

I. OPENING

CALL TO ORDER: The Planning Commission meeting of Lower Saucon Township Council was called to order on Thursday, November 18, 2010 at 7:00 P.M., at the Saucon Valley School District, Audion Room, Door #19.

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.

PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT/CITIZEN AGENDA ITEMS

None

III. BUSINESS ITEMS

A. METRO PENNSYLVANIA PCS LLC – METRO PENNSYLVANIA PCS SITE PLAN #SP 0410 & CONDITIONAL USE #CU 03-10 – 3709 HICKORY HILL ROAD (TIME LIMITS – SITE PLAN 01/19/11 & CONDITIONAL USE 12/06/10)

Attorney Debra Shulski was present on behalf of the applicant. This is a very similar application to two recent ones you just have seen by the same provider. It's a co-location and on an existing PPL tower. They are proposing to extend the tower by 8' and affix and co-locate their antennas on top of the tower. They were before the Zoning Hearing Board on Monday and received a favorable approval for a fall zone setback and a de minimus variance for the location of the equipment cabinet. At the base of the tower, there's going to be three radio equipment cabinets located on a 10'x16' concrete pad which will be fenced in. There will be some landscaping and shrubbery around the compound area. The access will be through the existing access driveway, so they confirm with PennDOT there's no PennDOT approval required because they are going to be taking access from the existing driveway. They have two review letters which they will go through. Most of them they will comply or they are in the process of addressing the plans. She knows their engineers reached out to your engineer and are going to be cleaning up the plans; and hopefully, are going to provide submittal next week. In addition, there are a number of documents that will satisfy some of those comments dealing with the coverage, the propagation plans which you've seen before as well as the structural report. They have battery specifications to address, the FCC license, and that the facility will be in compliance with all applicable EMF and radio mission standards. The NEPA survey, they've notified the airport and all these things they just submitted today to the Township, so they haven't had the opportunity to review, but she believes they do address many, if not all of the comments in the review letters. There are several waivers that they will be requesting through the site plans.

Mr. Landis said they just want to go through with what they can't comply with. There's no reason to go over it if you are going to comply. They can go over any waivers you will need. Attorney Shulski said she would say everything in the Hanover letter is a "will comply". There isn't anything that we need to address there. Mr. Miller said he had nothing to note. Mr. Maxfield said he had a question about removal of and he's not sure how it works as it's going on an existing power pole, does that mean that we remove just the extension? Attorney Shulski said correct. They will be entering into agreement with the Township on that. It has also been brought to her attention that PPL requires them to post a removal bond as well. She's assuming the Township would still want it. It's going to serve a double protection there.

Attorney Shulski said with respect to the November 10, 2010 letter from Boucher & James, (a) is a comment; (b) they received the variance for that; (c) FAA approval is not required, one of the

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documents she recently submitted as the approval from the FAA. She said all these items are going to be a “will comply” with the exception of when they get to the site plan requirements, they are going to be asking for a waiver. All the items relating to the existing features and the natural features give it’s de minimus, it’s 10’x16’ concrete pad, the contour lines. (e) is showing the zoning data and the natural resources and that would be a waiver. (f) is a “will comply”. (g) they are going to show if there’s a tree there, they’ll add that to the plan. The only other item would be they’ve had some discussions with the Zoning Officer and Craig regarding the environmental protection standards and her understanding is they will have to address that to the administrative review to the Zoning Officer that it may be treated as an accessory structure. One other item, (d) the Fire Chief did recommend a Knox pad lock and they are agreeable to that and will put it on the plans to show that.

Mr. Kochanski said he would just like confirmation on the site plan requirements and that they will comply so it’s clear with the recommendation coming out of Planning Commission and which ones they are requesting to be not applicable to this application. Under items 2 (a) through (e) would be request for waivers. Items (f), (g), (h), (i), (j), (k) would be a “will comply”. Item (l) she thinks it would be a waiver, but doesn’t know if it’s applicable to us. She believes they do not need any approval from the Conservation District. Mr. Kochanski said it would depend on the extent of disturbance and what the Conservation District considered disturbance at that point. Mr. Garges said it’s 200 square feet. Mr. Kochanski said that will be a not applicable requirement. Attorney Shulski said 3 and 4 assuming the Zoning Officer agrees that they wouldn’t apply to us. It wouldn’t be a waiver, but would probably be a determination by the Zoning Officer. Mr. Kochanski said 3 wouldn’t apply; but 4 that gets into the Zoning Officer. Items a through e is what you are requesting be not applicable to the site plan. Attorney Shulski said correct.

Mr. Landis said the tower is already there, and it’s been there for a long time. They are just putting another antenna on it.

Attorney Treadwell said you have two issues. One is the site plan and the second is the conditional use. The first motion would be to recommend approval of the site plan with items 2(a) through (e) as waivers.

MOTION BY: Mr. Maxfield moved for recommendation as stated by the Solicitor above.
SECOND BY: Mr. John Lychak
ROLL CALL: 5-0 (Mr. Hijazi – Absent)

Attorney Treadwell said the second motion would be the conditional use.

MOTION BY: Mr. Maxfield moved for recommendation of the conditional use.
SECOND BY: Mr. Craig Kologie
ROLL CALL: 5-0 (Mr. Hijazi – Absent)

B. IESI PA BETHLEHEM LANDFILL CORPORATION – IESI PA BETHLEHEM LANDFILL CELL 4-F MODIFICAITON LAND DEVELOPMENT #LD 02-10 – 2335 APPLEBUTTER ROAD (TIME LIMIT 02/16/11)

Mr. Sam Donato, Rick Bodner and MaryAnn were present. Mr. Donato said they just received some letters from the Township consultants this week. They are not going to get into them this evening as they will take a lot of time. They have some time scheduled to meet with the staff on the 23rd and will be addressing these at that meeting. To give everyone a little background, the plan they have is the current land development plan they have at the facility. A little history about this plan is when they permitted their facility back in 2003, this land development plan was approved with these final contours and erosion sedimentation control devices were part of it. The modification they are making for the land development plan is to remove this Basin No. 7. When this was recently approved, this basin had a discharge line that would send it around our landfill heading south. Over the years, they

