

I. OPENING

CALL TO ORDER: The Planning Commission meeting of Lower Saucon Township Council was called to order on Thursday, September 16, 2010 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. John Landis, Chair, presiding. He said this is a joint meeting with Hellertown.

ROLL CALL: Present: John Landis, Chair; Tom Maxfield, Vice Chair; John Lychak, Secretary; John Noble, and Craig Kologie, members; Dan Miller, Engineer from Hanover Engineering; Chris Garges, Zoning Officer; Kevin Kochanski, Planner from Boucher & James; and Linc Treadwell, Solicitor. Absent: Haz Hijazi.

Hellertown Planning Commission Members Present: Matthew Miller, Chairman; Frank Pazzaglia; Joseph Papanin; Francine Drake; Don Rohrbach.

PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

None

III. JOINT MEETING WITH HELLERTOWN

A. APPROVAL OF JOINT MEETING MINUTES – SEPTEMBER 10, 2009

MOTION BY: Tom Maxfield moved for approval of the September 10, 2009 minutes.

SECOND BY:

ROLL CALL: All in Favor.

B. MULTI-MUNICIPAL COMPREHENSIVE PLAN REVIEW

1. ADOPTION OF THE MULTI-MUNICIPAL COMPREHENSIVE PLAN – JULY/AUGUST 2009

2. STATUS UPDATES ON PLAN RELATED CURRENT PROJECTS, ISSUES, NEXT STEPS - MANAGERS

Mr. Landis said both Managers are here, and they will give us an update of the projects and the next steps.

Jack Cahalan, Manager of Lower Saucon Township, said Charlie Luthar, Borough Manager from Hellertown is also here. The joint meeting was one of the top priorities of the multi-municipal comprehensive plan to get the Planning Commissions together periodically to discuss regional issues and also to give you updates on what's happening in Hellertown and Lower Saucon. Mr. Cahalan said he will list a couple of the projects that they've been working on together.

Mr. Cahalan said the first one is under Public Works. The past several years, the Public Works employees from the Township and the Borough have been combining their manpower and their resources and they have been doing joint paving projects in the Borough and the Township. They've also been able to help out the school district by doing some paving on the school campus, which saved them a considerable amount of money. That's an ongoing, very successful project. The other project they are currently working on developing is the Saucon Rail Trail which is the abandoned eight-mile SEPTA line that

goes from Hellertown down to Coopersburg Borough. The Borough and the Township are working jointly on the development of that trail. They hope to open portions of it sometime this year. They've had a few hurdles and are still working out some wrinkles. It will be a significant recreational asset to the region linking us to with the Borough and Township to the south and actually allowing people to visit and enjoy some of the significant historic features that we have in the Borough and the Township and also our commercial downtown hub will be linked close to the trail.

Mr. Cahalan said the Borough and Township elected officials are supporting the fire chief's from our five volunteer fire companies. There's four in the Township and one in Hellertown Borough. The chief's from those departments have been working for the past year exploring the feasibility of consolidating fire services. That is something that everybody wants to see that process be carried out. We don't know where it's going to end up as there are issues involved with that. There are firehouses and social halls and other things that have to be looked at. The process has worked out very well operationally as it's produced a combined fire response in the Borough and the Township where a year ago they were having problems with manpower during the week to respond to fires. In about a year, they have an adequate cadre of fire fighters to respond to these fire calls. One of the things the Township and Borough did to augment that was to allow Public Works employees who are fire fighters to be released on those calls during the day. The Township has at least five Public Works employees and some from the Borough and the Lower Saucon Authority. We have a good core of a fire response and that really solves a major problem.

Mr. Cahalan said we are starting the first steps in a library services study. One of the things the Township Council had asked our Township Library Committee do was exploring alternatives to library services to our residents. The Library Committee has communicated with the Hellertown Area Library. We have some information they have given to us and the Township Council, last evening, as the Library Committee, to move forward with that and we'll be requesting that the Borough also appoint representatives to a study committee that can meet with the Hellertown Area Library and further explore the feasibility of consolidating the library services at the Hellertown Area Library. For the record, the Township has no plans of ending its relationship with the Bethlehem Area Public Library. It's a year-to-year contract they have, but there is no plan to end that relationship. We're simply exploring the feasibility of this other opportunity.

Mr. Cahalan said the other thing is the Joint Recreation Study Committee. The representatives from the Township, Borough and school district have been meeting for about a year and they are looking into regional recreational opportunities – all the fields, all the play areas. Many of them we are looking at how we can schedule and maintain those fields so that they can be used by everyone in the Saucon Valley area. We have gotten to the point where we are ready to submit a grant application to DCNR and we were at a meeting recently and told we have a very, very good chance of getting the funds, and that would be to hire a peer consultant to work with the group for about a year to a year and a half, and then come up with recommendations for the next step process.

Mr. Cahalan said the casino grants. There is casino money available to the municipalities in Northampton County and the first round was for the contiguous municipalities. That's the five municipalities – Hellertown, Lower Saucon, Freemansburg, Bethlehem Township, and Hanover Township. Between Hellertown and Lower Saucon, they put in 70% of the grant applications in this last round. They are finishing up the presentations on September 27th and they hope to hear some good news on October 25th when they announce the awards for that first round of grants.

Mr. Luthar said in terms of one of the recommendations from this body and from the multi-municipal plan was to do a zoning audit. They did apply for a LUPTAP grant for that

zoning audit and we were denied. There simply is not enough money to do that. We're coming back around on that again and looking for other sources of funding that could supplement that and get an audit to be done. That is to compare the two zoning ordinances and to see where they are consistent or inconsistent in certain aspects. Legally, with the municipal planning code and so forth. We are looking forward to continuing with that work. We are getting some estimates from Environmental Planning and Design who you all remember had done some work before on this. In terms of the DCNR study, that's another recommendation that came out of this body. Mr. Landis, last year, asked the group to make a recommendation that went to Borough Council and Township Council and we agreed to proceed with that. It's been very successful. We really made a positive impression on the two consultants from DCNR when we had our meeting. It was obvious we are going to get approval and it should be some time in November.

Mr. Luthar said the casino studies, as Jack had pointed out, we did 12 of the 17 grant applications that were submitted. It was an interesting experience as it was the first time anybody had actually applied and you can see the Authority itself was actually having difficulty in deciding how they were going to proceed in looking at these applications. We cooperated on those grants. There were three joint grants that they submitted and also cooperated on the other nine that were submitted.

Mr. Luthar said Hellertown did receive a \$90,500.00 grant from PennDOT for Pennsylvania Communities Transportation Initiative to look at alternatives to transportation in the down town so we're not driving cars back and forth around the town, but maybe we'll decide to walk or use the rail trail or find some other ways to get around. They've done that study and there is some information Matt will share with you. It has some ideas for streetscapes and traffic calming and try to make the community more pedestrian friendly when you come down our business district.

Mr. Luthar said Cherry Lane streetscape project, which borders Hellertown, they received a grant a number of years ago and has been struggling with PennDOT to get approval to get ahead and construct and we're very close to doing that. That will give us some needed sidewalk areas along Cherry Lane along the Hellertown side across from the Bethlehem Fields project.

Mr. Luthar said the other project that is related to the Rail Trail is the High Street Bridge which is actually in Bethlehem by five feet. It's just across the border. That bridge is in bad shape and it was closed yesterday and he doesn't know it was opened today or not. Some of the planking and spikes have to be replaced. That bridge is important in that we want to try to maintain it in form or another in working with the City. The City is actually take the lead on this with Norfolk Southern to try to get a repair done there so the trail opportunity is preserved. If you all know, there's a cut underneath there and Frank actually uses that area for his students at Lehigh to actually look at small fossil finds on the walls. We need to keep that open so we're working with Bethlehem on that project and also Northampton County has a hand on that to maintain that opening so we can keep it available for the greenway to connect with Bethlehem.

Mr. Luthar said he doesn't know too much about the Leithsville-Bingen sewer extension, but that's another thing we are doing jointly with your Authority.

