

I. OPENING

CALL TO ORDER: The Planning Commission of Lower Saucon Township was called to order on Thursday, September 26, 2013 at 7:00 P.M., at 3700 Old Philadelphia Pike, Bethlehem, PA, with Mr. John Landis, Chair, presiding.

ROLL CALL: Present: Tom Maxfield, Vice Chair, John Lychak, Scott Kennedy, Craig Kologie and John Noble, members; Karen Mallo, Boucher & James; Dan Miller, Hanover Engineering; Linc Treadwell, Solicitor; Chris Garges, Zoning Officer. Absent: John Landis, Chair, Sandy Yerger, and Scott Kennedy.

PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS – None

III. BUSINESS ITEMS

A. REVIEW OF INFORMAL SKETCH PLAN FOR 2650 REDINGTON ROAD REQUESTED BY J. G. PETRUCCI CO., INC.

Martin Till, Regional President for J. G. Petrucci was present. He said they have a plan that they would like to get your feedback on for a Redington Road site approximately 72 acres. This site came before this group in 2007 or 2008. It is dramatically different than what you saw then, significantly fewer lots. They are here to get your feedback and your thoughts and see what you think of the plan. Then he'll turn it over to Michael Jeitner from Bohler Engineering.

Mr. Garges said there are only two people in the audience, he asked if they have seen plans or if they were here for this? If they are interested, he has a couple extra plans.

Mr. Jeitner said they were contacted by Petrucci in regards to looking at this specific site and were given some prior plans that were prepared for this location that at one point had close to maybe 30 lots on the overall plan which included some lots which he will refer to as the upper portion of the lot which is closer to Route 78 within a natural resource protection area that was a little bit more impactful with regards to riparian zone through the Bull Run stream and then some steep slope areas and some rock outcropping areas that quite frankly they looked at as part of this plan and realized that's really not an area that really can be buildable upon. They looked at this overall lot and just for illustration purposes they have an aerial with the sketch plan overlaid on that aerial to give the representation of what's out there. The overall L shaped lot consists of approximately 73 acres in size. When they start to take out certain items or certain restrictive areas such as right-of-way, and then also the resource restriction and resource protection areas that's required by the ordinance with site capacity calculations, that actually reduces the lot by another 28 acres. When they met with your staff, their goal was to provide a cluster development. Your ordinance speaks to cluster developments within the code and requires 50% open space for the cluster developments. It's a 50% open space, but the cluster development, the actual lots are smaller in size, minimum 40,000 square foot lots so the idea is to try to get more lots but create the open space. When they do all the calculations and back everything out, they really get down closer to 20 to 23 lots which is really what they feel can be built within this area with regards to the ordinance. When they look at some of the actual natural resource area, some of the rock out cropping and some of the woodland areas associated with the site, they really have submitted a plan that had closer to 16 to 17 lots and that's what the sketch plan is currently noting with regards to the configuration of the lots. The lots are various sizes, minimum 40,000 square feet, and they increase from there. The goal here is to really cluster the development and have the frontage on Redington Road with some combined driveways as opposed to having the single driveways coming in and out of each lot. They do have

some of the lots along the rear of the southern portion of the property that would be considered some flag lots in association with some of the lots upfront. The ordinance does speak of the flag lots and say they should be avoided where possible. They feel this is a unique site in regard to some of the natural resource areas so they have a couple flag lots associated with the project and then a majority of the lots are along the frontage. They have clustered an open space area to the west of the site from Redington and they have an area of that they spoke about during a staff meeting with regards to cluster of that development. That's what they have at this point. It's a thought out plan with regards to your ordinance but there is some other work that would have to be done to really locate the houses properly on the sites trying to avoid the restriction areas. They have to do some additional testing on the site in regards to percolation testing for on lot sewer, but at sketch plan level, it kind of gives you an idea of what your code permits and what they feel they can accomplish.

Mr. Noble said something, but could not hear him. Mr. Miller said that is correct; however, he believes because this is cluster they can go with smaller lot sizes. Mr. Noble said the number of units you are allowed, the calculations are based on (could not hear him). Mr. Miller said he believes that's correct. Mr. Garges said if you look at the calculations they multiplied it by 50% for the open space so they cut it in half saying half of that will be set aside for open space. The other half is usable at 40,000 square feet per lot. Mr. Noble said you have to take into consideration everything and then use the original RA zoning calculations.

Mr. Garges for this district when you use the cluster, he doesn't believe that's right. It might be a matter of schematics anyway because they are saying the net buildable site area is 1.9 million square feet. Then they multiply that in half and say, of that, 900,000 is usable, and of that usable of 900,000 they are saying 40,000 square foot lot areas versus putting 80,000 in.

