I. OPENING

CALL TO ORDER: The General Business & Developer meeting of Lower Saucon Township Council was called to order on Wednesday, September 3, 2008 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. Glenn Kern, Council President, presiding.

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

PLEDGE OF ALLEGIANCE

ANNOUNCEMENT OF ANY EXECUTIVE SESSION (IF APPLICABLE)

Mr. Kern said Council did not meet in Executive Session between last meeting and this meeting.

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

Mr. Kern said for citizen agenda items – Council operates under Robert's Rules. What that means is during agenda items, Council will talk amongst themselves and amongst staff and the interested parties. At the conclusion of that, we open it up to the public for public comment. There is an opportunity for non-agenda items at the end of the meeting to discuss whatever your business might be. We do have a microphone and there are microphones up at the table. There is a sign-in sheet in the back of the room. Please print your name and address and email address. It is very helpful in transcribing the minutes. For those who want to receive emailed agendas, please give your email address to Diane, Leslie, or Jack or call the Township office. Please state your name and address. If you can't hear, please let us know. Mr. Kern asked if anything was taken off the agenda this evening? Mr. Cahalan said. IV F – Saucon Short Stay.

III. PRESENTATIONS/HEARINGS

None

IV. DEVELOPER ITEMS

A. ZONING HEARING BOARD VARIANCES

1. DAVID & JOIE MAROUCHOC – 2048 KOHAS DRIVE – REQUEST VARIANCE TO DISTURB WETLAND BUFFERS AND FLOODPLAIN SOILS TO CONSTRUCT HOUSE

Mr. Kern said the applicant is proposing to construct a single-family dwelling, associated improvements and a septic system. They are requesting a variance to exceed the maximum allowable lot coverage by 9.2%. They are requesting 29.2%. The maximum allowable coverage is 20%. They are also requesting a variance to disturb floodplain soils for the purpose of installing a driveway.

Present – David Marouchoc, applicant. He said the first is to disturb the floodplain soil in the front part of the property. He wanted to put a driveway across that to where the house

is going to be. The second part is based on where the house is and it would exceed the 85% protection of the wetland buffer.

Mr. Maxfield asked Mr. Garges how it got from 2.56 to what is buildable? He can see the floodplain soil, but what else is going on there?

Mr. Garges said there were big sets of drawings which the applicant had submitted. You have the floodplain soils in the front and a wooded area in the back and there are some pockets of deep slopes. The woodlands are protected 80%. The floodplain soils are protected 100% and the slopes would be in the 60% range. When you net all that out, you're not left with much. He also has an area of wetland. Mr. Kern said what do you mean by "not left with much?" Mr. Garges said their gross lot area is 2-1/2 acres. When they do the site capacity calculations, the net building amount is a lot smaller than that because of the natural resources on the site. This site was approved in the mid-90's and a lot of these regulations weren't in place at that time. They are building on a lot that was formed under old standards and comply to new standards. The drawing where COB is, that's roughly the area where he's proposing to put the house on. That's probably the only area on the site that doesn't have natural resources. He's trying to put the house in the middle and it's creating the issue of disturbing the floodplain. He doesn't think you can put it any more forward, so they tried to arrive at minimum relief they would need to construct the dwelling on that piece of land.

Mrs. Yerger said what is the square footage? Mr. Marouchoc said it's about 3200 square feet, house and garage. That's the total area of the house, the top and bottom, so the footprint would be less than that. It's approximately 60' x 38' feet. He wants to put it at an area with the least amount of impact of the protected areas and he's trying to minimize this.

Mr. Horiszny said near the arrow, it looks like a building or shed? Mr. Marouchoc said it's not there anymore. Mr. Horiszny said the drawing shows a shed behind the house. Mr. Marouchoc said that is just about completed and it was permitted September-October of last year.

Mr. Kern asked how many other houses in the development are completed? Mr. Marouchoc said there are four houses in the development which were completed in the 90's.