Mr. Luthar said one other area that has been very positive is the Saucon Valley Compost Center. That again is sort of an outgrowth of working together cooperatively. It's been in service four years and each year the number of applicants and people who use it has increased. We are 16% higher this year than we were last year at this time. We're projecting about 6,500 sign-ins will occur by the end of the year, which is just tremendous. If you look at Hellertown's trash collection for the last four or five years, the chart just goes down like a rock and it's very obvious there was a lot of yard waste that was getting

into our trash stream which is now being removed. It's a very positive thing. The mulch that comes from it can be used.

Mr. Luthar said we are cooperating on another area and that's with the school district on Act 32 which is the collection of Earning Income Tax (EIT). The State passed a law that requires that we pretty much collect taxes by County and we are the only two municipalities and the school district that are working together on a partnership with one person representing us and Ed Inghrim is doing that on behalf of the two municipalities and the school district. That gives us voting power we wouldn't have if we did it individually. It's a weighted vote and it's also by revenue. It's real positive and a continuation of the cooperation that the partnership is experiencing.

C. COMMISSION UPDATES REGARDING SIGNIFICANT ISSUE HANDLED SINCE SEPTEMBER 2009 – CHAIRS

Mr. Landis, Chairman, Lower Saucon Planning Commission, said not much has happened in Lower Saucon Township. Development is kind of at a standstill. There are two projects that have been around for a long time and they are still around. One is Woodland Hills Country Club conversion of the golf course into some sort of residences. We've had a bunch of plans in front of us, the latest they needed a variance and they got a variance, but people are protesting the variance and we haven't heard anything. That is ongoing. The next is the use of the old Lower Saucon elementary school. That's been here many times and the latest is to make it an office and non-retail. They want to make it information technology and businesses would go in there. It's come through here and we haven't done anything as it needed variances. We revised it and it hasn't gone to the Zoning Hearing Board yet. The only other thing is the Phoebe Ministries, which is brand new. That just came up. Nothing is happening in that, we have a sketch plan tonight and it doesn't require any action on our part. That's the old Filler track which is R20 zoning and there was a proposal to have 50 houses there, now they are talking about putting a continuing care facility in there. Nothing has gone any further than talk.

Mr. Miller, Chairman, Hellertown Planning Commission, said they've actually had a fairly busy year in Hellertown. The past year they've had thirteen individual site plan reviews, five individual land development reviews, and they've actually undertaken three independent studies in the Borough. The first one was review of their parking requirements. Whenever they'd have a plan come in, everyone would say there's tons of parking, there's tons of parking or we'd have individuals say there's not enough parking, especially along the street side. This summer, there were a couple of interns and they spend a great deal of time at different parts during the day walking the streets and taking inventory of how many open spaces there were, how many cars were parked there. Not only did they do it along the Main Street corridor, but they also went in one or two blocks and it gave them an idea of what kind of parking was around the area. What they ended up finding was they do have a little bit more parking than they thought they had. What that has led us to do, is we're in the process of reviewing our zoning ordinance. For a long time, we haven't been allowing on-street parking to go into the parking calculations for businesses to open up on Main Street, but now they are looking at it and saying since there is parking in this area and we know how much parking there is now as they mapped it all out for us, we can begin to look at it on a case-to-case basis and decide how many of those slots are available and how many of those slots can we allow for a business along Main Street which all feeds into the multi-comprehensive plan. The next thing they are in the process of reviewing right now is the treatment of group homes under their current zoning ordinance. They do have a draft ordinance from their Solicitor for recommendation and it's based off of how do they want to possibly make changes to their zoning ordinance in regards to group homes in the area. Mr. Landis said what do you mean by group homes? Mr. Miller said group homes would be like a home that contains more than one non-related individual being run by some sort of institution. Mr. Luthar said it's a fall out of the state hospital closing. There are a lot of people looking to locate. Mr. Miller said they are looking to see what reasonable conditions can they place upon them so it doesn't get out of hand. The Solicitor

took it back for comments so it'll be presented at their next Planning Commission meeting. The last thing they've been working on which feeds into what Mr. Luthar was saying with the PA Communities Transportation grant, it's a tri-fold they worked on and it feeds in the whole multi-municipal comprehensive plan, kind of what they are looking to do with the Main Street area in Hellertown and proposed changes. As you can see, they are kind of promoting downtown Hellertown a little bit. Giving pole an idea of what happened and giving some history in the area, but there's also been many committee meetings over the past year with different members of the community and business folks. There have been a couple of public comments and they are trying to look at see what they want the downtown to look like. What possible changes do they want to make? One of the things that Mr. Luthar mentioned was traffic calming. They have a state road in the middle of Hellertown, so it's kind of out of their control to the speed limits, etc., but with them redoing Main Street, they've seen some speed increases. PennDOT has changed their thought process on how they want to handle these main roads that go through towns now and they are more willing to work with the communities to come up with what ways can you slow down traffic but not impede the flow of traffic. One of the things you can see on the tri-fold, is it shows the Borough Hall area and the Main Street area, and you can see one of the main things they are looking at is called traffic bump outs where you kind of extend a concrete island out towards the flow of traffic, but still in that parking zone. What that does is it helps to slow people down, but it also helps people to notice that there is a crosswalk. One of the things that's been proposed is right around the clock tower area where the fountain is, it's kind of changing the angle of that off ramp on Easton Road, making it more of a 90 degree bend so that you don't get people come off there at a high rate of speed. That also gives us additional parking along Borough Hall, but creating a larger park there in the downtown center which feeds into the walkable communities and the rail trail. That's what they have been working on for the past year.

D. SAUCON CREEK WATERSHED AND ACT 167 PLAN – FRANK PAZZAGLIA

E. TOPICS FOR FUTURE INVESTIGATION/DISCUSSION

Mr. Landis asked if there were any topics for the future to discuss? Mr. Luthar said there's one thing that Mr. Maxfield said the last time around at one of our joint meetings was a zoning map. We really didn't take any action on that, but maybe you'd like us to put the two zoning maps, the Borough and the Township together, and just take a look at what it is with some definitions of what the different zoning districts are because there are differences. Mr. Landis said we were waiting to see what would happen with the zoning audit. Mr. Luthar said absolutely. We can put something together and they can take a look at it for the next meeting date in April at Hellertown Borough. Mr. Luthar said he thinks it is April 12, 2011.

Someone said he knows it's an important subject for Lower Saucon, but is there opportunity for very brief comment. He wanted to say thank you Chairmen for your indulgence for a late arrival as he was at a funeral. He wanted to comment the appreciation for this joint library investigation. It's the topic he broached at the beginning of these joint planning commission meetings, so he really encourages that direction for Lower Saucon to really look very carefully and studiously at possible membership with the Hellertown Library. Secondly, since he was educated as a City Planner and schooled as a citizen, he did have some commentary on the document that Mr. Miller handed out. Mr. Luthar said that document was created for this group actually. They wanted to have Brien Smith present to do a presentation, but there was too much on the agenda this evening. Someone (the same person from the beginning) said thank you, he did have some commentary. Mr. Luthar said please give him your comments and he will turn them over to Brien and he can include them. We're hoping everything will be done by next April and there will be a presentation. Someone said (the same person from the beginning) said the High Street Bridge, is that a City of Bethlehem bridge or a state bridge? Mr. Luthar said it's in the City of Bethlehem, and it's a Norfolk Southern Bridge. The railroad owns it. Someone (the same person) said they are responsible for maintenance and repairs? Mr. Luthar said they have been. That's part of the issue that the City of Bethlehem is having with them, and he's not sure exactly where that is. They are working out

some sort of a settlement agreement which they are not privy to. Someone (the same person) said this train company is still operational and solvent? Mr. Luthar said yes. They were there last night trying to make the repairs to the bridge.