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had numerous meetings with the PA DEP and Lower Saucon Township on discussions on how they can discharge this sanitation basin without impacting the future growth of our facility. That led us to where we are today with this Cell 4-F modification. He showed the plans and said this is the application that's in front of the board at this time. You'll notice that Basin No. 3 no longer exists. The highlighted area is about 2-1/2 acres is the proposed Cell 4-F modification as they are describing it. During this phase of the development, the landfill will be expanding towards the north by 2-1/2 acres. There's going to be an earthen berm behind it. The berm is actually going to work on their behalf to channel surface water to the east and to the west and they are going to utilize the existing sedimentation basins that are highlighted in the blue. Some are going to have to be enlarged. That's just an overview of how this works. What this will give them in the future by redirecting this surface water to the east and to the west across the facility will then open up this area for a future development. At this given time, they are not here to discuss that. They are here to discuss the Cell 4-F modification. That's a brief overview of it. If you have any technical comments, Rick Bodner will gladly address them now. They don't want to waste a lot of time with the Board as the review letters are pretty detailed and there's no sense in getting into them this evening. They'd rather meet with staff and work through that. He asked if anyone had any comments?

Mr. Miller said Mr. Donato is touching on what they are going to do and will redirect the water over land as opposed to the pipe. Mr. Kochanski said he has no additional comments other than their review letter. Attorney Treadwell said it may be helpful for the Planning Commission to tell them what it does to capacity and life of the landfill. Does this create a difference? Mr. Donato said this application has been submitted and reviewed by the DEP already. They are ready to get the permit issued within weeks. There's a no net gain in landfill capacity. Reason being, this 2-1/2 acre expansion, they actually reduced the top of the existing facility which kept them in their net number which was originally approved in 2003. Hypothetically, they'll say million yards was approved there. The facility will still have 8 million yards of capacity. By reducing the top of the landfill, they stay within those guidelines. Mr. Kologie said how does this change give you access to the property? Mr. Donato said the regulations clearly state that you are not allowed to expand a facility overtop of a pipeline, so by removing the pipeline and redirecting it across the land, that gives them the potential to move to expand. This is the linkage for that process.

MOTION BY: Mr. Noble moved to table this agenda item.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0 (Mr. Hijazi – Absent)

IV. MISCELLANEOUS BUSINESS ITEMS

A. APPROVAL OF MINUTES – SEPTEMBER 16, 2010

MOTION BY: Mr. Lychak moved for approval of the September 16, 2010 minutes.
SECOND BY: Mr. Maxfield
ROLL CALL: 5-0 (Mr. Hijazi – Absent)

B. Mr. Landis said the Lehigh Valley Planning Commission is working on an access management working group and they are looking for a volunteer from the Planning Commission. It will be a day meeting. Mr. Garges said the Township's pick a couple of areas they would like to work on and then the Planning Commission would get involved with the process. He's not sure how many times they would get together, but he thinks maybe every month. He asked if anyone was willing to serve on this committee? Craig Kologie said he would do it.

V. PUBLIC COMMENT/CITIZEN NON-AGENDA ITEMS

Mr. Landis said a lot of you are probably here for the Phoebe project that was here in September. There is a sign-up sheet and if you want to be notified of the meetings, please give us your email address. The problem

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we have with this is what this Planning Commission is. It is a recommending body. It reviews plans. Our job is to review the plans in front of us. There is no plan in front of us on Phoebe and we don't know anymore what Phoebe is doing than you do. The Planning Commission is a recommending body to the Township. They have no power. This is a volunteer group. Everybody who is here tonight is on their own time. We had a presentation of a sketch plan. There are three levels of things. The first is a sketch plan which is sort of a concept plan. We don't ever vote on it. Somebody just comes and presents it to us. This is what Phoebe did with their long care facility. They came and had a presentation in September. The next stage would be a site plan and there is no site plan in front of the Planning Commission. Then we would have details. You have seen their conceptual plan and we don't really want to discuss the details in that plan as they are not in front of us. If it comes at all, it's going to be something different. If you have concerns about the concept; however, you should speak up. Just to give you a review out of the last meeting and the concerns you had were by having a facility like this, it changes the character of the neighborhood. Instead of being residential, it's another facility and not what was originally planned. Second, it's in an R-20 zone which is not allowed at this point. If we would change the R-20 zone use, it would add it to all R-20 zones. You were concerned about traffic flow and truck traffic. Another thing was building height and problems with impervious coverage; water and sewer. The other concern was the scope of what they were going to do. It is unclear what their facility would have besides long term care. Would it have some retail shops in there? Another thing brought up was lighting and buffering. The other thing is the loss of value of homes. The things positive were as people get older, we are going to need facilities like this. The other thing it is has no school impact. When people move in with children, an impact is our school taxes go up.

Attorney Treadwell said if he could just clarify one or two things. The first issue is that what has been submitted to the Township is a proposal to amend the Township zoning ordinance to allow this CCRC use in the R-20 district. As Mr. Landis said, it would allow it in any R-20 district that Lower Saucon Township has. Along with that proposed amendments to the zoning ordinance, Phoebe submitted the sketch plan that Mr. Landis alluded to. That sketch plan showed a concept of what this project could look like on that property off of Meadows and Skibo Road. That sketch concept plan is not set in stone. It could change. Phoebe has not submitted anything else to the Township, so the only thing the Township has seen is a proposal to amend the zoning ordinance to allow that use along with that concept plan. We have nothing further. Mr. Landis asked if there were any representatives from Phoebe present? No one was present. Other than that, we're not at a critical point and we have nothing to vote on. Please don't go into some deep detail. We've heard some of this already, and he wants to hear new concerns.

