

**I. OPENING**

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Announcement of Executive Session (if applicable)

REVISED

**II. PUBLIC COMMENT PROCEDURE**

**III. TOPICS OF DISCUSSION**

- A. Swearing In of Corporal Tim Connell
- B. Subdivision & Land Development Ordinance (SALDO) Revisions
- C. Impervious Coverage Discussion
- D. Saucon Valley Joint Recreation Study Committee Proposed Scope of Work

**IV. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**

**V. COUNCIL & STAFF REPORTS**

- A. Township Manager
- B. Council/Jr. Council Member
- C. Solicitor
- D. Engineer
- E. Planner

**VI. ADJOURNMENT**

Next EAC Meeting: July 13, 2010  
Next Zoning Hearing Board Meeting: July 26, 2010  
Next Council Meeting: July 21, 2010  
Next Planning Commission Meeting: July 15, 2010  
Next Park & Rec Meeting: July 12, 2010

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**I. OPENING**

**CALL TO ORDER:** The Special Meeting of Lower Saucon Township Council was called to order on Wednesday, July 7, 2010 at 4:06 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, President, presiding.

**ROLL CALL:** Present – Glenn Kern, President; Tom Maxfield, Vice President; Sandra Yerger, and Ron Horiszny, Council members; Jack Cahalan, Township Manager; Leslie Huhn, Assistant Township Manager; Dan Miller, Township Engineer; Linc Treadwell, Township Solicitor; Judy Stern Goldstein, Township Planner. Absent – Priscilla deLeon.

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)**

<p><b>Mr. Kern said Council did not meet in Executive Session between our last meeting and this meeting.</b></p>
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**II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS**

Mr. Kern said this is a Special Meeting and what that means is Council, as agreed by Council, will take no action and no votes on anything that is discussed today. It's more of an informal discussion session regarding the subjects you see on the agenda.

**III. TOPICS OF DISCUSSION**

**A. SWEARING IN OF CORPORAL TIM CONNELL**

Mr. Kern said Lower Saucon Township Police Officer Tim Connell has been promoted to Corporal and is here this afternoon to be sworn-in to his new rank and position.

Chief Lesser said he's sure you recognize Corporal Connell from previous meetings and previous years which he's been here to receive a number of commendations. Corporal Connell has been with our department since 2000. He's served as a Team Leader and was promoted to that position earlier this year. He also served as a Criminal Identification Officer and he's served our department as a Field Training Officer for many years. It's our pleasure to see Officer Tim Connell promoted to the position of Corporal. Diane Palik is here this afternoon to swear him in and his wife is also here to pin on his Corporal's badge. Diane Palik swore Corporal Connell in. Council congratulated Corporal Connell.

**B. SUBDIVISION & LAND DEVELOPMENT ORDINANCE (SALDO) REVISIONS**

Mr. Kern said Staff was requested to review the current SALDO and to recommend revisions where necessary in order to be compliant with recent ordinances and to rewrite/update areas that conflict with our ordinances or any outside agency guidelines. Boucher and James and Hanover Engineering have been working together on these revisions and their work is outlined in the memo from Judy Stern Goldstein dated February 9, 2010.

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Ms. Stern Goldstein said she brought a couple of handouts this evening for reference. She copied the current draft of SALDO with the relevant sections that she needs to go through tonight with some policy direction. She will take one section at a time.

Ms. Stern Goldstein said regarding her memo, there were a couple items to go over. The big issues were the streets and the cul-de-sacs. They had a lengthy discussion about the cul-de-sac streets themselves. The items we needed policy direction on from Council was the max and length of cul-de-sacs. The ordinance right now has a 600 foot maximum. The draft on the model they are going from that they worked with Terry Clemons on was 800 foot maximum. Mr. Kern raised a good questions last time – why would we want to go longer? Her response was it promotes and provides for some flexibility and design, especially since they have a lot of environmental and natural resources in various parcels throughout the Township and our ordinance protects those natural resources at different protection ratios. They are trying to encourage people to disturb the natural resources as little as possible or preserve them as much as possible and permitting a slightly longer length of cul-de-sac doesn't necessary permit more dwellings, it permits some flexibility and design. It could be houses on one side; it might mean some areas where the open space or resource protected area comes up to the roadway. It just promotes a little more flexibility. Many of the model ordinances they looked at go up to a 1,000 or 1,200 square foot maximum for cul-de-sacs. Some have no maximum cul-de-sac length, they just regulate it based on the number of units on the cul-de-sac. Lower Saucon has always regulated the length of cul-de-sacs. The 600 feet came at the recommendation of Emergency Services when this ordinance was previously adopted and Dan Miller spoke about that last time. The real issue is at the end of the last meeting, there were only two Council members for this part of the meeting. They both were okay with 800 feet at that point, but she doesn't know how the group of you feel. It's tied into a couple of others.

Ms. Stern Goldstein said the next part is the maximum number of lots, residential or non-residential. In the draft ordinance, the model they were looking at was 20. Currently there are seven dwelling units or four non-residential lots for 100 employees. At the end of this portion of the last meeting, it was really just okay with the 800 feet. They didn't have an answer yet on the number of lots. There was some question out on that still. Islands or no islands in cul-de-sac bulbs, and seeing there was a strong preference for no islands in the bulbs. It means no islands in the bulbs. She understands that was primarily for a maintenance concern. Mr. Horiszny raised the additional impervious concern. Ironically, there is more impervious if you don't have the island, then if you do have the island. You can look at it either way. If you are putting an island in the middle, you are taking out impervious and you are also expanding the width of it, so some people think it's the other way around, but mathematically, it's usually less impervious with an island. Mr. Horiszny said if the outer dimension were the same, then it would be less impervious to have a rain garden or whatever in the middle, but if you are condensing it, it saves it overall. Ms. Stern Goldstein said what could happen, even if you let it have a larger radius, if you make it so it's only one way to circumnavigate the cul-de-sac, you also save on in paving that way, so there's a lot of different things that can happen. Part of our discussion last time was to be silent on the issue of islands and not say there are permitted and not say they are excluded, and then deal with them on a case to case basis. She's not usually fond of case by case. She'd rather see a waiver. If they are not permitted and there's a compelling reason for someone to have an island, they could request a waiver to have the island placed in.

Mr. Maxfield said what about the other way around. What if we mandated the island and asked for a waiver to not have the island? His feeling about the island, and it goes back to ten years ago, when they were beginning to hear about infiltration in the middle of roadways to reduce the heat generating surface and you had mentioned before we have the snow easements, so he doesn't know that plowing is a real problem and it could be worked around. He would like to encourage people to think about islands. Would it make sense to do it the other way? Ms. Stern Goldstein said just looking at it from an environmental standpoint, it makes sense, but when you look at it in a practical sense, the only time she's not really in favor of islands is an occurrence that happens more

often in Lower Saucon and that is a four, five, six lot subdivision with a cul-de-sac. No Homeowners Association and one lot owner is maintaining the island which is unfortunately ends up not being maintained because it's not actually physically connected to their property. They are looking at it, why should I have to maintain it and all the other lots aren't chipping in. The first time home buyer might go in that knowingly that "yea, I really want that", and the second and fourth, fifth, it's lost. Here we have an island that for aesthetic and environmental reasons, it's not functioning at all. Mr. Maxfield said you are saying that happens more often than not? Ms. Stern Goldstein said we've been involved in the Township since 2004. They've seen five or six different subdivision plans that have just been a cul-de-sac with not that many lots on it. There were some that had open space, but usually it was a conservation easement. Mr. Maxfield said he was thinking of how successful the islands were at Long Ridge, plus they had the facilities in the middle for the water tanks. Ms. Stern Goldstein said that was a condo association because the lots were condo lots. They owned only a little square around the houses. Mr. Maxfield said in at least one of them it was a slanted surface. Ms. Stern Goldstein said they were tear dropped also. Mr. Maxfield said even regular cul-de-sacs, he never understood what the function in the middle was for. No one uses the middle unless they are driving too fast or too big down the cul-de-sac. Ms. Stern Goldstein said no one uses the middle, per se, but depending on the turning radius of the vehicle that's trying to circumnavigate it, like a moving truck, will do a couple movements in the cul-de-sac as they are usually too large to turn around. Even fire trucks often don't do it all in one sweep. The favorite is the plows which go back and forth and just push it off to the side without having to worry about anything in the middle. Mr. Maxfield said that's why in Long Ridge, we did the no curbs and the swales were moved back from the side of the road so emergency vehicles could drive over the grass if they needed to and access the property. Ms. Stern Goldstein said she thinks it has a stabilized shoulder in the cross section. Mr. Kern said what was successful about the Long Ridge cul-de-sac? Mr. Maxfield said first of all they had a function rather than just being an island that looked nice. They do infiltrate water at that spot. They just look nice and are aesthetically pleasing. Mr. Kern said the maintenance issue was the reason two of us were leaning towards no island as in the long run they are not going to be maintained. Mr. Maxfield said he doesn't know who is maintaining them now. Mr. Kern said it's a HOA, so that would be one thing, they would be maintaining it. Mr. Maxfield said that's for half of it, but for the other half, there's not so it may still be the developer who is maintaining it. Ms. Stern Goldstein said the developer is still probably maintaining everything on behalf of the HOA as there haven't been enough homes to turn it over to the HOA. That's usually the case until you meet that critical mass. Mr. Maxfield said it's almost like another thing is nice, and he just heard a planning program on it, how smaller communities are heading towards pocket parks. They've always had a problem with pocket parks as maintenance is always an issue yet for a community they are really a nice thing. It's a nice place to go. The community has to buy into these kinds of things and help maintain facilities that make their life nicer. Ms. Stern Goldstein said it's buying into these items as amenities rather than another chore or another burden. Many communities have bought into that, and that's where things like the cul-de-sac islands and smaller pocket parks and tot lots and small community gardens are successful. Mr. Kern said buying into it means more money and that's the problem. Mr. Maxfield said people buy into athletic associations for their kids, they buy into a million other things that make their lives more interesting and full of more experience. Ms. Stern Goldstein said the other solution is to not mandate for or against islands and look at them individually as sketch plans, start a dialog on them, not necessarily require islands in the ordinance, but we have the regulations for the radius of the paving and the radius of the right-of-way, they are minimal, so if someone wants to do an island and they want it larger, they have to design to circumnavigate around the island and have the storm water work, so that it could be a win-win situation and she'd say 85% to 90% of the plans coming in with a fairly good sketch plan and discussions with staff and the Planning Commission and sometimes Council, gets the feedback and can look at them individually, and give them feedback and steer them towards the island. Mr. Horiszny said are you saying: do mention the possibility or don't mention? Wait for waivers, and then it's your experience that people do ask for waivers? Ms. Stern Goldstein said she's not saying regulate against in this case, she's saying be silent on the island, just have your minimum requirement for cul-de-sac and if someone is putting