F. SELECTION OF NEXT MEETING DATE

MOTION BY: Mr. Maxfield moved for approval of the next Joint Planning Commission meeting will be held on April 12, 2011 when the Hellertown Borough Planning Commission holds their regularly scheduled meeting.

SECOND BY: Mr. Lychak

ROLL CALL: All in Favor.

IV. BUSINESS ITEMS

A. CHRISTOPHER BAUMER – BAUMER SITE PLAN #SP 03-10 – 2521 RINGHOFFER ROAD (TIME LIMIT 11/17/10)

Attorney Jim Preston was present. He said he is the attorney for the applicant, Chris Baumer who is seated to his left. Also present was Mr. Amit Mukherjee from Base Engineering who is the Project Engineer. Attorney Preston said this is a plan for a 6.5 acre tract zoned for RA. They are proposing a change in the land use which is permitted at the site but it does require a site plan review. The only physical changes will be at the entry way. You'll see there is a hatched area where they'll be some additional impervious, and they are going to be adding a parking space which you'll see when you come off of the entry way. The site plan has been reviewed. They do have a review letter from Hanover Engineering dated September 8, 2010. They've gone through that and they don't have any issues with what's said in the letter. Mr. Landis said what about the letter from Boucher & James? Attorney Preston said they never received anything from Boucher & James. Mr. Landis said you will comply with the Hanover letter? Attorney Preston said yes. Mr. Miller said the one question is will compliance with some of these comments cause other requirements to be applicable. For example, he's looking at the access and egress driveways not have the required width. One way to comply with that would be to make the driveways wider, which could then trigger impervious cover management requirements. Attorney Preston said we should probably discuss that. The access drive would be the area of the driveway that takes you out of the Ringhoffer Road. They have the 25' there. They do not have the 25' on the other driveway. There's one that leads all the way up to the back and one that leads to the home. If you look at the project in its totality, it's a nursery use, but not actually a retail nursery use. It's by appointment only. Mr. Baumer does landscaping. This is where he'll keep his stock and if you want to come there and see the stock, you can by appointment. If you want to come there for a consultation for a landscape design, you can do that as well. It's not a nursery like you would see along Route 29 where you would have cars pulling in. The access drive is 25' wide, so he's not sure if you are saying that's not adequate. Mr. Miller said this is also for internal circulation. There's that requirement. He's not necessarily saying this use here needs to have that, but it is an ordinance requirement. The one thing he could foresee being a problem, even if it's not the general public, there's not really any good way for an employee that was going to the employee's only area, to know that there is someone is going down the hill while someone else is going up it. There doesn't appear to be a clear eye sight. Mr. Baumer said for that area there, if employees entering into the driveway that leads up to the upper building where there's a lot of weeds and lower brush that hasn't been managed, but they are going to be trimming the trees and taking care of that area so there is a view from the bottom to the top, so if a car is coming down, someone at the bottom could see. Mr. Miller said it can be one way, both ways? Mr. Baumer said yes. Attorney Preston said why don't you tell them what your employee requirements are and your staffing. Mr. Baumer said there are a handful of employees, maybe two or three, that are going to come into the shop, but most of the general employees go to the job site itself. They travel directly to the job site with their vehicle and they leave from there. Someone asked what kind of requirements do you have for delivery of materials? Mr. Baumer said as far as materials that are brought to the site, those are in

our trucks, so they won't be getting tri-axles and large vehicles delivering items there. His truck is a single axle, pick-up trucks, and things like that. Mr. Maxfield said you intend to maintain it at that level? As this grows, will you need larger vehicles? Mr. Baumer said moving into the tri-axles and larger vehicles like that, that's more of a material distribution. They are staying more of a management landscape design which is going to stay more towards the smaller sized vehicles, non-CDL. Attorney Preston said they wanted to have as little earth disturbance as they could, and put a little additional impervious in as they feel it necessary to make the project work. Mr. Landis said you would be willing to put a note in here that the area will be cleared for sight? Attorney Preston said that's not a problem.

Mr. Maxfield said the Boucher & James letter does mention the fact that natural resource protection calculations haven't been submitted. We don't know exactly what the disturbance percentage is on the site. One of the things he knows from reading the description of what is to occur there, is in those areas to be utilized, where the description said placing the trees within the trees. The understory does serve a function of soil retention, water retention, all that sort of things. It sounds in the description that some of that could be removed and that plants will be heeled over with mulch, those kind of things in-between the trees. We do lose some of that soil to retain water and it is quite a sloped hill behind it. One of the things he would be interested in, and he thinks this is going to have to occur because of the resource protection calculations, is defining the area to be disturbed and limiting it to that area. Being very specific to where that area is and what can occur there and not violating anymore outside area. If we're going to lose water controls on a hillside, we are going to have to maintain as much of it as possible for safety and for water quality. Mr. Kochanski said there are two issues they note in their letter that relate to the same overall issue of the woodlands, one is site capacity calculations which determines how much impervious can be added. They are adding some impervious. We don't know yet if they are at their maximum threshold now or if there's any existing non-conformities or if they would be creating any non-conformities. The second issue is related to the disturbance of natural resources, specifically woodlands and environmentally sensitive woodlands which are woodlands that contain other natural resources such as steep slopes, which exist on the site. The applicant is permitted by right, to a certain percentage of disturbances to those, but unfortunately, the calculations haven't been provided so they don't know where they are at that threshold. Mr. Maxfield said that being said, he also appreciates the fact that you are doing something with that property. The view of that property has changed quite a bit and your prime residential type of property. He does appreciate that you are attempting to do something with it.

Mr. Miller said they touched on the one thing he thought was major. If they are okay on addressing everything else, he is okay with that.

Attorney Preston said the Boucher & James letter is addressed to Mr. Jack Cahalan, and it wasn't cc'd to them. They are just seeing it tonight for the first time. Attorney Preston said Amit has taken a look at it and he doesn't see any problems with it. They'd be happy to make those calculations and supply them. Considering the fact that we did not have notice of them, we will supply them if we have to comply and if we don't, we'll have to come back. Mr. Kochanski said they are zoning issues that need to be resolved, so if they are compliant, then there's not an issue. If there is an issue, the applicant will have to either scale back the improvements or seek relief from the Zoning Hearing Board which points it would probably be back in front of your prior to going to the Zoning Hearing Board. Mr. Landis said if those calculations are such that you comply, he has no problems. Attorney Preston said if they can't comply with that, obviously they need to address that. Mr. Kologie said the use is changing and there's only one area where they are changing the cover as they are taking out some brush area and making an area for nursery stock. Mr. Kochanski said in reality, they could probably comply with both of those comments as they do have an extra parking space as what is required. There were ten that were required and you are providing eleven. They could eliminate one parking space and still be compliant with the parking requirements and not have that additional impervious. From the natural resource disturbance standpoint, they could

figure out the area that is permitted to be disturbed and limit their nursery stock area to that. He doesn't see either of them being an issue.

Mr. Landis asked if anyone in the audience had any comments? No one raised their hands.

Mr. Kochanski said there was one other section in their review letter regarding site plan requirements and the information that would normally be required for the ordinance, but the ordinance is written that such the Planning Commission can weigh in if that information is absolutely needed for this application. There's a lot of information that has been provided on the plans that do provide a decent amount of information to let you know what is happening on there. The other comments were just ordinance comments that you would have the ability to say they are not needed for this application, given what is being proposed by the applicant.

Mr. Landis said are they asking for any relief? Mr. Kochanski said he doesn't believe its relief, it's just at your discretion the information you would like to see on the plan and to what level this use coming in would necessitate the additional requirements from the site plan requirements. Attorney Preston said he's confused. Mr. Kochanski said for example, item 3.A.2., requiring the location of lighting, is that something you want the applicant to provide detailed information on the location of lighting throughout the site? It's a requirement of the site plan, but you have the ability to waive that requirement even though it's in the zoning ordinance. Attorney Preston said there is a note on the intent, it says lighting will be limited to door security lighting only and no activity will be conducted after dark. A sign will be required at some point and will be handled under a separate application. Mr. Kochanski said any additional information regarding lighting is something the Planning Commission does not feel is warranted.