- Mr. Hugh Dugan from 1859 Springwood Road and Sandra McKlaskie from 1807 Meadow Ridge Court were present. Mr. Dugan said we have basically taken the leadership role in informing the residents about the proposal and we have informed them about everything you have said here tonight. What our concern was is that we don't know what took so long for any of us to find about this. They understand there were procedures that have to be followed and the Township has followed all those procedures. It has been quite an education. It also provided the residents to get a very good understanding of their Township and the geology and what goes on here and the process we are going through today of planning and concept drawings and all of those things. Our goal is to tell you all of our concerns now. Most of the concerns we have are concerns that you have. We've met with various residents around the area that are engineers, architects, farmers, and many professionals. We all formulated a list of questions and they are questions we are sure you are going to have. Right now the list is twelve pages of questions. He would not like to read that into the record, but he'd be happy to give you copies of that and include it in the minutes and he can also send it to you in an email (Copies of questions attached at the end of these minutes.) Our goal right now has been to keep the residents of the process and what's going on and when there are meetings. Speaking for most of the residents, the frustration is we were watching this Phoebe Ministries CCRC moving along very fast. It had them concerned. We came September 16th and saw what you saw. The next group that saw us was Town Council on October 6th. The Council was very helpful and encouraging to make sure we share with you our positions and concerns. They also went to the extent of putting the Phoebe's presentation up on the Township website so we could view it. There was a misunderstanding on our part when the last Planning Commission meeting was cancelled and a lot of people took a lot of ruff from Sandra and

myself. We were upset because of the short notice. We understand why, but we spent until midnight and after midnight dealing with upset people who had come out in the parking lot waiting to address you. He needs to say that here tonight; however, we have moved on and understand the process. We are here tonight to affirm all of our questions and all of our concerns. We are going to be very vigilant. He wants to thank Attorney Treadwell and he has had the Township do is set up email lists so that now every time something happens, anyone who is on their email list is notified and anyone here who speaks tonight will get notified. They are in the loop now and know what is going to happen. They are still concerned. They are still angry. They don't want to see this happen and they are going to fight it until the last minute. The wanted to say and recognize that the Township has done things in the last several weeks to make it that we're more aware of what's going on and we are grateful for that.

- Ms. McKlaskie said she and Hugh have spent a lot of time researching and have going into some of the history. What happened on our land, the amount of mining done back in the 1870's, what happened with the zinc mines that then continued to bore holes into our carbonate geology. This particular site, the whole area and residential area in the western part is on carbonate geology. It's sensitive. There are ordinances that are there that protect that and stipulate low density building on these sites. When we look at the magnitude of this and say it's going to change, his concerns and a lot of the concerns of the residents are you are going to change the dynamics of a residential community. We all moved here to live in a residential community. She has questions about the fact that at the last meeting, the particular site, and she knows this is a group of people coming together to create the 40 acres, what's to say it's not going to happen in another area where you've got some people who moved here a long time ago, have farmland and somebody starts to amass the building heights. You are going to allow building heights into the residential communities what they are asking for. She knows it could be a much smaller concept when they finally get to us. They asked for 100 EDU's. Her concern is you have a lot of residents in LST who do not have public sewage. They survive on a private septic system. She lived directly across from this and her entire neighborhood is private septic. If we start taking sewer allocation and giving it away and giving it to projects that don't really belong in the residential communities, then what happens to her when we run out of the EDU's and her septic fails. Does she condemn her house or does the Township then have to figure out a sewage renewal plant? Is everyone allocated with sewer allocation? Does her neighborhood have sewer allocation to every piece of land throughout LST? Mr. Landis said you don't have sewer allocations. Ms. McKlaskie said so we don't have sewer allocation, so you've got all these residents who built these homes already and have private sewer and we're going to take something to feed a project like this. There is a 20% vacancy in the Lehigh Valley for elder care. What is this facility become? Forty years from now when the baby boomers are gone, and we don't need it anymore. You say you need it. Mr. Landis said if your septic fails, you have another secondary septic on your property to use. Ms. McKlaskie said there are a lot of people who live on a small parcel of land who have a septic and a well and you have ordinances that make you be 50' or 100' from a leach field. Mr. Landis said on a normal plan if you have a well, there are two sites that can be used. Ms. McKlaskie said going forward what about the houses that were built 30, 40, or 50 years ago in R-20 that's on a half acre. Her father sat on this planning board for ten years and did a lot of work doing zoning and ordinances and another thing she has a real problem with is the carbonate geology. There are sink holes. If you go on the Lehigh Valley Planning Commission website, it looks like we have chicken pox on this area. The other concern is none of them are remediated. If you go on, you see other Townships have resolved these sinkhole issues. She's lived through 911 and knows what a building looks like going down. Every time there is construction in this area, sink holes appear. She knows the Township does not have a position and is not responsible if her house ends up, she has sink hole insurance. She has to. She has to be honest with you and go back and look at the history and see they have extracted 500,000 tons of zinc and ore out of here, we not only did that in the 1875 to 1900, but then the Lehigh Zinc came in and stripped the land even more so we are going to continue. A project of this magnitude on this particular carbonate geology area is a catastrophic thing. To go underground with underground parking and five story structures is not why we all moved here. The people who are selling this land knew what they were selling. They were selling residential zoned land. They want medical outpatient facilities. That is a commercial use. That is not a residential use. She just really,

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really has a lot of concerns about protecting all of the residents, protecting the property that exists here. We cannot go backwards. We cannot change what our ancestors did to the land, but this is a country today that's gone green, that is environmentally trying to correct what we did in the past, and she thinks it's about time we start preserving some of this space as open space. Most of the residents of LST have supported the half of a percent increase to preserve open space. She asks that you consider everything. She asked Mr. Landis about the housing units and he said 225 independent housing units were going in. Her husband is 65 and she is 50 and they have a child in school. She has four friends that are the guardians of their grandchildren. This is a nonprofit organization that cannot discriminate and society does not allow grandchildren today to go up for adoption. There are many people in society today that are grandparents raising their grandchildren, so the fallacy that we're not going to have children in the school district it can very well happen. People are having children later. High risk pregnancy is at 50%. Twenty years ago it was at 15%. She does a lot of work for St. Luke's. The average birth of a child of a woman is at 35 to 40. It's not 20 anymore, so 62 is really today's 40.