an island in, they are actually exceeding those requirements as they have already become larger. It's not a waiver. Mr. Maxfield said if we have an infiltration mandate, and he doesn't know if that goes per lot or if it goes per overall development. Mr. Miller said it's overall, but then a lot of times in the subdivision it says individual lots have to account for some of that as well. Mr. Maxfield said how we can encourage that too is have that count for the overall percentage or increase the amount of infiltration. Is everybody aware that LVPC is talking about not infiltrating 100% of your water even though you're able to do so because they've done studies now and they are finding out in an ideal natural landscape, 60% is trans-evaporated, 30% is direct recharge, and 10% is runoff. They are now looking to try and achieve that balance on the overall site. Maybe there would be room for homeowners to play with the infiltration percentages if you could offset it from the overall development standpoint. Maybe it would be a benefit to homeowners. So your recommendation is to leave it open? Ms. Stern Goldstein said she's just listening to Council and not hearing a consensus like definitely regulate for or definitely regulate against and she's trying to find a way that would work that could handle these as appropriate for each site, not precluding good design either way. Mr. Maxfield said sometimes in the past, we almost had to enforce good design and of course we want flexibility with the Township with a design to suggest things to guide it in a certain way, but we don't want to get stuck where we know it would be a better thing to do, but they don't have to do it. Ms. Stern Goldstein said the same things can happen if you try to regulate for a good design. It's one of the things be careful what you ask for as sometimes you'll get the letter of what you actually say you want, but not done in the way you wanted it. For instance, you could have require that islands go in and there's no guarantee that we can have a design standard in the ordinance to accommodate the planting requirements of each and every situation. Then it might not be planted as well or appropriately as you think and may not be maintained as well or appropriately as you think. It might not function as well, but it met the standard of the ordinances. Sometimes depending how projects go, occasionally not everyone is as interested in good design or what's best for the Township or individual community. That's part of it and she firmly believes that you could work much better towards a win-win situation by not over regulating. Regulate enough. Have the standards that you need and you should have, but when the pendulum goes too far and you regulate, you get the push back and that is usually pushed back in a negative way. That's just her experience of the last too many years. Mr. Maxfield said then we should err on the side of flexibility. Ms. Stern Goldstein said which would remain silent in the ordinance. Mr. Horiszny said he would tend towards silence. Ms. Stern Goldstein said that would mean they leave the current radial requirements, the minimum radial requirements for the right-of-way and the paving as they are then? Mr. Maxfield said the current radial doesn't prohibit islands? Ms. Stern Goldstein said they are a minimum required radius in the ordinance, that doesn't preclude going larger than that to accommodate an island. That would mean you aren't going to get the island in and have it work appropriately, but if it's mandated as a minimum, it doesn't preclude to going to an island. Mr. Horiszny said is that a pretty good minimum? Mr. Miller said it's worked so far.

Ms. Stern Goldstein said that answered c and d in item 1. We need the maximum length of cul-de-sac then, and whether or not you want to regulate the number of lots. Mrs. Yerger said she wasn't here for the prior discussion. Was there any mention of any downside to having the minimum going up to 800? Ms. Stern Goldstein said if it went up to 800, it doesn't change anything except for potentially some more paving, the 200 linear feet of paving, but it could actually promote some better designs. You could get 200 linear feet more of paving roadway in a cul-de-sac. That would be the downside. Mrs. Yerger said would it open areas that might not be developed to be developed? Ms. Stern Goldstein said she can't say that with 100% surety as there's always going to be that one site that 200 feet could get somebody one more lot. It's not going to open a whole new section or a whole new property. For lot frontage, mathematically, you might get one more lot in, but it's a lot they could have gotten anyway with a different design. Most likely it's not going to change that much. If somebody really needed a waiver on a length of a cul-de-sac, they are going to be in to talk to you anyway.

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Mr. Maxfield said he thinks they have in mind something they'd like to avoid – a long, long cul-de-sac that cut straight across the slope of a mountain. Ms. Stern Goldstein said 800 feet isn't going to do that. Are you okay with 800 feet as a group? Council said yes.

Ms. Stern Goldstein said then we come down to maximum number of lots. This is the language that came from the model they were looking at that was developed by Terry Clemons with Milford Township, Wrightsville Township and Solebury Township. They worked with Terry on this, and had many meetings with Terry. Those ordinances all had a maximum of 20 units on a cul-de-sac. That's a little higher than Lower Saucon has ever had. That's why she wanted to bring this to the group for some discussion. What you have in the ordinance right now is seven dwelling units or four non-residential lots not exceeding 100 employees. Mr. Maxfield said what would be the recommended change? Ms. Stern Goldstein said the recommended change, the draft change, was 20 dwelling units seemed a little much for her, but that was the draft for the whole model they were looking at. She wanted to know if you wanted to go up a little bit from the seven or if you want to leave it where it is. It was enough to raise a red flag for her. Mrs. Yerger said it's a significant increase. If we're increasing the cul-de-sac length by 200, that doesn't double the number of units, so she doesn't know what's a good ratio? Mr. Miller said it's important to note the reason for the regulations. It's not a good ratio of frontage to properties. It's a statement of reducing our risks of getting emergency personnel in there by having less people on a single access street. Ms. Stern Goldstein said that was the rationale for the 600 feet before and the number of dwellings and that was all emergency services related. The emergency services related issues don't change on the length of the cul-de-sac. They stay with people, dwellings or buildings. Mr. Maxfield said what Planning Commission recommended years ago was necessary emergency drive off the bulb of the cul-de-sac which was in essence became another exit in a couple of instances. He'd be comfortable with ten. Mr. Horiszny said if we tried to encourage smaller dwelling units or cottage type communities, wouldn't the 20 number be better to have in case we wanted to do that? Mrs. Yerger said it depends on where. The density then is going to affect your impervious coverage and your water and sewage and onlot, where applicable. Mr. Maxfield said right now the areas of the cul-de-sac are out where they have onlot water and sewage and at the minimum, one acre. Ms. Stern Goldstein said you could have a cul-de-sac in a cluster. Mrs. Yerger said then you are dealing with that on the other side of the Township. Mr. Maxfield said 20 is neighborhood changing. Twenty homes coming into where there is not a lot of anything, changes the whole surrounding area. That's why he would be comfortable between 9 and 10. If we wanted to say 10, would that be a decent number? Mrs. Yerger said do we have to change it at all? Mr. Maxfield said 7 at 800 feet are big lots. Ms. Stern Goldstein said or for some not fronting on lots, but fronting on open space, which then makes it more expensive to build the improvements as it's more improvements per lot. When she was looking at this, she saw the 20 and saw your current regulation at 7. Going to 800 feet and mathematically looking at lot widths, anything more than 10 didn't seem to be appropriate for the Township. Somewhere between 7 and 10 seemed appropriate. Anything you have in there, as your Planner, she's comfortable with. Mr. Maxfield said 10 gets us in the direction of what Mr. Horiszny was talking about. There's a little bit of a bonus than with just saying 9. He's comfortable with 10. Ms. Stern Goldstein said there may be some areas where you can't get 10 on a cul-de-sac depending on the minimum lot size. Mr. Horiszny said it's not a minimum anyway, it's a maximum? Ms. Stern said it's a maximum. You could have one lot on a cul-de-sac if someone wanted. Mr. Miller said with an 800 foot cul-de-sac, 10 lots would be somewhat consistent with the requirements for rural-suburban. So for lots less dense than that, the requirement will be driven by the minimum road and for lots denser than that, it would be driven by the maximum lots on a road. Ms. Stern Goldstein said she's hearing 9 to 10? Council said yes. Ms. Stern Goldstein said for non-residential, she wasn't changing anything with that. She thought your current ordinance seemed to be appropriate and is working for the Township. That was four lots, 100 employees. Mr. Maxfield said okay.