Mr. Kochanski said the next site plan requirement that was not addressed was regarding location type and details of any signage. The applicant has indicated that signage may be required in the future and that they would be providing that. It's just a comment that has not been addressed to date. Do you feel that is something you want to see on the site plan approval at this time? Mr. Landis said if they put a sign up, they have to come to us for a permit, don't they? Mr. Kochanski said they would be coming into Mr. Garges and then submitting a permit.

Mr. Kochanski said the next requirement is regarding fire protection system, sewage facilities, and stormwater management and calculations. He doesn't believe there are any substantial improvements to the site other than paving for widening of the driveway and a parking space. Is that information you feel is necessary? Mr. Maxfield said no.

Mr. Kochanski said Subsection B.5. regarding certifications be submitted that utilities are adequate for the site. The site is served by public water. There is an onsite well that the applicant has stated that they were going to be using for irrigation and there's onsite septic. He doesn't believe they've provided any certifications. Mr. Maxfield said did you have a septic test when you bought the property, would that be sufficient? Mr. Garges said a use like this is going to be significantly less than 400 gallons per day of a single family dwelling. Mr. Kologie said who is the water supplier here? Is it the City or the Township? Mr. Garges said he thinks it's the LSA. Mr. Kologie said the only question he had on the well issue, sometimes the Authority has a requirement that any wells on site be abandoned because there is concern over interconnection of the well and the water. Mr. Garges said the closest water is actually what would be south on Ringhoffer Road of this property. There are the overhead transmission lines and then you can actually see a hydrant in the hillside. That's the end of their line coming from the Easton Road sign.

Mr. Mukherjee he had some communication back in June of this year with Mr. Davidson, the Administrator of the LSA, and the issues have been addressed. One of his main concerns was the cross connection between a public water supply and a well and he's satisfied. Mr. Garges was instrumental in hooking them up with Mr. Davidson. Mr. Maxfield said do we need to make this part of the plan - a statement about that or include those emails? Mr. Garges said he can forward

them, that way we can put them in the project file. Mr. Kochanski said for satisfying the ordinance requirements, that's actually dealing with the next subsection Q. requiring copies of approvals be submitted to the Township - zoning approvals, septic certifications, should be forwarded to the Township and it would satisfy the remaining comments from the site plan. There's a comment in their review letter regarding landscaping and the ordinance requires buffering against conflicting land use, the applicant was seeking your input on if the existing vegetation was adequate or if you would like them to go in and provide buffering. From Boucher & James site visit, they felt the existing vegetation was more than sufficient and deemed appropriate. Mr. Landis said no problem.

Mr. Mukherjee said he has a more general comment. This is a 6-1/2 acre property and the only impervious area that is being added to this project is widening of the driveway which serves a safety situation. It's less than 1,000 square feet. Mr. Landis said that is going to be okay.

Mr. Landis said there was a letter from the Police Chief about having a Knox box. Is there any problem with that? Attorney Preston said there is no problem with that. Mr. Mukherjee said there is a note on the plans already regarding the Knox box.

- MOTION BY:** Mr. Kologie moved that we recommend approval of the site plan conditioned upon satisfying the requirements as identified in the Hanover September 8, 2010 letter and the Boucher & James September 7, 2010 letter, notwithstanding those site plan requirements which we identified as not required.
- SECOND BY:** Mr. Maxfield
- ROLL CALL:** 5-0 (Mr. Hijazi – Absent)

B. PHOEBE MINISTRIES – PHOEBE SAUCON FORMAL SKETCH PLAN – INTERSECTION OF SKIBO, MEADOWS AND FRIEDENSVILLE ROADS

Mr. Landis said it's a good idea to review what this Planning Commission is and isn't. He said they are a recommending body. They do not have any power to make decisions, essentially other than to recommend to the Township Council. They are basically dealing with planning issues. Their function is to review those plans. At this particular junction, they are seeing a sketch plan. There will be no decision of any kind tonight. They are doing to discuss the things about the plan, ask questions about what the plan is, what they want to do, what things we are concerned about. After that is done, then the public gets the opportunity to comment. When you do speak, don't be redundant. Different concerns you have you are more than welcome to voice them.

Mr. Garges said please speak into the microphone and state your name. We transcribe the minutes. If you are going to speak, there is a sign-in sheet in the back so we can accurately get your name into the minutes.

Present was Attorney Jim Preston, attorney for the applicant; John Beckman from Wallace, Roberts and Todd; and Jason Englehardt with Langan Engineering. Attorney Preston said there is no representation present from Phoebe this evening.

Attorney Preston said the gentlemen on either side of him have spent a great deal of time on this project and are very familiar with it and can believe answer most, if not all, of the planning questions and maybe of the concerns that the persons in the audience might have this evening. This is the part where Mr. Stevenson, the CEO of Phoebe, would generally tell you about Phoebe, and he would say who they are. There is a slide that describes Phoebe Ministries. He's going to move past that slide and move to the reason that we are here. The reason is because we have approached the Township with respect to a particular project that is a continuing care retirement community. The key to that is probably the word community because that's what it is. It's a combination of uses which currently cannot exist under the ordinance as it's framed now. This leads to a couple of situations that we've been trying to deal with, and that is how can we get a continuing care retirement community as a permitted use in the Township of Lower Saucon zoning

ordinance in a way that respects what the Township has indicated as their concerns which is pretty evident in that zoning ordinance. We spent a lot of time trying to do that. The continuing care retirement community (CCRC) itself is a community. It's comprised of a collection of uses including, but not limited to a community center, apartments, cottages, gardens, health center, physical therapy areas, personal care, memory support, adult daycare, chapel, and what they've found is in doing these and with the experience they have, there are certain things in the ordinance that they need to address. There are certain concepts that don't apply to this use as this use does not yet exist within the Township. What they've done is asked for permission and got permission to work with Township staff to identify those areas of concern, and to craft a preliminary list of zoning concerns. That's the result of a joint effort between Phoebe and Township staff. There's been no permissions granted, no assurances made. We're doing this at their own risk as they proceed and it's their burden to convince the Township that this would be something that would be mutually beneficial to both the applicant and the Township. In pursuit of that, they've put together a sketch plan. The reason they've done that is because regardless of the words you see in the ordinance, it was thought that it would be helpful if they could see through the sketch plan process what those words might generate, what the use might look like, and so they've done that and that's essentially why they are here this evening – to look at the sketch plan. Related to that is the text amendment that would allow them to follow this with a land development plan. That's the overview of why they are here. Phoebe does have some significant experience in these types of development, and he's going to ask Mr. Johnson Beckman to describe some of the attributes of the Phoebe Berks campus.

Mr. Beckman said thank you for letting them come tonight and for letting them work with your staff and Township experts. They spent a good deal of time talking about the issues and trying to get to the things that are really of concern and try to find a way to address those. He showed an example of one of Phoebe Ministries projects in Berks. You might notice these cottages on the right are actually part of the project, so this is sort of the kind of thing they have in mind. Each one is different. Phoebe Ministries has several thousand units under their control and management. They develop, build and manage these. Wallace, Robertson and Todd has designed many thousands of units and continuing care retirement communities. This is not something new to any of us. The area we are looking at is shown on the map. A little bit closer view and you can see the neighbors on Friedensville, Lehigh University graduate housing, Society Hill, Four Seasons, and Saucon Valley Ridge. He showed a diagram on the area they are proposing the CCRC zoning text amendment to take place and it's the same orientation as the aerial, Friedensville, Meadows Road, and Skibo. The high point is in the southeast corner along Skibo Road and it goes down to a low point on Friedensville Road. There's over 85' of difference in elevation, so there's a high point and a low point. There's a considerable amount of vegetation on the site, particularly along Friedensville and Meadows Road, and some really wonderful stands of woods, which are clearly something that would be retained as well as hedgerows along the east and within the property. He showed the natural swale and said there is no running water there at the moment. Thinking about projects like this and this one in particular, to get to a concept, sketch plan, we use a number of principals and categorize them here. For those who weren't able to attend any of the other public meetings, the three categories are paying attention to the natural environment, paying attention to the neighbors, and paying attention to the community. You can see the kinds of things they want to pay attention to like dealing with the topography, the ground water, the coarse geology is very important. There are some wonderful specimen trees, not only along Friedensville and Meadows Road, but also along the hedgerow to the east, so we need to protect those, the habit and native species wherever possible. In terms of groundwater quality, there should be no surprise to anyone that agriculture is not the most beneficent and benign use of land. There are herbicides, pesticides, fertilizers that all have affects that we all think we can greatly improve on. In terms of the neighbors, when we say buffer neighbors, this is really kind of two-sided. One is they want to create an environment for the community that has a positive heavily landscaped and screening appearance and on the other hand, the architectural will be quite nice. There is a buffering, but also this other aspect. Taller buildings should be placed to minimize visibility, particular, the very dangerous at Meadows and Skibo, which they propose to improve dramatically, and then providing

