Lower Saucon Township
Citizens Committee

Date: February 19, 2015
Time: 7:05 p.m.
Location: Council Meeting Room

Attendees:
Joe Graziano
Joel Katz
Dale Kochard
Sandra Miller
Dave Spirk
Mark Walters
Stephanie Weitzman

Dave Willard
Judy Stern Goldstein
Jack Cahalan
Chris Garges

- **Welcome/Background**
  - Dave Willard welcomed the Citizens Committee members to the meeting. Dave said that we had an Economic Development Task Force that was active last year and some of the members present tonight served on that committee. That Task Force developed a vision "Lower Saucon Township will support existing businesses and institutions while developing future opportunities through managed growth that reflects the Township's heritage". Everything they did was going toward that vision or goal for the future. In October they produced a report for the Council. One of the recommendations in that report was to form a Citizens Committee to advise the Council and staff on economic development as it relates to our policies and permitting procedures.
  - Dave said that as a result of the Task Force's work we are now in the running for grants funds from Northampton County that will help pay for the cost of carrying out the next steps that were outlined for immediate action in the Task Force report.
  - The members went around the table and introduced themselves.
  - Dave said we provided a binder with some background reading material, an agenda, a survey form and the Scope and Charge for the Citizens Committee. The Committee is supposed to meet at least four times during the year and provide a report to the Township Council by their Budget Hearing in October. Jack will keep the minutes for the meetings and we'll defer the appointment of a Chair until later.

- **Review Survey**
  - Chris said that the one of the takeaways from last year's Economic Development Task Force was for us to see how we could make our processes and procedures a little bit more user friendly in order to encourage development. From the onset of an idea to a development actually getting completed there is an extensive, time consuming process. Some of it is Township related and some of it is outside agency related. What we envision this group doing is looking at the hands on stuff, identifying what's out there now as roadblocks that we can control and coming up with recommendations for changes to ordinances and fee schedules, etc. that we can recommend to the Council.
  - The survey was put together as sort of an icebreaker but to also see what your experience with the Township has been, if there were any glaring issues, and if there were any recommendations for any changes. This is also something that we can come back to as we move through this process to see if

your perception has changed once you have learned more about the policies and procedures. Chris went through the survey questions. Chris said that one of the things that the Township prides itself on is being as friendly and welcoming to everyone; returning phone calls promptly; making sure the website has up to date information and forms.

- Dave Spirk said that he has been working with the Township since back in the 1990s when Charlie Senich was the Zoning Officer and he would say that the Township is in the forefront of being customer friendly. His company worked on 1,500 projects last year and got permits in six states. They walk into a place where they say give us your paper work – we won't talk to you – won't answer any questions – and by law we'll respond to you in 30 days. That's one end of the spectrum. What he's learned in dealing with Lower Saucon is that you should go in and tell them what your ideas are, show them a sketch on an informal basis and the Township is receptive to that.
- Joe said that he had experience dealing with Chris on several code issues with his home and found him very attentive and informative.
- Sandra said that she recalls the issues that homeowners in the Woodfields development had with impervious surface. Dave S. said that impervious surfaces are a part of every project in the Township.
- Dave S. said that back in 1998 there was no building code in this Township. You could walk in and get a building permit, build the house without any inspections except for septic and setbacks. Most of Woodfields was built before 1998. After that a lot of these restrictions were put in place. What we should do is identify the things that are the most restrictive like the woodlands, steep slopes.
- Chris said that a lot of the impervious issues now are driven by outside agencies like DEP and the County Conservation District.
- Dave S. said that one of the problems that homeowners face if they want to put in a pool or patio is that most of their neighbors have already put that stuff in before the regulations were adopted.
- Chris explained the situation with the Toll Brother development on Meadows Road where most of the homes that were selected to be built on those lots were the maximum sized houses which meant that when the residents moved in they were already maxxed out from an impervious coverage standpoint and had to seek variances if they wanted to install decks or patios. Judy said that because of these situations we revised the zoning ordinance to leave a certain percentage of the impervious coverage to the homeowners.
- Mark said that the biggest complaint he hears about in the Township is the cost of engineered grading plan if you have a project that is larger than 1,000 sq. feet. He understands the need for the grading plan for newer projects but the costs are excessive and a burden on folks who want to do a small project like an addition, etc. on their homes.
- Sandra said that she knows of residents who wanted to subdivide their property to give a portion of it to their children and it would end up costing them thousands of dollars for the engineering. Was there some way of keeping these costs down if the property was going to stay in a family. Judy said that she understands this but you have to understand that when that new lot is created it can be sold by the family member to anyone, including Toll Brothers.
- Chris said that these examples show the various layers from the big developer to the smaller jobs that Mark does, to the resident who wants to do an alteration on their home that these regulations deal with.
- Dave S. said that the way he sees it the people who hold onto their land the longest, like farmers, when they want to develop their land, that's when they run into all these regulations that have been adopted. The cost of their land has actually diminished because the cost of developing it with all these requirements has risen. The second problem is the homeowner who lives in a subdivision who wants to put in a pool and discovers that all of his neighbors have already installed theirs prior to the regulations being adopted and they find that they have exceeded the impervious coverage. There ought to be some provision that would allow them some alternatives.
- Joe suggested that we make the survey available to the entire Township. Jack said that we will work on getting that posted on the website.

