other lands of the Estate of Doris M. Remaly known as Estate Parcel 4, said point being distant 19.13 feet measured on a course S 89° 31' 17" E from an iron pin (set) at the most northwesterly property corner of the lands of Arling J. Kiefer, Jr. and Frances E. Kiefer; thence along the centerline of

Palmer Township Road 516, along the other lands of the Estate of Doris M. Remaly, known as Estate Parcel 4, and through the Metropolitan Edison Company easement the six following courses and distances, (6) N 20° 17' 05" E 183.84 feet to a point of curvature, (7) on a curve to the left having a radius of 500.00 feet (delta 12° 15' 57", tangent 53.72 feet, chord N 14° 09' 07" E 106.83 feet) for an arc distance of 107.04 feet to a point of tangency, (8) N 8° 01' 08" E 78.12 feet to a point of curvature, (9) on a curve to the left having a radius of 3,000.00 feet (delta 4° 51' 20", tangent 127.19 feet, chord N 5° 35' 28" E 254.16 feet) for an arc distance of 254.24 feet to the point of tangency, (10) N 3° 09' 48" E 1,052.48 feet to a point of curvature, and (11) partially crossing the Metropolitan Edison Company Easement, on a curve to the right having a radius of 100.00 feet (delta 26° 03' 34", tangent 23.14 feet, chord N 16° 11' 35" E 45.09 feet) for an arc distance of 45.48 feet to an iron pin (set) in the southeasterly property line of lands of Consolidated Rail Corporation, formerly the Nazareth Branch of the former Lehigh and New England Railroad (Deed recorded in Deed Book volume 579, at Page 716); thence (12) along lands of the Consolidated Rail Corporation, partially crossing the Metropolitan Edison Company easement, and in and along Palmer Township Road 516, on a curve to the right having a radius of 1,880.08 feet (delta 13° 24' 26", tangent 220.98 feet, chord N 59° 36' 51" E 438.94 feet) for an arc distance of 439.94 feet to an iron pin (set) in the centerline of Palmer Township Road 516; thence (13) continuing along lands of the Consolidated Rail Corporation, and along the centerline of Palmer Township Road 516, S 89° 45' 22" E 642.58 feet to an iron pin (set) at the most southwesterly property corner of other lands of the Estate of Doris M. Remaly, known as Estate Parcel 2; thence along the other lands of the Estate of Doris M. Remaly, known as Estate Parcel 2, and along the centerline of Palmer Township Road 516, the twelve following courses and distances: (14) S 89° 45' 22" E 216.73 feet to a point of curvature, (15) on a curve to the left having a radius of 1,000.00 feet (delta 7° 54' 22", tangent 69.10 feet, chord N 86° 17' 27" E 137.88 feet) for an arc distance of 137.99 feet to a point of tangency, (16) N 82° 20' 16" E 733.89 feet to a point of curvature, (17) on a curve to the right having a radius of 1,000.00 feet (delta 4° 19' 36", tangent 37.77 feet, chord N 84° 30' 03" E 75.49 feet) for an arc distance of 75.51 feet to a point of reverse curvature, (18) on a curve to the left having a radius of 2,000.00 feet (delta 7° 37' 21", tangent 133.23 feet, chord N 82° 51' 11" E 265.88 feet) for an arc distance of 266.08 feet to a point of reverse curvature, (19) on a curve to the right having a radius of 1,000.00 feet (delta 23° 51' 33", tangent 211.27 feet, chord S 89° 01' 44" E 413.42 feet) for an arc distance of 416.42 feet to a point of reverse curvature, (20) on a curve to the left having a radius of 35.00 feet (delta 100° 27' 08", tangent 42.05 feet, chord N 52° 40' 29" E 53.80 feet) for an arc distance of 61.36 feet to a point of tangency, (21) N 2° 26' 54" E 53.14 feet to a point of curvature, (22) on a curve to the right having a radius of 30.00 feet (delta 81° 03' 14", tangent 25.65 feet, chord N 42° 58' 32" E 38.99 feet) for an arc distance of 42.44 feet to a point of tangency, (23) N 83° 30' 09" E 318.02 feet to a point, (24) N 80° 28' 04" E 174.42 feet to a point, and (25) N 87° 06' 58" E 153.33 feet to an iron pin (set) in the westerly legal right-of-way line for limited access of Pennsylvania State Route 0033; thence (26) partially crossing Palmer Township Road 516 and along the westerly legal right-of-way line for limited access of Pennsylvania State Route 0033, S 3° 49' 42" W 334.00 feet to an iron pin (set); thence continuing along the westerly legal right-of-way line for limited access of Pennsylvania State Route 0033 the five following courses and distances: (27) S 18° 14' 08" W 718.50 feet to an iron pin (set), (28) S 15° 36' 08" W 569.59 feet to an iron pin (set), (29) S 19° 46' 12" W 433.57 feet to an iron pin (set), (30) S 34° 00' 37" W 949.45 feet to an iron pin (set), and (31) S 20° 44' 16" W 233.12 feet to the point or place of beginning. Containing 166.401 Acres.

The above-described property may be subject to recorded and unrecorded easements and rights-of-way or encroachments by others not called for in this description.

All as shown on a survey entitled "Property Survey Plan Showing Lands Known As Estate Parcel 5 of The Estate of Doris M. Remaly Located In Upper Nazareth Township And Palmer Township, Northampton County, Pennsylvania", dated February 9, 2001, last revised April 4, 2001, bearing File Number S-9702, as prepared by The Pidcock Company, Civil Engineers • Architects - Land Planners - Surveyors, Allentown, Pennsylvania.

NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIER: MAP J8, BLOCK 23, LOT 1

TRACT NUMBER ELEVEN:
Tract No. 1:

ALL THAT CERTAIN messuage, tenement and tract of land situate in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a stone in the Public Road, thence by lands now or late of John Shively in and along said Road, North two (2) degrees West, one hundred twenty-nine and eight-tenth (129.8) perches to a stone in said road; thence by lands now or late of John Fulmer, South eighty-nine (89) degrees West, sixty-eight and eight-tenth (68.8) perches to a corner; thence by land now or late of Frank Gernet South one and one half (1 1/2) degrees East, one hundred and thirty and one-tenth (130.1) perches to a corner in a public road; thence in and along said road, by lands now or late of John B. Hess and of Benjamin Hess, North eighty-nine and one-quarter (89 1/4) degrees East, sixty-nine (69) perches to the place of Beginning, containing fifty-five (55) acres and one hundred and forty (140) perches, be the same more or less.

Tract No. 2:

ALL THAT CERTAIN messuage, tenement and tract of land situate in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the center of the public road and the East side of the private lane leading to the Fisher Farm; thence along the aforesaid lane North one (1) degree thirty (30) minutes West, one thousand four hundred twenty-one and seven-tenth (1,421.7) feet to a point near a willow tree; thence along the remaining portion of the Fisher Farm North eight (8) degrees thirty-four (34) minutes West, forty-one and twenty-five one-hundredth (41.25) feet to a point; thence along the

same North one (1) degree thirty-eight (38) minutes West, six hundred ninety and six-tenth (690.6) feet to a post; thence North eighty-eight (88) degrees forty-one (41) minutes East five hundred sixty-seven and six one-hundredth (567.06) feet to a point; thence along Pacel No. 1 formerly the land of John A. Miller, South one (1) degree thirty (30) minutes East two thousand one hundred fifty-one and four-tenth (2,151.4) feet to the middle of the public road; thence along the middle of the public road South eighty-eight (88) degrees thirty (30) minutes West five hundred fifty-nine and five-tenth (559.5) feet to the place of beginning. Containing 27 acres and 32,358 square feet strict measure.

UNDER AND SUBJECT TO THE FOLLOWING RIGHTS-OF-WAYS:
(1) John A. Miller to Metropolitian Edison Company, by agreement dated June 9, 1938, and recorded in Miscellaneous Book 96 at Page 148.

(2) John A. Miller to Metropolitian Edison Company, by agreement dated July 2, 1947, recorded in Miscellaneous Book 105 at Page 550.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIERS:
MAP K8, BLOCK 3, LOT 4 AND MAP K8, BLOCK 4, LOT 2

TRACT NUMBER TWELVE:
Parcel No. 1

ALL THAT CERTAIN messuage or tenement and tract or parcel of land situate in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the center line of road leading from Stockertown to Seipsville, which point is six hundred twenty-eight and six-tenths (628.6) feet measured in a Northerly direction from intersection of center line of Seipsville-Stockertown Road and road t oNewlin's; thence from said point North eighty-three (83) degrees fifty (50) minutes East two thousand thirty-seven and thirty-five one-hundredth (2037.35) feet to a point; thence North six (6) degrees fifty-three (53) minutes West a distance of eight hundred seventy-two and sixty-six one-hundredth (872.66) feet to a point; thence North eighty-three (83) degrees nine (9) minutes East a distance of four hundred seventy-four and twenty-two one-hundredth (474.22) feet to a point; thence North six (6) degrees six (6) minutes West a distance of one thousand two hundred twelve and sixty-five one-hundredth (1212.65) feet to a point; thence South eighty-five (85) degrees six (6) minutes West a distance of two thousand five hundred twenty-seven and six-tenth (2527.6) feet to a point in center line of Stockertown-Seipsville Road; thence along center line of said road South six (6) degrees fifty (50) minutes East a distance of two thousand one hundred forty-eight and five-tenth (2148.5) feet to place of beginning, containing one hundred twelve and ninety-four one-hundredth (112.94) acres, more or less.

Parcel No. 2

ALL THAT CERTAIN messuage or tenement and tract or parcel of lnd situate in the Township of Palmer, County of Northampton and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in center line of public highway leading to Newlins, which point is twelve hundred and fifty-eight and seven-tenth (1258.7) feet Easterly from center line intersection of highway to Newlins and public highway from Seipsville to Stockertown, thence from said point along center line of a farm lane and Easterly side of lands late of Subilla C. Laubach Estate North seven (7) degrees forty-four (44) minutes West a distance of six hundred eighteen (618) feet to a point in line of Parcel No. 1, thence North eighty-three (83) degrees fifty (50) minutes East a distance of seven hundred eighty-one and five-tenth (781.5) feet to a point in line of lands late of Chester Snyder, now Carl T. Raub, thence along Carl T. Raub property South six (6) degrees fifty-three (53) minutes East a distance of six hundred eleven and thirty-four one-hundredth (611.34) feet to center line of public highway to Newlins, thence along center line of said Newlins Road South eighty-three (83) degrees twenty-one (21) minutes West a distance of seven hundred seventy-two and three-tenth (772.3) feet to a point of beginning. Containing ten and ninety-six one-hundredth (10.96) acres, more or less.

TOGETHER with the free and uninterrupted use, liberty, privilege of and passage in and along a certain lane leading along the tract of land above described unto the said public road leading to Newlins with free ingress, egress and regress to and for the said Grantee, his heirs and assigns, of the above-mentioned and described premises with horses, cattle, vehicles and carriages of every kind and description at all times and seasons forever hereafter, in, to and upon and along the said mentioned lane.

EXCEPTING AND RESERVING THEREOUT:

(1) ALL THAT CERTAIN tract or piece of land situate in the Township of Palmer, County and State aforesaid, bounded and described as follows, to wit: BEGINNING at a point in the center of Township Road #499, leading from the Van Buren Road to theTatamy-Bushkill Park Road, and 672.30 feet Easterly from the land of Stanley Teel; thence North six (6) degrees fifty-three (53) minutes West, ninety (90) feet to a point; thence North eighty-three (83) degrees twenty-one (21) minutes East, one hundred (100) feet to a point, being one (1) foot on the Northerly side of a concrete post; thence along the land of Karl Snyder, of which this exception is a part, South six (6) degrees fifty-three (53) minutes East, ninety (90) feet, passing one (1) foot on the Westerly side of the aforesaid concrete post toa point in the center of the Township Road #499; thence along the center of the Township Road, South eighty-three (83) degrees twenty-one (21) minutes West, one hundred (100) feet to the point and place of the beginning. Containing in area .206 of an acre of land. (See F-82-94)

The above description being according to a survey made by Brice H. Freestone, R.P.E. under date of March 2, 1962.

(2) Grant from John A. Miller and Mary M., his wife, to Metropolitan Edison Company, dated May 24, 1940, recorded in Miscellaneous Book 96 at page 278 in the Office of the Recorder of Deeds at Easton, Pennsylvania.

(3) Grant from John A. Miller and Mary M., his wife, to Metropolitan Edison Company, dated April 12, 1945, recorded in Miscellaneous Book 103 at page 114 in the Office of the Recorder of Deeds at Easton, Pennsylvania.

ALSO KNOWN AS NORTHAMPTON COUNTY UNIFORM PARCEL IDENTIFIERS: MAP K8, BLOCK 5A, LOT 1 AND MAP K8, BLOCK 5, LOT 1

ALL PROPERTY BEING CONVEYED HEREIN IS UNDER AND SUBJECT TO THE COVENANTS, CONDITIONS, LIMITATIONS, EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND AGREEMENTS OF RECORD.

REV-183 EX (6-96)

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF REVENUE
BUREAU OF INDIVIDUAL TAXES
DEPT. 280603
HARRISBURG, PA 17128-0603

REALTY TRANSFER TAX STATEMENT OF VALUE

See Reverse for Instructions

RECORDER'S USE ONLY	
State Tax Paid	0
Book Number	2010-1
Page Number	220778
Date Recorded	10-26-10

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

A CORRESPONDENT - All inquiries may be directed to the following person:

Name	Telephone Number:
Steven N. Goudsouzian, Esq.	Area Code (610) 253-9171

Street Address	City	State	Zip Code
2925 William Penn Highway, Suite 301	Easton	PA	18045

B TRANSFER DATA

Date of Acceptance of Document	
Grantor(s)/Lessor(s)	Grantee(s)/Lessee(s)
Charles Chrin	Charles Chrin Real Estate Trust
Street Address	Street Address
400 South Greenwood Avenue	3201 Rocky Lane
City / State / Zip Code	City / State / Zip Code
Easton / PA / 18045	Easton / PA / 18045

C PROPERTY LOCATION

Street Address	City, Township, Borough
SEE ADDENDUM ATTACHED	

County	School District	Tax Parcel Number

D VALUATION DATA

1. Actual Cash Consideration	2. Other Consideration	3. Total Consideration
$1.00	+ 0.00	= $1.00
4. County Assessed Value	5. Common Level Ratio Factor	6. Fair Market Value
2,483,100.00	× 3.14	= 7,796,934.00

E EXEMPTION DATA

1a. Amount of Exemption Claimed	1b. Percentage of Interest Conveyed
100%	100%

2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession _____ (Name of Decedent) _____ (Estate File Number)
- ☐ Transfer to Industrial Development Agency.
- ☒ Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number _____, Page Number _____.
- ☐ Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed, if other than listed above.) _____

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party	Date
	10/26/10

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

ADDENDUM TO AFFIDAVIT OF VALUE

Street Address	Township/Boro	School Dist	Tax Parcel	Assessment	CRL	Fair Mkt Value
Nazareth Road	Palmer Twsp	Easton	J8 21 2A	$111,500	3.14	$350,110.00
No. Babbling Brook Rd	Palmer Twsp	Easton	J8 14 6	$83,500	3.14	$262,190.00
3301 Main St.	Palmer Twsp	Easton	J8 22 2	$182,000	3.14	$571,480.00
Main Street	Palmer Twsp	Easton	J8 23 1	$419,100	3.14	$1,315,974.00
Main Street	Palmer Twsp	Easton	J8 23A 1	$78,100	3.14	$245,234.00
Main Street	Palmer Twsp	Easton	J8 27A 1	$80,700	3.14	$253,398.00
160 Commerce Lane	Palmer Twsp	Easton	J8 27A 1D	$43,800	3.14	$137,532.00
200 Commerce Lane	Palmer Twsp	Easton	J8 27A 1E	$51,300	3.14	$161,082.00
220 Commerce Lane	Palmer Twsp	Easton	J8 27A 1F	$51,700	3.14	$162,338.00
Hollo Rd No	Palmer Twsp	Easton	K8 3 4	$80,900	3.14	$254,026.00
1560 Van Buren Road	Palmer Twsp	Easton	K8 4 2	$213,800	3.14	$671,332.00
Newlins Mill Rd	Palmer Twsp	Easton	K8 5 1	$163,200	3.14	$512,448.00
1551 Van Buren Road	Palmer Twsp	Easton	K8 5A 1	$142,600	3.14	$447,764.00
Main Street	Tatamy Boro	Nazareth	J8 23A 1	$122,500	3.14	$384,650.00
Main Street	Tatamy Boro	Nazareth	J8 27A 1	$61,100	3.14	$191,854.00
100 Commerce Lane	Tatamy Boro	Nazareth	J8 27A 1A	$43,400	3.14	$136,276.00
120 Commerce Lane	Tatamy Boro	Nazareth	J8 27A 1B	$39,600	3.14	$124,344.00
140 Commerce Lane	Tatamy Boro	Nazareth	J8 27A 1C	$58,500	3.14	$183,690.00
150 Commerce Lane	Tatamy Boro	Nazareth	J8 27A 1H	$36,700	3.14	$115,238.00
130 Commerce Lane	Tatamy Boro	Nazareth	J8 27A 1J	$27,000	3.14	$84,780.00
110 Commerce Lane	Tatamy Boro	Nazareth	J8 27A 1K	$25,500	3.14	$80,070.00
Tatamy Road	Upper Naz. Twsp	Nazareth	J8 21 2A	$143,900	3.14	$451,846.00
Main Street	Upper Naz. Twsp	Nazareth	J8 22 2	$25,900	3.14	$81,326.00
Main Street	Upper Naz. Twsp	Nazareth	J8 23 1	$196,800	3.14	$617,952.00

Exhibit "B"

Chrin's Written & Oral Comments on Rezoning

The Charles Chrin Companies

August 9, 2022

Mr. Bob Blanchfield, Chairman
Palmer Township Planning Commission
3 Weller Place
Palmer, Pennsylvania 18045

Re: Draft Zoning Ordinance

Dear Mr. Chairman,

In conjunction with the release of the Draft Zoning Ordinance by the Township, various Chrin entities received individual notices indicated that a zoning change is being proposed for 5 Chrin properties under the draft.

