Lower Saucon Township
Citizens Committee

Date: June 18, 2015
Time: 7:05 p.m.
Location: Council Meeting Room

Attendees:
Charles Moretz
Joe Graziano
Sandra Miller
Amanda Buss-Sivak
Andrew Lauden
Erin Kintzer
Phil Roeder
John Landis
Scott Mease
Andrew Warner
Ron Horiszny

Dave Willard
Judy Stern Goldstein
Jack Cahalan
Chris Garges

1. Panel Discussion

- Dave welcomed everyone to the meeting and asked Amanda and Phil to introduce themselves. Dave circulated a news article about an international business that repairs aircraft landing gear that chose to locate their business in the Lehigh Valley and will employ 25 people. Dave said the message with this is that we should think broadly and expansively in what we are doing here. Dave said that we have some guests tonight who we asked to have a dialogue with us. Also, this group is an extension of the Economic Development Task Force who made some recommendations last year to the Council which were accepted, and they created a plan which was called "Set into Motion". One aspect of it was some additional planning work that drilled down on what are the areas on what are the areas for development in the Township? The other recommendation was to form this committee and have you review our policies and permitting procedures to determine how user friendly the Township is or can be.
- Dave introduced John Landis, the Chair of the Township Planning Commission. John gave some brief information on his background as an industrial engineer. John said he has been on the Planning Commission for 20 years. It has evolved a lot since he first came on the board. At that time they used to spend hours going over review letters item by item. That changed when he became the Chairman. When he started people did not have sketch plans; they came in with a full plan and it was chaos. The weakness is when people come up with a plan without ever discussing it with anyone. Some of the plans we get, it looks like they never read the ordinance, and we get review letters that pages thick on them. We need to get more sketch plans and we need to get applicant tied into our professionals early on in the process. The planning commission should not be getting into engineering details; that's what the professionals are hired to do. A lot of those details could be ironed out before the planning commission ever sees it. There are issues, such as interpretations or waivers, that do need to come before the planning commission. The other problem is when someone comes to us with a review letter and we can't agree on it and they have to come back – they can't get back within a month. They only have 5 days to make the changes to get it back on the next meeting. That's an area that is a problem. A lot of the stuff that comes before us is incomplete. We also get plans submitted that we know are hopeless because they want to change so much, and we

know from experience that it isn't going to fly. We have had a couple of those and we were able to tell the people what they faced and they never came back. We had one property in the Township that had multiple submissions and we could see that they hadn't thought everything through and were not even close to having something that was viable but they have a right to their day in court. John said that the commission is doing some master planning and is working with Hellertown Borough. Sandra asked how do you get before the Planning Commission? Chris said that there are four (4) options: an informal sketch plan; a formal submission which usually has more information on the plan and our consultants would review the plan before the meeting and generate comments for the Commission; a full-blown submission which John mentioned which is a full set of plans prepared by an engineer which attempts to address all of our ordinances like sewer, traffic, setbacks, buffers, etc., and, the fourth way would be just public comment. Judy said that there is something that could occur even before a sketch plan and that is a discussion with Township staff and they could invite the individual to attend one of the staff meetings to float the ideas for their project and the planner, engineer and solicitor will offer their comments on the items that they need to address. Then they can go away and do some homework and then come back with a plan. Chris said that the end goal of this is to come up with recommendations for Council and as you listen to these presentations tonight and think about what we discussed previously try and formulate some ideas for recommendations. We are going to give you some homework and hope to have some recommendations by mid-July that we can start to compile for our next meeting. Chris said let me summarize the four things that I got out of John's presentation that we can use to put into the recommendations: (1.) encourage developers to meet with the Township staff or come to the Planning Commission early with informal sketch plans; (2.) take a look at our timeframe so a developer can have a quicker turnaround on re-submissions; (3.) try to weed out or discourage incomplete submissions, and (4.) be more forthright with far-fetched ideas. Judy said to keep in mind that we have to follow the MPC and if a developer wants to submit a full-blown by-right plan that is fully compliant with all of the ordinances, it has to be approved. It is rare though to see a plan that is fully compliant on the first submission. Dave said that it is possible that the perception that we are not user friendly may stem from people who come to us late in the process without getting the good counsel and advice from our professional staff and, then have challenges and difficulties which cost them time and money. Joe asked John what he thought was the biggest complaint that a developer would have with the process? John said if he was a developer it would be turnaround time, because if you are in business you want something built. Joe asked what is the Planning Commission's biggest complaint? John said incomplete submissions. Joel asked how much is the Planning Commission influenced by public comment? John said it is somewhat but we have to follow zoning and subdivision ordinances. The typical complaint we get from residents is that they are opposed to the project because of the impact to the community and we have to consider that.