Mr. Horiszny said is there any other way to make that driveway across that floodplain or wetlands? Mr. Marouchoc said the plans have a stipulation in it that the driveway has to have to be 150 feet away from Springtown Hill Road, so it has to be so far up. In order to meet that requirement, he has to come in that high, and come across the property. If he attempted to put the house at the front of the property, he'd be disturbing more of the floodplain soil. Mr. Horiszny said if you came in straight into the blue off the ground, you'd be doing a lot less than that loop that this drawing shows. Mr. Marouchoc said that is correct, but again, that was part of the subdivision plan. His understanding was according to when he submitted the grading plan, they want to uphold that. Mr. Garges said the zoning ordinance requires 175 feet from roadway setback for the driveway. He's trying to meet that and the subdivision plan requirement. Mr. Horiszny said why couldn't the curve take place on the blue instead on all of the brown? Mr. Marouchoc said because right where the blue and brown line divides, that's where the actual wetland is. It's a spring and it ends halfway down the property from the neighbor's property to the bottom of the page. Mr. Garges said there's a 50' buffer from the outside of the wetlands that is also 85% protected, so they are trying to stay out of that as much as they can.

Mr. Kern said do you know if this is part of the Cooks Creek Watershed, the headwaters up there? Mr. Garges said he doesn't think this is the Cooks Creek, this would actually come down to the Saucon Creek in the vicinity of the Giant. Mr. Marouchoc said it is not part of that.

Ms. Stern Goldstein said they have not reviewed the request yet. Mr. Kocher said they have not seen the plans either.

Mr. Maxfield said there's not really much else the applicant can do on this property. It's a type of a piece of property that would not be permitted to exist today. That's what is giving us a problem as there's a lot we are dealing with on here. It's a pre-existing piece of property and he has restrictions and going far back on the property without going into the woodlands. Mrs. Yerger said the way it's situated now, the wetlands can't be encroached on. Mr. Marouchoc said absolutely.

Council took no action.

2. ESTATE OF THOMAS GROSS – 1267 SEIDERSVILLE ROAD – REQUEST VARIANCE TO CONSTRUCT TWO DRIVEWAYS ON THE SAME PROPERTY

Mr. Kern said the applicant is seeking a variance to construct a second driveway on the parcel at the residence of 1265 Seidersville Road. They are proposing to construct a driveway within an easement on that property to provide access to an existing dwelling on the neighboring property.

Present: Mr. Charles Pugliese. He said he is requesting a variance. When the lot 1267 was sold, there was an easement in the deed to allow the driveway so he could use that part of the easement. It's very difficult and the PennDOT issues are the line of site. 1265 is the larger lot. Their entrance is on the right side, there's an existing driveway there. The easement goes over 150'. The driveway would go up at an angle. Mr. Maxfield said how far apart are the two driveways? Mr. Pugliese said about 150 feet. Mr. Kocher said the site lines are up to PennDOT. He'll have to go to them.

Mr. Maxfield said how does the current existing house get access? Mr. Pugliese said it's vacant. Mr. Gross passed away a year ago.

Mr. Garges said for a mental picture, 1267 has a retaining wall across the front of it, so what he was saying is to put a driveway in, they'd have to cut back really far to be able to pull down and see because of that retaining wall.

Mr. Horiszny said is there concern about the nearness of the driveways to each other or are they far enough apart that PennDOT is not going to complain? Mr. Garges said there are driveways closer than that not far from this location. They probably don't have much more of a choice. To take access across from 1265's driveway, they would add another 100 plus fee of impervious coverage.

Mrs. Yerger said PennDOT is going to determine what's going to happen anyway in regards to location of the driveway. Attorney Treadwell said the only question for Council is the two driveways on the one property.

Council took no action.

3. LOWER SAUCON SPORTSMEN'S ASSOCIATION – 2389 EASTON ROAD – REQUEST VARIANCE TO INSTALL SIGN IN ROADWAY SETBACK

Mr. Kern said the applicant is proposing to install a 6'x5' (30 s.f.) sign. They will require 24 s.f. of relief to allow the proposed sign. They will also need a variance of approximately 30' setback to place the proposed sign 25' from the center of Easton Road.