Our preliminary comments in response to those notices are attached for your review and consideration. Please know that we reserve the right to modify or further embellish these comments with formal testimony during the public hearing phase of the ordinance adoption process. We offer them here for the Planning Commission's consideration as it prepares to make its recommendations to the Board of Supervisors concerning the draft.

In addition to the foregoing, we would also like to bring to your attention our desire to have the RA designation for Parcel No. J8-27A-1 changed to NEB. Several years ago Chrin met with Township representatives in a workshop meeting to discuss this rezoning request, and it was suggested that rather than filing a Petition for Rezoning, Chrin could have its request considered by the Zoning Committee that had been formed to assist in re-writing a new Zoning Ordinance for the Township. At that time, it was contemplated that the committee's work and final adoption of a new ordinance would occur in 2020.

At the time of the workshop meeting, reservations were expressed about the merits of the rezoning request since the Township had sent a clear message to Upper Nazareth that it would maintain the RA designation to act as a buffer from the industrial development that was about to occur in the Township's north end. Chrin explained that informal discussions had likewise occurred with various representatives of Upper Nazareth and the Upper Nazareth School District, and it appeared that both were open

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to considering some level of industrial development (but something short of large distribution or warehouse facilities). Formal action by Upper Nazareth has yet to occur, since it was recommended that Chrin not pursue a zoning change until Palmer first considered and acted upon the zoning change desired by Chrin.

These conversations were initiated because the Chrin tract in question is actually 90 acres in size, straddling the township boundary line with 40 acres in Palmer and the remaining acreage in Upper Nazareth. The Palmer portion of the tract is located within the TIF District established for the northern end of Palmer Township in conjunction with the Chrin Interchange Project. These conversations were also initiated because Chrin had just executed an agreement with the Lehigh Valley Industrial Park (LVIP) to develop the full 90 acre tract with its standard industrial park mix of smaller buildings serving manufacturing, research and development and related industrial uses. Chrin continues to remain under agreement with LVIP and we believe this type of project is well-suited for this property.

It was our understanding that the Zoning Committee did consider Chrin's informal request, and that it was considered acceptable by most. Apparently, we were either misinformed or the committee had a change of heart, since the tract remains in the RA district in the new draft. Nonetheless, we ask for your consideration while the Draft Zoning Ordinance is under review for adoption.

Thank you in advance for your consideration.

Sincerely,

Gregory Chrin
President

cc: Planning Commission Members
Cynthia Carmen Kramer
Robert Williams
Charles Bruno, Esq.
Board of Supervisors
Kerry Wrobel, LVIP

PROPERTY #1

Parcel No. M8-7A-1

2925 William Penn Highway

Notice of Pending Zoning Change: from Conservation Recreation (CR) to General Commercial (GC)

Chrin believes the Notice of Pending Zoning Change for this property was issued in error. The current zoning map of the Township identifies this property as being part of the GC district that runs along William Penn Highway. The property adjoins the CR district, but we believe that district is limited to the adjacent Easton Area School District property.

Chrin supports the GC designation for this property. Furthermore, such designation is consistent with the Stipulation and Order of Court in the Kunkle Estate litigation in Court of Common Pleas of Northampton County, No. 1987-C-1988, No. 1987-C-2244, and No. 1987-C-2307.

PROPERTY #2

Parcel No. M8-NE2-1-11

400 S. Greenwood Avenue

Notice of Pending Zoning Change: from General Commercial (GC) to Light Industrial (LI)

It appears that the Township may be desirous of making this zoning change because this property, like several others in the Township, straddles two separate zoning districts. The property is approximately 8 acres, with ≤5 acres currently zoned LI and ≥3 acres zoned GC. The GC portion is the eastern side of the property that abuts S. Greenwood Avenue and upon which the 400 S. Greenwood office building sits. The proposed zoning change would designate the entire tract as LI.

The proposed zoning change, while perhaps well-intended, does in fact create negative impacts. As the Township may know, the office building at 400 S. Greenwood was always intended to be the first of a two-phase development. The reason it was designed and constructed with the elevator system located at the western end of the building is because a second mirror image building was intended to be built immediately to the west, which would be served by the that same elevator system.

Under the current GC zoning, the inclusion of professional offices, medical and dental offices, or financial institutions are all permitted by right. However, under the proposed zoning change, only professional office would survive as permitted by right. (And none of the other uses are available as a conditional use either). Our office space in the current building and the nearby 2925 William Penn Highway office building include all of these the categories of use and we would anticipate such uses in the Phase 2 building when built.

We would ask the Township's consideration of eliminating the proposed zoning change, or alternatively adding the uses referenced above to the list of permitted by right uses under the new LI zoning provisions.

PROPERTY #3

Parcel No. K8-11-1

1496 Van Buren Road

Notice of Pending Zoning Change: from Planned Industrial/Commercial (PI/C) to Planned Office/Business (PO/B)

The property is currently in a PI/C zoning district. Of particular interest to Chrin is the availability of the following conditional uses pursuant to §190-125: industrial activity, including manufacturing, and distribution. Under the proposed PO/B designation, neither of the aforementioned uses would be permitted by right, by conditional use, or by special exception.

Our current engineering analysis indicates that the property could accommodate a building of approximately 60,000 SF, even with the proposed riparian buffer overlay. Furthermore, the anticipated point of ingress/egress is perfectly aligned with Newlins Mill Road, such that the Township's planned signalization of the Van Buren/Newlins Mill intersection could be expanded from a 3-way to a 4-way intersection. This would provide excellent traffic control and minimal traffic impact in developing the property.

It should also be noted that this property is not adjacent to and is substantially distant from the medium density residential district located to the south along Van Buren Road. To the extent that the Township's intention in rezoning the district is to provide residents of the Highlands and Glenmoor developments with more of a buffer from industrial or distribution uses, Chrin contends that that objective can still be met without including this particular property in the PO/B district.

Instead, it would ask the Township to consider extending the IOC district that runs along Newlins Mill Road to include this property, which lies immediately to the west of the proposed IOC district. To the extent that the Township desires to keep industrial and distribution uses to properties that straddle or are north of Newlins Mill Road, this would be consistent with that objective.

Chrin respectfully urges the Township to give this request its due consideration.

PROPERTY #4

Parcel No. J8-27A-1

Trolley Line & Main Street

Notice of Pending Zoning Change: from North End Business (NEB) to Main Street Commercial (MSC)

This parcel is part of a single tract comprising 17.5 acres, including 4.55 acres in Palmer Township and 12.95 acres located in the Borough of Tatamy. As a result of the earlier subdivision and lot consolidation approvals obtained as part of the C.F. Martin project, this tract is now referred to as Lot 2 of the Southeast Quadrant development (SE Lot 2).

Of the 12.95 acres located in Tatamy, approximately 6 acres are zoned MSC, comprising the northern portion of SE Lot 2 along Main Street, and the southern portion, comprising approximately 7 acres, is zoned LI.

The current zoning designation for the Palmer portion of SE Lot 2 is NEB, which designation resulted from the original overlay district adopted in 2012 in conjunction with creation of the Tax Increment Financing (TIF) District for the Chrin Route 33 Interchange Project.

The NEB, TI-1 and TI-2 designations in the northern end of the Township have been critically important in clustering industrial development around the new interchange and generating the necessary tax revenue to retire the TIF bond debt. Preserving these designations to facilitate the growth anticipated under the TIF bond indenture is not just sound planning, it is an obligation.

Given the current zoning designations, Chrin is currently at the planning stages for an industrial development project on the southern portion of SE Lot 2. The current NEB designation in Palmer and the LI designation for Tatamy allows for certain industrial uses on approximately 10+ acres of the property, and the balance would be used for retail development along Main Street. For the retail development, a variance would be needed from Palmer since there is approximately 1+ acres of land along Main Street currently zoned NEB, but that is far less of a burden than attempting to overcome an MSC designation on the southern portion of SE Lot 2 as Chrin proceeds with development under the LI designation in the Tatamy portion of the lot.

For the foregoing reasons, we ask that the current zoning designation be maintained.

PROPERTY #5

Parcel No. J8-27A-1

Nazareth Road

Notice of Pending Zoning Change: add Riparian Buffer Overlay District

Chrin is generally supportive of this zoning change. A tree canopy helps to maintain the thermal integrity of the stream's biological processes, and trees and other heavy vegetation also reduce sediment loading and facilitate nutrient uptake to minimize nutrient overloading. In short, preservation of the stream corridor of the Schoeneck Creek is laudable public policy.

One area we offer comments on is Section 190-416(D), the buffer restoration provisions. Specifically, the requirement that "all riparian buffers shall be continually maintained" in subsection (1) appears to apply to all riparian buffers, not just those subject to the restoration obligation. If a landowner respects the stream corridor and chooses to avoid any uses in the floodplain, why would there be a maintenance obligation. Let Mother Nature take over and generate significant vegetative cover of all types within the corridor, rather than having it manipulated by humans (albeit with honorable intentions). Even if the language is clarified to have the obligation apply only where restoration is required because of some development-related activity, why not let natural processes take over once a proper restoration is undertaken. The best practice for humans is to stay out of the corridor and let nature take over.

Consistent with this view, it also seems inappropriate to impose the restrictive covenant provisions contained in Section 190-416(D)(5). Binding provisions recorded against the title obligating perpetual maintenance for the long-term functioning and integrity of the riparian buffer is a burden that does not appear justified. Keeping landowner activity in the stream corridor at bay through the zoning ordinance provisions, and letting nature take control, is a much more prudent approach. Landowners can't guarantee the integrity of a riparian buffer, and imposing that as a perpetual burden would represent a significant cloud on their title. People buy property now that is the subject of a floodplain designation, which subjects their use to limitations. And that happens without a deed restriction or formal notice. Preserving the stream corridor can effectively be done with sound zoning standards without the need to cloud title.

On a final note, the obligation to install and maintain five-foot tree shelters under Section 190-416(D)(3) should be reconsidered. As floodplain managers always say, any obstruction is problematic during high flow events. Tree shelters are no exception. Tree shelter ensnarl debris flow and themselves can wipe out young trees as they cascade downstream during a flood. That's why in many CREP programs across the country, small 4-6 inch translucent tubes are used to protect seedling rather than cages. With ten foot spacing between seedlings, tree shelters will cause significant debris flow problems that will not only wipe out downstream seedlings, but will cause bank erosion and jam downstream culverts and bridges. Not a prudent idea.

The Charles Chrin Companies

September 20, 2022

Mr. Bob Blanchfield, Chairman
Palmer Township Planning Commission
3 Weller Place
Palmer, Pennsylvania 18045

Re: Draft Zoning Ordinance

Dear Mr. Chairman,

This is being offered to supplement comments previously submitted on August 9, 2022, concerning the draft Zoning Ordinance currently before the Planning Commission. Specifically, we would like to provide additional comments on two issues: (1) certain Riparian Buffer Overlay District provisions; and (2), our request for a zoning map change for our Parcel No. J8-27A-1.

With regard to the Riparian Buffer Overlay District, let me repeat our earlier comment that the Township's desire to preserve the integrity of the Schoeneck Creek stream corridor is laudable public policy. Our suggested changes are offered in that light.

Section 190-416(B) indicates that the overlay district consists of the floodway and floodplain as regulated under DEP and FEMA regulations. Under PA Title 25, Chapter 106, the floodway is the stream bed itself and the adjoining 100-year floodplain, but where FEMA mapping is incomplete, the floodway is presumed to extend 50' from the top of the streambank. However, in Section 190-416(C), structures are not permitted within 75' of the streambank, or within the floodplain, whichever is more restrictive. This is inconsistent with the previously cited language. One subsection defines the extent of the overlay district consistent with state and federal regulations, and the other subsection regulates use in an area beyond the district edge. This should be clarified.

Also, please consider that specific distance setbacks in this instance can be problematic, especially in light of the suggested perpetual maintenance obligations imposed with restrictive covenants that get recorded against the property pursuant to Section 190-416(D). Certainly, setbacks are used all the time, and with good result, but that's because they are applied to something fixed, and against which a measurement

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can be taken. It's a boundary line, or a building edge; i.e., something that doesn't move. Setbacks from streambanks are much more problematic because of a natural scientific fact: streams meander. Fifty years from now a landowner may be in trouble because what had been 75' is now 69' because of Mother Nature. Yet, because of the restrictive covenant, the landowner is now guilty of non-compliance.

Furthermore, title searches for new owners will likely result in title companies now demanding some form of certification or proof that all the required tree species continue to be maintained as prescribed in the restrictive covenant recorded three owners back. The unintended consequence of this provision may be a cloud on the title. It would seem that a Buyer Beware notice that a portion of the property lies within the overlay district and special rules apply would otherwise be adequate, but even that may be unnecessary because of the floodplain delineation maps.

In short, we agree with the language in Subsection (B) and suggest modifying the language in Subsection (C) accordingly.

As noted in our earlier comments, we believe the best course for landowners is to just leave the riparian buffer alone, and let nature take over. Rather than the heavy-handed approach, perhaps consider the use of incentives that often accompany environmental initiatives. If a landowner would dedicate a conservation easement over the entire riparian buffer acreage, allow them to earn open space credits for the amount of acreage involved. They could use the acreage to meet their own open space obligation, and trade the balance to others having difficulty in meeting their 5% obligation elsewhere. It would seem far better to concentrate open space under conservation easements along these important stream corridors rather than having snippets of open space randomly dispersed. All open space is good, but it is especially valuable along those corridors.

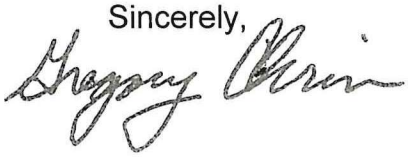
The second issue we would like to comment on is our previous request to rezone our 40-acre property in the northwest corner of the Township from RA to NEB. As noted earlier, the 40 acres in Palmer represents the eastern portion of a single tract that's actually 90 acres in size. Given its immediate proximity to the interchange and the concentrated industrial development, we believe the highest and best use for the 90 acres is to develop another Lehigh Valley Industrial Park. The parks developed by the LVIP organization focus on small manufacturing, R&D, and similar industrial uses, rather than large-scale warehousing and distribution. Subject to a zoning change, we are currently under contract with LVIP for that purpose. Kerry Wrobel, the President of LVIP, is prepared to answer any questions the Planning Commission may have about their intentions.

If we are not successful with the needed zoning changes, the property will be developed for residential use. Please understand, whether its developed for residential

or industrial use, 20 of the 40 acres in Palmer will be left as open space under the anticipated riparian buffer provisions. This is important acreage in the headwater area, and it will be set aside regardless of use. We just believe an LVIP development fits better with the character of this area of the Township.

Thank you in advance for your consideration.

Sincerely,



Gregory Chrin
President

cc: Planning Commission Members
Cynthia Carmen Kramer
Robert Williams
Charles Bruno, Esq.
Board of Supervisors
Kerry Wrobel, LVIP

PALMER TOWNSHIP BOARD OF SUPERVISORS
December 5, 2022
7:00 PM
GENERAL BUSINESS MEETING

The Palmer Township Board of Supervisors held a general business meeting on Monday, December 5, 2022, at 7:00 p.m. in the Municipal Building meeting room. The following were in attendance: Chairman Jeffrey Young, Vice-Chairman Michael Brett, Supervisors K. Michael Mitchell, Ann-Marie Panella and Joseph Armato. Also in attendance were the Township Manager, Police Chief, Public Services Director, Finance Director, Fire Commissioner, Zoning Administrator, Township Solicitor, and the Assistant Township Manager.

1. PLEDGE TO THE FLAG

2. CONSENT CALENDAR

A. Disbursement of Funds - December 5, 2022

INFORMATION

The Board needs to approve/disapprove the disbursement of funds for December 5, 2022.

DISCUSSION

Young said the disbursement total is $94,409.71.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

B. Approval of Minutes - November 29, 2022

INFORMATION

The Board needs to approve/disapprove the minutes of November 29, 2022.

DISCUSSION

Mitchell said that he was absent at last week's meeting, but he did read the minutes.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

3. OLD BUSINESS

A. FR Newlins Logistics Park Conditional Use Letter Amendment Request

INFORMATION

As requested by the Board at the November 29th meeting, Attorney Gregory Davis has provided a letter requesting changes to their Conditional Use Decision Letter.

Board action is requested.

DISCUSSION

Young said, they are asking for the truck trip numbers to be confirmed. Bruno said he doesn't have an issue with what they are proposing to clarify the truck trips versus daily vehicle trips.

Young said, the second clarification is asking to correct the square footage up to 210,600 instead of 200,000 that were in the minutes. Bruno said, we will make the requested changes if the request is authorized by the Board of Supervisors. The Board authorized both changes as requested.

B. MRP Industrial Preliminary/Final Land Development Plan Review

INFORMATION

The Board of Supervisors reviewed the Preliminary and Final Land Development Plan at their November 29, 2022 meeting when only four Board members were in attendance. At that time, the Board tabled the item to tonight to be considered by the full Board.

The Planning Commission reviewed and recommended approval for Preliminary and Final Land Development at their November 8, 2022, meeting.

Applicant: Matt Clymer
Property Owner: CLPF MRPI Nazareth LLC
Property: Corner of Van Buren Road and Main Street
Acreage: 50.6 acres
Parcel ID: J8-26 -1 -0324E
Proposed: Warehouse/Distribution Buildings
Existing Zoning: TI-2 District

To assist the review of the proposed project submission material and application, the township engineer recommends:

"Engineering approval recommended subject to the….[review] comments being addressed." (Memorandum November 2, 2022)

To assist the review of the proposed project submission material, and application, the Palmer Township Board of Supervisors recently: negotiated dedication of open space on a proposed project opposite this site and on the east corner of Van Buren Road and Main Street, to capture a sense of corporate stewardship of the gateway of the township.

DISCUSSION

Young said, they were here last week and the vote was 2 to 2, and it failed. Bruno said, Mr. Mitchell was not here at the last meeting, and he confirmed Mitchell had an opportunity to review the minutes. Mitchell said, yes.