Ms. Stern Goldstein said No. 2, the minimum required cartway was for each type of street. This gets into a couple of issues. There's a chart on page 78. This is sort of the agglomeration of what

the recommendation was from the draft and some comments from Hanover. What it really comes down to is a couple of issues – minimum required paving width; curbs and sidewalks. Unless your ordinance requires curbs and sidewalks, you can't come back and say you want curbs and sidewalks but you can waive curbs and sidewalks where you don't want them. If you really, really don't want curbs and sidewalks and you don't require them at all, but realize that you can't come back and ask for them during the process. If you really, really don't want curbs and sidewalks, but you want bike and hike trails, then you regulate for bike and hike trails and we change our right-of-way cross section diagrams and we require that instead. If you really want none of it, you don't require any of it, but then you know you can't ask for it and you never get it. What normally happens in a community such as Lower Saucon, where you have two really different portions of the Township – one built up and one much more rural, usually developers and Township officials say we don't need sidewalks. They are in the middle of nowhere. Here we are 20 years later and we're putting a bike and hike trail in and it would have made sense to put a sidewalk in as the people are walking in the street, the area is becoming more developed and it's not safe. It would have been appropriate to have it but we don't because we didn't ask for it or we didn't require it, and asked it not be built and escrow the improvements for a future time when something is coming in. Richland Township has a master trails plan and they are building the trails incrementally and trails are being built in places where people never thought that anyone would ever want to walk. When she drove through the Township eight or nine years ago when we were developing the trails plan, people actually walk along Route 313, maybe we do need something safe for them to walk on. It seems terrible why you would want to put a place to walk adjacent to a really heavily traveled road, but people are walking there anyway. You want to get them off the road somewhere safe. You have some roads that might not ever be physically feasible to put in sidewalks for people to walk safely, but if you don't ask for it, you don't get it. The question is, if you think you are ever going to want it, you have to plan for it now. If you really don't want it, then you just close the door and say you aren't going to have it. It's a true policy decision. There really isn't any right or wrong. You just live with your decisions and you can also change your mind and change the ordinance next year but you can't retroactively make that into effect for anything that has already been submitted under the current ordinance. Mr. Kern said the current ordinance requires sidewalks? Mr. Miller said in some instances like denser subdivisions. Mr. Kern said R20? Mr. Miller said at that point, it's 3 per acre. Mr. Kern said it covers it for the higher density developments now and they can be waived if you don't want sidewalks in those higher density developments which has happened. The question is, do we want any type of requirement in the more rural area. Ms. Stern Goldstein said it's one per acre. Anything less than 3 dwelling units per acre, but more than one dwelling unit per acre concrete curbing and sidewalk are required. For something with a density less than one dwelling unit per acre, no curb or sidewalk is required, but Township Council can require macadam paved pathways or bikeways which will be part of an existing or planned pathway or bikeway system. You don't currently have an existing pathway or bikeway system so that really doesn't work yet. Local streets in non-residential developments, concrete curb and sidewalk are required. It's really that section between one dwelling unit and three dwelling units per acre, which quite honestly, is what's been coming in to the Township. The ones that came in already, five, six, seven units on a cul-de-sac, none of them have sidewalks or curb, and the swales are working fine. The problem is if you have sidewalk, you need the separation either vertical or horizontal, sometimes both. Sometimes you need curbing occasionally in small areas for the storm water. Curbing can be proposed as part of a storm water plan, but it's not required as its above and beyond requirements. People can always go above and beyond so if they are doing something unique where they need a little piece of curbing and inlet to collect stormwater near the top of the swale or something, you can go above the requirements. The issue really is the sidewalk or pathway, what you want to do with it. She's just trying to force you to think about it. You don't have to make decisions; she can only put it in front of you and make you think about it. Mr. Maxfield said they had talked about possible pathways when they did the comp plan, like going up Wassergass Road and places like that. Mr. Kern said when they did the multi municipal comprehensive plan, that was one of the major discussion about how to get pathways, bikeways, trails. Ms. Stern Goldstein said some of them are greenways along the streams and what

not. We also have the Rails to Trails coming in, and it would be nice to have connections to that. Two years ago, you had the press conference, and we had aerial photos and you'd have to build those connections. Mr. Maxfield said that's what he was going to suggest, for instance, those plans go through more rural areas, and he would like us to develop almost like an official map of trails. Ms. Stern said you can actually do a trails master plan and not adopt it as you would an official map. If you wanted an official map, you can. It also gets you into the realm of implementation grants for that when more monies become available for trails again. Mr. Maxfield said that way we could designate where those things would be applicable. How would that plan be reflected in the ordinance? Ms. Stern Goldstein said in your current ordinance, with residential subdivisions, the density of less than one dwelling unit per acre, there's wording in there that Council can require a bikeway or sidewalk if they will be part of an existing or planned bikeway or pathway system. We can work some language in like that, but she wouldn't suggest it be based on density. She would suggest it be based on just what's going on. In Doylestown Township, they have a section about hike and bike ways. The section reads that everyone has to provide hike and bike way along the frontage of their subdivision, along existing and proposed streets at the discretion of the Township and then the Township sends them to the hike and bike committee which is a joint committee with the Borough and the Township. That committee makes recommendations like does that connect into our major system or not. The Township makes the decision then where they want it and where they don't. They've built as of last summer, 15 miles completed in 15 years. Some years had three or four miles, and some years had none. Some of the situation is that in the individual neighborhood, they had sidewalks that connect into the hike and bike pathways. Doylestown does require sidewalk on individual streets and they waive it where they don't want it inside the development, but they rarely waive the hike and bike trail. Mr. Horiszny said how do they state that, on an either or basis? If you wanted to have either, how would you state it in your regulations? Ms. Stern Goldstein said they actually require both. They pick which one they want. Mr. Maxfield said that makes sense, especially when you didn't want to tie it to density. Ms. Stern Goldstein said sometimes you need a piece that isn't connected to density, and it might be a less dense area, but it's a piece that needs to connect to point A to point B to get to C. Mr. Maxfield said he was thinking about how cluster is going to work into this whole thing. Ms. Stern Goldstein said often times clusters are where you want to have a sidewalk internally also.

Ms. Stephanie Brown, Meadows Road, said with these bike and hike trails, how do they work – are they like a sidewalk or are they in the right-of-way, what kind of maintenance, is the homeowner required to maintain them, how do they work? Ms. Stern Goldstein said they work differently in different communities. She can speak about Doylestown Township. They are located either in the ultimate right-of-way or sometimes on private property with easements, depending on the street they are located on. Sometimes they are not right along the roadway. Sometimes they are coming between two lots and connecting to a greenway so they are not always in the ultimate right-of-way. The homeowners are responsible for the maintenance of it and as part of the property maintenance, actually the snow removal requirements in the ordinance, they also need to have the snow removed, but they are not regulated the same as a sidewalk. They have a longer amount of time to clear them. When they had that huge, huge snow, hike and bike paths were not plowed at all in the Township parks or throughout the Township until a week and a half later. Ms. Brown said when it comes to having sustainable communities with people with disabilities, how do sidewalks and hike and bike trails compare? Ms. Stern Goldstein said the reason why the Township chose not to shovel and plow the hike and bike trails right away was everything was melting and freezing and it was more dangerous for people with accessibility issues to be out in a situation where the Township could not definitely ensure that they would be safe. Also, handicap ramps are a problem to keep them safe with ice and snow so they chose to make sure all the sidewalks and bus stops were totally cleared. If there were hike and bike trails at intersections with bus stops, they were cleared. That's part of the Township policy on how they maintain what's happening. Individual residents are responsible technically for the maintenance, but if the Township is plowing roads, they are very cognizant if they push snow onto a hike and bike trail that is a bus stop, that is not going to work. The Township needs to have a policy that works for the maintenance for their

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residents. Mr. Kern said what are the trails made out of? Ms. Stern Goldstein said they are macadam. They've been 8' wide and 10' wide. Trails that were built with grants from DCNR were all 10' wide because that's what DCNR was requiring. Trails that were built with Township funds were 8' wide. They've all been built to accommodate the weight of police cars. There were bridges built over streams and floodplains. Some were community built and some were done by developers and some by the Township and one was built by Doylestown Hospital. Ms. Brown said one of the problems she had to deal with this year with all the snow as she lives next to the sidewalk and on a corner property, was the plows that came and plowed the handicap access ramps in with large amounts of snow that basically wasn't fair that she had to shovel it after it had been plowed over. That's why she's not a big fan of sidewalks, especially where she lives in a very high density area. There are a pain to maintain, nobody uses them and she found with the snow and the Township having made the width of the roads of the development next to her smaller, there was less room for snow, so it ended up getting pushed up on the sidewalk. Ms. Stern Goldstein said anyone who has ever lived on a corner has the exact issue as Ms. Brown had. It's part of providing for safe alternative modes of transportation in the whole green movement and just being environmentally sensitive in trying to reduce our carbon foot print and doing the right thing. It makes sense giving people the option to walk or bike. Ms. Brown said she agrees, but she sees people everyday walking down Meadows Road to the Giant, but there's no trail and no sidewalks. When you get down to 412, which she also walks on, you can walk to Giant or Pathmark and there are absolutely no sidewalks and you know those are areas people may walk to. There's a lot of inconsistency in this Township with sidewalks and trails, and it's very frustrating as a resident to be burdened with a sidewalk. Ms. Stern Goldstein said even the Townships that have the most progressive ordinances and have looked ahead and did the best with bike and hike trails have inconsistencies as much as you've noticed on 412, maybe even more. The Boroughs that are taking great strides in the bike and hike area still have inconsistencies. She understands her frustration.

Mrs. Yerger said her concern is if we encourage cluster developments to some extent in the rural areas, how are we going to provide for trails and bike paths? Since we still have significant farmland, who is going to be responsible to run these trails between the connecting areas of development? Ms. Stern Goldstein said they could put funds in escrow or have fees in lieu of to build them in chunks. Mrs. Yerger said what she's talking about is all the private property like the farm fields. Are you going to make the farmer put a trail in front of his cornfield to connect all the cul-de-sacs? Ms. Stern Goldstein said no. They will not make a farmer do it, but if a Township were going to implement a section of trail that would go in the frontage of a farmer's field, if the Township wanted that connection and the farmer was not coming in with a subdivision or land development, the Township could fund that and maintain the easement if necessary. Fund it with your own funds or with a grant to make those connections. Mrs. Yerger said she wouldn't count on the grants. Ms. Stern Goldstein said that's why she said not lately, although in three or five years, we will be in those grants again. If the Township had funding or received fees in lieu of trails in some areas, where it made sense on the master plan, you could do it too. There are interesting ways to do it. She's not a proponent of condemning land or forcing someone who's not in for subdivision or land development to make improvements to their land. Mrs. Yerger said again, to your point we are talking two very significant areas and we have to coordinate this. Ms. Stern Goldstein said you can also waive it in the areas where you feel it's appropriate or where you feel it's not going to connect to something that you want to have as part of your master trails plan. We need to look at it. We don't have to do a \$50,000 study. We can sit down with a marker and a map and start looking at those areas. Mrs. Yerger said do we mess with that now before we have that plan in place? Mr. Maxfield said he'd suggest that we leave it the way it is with the proposed changes, but deal with it right now the same way we deal with frontage improvements in some areas. Waive it if it makes sense to waive it, but have that requirement there to give us the ability to do it if it really needs to be done. He thinks once we develop a plan, then we can go back and alter it for bike ways and whatever else we have to do.