Mr. Kologie said it's a minimum 50% open space, it could be more than 50%, so it's just a matter of the calculations. Mr. Garges said Ms. Mallo is just reading in the ordinance it would be the net buildable area for that district and then the minimum lot size for that district. It's going to be roughly the same number, but it's just how the calculations would be presented.

Mr. Jeitner said he's looking at the Section 180.127.3 where it says there's a single family attached cluster uses and he's looking at the minimum lot area for cluster in the RA district and it's saying 40,000 square feet. Mr. Garges said you may have an old ordinance. Ms. Mallo said that's old. Mr. Garges said 180.127.3 was removed and it's actually in Section 116 now where the cluster is. Mr. Jeitner said there's a new ordinance past June 2013? He said this is the chart they've been discussing at the staff meetings. Mr. Garges said you are looking at the amendment that was in for impervious coverage. Ms. Mallo explained Section 116 to Mr. Jeitner.

Mr. Kologie said it's actually 43 acres of net buildable site area once you subtract, and it's a 2 acre district, so there are 23 lots. Ms. Mallo said they have to show how it's calculated both ways.

Mr. Maxfield said at the map you had those linear features marked as possible outcrops, last time they had the applicant here, another member of the Open Space Committee and Mr. Maxfield walked the property and it took them some time to find out, but they found out those were agricultural terracing features that were left over from the 1970's. Someone from Northampton County came out and was actually coming out to properties in Northampton County and were doing demonstrations of some type of terracing and did it on this property. Those are remains of that. He doesn't know if that matters or not.

Mr. Lychak is that one of the considerations of why you ended up with the flag lots rather than putting those down in the 18 acres of open space? Mr. Jeitner said it was part of that. Mr. Lychak said he'd rather see those lots, at least some of them, be moved down to the 18 acres of open space and have it reversed rather than leaving the flag lots if possible. Mr. Jeitner said we want to

discourage the number of driveways accessing a public road. That might eliminate some of the shared driveway issue also.

Mr. Maxfield said you have an open space lot there at .8 acres which contains the easement for Mr. Petrie who lives down there. Mr. Jeitner said the point does include that easement area, but they talked about revising the plan and the goal would be to eliminate that so they don't have a small pocket of open space. It was an oversight on the plan.

Mr. Maxfield said he's not understanding, just maintaining the easement as is. Mr. Jeitner said correct, the easement would be maintained. They are not looking to expand the easement or impact the easement. Mr. Maxfield said right not that's measuring about 155', so it's going to be quite a difference. Mr. Jeitner said the driveway easement is noted, so that driveway easement would be there. When you look at that area in question, the driveway easement would remain and then they would consolidate some of the properties and move them over and the edge of this property would then be on the edge of that easement area. The open space they would probably be further down and kind of cluster that open space a little bit better.

Mr. Maxfield said Mr. Petrie is here, but he knows there have been attempts to acquire a wider easement getting back through there. Have you talked to Mr. Petrie about that situation? Mr. Till said he's stopped by Mr. Petrie's house four times and left his business card and actually left a copy of the plan and his cell phone number and asked him to contact him and he hasn't heard from him yet. They'd like to have those conversations. Mr. Maxfield said yes, especially when you think about he's got a home back here not far from the property line and there will be homes kind of really close to his house. Mr. Till said they would be more than happy to work with Mr. Petrie. He lives in this Township and he wants him to be happy and understand nobody wants to have a development that they are in front of. If they have to put trees up or something else to provide privacy they would be happy to do that. That's not an issue at all. Mr. Maxfield said okay. Mr. Kologie said are you trying to avoid a public road or building a road to serve the development, is that the intent? Mr. Jeitner said yes.

Mr. Noble said does the cluster type development address flag type of driveways? Ms. Mallo said the cluster itself does not, but there is an ordinance provision in the beginning where under general lot there are requirements that they feel addresses that flag lot, so they might need some relief from that provision. It's 180.92.G, the width between the side lot lines at the foremost point where they intersect with the street right-of-way line should not be less than 80% of the required lot width. At the street, the required lot width in the RA zone is 200', so 80% of 200' is 160', so they would have to provide 160' lot width at the right-of-way line and since that's not being able to be provided with a flag lot, which might need relief from ZHB. Mr. Noble said we probably have something with a maximum number of houses on a shared drive? Ms. Mallo said that's what she was looking for but doesn't know off the top of her head. Mr. Miller said he doesn't know the number. He believes you are not to have more than one per driveway. Mr. Kologie said personally, we talked about to cluster the houses more and he wouldn't mind seeing a sketch with a road to see what that looks like and putting more homes in the one western corner.