Matt Clymer, Principal MRP, introduced Andrew Bennett, Pennoni Engineering,

Attorney Kate Durso from Fitzpatrick, Lentz and Bubba, and Ben Guthrie from Traffic Engineer and Design. Young said, I don't believe that you need a full review tonight. Clymer said, we are seeking approval for our preliminary/final land development plan. The Planning Commission recommended approval of our plan at their November 18th meeting and we were before you last week. Clymer reviewed the property, the location and the zoning district and stated the use is by right in the ordinance. He reviewed the sizes of the two buildings and stated they currently don't have tenants for the buildings. Clymer went on to review truck access to the site and the automotive traffic and he reviewed the lanes around the buildings that will allow for stacking. He also reviewed the amount of automobile and truck parking spaces on the plan along with the loading docks.

Clymer said, in last week's conversation we spoke about our storm water design for the site. Based on the feedback we received from the Conservation District, we have a managed release plan that collects, filters, and allows slow release in our lined basins. Clymer then reviewed drawings of the plan along the roadways showing the rain garden and basin. He reviewed the walking trail along the north side of the project stating it was made under the recommendations received by the Planning Commission. We agreed to make the path 10-feet wide to allow for pedestrians and bikes. Clymer showed the western property boundary along Main Street with landscaping and a Welcome to Palmer sign. Since it is an entryway into the township we thought the welcome sign would be appropriate.

Clymer added, other items discussed last week were contributions we would make in lieu of open space in the amount of $172,000, and we will coordination with the Shade Tree Commission on our landscaping plan. We've already forwarded our landscaping plan to Ms. Jamie Collins for her input on the type of trees we should use. Armato said, he would like to be kept advised on that status. Clymer added we also agreed to provide a voluntary traffic contribution of $134,000. Clymer said, last week we discussed the width of the sidewalk and walking trail. The existing sidewalk to our south is not 10-feet wide. There was conversation about uniformity to what is already there. If you want us to keep uniformity, we could provide bump outs to allow passing. Young said, he would like to see it stay at 10-feet and then tailor it to conform to the other sidewalk. Young said, the agreed upon recreation fee is $177,000. Clymer said, my apologies, that is correct.

Mitchell confirmed that you don't know who will be in the buildings. Clymer said, right now we have a light manufacturing facility considering us. Brett said, I believe one unfortunate thing is you are submitting for both preliminary and final. I believe there are some good aspects to the plan that could be tweaked. We are saturated with warehouses. The runoff of the Schoeneck Creek goes down to residential properties. Is there a way to flip the building around to eliminate some of that runoff and have trees absorb some of the runoff? I don’t know if it is acceptable to amend this to be a preliminary plan and then submit final at a later date since it was before the Planning Commission as both.

Solicitor Bruno said, preliminary/final is something that requires a waiver. The applicant is looking for preliminary/final and that is their request. The applicant could change it, if they wanted, but it has been submitted as a preliminary/final plan. Gawlik confirmed they are asking for a waiver to allow for the concurrent submittal of

preliminary and final plans. Bruno said, you have to grant a waiver in accordance with the ordinance for it to be approved as a preliminary/final plan. Brett asked if that would be its own motion? Bruno said, it's included when you approve the waivers. Durso said, if we only get preliminary approval we could submit the same plan as final. Young said, I think Mr. Brett is trying to get some change here. Brett said, there are some positive aspects of the proposal like the truck lounge, but there's still a few things that could be done to reduce the amount of runoff and control it on-site a bit more. Rather than just saying no, I'm giving you an option to modify it. Clymer said, our objective is to receive preliminary/final approval. We received feedback from the Planning Commission and this Board on the preliminary/ final plan and the details are in the plan. Panella asked to use the English language. The word preliminary and final in the same sentence doesn't make sense to me. Panella said, knowing the history of that land, have you had an environmental geologist test it? Clymer said, yes. We went out and did soil testing and verified that there is no problem with having a structure on the site and the report was submitted to the township. Panella said, I'm looking at people walking on the grass. Durso said, we also had the biosolid issue reviewed and it was submitted to the township. It was reviewed by the township consultants and found to be appropriate. Young said, when I reviewed the Geotechnical Engineer's letter it talked about the managed release. I didn't realize the managed release is more than what DEP requires. I was told by our professionals that this is a better way to do it, than what DEP requires. Durso said, that is correct.

Young said, based on what Mr. Brett suggested, would you consider breaking the plan submission into two plans? Clymer said, knowing what we've already done, we would prefer to have it ruled on as a preliminary/final plan. Panella suggested they rethink that. Durso said, we don't want false pretense. Some requests are things we wouldn't do as final. We won't be able to move the building around and change the loading areas. You more than likely would see the exact same plan with no change to the layouts. Young said, Mike suggested more buffer. Armato said, a more extensive landscape plan. Clymer said, he doesn't know what he could do in the floodplain. Durso said, we were told we could not disturb that area. Young said, the only way to do it, you would have to squeeze the building. Durso said, yes and we can't do that. Clymer said, if the goal is to add additional landscaping, we would be happy to provide additional buffer. There are areas that we can't because of the floodplain being there. Clymer said, the areas that we can, we are happy to do that. Armato said, what assurance do I have that you would go along with our recommendations. Clymer said, we will add additional plantings to those two areas. Brett said, you consider those minor tweaks. Those are what we expect to see in your final submission. Clymer said, we will do those tweaks along with any comments we need to clean up from the Township Engineer letter to include the Shade Tree recommendations.

Panella said, you are asking us to put a lot of faith in you, and I don't know you from a hole in the wall. My skepticism is based on people that said they would do it, yea right. This is business that is taking care of peoples lives and I'm not thrilled about that. It's not just about the money, its about people working there eight hours a day and I want to make sure you will protect your employees the way I would protect my employees. I have 40-years in Human Resources. I want assurance you aren't just giving us lip service. Durso said, last week we talked about the condition regarding the Shade Tree Commission and them being able to review the plan. We already submitted to the Chair of the Shade Tree Commission. I understand she didn't have

time for feedback yet, but we gave you our word and we did what you asked. It was a condition of the plan approval. Bruno said, you are agreeing to be bound by the representations made here tonight.

Bruno said. we will put together conditions the applicant would agree to in a motion. Armato said, he would like the trees nothing less than 5" to 6" diameter – twelve foot trees. It's the entrance to the township. Durso confirmed the two areas for the 12-foot trees.

Young made a motion to approve the MRP Industrial Preliminary/Final Development Plan with the following conditions: the applicant pay recreation fees in accordance with the township ordinance - 50.6 acres x $3,500 per acre for a total of $177,100, in lieu of open space dedication; the applicant comply with all PennDOT comments; the applicant comply with comments of the Township Engineer letter dated November 2, 2022, and any comments pending final plan set; they comply with township department comments for the final plan set; they comply with township geotechnical letter dated September 12, 2022; they address all Lehigh Valley Planning Commission comments in their February 25, 2022, letter, and any letter sent to address final plan set; the Board approves all waiver requests; the applicant agrees to work with the Shade Tree Commission and will provide trees 12-feet high as street trees and vegetation along the northwest and the southwest approaching the riparian buffer; applicant agrees to make a voluntary traffic contribution of of $1,000 per peak PM trip for a total of $134,000; applicant will install 10-foot wide sidewalk along Van Buren Road and 10-foot wide asphalt path along Main Street; the applicant enter into a Land Development Agreement and post security to the satisfaction of the Township Solicitor. Mitchell seconded the motion.

Armato asked about the welcome sign? Young amended his motion to include that the applicant will install a Welcome to Palmer Township sign at the entrance to the township on their property. Mitchell seconded the amendment.

Durso confirmed that they are doing a regular 10-foot sidewalk along Van Buren and asphalt along Main Street? Young said, yes.

Harry Graack, 1380 Van Buren Road, said the conversation didn't involve sinkholes. Bruno said, the motion was clear they need to satisfy all comments of the Township Geotechnical Engineer. Bruno asked if Mr. Graack had any questions on the motion? Graack said, last meeting I asked it be investigated further and the meeting had to end and be continued to tonight. Chairman Young said, there was information provided to us by our Geotechnical Engineer and it explained further what we didn't have in front of us last week. I am more satisfied now than I was last week with the geotechnical related comments. Graack said, it has nothing to do with water infiltration. It is more to do with sinkhole surveys. Graack said, this is how things get moved along and we don't get answers. Young said, we have been open and talked with you all year long. That is an unfair comment.

Motion: Approve, Moved by , Seconded by . Passed. 4-1.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors voting Nays: Brett

C. Zoning Ordinance Public Hearing

INFORMATION

As previously approved by the Board of Supervisors, the Zoning Ordinance was advertised for public hearings on December 5, 2022 and December 12, 2022.

The entire zoning ordinance is available for board review at the following link:

https://drive.google.com/drive/folders/1aXAnw8n7usnzlysYmgTMymZ5W_rf5b2i?usp=sharing

DISCUSSION

Young said, this process was long and slow and we didn't want it to be that way. We did pretty well with our Comprehensive Plan, but unfortunately when we started this process COVID came along and sidetracked us. It was very hard to stay on task. All of us wish this could have gotten to this Board sooner, but it is what it is. When Mike and Joseph were elected last November I had asked the committee to start-up in January so we could include Mike Brett and could get him involved. You can only have two board members at the committee level. I really appreciate the work of the committee. It was a lot of time and effort. We may not agree on everything, but we are smart enough to know that as soon as we implement this, we will see things that may need to be changed and addressed. I want to get this ordinance closed and if we need to make changes on its heels, that's fine. The SALDO will be our next task. I want to thank the committee, the Planning Commission and Cyndie Carman Kramer, Kent's predecessor. She had a night in this room and had boards up all around the room so people could wander around and ask questions and share their thoughts and comments. It was a tremendous night. Even though she isn't here any more, I thank Cyndie and Carolyn for that night. The Planning Commission has now recommended it to us and I will turn it over to Carolyn and Kent. Young said, we will be asking everyone to stick to our five minute limit for public comment. Hopefully, we've already addressed many and most comments.

Planning Director, Kent Baird, said this was a great undertaking during COVID. I've canvased other Planners on how they felt at the end of this process and they all say we shouldn't worry about closing this up and getting started on amendments. This is a living document for our housing, businesses, parks, etc. and you push forward as a community. You also have Charlie Schmehl here tonight from URDC and he is remarked as a top zoning official in the state. Just like the Chairman said, we will have amendments. Baird said, we did receive a few emails and mail from some people that couldn't attend tonight and Carolyn and I will go through them. One was from Charlie Schmehl on behalf of his client and he will cover that tonight. Congratulations on a long process.

Township Consultant, Carolyn Yagle, from Environmental Planning and Design, said this evening is the start of the public hearings. We do have series of information we will enter into the record. Exhibit 1 is the set of the July 19, 2022 public hearing, Exhibit 2 is the Lehigh Valley Planning (LVPC) review and within that timeframe the township prepared mailings for that submission and it includes a PDF file. Exhibit 3 is

related to when we moved out of the July events and came to the Planning Commission with consideration for questions and topics that were submitted as part of the public review period. We included all of the comments that were submitted through the online portal, emails or written comments delivered to the township building. Exhibit 4 is a series as we moved through August and September with Planning Commission comments. There was a Planning Commission meeting in early October and their final recommendations along with their recommendation of the four alternative zoning maps. Option 1 was selected and is include as part of this exhibit. Exhibit 5 is the advertisement for this hearing process.

Yagle then reviewed exhibits in greater detail. Exhibit 1 – 343 pages that represents all information that was part of the June, July, August public series of review and is inclusive of the zoning ordinance text, tables, quick views and maps. Exhibit 2 is the LVPC letter received July 29, 2022, and then the comments were incorporated from this letter. The changes were generally editorial and there were identification of things that were coming from the Comprehensive Plan. The LVPC was identifying the tools the township were incorporating and they highly supported them. Exhibit 3 is inclusive of all comments. This is the discussion exhibit handed out as part of the Planning Commission efforts and all other comments made as part of the portal, emails or letters or discussions with Cyndie. Exhibit 4 is substantive in its size because it includes the evolution of comments from the August Planning Commission meeting into mid October and is inclusive of texts and maps, when the Option 1 map was selected. Through this process you identified a couple different versions. This map is the fourteenth version of the map and is part of this public meeting. Lastly, the public notice associated with this evening and next week's public hearings seeing us through the end of this process. Yagle said, that is the nature of the comments and if there are any questions, I can address them. If anyone has a repeat comment I can address where they were incorporated.

Baird said, congratulations on a lot of work that went into this. I do have some additions from residents and interested parties. We can collect additional comments and we can review them with Carolyn to see if what I received today is or isn't new?

Brett said, he was concerned about automotive repair shops and gas stations being incorporated in the MDR districts. Young said he thought we fixed that when we talked about an NC1 and an NC2 to be able to break out the neighborhoods. Yagle said, we also have the overlay. Brett said, it is difficult on Greenway Street. Yagle said, she will review while we continue. Young asked if we can stop having two trailers parked in the middle of a back yard and then call them a shed. My issues are not good for tonight's meeting.

Tim Fisher, 18 Moor Drive, said, congratulations. It's been a long time coming. The Highlands of Glenmoor, where I live, fully supports this new zoning ordinance, especially the vacant land around Corriere Road as PO/B. It will not have any manufacturing, warehouses, truck terminals or limited distribution. We are in full support of that.

Bob Blanchfield, Chairman of the Township Planning Commission, said the Zoning Committee has been working on this since June 13, 2018, and the committee had countless meetings and zoom calls and the township staff had a great deal more to

do. We examined every section of our existing ordinance to make sure it was the best for Palmer Township. It is time to move it forward. There are provisions in the ordinance that allow for changes at a later time and I encourage you to move it along.

Chuck Diefenderfer, 2918 Hay Terrace, said he looked through it and checked things from the prior ordinance to the current ordinance. He reviewed the requirement related to the amount of bedrooms in apartment complexes and said he is concerned about parking spaces. The old ordinance had 2 and the new has 1.5. Diefenderfer then referenced Section 190-947 regarding the height on apartments. They are inconsistent with anything else in the township. In PO/B it is only 5 stories and it allows up to 6 stories or 72 feet. The apartments being build on the ITT parcel are 3-1/2 stories. The church next door, the recreation facility was approved at 47 feet. That is fairly high. To go up another 25-feet or 37-feet over the exiting apartments are a lot. I wonder if we want to restrict mid-rise to something lower. The Palmer View apartments are higher apartments and I don't know if you want to go higher than that. Young asked how we address these? Yagle said, she is making notes.

Harry Graack, 1380 Van Buren Road said I too want this document approved, considering anybody's late request. I'm sorry I wasn't in this process back in 2018, 2019, and 2020. Since then, I've been part of some discussions and listening. The Schoeneck Creek is an area that has some real concerns to me. Since I'm trying to conserve some land I'd like some consideration, not necessarily in this approval process, but in the near future. Something like an overlay district created for the Schoeneck Creek. There is ongoing development under the current ordinance that is pushing the envelope on conservation along the Schoeneck Creek. There is not much open space of natural variety left in Palmer Township, which in my opinion should be more observed. There is a situation across from my property that is labeled high density residential; around the Meilinger/Hartin property. I wonder why it is high density and their land isn't. There is a totally forested area that should be considered for preservation, and I know the landowner has rights. For the community and the environmental the consequences are drastic. I'm asking the Board in the approval process, and in the future, to look at the Schoeneck Creek and into the Bushkill as more of a conservation area than a development area and maybe consider an overlay. There are lands there that can still be preserved. I didn't like the MRP answer on the riparian buffers about planting things there and things leaking into the creek. If you can nip them in the bud and put more in your ordinance to prevent these things, it would prevent wasting this Boards time. I'm looking for a tougher ordinance regarding riparian buffers and open space. I don't want more warehouses. Anything high or medium density is a potential open space conflict. We have steering committees in the planning stages to vet these applicants on open space and environmental concerns. You guys are labored with a lot of details and I think some of those details could be hashed out ahead of time.

Young said, the parcel on Van Buren is high density because of a previous Chance Realty lawsuit that was filed when they were proposing 500 units. That is why that area is high. There was a senior center proposed for that site that was four or five stories tall. Graack said, I think it is something you could address.

Bill Hartin, 1375 Van Buren Road said, our property is split by the Schoeneck Creek and on the map our property is currently noted high density. I would suggest, and I will

write a letter to Mr. Baird, requesting that it be changed and I'm leaning toward conservation and recreation, rather than high density. Harry's property across the road is conservation and recreation. All other areas around it are medium density or commercial. To Mr. Young's comments, anything that can be done to reduce that level of density would be much appreciated by myself and my wife, Mrs. Hartin. We are going to preserve that open space and we are applying for historical status. The barn and house dates back to 1750, before the Declaration of Independence. Anything that can be done in your final review would be much appreciated.

Charlie Schmehl, URDC, said he had two handouts that he delivered to the Township on Friday. I am here on behalf of Exchange 12. Their land is on the west side of Van Buren south of Newlins Mill Road. I was asked to provide a few comments on their behalf. The landowner prefers to maintain the current PO/IP. If the change would allow 4 or 5 stories, consider allowing 14-homes per acre, similar to the density adjacent on the east of Van Buren. Also, we suggest, if you are allowing 4 or 5 story apartments, why not allow 2 or 3 story apartments. We are also requesting a few additional uses as outlined under #2 in our letter and he read the text. If you are allowing a non religious use with the same impact as a church we believe you are required under Federal and State law to allow it in the same zoning district. If you allow commercial theaters you must allow a place of worship. We are asking that be added. Schmehl said the property owner would like to put one billboard on his property. It is only allowed as a principle use. Typically they are accessory uses in addition to buildings. The ordinance also allows billboards up to 400-square feet. The industry standard is 672. We are asking for clarification on the height of the billboard, since Route 33 does not have a curb. We also think some light industrial uses should be added and are noted in their letter under item #4. These are things that don't generate the amount of tractor trailer traffic like distribution centers. Lastly, if you are going to allow 5 story apartment buildings we ask you allow flexibility about pitched roofs. There should be some way that you aren't forcing people in flat roofed buildings. Young said, we didn't change billboards in this zoning change. We recently changed that in the past few years.