- Attorney Treadwell said he'd like to point something out, he did not come up with the mass email idea. It came from Leslie and Chris.
- Susan Williams, 1890 O'Brien's Court said she has lived there since 2003. She is here in strong opposition to any changes in our zoning. She has sent each of you, excluding staff, expressing her concerns with this project. She trusts and believes that you are also residents of this community and that you will listen to us and take our concerns about what is in the best interest of a community we all reside in. She has a comment about the sinkhole issue. She moved back to the Lehigh Valley in 2003 to her current address. She took out sinkhole insurance. She has had three sinkholes filled. One of those she found out after she had it filled was on her neighbor's property. Regardless, two sinkholes she did fill in and she didn't take her pool down, but put yards and yards of cement into her property on the north and west end of her property. If you follow that line, it leads directly across her street and into the proposed area. She would ask you to please take that into consideration. This area is full of sinkholes and it will cause nothing but problems. The second reason she is here is to ask about the decision you make now and the implications they have for her children, her grandchildren and those that follow. She has a lot of family who live in this community. They all moved here for a reason and remained here for a reason and that's because we value this community. Look at our surrounding communities and what has happened negatively to them. You don't have to travel very far into Macungie, Whitehall Township or other areas to see what has changed in our community. Is this what we want to have happen to our children and grandchildren? Too many of us don't look beyond our noses. Too many of us look for immediate answers and not long term consequences. This affects the board too. This is wrong for our community. It is not why we moved here. It is not why you have long term residents who have been for years and years. Preserve the land. She, as well as her fellow residents, voted for that additional tax. She didn't want to do it, but it was right and she believes it was right in preserving this community. She asks you to please listen to her, and take all their comments into consideration.
- Michael Roumalistis from 1458 Manor Drive said he had served on the Planning Commission and Zoning Hearing Board and he's chaired both of them over a twelve year period. Over that period of time, he saw situations where people made bad business decisions, then turned to our Township to correct them. This is one of them. It's not our responsibility to take care of their problems. So from the Planning Commission all the way up through the Township, it's a fiduciary responsibility that these various committees act properly in the name people in the Township. He differs with Mr. Landis with regard to a secondary system on a piece of land that doesn't have public sanitary sewers; it doesn't mean the secondary position is going to work. It can fail.
- John Collins from 1896 Gregory Road said he's like most of the people here. He's not a long time resident. He's been here four years. Before he came here, he was involved with the Planning Commission down in Virginia. He was a volunteer like you people are, so he appreciates all the time and effort you put in. Before he moved here, he read the comprehensive plan. He realized that land was R-20. In his experience, developers come in and ask to have land rezoned. Sometimes in Virginia the comprehensive plan would have a zoning, but if you do this, this and this, you can have increased density on that parcel of land. He has never seen anybody come in and change the zoning category

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effecting the whole area, all parcels of land to accommodate their development. It seems to him the proper thing for them to do if they want to do it, ask for rezoning into a category that will permit this kind of project. He can't see any approval until they do that. Other than that, he agrees with most of the comments made this evening. Thank you for your time.

- Verna DiMaio from 1856 Felicity Lane said she agrees with everything that's been said by Sandra, Mr. Dugan. It affects the entire neighborhoods. Felicity Lane, even though you don't have the plan and it's just a proposed plan, the main entrance to this Phoebe project runs parallel to Felicity Lane which will impact about 35 residents homes. Mr. Landis said there is no plan and he doesn't want to get too detailed. Mrs. DiMaio said it is a direct impact to them on Felicity Lane. Her other comment is she agrees with what has been said and Mr. Landis said seniors needing to have a facility. That might be true. She's been riding around the Valley with her grandchildren going pumpkin picking, apple picking and there is a tremendous amount of land all around this area that would be better served that is not adjacent to all of these communities and all of us neighbors. There is a lot of areas that Phoebe could look into which would be off of main highways.
- Dave Willard from 1809 Meadow Ridge Court said he moved here five years ago with his wife. He was relocated with Olympus with an Executive position. They had lived for over 25 years in a nice residential area in Long Island. They looked for similar residences here. They did study the zoning, the school system, the open space tax that had been instituted, but they chose this particular area because of the residential character. He doesn't want to be redundant or repeat any of the concerns. He wanted to speak tonight because their house is located at the corner of Meadows & Skibo Road. Their backyard is directly at that stop sign. This is judging from a sketch plan, but one of the three main entrances was at that main location and it's a very busy street. It's a very dangerous area. At one point, you looked at reversing the traffic flow and making it one way down Meadows Road to the one way bridge, so we already have many traffic concerns there without adding 350 additional residents. In terms of need for the facility, his mother-in-law was in an assisted living facility at Sacred Heart on Route 378. It's about five minutes from their house and there were adequate facilities there. The independent living facility was built at Sacred Heart and opened in 2008. That has not been fully occupied. Part of it has been turned into an urgent care facility. He believes we have adequate facilities located quite close by and it is on 378 for easy access.
- Stephanie Brown from 1830 Meadows Road said she was born and raised on Meadows Road. She's lived there for all her 37 years. One of the things that bothers her is she'd like to see some non-profit places that do care for our senior residents, but she believes the Township did have an opportunity to place such a facility in the Township, but it was turned down by the Township, is that correct? Mr. Landis said he has no idea. Ms. Brown said at the old elementary school. At this site on Meadows Road, it's not just the right place. People talk about these non-profits that do this supposedly good work with these senior centers and all the medical things. Her boyfriend back in April, at the age of 36, had a stroke and has been receiving treatment from a very reputable non-profit highly recognized stroke rehabilitation center in the Lehigh Valley. It's been a nightmare for her. They are not all they are cracked up to be. If they can rip you off, they will. She already has a very negative experience with such places and she's already turned off. Another thing she'd like to bring up is her father owns the property at 1830 Meadows Road and a development was put in behind his house called Saucon Valley Meadows. One of the things that happened during that development being built was a sinkhole opened up on his property. That was most likely from the blasting which was miles away on the construction site. When an area has problems with carbonate geology in the entire Meadows – Skibo Road area, sinkholes can open anywhere. That's the last thing they ever expected to happen on their property. That's just another negative strike against this whole thing. Her biggest issue, being a lifelong resident of the Township, is Meadows Road. She grew up on that road. Her biggest thing is the historic 152 year old Northampton County four arch bridge which she has been working on with the Township to save. The County for the last 30 years or so, has been wanting to tear the bridge down. She thinks they have finally convinced the County that it is historic and significant to the history of the Township and have convinced them not to tear it down. It's her passion in life for this bridge and Meadows Road. To see Phoebe come into this area, is just going to ruin Meadows Road. There have been so many issues on that bridge with overweight trucks. She has done everything she possibly can to fight tooth and nail on these overweight trucks to get cited for going over that bridge.