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Ms. Stern Goldstein said leave it as it is in the draft ordinance that you have in front of you where curbs and sidewalk are required for everything but the local, residential streets, and the residential, they are required at certain densities. Mr. Maxfield said right. Ms. Stern Goldstein said they will massage that phrase about the hike and bike plan that you don't have yet. Mr. Maxfield said he doesn't know if this would be in the design phase, right off the bat, but in the past, we're always encouraged people to come in and talk first. We've had developers come in with plans for rural areas where the entire development is curbed and the storm water plan depends on the curbing. We need to somehow discourage that sort of thinking right from the beginning in the areas that we don't want it. Ms. Stern Goldstein said she's a big proponent of the Township telling the developer and their engineer what you are going to look for ultimately because you really don't want curbing and sidewalk and they are proposing curbing to start with, before the applicant pays their engineer thousands of dollars to do the design, you need to let them know and then you are more than likely to get that better design and it's being honest and fair with each other. In her experience, Lower Saucon has been more honest and fair upfront about that than some other municipalities. Mr. Maxfield said maybe sidewalk would be nice in a section of a cluster development, but we may not want the curb. We are looking to encourage a smaller neighborhood, cartway, slower speeds, those kinds of things, so maybe we could do without the curb. It may be nice to be able to direct it in the beginning and say this is not the type of development we want for this area but also to be able to have it in case there is that little stretch that's needed to control storm water or whatever. Ms. Stern Goldstein said what we might need to do and this is something that you'll need to let staff collectively do if Council is in favor of it, when we have applicants come in early on and they meet with Township staff and an issue like this is going to come up, she'd like to encourage them to go to the Planning Commission and come to Council at that point to get feedback on issues that would require waivers in the end. An applicant sometimes needs to look at the group of you in the eye and get the feedback from you. Whether they chose to heed that feedback is their decision. You can't be granting waivers until the plan is in front of you, but if you want to give them some feedback based on: if you do this, this and this, yes, it seems feasible that we wouldn't want curb and sidewalk there. It would be more things before Council and it's not going to be tied up in a bow. It's not going to be what our action item is. Mr. Maxfield said that would make Planning Commissioners feel like they had more of a control over the guidance of where a community is going. The ability to do that kind of stuff and for everybody to be talking at all levels and to get that kind of feedback for the Planning Commission from Council that quickly would be nice too. Ms. Stern Goldstein said if not, somebody could go to five Planning Commission meetings with sketch plans, do their preliminary plans, and finally get through Planning Commission, then get to Council and could find out they are not going to get what they wanted to get which usually ends up being a bad situation, all around, in the end. We'll have to work on that, and Mr. Cahalan can control the policy that comes before you. You might be seeing things in preliminary stage, not ready for prime time. She thinks she got direction on No. 2. You also said no alleys. Council said correct.

Mr. Kern said part of the purpose of this informal meeting is to have a discussion like we just had. One of the things that came out of this was the discussion on trails and greenways, which is kind of new. As a result, he'd like to see at a regular meeting, some type of presentation on that type of subject so we can take some formal action as direction, whether or not to do an official plan, whether Council decides to do some type of a plan, greenway plan. Ms. Stern Goldstein said she can bring some samples of what different map plans have looked like. We're not going to do the whole planning document, then photos of different trails which some of them you've had from the Rails and Trails presentation. Mrs. Yerger said you got to really, really be careful on what you define as a greenway. What's coming out of South Bethlehem to Saucon Park is being called a greenway. There's about as much green on that as on the parking lot out here. When we talk greenways, we are talking huge swatches of natural areas put aside. We got to be real careful on how we define this and how we work our way through this. Mr. Kern said there's a general map in the multi municipal plan depicting greenways. Ms. Stern Goldstein said it had some major connections on it. Mr. Cahalan said there were connections between various points. For instance,

the Township and Hellertown and east, west, north, south types of future connectivity with Hellertown. Ms. Stern Goldstein said what they normally suggest is get a map of the Township, look at it, have concerns of where the major hubs and locations that people would want to get to are, and find ways to connect those hubs to get from place to place and where you can get to other hubs. It's different hubs coming together. Each community is unique and some want to connect their schools and parks and some don't want to connect their schools for some reason. Mr. Kern said that was one of the goals of the comprehensive plan so this is bringing it more to a head. Ms. Stern Goldstein said the comprehensive plan did have some greenway corridors along streams which were undefined. Mr. Maxfield said it's going to be trying to figure out what to do in the rural parts of Lower Saucon. In the last 50 to 100 years we've lost what would have been hubs. He almost felt that during the comprehensive plans talks, that in some cases we were almost thinking of creating this destination but that destination really wasn't there. He doesn't know how many people will truck from Hellertown to Bergey's, for instance. It's going to be interesting to see what form these things take. It has to be based on real practical usage patterns that are existing right now. What people are doing right now. Mrs. Yerger said part of it is she walks a lot and utilizes everything from Lehigh University recreation facility and there is very little in this Township that she hasn't walked. She's pretty familiar what's really being used and what's not. Ms. Stern Goldstein said some of the things most defined for walking aren't used. Mrs. Yerger said the other thing is as an FYI, if we are truly looking at this as a Township wide, we are already in a partnership with Hellertown and the school district, but Williams Township is in the process of doing a walking/hiking trail plan right now. If you are looking at connectors, then you are looking at connectors from Hellertown to the Delaware River and that's got to go right through Williams Township. If it's going to incorporate the rural sections of our Township, it will run right into the rural sections somewhere in Williams, sooner or later. It might be good to bring them into the discussion. Mr. Maxfield said a lot of those roads are probably more walkable than some of the roads we've already considered. Mrs. Yerger said the cyclists are out there all the time. Ms. Stern Goldstein said when they do the hike and bike trails, the cyclists, the ones who truly cycle, they will never use the hike and bike trail as they are actually moving like traffic. The hike and bike trails are too pedestrian for them. Walking and the true, true biking do not mix anymore. Mrs. Yerger said they don't even use the canal trail. The recreational bikers will use that. She's actually disappointed in the few people that use the facilities we have here. Considering the population in Hellertown and Lower Saucon, the amount of people using trails for hiking, etc., is small. Ms. Stern Goldstein said she tried to tell herself they have to get in the car and drive to the facility. People in Hellertown don't have an excuse. Eighty (80%) percent of the population if you ask them what form of recreation would you like to see, would say hiking or biking. Walking is the number one answer and 80% will say that, but only 10% will walk. Mr. Kern said then you have the issue that there is no place to walk in Lower Saucon Township. Ms. Stern Goldstein said where she lives, the number of people who are walking has increased significantly and it's due to the hike and bike paths. She can now go from her house to the elementary, high schools, hospitals, all the way to Central Park which is a long walk. Mr. Kern said he will use the Rail Trail and will walk. He will walk to the Giant using that as it's a half of a mile. He won't walk now as it's just too dangerous.

Ms. Brown said she has to disagree. She grew up in this Township playing on Meadows Road and she did a lot of biking in her younger years. She spent the last 20 years walking up and down Meadows or Skibo Roads into Hellertown and her boyfriend won't walk with her as he tells her how dangerous it is. She thinks it's not that dangerous as there's a right-of-way that you walk in. Her boyfriend would like to go to the Lehigh Parkway to walk, but you have to get in the car, drive, and waste the gas when she can walk around the block. She doesn't know why people don't do it. For her to go to Polk Valley Park, that's a long trip for her. If she would take her bike to go there, it would be senseless as she already got her exercise just trying to get there. She just doesn't understand why people don't walk on the roads more. You'd be surprised if you've never walked at Meadows Road there's a lot more people that walk than you realize. Mrs. Yerger said she walks at Lehigh University and they are generous to let the community use it. The population that is in

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relative proximity to Lehigh University, there are very few people on it. Ms. Brown said people would rather walk on the track at Lehigh. She doesn't know much about the trails at Lehigh. Are they well marked? Mrs. Yerger said yes, it's a cross country trail for their track team. It's wonderful and amazing how big that complex is and how few people use it. Mr. Horiszny said people should be trained to walk against traffic. We need to do it somehow, maybe in the newsletter or signage. Just keep reminding them as it's a lot safer. Mrs. Yerger said cyclists also. If they want to be respected as a vehicle, they need to ride single file and with traffic, not three across.

Ms. Stern Goldstein said the third issue is dealing with berms. It's when you have the reverse frontage lots that are along arterials. Our ordinance right now says you have to put a berm and put buffer plantings on top of the berm. Her suggestion is to get rid of the requirement for the berm because once you have the plants on top of the berms, even though it seems like a good thing to get more buffering, they tend not to thrive on top of the berm, and sometimes it's so artificially created, it's not doing anything aesthetical pleasing anyway. She wanted to strike the requirement for the berm and keep the buffer requirement and beef up the planting requirements to make it an actual buffer as opposed to a double row of pines that's going to lose their bottom branches anyway. She's asking for consensus on that. Council said that was fine.