Present – Ms. Janice Gendics, VP of the Lower Saucon Sportsmen's Association. She said the building is very old. The sign is on Easton Road and it's hard to pull out. They purchased a sign from the Hellertown Legion. They want to move the sign and put it back away from the road. They were hoping they could get a variance for the new sign.

Mr. Maxfield said the sign you want to erect, is it out there now? Ms. Gendics said it's being stored in a building. She said the sign with the flashing lights was a temporary one and that's down now.

Mr. Kern said is the light lit inside? Ms. Gendics said yes. Mr. Maxfield said it will replace the light from the 50's and the flashing light? Ms. Gendics said yes.

Council took no action.

B. KYRA MINOR SUBDIVISION PLAN – 1960 BARCLAY COURT & 2505 BLACK RIVER ROAD – LOT LINE CHANGE

Mr. Kern said the plans are for a lot line adjustment to transfer a 0.76 acre of land from the 1960 Barclay Court parcel to the 2505 Black River Road parcel.

STAFF RECOMMENDATION FOR
KYRA LOT LINE CHANGE MINOR SUBDIVISION
1960 BARCLAY COURT AND 2505 BLACK RIVER ROAD
TAX MAP PARCELS Q6SE4-2-11 and Q6SE4-2-49
PRELIMINARY/FINAL SUBDIVISION PLAN APPROVAL
FOR SEPTEMBER 3, 2008
LOWER SAUCON TOWNSHIP COUNCIL MEETING

The Lower Saucon Township Staff recommends that the Township Council approve the "Lot Line Adjustment Plan for Stephen Kyra & Stephen J. Morekin," as prepared by Barry Isett & Associates, Inc., consisting of one (1) sheet, dated July 15, 2008, last revised August 19, 2008. Subject, however, to the following conditions:

1. The Applicant shall address the review comments contained in the letter dated August 28, 2008, from Hanover Engineering Associates, Inc., to the satisfaction of the Township Council.

2. In the event the lot pins and survey monuments have not been set nor is the required Financial Security Agreement executed within 90 days of this approval, this approval shall expire and be deemed revoked unless a written extension is granted by the Governing Body.

3. The Applicant shall provide two (2) Mylars and seven (7) prints of the Plans with original signatures, notarizations and seals. The Applicant shall also provide two (2) CDs of all Plans in an AutoCAD format (jpeg-ROM).

4. The Applicant shall pay any outstanding escrow balance due to the Township in the review of the Plans and the preparation of legal documents.

5. The Applicant shall satisfy all these conditions within one (1) year of the date of the conditional approval unless an extension is granted by the Township Council**.**

6. All waivers granted shall be noted on the Plans with the applicable section, requirements, date of approval, and any conditions of approval.

It is also recommended that Township Council approve waivers from the following requirements of the following Subdivision and Land Development Ordinance (SALDO) Sections:

1. Sections 145-33.C(1) and (2) and 145-34.B so as to not require, per these sections, any further existing feature information, either on site or surrounding the site, other than tree locations, tree sizes, endwalls, and drainage paths.

2. Section 145-34.D(1) so as to not require a completed Sewage Facilities Planning Module or applicable waiver thereof.

3. Sections 145-36, 145-41.B(4), and 145-45.B(9) so as to not require further improvements to Barclay Court and Black River Road than is shown on the Plans.

It is also recommended that Township Council approve waivers from the following requirements of the following Stormwater Ordinance 2007-05 Sections:

4. Sections 309.G.10 and 309.G.12 so as to not require storm sewer extension nor installation of endwalls and erosion control facilities.

Mr. Steve Kyra was present. He said he bought this parcel of land and fixed the house at Barclay which he wanted to sell. When he did this, he found out he had to do a lot line adjustment. He has a staff recommendation of doing these changes.

Ms. Stern Goldstein said their letter from August 27, 2008 noted two comments, one was an existing non conformity in the front yard and one notes it's in the carbonate overlay. Their first review had questions about her site capacity calculations and the normal things and they checked impervious, and between the time of their first letter and when they resubmitted, they were able to meet all the ordinances and dot the "i's" and cross the "t's". and our letter of August 27, was a clean letter. Mr. Kyra said they went over HEA's letter of August 28, 2008.