John Nicolich, representing Joseph 1, LP, said, we are not a last minute commentator on this endeavor. Nicolich said, on page 2 of my letter I show the parcel that shows the split zoning and the 4.36 acres. Under this scenario we would have a non-conforming use on part of our existing tract. Nicolich said, we can't be going HDR. We need to stay as it is currently zoned, so we remain compliant. Young asked what is there now? Nicolich said, it is vacant. Young asked about access? Nicolich said, they have a perpetual easement from Palmer View Apartments by the dog kennel and maintenance building.

Tom Beauduy, Chrin Companies, said the public notice did not include a deadline for comments. I'm presuming it is December 12. Secondly, we will come by the township office. The link on the website sends you into an area that has a lot of good information, but we can't find the file with the proposed ordinance and map. You can go into folders and find a lot of things, but nothing is labeled proposed ordinance in the link. You may want to consider clarifying that before **the** December 12 meeting. We submitted comments during the Planning Commission process and my question is, if that is being considered also by the Supervisors or if we need to resubmit. Yagle said, all information Cyndie received has been compiled. Beauduy said, we will

submit by Dec 12.

There were no further public comments.

Baird said, we have one additional email Carolyn and Cyndie received from Rick Principato related to a light industrial area and regarding hazardous and non hazardous materials. Mr. Principato presented it to me today. Yagle said, it was incorporated into the Planning Commission draft. We can take our exhibit of public comments and add a column to identify and incorporate that additional information into the record. Young said, one person was looking to keep HI and we will at least have to bring it up. Baird said, anything else that gets submitted he will get to Carolyn by next week.

Yagle then reviewed the area of Steve's Pizzeria that was previously brought up to remove auto repair shops. She stated there is an area south of Freemansburg Avenue as well. Brett said, there is a small pocket off of Mine Lane Road, on Greenway Street. I don't think a gas station should be permitted here. Yagle said, the intent of the NC district was focused on the Freemansburg Avenue corridor. If we identify that as part of the overlay within NC, it is not conclusive of the NC base, but is the Freemansburg NC overlay. We aren't changing the intent of anything drafted. Young asked to review the northern NC district. Yagle said, this is up by the Penn's Grant area.

Yagle said, another comment was related to updating the parking ratio for apartments for 1.5 or 1. The old ordinance had 2. Young asked why it was switched from 2 to 1? Yagle said, we were trying to consider the effects of storm water and it did get a reduction. If you feel the reduction is too far we can revise to 1.5. Young said, even if we go to 1.5 we may be causing problems because Grandview was 2 spaces and they don't have enough parking. Diefenderfer said, it is consistent with other municipalities. Bethlehem Township uses 1.5, some use 2, and some 1. I think 1 is too low. Baird said, this has come up as a hot issue for other municipalities and how it is forcing parking onto other residential complexes. Nationally they found it imposed more impervious surface. They reduced the overall parking requirement. I've experienced, 1 is too small and 2 is too many. Young said, I agree with it in commercial. I have a friend in Grandview and there isn't excessive parking, so they have to be at 2. Armato said, at Cedar Park in Williams Township where there are townhouses and apartments, it has turned into a debacle. The driveways are full and you can't navigate with onsite parking. Baird said, other municipalities have put it in zoning and then went back and studied it as a whole. Young said, I believe it should be different for commercial versus residential. Young said, he wouldn't go less than 1.75, but would want to stay at 2. Board members agreed that 1 is too restrictive. Bruno asked, is it 1.75 per bedroom? Baird said, yes. The Board agreed to keep it at 2.

Yagle said, the next comment was about mid-rise apartments at 72-feet tall. Section 109-56 height maximum associated with mid-rise is 72-feet or 6 stories, whichever is more restrictive. The height of other districts is 55-feet and 5 stories. Low-rise presently is at 48-feet. Diefenderfer said, there may be other requirements related to Garden Apartments. Yagle said, at our next discussion we may need a comparison table for you to see it all.

Yagle said, the next comment was the potential for an overlay presented along the Schoeneck Creek. In the first evolution of the Comprehensive Plan we included the riparian buffer as an overlay. As we moved through Planning Commission discussions and comments, we also made updates to the existing radiance serving as a potential bridge as it relates to shade trees, species and that nature. I believe it is providing that step for greater discussion. Baird said, other municipalities have identified the watershed as an overlay district. When we talk about riparian buffers, they get identified. I thought I heard that the Schoeneck Creek is unique and someone is asking for an overlay to identify the Creek. Young asked, in the past, was it extended to unnamed tributaries? Baird said, yes, and you can get them named. Yagle reviewed the Schoeneck Creek near Tatamy Road. Young said, Bill Hartin is asking his property be zoned CR. Hartin said, the whole end of the property is floodplain anyway. Yagle said, my understating from the correspondence from Joseph I, they are a similar area. There was a portion redrawn to include HDR. Yagle said, the request is to go back to this rectangular shape and retain the existing zoning in that area.

Yagle said, correspondence was submitted for consideration of 5 comments that spoke to the billboard piece. The last one was height related. I will put it on the table for height comparisons. The question related to density was discussed. Young asked if we received that plan. Baird said, a trucking terminal plan was just received and we also received a separate one for the billboard. I'm working toward completion of that one.

Young asked Mr. Beauduy about the northern piece of property. Beauduy said, we submitted comments previously and we will resubmit related to the parcel next to the Amazon property. It is a 90-acre tract with 40-acres in Palmer Township. Our plan shows 350 residential mixed uses. Homes, towns and apartments. If our request for NEB isn't honored, that is what we will plan. The Lehigh Valley Industrial Park (LVIP) is interested in building on that tract. We would dedicate 20 of the 40-acres for riparian buffer. The other option would be residential development or alternatively, LVIP Park #8 with manufacturing and research facilities. It is a legislation decision you have to make. We will reiterate in our comments this week.

Kerry Wrobel, President and CEO of Lehigh Valley Industrial Park, said our discussions have been non-warehouse, but industrial, which is what we've been creating for 63-years. We've been in planning meetings of local COG's and it's always requested so we are creating jobs to keep our youth here. We have 24,000 employees in our industrial parks. We have LVIP #6 in Bethlehem Township which speaks to what we could bring to Palmer and Upper Nazareth townships. I believe we have Upper Nazareth's support for this concept and we appreciate your time this evening. We would like to continue in Upper Nazareth and Palmer. It includes 11 lots for 40,000 to 60,000 square feet. We produce 13 jobs per acre.

Yagle confirmed for the next hearing she will bring summary tables that address these series of points and any other comments received. Mr. Principato's comment, we have already identification where that is in the ordinance draft. It is covered. Young said, Bob Lammi and I talked about this HI. Some are not appropriate for that area of the township. Lammi said ,when Rick came before the Planning Commission it was left with Rick and Cyndie to figure out and what could be done to match his business. Yagle said, there were a series of classifications that provided a base line of what

would fall above and below. The definiton of the uses is how we were addressing that. Lammi said, Rick agreed to that as well. Young said, we do need to see a document labeled proposed ordinance. Baird said, it is dated October 22, 2022. Yagle will provide a link for just the proposed ordinance and the maps for the next hearing.

Bruno said, he didn't have any comments. Armato asked if we changed the riparian buffer size. Yagle said, yes. The dimensions are 75-feet of each side of the center line for the Schoeneck Creek, Bushkill Creek and Lehigh River.

Williams asked if we could nail down a timeline. Is it okay to schedule a date for a vote or the final process? Do we need another advertisement noting a deadline for accepting public comment? Do we want to schedule a date for a vote? Baird said, we offered the public hearings on December 5 and December 12. Bruno suggested we pick a date to advertise for two successive weeks and you may want to advertise 30-days in advance. You could schedule approval for January 24. The Board agreed to advertise the deadline for public comments as January 9, 2023.

Supervisor Panella made a motion to continue the hearing on December 12, 2022.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Joseph Armato. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

4. PUBLIC COMMENT

There were no public comments.

5. REPORTS

Solicitor

Bruno said, he had asked last week to defer his report to this week's meeting and he has several items to go through.

Rau Lane Residential Subdivision, K&M Developers, Inc., current deadline: 10/31/22, requesting a motion to authorize the Chairman to execute the requested Subdivision Improvements Agreement Extension through May 25, 2023.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Michael Brett. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Werner Enterprises Lehigh Valley Training and Maintenance Facility, Werner Enterprises, Inc., current deadline: 11/30/22. Requesting motion to authorize the Chairman to execute the requested Land Development Improvements Agreement Extension through January 31, 2023.

Motion: Approve, Moved by Supervisor Michael Brett, Seconded by Supervisor

Joseph Armato. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Northwood Farms Phase III, CMC Development Corp., current deadline: 12/31/22. Requesting a motion to authorize the Chairman to execute the requested Subdivision Improvements Agreement Extension through February 28, 2023.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Northwood Farms Phase IV, CMC Development Corp., current deadline: 11/30/22. Requesting a motion to authorize the Chairman to execute the requested Subdivision Improvements Agreement Extension through February 28, 2023.

Motion: Approve, Moved by Supervisor Michael Brett, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Northwood Farms Phase II, CMC Development Corp., requesting a motion to authorize the Chairman to execute the following documents:

- Phase 2 Maintenance Agreement - _Letter of Credit expiration date of 7/31/24
- Resolution accepting Lisa Lane Right-of-Way
- Resolution accepting Phyllis Place Right-of-Way
- Resolution accepting Jean Court Right-of-Way
- Resolution accepting Fehnel Drive Right-of-Way
- Resolution accepting Lillian Lane Right-of-Way

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Michael Brett. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Villages at Wolf's Run, Wolf's Run Land, LLC / Wolf's Run 9, LLC. Requesting a motion for the Board to authorize the Chairman to execute the following documents. Bruno said the easements from the Developer were all approved by the Township Engineer.

- Subdivision Improvements Agreement for Phases 1 & 2, Letter of Credit (improvements) expiration date of 10/31/24 and Letter of Credit (Van Buren Road) expiration date of 10/31/24
- Drainage Easement B
- Drainage Easement C
- Drainage Easement E
- Drainage Easement J
- Drainage Easement K
- Drainage Easement L
- Snow Disposal and Storage Easement 1

- Snow Disposal and Storage Easement 2
- Snow Disposal and Storage Easement 3
- Snow Disposal and Storage Easement 4
- Snow Disposal and Storage Easement 5
- Snow Disposal and Storage Easement 6
- Snow Disposal and Storage Easement 7
- Sanitary Sewer Access Easement 1
- Sanitary Sewer Access Easement 2
- Sanitary Sewer Access Easement 3
- Riparian Buffer Easement G
- Riparian Buffer Easement F
- Floodplain Easement X-1
- Floodplain Easement X-2

Robin Aydelotte, 113 Joseph Drive, asked how this affects the bridge related to this project.? Bruno said they are posting security through 10/31/2024 and he explained the process taking place with this approval.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Supervisors

Young said he had one legal item for executive session.

6. ADJOURNMENT

The meeting was adjourned at 9:50 p.m. with one legal matter for executive session.

Motion: Adjourn, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Kendall Mitchell. Passed. 5-0.

Supervisors voting Ayes: Armato, Brett, Mitchell, Panella, Young

Respectfully submitted,

Brenda DeGerolamo
Assistant Township Manager

PALMER TOWNSHIP BOARD OF SUPERVISORS
December 12, 2022
7:00 PM
GENERAL BUSINESS MEETING

The Palmer Township Board of Supervisors held a general business meeting on Monday, December 12, 2022, at 7:00 p.m. in the Municipal Building meeting room. The following were in attendance: Chairman Jeffrey Young, Supervisors K. Michael Mitchell, Ann-Marie Panella and Joseph Armato. Vice-Chairman Michael Brett was absent. Also in attendance were the Township Manager, Police Chief, Public Services Director, Finance Director, Fire Commissioner, Zoning Administrator, Township Solicitor, and the Assistant Township Manager.

Young said, I'd like to go off the agenda for a minute. About 24-years ago Supervisor Craig Weintraub and I were on this Board and we were looking to change Solicitors. We knew Chuck from playing baseball with him and we decided he would be a good fit for Palmer Township. Within 6-months of that decision, Craig left the Board and then 6-months later I announced I wasn't running again. Chuck, you have helped us a lot over the years and you have done a lot of great things. I hope you will now have more time with your family. Chairman Young presented a desk clock to Chuck Bruno in appreciation of his 24-years of service as Solicitor to Palmer Township.

Township Manager, Robert Williams said, on behalf of the Township Staff and myself personally, thank you Chuck for your dedication as a public servant . It's been an honor and privilege to sit up here with you. Chuck was always here for the staff and he is one of the best litigators in Northampton County. We will miss you.

1. PLEDGE TO THE FLAG

2. CONSENT CALENDAR

A. Disbursement of Funds - December 12, 2022

INFORMATION

The Board needs to approve/disapprove the disbursement of funds for December 12, 2022.

DISCUSSION

Young said, the distributions total $255,687.79 and the credit card distributions total $22,728.59.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

3. OLD BUSINESS

A. Flaming Crab Cajun Seafood Restaurant Liquor License Request - Public Hearing

INFORMATION

Tian Guizhang of the Flaming Crab Cajun Seafood Restaurant, 2411 Nazareth Road, is requesting a public hearing for the creation of an Economic Development Liquor License under provisions of Act 141 of 2000 and Act 10 of 2002.

Pursuant to the statute, "the municipality shall, within 45-days of a request for approval, render a decision by ordinance or resolution to approve or disapprove the applicant's request for an economic development license." The 45-day deadline is December 15th.

The Board at their November 14th meeting approved advertising of tonight's hearing. The advertisement ran in the Express Times on Monday, November 28th.

DISCUSSION

Young said, this was advertised for a hearing tonight for an Economic Development Liquor License request. We have 45-days to approve or disapprove this request. Young said, we've had liquor license transfers or new licenses before us, but never an Economic Development Liquor License. What is it?

Jim Schantz, Legislative Assistant at Lisa Boscola's office said the owners of the restaurant came to us to ask for assistance in finding a liquor license. Schantz distributed a packet to the Board that includes what an Economic Development Liquor License request is. The State creates two per county per year to help with economic development in the county. It needs to be either in an enterprise zone, keystone opportunity zone or by municipal approval. Also, if a municipality is over quoted, they must obtain municipal approval by ordinance. It is a true definition of a restaurant license. They must have 50% or more in food service versus alcohol. The municipality has a right to say no, but we are hoping you don't. You can also file a protest later on in the process. Schantz said, right now Northampton County has 15 licenses in safe keeping. I went down that list and discovered eight are in the process of opening, three are under application for transfer, one had fire damage and will reopen, which leaves three open for transfer. We haven't reached out to those owners at this point. It is getting more difficult to find a license in Northampton County and the legislature created this new option a few years ago for counties over quota. Schwartz went on to give some statistics about licenses in an auction process over the past several years and he stated bids for licenses can cost anywhere between $125,000 to $202,000. We hope you will consider our request and are hopeful for you granting a resolution toward that goal.

Young asked what kind of signage or advertising you plan for the liquor sales? Tian Guizhang, owner of the restaurant said they would only be selling the alcohol inside the restaurant

Township Manager, Robert Williams said, a liquor license is a high level of responsibility in this state and also to our municipality. Our office has had instances

where we had to dial you guys back regarding previous signage and lighting. You have to operate within the law. The laws are there for the benefit of our community. Our Codes and Inspection Office spent time at your store about unauthorized signage and flashing lights. You have to adhere to our current ordinances. Young said, everyone knows that I get upset about signage and lights. Even though you are in the shopping center complex it is still a problem for us. I've never been a proponent that signs and flags help advertise, as some believe. If we do this, we need you to comply with our ordinance and not tie up our staff's time. Mr. Guizhang's translator said, the last time we heard from you about the signage, we took everything down. It was the signs on the windows that we had issues with. We tried to dispute that to keep the signs on the windows and when we had a determination, we took it down right away. Williams said, you have the process backwards. You need to come to us first to ask for a permit. Williams said, the lights are very colorful and are not within our ordinance guidelines. You need to have a conversation with our Code Department before you do these things.

Armato said, I called about that because I pass that way every day. We want you to prosper, but we don't want a carnival or Las Vegas environment. Your food and hospitality should be drawing in your customers. Young said, Marblehead Chowder House has their roof lined, but it is in one color.

Bruno said, the purpose of the license application is to promote economic development and I think I can speak first-hand. My family had a restaurant there in the 1980's. It is very challenging in this day and age for a restaurant to operate without a liquor license. The economic development application should be your basis of your decision and I think it would benefit this applicant and will promote the economics of that facility and it will attract people to the shopping center.

Chuck Diefenderfer, 2918 Hay Terrace said, since only two are allowed per county, are the others taken? Schantz said, one is under application and I believe the other is still open. Diefenderfer said, a few years ago there was a business in that shopping center that had a liquor license transfer and you were concerned about loud music and serving alcohol outside. Young said, I started that discussion back then, but that was because they were directly across from houses on Route 248. That doesn't apply to this request..

Armato made a motion to approve the request and authorized the Chairman to sign a resolution in support. Supervisor Panella seconded the motion.

Bruno reviewed the resolution for the public in attendance and stated this is still subject to approval by the Pennsylvania Liquor Control Board.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Ann-Marie Panella. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

B. Zoning Ordinance Public Hearing

INFORMATION

As previously approved by the Board of Supervisors, the Zoning Ordinance was advertised for public hearings on December 5, 2022 and December 12, 2022.

The following link provides a copy of the draft zoning ordinance and maps:

https://drive.google.com/drive/folders/1oqBZEj4dPOEdJE6NKuArt6mkWxO2m8zI?usp=share_link

The following link includes all documents related to the zoning ordinance rewrite:

https://drive.google.com/drive/folders/1aXAnw8n7usnzlysYmgTMymZ5W_rf5b2i?usp=sharing

DISCUSSION

Planning Director, Kent Baird said, after years of working through this ordinance during the pandemic you worked closely with Carolyn Yagle. She gave a very detailed overview at our last meeting as to what happened and all the workshops, surveys, and outreach that has taken place. We received one query from Mr. Graack is requesting we allow a private shooting range on his property. Baird then turned it over to Carolyn Yagle.

Yagle said, if there were additional comments received, I would be ready to hear those along with the Board's comments. Yagle said, there was also consideration of two items of correspondence that you requested be submitted again related to Chrin properties. I pulled them out from the Planning Commission packages. Young then opened the hearing for public comments.