Mr. Maxfield said have you done any geophysical investigation of the property like carbonate, sink holes? Mr. Jeitner said no. Mr. Maxfield said he thinks you had mentioned you were provided a plan from somebody who had applied here before and he doesn't even remember if that person made it to P/C. They made it at least to Council and he kind of went away and never came back. He thinks that may be because of the geophysical features on here. There are considerable sinkholes. When they walked the property, there were lots of small sinkholes and one or two large enough to drive a car into, so there are some things than need to be addressed there. The one he can remember is there's one in between Lot 7 and 11 in that area there was a large sinkhole. That would have to be mitigated if nothing else.

Mr. Jeitner said this was being farmed, so they couldn't get in there. It's still being actively farmed. Mr. Maxfield said he thinks he's agreeing with what Mr. Kologie is saying with the road coming in a possibility of a different layout because when you look at the property, it's relatively flat. It does suggest almost a cookie cutter approach to laying out the lots and when they deal with cluster, they are looking for something more creative, a little bit neighborhood friendly, something like that. This gives him a feeling of a subdivision in a smaller scale. They are looking for something a little more distinctive when it comes to cluster. Mr. Kologie said you have to use the flexibility that cluster provides you.

Mr. Noble said the experience he's had with shared driveways haven't been the best experiences. You get it paved once then don't get it paved for 50 years. Having four people trying to agree on something is almost impossible.

Mr. Miller said he has no comment. Ms. Mallo said she saw an earlier rough sketch and knew about the flag lots, but she is concerned about the number of shared driveways, but that would be a SALDO issue more than of a zoning concern. Mr. Kologie said before we get into the aspects of complying with the ordinance, he thinks it's a design issue off of the top. So let's not focus about inconsistencies, but talk about improving the design.

Kate Durso, Attorney said they are looking to see if it's doable. Mr. Maxfield said he would encourage them to make the geophysical investigation. Attorney Durso said why they laid out the lots, when they met with the staff they were trying to create two large open space areas and that's sort of why the lots ended up that way, but you said you are not necessarily concerned about the two large open space areas. Mr. Kologie said personally that's his first impression when looking at this. Typically you can do a site analysis and that kind of tells you where the development areas are and where your conservation areas are. Obviously the one corner that has the stream running through it and steeper slopes, that's an area they'd like you to stay out of and that's what's being done. You lose some of the benefit of what a cluster can provide you in terms of offsite use and things of that nature by putting all the lots along the frontage. You are driving down the road and you don't realize there are some preserved areas and some of the benefits you might achieve with cluster. Ideally you want to create larger contiguous areas of open space. Maybe you'll have some frontage lots, but personally he would think of cluster and be putting all the homes off the road in trying to preserve some of those views. It is a relatively flat open site and you're not going to be able to hide much out there. That's just his first impression on looking at it. Mr. Maxfield said plus the existing residences, when you are going to the upper part of the site, he doesn't know of any that occur below Route 78, but there are homes across the road down lower on the site too. When you start getting down going towards Steel City, so that might be a way to unify that in a neighborhood way too. Plus he gets the feeling that Mr. Petrie and the farmhouse there really likes his privacy or else he wouldn't have bought a farmhouse out there. He would encourage them to try to communicate with Mr. Petrie and figure out what you can do there to solve some of his wishes.

Mr. Jeitner said he'll use the easement area as their breakpoint. To the west of that, they talked about clustering within that area. How about the four lots that are to the east of that easement area with maybe two combined driveways for those. They hear you loud and clear on the western portion of the lots, but those four lots along the road because of some of the restrictions, would that be something at least in that area? Mr. Noble said the way he looks at this, the use of cluster is it's still designed in parameters of a normal house, but just keep them close together so you have that open space area. He's looking for design, nuances, driveways, actually that are compliant. He's still looking for you to design things that are allowed versus taking the cluster and all of a sudden saying it's clustering and now we're going to share driveways. If this particular lot lends itself to a small cul-de-sac where you can cluster a bunch of homes together, he's still looking for the design parameters to keep those homes closer. The cluster developments are taking your coverage area and cutting it in half. That's your benefit, but your design still has to be compliant. Mr. Maxfield said the challenge is going to be it's a big flat area. Agriculture has flattened it over the years. Mr.

Noble said by doing cluster you are going to be able to shortened cul-de-sacs possibly. You are still going to have individual driveways in his book. He hates shared driveways. Mr. Maxfield said our PW Director was vehement that we shouldn't probably be looking at shared driveways because of experiences he had with residents.

Mr. Lychak said when he looked at this, maybe two small cul-de-sacs or something. Mr. Maxfield said we are not saying we want really wide roads. We have done a couple areas in the past where we had hardened areas on the side of the road so emergency vehicles could get up there if they had to but eliminating the pervious coverage to a narrower road. There are all sorts of design specifics we could work with. We're looking for a more distinctive kind of layout that's more creative and uses a cluster in a creative way.