- Scott Mease said that he has been in business as a consulting engineer for subdivision and land developments for 28 years. At one point he counted that he had worked in 60 different municipalities so he's seen the gamut of requirements over the years. He also is the Township Engineer in one municipality so he has sat on the other side of the table. To reply to Joe's question, he would state that there are two sets of regulations in the Township: zoning and subdivision and land development (SLDO). Zoning is set in stone and all you have to do is follow a checklist of stuff you have to do. The SLDO is more guidelines where you get into the give and take. The ordinance is written in such a way that everyone has to put in curbs, sidewalks, widen the road, etc., and the discussion point is where does that make sense for some projects and not for others? Scott said he thought about some of the things that he thought delayed projects. On lot line adjustments, this Township takes them right to the Council, and they don't have to go through the Planning Commission process, which is a good thing. Regarding submissions, Lower Saucon is one of the few municipalities that has two consulting firms; Judy's firm reviews for zoning and, Hanover Engineering reviews for SLDO. Most of the other municipalities have one reviewer that you have to work with. Scott said that when we come in here with our plans we want to get as far ahead as we can as there are other outside agencies and they don't want to see a sketch plan, they want to see a more formalized plan. That does add to the time frame because we have to wrap things up with the

Township before we can proceed with, say, our NPDES permit or with PennDOT, for example. Time frame wise, it is really tough as I only have about 4 business days to provide my plan and get it back to you and our clients want you to get in back in and not miss a meeting, and that's why he schools his clients or staff that when they come to a meeting we want to advance our project and get recommendations for approval and that's not going to happen if we are not prepared. Scott said he doesn't want to waste the Planning Commission's time on nuts and bolts issues, he wants recommendations from them. Scott said that the Township has some very strong stormwater regulations and one of the frustrating things to him is that it is different than the Lehigh Valley Planning Commission (LVPC) regulations so, for example, he just finished the Green Gables project and for that he had to do three (3) separate stormwater applications: the Township's, for the LVPC, and then one for his NPDES permit. Chris asked Scott if in his experience there were other municipal stormwater ordinances in the Lehigh Valley that would make this any easier? Scott said that there are a lot more rules and regulations with the Township ordinances. There are more setbacks and design constraints to deal with. Judy asked if the municipalities he works with in Bucks County have stormwater ordinances that are more aligned with the county regulations? Scott said in Bucks County, the county is much less active regarding stormwater as they feel that the municipalities are much more restrictive. Judy said that under Act 167 the municipalities in a watershed have to adopt a version of the model stormwater ordinance so they should all be somewhat similar. She was wondering if our ordinance is significantly different than the other municipalities in the watershed? Scott said that there are many more design constraints in the Lower Saucon ordinance. Scott said his final observation is that the Township has a separate stormwater and grading application and most projects fall under the grading requirements and whenever it does it should take priority over the stormwater application. Scott said maybe part of the grading application can say that you have to do the stormwater too. He said he usually winds up having to ask for a waiver from doing it.