Ms. Stern Goldstein said No. 4 is dealing with architectural requirements. This issue is the model ordinance had requirements in there for architectural and when she looked closely at the model ordinances, Wrightstown had these requirements for their non-residential district. Solebury had it for all their districts. Milford originally had it for all their districts and when they adopted it, only had it for the non-residential. Last time we spent a long time discussing how does this affect the individual residence and she and Linc both brought up some issues since we need to be fair. We can't make it so we're setting the minimum price of housing in the Township; that would be exclusionary and really prohibit the diversity that every community needs. You can't say you have to use certain materials that would cost so much that would preclude a reasonable sales price for a house; that really would be exclusionary, just as five acres of land has been determined to be exclusionary. When she looked at the models carefully, it seemed to be those requirements would be for the non-residential districts only. That being said, there are still some requirements that we are dealing with building materials and the look of things that will make development more expensive. It will make development be true to materials more. You can't necessarily say it's going to look better as sometimes you use good materials and it could look hideous. We can't regulate aesthetics. If we have rational reasons for regulating things like materials and ratio of glass and store fronts to building size and massing, and if that's something you want to do, we can do that. That's what the model has done. She wanted to get the language in front of you and she would go through and change the districts to residential districts. That was her major problem with it before. It was regulating materials that would raise the cost too much unnecessarily for buildings and when we drive through the Township, we see many building materials which wouldn't be permitted now. It just didn't seem fair.

Mr. Maxfield said once you remove the deleted districts, what's left? The rural, RA, R80, R40, R20, R12? Ms. Stern Goldstein said they would come out. The RA, 40, 20, 12, are all residential districts, so the ones that would stay would be GB, GB1, GB2, LL, LM. MH would also come out. VC is a large residential component and that would come out. Standards like this have been developed in many municipalities. Some have them in their zoning ordinance for certain types of uses. For instance, Warrington Township in Bucks County along 611, not a great example of really good design, but on all their big box stores they require the standards just to get materials that they find less objectionable. Mr. Maxfield said who would do the color and brightness examination? It says the color schemes are to be submitted per approval under pedestrian access ways. Ms. Stern Goldstein said some of this is over the top, that's why she brought it to you. If she thought it was all fine, she wouldn't bring it up as a policy discussion. Some of this for Lower Saucon is over the top and not that she doesn't feel Lower Saucon deserves to have standards, but when she does look

at what's here already, the potential you have, she's just thinking in some ways, it's hypocritical to have standards of this level when some of them are a little difficult to enforce, and they are in the subdivision land development so it falls under code enforcement which would be Chris Garges. She always has to think when a regulation is written, who is enforcing it and how is it going to be enforced. We have to be fair. Once it's in, we have to treat everyone the same whether it's Mom and Pop coming in for re-development for a small shop, an adaptive use of an existing building and a restaurant down the street. That would be subdivision land development. She's looking at being fair to our current business people also - not that she doesn't think everyone should have high standards of design, but in her high standards are different than your high standards and different from somebody else's high standards. None of this is in your ordinance. This is the draft ordinance which is the one we worked with Terry on. Mr. Maxfield said do they have an architectural historic district or something like that? Ms. Stern Goldstein said they have five villages. Mr. Maxfield said they are talking about exterior palettes and things like that which like the City of Allentown, their historic district, they have color schemes that are useable and some that aren't. Ms. Stern Goldstein said they have a historic committee. They meet in the old library monthly. There aren't that many buildings being built in Wrightstown as they are part of the Newtown joint zoning ordinance, and quite honestly, most of the development is in Newtown. Most of the residential is in Upper Makefield. Wrightstown has the quarries and a couple of non-residential things and has a lot of large residential and farmlands. The other two municipalities did not adopt regulations like this. Mr. Kern said he mentioned at a previous meeting that prominent developers who develop in Lower Saucon have approached him and said that they would not object to some type of architectural standards. They would like to see it. Ms. Stern Goldstein said then it makes it fair for everyone. They are probably people who hold themselves to a high standard and would like to see everyone else held to the same high standard, which she thinks is great like keeping up with the Jones'. Mr. Kern said it's a sticky situation because you got to put something in there, but what.

Mr. Horiszny said does Wrightstown really get away with no vinyl or aluminum siding on new construction? Ms. Stern Goldstein said they do, and they also get away with sprinklers for any volume of building over 6,000 square feet for residential including basements and attics. There hasn't been a house built in Wrightstown, new construction, that didn't have to get sprinklered the last five or six years. Last Christmas, there was a big fire in the middle of nowhere, and the sprinklers came out and put on the entire fire, and everyone was safe and fine. If they didn't have the sprinklers in the time it was calculated to get the firemen there, the whole building would have gone up with many lives lost and lots of dollars lost and possibly spread to other homes. Wrightstown has determined for their community that is what they want and they've been doing it.

Mr. Maxfield said the standards like Mr. Kern was talking about are interesting and we do need something. Architecture is one of those kind of experimental things that can be really cool if some know what they are doing and they are experimenting. There's not a lot of leeway for that sort of thing and not a lot for green things like green roofs, certain materials that can be used for insulation and even walls. He would like to make sure we make room for those kinds of things too.

Ms. Stern Goldstein said there are some here that are probably pretty good to keep in, so let's weed through them and see what's good. Mr. Kern said he'd like to give an example of the vision. When the Rite Aid went in, there was discussion about making it fit into the neighborhood. It was a beautiful old brick building that was knocked down to put the Rite Aid in. Hellertown Council had no control over the architecture of it. They said no, they are going to do what they did, just because they could. There are other instances like in Asheville, NC where there's a McDonald's that looks nothing like a McDonald's. It incorporated all the surrounding architecture. That's what he'd like to see happen. Like if a Wawa comes in on 378, be able to say here's the vision of what we'd like to see this Wawa to look like, not a regular Wawa, we want it to look like something special. How do we do that? Ms. Stern Goldstein said Wrightstown did that before this ordinance was passed with the CVS. There's a CVS on 313, and they came in, and Wrightstown beat them

up over the architecture. Not because they had this ordinance in place, but because they needed a variance for location of some of their parking spaces. They needed some help with lighting standards. They needed a waiver on some of the roadway improvements and as part of the discussions with everything they needed, they complied with what the Township's thought was for the architecture. They have something that really fits in with that area. That was successful. Mr. Kern said that was because there was leverage, but what happens if everything is in compliance, then no leverage. Ms. Stern Goldstein said it's rare that you see everything in total compliance, and when you do, it's because someone got their back up and said the heck with, I'm not going to give you what you want, that's why she's a proponent of at least entering into discussions to see what a win-win can be. It's rare you have something come through that's 100% compliant. Often times, it's more expensive to make it 100% compliant. Sometimes though if a municipality is being unreasonable on what they say they want, you will get push back. That's why you need to be careful. Sometimes if you write your regulations so strict, there's no flexibility, you get the letter of the ordinance, but not necessarily in what you want. Every applicant does have the right to comply, and the Township approves it if it totally complies, which is not usually in a good situation. She asked Attorney Treadwell how many times plans come in that comply with everything? Attorney Treadwell said he can think of one that totally complied in a different Township just for the reason the applicant said he's going to comply, so don't talk to him about anything else. Ms. Stern Goldstein said she can think of two in the nine municipalities she's in and neither one are examples of anything she would be proud to say she was ever a part of.

Ms. Stephanie Brown said she doesn't know what's wrong with diversity. Why does everything have to be built the same and look the same. She has a real problem with that. Her father owned a gasoline franchise for 40 years and franchises have gotten to the point where they are so particular on what they want and you can lose your lease or your franchise agreement with the company if you don't stay up to date with what they want – what trends they want. If they want something refurbished, so we shouldn't be putting pressure on business people to comply with what certain people think is the ideal look for Lower Saucon Township as there are a lot of different people in this Township and there's a lot of different visions on what this Township should be. Not everyone agrees. She said up by the corner of 309 and Kernsville Road, a Wawa was supposed to go in there for years, and apparently, there were too many issues and the Wawa just walked away as they didn't want to put curbing and sidewalks in. There's a whole mess of issues at that intersection. You get too many things going and you are just going to have companies and businesses that do not want to be here. One of the things in the last year when her boyfriend and her were looking to buy a house, the aluminum siding on her father's house which isn't very attractive, but it's there. It was in better shape in 30 to 40 years than half of the vinyl siding on most of the houses they looked at. Saying we have to have a standard that fits the mythical view of this Township and its certain way of life just doesn't work for her and it's not right, plus it keeps certain people out of the Township and she doesn't want to think that just because she can't afford to build a stunning, spectacular house, she shouldn't live here and that's wrong. Mr. Kern said the discussion is around commercial. Ms. Brown said she just wanted to make sure on that as they weren't clear on it. Ms. Stern Goldstein said her recommendation was that we don't deal with that with residential because of the exclusionary reasons and nobody should ever willingly price anyone out of living in a municipality. Diversity is good. Ms. Brown said even businesses shouldn't have to do that. Her father is small business owner for the last 40 years. They have enough pressure from the company having to put up with their demands. If they want something changed to fit the image of the week is, then we have to go with that. You can't always absorb those costs. To have more pressure from the Township, basically isn't a good thing. You want things to look nice and don't want them to look out of place, but sometimes when something is out of place, that gives you a heads up. If you want smaller businesses to come in, you can't give them anymore to worry about, and that sounds what you are looking for.

Mr. Maxfield said let's go over a couple of the specifics. Ms. Stern Goldstein said architectural requirements; you can't have undue traffic congestion. That's a pretty fair one to have in. Outdoor

storage shall be screened from view and any outdoor storage area shall be landscaped pursuant to a landscape plan approved by Council. That is fair also. These are for any of the non-residential districts. Mr. Maxfield said we currently have that one. Ms. Stern Goldstein said we have something similar to that, a little lighter. Landscaping we're pretty clear on your direction over the years. These are the ones we weren't clear on. Parking on the property shall be to the rear and to the side of primary structures of the property. That's one that is usually where you are getting parking away from the building. She has to caution you that sometimes that leads to more impervious as you have longer driveways to get back. It really depends on how you want the streetscape to look. Right now in the Township, there's a lot of parking in front of the buildings and especially your shopping centers. That's something if in zoning, there's a particular district or use, and you don't want parking in front of it, it's a zoning thing that's an area and dimension type thing. It doesn't belong in a subdivision because you really can't build a shopping center of industrial complex you are permitting in your ordinance with that requirement. That might be one you may want to rethink. Mr. Maxfield said take it out of this section.