Mr. Miller said since Redington Road is a state road, and it's quite a way from a local road, so when you are talking about adding cul-de-sacs, those are going to be Township roads. They are going to have to be plowed every year and maintained every year and we don't get nearly as much funding as it costs to do that. While you may not want shared driveways, you don't want to necessarily be encouraging them to be putting in a bunch of cul-de-sacs out there if that's a concern.

Ms. Mallo said maybe a private road. If the homeowners are going to have to pay to plow the streets, their driveways anyway, they would have to pay it to get it plowed. The road might solve the issue. She doesn't know if on a private road, if they can reduce the right-of-way width or the cart way width on a private road or does it still have to meet ordinance standards? Mr. Miller said he believes it has to meet ordinance standards. Mr. Jeitner said it may be a Homeowners Association and they share common drives like this.

Mr. Jeitner said they've been wrestling with this since January on how to do this and time is getting close so they need to make a decision. Mr. Maxfield asked if anyone in the audience wanted to speak?

Mr. Petrie said how far is Lot 12 from the house approximately? Mr. Jeitner said that lot is 200' wide total. Mr. Petrie said to Tom's point, they went down this road about five years ago and he and his wife showed up at the meetings. They lived here since 1989, and to Tom's point, this is very rich in history. It was built by a German family by the name of Shiner. There's a cemetery at the far end of their property where the headstones are still in German. There are people coming from all over the country who do the ancestry searches wanting to look around and the house is older than our country. It was built in 1775. It's got the wide pine floors, plastered walls, had a slate roof, but couldn't replace it with slate, but they try to maintain it. He didn't move to a 144 acre parcel to be looking out his window at his neighbor's shower. That's a concern. FYI, he thinks why the other developer once he stuck a shovel in the ground and did a geologic survey if he did one, this is what they call a geo-carbonate area and on the far end of the property, there's actually a cave. Their house is made of limestone. That's all you need to know. The place is full of sinkholes. Dale Kahler who is doing the farming, when he first took over farming it a couple fo years ago, he said that one sinkhole you could drive a car into took him two years to fill it up. Even on their property, they had sinkholes that open up. Unfortunately, with the horses, they have about 24 horses and do their own hay, they have the manure to fill them up. That's what they use to fill up the sinkholes. None have been in their yard but there have been some in the horse pasture, but they are always vigilant about that. You want to make sure you do a geologic survey or if there's one on record, look at it because he wants to say at one time, they used to put stars on here. He couldn't believe it, there were 40 stars. He's just saying a geo-carbonate with a cave, and he's been in the cave multiple times. It's full of limestone so it's very susceptible to sinkholes. That's just his concern. They will be in touch. What Tom alluded to, was there has to be a lot of preliminary work and they'd be interested in increasing that easement that they had to go to private condemnation against the PA statute 20 years ago to obtain. They would be interested it talking about acquiring a 50' to 60' easement.

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Mr. Jeitner said they are really easy people to deal with and understand quality of life and would have no problem. They don't want to ruin it for him and make him happy.

Ms. Mallo said the cluster ordinance requires a recreation component. One of the things they would be looking for in terms of a cluster would be, she knows the Board is looking to get more of a neighborhood feel, but there would be shared access as obviously sidewalks are not necessary or even probably warranted, but to have a walking path to a recreation area. It would be helpful in creating a neighborhood feeling. She likes the idea of the two contiguous areas so from a planning perspective in keeping those two areas open.

Mr. Garges said we talked a lot about the shared driveways and he's guessing the most offensive are the ones where there are four homes on it. They've had discussion before where the ones are just one driveway entrance at the roadway and the driveway is immediately split off, so the only shared portion would be the first 10' to 15' off the road, the less entrances to a road, the better. Mr. Jeitner said they will think about all of that.

IV. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MINUTES – AUGUST 22, 2013

Mr. Maxfield asked if there were any additions or corrections. No one raised their hand.

MOTION BY: Mr. Kologie moved for approval of the August 22, 2013 minutes.

SECOND BY: Mr. Lychak

ROLL CALL: 4-0 (Mr. Landis, Mrs. Yerger and Mr. Kennedy – Absent)

V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS – None

VI. ADJOURNMENT

MOTION BY: Mr. Lychak moved for adjournment. The time was 7:45 PM

SECOND BY: Mr. Noble

ROLL CALL: 4-0 (Mr. Landis, Mrs. Yerger and Mr. Kennedy – Absent)

Submitted by:

Mr. John Landis, Chair