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In June or July, the County did put the weight limit down on the bridge, so it's even more imperative that we keep traffic and truck traffic off of that road. Putting in a facility like Phoebe, we are going to have the same problems we did when Toll Bros. was bringing their construction trucks into the development and totally ignoring the weight limit on that bridge. She doesn't want to go through that again. That bridge is a very strong bridge, but at the wrong time, something is going to happen and she can't bear to see that happen. It's such a great bridge and such a hidden asset in our community. The fact that they have finally convinced the County that the bridge is important, she doesn't want to lose that bridge. You have to also remember the Rail Trail, which is so important to the Township, runs through Meadows and there are all kinds of safety issues on Meadows Road. The Township had just decided to put stop signs at the Rail Trail to stop traffic so the Rail Trail is safe as the intersection there and the curves are very dangerous. From 20 years of walking, she knows how dangerous they are. Added traffic from that kind of complex is just not what we need. It's just something else for you to think about.

- Donna Baur from 1866 Caryn Drive said one thing which concerns her greatly is the tax exempt status that Phoebe holds; therefore, the lack of financial productivity that Lower Saucon would see. Mr. Landis said they did have a proposal to offset that. Ms. Baur said was it a once and done shot or annual? Mr. Landis said there was some compensation, but we're not going to get into that now how it would be versus the taxes from the 50 homes that ultimately would be built there. She just wanted to clear that up. Attorney Treadwell said Phoebe had a proposal that they would be willing to pay real estate taxes to both the Township and the school district as if they were not tax exempt, but it would have been needed to be approved by both the school district and the Township. Ms. Baur said would that be in writing? Attorney Treadwell said absolutely, it would be a contract. They call it and it's widely used with non-profit colleges and universities are a payment in lieu of taxes. Colleges such as Penn State who would come into a Township and take up a large amount of space and are technically exempt from real estate taxes volunteer to pay a certain percentage to the community to compensate for the services that they've utilized. That was the proposal, but again, it's just a proposal. Ms. Baur said secondly, according to your own published Mission Statement, you pledge among other things to be responsive to residents' concerns and problems. She's simply reiterating. With that in mind, and while you contemplate our passionate pleas, she would ask that you keep asking yourself, could I in good conscious vote to allow this proposed zoning change when I know in my heart it will radically change the rural and tranquil nature that our residents hold dear. She's counting on your answer to be no.
- Tony DiMaio from 1856 Felicity Lane said he knows this is a proposal, but from their point of view, this is the only thing they can work with. Mr. Landis said it's a concept. Mr. DiMaio said he knows it's a concept, but you have to start with something. It's a concept but for us to address it, we have to address something. Mr. Landis said if you really want to address it if it ever becomes a site plan, then you have something concrete to deal with. It's very important that your input be there if a site plan ever goes through. That is the point to which we would be asked to make a decision. Mr. DiMaio said before we have to make our views known, even though it's just a concept, because we don't even want to see it get to a site plan. He looked at some of their mission statements and they said they were going to provide fullness of life to seniors and families and for the community they serve. They say the CCRC is a different use of land, not residential, but more like a hotel and spa. The use is similar to a single family clustered development. His fear is the last one, the use will be quiet and style appealing. He has some observations of his own. Although it may not be intentional, he does feel this project doesn't meet the Phoebe vision. As a senior, he doesn't feel this project will provide him fullness of life. He's not facetious and he knows they are not speaking of the people that are using the facility, but shouldn't the vision pertain to the people who must live among it, not just those who live in it. He also brings your attention to the parity statements that the previous Phoebe representatives stated that the CCRC is a home like a residential project, but Phoebe has also stated it is not residential, but more like a hotel and spa. Again, a concept, which is it? They are talking out of both sides of their mouth. A home like residential project does not have an 80' structure nor does it have to put up with the constant noise from delivery trucks, sirens, traffics from visitors, shift changes, etc. that come with a project this size. Beyond a doubt, the project will accommodate 300 total units and perhaps as many as 375 residents and countless workers and volunteers as suggested by them will tax

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our services and cause hardships in supplying those necessary services to our community. In closing, he asks why is the project being considered? The zoning definition must be changed that will apply to the Township for all future projects. Sewage allocation must be changed from 49 EDU's to 88, which is a 79% increase. This area has also been recognized as having previous water problems. The Township population opposes the project. He doesn't know why the project is being considered, but maybe some of the items came out tonight like the \$800,000.00 taxes annually and a mention of the relief of the litigation on the property that Phoebe looked into also. He strongly urges the Planning Commission to vote no to the proposed changes, reminding them that the promises made at the inception of a project usually never come to fruition by the time the project is completed. It's sort of like the government promising to increasing your taxes for just one year to make up a shortfall, does that ever happen?