- Dave said that Andrew Warner was on our Economic Development Task Force last year and is a developer in the Township and we wanted to hear from every angle on this issue. Andy said that he has done some projects in Lower Saucon and did others in Upper Saucon and in Quakertown. He said that he shared some of his experience in Lower Saucon with the Economic Development Task Force. He developed the Embassy Bank project on 378 and Colesville Road. That project took him over a year to get approved, cost him over $130,000 in engineering fees. It was roughly a 2,400 sq. foot building. During that time frame he also built a roughly 24,000 sq. foot building in Quakertown and that took me 3 months to get approval and cost him $30,000 in engineering fees. The bottom line with that was that Quakertown knew that this was a project that made sense; it is occupied by St. Luke's and the community loves it. In contrast, the project in Lower Saucon was very aggravating and he had reconsidered doing any other projects here but, hopefully, through meetings like this and the volunteers who are serving we can make the process easier and more welcoming. Chris asked if the $130,000 included both Township and his engineering fees? Andy said that was correct. Judy said that you had a triumvirate of issues to deal with on that property: PennDOT, wetlands, septic, etc. Andy said there were plenty of things that had to be dealt with on the site. There were some issues with the Quakertown site also, but the difference was that Quakertown reached out and had someone who made sure that it got done. Andy said the staff here is great and he has no problems when he was before the Planning Commission, but Quakertown helped us get it done as quickly as possible and he thinks something like an "ambassador program" where someone would be designated at the Township to welcome developers in and shepherd them through the process. He thinks that there should be some give and take to work on some of the issues that get identified in the review letters. Judy said that almost 80% of his project involved stormwater issues. Andy said that they would send in their response to a review letter from the engineer and then get another letter back with more issues. If would have been good if we could have gotten the engineers together to make sure that they had gotten everything done. Judy said that as a professional she tries to reach out by phone or meet with them to get things done. She also will get calls from the engineers after she sends out their first review letter asking her for more information, or disputing an issue, so they can respond to the comments. Chris said sometimes engineers don't want to call

and rock the boat as they feel that it will be harder on them. Judy said that the reason that new issues come up in a review letter is usually because the engineer made a change and didn't carry that through or see what was happening or see what else it did. Andy said that he felt that if there had been more communications between the engineers, his project timeline and costs could have been cut in half. Andy said that he thinks that we should look into having for flexibility for commercial developers dealing with natural features on a property. Also, for smaller developments, for example under 5 acres, he feels that you should not have both the planner and engineer to deal with, maybe just the engineer. If you take that additional part out of it, it is going to save you additional money and headaches.

- Comments from Craig Kologie. Chris said that Craig has been on the Planning Commission for many years and is a professional planner. He wasn't able to be here tonight but emailed in some responses to these issues. Chris said that Craig said that too often everyone is looking for a reason to say no instead of wrapping their arms around it and coming up with a solution. Craig also mentioned the duplication of the consultants, the increase in fees that that brings with it, and the time and coordination issues. Finally, he mentioned the resource and site capacity restrictions that we talked about which he says is limiting a lot of the non-residential uses when it comes to the infill and commercial areas.

2. Introduce Planning Task #3 – Parcel Inventory-Development Ranking

- Dave said that the other thing that came out of our plan from last year in addition to what the Citizen's Committee is doing, was to look at what are the areas that are suitable for development. Judy said that Task # from the plan was to do a parcel inventory and development ranking. We divided the development areas in the Township into a number of areas and looked at each section separately. In Section A there is some opening verbiage and some maps. We ranked the properties in tiers because it is really a triage type of exercise when you are looking at what can be developed and what can't. Tier 1 properties are already vacant and non-residentially zoned and they have public water and sewer near the site. They are the highest developable. Tier 2 would be kind of there but not quite. They are non-conforming or conforming but not the highest or best use rights now. They are not residentially zoned and have public water and sewer near the site. Tier 3 you get a little less than that. They are not vacant and may have something on it already, but it's not the highest and best use and Tier 4, those properties have more obstacles to overcome before they can be developed. Then we went into an analysis for each of the sections. The maps are color coded to show land use designations.

3. Set Direction for Future Meetings; Final Report; Implementation in 2016

- Dave said we applied for a grant from Northampton County for the planning work associated with this project and we were informed this week that we will be receiving that grant. The reason we received that grant is because the County sees us in the forefront of municipalities as far as economic development.
- Dave said that we are going to ask you to start giving us some recommendations and Chris is going to give you some homework. We are going to pull things together from what you tell us tonight plus what's in the survey for the September 17th meeting. Then we have to put our recommendation into draft form for adoption at our October meeting and then it has to go to the Council for final approval.
- Chris said he would send out an email to everyone and we will try and break down the recommendations into three (3) categories: a procedural/policy category; a fee revision policy, and an ordinance category either through the mapping that Judy is doing or any of the text we talked about. We would like your thoughts and recommendations by July 17th. Chris said he will compile your recommendations and the survey recommendations (which we gave a deadline until September 1st) and have it out to everyone prior to the next meeting on September 17th.
- Chris said we are also planning to attend the July 23rd Planning Commission meeting to give them an update on our activities and Dave was planning on doing a report at the August 19th Council meeting.

The meeting adjourned at 8:48 p.m.