Mr. Kocher said the issues that aren't addressed on the plan all relate to the parcel that is receiving the land, not the one that's being cut from. The river goes down from that lower parcel so the ordinance requirements and easement be reserved over the river for that. There are three pipes of discharge from the road that go down through the parcel and the ordinance requires that those drainage paths be protected by an easement. He's not sure they surveyed the Schmitt tract, but Tim indicated they just plotted the deed. What he is asking you, is since that's an existing tract and is only receiving the parcel that he's giving, do you think the provisions of the ordinance are necessary to put on the plan? That's the sum of substance of the letter. While you are looking at that, the waivers they are asking for are the extent of existing features as shown on the plan be all that's required and not 500 feet in all directions; to not do a sewage facilities planning module or waiver since it's just a lot line adjustment; no improvements to Barclay Court or Black River Road; not require the storm sewer extension of the three pipes within the right of way of Black River Road.

Mr. Maxfield said none of those conditions you mentioned on the Schmitt property are in affect now? Mr. Kocher said correct. Mr. Maxfield said he doesn't think this applicant should be responsible for those. Attorney Treadwell said the ordinance requirement would technically

mandate that it be resurveyed and show that, but you have the ability to waive that. In this instance, it's not a big deal. Mr. Kocher said nothing will change except the lot line.

Mr. Kocher said the waivers in Section 2, 5 and 11 of the August 28, 2008 HEA letter would be added to the waiver list which would be No. 1, they would still be required to comply to make sure the deed consolidation is done to the satisfaction of the solicitor; you'd still be required to do No. 3 which is to have Tim answer whether he based his assertion that there are no additional deed restrictions on the title search and then No. 6 which is to certify any pins required would be set prior to recording of the plan. You don't have to do a title search, you have to list deed restrictions or easements. They just want to know when the surveyor says they are all there, did he do a title search.

MOTION BY: Mr. Horiszny moved for approval per the staff recommendation transmitted August 28, 2008 with the understanding that the items in HEA's letter of August 28, 2008, No. 2, 5 and 11 of that letter are added to the waiver list of the subdivision and land development ordinance.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

C. MEADOW'S SUBDIVISION – MEADOWS ROAD – REQUEST RELIEF OF LIMITED CONSTRUCTION LETTER OF CREDIT

Mr. Kern said the applicant is requesting the release of the Letter of Credit that was posted in association with the Limited Construction Agreement to allow the construction of improvements to commence prior to the recording of the subdivision plans. Since the plans have been recorded and the Township has in place financial security for the remainder of improvements, this letter of credit is no longer needed.

MOTION BY: Mr. Maxfield moved for approval of Meadow's Subdivision – Meadow's Road – request relief of limited construction letter of credit.
SECOND BY: Mr. Kern
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

D. HIDDEN MEADOWS – LOWER SAUCON ROAD – REQUEST FOR SECURITY REDUCTION #3

Mr. Kern said has requested a release of the security for improvements completed to date. Hanover Engineering has completed an inspection and is recommending a release in the amount of $44,716.03.

MOTION BY: Mr. Horiszny moved for approval of Hidden Meadows – Lower Saucon Road – Request for security reduction of $44,716.03.
SECOND BY: Mr. Yerger
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

E. AGENTIS BROTHERS – ROUTE 378 – REQUEST FOR SECURITY REDUCTION

Mr. Kern said the applicant is requesting the security being held for improvements in this subdivision. Hanover Engineering has completed an inspection of the work and recommends a reduction in the amount of $94,740.00.