safe and attractive entrances similar to the photos you see on the screen. In terms of the community itself, they are very interested and Phoebe is very committed to using sustainable design, principals that not only has to do with the design and construction of the project, but also the management of it, which is what kinds of materials are ordered, how are they used, how is waste dealt with, maximizing the landscaped area, creating a real sense of internal community and paying attention to architectural styles, local architectural styles so that this is not entirely unself-serving because clearly the desire is to provide a community that is attractive to those people who want this kind of environment so it reminds them of where they have lived all of their lives, and provides a natural setting, and one that also provides social and economic benefits to the Township. We look back at the inventory of some of the projects they have designed. He would say about 60% of the ones in the next couple of slides were designed by WRT and these have all been designed within the kinds of zoning changes that they are suggesting the Planning Commission and Township consider. The zoning changes they are proposing are to encourage and promote this kind of development. You can see the character of it - landscape that is really kind of a community, a hotel, a resort and a small community health center. You can see the importance of landscaping for the residents. Another slide shows the typical views you have in a community. Most of the buildings are one or two stories. There are some that are taller, four or five or even six depending on where you are. They are not proposing buildings as tall as that. If you are familiar with the Phoebe Allentown property, what is being proposed here is entirely different. It's much lower. All of the development is considerably removed from the property lines and the road and much more heavily landscaped. This is a built from scratch designed on purpose project as opposed to the Allentown one which grew incrementally over 100 years, starting in 1906. This is a very different kind of project, and the open space in all but one of these was designed by WRT. The conceptual site plan and sketch plan we have developed to illustrate how the proposed zoning text might be implemented again. Friedensville Road to the top, Meadows to the left, Skibo to the right - we're looking at about 57 or so acres all together. The components of the project include a number of cottages, probably in the neighborhood of 30. Some are single cottages, some of them are attached in two general areas, one to the south and one to the north. We are looking at a community building where the central facilities are, the dining room, the beauty salon, the management offices, the activity room, the craft room, the recreational facilities, and the like. We are looking at a skilled and assisted living center that is close to that common area but in their own separate buildings. All of these are one or two story buildings and we are also proposing a chapel and two independent living facilities which are really apartments. We're looking at three entrances - one off of Friedensville Road, one off of Skibo and the main entrance is a landscape boulevard entrance from Meadows which is located where there's a break in the woods and the road designed to follow the topography so you very quickly get into a special zone. If you notice, the buildings are all set back pretty significant distances. There's lots of landscaping and a very open field. As Jim said, they've had a lot of fun working with the Township and their experts. They very quickly got to the bottom line of the things you think need to be considered. There is some draft text that needs to be submitted that suggests the key areas for the zoning that has purposely not been put into legal language as they are trying to make it as clear as possible. These are recommended changes they are recommending for the zoning text that would permit development of this kind of a place. It also contains a list of issues. Among those factors for consideration, are the following:

Mr. Englehardt said your sewer planning document, plan for 49 EDU's allocated to this property. They did some investigation and looked into what was necessary based on water records from the Berks campus which is similar from an overall project standpoint. What they found is they need roughly 100 EDU's to be conservative. What they are requesting is that roughly 51 EDU's be allocated to the project from elsewhere in the Township. Mr. Kologie said what does your EDU equal? Mr. Englehardt said for the purpose of this they are using 400 gallons per day, which is what he was advised that was the planning document the Township used. They spent time with LSA and the staff and the area that was suggested that there might be a possibility was the South Mountain area as there are currently 200 EDU's allocated to that area. That was just one possibility of a couple of locations that could be considered. They did meet with LSA on a couple of occasions and did provide a will serve letter for them. That will serve letter is certainly subject

to Council's approval of making the adjustment for the EDU's. The next topic is water service. There are 12" water mains on both Skibo and Friedensville Roads. The LSA reports through a will serve letter and through discussions that they have more than adequate allocation to provide water service to the project. They would propose a loop system for the project and provide hydro circular space intervals as well as all the buildings would be sprinklered on site.

Mr. Beckman said one of the proposals submitted that there be a maximum building height of 65', and this should be measured in the standard way as specified in your zoning text which is average of the finish grade of the building corners to the roof or the mean of sloped roofs. There are a couple of aspects to that and this is one of the areas that they made some pretty aggressive proposals in terms of setbacks as a result of the conversations they've had with the Township staff. They are proposing a 50' landscaped perimeter buffer, and in addition to that any building taller than 35' be set back and additional 1' for each foot taller than 35'. The net result would be if you were to have a building with a maximum height of 65', it would be set back a total of 80'. The 50' landscape perimeter buffer and an additional 30'. Just as a perspective, they've shown what a 15' high planting of shrubs would do, so that if you were outside the property and there were a maximum height building proposed, you would be able to see the top of the sloping roof of it. In the bottom diagram, you see the same 80' setback with 40' high trees which is the condition you see in many of the perimeter areas of the property. You can't see anything, you'd have to get very, very far away if that building were right up as close as it could get which is 80' from the property line. They then took a couple sections to get a little bit of a scale, and it's very hard to do as it's a 57 acre property, so the distances are quite large. You can see the black lines are 200', so it's a very large property. They took a cut across the property if you are looking north, you would see the longest end of the independent building, the community building and another independent living building. You also see how the topography works, how the high point is actually to the east of the property and then the land slopes down. There are also considerable distances from any of the property edges to where the actual development would be. They took another look, a north-south line looking east, looking up toward the high point of the site which is generally along the eastern boundary with a very highest point being in the southeast corner, and with these distances and the size of the property, you'd have to try awfully hard to see much of anything.

Mr. Englehardt said the next topic is impervious surface and open space. They spent considerable time when they were looking at the initial planning on what the impervious ratio needed to be and worked with the Township staff. What they ended up with was a 45% of net buildable site area. To address and kind of soften that number a little bit, they also are offering that impervious surfaces greater than 40% of the net buildable site area be constructed of semi-pervious materials. Semi-pervious materials are pervious pavement, pervious concrete, open road paver systems, grass pavers, vegetated roofs – things that would allow for infiltration and wouldn't necessarily directly run off. That would be up to 5% of that ratio.

Mr. Beckman said one of the things they've done to try to get their hands on what this is, is take a look at projected employment and this is based on Phoebe's experience operating CCRC's and this is the way it breaks out and they've displayed it by the three major components of the community - skilled nursing, independent living and assisted living. The shifts are 7:00 AM to 3:00 PM; 3:00 PM to 11:00 PM and 11:00 PM to 7:00 AM. You can see the largest number of employees come for the morning shift at 7:00 AM, but it's a nice number of jobs. It's not an overwhelming number.

