

Is the Lehigh Valley Becoming Anti-Development?

In 1982, Lynn Township, near New Tripoli in Lehigh County, passed a zoning change that only allows 10% of any farm to be developed. In other words, if a farmer has 100 acres on their property, 90 acres of the total must stay farmland, according to this rule. New homes can only be built on 10 acres. This Lynn Township zoning rule has been the source of ongoing arguments between developers, realtors, investors, and residents for several years.

As developers and builders carve up many of the large farms in the Lehigh Valley for buyers moving in from New York and New Jersey, the anti-development sentiment has been spreading. Heidelberg Township passed another rule allowing only 10% of any tax parcel to be developed. Upper Milford Township, between Emmaus and Coopersburg, is debating creation of an agricultural conservation zone, which would limit development to between 11 and 20% of a farm in the proposed zone. Lower Mount Bethel Township, near Bangor Pennsylvania, is debating a zoning change to reduce development to only 10% of any tract of land in the township.

According to one source, Lower Mount Bethel Township, which is only minutes from the I-80 exit at Portland, could see over 4100 homes on the current farmland according to current zoning, if all agricultural land were developed. If the new zoning is passed, this number could drop to 700 to 800 or less if all available land were fully developed. "It's always a tough decision. I love driving through the beautiful open farmland as much as anyone, but many farmers have all their retirement plans wrapped up *in* the sale of their land. If the value of their farm land is greatly reduced because it can't be developed, then they lose part of what they've worked so hard their entire lives for" said Loren Keim of Century 21 Keim Realtors.

"I think that for the most part, it's a good [program]" explained a Lynn Township official. "A few other townships wanting to preserve their land value have called [me] because they want to model our rule since it works pretty well. Does it reduce property values? That depends on how you look at it. As far as developed land: yes."

"I can't believe that these people move in and buy their one acre of subdivided land, and build their house overlooking my 50 or 60 acre farm, get elected to the zoning board, and then tell me what I can or can't do with my property, because they don't want to ruin their view," said one farm owner. "Now that they've got their piece of heaven, they won't allow anyone else to have one," said another.

Keim pointed out "State agricultural preservation programs already exist where funds are available to buy conservation easements on property, which permanently restrict any development of the property. This is a win-win for the townships and for the farm owners. Farm owners receive cash for the restrictions that are imposed on the property, and many properties are then protected for all time. Simply having a zoning board select areas, as is happening in Upper Milford and Lower Mount Bethel and create laws or

ordinances that prohibit or severely restrict development can dramatically reduce their property values without any compensation.”

At a January 30th public meeting in Lower Mount Bethel, Ryan Conrad, Government Affairs Director of the Lehigh Valley Association of Realtors, made a speech explaining the Association’s view of the proposed changes. “The LVAR understands the importance of protecting valuable agricultural lands and preserving natural resources. We recognize the many benefits associates with open space protection... We believe that any ordinance proposed to protect valuable agricultural lands must carefully consider preserving a property owner’s right to freely own, use and transfer their property, while also protecting the value of real estate. In our opinion, the 90-10 Ordinance as it is currently written impedes on these rights.”*

Even with the real estate market beginning to slow, development is not going away. Growth in the Eastern Pennsylvania marketplace has fueled the new construction boom, and subdivisions are in planning stages in virtually every township in the 5 county area. Some residents want to keep township at their rural roots, and some residents believe they are being restricted in their free use and enjoyment of their property.

* A copy of the full policy statement by the Association can be found in this issue.