Rick Principato, 29 Central Drive said, first of all, I've been a long time resident and business owner in the township and I want to thank Mr. Bruno for his many years of service to the township. A lot of business people in the township would call Chuck and he was always very professional and we always appreciated that. I wish you good luck in your next adventure. Principato said this process with the new plan was constructive, open and transparent, and that is really important. I submitted several situations and they were all heard with modifications that I believe were made not only good for my business, but for other businesses as a whole. I'd like to thank Carolyn for helping me in that process and putting in content that made sense. I'd also like to thank the Planning Commission for their help and constructive ideas, and this Board for being open and transparent and business like. You are why we want to do business in Palmer Township. Thank you for that and I appreciate you taking my ideas into the plan.

Scott Sylvainus, 266 Mt. Vernon Ave, Upper Nazareth Township, said that he is the Chairman of the Lower Nazareth Planning Commission and their Board of Supervisors. I wanted to make you aware of our township's view on the north west corner of property in Palmer Township. That tract of land is in both Palmer and Upper Nazaeth. We are very happy to have that zoned as light industrial. There may be a

plan before you or coming before you and I wanted you to know we support light industrial zoning.

Kerry Wrobel, Lehigh Valley Industrial Park (LVIP), 1720 Spillman Drive, Bethlehem, said we are focused on the Chrin tract next to the Amazon parcel. We are a private non-profit economic development corporation. We are not looking to take on the first project presented to us. If this tract should be approved, LVIP will take all township concepts into consideration. Other communities look to us as part of their staff and we would do the same in Palmer. For our LVIP #6 located off of Route 33, bookended by Outback Steakhouse and Ruby Tuesdays, we reviewed the area and said that we were not interested in warehouses. Mr. Sylvanias is here tonight and I have a plan that shows our proposed subdivision and highlights the Upper Nazareth and Palmer properties. It's a 90-acre tract. 50-acres are in Upper Nazareth and 40-acres are in Palmer. Twenty of those acres in Palmer is riparian buffer. Wrobel reviewed the property and said all public improvements are in Upper Nazareth.

Young said, it looks like the roads are all in Upper Nazareth. Wrobel said, they are entirely in Upper Nazareth. Young said, if this went through, you need to be able to say definitively that it is restricted to no warehouses. Wrobel said, they would. Bruno said, you would have to be prepared to distinguish this area from the LI district, if you don't allow for everything in LI. Wrobel said, we have covanents and deed restrictions that we could include in our documents.

Yagle said that she wants to make sure she is matching this appropriately. The previous request was to rezone 40 acres from RA to NEB. Yagle said, NEB has warehouses in it. Young asked if we can consider an overlay for something this small? Yagle said, the way in which LI-1 was readdressed, warehouse is not in that. NEB would have warehouse, but LI-1 would not. Yagle went on to read the uses and reviewed the lot size and setback information. Bruno said, it is currently proposed to keep it RA. Bruno asked if a Land Development Plan has been put together? Wrobel said, not yet. Bruno said, the request is a good request and something you may want to consider, but it isn't being proposed in the new zoning map. Bruno said, because it is a considerable undertaking the property owner or applicant has a right to come back and request a zoning amendment at that time. Right now it shouldn't be addressed since it's different than what is pending. Young said, I believe this applicant wants to wait until we rezone. Bruno said, this is different than what is being done in other areas and different than the RA that is being proposed. Wrobel said, we did receive that message and one of the previous zoning maps included it. Yagle said, the Planning Commission made their recommendation to the Board with map Option #1, which is RE.

Harry Graack, 1380 Van Buren Road, said he wanted to expand on the comment Mr. Baird made regarding the shooting range, because I know it is not a popular subject. We had this in prior zoning and it was taken away. When Cyndie Kramer and I researched it, we couldn't find when it was taken away. Possibly when hunting went out with firearms in the township. I can't find it in the proposed ordinance and it is important that it be put in there. We've been doing that kind of thing for a long time. It would be limited and private for small firearms. It doesn't involve hunting. Only target shooting. I could do indoor, but I am looking for outdoor.

Young said, where I live at the bottom of Old Orchard, I hear the police shooting range all the time and when the cloud cover is low, it sounds like it is right there. They are proposing an apartment development just north of you and you have development right across the street from you. I have a problem with the noise. It's a lot louder than you think. Graack said, this is something that's been taken away from my family. Young said, I don't remember that. Graack said, it was for private use. I made the request to rezone my property to RA. If I can't do this simple thing there, my idea is to preserve that land. Doing a shooting range there is part of my life. Young said, I hear Easton Fish and Game that is more than two miles away from me. Graack said, the township isn't giving me lead way on something that's been in my family for generations. Young said, you won't get approval from me. Graack said, if I can't get something simple like this, people say guns are bad, but it's the people. I'm asking it be put back in RA. Young said, I'd consider indoor, but not outdoor. Graack said, I would have to retract my request for RA. Armato said, this is something to be considered, but it can't be decided tonight. It would need more digging into, to consider. Mitchell said, you have to look at the safety aspect of it. Armato said, I'd need to see setbacks. Graack said, I'd like the land to go into a conservation easement for a long time in the future, and I'd like to live there full time. If I can't get these things, I'll go elsewhere. Armato said, don't try to force us to make a decision with a threat. You should have brought this up a long time ago. Panella said, part of me is almost sympathetic that you would like to turn back time to 100, 50 or 60 years ago. That was way before I got here. We are not in that environment anymore. I have to think of the health, welfare and safety of the residents, all of the residents. Graack said, I've heard that and I agree with you, but when I hear distribution centers coming around me that is affecting the health and welfare around me. I'm hoping you consider my request and also when these applicants come around they get the same treatment. Graack said, shooting a firearm on 100-acres is a correct facility, and I don't see a problem. Panella said, this is the first I'm hearing this request. Graack said that he wasn't in a position to think of anything other than RA.

Police Chief Wayne Smith asked if this is an official request to research this? It is a last minute request and research would need to be done. Smith said, you have Walmart as a backdrop to your property. Smith said, he would also look at the history of the Stockertown Gun Club. Graack said, this is nothing like the Stockertown Gun Club. Smith said, when the Police Department is in training there are licensed firearms officers on site. I've never in my life time, and I lived here a long time, I never remember guns being shot in that area. Graack said, his 22-years in the Air Force qualifies him and he will allow time for research. Baird said that he would be happy to help with the research. Some municipalities have ordinances that allow shooting. From what I hear it needs to be explored.

Bill Hartin,1375 Van Buren Road, asked if there is anything he needs to do subsequent to his request at the last hearing about his property going from HDR to RA? Yagle said, the comments from last week and this week will be included and we will close the hearing after all comments are made. No action is taken during the hearings. I will then present them to the Board for their consideration.

Bruno said, I don't recommend you close the hearing tonight. You have unanswered questions the Board needs to address. You have to get to a point in the process where there is finally something being proposed for enactment. There needs to be an

ordinance to be enacted. You haven't gotten to a point to present what is being voted on yet. You need to consider if you want Carolyn to change to another map. The public hearing process can be continued. Yagle said, from a map standpoint, it is not completely resolved. Bruno said, there needs to be direction from the Board on the way they want to go.

Williams said, at the last meeting the staff was directed to advertise a date as to when written comments will be accepted. It will be advertised that written comments need to be to the township by January 9, 2023. Some time after the 9th we will need to summarize and deliver final documents to the Board for action. Bruno said, you are looking at at least two more situations to get to a final document for approval.

It was agreed to continue the hearing to January 24, 2023, and written comments must be received by January 9, 2023. Yagle said, Mr. Hartin's comments are in the record and will be forwarded to the Board for their consideration along with any comments received through January 9, 2023.

Young asked two Easton Area High School students attending to come forward and he reviewed what the township Board of Supervisors responsibilities were and introduced the township staff.

4. NEW BUSINESS

A. Disability Pension Approval

INFORMATION

The Board needs to approve/disapprove a disability pension benefit for a township parks department employee, employee ID 010042, authorizing benefits beginning January 1, 2023.

The Board was provided medical documentation from four physicians noting his inability to perform the duties of his position.

Board approval is requested.

DISCUSSION

Assistant Township Manager, Brenda DeGerolamo said, the Board previously, in executive session, reviewed a personnel matter regarding a township employee that is requesting Long Term Disability benefits. Medical documents were provided and reviewed.

Tonight the Board shall either approve or disapprove the request for Long Term Disability benefits for employee 010042, authorizing the benefit to begin January 1, 2023.

Supervisor Mitchell made a motion approving the Long Term Disability request.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Joseph Armato. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

B. Resolution Adopting the 2023 Palmer Township Budget

INFORMATION

The Board needs to approve/disapprove the resolution approving the 2023 Palmer Township budget.

DISCUSSION

Williams said, we previously had our budget meeting, the budget was advertised for public review for the required time period. Finance Director, Jim Farley thanked all department heads for their input into the 2023 budget. As you know we previously discussed the budget with you at our November public meeting. The total revenues in the General Fund are $18,853,055 and expenses total $13,627,734. There is no tax increase proposed for 2023.

Supervisor Mitchell made a motion to approve the 2023 Budget Resolution. The motion was seconded by Supervisor Armato.

Tim Fisher, 68 Moor Drive, asked if there was $10,000 included for feral cats this year? DeGerolamo said, the money is included in the budget and the contract for the third party that administers the program will be on an upcoming Board agenda for approval.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by . Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

C. Resolution Establishing a Tax Levy

INFORMATION

The Board needs to approve/disapprove the tax levy resolution.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

D. Police Pension Contribution Resolution for 2023

INFORMATION

The Board needs to approve/disapprove the Police Pension Contribution Resolution for 2023.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Joseph Armato. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

E. Resolution Establishing the 2023 Fee Schedule

INFORMATION

There were two changes to the 2023 fee schedule:

1. The multiplier for the calculation of non-residential zoning permits went from 0.0007 to 0.001.
2. The minimum service rate for quarterly sewer went from $27.50 to $35.00.

Board approval is requested.

DISCUSSION

Young asked if this is where the recreation fees are located? Baird said, it includes application fees and permit fees. Bruno said, the recreation fees are listed on Page 3. Bruno recommended the voluntary traffic contribution fee be removed from the schedule. Young asked if we should increase the recreation fees? Baird said that he will research the recreation fees for the future.

Williams said, there was an excellent article in the Morning Call this past weekend about municipalities not enforcing their standards.

Farley said, changes were made for zoning permits for new residential homes and there is an increase in sewer fees for 2023.

Supervisor Panella approved the resolution conditioned on the the voluntary traffic fee being removed from the schedule. The motion was seconded by Supervisor Armato.

Motion: Approve, Moved by Supervisor Ann-Marie Panella, Seconded by Supervisor Joseph Armato. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

F. Resolution to Apply for a DCED Grant for Norma Street Sanitary Sewer Extension Project

INFORMATION

The township, with the assistance of Entech, is applying for a grant in the amount of $806,546 for the Norma Street Sewer Extension project. The overall project is estimated at $1,209,819 (grant request of $806,546 and Township Grant match of $403,273).

Board approval is requested of the Norma Street Sewer Extension Resolution.

Motion: Approve, Moved by Supervisor Kendall Mitchell, Seconded by Supervisor Ann-Marie Panella. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

G. Traffic Safety Committee Recommendation

INFORMATION

The Traffic Safety Committee is recommending for the Board's consideration the changing of three existing yield signs to stop signs to maintain consistency in that area with increased traffic.

DISCUSSION

Adams said, we received a request for the replacement of three yield signs to stop signs along Fisher Road at the Swanson and Windsor intersections. The Traffic Safety Committee reviewed the request and we are recommending approval from the Board.

Motion: Approve, Moved by Supervisor Joseph Armato, Seconded by Supervisor Ann-Marie Panella. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

H. Announcement of Reorganization Meetings and Yearly Meeting Schedule for 2023

INFORMATION

Below is the reorganization legal notice and meeting schedules for 2023 that will be advertised in the Express Times on Monday, December 19, 2022.

The Palmer Township Board of Supervisors annual reorganization meeting will be held on Tuesday, January 3, 2023, at 7:00 pm. Regular meetings of the Palmer Township Board of Supervisors will be held the first and third Mondays of each month at 7:00 pm and on the fourth Tuesday following the first Monday at 7:00 pm during the year 2023. A special budget meeting will be held Tuesday, October 10, 2023, at Noon and a budget hearing will be held Wednesday, November 1, 2023 at 6:00 pm. All meetings will be held in the municipal building meeting room unless posted differently.

The Board of Auditors will meet on Wednesday, January 4, 2023, at 6:00 pm in the community room of the Palmer Library.

The Planning Commission reorganization meeting will be held on Tuesday, January 10, 2023, at 7:00 pm and all regular meetings will be held the second Tuesday of each month in the municipal building meeting room at 7:00 pm.
The Parks and Recreation Advisory Board meetings will be held the third Tuesday of each month, at the Charles Chrin Community Center, 4100 Green Pond Road, Palmer, PA at 7:00 pm.

The Shade Tree Commission meetings will be held the last Monday of each month (as needed) in the municipal building meeting room at 6:30 pm.

The Environmental Steering Committee reorganization meeting will be held on Wednesday, January 25, 2023, at 6:30 pm and all meetings thereafter will be held on the fourth Wednesday of the month. There will be no meeting in November and December. All meetings will be held in the municipal building meeting room.

Exceptions will be if a legal holiday observed by the township falls on the same date, the scheduled meeting will be held the next business day at the same time.

The Palmer Township Municipal Building meeting room is located in the lower level of the Municipal Building at 3 Weller Place, Palmer, PA. The Library community room is located at 1 Weller Place, Palmer, PA.

DISCUSSION

Young read the 2023 meeting announcement for those in attendance.

I. Announcement of Christmas Tree Recycling Dates

INFORMATION

Christmas tree recycling will take place the first three full weeks of January; January 3rd through January 20, 2023. Trees are to be placed curbside on your regular trash day and all decorations and tree bags must be removed from the tree.

DISCUSSION

Young read the announcement for those in attendance.

5. PUBLIC COMMENT

Tim Fisher, 68 Moor Drive, asked if an appeal was filed by Exchange 12, LLC on the 5-0 adverse decision. Bruno said, yes. It was received on December 2nd. Fisher said, on behalf of the 251 houses in my community, I have to thank your Solicitor. In the last 5-years we have had several people wanting to develop undeveloped portions of Van Buren Road. Ridge, F-Greek, Exchange 12, LLC. They all wanted limited distribution centers and the township came through with our help and we fought these people, and they lost. The hearings were done well by your Solicitor and I thank you from the bottom of my heart from our community.

Fisher said, we submitted a letter on November 29th to the township requesting you people send a letter to Exchange 12, LLC alerting them about the zoning ordinance progress. You've gotten through the public hearings with the Planning Commission and the Lehigh Valley Planning Commission and we have supported you people. The way you have it, there would be no more industrial uses in the PO/IP zoning district for land in and around the Van Buren and Corriere Road area. We asked you send a letter to Exchange 12 alerting them. You have the option to invoke a pending ordinance doctrine against that use because it is not a permitted use in the PO/B zoning district. We ask for your courtesy of a reply.

Young said, I talked to our Solicitor and he was discouraging the Board. Bruno said, I haven't had the opportunity to review this with the Board at this time. It should be discussed when the Applicant is before the Board, not before that. The matter is going to be heard for the first time tomorrow night by the Planning Commission. It is premature to do anything at this point and the Applicant would want to be heard. What you are asking for, I need to discuss confidentially with the Board. Fisher said, we want them to realize you people put so much time and effort into this and they have come and filed this application.

6. REPORTS

Solicitor

Bruno said, he would like to take a moment to thank this Board for the opportunity to serve you over the past year and also thank the prior Board for the opportunity to be their Township Solicitor for the past 23 years. It has been a pleasure serving on behalf of the township and working with the Township Staff. Working with Mr. Williams for the past three years, his staff ,along with the help of Brenda should be commended. I always found the job to be rewarding and I felt I could contribute to the Palmer Township community where I was raised since the sixth grade and I've lived most of my adult life here. Thank you all. I am lucky and blessed in that regard.

Bruno had two litigation matters for executive session

Township Manager

Williams said, the staff is going to make every effort to not have to hold a meeting December 27, 2022, to allow time between Christmas and New Years to be with family and friends. If something time sensitive comes up, we may have to schedule one.

Williams said, I wish the Solicitor well. It has been a pleasure working with Chuck. I'd like to thank the Board for the past year. We will continue to strive for continuous improvement.

Planning Director

Baird thanked the Board of Supervisors and said he shares in congratulating Chuck Bruno. Thank you for the help you gave me the past months. Marissa has been a key

part of the success in this township and the staff enjoyed her instant support. I wish the Board a happy holiday. My intent is to keep the Planning Department focused on details being submitted. The Planning Commission has one conditional use review tomorrow night from Exchange 12. We have until February to hold that conditional use hearing.

Township Engineer

Gawlik said, he will echo what everyone said regarding Chuck's efforts over the years. Chuck has always been a professional in all aspects and I thank you for your guidance as it related to municipal engineering. I wish you the Best. Happy holidays everyone.

Public Services Director

Adams said, this afternoon the township received five certified mail packages from Met-Ed. They have applied to PEC for a small tie-in to the Met Ed high voltage power lines at the 2251 Newlins Mill Road Sub Station.

Director of Public Works, Parks and Utilities

Kistler said, he would like to thank Chuck for everything over the years. I always enjoyed working with you.

Finance Director

Farley said, he would like to wish Chuck good luck, it's been a pleasure working with you. I wish you all a happy and safe holiday.

Police Chief

Chief Smith said, congratulations Mr. Solicitor and thank you for everything you've done for our department and our residents. Happy holidays.

Supervisors

Armato said he would like to extend his best wishes to Mr. Bruno. It's been a pleasure to sit next to you this past year. I wish you the best. Armato said, to the township staff, you blew me away. You are an amazing group of people that do a hell of a job. I have nothing but admiration for you. Happy holidays. Armato said, tomorrow we will be hosting the township holiday celebration at the Chrin Center.

Young said, I will reiterate my pleasure of working with Chuck over the years. I wish you and your family well.

Young said, most people already know that I no longer want to be Chairman of the Board next year. A fellow supervisor will take over. It has been fun, but it takes time and I have my hands full right now at Suburban.