MOTION BY: Mr. Horiszny moved for approval of Agentis Brothers – Route 378 – Request for security reduction of $94,740.00.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

F. SAUCON SHORT STAY – 2200 WASSERGASS ROAD – SITE PLAN – RECOMMENDAITON FOR DENIAL OF PLAN (PENDING EXTENSION REQUEST)

Taken off the agenda

V. TOWNSHIP ITEMS

A. FIRST CLOVERVIEW, INC. – AUTHORIZE COUNCIL PRESIDENT TO EXECUTE AGREEMENT OF SALE TO PURCHASE LOTS 3, 4, 5, AND 9 IN THE CLOVERVIEW SUBDIVISION

Mr. Kern said an agreement of sale has been prepared for the purchase of Lots 3, 4, 5 and 9 in the Cloverview Subdivision for open space purposes.

Attorney Treadwell said this agreement was negotiated between Cloverview Inc. and himself. It allows the township to purchase those four lots 3, 4, 5 and 9 for $75,000.00 to be used solely for open space.

Mrs. Yerger said the Open Space Committee from the EAC did do an open space preservation check list which they do on all parcels that are considered for assessments or outright purchase of open space for the township. It ranked well and has a lot of natural resources on it, and therefore, it did rank high and is worthy of preservation and purchase by the Township. They did recommend the township acquire the property. It is the headwaters of the branch of the Saucon Creek. It's got some really important wetlands and seeps and springs up there exactly where the Saucon starts.

Mr. Kern said he'd like to compliment the EAC on the great job they are doing as far as looking out for the properties that are available in the township. They are doing a job as well as the Open Space Committee to make this all a reality. It's been really a goal of this Council and previous Council's to do what the EAC and the Open Space Committee are doing and he commends them highly. Mrs. Yerger said the Open Space Committee is doing a really good job and meeting with the landowners. This is 12-1/2 acres and could enable links and the leading of a greenway.

Attorney Treadwell said he needs a motion to approve the execution of the agreement of sale and to authorize him to attend settlement.

MOTION BY: Mr. Horiszny moved to approve as stated above by Attorney Treadwell.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

VI. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF AUGUST 20, 2008 MINUTES

Mr. Kern said the minutes of the August 20, 2008 Council meeting have been prepared and are ready for Council's review and approval.

Mr. Horiszny said on page 10 of 28, line 20, 100% rectified should be "**100% certain**". Page 20 of 28, line 44, Township Manger should be "Township **Manager**". Page 28, line 45, take out "be sent". Page 28, line 47, as a "only" should be as a "**one**" lane bridge. Page 24, line 33, Mr. John Steller, should be Mr. John "**Stella**", and also his name on line 40 on page 25. Page 27, line 44 should read "The other thing is the Historical Society, "**has a new President**" who happens to be his wife, and do we need to have a new alternate liaison?

MOTION BY: Mr. Yerger moved for approval of the August 20, 2008 minutes, with corrections.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 3-1 (Mr. Horiszny – No; Mrs. deLeon – Absent)

VII. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

- Ms. Margie Segaline, resident said she heard the Giant has proposed to install gasoline pumps. She's worried about the relation to the creek and it's jeopardizing the creek. She just wants to let Council know she's not in favor of it.
- Mr. Mark Wirth said that area where the gasoline station wants to go is prone for sinkholes. Mr. Kern said this was discussed at the last meeting. They can give him a copy of the minutes as it outlines everything that was discussed last time.

VIII. COUNCIL AND STAFF REPORTS

A. TOWNSHIP MANAGER

- Mr. Cahalan said we received a letter from a resident of Weavers Lane in the Leithsville area, Mrs. Sheila Maxell. She indicated that the school bus stop on 412 is very dangerous as the cars are coming around a blind turn and there have been occasions where they have driven past the red lights of the school bus. She requested that the township look into erecting a "School Bus Stop Ahead" sign at the end of 412 to alert the motorists that are coming around that curve to let them know there is a school bus stopping there. It's north from the Flint Hill Road intersection. He talked to Wally Zimpfer at the school district and he did agree that the area near the bus stop is a problem and there have been reports of people going past the school bus and the police concurred on that. What he can do is send a request to PennDOT to conduct a study and let us know if it's permissible for a sign to be erected at that location. According to their regulations, a sign "School Bus Stop Ahead" is warranted if there is 500 feet less of site distance for drivers coming from the north and the south. According to Roger Rasich, he did some rough calculations and it appears there is at least 700 feet from each side. It may not meet the PennDOT requirements for the sign, but he is requesting the opportunity to send the request to PennDOT and conduct the study. If PennDOT were to come back to us and say it's approved, you can erect a sign, this is something the township would pay for and erect at that location. He'd like an approval to send to PennDOT to do a study for the sign. Mrs. Yerger said maybe they can move the bus stop temporarily. Mr. Cahalan said that wasn't offered by the school district. He said he can ask the school district.