- **General Overview of Permits and Development Trends in LST 2004-2014**
    - Chris reviewed the Permit Summary Chart that he has been compiling for the past 10 years:
        a. In 2008 when the economy slowed down you can see that the New Homes and Condos dropped from over 50 or more each year to number in the teens and then dropped below 10 per year. Some of that has to do with the fact that there is very little developable land left in the Township.
        b. Under Alterations and Conversions you can see that in 2008 that number actually increased as people opted to stay in their homes and improve them rather than try and sell them.
        c. Under the Occupancy Permits line which includes both new and existing homes, you can see that that number decreased slightly but has still maintained a consistent level.
        d. On the bottom line which shows Total Projects Processed that number includes projects being reviewed by the Planning Commission, the Zoning Hearing Board and the Council.

- **Effects of Township and Outside Agency Requirements on Economic Development**
    - Chris said that he wanted to start at a higher level and go down some of the terms and processes that are involved with any development from large scale to the smaller ones like individual building permits.
    - The first one is approvals relating to new or changes in use. This could be raw land where, for example, there may be a house and the owner wants to change that into a commercial use. This type of land development would require hiring an engineer to look at things like traffic, and would have to be reviewed by the Township consultants and go through the Planning Commission and Council for approval. Along with those approvals you are looking at stormwater management, possible Zoning Hearing Board variances, and you could get into conditional or special exception uses.
    - Judy said that conditional use or special exceptions are uses that are permitted by right as long as you meet the conditions of that use. The conditional use must be reviewed and approved by the governing body and the special exception must be approved by the Zoning Hearing Board.
    - Joe said that it would be great if all this good information that Chris provides was available to the rest of the residents. Dave said that we probably should have videoed the Citizens Academy classes where a lot of this information was presented.
    - Chris said that the next level down would be where you have a permitted use or something previously established and you want to do an addition or expand. You are looking at possibly needing zoning variances; the earth disturbance or grading permit that Mark touched on, and stormwater management. You could be looking at on-lot sewer or public sewer. Ultimately the goal of any development is to end up with the zoning or building permit in order to build what you want to do. Another thing in this area that that might apply is the geothermal or ground source heating permit requirements. You also may be looking at a PennDOT or Township right of way or driveway permit.
    - The last thing on the list is some of the outside agency approvals or regulations that any developer or township resident may have to think about getting for their project. The state DEP and County Conservation District has a NPDES permit for any project one acre or larger that regulates the discharge of stormwater. The erosion and sedimentation requirements are usually wrapped into the NPDES permit. The PennDOT highway occupancy permit can range from a simple driveway permit to a commercial development looking for access to 378. If you are going to have on-lot sewer there is a whole realm of testing and approvals required. For public water and sewer the Lower Saucon Authority, which is supplied by the City of Bethlehem, would be involved. In 2012 Northampton County's floodplain maps were re-mapped by FEMA and their floodplain requirements have been changed and now affect new property owners who now need flood insurance. In 2004 Pennsylvania adopted a Uniform Construction Code so there are generally consistent building codes that cover new commercial and new residential construction throughout the entire state.

- **Overview of PA Municipalities Planning Code (MPC), Township Subdivision and Land Development (SALDO), Township Planning Commission, and Building and Zoning Permitting**
    - Municipalities Planning Code (MPC) – Chris said that the MPC is basically the bible that lays out what the Township can do from a planning and zoning standpoint: what we can regulate, how strictly we can regulate things; time frames that we have to operate and respond to things. The two most important bullets are first ones there which says that the act allows local governments to plan their own development and each of the 2,500 municipalities in the state are going to vary as some are rural some are urban, etc. The MPC basically says that each municipality in PA has to provide for each and every use somewhere in the municipality; you can't exclude any of them. Chris went over the key parts of the MPC.
    - Subdivision, Land Development – Chris said that this is the development approval process. The definition of land development and subdivision is provided here. Keep in mind that land development could either be a huge Wal-Mart shopping center or a 2,000 sq. foot office building on 378 and they both have to follow the same set of regulations. As a committee maybe we could look at a process that could simplify the process for the smaller projects.
    - Planning Commission – Chris said that this 7-member board reviews and makes recommendations on all of the subdivisions and land development plans that are submitted in the Township; they make recommendations on any changes to zoning and SALDO ordinances.
    - Zoning, Building Permits, Uniform Construction (UCC) and Building Code of Appeals – Chris said that this section basically describes what the Zoning Department does with Zoning and Building Permits. Permits required under the UCC require 3rd part inspections. It lists what you need a permit for from tree removal to on-lot septic systems. The Building Code of Appeals, which has not had to meet in years, hears any appeals on any disputes with the where an applicant disputes of can't comply with the UCC.

- **Handouts**
    - Chris said we gave you some handouts which are publications put out by the state in the 3-ring binder to take home for some background reading.
    - Chris said that you can go on the Township website and search the Code which will give you all the Township ordinances which you can search through.

- **Conclusion**
    - Dave W. said he's not sure if we want to appoint a Chair for the remainder of the meetings. The group felt that Dave W. should serve in that role. Dave W. said we'll hold off polling the group until there are more members present.
    - Dave W. said that we thought about morning or evening meetings but gave you a list of meeting dates on Thursdays which seems to be the most convenient date.

The meeting adjourned at 9:05 p.m.