Attorney Preston said finally they get to impacts and this is probably a slide that is of significant interest to the neighbors and other who are here this evening. There is the potential for public safety, fire, police and EMS. He would argue that you would have that with any use that would occur at the site. What you are going to find, and they can develop this as they go along, that those impacts will be significantly less with this less than for a housing development of 50 units. Some of the benefits will be the internal roadway which will be owned, operated and maintained by Phoebe. The solid waste disposal will be controlled by Phoebe and paid for by Phoebe. There will be the creation of new employment associated with this use. One of the things that is unique to this

use is the fact it will not generate a population of school age children putting demands on the school district and involving certain traffic patterns that are associated with that type of use. The campus is sustainable green managed environment, so Phoebe will have control over the entire campus. He does want to emphasize the word "campus". This will look more like a country club from the street than a use that probably most people would anticipate. They expect gated entrances, some extensive landscaping and this will look very classy. It will provide the opportunity for Township seniors to live locally as they age. One item that isn't on here, which is currently being discussed is for this particular use, Phoebe would anticipate entering into a pilot agreement being an agreement of payment in lieu of taxes. There is a concern a use like this comes in and avoids paying property taxes, and yet, the Township is yet stuck with the burden of providing services. Phoebe does not intend to not pay taxes, at least in the strict sense. They would entertain a pilot program whereby payments would be made equivalently to what those taxes would be to the Township and it would be a binding agreement. It's a legally enforceable agreement that essentially puts Phoebe in the position of a tax-paying entity, but it does allow some modification in the allocation of those taxes, so that would give the Township the opportunity to take a greater share if they chose to of those taxes with that proportion being worked out between the Township and the school district. That's not an issue Phoebe would get involved in. That's an issue the Township and the school district would get involved in, how to allocate those taxes. Phoebe would be willing to make those payments. That's important to put that out there as well. With that coming in, to the Township, and then we look at the mitigation of costs to the Township, given the nature of this use, which is a relatively benign use and he thinks overall, this is a net positive for the Township and is something Phoebe is really interested in pursuing. If the commission has any questions, they'd be happy to entertain them.

Mr. Landis said he has a question on the proposed change to allow the CCRC in a R20 zone, then he wants to discuss the plan itself. You are proposing all these uses, but you are going to ask us to change this whole R20 zone to allow continuing care even the properties that are in that zone that you wouldn't control? Attorney Preston said that's not correct, and it's a good point. The way this was done, and we have to give some of the credit to your staff, they circumscribed this use in a very particular way. If you go back to the section on lot requirements, it works this way. You must be in the R20 zone for this use. That's the first criteria it must meet. If you are in the R20 zone, but just getting you in the R20 zone does not allow you to put any of these uses in. The next test you must have a minimum tract area of 40 acres. As you run down, you'll see some other criteria. Mr. Landis said you could expand and get other land. There is no other 40 in this zoning. He doesn't know how many other 40 acre lots are available. Mr. Maxfield said there may be one. Mr. Landis said why he brings this up is you have all these uses, but he understands the concept of the continuing care community, but it seems like you could just have one of the uses and make it all apartments and say this is continuing care. He sees what you are proposing. It's something with a whole bunch of uses within that, but he would be worried about the fact that somebody would only have one or two uses like apartments and a medical office. That would be it, and it wouldn't be what you are proposing anyway, so that's his one comment. Attorney Treadwell said he wants to make sure everybody understands that the proposed text amendment would allow a continuing care retirement community in the R20 zoning district anywhere without the minimum of 40 acres. It's not just this specific property. Anybody in the Township in R20 who could accumulate 40 acres, this proposed amendment would allow that. Mr. Landis said he doesn't know whether this goes in by right or conditional approval, he couldn't see it being done without anything but conditional approval. This isn't by right, if anybody does it, it would have to be done with conditional approval. Attorney Treadwell said you are speaking of conditional use approval. Mr. Landis said yes. Mr. Kologie said with regard to the mix of uses, there isn't anything on building massing at this point or no requirements for the maximum size of a building. Looking at the Berks County example, that strikes him more as an institutional use than a residential community, and we definitely want to shy away from anything that takes on that appearance. Mr. Landis said that is a much bigger acreage in Berks. Attorney Preston said it appears they can accommodate what your concerns are. Mr. Beckman said he sent some information to the Township earlier in the week. He doesn't know if you are familiar with a form based code type approach. Something like that might

be more appropriate for this type of use where you definitely know what you want to do, and it's one thing to tell us what it might look like, but there's nothing to say someone couldn't come in later and say something completely different. With the form based code type approach, there's much more control over the look and everybody is on the same page with what you might end up with.

Mr. Maxfield said what does that entail? Someone said it's more taking real life examples of what you want it to look like, what they want it to look like, taking the dimensional standards from those real life on the ground uses and applying it into ordinance language. It's basically creating a maximum building envelope so you know what it is and setbacks. Mr. Maxfield said it's codifying what you already presented. Someone said there are more graphics than before. It's just more, even with the sketch plan right now, some of those buildings seem very large and just come out of scale with what's going on around there.

Mr. Maxfield said he did have one concern. He's always been a little bothered after he heard the presentation about the 65' high building. Knowing that our ordinance measures to the angled roof, and you are planning angled roofs, that really gives us a total peak height of about 78'. If you have 65' to halfway up the slope, then you're talking about a 13' floor within dormers on the roof, and then you'd have an additional 13' on top of that, wouldn't you? Mr. Beckman said the intent is to encourage a sloping roof to create more of a residential kind of building and to also use that slope as a way to disguise any of the heat, HVAC or other utilities that are on the roof. There would not be dormers on top of that. It would simply be a screening device. Mr. Maxfield said he's looking at the simple graphics that were done on the cross section and it looks like there's a floor within that sloped area. Mr. Beckman said the roof would extend a little bit above that, simply enough to hide the HVAC equipment. Mr. Maxfield said is he right about the measurement that it would be halfway up the slope, which would give us an additional 13' to peak and maybe that's the height we should be talking about as far as visibility goes. Mr. Lychak asked what was the maximum height of the facilities in the Berks facility? Mr. Beckman said he thinks it's three or four stories. Mr. Landis said he's seen it and it's almost twice the size of this one. Mr. Maxfield said this one would be perched different than on top of a hill like the Berks facility. Mr. Landis said he has the same concern about the height in terms of how close it is to some of the neighbors even with a 50' buffer and ends up at 80' and it's 75' up. If you have high buildings in the center and it spreads out, that's different. Mr. Noble said it sounds like a good idea, and he's wondering how much detail can we get into to control what ultimately what possibly would get there. The concerns are the cross sections are not drawn to scale and they are also not drawn on realistic site lines between neighbor's houses, i.e., the second floors. You are talking about buffering, and standing at the property line and no one sees it. No one stands at a property line to see it. They live within the houses and neighborhoods. This is impacting every single house that is near the site. He would be seriously concerned about all the site lines impacting those properties. You don't want to have someone in their bedroom looking at the top half of a 75' building. There's definitely some appearance issues, but also economic issues to the surrounding houses, if we start to get into that scenario. He knows if you start to impact the adjacent houses the quality of life, their sights and their values, then we'd done something significantly wrong as this isn't in our R20 zone, so all the people who lives around this area, had expectations of what was going to be there.