➤ Carol Solomon from 1864 Felicity Lane said the only thing she could say is she's a native New Yorker and what she can tell you is that she lived in a brick building for 52 years of her life and heard sirens, also 911 and all the other things that go along with New York City. She came here for peace and quiet. She doesn't know anything about sinkholes. She doesn't know anything about R-20's. All she knows is she doesn't want traffic and noise and chaos and drama. She feels that with respect to everyone, we are all going to have an ambulance in our life, and if that's going to happen, it's going to happen seven days a week, 24 hours a day right next door to us. When she goes out on her patio, she sees trees. When she lived in New York City, she looked at bricks. She doesn't want to live in New York City anymore and that's why she moved here. She doesn't want bricks. When they sit at the pool at Four Seasons, it drives her crazy when she hears the gunshots at the sportsman's club. Mr. Landis said the sportsman's club has been there way before Four Seasons was. Ms. Solomon said whatever is going to be there, is going to be built and it's going to make a lot of noise. She doesn't want to hear that. To address the other lady that just spoke, on 378 where Stabler and the Promenade is, there's tons of land there. She wants to tell you a brief story of something she does know of. When she first met her husband, they decided to buy a town house in Naples, Florida. It was a very nice area in Florida. They rented it out and the people who rented it were kind enough to let them see it as she never saw it finished. Before they got there, it was a residential community. When she arrived to see the new place she might be living in some day in the future, she was ready to put it up for sale as there was a McDonald's and a Wal-Mart built across the street. She doesn't want a Wal-Mart, a McDonald's or anything else near her immediate area. If she wants that, she'll go to Allentown, which she doesn't chose to do. She doesn't want the traffic. On Walnut Street by the Rite Aid, all the way up to 78, it's about two miles and it took her longer this week to get from her house to get to 78 than it did the whole time for her to get to Philipsburg. She swears to you on a stack of bibles as she looked at her clock in her car. She asks you not to do this in any way, shape or form. It belongs to the deer because when you come from the city and all you see are dirty pigeons and now you see all kinds of birds and deer, no one is going to have a place to live. Forget about the deer; forget about the birds; no one is going to have a place to live. What about the people?

➤ Joan Lombardi from 1964 Mattes Street said she's President of the Board and she works in the office. Their major problem is they are living with a major water problem in Society Hill right now which is costing them as residents, which they didn't realize they ever had. It's going to cost them over \$1 million to fix. The street that's going to face this new development is Mattes. What happens is Four Seasons is right by us, and they come down sort of like a hill, which means when it rains bad, from Four Seasons, the whole back of Mattes Street in the backyards, gets filled with water. They have this nice free land in the back, which when you have a downpour soaks in this land. What's going to happen if Phoebe ever gets in there and there's asphalt and a runoff of water. Is that is going to come into the yards of Mattes Street and she's very concerned about that. Those people are going to be looking at lights right in their bedrooms. She was looking at their declaration today and came across this. We at Society Hill are responsible for the cost of maintaining an offsite storm sewer line. She knows half the people in Society Hill do not know this. This drain goes into a retention basin number one. It runs along Friedensville Road before crossing over the property of Lehigh University and discharges into the Black River. Will Phoebe be plugged into that which is our responsibility right now. If anything ever happens to that line, Society Hill is responsible for it because when this was built, Kahill never signed off. That's what they were told. Therefore, she doesn't want to have the

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responsibility of them plugging into this line that they are responsible for. She thinks you should look into that. She doesn't know details, but you should be aware of it.

- Ken Rampolla from 1858 Springwood Road said he wants to commend you all for listening tonight. He knows this isn't easy to do, but he wants to thank you for the opportunity to learn what a wonderful community that he lives upon and how educated and coordinated your citizens have become. It's only because of situations like this that we have become more aware of the talents of our citizens and citizens are prepared to stand up and speak for themselves. Thank you for that opportunity and we welcome more opportunities to let you know how they feel.
- Marjorie Mainhart from 1933 Delancy Street said she's the VP of the Board of Society Hill. They have about 800 residents in 314 units and they are not age restrictive so they have newborns as well as people in their golden years. Many of these people in their golden years have lived at Society Hill since its inception in 1989, 1990. Many of them moved from an urban environment just to come into this rural experience to experience the deer and the walking paths at Stabler, but to be close enough to the Borough of Hellertown to go shopping and not be far away. They have many veterans in their community and many are WWII vets and Korean War vets and we just honored them two weeks ago with Representative Freeman. These people couldn't come tonight as they are elderly so they are speaking for them. They know it's hard enough to live today, you don't need all that noise and traffic and lights and general chaos from the construction. She's lived here for six years. Prior to that she was in Bethlehem Township and she lived one-quarter mile away from where Route 33 extension came in and she knows they had sound noise checks from PennDOT. She had a sound thing on her lawn where they were checking sound. It concerns her that there hasn't been anything like this done on Friedensville Road. Please make sure we have noise evaluations. Make sure we have traffic evaluations. We have two school districts on Friedensville Road – Bethlehem and Saucon Valley. We have busses. If they are going to be here, 90 employees times three shifts, times twice a day, times visitors, times deliveries, you multiply it out. Please just take all this into consideration before you make your decision. She knows the Planning Commission will make it in their best interests.
- Mark Wirth from 2438 Black River Road said he's concerned with the development which he is almost positive is going to go through. He's concerned if it would possibly go through, he'd like to hope and see it is built with local labor, union or non-union, not people from Alabama, Mississippi, Texas, Mexicans, which would be outrageous. Our infrastructure around here and our jobs are struggling beyond repair. If it gets built by that type of people, he will fight it to the end. He's a union carpenter and doesn't push it to the extreme. He's worked non-union also. If it goes that way, these people have a very good reason to complain and not want it. He hopes that does not happen.

Mr. Landis said thank you. He knows you hope they vote one way or another. He wants you to know they are not voting on anything as there is not anything in front of them. He told them to keep looking at their emails so they know what's coming if anything.