MOTION BY: Mr. Kern moved for approval for Mr. Cahalan to send a letter to PennDOT asking them to do a study for the school bus sign as stated above.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

- Mr. Cahalan said he also received a request pertaining to the Heller Homestead. He will be presenting Council with some repair estimates for the window repair and they have to first get permission from the PHMC to be able to do the repairs. He is also getting estimates for the masonry work and repairs for the maintenance garage. The SV Conservancy also requested that the Township install an underground electric line running from the Widow's House to the edge of the barn ruins. They would like to use that to plug in some electrical items like a wreath at Christmas time and to put a light up to shine on the barn ruins. We obtained an estimate from an electrician, which would include burying the line, putting an outdoor outlet and a spotlight and that would cost $1,045.00 which can be paid for from the Heller Homestead Park Fund and the light would be suitable for security purposes. If Council approves, this he would need a motion to proceed with the electrical work for that line. This would require approval from PHMC to dig on the property to bury the line, so it would be subject to their approval.

MOTION BY: Mrs. Yerger moved for approval to proceed wit the electrical work of $1,045.00 subject to PHMC's approval.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

- Mr. Cahalan said he gave Council a copy of a response from Charles Elliott about the MFS facility. There's no activity, but he will look further. Charles is looking into that and doing some research with the EPA, and hasn't given a response yet, but will be giving Mr. Cahalan a response soon.

B. <u>COUNCIL/JR. COUNCIL</u>

<u>Mr. Maxfield</u>

- He said he was going to ask a request of staff if there are approved permits like DEP permits within the township that we know about them so we don't have to drive around on the weekend and freak out when we see something happening. Last weekend he had to call Chris at home and it turned out to be a totally approved thing which made him very happy. Mr. Cahalan said they can work that out with Chris to get that information out. Mr. Maxfield said maybe when the work starts, then get the information out. A representative from DEP said a lot of the permits were approved back in 2006 and they are just now getting to work on them.
- He thanked the audience for staying tonight.

<u>Mrs. Yerger</u>

- She said the EAC discussed with Stacy from Boucher & James, exploring opportunities to retrofit the storm water basins naturally at Polk Valley Park and use them as a demonstration site for developers and for education purposes. She handed out a brochure that was put together by the Perkiomen Watershed as an example of some of the possibilities. They would like to take a look at them and have permission to work with Stacy Ogur, Judy Stern Goldstein and Brien Kocher and members of the EAC to move ahead with this in conjunction with the Saucon Valley Watershed Association.
- She said the Historic Committee did meet and came up with the final wording for the Redington Chapel. There has been discussion for awhile to place signage at the site where the Chapel was. They are offering this to Council. If you approve it, they will then ask Mr. Cahalan to move forward with this. They are working on a template for the signs and trying to keep it very inexpensive. They are using sheet metal that is used for road signs and working with their sign maker to make a distinctive cutout that would have the township logo on it and it would be in green and white. There are some samples in our

packet. As soon as they get that finished, he will bring it back to Council. They gave samples to the Historic Committee. They also want to do some signs for the Meadows Road Bridge. The signs will look very nice and will probably cost only about $100.00. They have looked at two types of signs and Mr. Cahalan will come back with prices. Mr. Cahalan said Boucher & James is working on a plan for a mini park at this site. The verbage is as follows: "The Redington Chapel. Served as a chapel and Bible Study for the people of the village of Redington during the late 1800's before being converted to a private residence. Redington was the company town for the Coleraine Iron Company until the area was taken over by the Bethlehem Steel and was used as proving grounds for large guns manufactured at their plant". They've kept some artifacts with it and the committee is going to do a small display with some photographs.