Mr. Landis said he has a problem with the traffic impact. It seems that most of the people going north on Meadows Road will no longer turn on Skibo, but will go straight through your property. That would be the wisest thing to pull out on Friedensville Road. It's not a good intersection and you'd be adding some more traffic to that because of your shift changes, school busses, plus with the independent living people, there would be more people coming in there. What he suspects is, and he doesn't know how you are going to handle this, a lot of people are going to cut through your property. Mr. Beckman said in terms of cutting through the property, this will be a controlled road and there will be various features to slow traffic down. No one in their right might would try that, maybe once. This will be designed for internal circulation only. The other thing that he did not mention was the dangerous intersection at Meadows and Skibo, which they propose to improve and

smooth it out, move the power lines, so there will be additional land and buffering there. It becomes a much safer intersection. In terms of numbers, if you remember back to employment, the biggest shift is 54 people who have to be work at 7:00 PM and leave at 3:00 PM. 54 people going out of three entrances staggered over a period of 10 – 15 minutes, so it's not a huge number. Mr. Landis said that can be addressed to some degree in the traffic study. Mr. Kologie said how many total residential units are we talking about? Mr. Beckman said about 350 is the thinking now, all together including the cottages, about 30 or so skilled, assisted 50 and the rest independent living. Mr. Lychak said of all the residential units, how many would have a vehicle? Mr. Englehardt said you have assisted living and skilled nursing and those people aren't driving any longer. The remainder independent living, you have to be 62 to live here and most folks are over 70 and they are not driving to work. Most of those residents have one car. For purposes of discussion, he ran an IT and did trip generation numbers. Coming into the project the way it's set up now, you'd have about one car every two minutes or so, divided into three driveways. It's pretty similar to what you might see comparing it to what was proposed by Heritage, the 50 houses. The big difference is our work traffic in the peak shift would come before the peak hours of traffic in the morning. Most of the residents aren't leaving at that time in the morning and they travel when they need to travel. It's not a significant traffic generator. It's similar from total number of cars to what you might see at a single family development, but the timing is something that it's not going to have the same effect at peak hour facility. Someone asked how does the Berks facility stack up on size with this proposed one? Mr. Englehardt said the Berks facility is a little larger. Mr. Noble said that would give them an idea of the impact at different times of the day.

Mr. Landis said he has come concerns on impervious coverage that you are going up to 45%, but a lot has to do with how much is building and how much is other things too.

Mr. Landis said he will open it up to the audience, please give your name and try not to be redundant.

Mr. Barry Kessler said he's a nine year resident of Four Seasons. He lives at 1890 Felicity Lane, Hellertown. When he moved to this community, he observed it was highly residential. He's familiar with communities such as this and certainly they have a purpose in our society, but he thinks there is a place for them and he doesn't think shoe horning it into a residential area is a proper response to what does appear to be a good design plan, but it appears to be a bit too intense for the residential community in which he lives. The building height issue has been addressed and that seems way out of scale as proposed with the needs of the community. Most people have a two story home, and when they talk 65', that's kind of daunting. We all know in the City of Bethlehem we have Moravian Village, we have Kirkland Village, and anyone who has driven through those communities, they are built on a grand scale. They are significant in their impact visually. He knows a lot of engineering can deal with impervious surface and run off, and traffic, but the view is really what motivates people to buy and sell properties. As a homeowner, he's very concerned about the impact on himself and his community. He's sure everyone else that has a home in the area feels the same way. It also seems that the nine units per acre of net buildable site area is a pretty intense high density development. It appears they have a lot of open space, which may or may not be developed appropriately to screen that intensity of development. The impervious surface ratio has been touched on and it concerns him. Run off issues are well known to this Planning Commission, how to control storm water, it's already been testified to that the area slopes. What's that going to do to runoff issues. He's concerned about the property line setbacks. He sees some significantly sized buildings right next to the Four Seasons property line. There are quite a number of homes illustrated on the sketch plan and all of those people could be looking at some significant buildings and the lighting that usually accompanies those buildings. We're looking at night time lighting and impact issues of that nature. The 50' setback is much too little, and he's concerned about buffering issues. If this was to happen, he'd be very concerned about the buffering. It's possible to screen buildings from view, but it's a daunting task and it would have to be considerably carefully spelled out in any approved plans, including the nature of the buffer. Are they going to plant 40' trees in a buffer area as that's a considerable expense. Ground water

contamination is always a concern. They talk about waste disposal areas. It's a medical facility. He doesn't know that that won't be properly maintained but ground whatever contamination is always an issue. The public sewer situation, they've said they have a preliminary agreement with the LSA, but he would question whether that will come to pass effectively, but if it gets that far, he's sure the Council and Planning Commission will see to that. He's also concerned, as has been stated, about the effect on other communities. He's most concerned about his community. As has been attested to by the Planning Commission members, the big picture is the whole township being opened to this kind of development. We are by nature a residential, agricultural, rural township. He would bet that our plan is to try to stay that way. He's concerned this sort of development just opens the door to more of the same. He's concerned about the accessory uses in their proposed draft continuing care ordinance. A lot of these things can be hidden, but banking facilities, beauty salons, shops, florists, postal centers, pharmacy, how do we limit this. He's sure it can be limited by actions by the Planning Commission and Council, but it just strikes him as being big. He's seen these communities before in the Lehigh Valley and they tend to get very, very big, very, very fast. They are very intense.

David Boltz, 1850 Felicity Lane, Hellertown, said he's speaking tonight as an individual homeowner and not as a member of the Board of Four Seasons. They've lived at Four Seasons for over six years. Their house is on the tree line, at the east section of the proposed development. The trees that are there are rather a motley group. Some of them dying, and he would hope that whatever Phoebe would do, would be to carefully have a forester take a look at those trees and cut down the ones that are ugly looking and maybe will be dead in a year or two. He would argue for some evergreen trees along that line. It's important they have screening there in the wintertime also. He's not thrilled about a development there. They've gotten used to the farmland, but all things considered, he'd prefer this to individual homes because their unit is right on Felicity Lane and right on the tree line and he knows what happens with some individual homeowner with people cutting grass as various times of the week. You cut grass when it's convenient, so there would be a frequent noise issue during the course of the week, maybe even on Sunday's. He would suspect with a development like this, you would have a landscaper and the grass would be cut the way it is once a week and it would be done during the day and not constitute a nuisance. Individual homes can have flood lights in the backyard, and there's a probability of loud parties and stereos, and so on that happens with private homes. There's once major concern and that is construction. We all know what happens when a major earth moving vehicle goes into reverse. He would hope there would be at least one day a week and with a church related institution, hopefully that would be Sunday that there would be no construction on that site.

John Raymond, 1892 Felicity Lane, said looking at your site plan and your extended care facility, there are people that are going to be able to look into his bedroom. That causes a strong objection from he and his wife. There isn't enough buffer there and the buildings are too high. He's been living in Four Season for five years and he paid a very high price for his house and the property that they intend to build here is partly commercial in nature. It changes the whole atmosphere of the whole area and his house is going to lose value. This is a problem for them. They mentioned in the brochure that you plan to have a continuing care facility and a small hospital that would be open to residents and the public. There could be a lot of traffic in there. It gives the flavor that this is a commercial facility and we live in a residential area and we want to keep the character of our area residential. This is Saucon Valley. People pay a lot of money to live in this area because of the trees, the beauty and the tranquility there. This changes the character of the community. There are other places that it would be better to be built.

David Claire, 1741 Deer Run Road, said he's against this plan. He's been at his house for 17 years. He moved there for the residential and quiet nature. He's building another house in Lower Saucon and he plans to stay in Lower Saucon. You talk about Meadow and Skibo being a dangerous intersection and you're going to improve it, and that's a benefit for this plan. He exits on Meadows and Skibo every day and he enters on it. In 17 years, he cannot remember an accident at that intersection. To say it's a dangerous intersection, he doesn't see it. The intersection of Meadows

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and Friedensville Road, which he has to leave every morning, is already a disaster. If the people at this development leave on Meadows, they are going to have to through the intersection of Meadows and Friedensville Road and it's going to back up on Meadows. If they leave on Friedensville, Meadows will back up and no one can turn onto Friedensville and it's going to be a disaster of an intersection. Then to say you only have 30 employees coming into work at 7:00 AM, then you have 30 leaving at 3:00 PM, you also have 30 more coming in at 3:00 PM, so it's not 30, it's really 50. It is a bigger number than you have advertised.