VII. ADJOURNMENT

MOTION BY:

SECOND BY:

ROLL CALL:

Submitted by:

Mr. John Landis
Chair

**IMPACT ISSUES RELATED TO
PHOEBE MINISTRIES PROPOSED CCRC DEVELOPMENT
IN LOWER SAUCON TOWNSHIP
15 November 2010**

Selection & Application Process

1. What process was used by Phoebe Ministries to select Lower Saucon Township as their next region to develop a Continuing Care Retirement Community Complex?
2. What was the basis for them selecting these particular tracts of land to develop their CCRC?
3. How does this tract of land compare to their Berks County CCRC? According to their website, Berks CCRC current sits on a 66 acre tract of land. Do they have room to expand in Berks County?
4. Phoebe Ministries' initial presentations to Lower Saucon Township indicated that their proposed CCRC would cover 65 acres and they later changed to 57 acres. Why was the proposal reduced?
5. Over time, does Phoebe Ministries intend to acquire all the surrounding properties with the exception of Society Hill and Four Seasons? If so, do they have any ultimate conceptual site plan for the campus?
6. Has Phoebe Ministries paid all the required application fees to Lower Saucon Township? What fees have been paid?
7. Has an escrow account been established by Phoebe Ministries with Lower Saucon Township to cover any costs to the township that are direct result of their proposed project? If so, how much was placed in the account?
8. How does the township determine the amount that it charges the escrow account for the involvement of the township's staff and resources?
9. How much has been charged against the escrow account to date? Is there any itemized list available for the residents to review?

Zoning Amendment

10. Was Phoebe Ministries aware that the tracts of land they propose to develop their CCRC campus was already zoned R20?
11. Who recommended a "text" amendment over a "map" amendment to expand the definition of the R20 Suburban Residential Zoning Code?
12. Why was this method of amendment recommended over the other?
13. How was the minimum requirement of 40 contiguous acres of land determined to be appropriate for a CCRC?
14. What is Phoebe Ministries' basis to requesting the height restriction to be increased from 35 feet to 65 feet in an R20 zone?
15. Why does Phoebe Ministries need to be permitted to have 45% impervious surface rather than the current 25% allowed?
16. Why didn't Phoebe Ministries request a variance rather than request an amendment that would expand the R20 zoning definition?
17. Does Phoebe Ministries realize that they are requesting that an area that is currently zoned strictly residential be reclassified to include a mix of residential and commercial uses?

Geological & Environmental Issues

18. Has a geological study been done on all the lots that would be included as part of the Phoebe Ministries Proposed CCRC Development in Lower Saucon Township?
19. If no, will a study be done? Who will perform the study? When will the study be performed? When will a report be available to all the residents?
20. If a study has been done:
 - a. When was the study done?
 - b. Who performed the study? What are their qualifications?
 - c. What are the results of the study?
 - d. Does the township have a copy of the study?
 - e. How do the township's residents obtain a copy of the study?
21. How much of the land has been classified to have Karst geology and have all the trace fractures been indentified?
22. How much of the land involved in this project has been determined to be wetlands?
23. What would be the impact to the tracts of land surrounding the proposed CCRC with regards to sink holes? (There are already been known cases of sink holes in Saucon Ridge, Saucon Ridge North, and Four Seasons.)
24. What would Phoebe Ministries do to prevent sink holes from appearing on neighboring properties as a direct result of their development of this site as a CCRC?
25. What will happen to the wildlife that currently inhabits the proposed site?
26. What was the basis for determining the type of self-sustaining renewable resources will be used on this project and their impact on neighboring properties?
27. Has any tests been done to determine whether or not the ground water has been contaminated?
28. If so, when were the tests done? Who conducted the tests? Has a report been prepared? Who prepared the report? What are the results of the test?
29. If the ground water is contaminated, what does Phoebe Ministries propose to do to correct the problem?
30. If the ground water is not contaminated, what steps will Phoebe Ministries' take to prevent the ground water from being contaminated?
31. Phoebe Ministries' initial proposal contains a skilled nursing facility and a medical office building. What steps will Phoebe Ministries take to prevent biological and hazardous accidents?
32. How does Phoebe Ministries propose to deal with the steep slopes on the tracts of land?
33. How does Phoebe Ministries propose to manage the water run off when it rains or ice/snow starts to melt? Is Phoebe Ministries aware of the water run-off problems currently experienced at Society Hill?

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34. Will there be any retention/detention ponds located on the site? If so, where will these ponds be located? What steps will Phoebe's taken to prevent the spread of disease that results from standing water?
35. What types of and how many trees and shrubs will be used in the buffer zone between Phoebe Saucon CCRC and the Society Hill and Four Seasons developments? What will be the maturity of the trees and shrubs?
36. Have any studies been done to understand the impact to increased noise level to neighboring developments during the construction process and once the campus becomes operational?

Water and Sewer Issues

37. What formula was used by Phoebe Ministries' engineers to determine the water and sewer requirements for this development?
38. The proposed site is currently allocated 49 EDU's. How does Phoebe's justify transferring a minimum of 51 additional EDU's from other parts of the township?
39. What will happen to existing residents if their existing septic systems fail and they need to be connected to public sewer?
40. Is Phoebe Ministries going to cover the cost of obtaining additional EDU's or the cost to construct a sewerage renewal plant in the township?