Young said, I've heard from other Supervisors and township staff that there is consideration for dropping liaisons next year. Young said, I feel liaisons are a great communication service for our different boards and committees. I know with the Recreation Board, I tried to be hands-on and communicate back and forth. If the issue is that the Board wants to see them, we can ask them to come in quarterly anyway. When liaisons aren't there, we lose good people, because they feel disconnected.

Mitchell said, he feels we should be involved. They have a supervisor to talk to at their meetings and I think it should keep going. Panella said, part of me would like to see the Boards come in and present to the entire Board. It is nice to be able to put names to faces. I've been liaison to the Shade Tree Commission, Environmental Steering Committee, Planning Commission and the Police Department over the years. I'd like to hear what is going on in Planning from the Planning Commission. I'd like a person or the committee to come to the Board to make a presentation. Armato agreed and said he would like to see them come to the Board with reports. Armato said, all supervisors should be on some type of rotation, that way everyone is familiar with every supervisor. I don't think it is necessary to have one supervisors assigned to one committee. Panella said, it is good to have the committee have a supervisor contact. Panella said, we've had situations that became adversarial relationships. We can't always be able to explain why something isn't a good idea because we know something else is going on. Armato said, I believe it is well rounded if all supervisors are vested in all groups throughout the township. Young said, they won't have the time. Young said, you are then adding four more meetings a year if they come to us. I've only ever known liaisons and I like them. We may need Mike Brett here to talk about it on January 3rd.

Young thanked the staff for a great 2022.

Panella thanked the Palmer Township staff, the residents and the Board members. We are a community. Just like your family, you don't always get along, but there is always that bond. That is what the Palmer community is. I wish everyone a happy and healthy holiday season and a 2023 filled with all the best.

Mitchell thanked Chuck for all his help over the years. I wish you and your family the best. Mitchell said, I'd like to wish the Township Staff a safe and nice holiday.

7. ADJOURNMENT

The meeting was adjourned at 9:11 p.m. with two litigation matters for executive session.

Motion: Adjourn, Moved by Supervisor Joseph Armato, Seconded by Supervisor Kendall Mitchell. Passed. 4-0.

Supervisors voting Ayes: Armato, Mitchell, Panella, Young

Supervisors Absent: Brett

Respectfully submitted,

Brenda DeGerolamo
Assistant Township Manager

The Charles Chrin Companies

December 29, 2022

Mr. Jeff Young, Chairman
Palmer Township Board of Supervisors
3 Weller Place
Palmer, Pennsylvania 18045

Re: Pending Zoning Ordinance Comment
Parcel Tax ID J8-22-2

Dear Mr. Chairman,

This is being offered to supplement comments previously submitted to the Planning Commission on August 9, 2022, and September 20, 2022, concerning the pending Zoning Ordinance & Map currently before the public for comment. We would like to provide additional comments and modify our earlier request for a zoning map change for Parcel No. J8-22-2, which is owned by the Charles Chrin Real Estate Trust.

This property, located along Nazareth Road (aka/Tatamy Road), is comprised of approximately 90 acres, 50 of which are located in Upper Nazareth Township and the remaining 40 acres located in Palmer Township. The property has been continuously farmed for crop production prior to and since its acquisition by Charles Chrin in 2001.

Previously, in both the written comments noted above and in oral comment made during recent Planning Commission and Supervisor hearings on the subject, Chrin has been seeking to have the property rezoned from Rural Agriculture (RA) to North End Business (NEB). Given its immediate proximity to the interchange and the concentrated industrial development in the north end of the Township, we believe the highest and best use for the 90 acres is to develop what would become another Lehigh Valley Industrial Park for the region.

We are currently under contract with Lehigh Valley Industrial Park, Inc. (LVIP) to make that development happen, subject to the property being rezoned.

As noted by Kerry Wrobel, LVIP President, it plans to develop a world-class light industrial park on the Chrin tract in Palmer and Upper Nazareth Townships to be known as Lehigh Valley Industrial Park VIII (LVIP VIII).

400 South Greenwood Avenue, Easton, Pennsylvania 18045
610-253-9665 • Fax 610-253-8631

LVIP is a private, non-profit economic development corporation and has been developing high quality business centers since 1959. LVIP's seven industrial parks in the Lehigh Valley today house 500 companies and 24,000 employees and have attracted $1.5 billion in private investment. LVIP VII, LVIP's most recent park, redeveloped 1,000 acres of the former Bethlehem Steel plant in south Bethlehem, Pa.

What makes LVIP unique is its focus on small parcel development and support of small manufacturing, technology, and industrial companies. Warehouses represent less than five percent of all businesses in LVIP's parks.

LVIP VI, a 200 acre-industrial park in Bethlehem Township, Pa. and just four miles south of Palmer Township, is a prime example of LVIP's small parcel focus with emphasis on manufacturing. LVIP subdivided 200 acres of land next to Route 33 in Bethlehem Township into 44 lots ranging in size from 3.5 to 4.0 acres to create LVIP VI. Today, 10 manufacturers making a broad range of products from pharmaceuticals to quartz lamps call LVIP VI home. These ten manufacturers are surrounded by numerous medical, commercial, office, and industrial uses. LVIP VI supports 96 businesses and 1,800 employees.

LVIP is planning an 11-lot subdivision for the 90-acre LVIP VIII, its newest industrial park proposed for the Chrin tract in Palmer and Upper Nazareth Townships. The eleven lots will be primarily four acres in size. LVIP will target manufacturing, technology and industrial companies looking to expand and requiring buildings in the range of 40,000 SF to 60,000 SF.

LVIP will construct a public road and all utility infrastructure to support the growth and development of these small companies in LVIP VIII. LVIP will also make a multi-million-dollar investment in offsite improvements to add a traffic signal to Tatamy Road and coordinate vehicular traffic with the neighboring asphalt plant and quarry across from the main entrance of LVIP VIII.

In addition to meeting all applicable Township standards, development in LVIP VIII will be governed by LVIP's covenants that establish high quality standards as deed restrictions for all aspects of a project's construction.

After further consideration of the pending Zoning Ordinance, we believe that a rezoning of the property from RA to Light Industrial (LI), rather than NEB, would accomplish what is necessary for LVIP VIII to come to fruition, and do so without the warehouse by right uses allowed for under the NEB designation. Accordingly, we ask for your consideration of this modified request to rezone the property from RA to LI.

If we are not successful in gaining your approval, the property will be developed for residential use. The 50 acres in Upper Nazareth are zoned for medium density residential, so Chrin will proceed with a mixed residential community with diverse housing options. I should point out, however, that we have gotten some indication that

Upper Nazareth would support and prefer that that acreage be zoned LI to accommodate LVIP VIII, although no formal action has been taken as of yet.

As noted in previous comments, whether its developed for residential or industrial use, 20 of the 40 acres in Palmer will be left as open space under the anticipated riparian buffer provisions. This is important acreage in the headwater area, and it will be set aside regardless of use. We just believe developing LVIP VIII fits better with the character of this area of the Township.

Thank you in advance for your consideration.

Sincerely,

Gregory Chrin
Trustee

cc: Members, Board of Supervisors
Members, Planning Commission
Robert A. Williams
Kent Baird
Kerry Wrobel, LVIP

The Charles Chrin Companies

October 18, 2023

Mr. Charles Diffenderfer, Chairman
Palmer Township Planning Commission
3 Weller Place
Palmer, Pennsylvania 18045

Re: Proposed Zoning Ordinance & Map
Parcel No. J8-21-2A

Dear Mr. Chairman,

The Charles Chrin Real Estate Trust (Chrin) takes this opportunity to provide comments on the proposed Zoning Ordinance & Map (September 25, 2023 draft), currently before the Planning Commission for review. These comments relate specifically to Chrin's 40-acre property along SR1002 (Nazareth Road/Tatamy Road/Main Street), which is currently zoned RA. The 40 acres is actually part of a larger, single 90-acre tract that straddles the northwest Township boundary with Upper Nazareth Township.

The RA designation remains unchanged under the proposed Zoning Map, as it likewise did under the previous draft zoning map considered by the Planning Commission and the Board of Supervisors back in 2022. Consistent with the comments Chrin submitted during the 2022 process, we are once again requesting your consideration of a zoning map change for this parcel.

Previously, Chrin requested that the property be rezoned from RA to NEB. However, given the comments expressed by Supervisors during the 2022 process about warehousing/distribution facilities, Chrin is now requesting that the property be rezoned from RA to OIC.

Given its immediate proximity to the interchange and the concentrated industrial development in the area, we believe the highest and best use for the 90 acres is to develop Lehigh Valley Industrial Park VIII at the site. As you may know, the parks developed by LVIP, Inc. focus on small manufacturing, R&D, and similar industrial uses, rather than large-scale warehousing and distribution. Chrin is currently under contract with LVIP, Inc., to develop this property into its eighth park. A conceptual Lot

400 South Greenwood Avenue, Easton, Pennsylvania 18045
610-253-9665 • Fax 610-253-8631

Development Plan is attached for your reference (square footages are for lot sizes, not building sizes).

Recently, Chrin filed a Petition for Zoning Map Amendment with Upper Nazareth Township requesting that the current R-4 Medium Density Residential District designation be changed to the L-1 Light Industrial District designation to accommodate the proposed LVIP VIII development. On October 12, the Planning Commission voted to favorably recommend the Petition to its Board of Supervisors. We are hopeful of a positive outcome to our request.

With regard to the 40-acre portion in the Township, please note that development would occur on 20 acres, and the remaining 20 acres would be left as open space under the anticipated riparian buffer provisions. This is important acreage in the headwater area of the Schoeneck Creek and will help to maintain the integrity of this valuable natural resource.

Finally, it should be pointed out that the Palmer acreage is located within the TIF District, and even though only 3 small industrial lots are anticipated, the tax ratables will be important in helping with early retirement of the TIF Bonds and increased tax revenues for the Township, the School District, and the County. Furthermore, we believe an LVIP development adds an element of diversity, yet is complimentary to the character of this area of the Township.

Thank you in advance for your consideration.

Sincerely,

Gregory Chrin
President

cc: Planning Commission Members
Township Supervisors
Robert Williams
Brenda DeGerolamo
Kent Baird
Craig Beavers
Jonathan Reiss, Esq.
Will Oetinger, Esq.
Kerry Wrobel, LVIP

HanoverEngineering	UPPER NAZARETH/PALMER TOWNSHIP NORTHAMPTON COUNTY PENNSYLVANIA	WORKING LAYOUT 3				
		LVID – SCHOENECK CREEK DEVELOPMENT				4637
						01 - 01

PALMER TOWNSHIP PLANNING COMMISSION
PUBLIC MEETING - THURSDAY, OCTOBER 26, 2023 - 7:00 PM
PALMER TOWNSHIP MUNICIPAL MEETING ROOM, LOWER LEVEL, 3 WELLER PLACE, PALMER PA 18045

A special meeting of the Palmer Township Planning Commission was held on Thursday, October 26, 2023 at 7:00 PM with the following in attendance:
Chairman Charles Diefenderfer, Vice Chairman Jeffrey Kicska, Thomas Grube, Robert Walker and Richard Wilkins. Also in attendance were solicitor Will Oetinger, Kent Baird, Director of Planning and Craig Beavers, Assistant Director of Planning.

Diefenderfer led the Pledge of Allegiance.

OLD BUSINESS

1. Zoning Ordinance - Public Meeting

DISCUSSION

Diefenderfer asked for discussion on the zoning ordinance by the Planning Commission and Planning Staff.

Baird opened, stating this zoning ordinance has been in development for over four years, shaped largely by public comment and feedback from staff, elected officials, and consultants. In the past year, the Township appointed a new solicitor and engineer and hired several new staff members, and the Board saw fit to allow them to complete a final peer review of the ordinance prior to final adoption. The new team found room for improvement in language and content, especially areas that were missing. New language was included, such as floodplain regulations and historic preservation components, all while preserving much of the work from the past several years. He said staff is happy to discuss any questions that the Planning Commission may have and hopes a recommendation may be provided to the Board of Supervisors. He hopes to see the ordinance adopted by the end of the year. He closed by thanking the team who worked on the ordinance and provided great input.

Diefenderfer commended the planning team on the work they have done on the ordinance.

Kicska asked if the issue regarding the high school property was resolved.

Beavers said it was. A Government/Institutional Overlay District was added for schools and government properties to ensure they retain their current characteristic uses. A similar solution was done for cemeteries, as they were included in the Parks, Recreation, and Open Space Overlay District.

Kicska expressed his pleasure for the expanded lighting regulations.

Diefenderfer requested a minor change of the hours of operation for holiday lights to be between 7am and 11pm.

Baird said that will be addressed.

Diefenderfer requested staff review the lot sizes for the residential districts in comparison to the previous versions to maintain consistency.

Baird said that will be addressed.

Diefenderfer requested that the use of Landfill be removed as a conditional use in the Main Street Commercial District.

Beavers said that will be addressed.

Diefenderfer requested that the minimum age requirement for properties under consideration for the Historic Preservation Overlay be raised to 75 years.
Baird said that will be addressed.

Diefenderfer requested that expenses for violations of the noise ordinance be sent to the violator, rather than the person who filed the complaint.

Baird said that will be addressed.

Diefenderfer requested that provisions for snow and ice removal for trucks that are currently present in Trucking Terminal regulations be added to Warehouse/Logistics Use regulations.

Baird said that will be addressed.

Kicska requested that the properties identified for inclusion in the Historic Preservation Overlay be discussed and adopted after the implementation of the ordinance to allow further discovery of the properties.

Baird said that will be addressed.

Tim Fischer – 68 Moor Drive – He commended the Planning Commission and Planning Staff for all the work on the ordinance. This zoning ordinance advances the goals of the 2018 Comprehensive Plan and 2020 Parks, Recreation, and Open Space Plan. The residents of the Highlands of Glenmoor are largely in favor of the ordinance, especially the addition of the Planned Office/Business District on the western side of Van Buren Road. He highly recommends that the board moves to recommend adoption of the ordinance.

Harry Graack – 1380 Van Buren Rd – He said his property has been in

his family for generations and wishes to see the land conserved for as long as possible. He added that he desires to retain his right to do with his land for what he wishes. He expressed his displeasure for industrial development around his property and wished some of those parcels were conserved for open space. He said there is not much land left for conservation and does not want to be a conservation island. He believes the Planned Office/Business District is not what is best for his land.

Diefenderfer asked Graack what zoning district he is requesting.

Graack said that he spent time comparing districts and requesting several changes. He previously requested Rural Agriculture as it was a good fit for his property. He also desired to leave it unchanged as PI/C. Graack indicated a preference toward a more conservation-oriented zoning district for his property.

Baird said Graack requested several different zoning changes for this property throughout the development of the ordinance, including Conservation/Recreation. At last request, Graack indicated that he did not want Rural Agriculture. Graack disagreed and said he never asked for the change.

Baird said in light of the various requests and surrounding development pressure, the Township wants to find a comparable zoning district that would be a transition from residential to industrial, if not the original rural agricultural or conservation.

Oetinger asked Graack if he considered enacting unilateral deed restrictions for his property, which could restrict uses of the property that did not align with his goals.Graack said he has had conversations with this attorney regarding the matter.

Oetinger advised Graack that deed restrictions would be equally effective at controlling uses on his property than municipal zoning.

Graack said that Planned Office/Business District does not satisfy his wishes.

Baird said the Planned Office/Business District was chosen as an intermediate, transitional district between intensive warehouse uses to residential uses, which is consistent with the Comprehensive Plan map.

Graack said there are no conservation provisions in this ordinance. He does not foresee any development on his property.

Baird said that Planned Office/Business District was discussed and requested by the Board of Supervisors and the consultants who developed the ordinance.

Kicska asked Graack about the property between his and Northampton

Crossing. Graack said it is just for stormwater and nothing else.

Diefenderfer asked Graack if the proposed Planned Office/Business District was only on his property.

Graack said it is not. There are several other property owners who are also in the Planned Office/Business District.

Diefenderfer requested that Baird, Beavers, and possibly Oetinger discuss this parcel with Graack outside of this meeting prior to introduction to the Board of Supervisors. Baird said he will discuss with Graack this outside of the meeting.

Thomas Beauduy, Chrin Companies – 400 S. Greenwood Ave – He acknowledged that he submitted position statements regarding zoning requests.

Oetinger acknowledged receipt of letters from the Chrin Companies dated October 18, 2023, October 18, 2023, and October 25, 2023.

Beauduy asked for clarification for the boundaries of the Main Street Commercial District. The existing district follows the boundary of the Chrin Commerce Center land development, but the proposed district follows the boundary of the Township border. He said this might inhibit uses on the entire parcel.

Beavers said during the process of revising the mapping, it is possible that there was an error in editing that district.

Beauduy requested that this mapping issue be corrected. He said the entrance for the Tatamy borough side of the parcel would be on Trolley Line Drive where the Main Street Commercial appears to be drawn and would not match the zoning on the Tatamy Borough side. He said the Chrin Companies have plans to put traditional “Main Street” commercial development on the north side of Main Street and will request a zoning change in the future from North End Business District to Main Street Commercial District.

Wilkins asked Baird what issues this might cause.

Baird said correcting this mapping issue might result in a better land plan. He said this will be reviewed.

Beauduy would also like to commend Oetinger, Baird, Beavers, and the other committee members on the ordinance. He said it is significantly improved from the previous versions. He also said despite any differences in views, these complements are much deserved.

Gary Fehnel – 2120 Newlins Mill Dr – He asked about the Historic Preservation Overlay.

Baird said it celebrates and preserves historic properties within the Township. The overlay provides everyone the chance to discuss the property if it is intended to be added. If it is intended to be demolished, it provides the Township with the opportunity to discuss alternatives to preserve the historic nature of the property or structures.
Diefenderfer called for any other comments for the Commission.
Beavers thanked everyone for their work on this ordinance and is happy it is moving forward.
Grube said he has no comments on the ordinance and is happy with the document.
Walker said he has no comments, other than requesting that Baird, Beavers, and even Oetinger meet with Graack to discuss that specific property.
Diefenderfer called for a motion:

Motion: Approve w/ Conditions, Moved by Richard Wilkins, Seconded by Tom Grube. Passed. 5-0. Commission Members voting Ayes: Diefenderfer, Grube, Kicska, Walker, Wilkins
Commission Members Absent: Aydelotte, Ruch

PLANNING DIRECTOR COMMENTS

Baird said the Township was awarded several grants to study parks and open space. The Township will be looking at Mill Race Park, the Bushkill Greenway, and other areas for ADA compliance and overall master planning. He said the Township was also awarded funding for an Active Transportation Plan to improve ways people travel throughout the Township and improve access to outdoor recreation. The Township is waiting to hear back for another grant application submitted for the Schoeneck Creek restoration.