Ms. Stern Goldstein said No. 3, landscaping and property must be landscaped pursuant to a landscape plan approved by Council. She thinks that's a no-brainer.

Ms. Stern Goldstein said No. 8, pedestrian access ways, part of this is pretty benign. Part of it isn't. Decorative bricks, concrete pavers equivalent may be used as an entry feature for the pedestrian access areas within the setback area and the entry driveway to the front building line. Color schemes are to be submitted for review and approval to the Township. Basically, what this is saying is that you don't have to have the standard paving cross section when you have a driveway coming in, you could do something else. You have that in the Township already at Four Seasons, there's some decorative paving, so people can do that already if they want to. She doesn't know if you require technical waivers from the paving cross section or not or if they've all been on private driveways. People can do that. There's a mechanism already. This is fine until we get up to color schemes are to be submitted for review and approval by the Township. In general, she has no problem with the Township reviewing and approving something, but this is only for subdivision land development, not for all buildings. If someone is going to be retrofitting something, it doesn't come before you. You are going to have uneven application of things from what criteria you will use to review those color schemes. Will it be what you like today, what you like tomorrow, etc., etc. She has no problem with regulations like this, but usually not in subdivision land development when we're getting into aesthetics. She's fond of aesthetics in a historical architecture district with a historical architecture review board. She thinks we are getting close to that fine line. Attorney Treadwell said take out the color scheme sentence. This says decorative brick, etc., etc., must be used as an entry feature. Ms. Stern Goldstein said must be used as one of the ones she's not sure we want to require. She would like it to be "may".

Ms. Goldstein said we're left with No. 5, 6, 7, and 9. We're dealing with exterior wall materials and finishes, store front glass, openings, and roof forms and materials. Exterior wall materials and finishes and roof form and materials are related issues. They are dealing with materials primarily. Store front glass is an interesting one. This is saying that you don't want huge, huge window displays. If you are in a downtown area, you want more glass, especially where you want people to be able to see in and you want more glass. This is trying to limit the glass so you don't have huge, huge, big box buildings with nothing but glass shining back out and not really having a form or function. She's not sure aesthetically which is better, more glass or more concrete. Glass is going to be more expensive, but this is saying you need to have no more than 15% of the building be glass. Depending on the use and function of the building, sometimes you want more glass and sometimes depending on your solar orientation, you want more glass, but a well insulated glass to promote some of the green energy options. Mr. Maxfield said you may get an argument for glass from the police as when they drive by at night, it makes it much more visible. Ms. Stern Goldstein said that is one she would strike. Mrs. Yerger said okay, strike it. Step 7 is really interesting. Ms. Stern Goldstein said openings – you aren't going to see them unless you are trained to see them.

It's a topic she wants to talk about forever, but not one you want in your ordinance. You aren't going to be able to enforce it or Chris is going to want to enforce it. She will delete No. 7. No. 5 and 9, exterior walls and finishes and roof form and material. This is truly a policy decision, there is no right or no wrong answer on this. Mrs. Yerger said the intent of this is almost like they are trying to avoid something. What are they trying to avoid by listing these? Ms. Stern Goldstein said they are trying to avoid the big metal structures, like Butler type Buildings. Things like a big square rectangular buildings of warehouse appearance, but not necessarily warehouse function. Mr. Maxfield said they are allowing galvanized finishes on corrugated roofs. Ms. Stern Goldstein said then when you look at the roof, you are seeing that roof materials for pitched roofs shall be consistent with building styles of the following, so they are saying the roof and height of its pitch shall be specific to the building style, but they aren't giving criteria to which building style is which. You could also have a hybrid style which isn't going to fit in to anything specific. All the styles of buildings haven't yet been invented. In the 50's or 60's the whole house movement wouldn't have been able to occur if the building styles were determined in 1940 to be it. Mr. Maxfield said are they saying flat roofs or are they calling that a different kind of pitched roof? Ms. Stern Goldstein said they are trying to discourage flat roofs that appear to be flat as you can do things on a flat roof. They are trying to tell you that you don't get a flat roof. No. 10, she took some things out already which was dealing with the residential, the dormers, color brightness, colonial styles, and she took that out. Mr. Maxfield said most of the green roofs that have been appearing in the Lehigh Valley lately have been on flat roofs but on commercial buildings. Ms. Stern Goldstein said most of the flat roofs we have seen throughout the country have been on commercial or institutional type uses because they are uses that the owner is planning to occupy that for longer than the five, seven, ten years that you would flip a commercial properly. They are meant for long term investment and use by the owner. Some of them are doing it to promote things they are doing themselves. DEP has its green building in Conshohocken because DEP is supposed to be green. It doesn't say you can do a green roof or a flat roof, but the roof material and pitch has to be consistent with the style. Attorney Treadwell said does this create any inconsistencies with our building code provisions? Ms. Stern Goldstein said she doesn't know, but if you have the Uniform Construction Code (UCC), it would be the same building code as Wrightsville has, but we'd have to have Chris Garges look at it as she doesn't know the answer to it. Mr. Maxfield said we do have cedar shake roofs. This says that wouldn't be permitted. Mr. Maxfield asked what was a three tab shingle? Ms. Stern Goldstein said she doesn't know. They are asking for the dimensional composition shingle. She's not an expertise on the shingles. Mr. Maxfield said we should stick to materials on that one instead of type of shingle. If we specify asphalt, composition metal, and wood, that should cover it. Ms. Stern Goldstein said do you want to regulate the type of roof materials or leave it to your building code. You don't have to have that in the SALDO. Council said strike 5 and 9.

Ms. Stern Goldstein said for the rest of it we had three Council members present for the rest of the discussion, the mandatory dedication of land for recreation. We talked about the non-residential component to that. We came into well studies and fire supply and that was outside of her realm and that was dealing with the engineer. Mr. Miller said it seemed that the direction was you wanted to have more well studies than you currently do. You didn't want to have it for a single dwelling. You wanted it to be more than for a single dwelling. Mrs. Yerger said what are you looking for, a minimum lot subdivision like more than five or ten? Mr. Miller said or minimum density or both of those being a requirement. It's his understanding that Lower Saucon has a lot of water, but it's a concern for impacting adjoiners. The end result at the last meeting was there was going to be a requirement for testing of neighbor's wells. If the neighbor's didn't want to let their wells be tested, they were giving up their right to complain about it later. Ms. Stern Goldstein said the threshold was five and above and that was for the drawdown of neighbors. Part of the discussion was the three members present wanted the hydrogeological study that the EAC has been requesting and the rest of it, and one of the concerns from Mr. Maxfield was protecting individual residents to make sure they had water on their site. The other two Council members were leaning more towards protecting the adjoiners from having draw down issues with the wells. There was a

lot of discussion about whether the person buying the house is protected if they know what the water source is and they can require studies before they purchase, but how much can the Township do to protect someone from themselves? That was a lengthy discussion and ended up with the overall direction that five and above was the threshold for the drawdown. As far as water quality for the lot, we didn't hear any change from what was in the current ordinance as opposed to proposed ordinance. Mr. Maxfield said there was some discussion about non-residential uses next to it. We talked about the possibility of a hydroponic greenhouse. Something that would use a lot of water. One unit of a non-residential something could have an impact on someone's well. Ms. Stern Goldstein said that could easily be done with the equivalent of five dwelling units or more which would be the threshold. It could be the equivalent to the dwelling units and it would set the standard for one that happens also. Mr. Maxfield said like with usage standard? Ms. Stern Goldstein said yes, and for usage you could go to Chapter 73 for sewer usage which equates to the water usage. If five dwelling units is going to be the magic number, then the equivalent of that in the non-residential would also be the magic number. You wouldn't want to have one more regulated than the other. They were the big ones, then construction standards and details you agreed we should put separate and have a separate thing for that. That took us through SALDO.

Ms. Stern Goldstein said with the feedback you gave her now, she can get this in the queue now and we can knock the rest of it out with the exception of the water issues which Hanover still has to work out. She can get it together and get it back to Council in a couple of months. Council said that was fine.

**C. IMPERVIOUS COVERAGE DISCUSSION**

Mr. Kern said Staff was requested to review the current impervious coverage calculations and is presenting to Council some recommended revisions.

Ms. Stern Goldstein said this has gone through several EAC meetings. Several meetings between Kevin and her office and Chris Garges; many staff meetings; reviews by Attorney Treadwell, Mr. Cahalan, Leslie, more by Chris Garges; EAC again, Planning Commission, and this is where we are. Basically, we're coming up with provisions for impervious surface requirements in the Township. On page 3 of 3, that includes more than what would be in the ordinance. This is the comparison so you could see what that means on individual sites. There will be a maximum site impervious coverage and a maximum on lot impervious coverage. Then additional impervious coverage reserved for the homeowner, above and beyond the maximum permitted on lot at the time of subdivision land development. You all know that's come up repeatedly as the developer is within their rights to build with the maximum on their lot, but then Council and the Township has to deal with the residents who come in and say "what do you mean I can't put my patio in, to entertain my family of 3". Either way, it still is a homeowner coming in that built the house. You can say they made their choices when they decided what kind of house they wanted to buy and they were informed, but we're still left with that issue of nothing left for the homeowner, even though the developer was within their right to build the maximum. That's the major change in this. They went through to look at rational examples and examples of what these percentages will mean on typical sized lots and how big of a home, driveway, addition, what all of that means, and this is where we are with each district in the municipality.