MOTION BY: Mr. Maxfield moved to approve the wording for the sign for the Redington Chapel.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

- She said Heritage Conservancy was approached by the Whitetail Bowman's Club. It's about 30 acres and they were asked to have it ranked and see if the township would like this parcel as part of their open space preservation projects. The Open Space Committee took their list and ranked the Club and rated it and did recommend approval of it last night at the EAC meeting. When you look at the map, you'll see it falls within the high priority area for the Northampton County area open space plan, so Heritage is working with the Whitetail Bowman and would like to take this parcel and put it before Council so they can get some funding from the County to help pay for the conservation easements for this particular parcel. It is steeply wooded and has some seeps and springs on it. It's a really nice property. It's on Apple Street by Mockingbird Hill Road. This one would be very appropriate to the County for funding. We need to get an appraisal, which would be the next step. They are very anxious to have the public come in and enjoy the property, maybe having some scout troops come in there and hike around or camp there. Attorney Treadwell said if that's what you want to do, then you need a motion to obtain an appraisal.

MOTION BY: Mr. Maxfield moved for approval to obtain an appraisal for the Whitetail Bowman's Club.
SECOND BY: Mr. Horiszny
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Mr. Horiszny
None

Mr. Kern
- He said this is a follow-up to a question he had a while back which is the LVPC requirement of 10,000 square feet of impervious per lot regardless of the size of the lot. He was asking staff to research whether or not that was an adequate or beneficial ordinance. Mr. Kocher said he served on the last committee for the LVPC to determine that exact answer. The reason that it's county wide is that DEP says they don't want any exemption. They want the storm water management criteria to apply…even if you put a paving block in your back yard. LVPC actually fought for some reasonable exemption and they looked at all kinds of opportunities to say if it's a 10 acre parcel, it's this much, etc. When it comes down to it, the easiest way to keep track of it is to just have a criteria that was okay with DEP, that seemed reasonable and seemed to fit in with a typical development in the Lehigh Valley. 10,000 square feet was determined to be that number, but the LVPC had to fight to have any exemption at all. The 10,000 square feet came out about 1990. They

even ran some numbers of saying how many of these things do we get every year and what's the overall cumulative effect and we still concluded that was a reasonable number especially considering the ability to easily interpret whether or not you got an exemption. Mr. Kern said do you still think that's appropriate today from 1990? Some residents in the township who have larger lots say its not fair and still are compelled to comply to a 10,000 square foot standard. Logic dictates it should be a sliding scale. Mr. Kocher said from an everyday enforcement aspect, 10,000 square feet is still reasonable. You have to remember if people have a 5 or 6 or 8 acre lot, and then they may have impervious in the middle, although they still have a driveway, and the long driveway is what causes a lot of these problems, everyone of these cases, they can come and plead before you why they are different than everyone else and you can waive that provision. From an average everyday with what Chris deals with, the 10,000 is easily workable and anyone has the ability to come to you and tell you why their parcel is different. Mr. Maxfield said most of the exceptions we see at Planning Commission are the driveways, so people have the option to scale back if they don't want to deal with that ordinance. We get some awfully elaborate driveway configurations. Mr. Kern said he's referring to the lots that it's clearly not applicable, where you have ten acres of land and you still have to comply to the 10,000 square foot imperious where it' s not appropriate. Regardless of the size of the driveway, in certain cases, it's still not an arbitrary number that was thrown out for protection purposes that does not apply to everyone. Mr. Maxfield said for instance, if someone has ten acres, they still have the option of moving their house closer to the road to reduce the driveway or narrowing the driveway or reducing the square footage of the house. We should feel lucky we even have that exemption. Mr. Kern said he's referring to the cases that are obvious that it's not impinging on the natural resources or anything we treasure. Like Brien said, they can come before us. Attorney Treadwell said Council makes the decision.