Kicska asked if the Township will be working with the Bushkill Stream Conservancy.
Baird said the Bushkill Strean Conservancy will be a part of that work and that they have submitted letters of support for the Mill Race Park and 9/11 Trail Master Plan and the Bushkill Creek Greenway, Parks, and Trail Master Plan already.
Diefenderfer thanked Baird and Beavers for their work.

Commission Members Absent: Aydelotte

PUBLIC COMMENT

None

Commission Members Absent: Aydelotte, Ruch

ADJOURNMENT

Meeting adjourned at 8:30PM

Motion: Adjourn, Moved by Jeff Kicska, Seconded by Tom Grube. Passed. 5-0. Commission Members voting Ayes: Diefenderfer, Grube, Kicska, Walker, Wilkins
Commission Members Absent: Aydelotte, Ruch

Exhibit "C"

Palmer Township Zoning Map

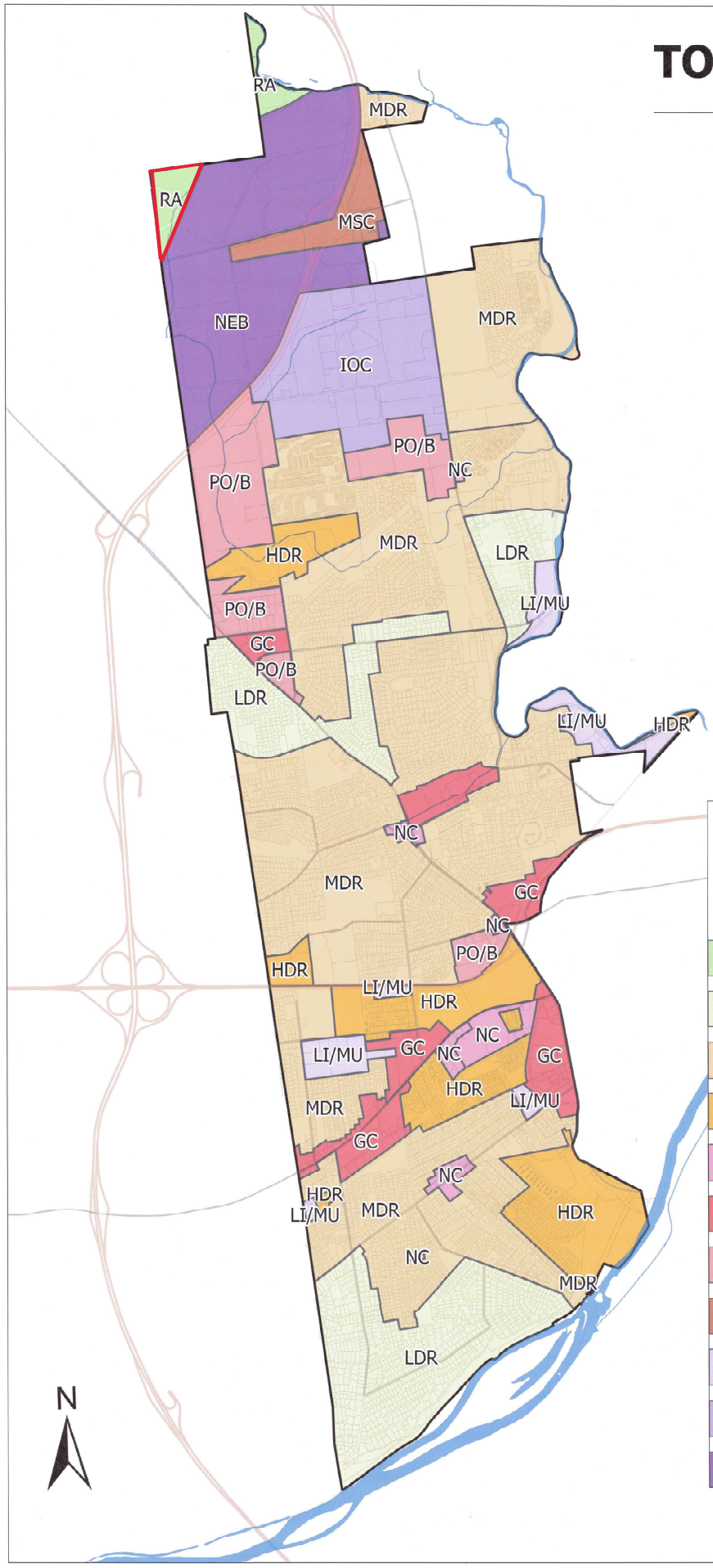
TOWNSHIP OF PALMER

Official Zoning Map
Sheet 1 of 2
Adopted December 27, 2023
Ordinance No. 2023-484
Map Dated January 02, 2024

This is to certify that this is the Official Zoning Map adopted December 27, 2023 as part of the Palmer Township Zoning Ordinance of 2023.

Signed: _____
Michael Brett, Chair
Palmer Township Board of Supervisors

Attested: _____
Robert A. Williams
Palmer Township Manager



Zoning Base Districts

- RA - Rural Agriculture
- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- NC - Neighborhood Commercial
- GC - General Commercial
- PO/B - Planned Office/Business
- MSC - Main Street Commercial
- LI/MU - Light Industrial/Mixed Use
- IOC - Industrial/Office Commercial
- NEB - North End Business

TOWNSHIP OF PALMER

Official Zoning Map
Sheet 2 of 2
Adopted December 27, 2023
Ordinance No. 2023-484
Map Dated January 02, 2024

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Palmer Township Board of Supervisors

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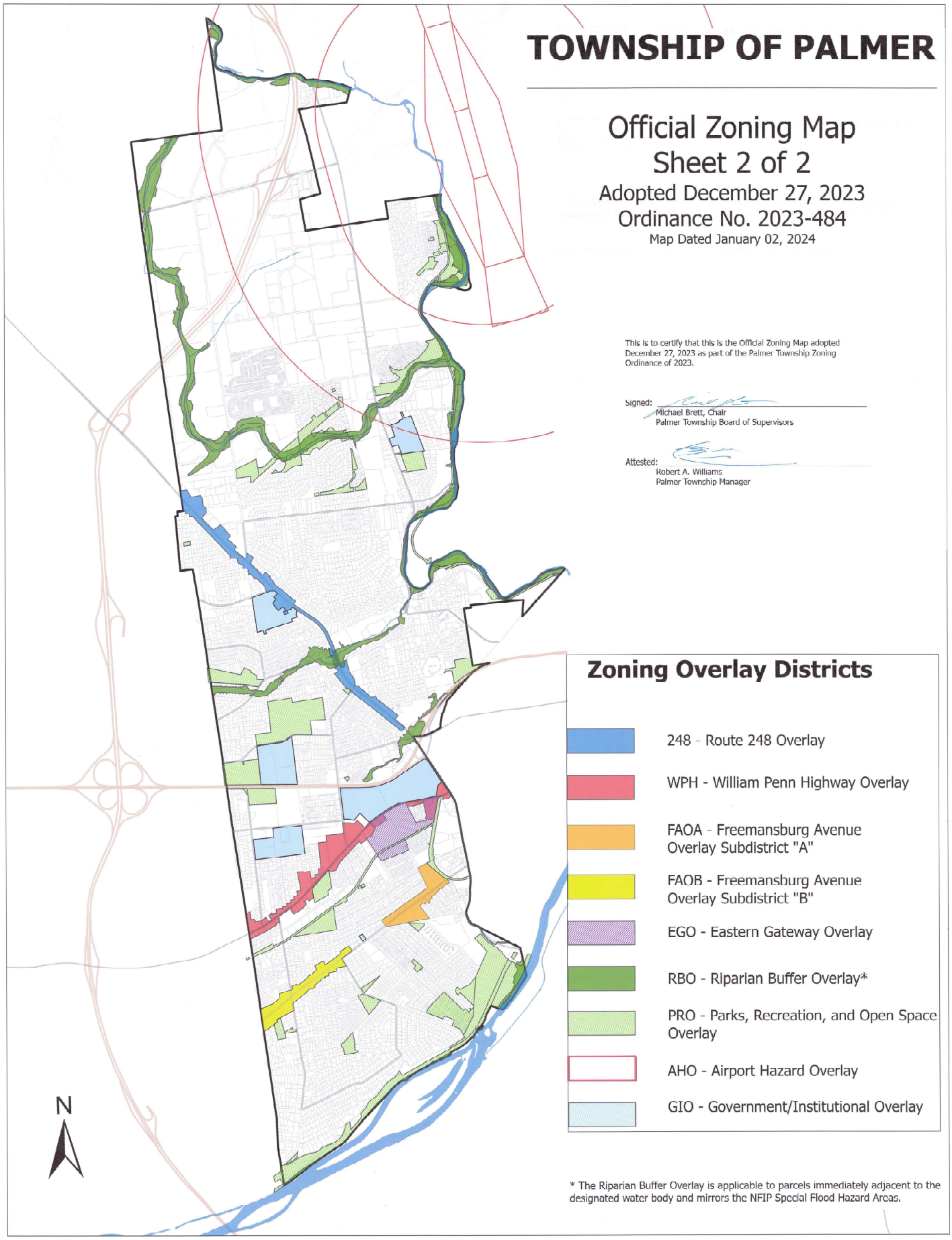
Robert A. Williams
Palmer Township Manager



Zoning Overlay Districts

- 248 - Route 248 Overlay
- WPH - William Penn Highway Overlay
- FAOA - Freemansburg Avenue Overlay Subdistrict "A"
- FAOB - Freemansburg Avenue Overlay Subdistrict "B"
- EGO - Eastern Gateway Overlay
- RBO - Riparian Buffer Overlay*
- PRO - Parks, Recreation, and Open Space Overlay
- AHO - Airport Hazard Overlay
- GIO - Government/Institutional Overlay

* The Riparian Buffer Overlay is applicable to parcels immediately adjacent to the designated water body and mirrors the NFIP Special Flood Hazard Areas.

Exhibit "D"

Upper Nazareth Township Zoning Map

27 Attachment 1

Township of Upper Nazareth

ZONING MAP (§ 27-303)
[Ord. No. 199, 1/15/2025]

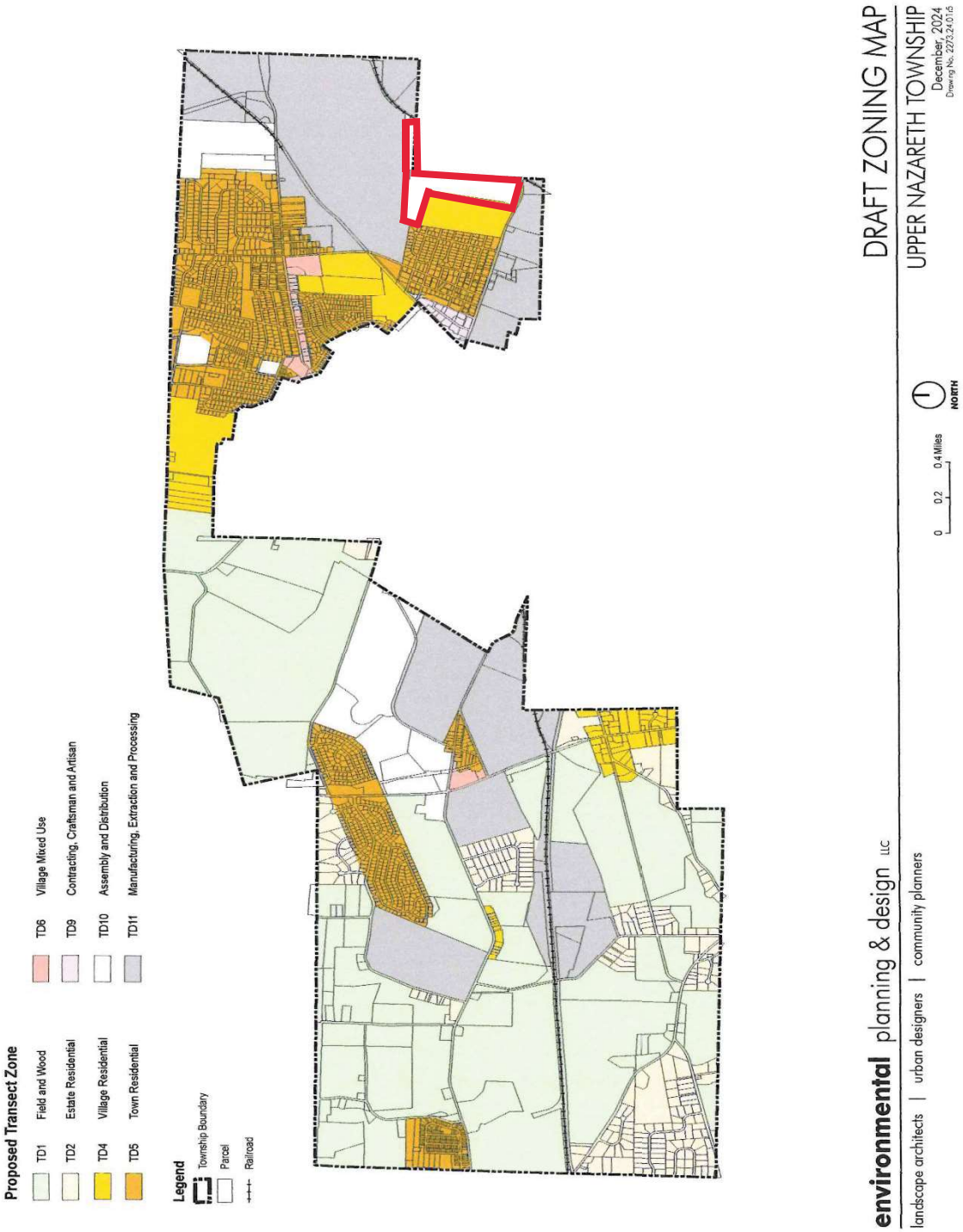


Exhibit "E"

Palmer Township Comprehensive Plan Map

COMPREHENSIVE PLAN MAP

LEGEND

- Palmer Township (6,614 Acres)
- Parcels
- Major Roads
- Rivers/Streams/Ponds

LAND USE

- Residential
- Non-Residential
- Park, Open Spaces & Schools

ZONING OVERLAYS

EXISTING ZONING OVERLAYS: TEXT AMENDMENTS

- Nazareth/248
- William Penn Highwaay

PROPOSED ZONING OVERLAYS: MAP AND TEXT ADDITIONS

- Eastern Gateway
- Freemansburg Subdistrict "A"
- Freemansburg Subdistrict "B"
- Freemansburg Subdistrict "C"
- Riparian Buffer

CONNECTIVITY NETWORK

- Existing Trail/Bikeway
- Proposed Trail/Bikeway

Prepared by:

EPD Environmental Planning & Design, LLC

Exhibit "F"

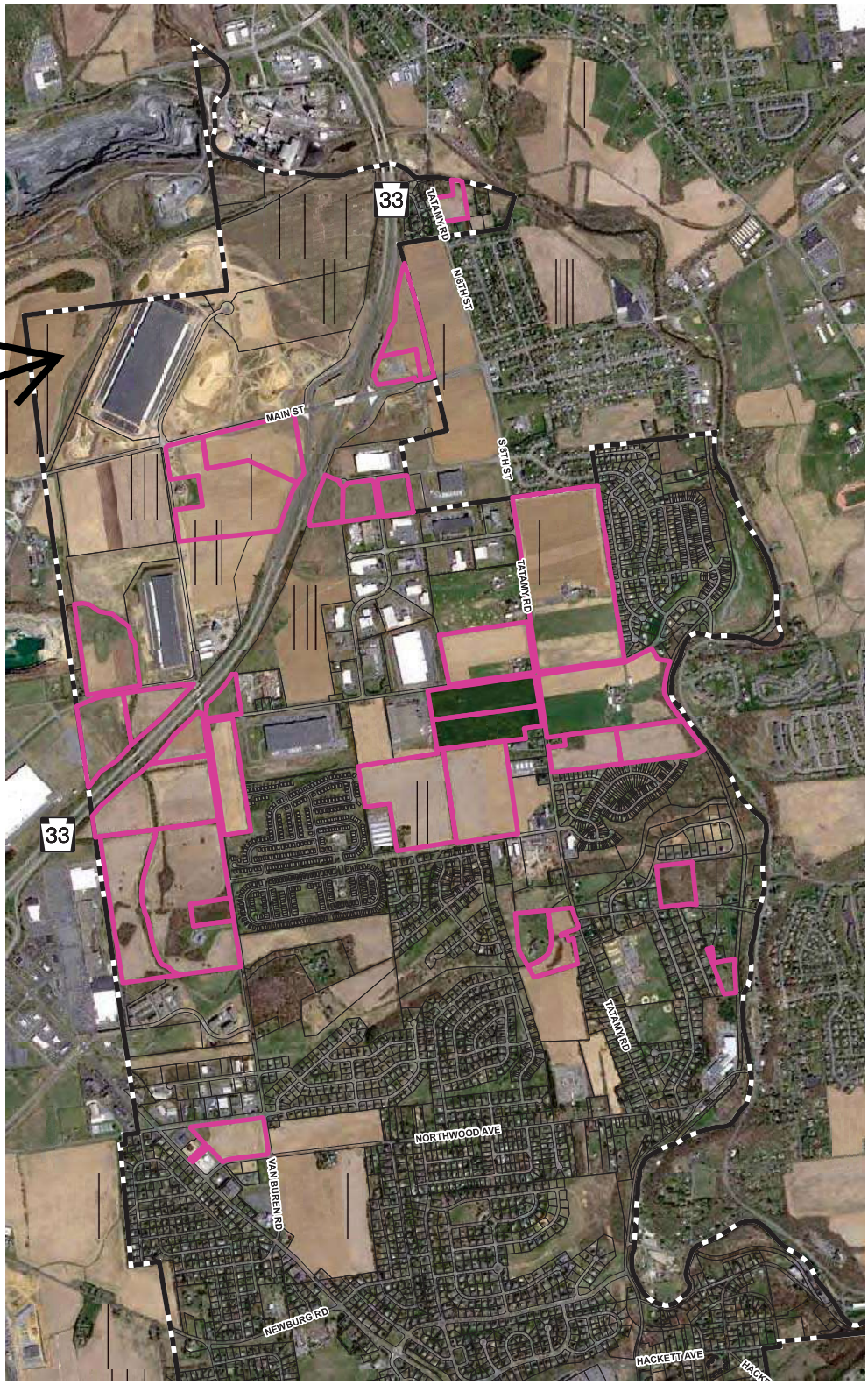
Palmer Township Comprehensive Plan Undeveloped/Agricultural Land Map