Ms. Sandra McClaskie, 1803 Meadows Ridge Court, said she lives on the dangerous corner and has lived there for 16 years and there has never been an accident there. Her concerns are that they moved here 16 years ago to a residential community that had zoning ordinances that did not allow four and five story structures. They lived in Manhattan and they moved here for the peace and tranquility of living in the Saucon Valley area. She resided as a young girl on the north side of Bethlehem, so she has been in the community for over 45 years. Her concern is it's a wonderful plan and she does a lot of charity work. She works with institutions like this that volunteer, fundraise, and this is a wonderful plan, but it isn't a suitable site for this. The aging population continues to grow. She looked at the Berks County location and it's a wonderful location as there is a larger road with easy access and it backs up to hundreds of acres of farmland which allows for the expansion for an institution like this. There are many children that are on these streets. The streets are already crowded. There are a lot of cars many times. It is a very busy road at 7:00 AM and 3:00 PM, and 6:00 PM when we all come home from work. Her other concern is allowing the ordinances to be changed and to allow four or five story structures, even with a minimum of 40 acres. You could go in and conceivably purchase land and combine it and create the same thing throughout our entire township. She lives right there and knows the land. There is no tree buffer. It is wide open. There is nothing there. The only thing she has seen in the last 16 years is soy, corn and the telephone poles. It is more like 80'. She sits at the highest point of Lower Saucon Township. She will look down into this. She would never say it's for selfish reasons because of the real estates being decreased, but she's more concerned about the integrity we have maintained and she commends the Board for doing this and having a pristine rolling, pastoral community that we live in that we can play in our backyards, our children can walk from one house to another. Bringing in an institution like this, in the health care industry, is something they need assistance, and she would beg to differ that it is going to take more than 50 people. They say they want to have a drop off elderly daycare, how many is that? If you are going to drop off 250, that's another 250 cars coming in and out of this site. They have child care, does this mean the visitors that come, bring their children as well. She's lived here for 16 years. They've a magnificent job of covering the farmland into this wonderful community. This is a wonderful project and something for the future, for our aging population, it is not suited for this site and does not have the accessibility it is going to require to have a facility like this run. Goods and services come in semis. You don't feed 500 individuals here with mini-vans. She commends Phoebe for coming here and pursuing things in the eastern part of PA, but she does not agree and strongly opposes this. With the casinos and traffic in Hellertown, the traffic would be impacted immensely. If we change these ordinances, you will allow these types of structures to creep up in our entire Township. As people are deceased, and people sell farmland, this could happen in the future. This is not the right community to put a facility like this.

Elizabeth Sheather, 1882 Felicity Lane, said she shares of those things about losing the value of her property. Her unit will be right behind the skilled nursing unit, and she's concerned there will be garbage dumpsters there, the noise of emptying them, the smells from them, and she likes to sit out on her deck and see the view, and she may not have that anymore. The other thing is talking about people walking along the roads, do you plan to put sidewalks on the perimeters of your property.

Tom Collins, 1896 Gegory Place, said the intersection of Skibo and Meadows, when you get closer to the top of the hill, it's almost a blind intersection and you have elderly people coming out of that. Instead of making a right turn on Meadows, there will have to be a four way stop there. Right now the traffic coming up from Meadows just continues on a right hand turn on Meadows and doesn't

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have to stop. Coming out of Four Seasons, you can't see the cars until they round the top of that hill. This intersection is going to be just as the opposite, cars coming up the hill and you won't be able to see them. Living at Four Seasons with elderly people, you can't judge the traffic like normal traffic standards. They go to lunch and drive our children to school, go to their games, go to the post office, elderly people are coming and going all day long because they are not working. You are going to have a lot more traffic all day long.

Someone said they wanted a clarification if it was going to be 350 independent units, or 350 assisted units? Is there a breakdown? Attorney Treadwell said he believes they said 350 total. Attorney Preston said that would be 350 units. Mr. Beckman said it's probably about 225 of independent. Assisted and skilled units are individual units. For independent living, it could be one or two people. Someone said 225 independent units, so there could be the potential of 400 to 450 potential people and how many cars a day. Mr. Beckman said unfortunately, men tend to die before women, and most of the folks living here will be above the age of 62, so the experience is, it's not every independent unit has two people. Typically they have a maximum of one car. These are detailed questions that would have to be worked out later. Someone said 225 independents, so you would have automobiles in addition. The bulk of this community would be driving a car. Mr. Beckman said the majority of the units will not be assisted or skilled. Attorney Preston said they can get some hard data on the traffic count.

Pat Brogle, 1765 Red Hawk Way, said he wanted to know if we could look at the positive impact Phoebe is going to have on our community. We've gone bullet by bullet, and Phoebe hasn't told us much about the privately and constructed maintained roads. They haven't told us about the privately served waste management. One of the important points is the creation of new employment. Jobs will be brought to our community, and we have absolutely no guarantee that any Lower Saucon person will be working there. This may be the perfect avenue for people to come in from Easton, from Jersey, to work here and bring additional traffic needs. The opportunity that township seniors can live here as they age, but we have that here already. The creation of new employment is a significant detractor to the Phoebe plan. In addition to the 30 or so skilled nurses per day or per shift, these are not self-sustaining places. They need additional personnel to work here. They describe a pharmacy, mail service, a chapel, beauty salon, additional people, additional volume, and additional traffic. He doesn't think our community is ready for this. He would urge the commission to preserve and protect.

Mark Branson, 5184 Weyhill Farm Road, said when the proposers come back to the commission, he was wondering if they could give an idea of what an impact of a 20,000 square foot medical office building would be for the traffic. He's involved with a 40,000 square foot one and it's unbelievably busy.

James Balshi, 1780 Deer Run Road, said he's curious about the qualifications for residents at the site, when people want to live at this Phoebe Ministries, is there a financial requirement, are the residents of the skilled facility, or the assisted facility required to be self-funded or are they there because of lack of funds. Can you qualify or describe the financial qualifications that the residents will have to meet for their residence. Mr. Beckman said he's not sure if there's a sub-text there, but it's clear that this services will be provided upon signing a contract and exchange of money. You pay a fee and you get the services, depending on what services you get. Mr. Landis said is it being provided by the government or this is private? Attorney Preston said this isn't section 8 housing. Mr. Maxfield said when we saw the Berks facility, it was pretty clear the homes we saw were expensive, nice homes.

Barb Abel, 1921 O'Brien's Court, said if you go back to where you have the schematic of where your development is going to be. She's directly across from your main entrance. She's one of the few in her area who cut her own grass and she cuts out to Meadows Road. If you have not been on Meadows Road, the traffic is horrendous right now. It's terrible when the school busses are out there, the traffic backs up. Her mother was in a facility like this and it was beautiful. It's something we are going to need, but it's not just the people that live there, it's the people who work

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there, the people who come to visit. You have people in and out all the time. They lived in this township for 36 years and the reason they've lived here this long is they like it. It's a rural township and it's residential. This is putting a whole new scheme of things. The school taxes we pay now are just outrageous and she knows what this is going to do to our property value. This isn't going to increase her property value. In today's world, you have to look at that.

Attorney Preston said thank you. He does want to thank the audience, and they were particularly civil this evening and he appreciates that. He thanked the commission to be here. They will be back. Most of what he heard, they are going to be able to provide a satisfactory answer when they come back before you. They are not going to be able to satisfy everyone. He knows what the concerns are of the commission and from some of the neighbors. They hope to be able to address most, if not all of those issues.

Someone asked if there was any way to notify the residents of meetings like this? Mr. Garges said all adjoining property owners were sent letters. If you would like to be emailed the agendas, sign in the back and put a note that you would like to be on the list, and we will email Council and Planning Commission agendas to you.

V. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MINUTES – AUGUST 19, 2010

MOTION BY: Mr. Lychak moved for approval of the August 19, 2010 minutes.
SECOND BY: Mr. Noble
ROLL CALL: 5-0 (Mr. Hijazi – Absent)

VI. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

VII. ADJOURNMENT

MOTION BY: Mr. Maxfield moved for adjournment. The time was 9:36 PM.
SECOND BY: Mr. Kologie
ROLL CALL: 5-0 (Mr. Hijazi – Absent)

Submitted by:

Mr. John Landis
Chair