Mrs. deLeon
Absent

C. SOLICITOR
None

D. ENGINEER

- Mr. Brien Kocher said he indicated at the last meeting that he would come back to this meeting after reviewing the Stover Road gate issue. What that traffic study bases its decision on is an estimate of the amount of traffic that would go through the Arden subdivision through Stover Road and where they are going. That study said they identified an area of residents that may use this and think they may either go to the south end of Hellertown or to the Giant. The traffic study estimates that each one of those directions would be 80 cars a day. Based on that, it subjectively said that the gate should be closed. There is too much traffic for the neighborhood. Since then, Meadow's Road you can't turn left any more, so in theory that number could change from 160 cars a day to 80 cars a day as that traffic pattern wouldn't have people going through Stover Road. We can revise the traffic study and look at where they are going and get estimates. That's a subjective call. There is no universal accepted practice that says 160 cars a day if it had been 120, that would have been okay. There's nothing like that. This is a decision you have to make. We can redo the study but the only way you are going to get an accurate count is to open the gate and keep it open for some period of time and count the number of people using that. At any time during that study period, if we get too many complaints from Arden, you can close it. That is the direction he needs from you. We can redo the study, or open the gate and count the cars. Mr. Kern said opening the gate makes him very nervous. You may think it's easy to open and close it, but you are changing traffic patterns. You're

changing them in a dramatic way. It's just not a simple process. Mr. Maxfield said what Brien was saying is open it and leave it open for awhile. Mr. Kern said then trying to close it again, they'll be a major uproar. Mr. Maxfield said what is the reasonable number? Mr. Kocher said if you look at the assumptions of the original traffic study, people are going to go down through there and go down to Meadow's Road, 80 will go left and 80 will go right. You can't go left anymore, so it might be reasonable to say we're down to 80 now. Again, that's based on an estimate. If you want to count it, you can't leave the gate open for a week because no one is going to know it's open and you won't get an accurate count. If you like that, you should say you are going to keep it open for x number of days. Attorney Treadwell said for the benefit of the Council and the audience, that gate was an approved improvement and we took security for that as part of that subdivision. That was a condition of approval that the gate be installed. The timing of it may have been at the discretion of Council, but that was a required improvement. Mr. Kern said the gate went through Council and eight council members thought there was enough potential traffic to justify the gate. Attorney Treadwell said we held security that if the developer walked away, we had money to put that gate in. The timing question was the issue as to when the construction process, is it when 4 houses go up or 8 houses go up. Mr. Maxfield said we still need to have the updated opinions of the fire police and the police. Mr. Kern said last time it was not an agenda item, and Council would benefit of what the entire Arden neighborhood would think. The community was here in force because of the increase of traffic. Evermere and Hawthorne Road weren't in existence and they will be using that road to get to the Giant as well as everyone on Saucon Valley Road and people in Upper Saucon. Mr. Maxfield said let's make it an agenda item. Mr. Cahalan said we might need some direction as how you want to proceed. Mr. Kocher said he doesn't do anything and you keep the old study or we do a new study. Mr. Maxfield said since we did it before, and the conditions have changed with the no left turn, can you just give us a rough estimate on what you think the traffic would be. It doesn't deserve a second traffic study. Mr. Cahalan said we are looking at October 1 to get it on the agenda. You also mentioned the Meadows Subdivision residents. We would get all the emergency responders to participate. Mr. Horiszny said couldn't it be factored in even with the no left turn and cut through on Viola or Victor to get to Skibo and then make their turn? Mr. Kocher said there's two parts to what he's saying. To say what the ADT is an educated guess and to say what's too much is a subjective call on your part. Mr. Cahalan said on your recommendations on the Meadows Road area, to deter people from using Victor as a shortcut.

E. <u>PLANNING</u>
None

IX. <u>ADJOURNMENT</u>

MOTION BY: Mr. Horiszny moved for adjournment. The time was 8:31 PM.
SECOND BY: Mr. Maxfield
Mr. Kern asked if anyone had any questions? No one raised their hand.
ROLL CALL: 4-0 (Mrs. deLeon – Absent)

Submitted by:

Mr. Jack Cahalan	Glenn Kern
Township Manager	President of Council