UNDEVELOPED/AGRICULTURAL LAND MAP

LEGEND

- Palmer Township (6,614 Acres)
- Parcels
- Undeveloped/ Agricultural Land

Palmer Parcel



Prepared by:

EPD Environmental Planning & Design, LLC

0' 820' 1,640' NORTH

Exhibit "G"

Challenge Plan

HanoverEngineering	UPPER NAZARETH/PALMER TOWNSHIP NORTHAMPTON COUNTY PENNSYLVANIA	PLAN TITLE: LOT DEVELOPMENT PLAN	SEAL:	NO.	REVISIONS	DATE	DRAWN BY: DM	CHECKED BY: AB
							SCALE: 1"=100'	DATE: 12/04/2025
							PROJECT NO. 4637	
		PROJECT TITLE: CHARLES CHRIN REAL ESTATE TRUST					SHEET NO. 01 OF 01	

Bethlehem Office
252 Brodhead Road, Suite 100 P:610.691.5644
Bethlehem, PA 18017-8944 F:610.691.6968
HanoverEng.com

Exhibit "H"

Curative Zoning Map Amendment

TOWNSHIP OF PALMER
NORTHAMPTON COUNTY, PENNSYLVANIA

RESOLUTION NO. 26- _____

AN ORDINANCE OF PALMER TOWNSHIP, NORTHAMPTON COUNTY, PENNSYLVANIA, PURSUANT TO ARTICLE IV OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE AMENDING THE PALMER TOWNSHIP ZONING MAP, AS ADOPTED BY THE PALMER TOWNSHIP BOARD OF SUPERVISORS ON DECEMBER 27, 2023, TO REZONE THE PARCEL KNOWN AS NORTHAMPTON COUNTY PARCEL IDENTIFICATION NUMBER J8-21-2A-0324 FROM THE RA – RURAL AGRICULTURE DISTRICT TO THE NEB – NORTH END BUSINESS DISTRICT

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Palmer Township, Northampton County, Pennsylvania as follows:

Section 1. **ZONING MAP AMENDMENT**. The Palmer Township Zoning Map, as adopted by the Palmer Township Board of Supervisors on December 27, 2023 is hereby amended to rezone the area noted on the Map attached hereto as Exhibit "A", being Northampton County Parcel Identification Number J8-21-2A-0324 from the current zoning district of RA – Rural Agriculture District to NEB – North End Business District.

Section 2. **AUTHORIZATION**. The Township Zoning Officer is hereby authorized and directed to amend the Palmer Township Zoning Map to carry out the intent and purpose of this amendment.

Section 3. **APPLICABILITY**. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any inconsistency.

Section 4. **EFFECTIVE DATE**. This Ordinance shall become effective five (5) days after adoption.

Section 5. This Ordinance amendment shall be incorporated into the official ordinance book and map by reference with the same force and effect as if duly recorded therein.

ORDAINED and ENACTED by the Board of Supervisors of Palmer Township this _____ day of _____, 2026.

ATTEST:

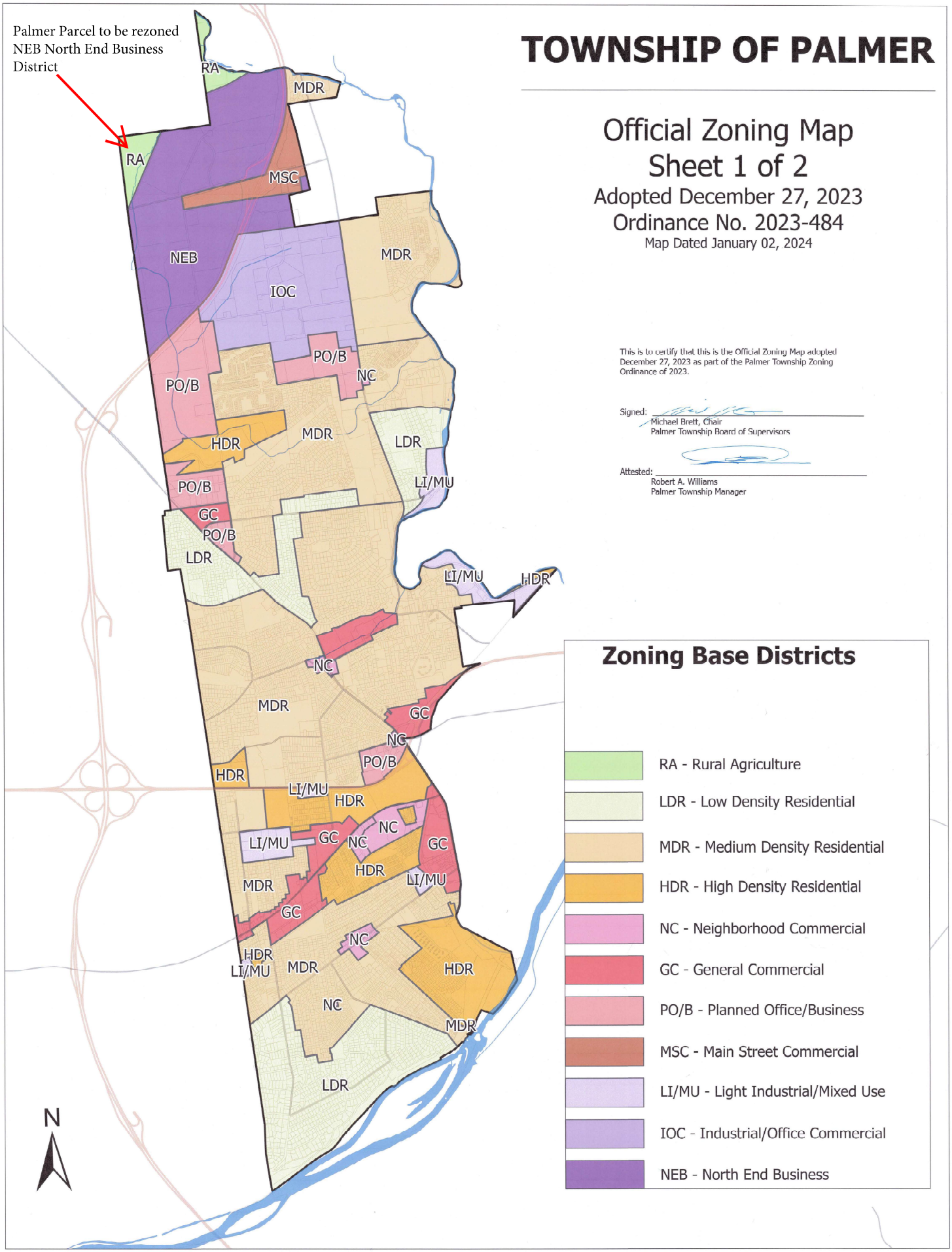
PALMER TOWNSHIP
BOARD OF SUPERVISORS

_____
ROBERT A. WILLIAMS
Township Manager

By: _____

Name: _____
Title: **CHAIRMAN**

Exhibit "A"


Palmer Parcel to be rezoned
NEB North End Business
District
TOWNSHIP OF PALMER
Official Zoning Map
Sheet 1 of 2
Adopted December 27, 2023
Ordinance No. 2023-484
Map Dated January 02, 2024
This is to certify that this is the Official Zoning Map adopted December 27, 2023 as part of the Palmer Township Zoning Ordinance of 2023.
Signed:
Michael Brett, Chair
Palmer Township Board of Supervisors
Attested:
Robert A. Williams
Palmer Township Manager
Zoning Base Districts
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LDR - Low Density Residential
MDR - Medium Density Residential
HDR - High Density Residential
NC - Neighborhood Commercial
GC - General Commercial
PO/B - Planned Office/Business
MSC - Main Street Commercial
LI/MU - Light Industrial/Mixed Use
IOC - Industrial/Office Commercial
NEB - North End Business
N

TOWNSHIP OF PALMER

Official Zoning Map
Sheet 2 of 2
Adopted December 27, 2023
Ordinance No. 2023-484
Map Dated January 02, 2024

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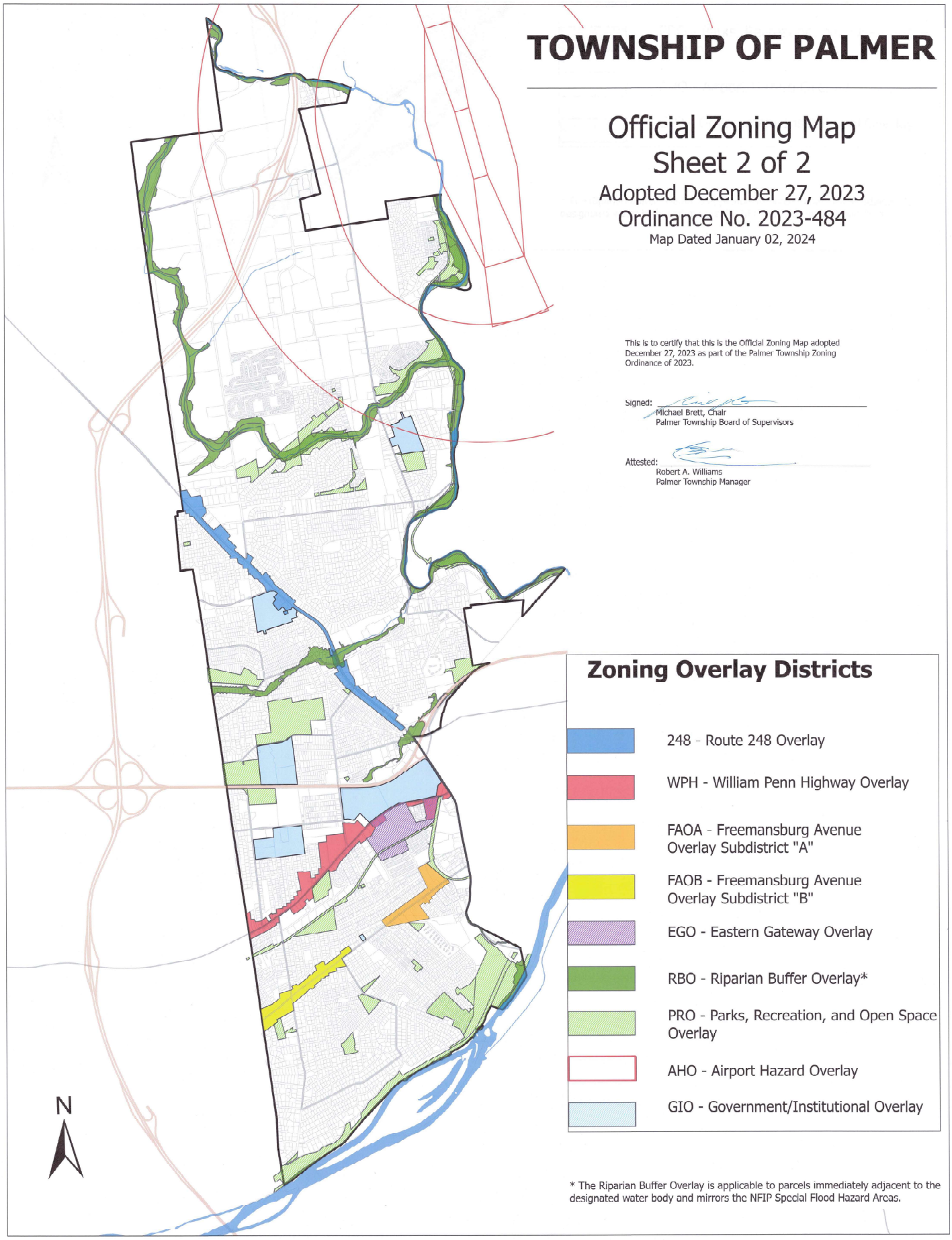
Signed: _____
Michael Brett, Chair
Palmer Township Board of Supervisors

Attested: _____
Robert A. Williams
Palmer Township Manager



Zoning Overlay Districts

- 248 - Route 248 Overlay
- WPH - William Penn Highway Overlay
- FAOA - Freemansburg Avenue Overlay Subdistrict "A"
- FAOB - Freemansburg Avenue Overlay Subdistrict "B"
- EGO - Eastern Gateway Overlay
- RBO - Riparian Buffer Overlay*
- PRO - Parks, Recreation, and Open Space Overlay
- AHO - Airport Hazard Overlay
- GIO - Government/Institutional Overlay

* The Riparian Buffer Overlay is applicable to parcels immediately adjacent to the designated water body and mirrors the NFIP Special Flood Hazard Areas.

PALMER TOWNSHIP
REQUEST FOR ZONING AMENDMENT

Date of Application: 1/22/2026
Administrative Completeness Date (To be completed by staff): _____

Applicant:
Name: The Charles Chrin Real Estate Trust
Address: 400 S. Greenwood Avenue, Easton, PA 18045
Phone: (610) 253-9665 E-mail: gregchrin@aol.com

Property Owner (if different than Applicant):
Name: Same as Above
Address: _____
Phone: _____ E-mail: _____

Attorney:
Name and Firm: Marc B. Kaplin, Esquire Kaplin Stewart
Address: 910 Harvest Drive, P.O. Box 3037, Blue Bell, PA
Phone: (610) 941-2666 E-mail: mkaplin@kaplaw.com

Required Application Fees
Application Fee: **$** 3,000.00 ***Escrow Fee:*** **$** _____
Check No.: _____ Check No.: _____

In accordance with §190-112 of the Palmer Township Zoning Ordinance, we, the undersigned and interested parties, hereby request to make the following amendments to the zoning ordinance.

In the case of a zoning text amendment, provide the section number of the ordinance which you are proposing to amend, along with the language that you would like to have added/subtracted/amended to the ordinance. (Additional pages may be provided if necessary.)

N/A. Request is to amend Zoning Map

In the case of a zoning map amendment, the request is to rezone the property, identified by Tax Map parcel number(s) J8-21-2A-0324, from Rural Agricultural zoning district to NEB North End Business zoning district. A legal description of the property to be rezoned must be included with this application, along with a map showing the proposed boundaries of the map change, the existing zoning of the land and adjacent land, and the current uses of adjacent lots.

The reason for this zoning amendment request is:
The current zoning of the subject parcel renders its use and development inconsistent with the remainder of the Property located in Upper Nazareth Township. Please see attached Addendum for complete details.

Explain why the proposed amendment would be in the best interest of Palmer Township.

The proposed amendment cures inconsistent zoning designations on a singular Property, and cures invalid reverse spot-zoning.

Please see attached Addendum for complete details.

Explain what affect the proposed amendment would have on any existing residential properties in the Township.

None. The subject parcel is surrounded on all sides by existing industrial uses and Industrial Zoning Districts.

Explain what affect the proposed amendment would have on traffic in the Township.

None. The subject parcel is located in an area of the Township that is well-situated to handle any traffic that will be generated by the development of the Property. The subject parcel is located 0.75 mile form the Route 33 Interchange via Tatamy Road / Main Street. Development in this location supports principles of guiding development to areas with sustainable infrastructure and easy access to highway and arterial roadways.

Explain what affect the proposed amendment would have on public and water systems.

None. The subject parcel has access to existing public sewer and water systems.

Please add any additional information you would like considered as part of your application.

In addition to this application packet, all submissions require the documents listed in §190-112, including an Impact Analysis, Community Benefit Summary Report, other plans and reports depending on the type of amendment request, and a digital link containing PDF versions of all items submitted. The required fees should be submitted in the form of a check made payable to Palmer Township.

Send or deliver this application, along with the required plans and application fee, to:

Palmer Township
Department of Planning
3 Weller Place
Palmer, PA 18045
TELEPHONE: (610) 253-7191

EMAIL: cbeavers@palmertwp.com

Signatures and Understandings Pursuant to Application to Palmer Township

By the signing this application, the Applicant acknowledges that the money in escrow is for reimbursement at Palmer Township's discretion for any and all engineering, legal or other expenses incurred by the Township, exclusive of work performed by full-time township staff members, in processing the Zoning Amendment Request in accordance with the Municipalities Planning Code. The Applicant shall enter into a Professional Services Agreement (PSA) in order to establish a development escrow account with the Township. It shall be the understanding that Palmer Township shall establish and then charge to an escrow account for certain costs to review and administer the Zoning Amendment Request process through the Township Engineer, Township Solicitor and other professionals. By signing this application, the Township will draw upon escrow as needed to administer the Zoning Amendment Request process. The PSA is attached at the end of this application packet.

The undersigned represents that to the best of the undersigned's knowledge and belief, all the above statements are true, correct and complete, and that the undersigned INTENDS TO BE LEGALLY BOUND BY the terms hereof.

The undersigned further agrees to pay all required application fees and establish the required escrow as prescribed by the currently adopted Palmer Township Fee Schedule, available on the township website. Applications without required fees or escrow payments shall be deemed incomplete and returned to the Applicant.

The undersigned further acknowledges that should the applicant or applicant name change during the township approval process, Palmer Township shall be notified immediately in writing and prior to any formal resolution of approval by the Palmer Township Board of Supervisors.

The Applicant and/or authorized agent agrees to appear to present the application to any public body holding any public hearing or review session regarding the application.

Signature of Owner, Applicant or Authorized Representative:

Signature	Name, Title	Date
Gregory Chrin	President	1/6/26

Staff Report

INFORMATION

The Planning Director will provide his monthly staff report.