Ms. Stern Goldstein said this also include the maximum building coverage in addition to the impervious coverage. It's difficult to regulate the impervious without getting into the building coverage too. This is creating it so you don't have the situation where you have buildings that are grossly in proportion or not in proportion to the size of the lot creating the problems on the lot for the Township and the future homeowners. Mr. Kern said give me a scenario how this would address that. Ms. Stern Goldstein said let's say we are in the R40 district and we have a 40,000 square foot minimum required lot area and we are on a 40,000 square foot lot. The existing impervious in the ordinance is 25% maximum permitted and there is no maximum building

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coverage, but 25% can be your maximum impervious which includes your building coverage, your driveway, your walks, your patio deck, swimming pool, etc. The proposed site coverage would be the maximum of 20% which includes the onlot impervious. The proposed onlot impervious would be 15%. That's just the individual lot and doesn't include the percentage that's required for the road or any other improvements the developer would have to do. Proposed on lot coverage for the initial permit application would be 12% with 3% reserved for future use; proposed building coverage of 8%. Just to give you some rough numbers, the approximate lot impervious coverage at the initial application can be 4,800 square feet which would leave an additional impervious of 1,200 square feet. We're not leaving just 100 square feet. Approximately maximum building footprint looking at 3,200 square feet, not building size. Approximate maximum sizes of the dwelling unit could be a 5,200 square foot dwelling unit with a three car garage. You could still get some decent sized things on here. That's why they did that. Kevin went through this many times with Chris. Examples you are seeing here are things that could be really built. They are not being overly restrictive, but dealing with the separate onlot and site, really get rid of some ambiguities that people could perceive in the ordinance and some unfair things in the ordinance. For instance, when you get into clusters, if there is a longer roadway, and they are smaller lots, and you had a site impervious, you could use up most of the impervious for the whole site just in that road to get back to that one road where you want to build the houses and not have room to build the houses and the driveways and really be skimping on that. With this, you have the overall site, but then on each lot, you will know what you can have on the lot. No one is coming in later with the building permit on the lot and saying "but I'm entitled to 15% or 20%, why can't I do it". Your lot is limited to just 3,000 square feet because your site used up most of it and if you look on your plan, you are limited to just 3,000. Each lot would have a percentage. It's easier for enforcement. It's easier for communication with residents. They know what they are entitled to. They don't have to go through recorded plans and see what somebody else used up already. We're looking at this both ways.

(Could not hear him well, he didn't have microphone turned on, but I got some of it). Mr. Dave Harte said in the case of condominiums, what is the definition of lots? Ms. Stern Goldstein said it would be the proposed site would rule then as there are no individual lots, it would be the whole site. Mr. Harte said are swimming pools impervious? Ms. Stern Goldstein said yes. Mr. Harte asked if there is aux runoff? Mr. Miller said if there's no outlet and it never spills, then it would be zero. It's the same reason the decks are impervious. It's an aesthetic requirement. Mr. Harte said from a storm water calculation it should not be impervious. Ms. Stern Goldstein said this is dealing with lot coverage issues. It's not dealing with storm water. This is zoning. Storm water is a whole different discussion. Mr. Harte said this definition carries over to storm water. He dealt with this in the Township for 25 years. It's been an interpretation and the swimming pool itself with 3 or 4 inches of free water is a benefit to the lot. He asked if tents are regulated in the Township? Ms. Stern Goldstein said what type of tent? Mr. Harte said a big party tent, for a wedding or a graduation party. Ms. Stern Goldstein said that is a temporary structure and would be regulated, but she doesn't know off hand what the regulations are. Chris Garges would know. They are temporary structures. Mr. Harte said you are precluding people from putting up temporary fence. Ms. Stern Goldstein said she did not say that. The area beneath the pool does not permit the water to go back into the ground. Mr. Kern said yet the pool is allowed to fill up. Ms. Stern Goldstein said until it overflows. Mr. Kern said has that ever happened? Ms. Stern Goldstein said many times. Mr. Kern said what about the storm water aspect of the pool. Mr. Miller said they've always required it to be impervious as that was what the direction was they were getting to do. Yes, there are times it overloads and in this area of the Township and of the state, there's more rain than evaporation. Ms. Stern Goldstein said it also comes down to whether the skimmer works properly and how much rain there was. People who have pools are aware of what happens. When it overflows, it harms the property owner owning the pool.

Ms. Stephanie Brown said they have a pool in their backyard and when you get heavy rain, you are ready to pump it out. What you are pumping out is chlorinated water. It happened and there is

nothing to do about it. When they had their liner replaced a couple of years ago, the people who did it pumped it out into the storm sewer and she wasn't happy about that. That does happen too from time to time. If the water gets too high, the skimmers don't work.

Ms. Stern Goldstein said this was evolving for probably a six month period. Mrs. Yerger said she really likes this and it's assisting the homeowner. She thinks it will be a benefit. Ms. Stern Goldstein said the chart will not be in the ordinance on page 3 of 3. That's just internal and can refer to it as examples. The two charts on page 2 of 3 will be in the ordinance.

Ms. Stern Goldstein said they will get it to Attorney Treadwell in digital format and it will come back before Council to authorize the advertising.

**D. SAUCON VALLEY JOINT RECREATION STUDY COMMITTEE PROPOSED SCOPE OF WORK**

Mr. Kern said the Township Manager will update Council on the activities of the Joint Recreation Study Committee and will discuss the proposed scope of work for a DCNR Grant to be submitted in September.

Mr. Cahalan said the Joint Recreation Study Committee is a group of representatives for the Borough of Hellertown, Lower Saucon Township and the Saucon Valley School District. This was one of the priority action items that was identified in the SV Multi-Municipal plan. It was something we kicked off earlier this year. They've been trying to meet every month at the school district and been trying to bring in the representatives from the various sports organizations to start gathering information about the sports fields. They were trying to put that all together into one big list and they were starting to talk about the scheduling of those fields. They are moving ahead with the group and they've had various discussions. Mr. Kern and Mr. Landis are at the meetings. There have been discussions where this is all going to go in the future. One of the things we are planning on doing is submitting a grant application to DCNR for funding, if awarded, to hire a consultant to work with the group on moving it further forward in the future. They thought it would be a good idea to put something together in writing and share it with the two Councils and the school district board to put down where they thought the group was going to be heading. To see what the reaction was from the elected officials and the school district board for some of the items in here. It does talk about eventually heading toward the formation of some joint body who would be responsible for the recreational facilities, their use and maintenance. If a consultant is hired, that's normally where they will take the group and they will produce a report and it will have all the bells and whistles in it. Some of that information we already have identified in the Joint Recreation and Comp plan they did with Upper Saucon several years ago and some of its been identified in the multi municipal plan so we don't have to go back and revisit a lot of that. What the group was interested in was a sharing of resources and using them equally. This is just an information item that they put together. They wanted to see how you felt about it as they plan on coming back before the three bodies in September with an application that they are going to ask for your approval to submit to DCNR for this grant funding for a consultant and if we move ahead in a year or two, it will be moved to the point where we may be talking about forming a joint body who will have responsibilities relative to recreation in the Saucon Valley.

Mrs. Yerger said are we the first ones to see this? Mr. Cahalan said this has been given to Hellertown. He doesn't know if they discussed it at a Council meeting. The school district board will be discussing it. Hopefully by the end of August, everybody will weigh in on what their feelings are about it. The group of representatives that come to the meeting are all comfortable with it. This is what generally what everybody has been discussing. Mrs. Yerger said does the grant application require a match? Mr. Cahalan said it's about a 5%, very small. Our commitment would be about one-third. Mrs. Yerger said has the committee discussed the variety of approaches on maintenance and direction that parks have taken in the area? Mr. Kern said they haven't gotten

that far on it. They've only met a few times. The major issues that come under discussion are scheduling. Mr. Cahalan said they did discuss that there are sports field that lack attention and maintenance and it is the goal of the group to have an equal plan for each of those fields. Our maintenance policy would be a good example. Mrs. Yerger said would they consider our IPM? Mr. Cahalan said they didn't get into that but did talk about the sports organizations would like to have a standardized level of maintenance and treatment of the fields. That has to be discussed as there is a cost factor. The school district has a lot of requirements for their fields which also has to be looked at. They talked in general about trying to reach an agreed upon level of maintenance. Mr. Maxfield said Mrs. Yerger's point about IPM brings up a very important point. We have worked very hard to maintain and establish certain kinds of practices and like a couple of the other things we do cooperatively, he doesn't want to lose any of those things through cooperation or through compromise. He doesn't know what the policies are for the school district, but if they were unwilling to change their maintenance style to meet our IPM, he doesn't know where we'd go from there. Those things matter. He was very comfortable with the idea when it came up as being scheduling of fields. That made sense to him. This almost seems that this established group will be determining the maintenance, care and usage. Mr. Kern said there's nothing like that going on right now. Mr. Maxfield said that's what this is saying. Mr. Kern said the guy who is coming in is going to listen to all three of us and make recommendation on how group in the past have cooperated. They can be totally independent and operate with a central person or they can combine which no one seemed to be in favor of. There's been no discussion as far as our group has been concerned about integrating any type of maintenance whatsoever. Mr. Maxfield said there are core ideas here that are heading in that direction. You must have talked about it. There is a possible establishment of a Parks and Rec Director. There's recommendations they can make on insurance, on budgets, etc. which our Managers are already doing. He's really comfortable of a community coming together and using these things, but it's a real big jump. Mr. Cahalan said this document didn't all grow out of our discussions. What it does is it points down the road if we hire a peer consultant with the DCNR Funding. This is the route they will travel with their plan and cover all the bases. They'll do an analysis of current facilities and look into the creation and recommend a regional recreation body and recommend a Recreation Director be appointed. Those are the normal types of recommended steps that come out of a Park and Rec study. They don't have to be adopted or committed to. It's basically a study. We put it down in this proposed scope so you would have the opportunity to see it. Mrs. Yerger said as you mentioned we had the joint parks and rec plan from Upper Saucon, and this would probably stand a better chance of being utilized, but the very fact that there is one we are involved with through funding with the DCNR, is that a detriment? Ms. Stern Goldstein said this isn't a park and rec plan. It's a peer to peer study. It wouldn't be a professional designated by DCNR. They look at the facilities, the programming, the potential for where you are, what you can be, and what you can do by joining together. You don't have a separate Park and Rec. professional on staff here. They are going to tell you that you need one to take the program forward. They are going to give you solid documentation on that. Mrs. Yerger said what is programming? Ms. Stern Goldstein said summer concerts, bus trips, chess competition, home run derby, tennis camp, fun in the sun camp programs. That's all programming. Mr. Cahalan said what could be looked at is the community pool in Hellertown. We are sharing the facilities. Mr. Kern said we have all these valuable resources in Hellertown, the school district and Lower Saucon. The guy comes in and tells us how we can utilize the parks. It costs us 5%. We can throw it out or we can use it. Mr. Horiszny said have you had any experience with the DCNR Circuit Rider program? Ms. Stern Goldstein said no. Mr. Cahalan said that provides funding for the cost of a Director. He doesn't know how well it is funded right now. Mr. Kern said as a result to our preliminary discussions, we made it clear what we are going to tell the peer to peer guy, we want to remain independent and want to make it work better than it's working. Hellertown has their way of running their Dimmick Park. They don't want to see it messed up. Mr. Maxfield said thank you for explaining that. Mr. Cahalan said the other part of this which is also being discussed is the school district is wrestling with a lot of issues with their sports facilities. This group is perfect for looking on that on a regional basis as it's all your money going into that.

**VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS**

- Mr. David Harte, Lower Saucon Road, said he's got several issues and questions that deal with safety. The first is the subdivision on Polk Valley Road, the Hills of Polk Valley and it's a three lot subdivision. He has a question about two storm water pipes that cross beneath Polk Valley Road. Recently there were storm water inlets installed along the side of the roadway and he was wondering if the Township did that or the developer did that? Mr. Miller said the developer did that. Mr. Harte asked if that was inspected? Mr. Miller said it was. Mr. Harte said it appears to him that at both locations, the inlets are higher than the edge of road. The one that's at the bottom of the site, and it was placed at the end of an existing cross pipe, now does not allow an opportunity for the Township to cut the swale along the edge of the road and there will be water pooling and ponding along the road and freezing in the winter time. Mr. Miller asked if Mr. Harte witnessed this? Mr. Harte said no, he hasn't witnessed it as the inlets were just put in now and it's 100 degrees. He's thinking about this winter when it's freezing and he believes there will be ice there. The reason he believes that is there is another location on Polk Valley Road about midway between Reservoir Road and Lower Saucon Road. There's a white farmhouse along the side of the road with some bushes and a pond and some sheep. There is a puddle of water there at least seven days after a rain. He left photos for Council to look at. He said in the winter time of Polk Valley Road, that does freeze and it covers one half of the roadway. The horizontal alignment of the roadway is horrendous and it's ones natural reaction when you are traveling westbound on Polk Valley Road to cross the center line on the road so you miss the ice and many times you might find yourself coming into the path of oncoming traffic. He was wondering if ht Township could do anything about that. That's been that way for several years. The inlet is higher than the road surface. When it was a cross culvert pipe, the Township could have cut the edge of the road down, could have cut swales. Those swales have been filled in with sediment over the years, but it would have allowed the water to drain into the pipe. Now that he inlet is placed there, it's not going to do anything but catch the water that falls from the sky and lands in the inlet, much like a swimming pool. It's not going to do anything for the runoff.
  
- Mr. Harte said the last question he has deals with the school speed zones. He's assuming the Township has an ordinance in place for the school speed zone signs, it's adopted and in place? Mr. Cahalan said yes. Mr. Harte asked if it was done jointly with Hellertown? Mr. Cahalan said yes, and with the school district and a PennDOT study. Mr. Harte said the question he has is that the entity that applied for the permit was supposed to prepare a plan and submit drawings exactly where the school children walk to and from school. He's wondering if such a map was prepared. Mr. Cahalan said that was done by the school district as they were the lead on that working with PennDOT. He's not sure what documents were submitted with the permit. Mr. Harte said he's wondering what school children walk on Reservoir Road. He's never seen anybody work to or from school on Reservoir Road as it's a speed zone. He also believes there is improper signage there. If you were going on Polk Valley Road eastbound going up the hill with the football stadium on your left hand side, you come to the end of the school zone and it's posted appropriately on the right hand size, "End of school zone". You proceed up to the intersection of Lower Saucon Road, if you were to turn left on Reservoir Road, you would encounter a sign that says "Speed Zone". That's signed appropriately. However, if you continue up the hill on Polk Valley Road, through that intersection of Reservoir Road, there's an additional sign that says "End of School Zone", however, you've already been out of the school zone. Likewise, if you are traveling on Reservoir Road, southbound, before you get to the intersection of Polk Valley Road, there's an appropriately placed sign, "End of School Zone" before you get to the intersection, if you turn left on Polk Valley Road and go up the hill, traveling eastbound, you encounter that "End of School Zone" sign. He's wondering why the redundancy. He's assuming these signs were placed according to the plans. He's assuming it's been inspected and approved. HE's assuming he's following the plan, but he's wondering why the plan is incorrect. Mr. Maxfield said how far up Polk Valley Road is the "End of School Zone" sign? Mr. Harte said it's within 50 feet of the intersection. Mr. Maxfield said he had a question when this whole thing came up about Rose Lane and he was told

that PennDOT chose those roads. Mr. Cahalan said correct. Mr. Maxfield said he didn't know if it was more associated with Rose Lane or Polk Valley Road. Mr. Harte said the school property itself, Panther Way, Academic Way, Campus Way, are those roads part of the school zone? Are they controlled by a school zone? Are they governed by the laws of the school zone, i.e., is it a school zone? He knows it's posted all of the time, 15 MPH, but when you are leaving the school campus coming out of Polk Valley Road from what he calls the various driveways as they are on the school property, you are warned "School Zone Ahead" appropriately there is a sign posted on the driveway as you are leaving school property that you are entering onto a road way that is a school zone. It leaves him to believe that the school campus is not a school zone. However, if you go over to the side with Walnut Street, there is no such sign that you are entering into a school zone; yet, on the driveway leaving the school property, down by the cemetery, there is a sign that says you are entering into a school zone. On Walnut Street itself, if you are traveling east bound heading up towards the main entrance to the school, there is no "End School Zone" sign. However, at the intersection of Constitution and Walnut Street, on Walnut Street, there is a sign that says you are entering a school zone. It needs to have appropriately placed on the opposite side of the road as sign saying "End of School Zone" unless the school zone does not end and continues into the school property. Mr. Cahalan said he'd have to check on that. Mr. Harte said the sign says school days, what is a school day? Attorney Treadwell said that's probably in the vehicle code. Mr. Harte said it's not, it's school days. It says times of the days. What he doesn't know, what is a school day. Is it the normal school year. Does it include summer school or not? The problem with the hours posted on the sign is they are not appropriate for when school is session for half days, so the school does have many half days that are scheduled and there are children walking in times that are not posted on the signs. This is all about safety. Mrs. Yerger said those signs with the school days and hours is a standard PennDOT sign. Mr. Harte said it's a standard PennDOT sign and the hours of operation that get placed on the sign have to be supplied by the school and it meets the normal school day; however, on a non-normal school day, you are driving more than 15 MPH and you are outside of the hours, but there are still children walking there. Then that leaves him to the last issue relative to all of the discussion tonight on sidewalks and walks, etc., he seems to remember that this Council granted a waiver to the school district to not place sidewalks along Polk Valley Road because children do not walk there. Mr. Cahalan said it was deferred and they will be discussing that. Mr. Harte said are we expecting that children are walking there or children are not walking there which leads him to PA Code, Section 212.05.01 to establish a school zone and the local authorities have to prepare and submit a drawing, the locations where the students walk. Is the school zone legal or not legal? That's the question he has at hand? Attorney Treadwell said that's a good question. We obviously would not prepared to answer it this evening, but we will get him an answer. Mr. Kern asked Mr. Harte if he went to the Saucon Valley School district? Mr. Harte said not yet. He thought the local municipality has to sign the PennDOT application, so he believes someone has signed that drawing. He doesn't believe the school district is allowed to do that. Doing several of them in his career, the school district doesn't have the authority to sign with PennDOT. That's why he's coming to the Township for answers. He did not come in and look at any records. He drives through it every day and it's signed improperly. Mr. Maxfield said who is the Engineer the school district employs? Mr. Cahalan said Wally Zimpfer is the lead person on that. He worked with Joe Rauscher from PennDOT. Mr. Cahalan said they will get the answers back to Mr. Harte and the Council.

- Mr. Harte said he has a question about McAdoo Avenue or Polk Valley Road, why does the sign still say McAdoo Road. Eight years ago he was before Council, and given a letter from Lower Saucon Township and Hellertown Borough Council. When he drives up to an intersection, he looks for a street sign. The first one he sees is one that is the name of the street. It still is signed McAdoo Avenue and Polk Valley Road, eight years later, it's still there and not removed. McAdoo is on the Hellertown side. The Hellertown side is a state highway, so he doesn't know if Hellertown has the authority to change the road. Mr. Cahalan said Hellertown adopted Polk Valley Road.

**VIII. COUNCIL AND STAFF REPORTS**

A. **TOWNSHIP MANAGER** – No report

B. **COUNCIL**

**Mr. Maxfield** – No report

**Mrs. Yerger** – No report

**Mr. Horiszny** – No report

**Mr. Kern** – No report

**Mrs. deLeon** – Absent

D. **SOLICITOR** – No report

E. **ENGINEER** – No report

F. **PLANNER** – No report

**IX. ADJOURNMENT**

**MOTION BY:** Mr. Maxfield moved for adjournment. The time was 6:58 PM.

**SECOND BY:** Mrs. Yerger

Mr. Kern asked if anyone had any questions? No one raised their hand.

**ROLL CALL:** 4-0 (Mrs. deLeon – Absent)

Submitted by:

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Jack Cahalan  
Township Manager

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Glenn Kern  
President of Council