Traffic Related Issues

41. Has a study been done on the current flow of traffic around the proposed site? If so, when was the study conducted? Who conducted the study? What are the study's results? Is a copy of the study available to all the residents?
42. Has a study been done in the impact to local traffic during the construction phase of this project? If so, when was the study conducted? Who conducted the study? What are the conclusions of the study? Is a copy of the study available for the residents?
43. Has any consideration been given to the impact the additional traffic created by Phoebe Saucon CCRC will have on the children's bus stops?
44. During the construction phase:
 - a. What route will be used by construction workers, construction materials deliveries, and movement of construction equipment to access the proposed site?
 - b. What time would construction workers typically arrive on a daily basis?
 - c. What time would construction workers typically depart on a daily basis?
 - d. How many days per week will construction take place on the site?
 - e. What time would construction deliveries typically take place? How long will a typical delivery take?
 - f. Would deliveries take place at a time that would require temporary lighting to illuminate the construction site? What type of temporary lighting would be used? How late would deliveries be permitted to be made to the site? How early would deliveries be permitted to the site?
45. Once Phoebe Saucon CCRC is Operational:
 - a. In their initial presentation, Phoebe Ministries indicated that there would be three shifts of employees and the estimated the number of employees scheduled for each shift. Based on Phoebe's prior experience in operating CCRC's and providing services to the elderly, can more precise information be provide with regards to traffic patterns that would actually be experienced in the area where the CCRC is actually located?
 - b. **7:00 am – 3:00 pm shift:**
 - When would these employees actually start arriving at the CCRC?
 - Where would they actually enter the CCRC? (Friedensville Road, Meadows Road West, or Meadows Road South)
 - When would these employees actually start departing the CCRC?
 - c. **3:00 pm – 11:00 pm shift:**
 - When would these employees actually start arriving at the CCRC?
 - Where would they actually enter the CCRC? (Friedensville Road, Meadows Road West, or Meadows Road South)
 - When would these employees actually start departing the CCRC?
 - d. **11:00 pm – 7:00 am shift:**
 - When would these employees actually start arriving at the CCRC?
 - Where would they actually enter the CCRC? (Friedensville Road, Meadows Road West, or Meadows Road South)
 - When would these employees actually start departing the CCRC?
 - e. **Resident Transportation:**
 - What type of vehicles will be used to transport residents?
 - Where would the CCRC typically transport the resident to and from?
 - What times during the day would residents typically be transported to and from the CCRC?
 - What entrance/exit would be used to transport the CCRC residents to and from the community?
 - What entrance would be used by public safety personnel to exit and enter the development?
 - f. **Delivery of Materials and Supplies:**
 - What time of day would delivery of materials and supplies take place at the community?
 - What size vehicle can be expected to make deliveries to the community?
 - What entrance/exit would be used when materials and supplies are delivered to the community?
 - g. **Non-Resident Traffic:**
 - Based on Phoebe Ministries' experience in operating other CCRC's and providing elder services, what type of traffic patterns will result from non-residents accessing the campus to visit residents or take advantage of services offer on the campus?

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- Medical Services
 - Food Service
 - Chapel
 - Bank
 - Hair Salon
 - Floral Shop
 - Visiting Residents
- Please provide specific days and time of days as points of reference.
- h. **Realignment and adjustments to Meadows Road:**
- Who is responsible for proposing the realignment and adjustment of Meadows Road? Did anyone attempt to contact the property owners that would be impacted by the realignment and adjustment to Meadows Road?
 - What are the qualifications of individual or organizations to make recommendation regarding road realignment and road adjustment?
 - What data and resources were used to determine the realignment and road adjustments?
 - What data and resources were used to determine the location of entrances to the community?
 - Was any consideration given to the flow of traffic based of the location of entrances?
 - Was any consideration to the type of traffic control that would be used at key locations?
 - Was any consideration given to correct the traffic situation at the intersection of Meadows and Friedensville Road?

Construction Process

46. Construction Duration and Phases:
- a. When would Phoebe propose to commence construction of this development?
 - b. Will the CCRC be all developed at one time or will it be done in phases?
 - c. If construction will done phases, what would be the first phase and what would be the last phase?
 - d. What is the anticipated duration of each phases and the entire development project?

Phoebe Saucon CCRC Structures

47. Specific questions related to each CCRC type of proposed use on the site:
- a. *Independent Living Cottages* –
 - Approximately how many square feet will be dedicated to independent living cottages?
 - How many bedrooms will be in an independent living cottage?
 - How many bathrooms will be in each cottage?
 - How will the exterior of the independent living cottages look?
 - What is the average age of individuals that would reside in the independent living cottage?
 - What are the rental/purchase terms for an independent living cottage?
 - Would these structures be subject to Saucon Valley School District, Northampton County, and Lower Saucon Township real estate taxes? Who would be responsible for paying these taxes?
 - b. *Independent Living Apartments* –
 - Approximately how many square feet will be dedicated to independent living apartments? How many floors would the independent living apartments structures include? How many independent living apartment structures are included on the campus?
 - How independent living apartments will be considered studio? How many will be considered one bedroom? How many will be considered two bedrooms?
 - How many bathrooms would be in a typical apartment?
 - What is the average age of individuals that would reside in the independent living apartments?
 - What are the rental terms for an independent living apartment?
 - Would these structures be subject to Saucon Valley School District, Northampton County, and Lower Saucon Township real estate taxes?
 - c. *Assisted Living Units* –
 - Approximately how many square feet will be dedicated to assisted living units? How many floors would the assisted living apartments structures include? How many assisted living apartment structures are included on the campus?
 - How assisted living beds would be included in the assisted living facility?
 - What is the average age of individuals that would reside in assisted living units?
 - What are the rental terms for an assisted living unit?
 - Would these structures be subject to Saucon Valley School District, Northampton County, and Lower Saucon Township real estate taxes?
 - d. *Skilled Nursing Units* –
 - Approximately how many square feet will be dedicated to skilled nursing units?
 - How assisted living beds would be included in the skilled nursing facility?
 - What is the average age of individuals that would reside in skilled nursing units?
 - What are the fees for a skilled nursing bed?
 - Would this structure be subject to Saucon Valley School District, Northampton County, and Lower Saucon Township real estate taxes?
 - e. *Adult Day Care Facility* –
 - Would the adult day care facility be licensed by the Pennsylvania Department of Public Welfare?
 - What would be the maximum number of adults that would be provided care at one time?

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- What would the operating hours of the adult day care?
 - What are the anticipated peak hours of care?
 - Would this structure be subject to Saucon Valley School District, Northampton County, and Lower Saucon Township real estate taxes?
- f. *Support Facilities* –
- Phoebe Ministries indicated in their proposal that the CCRC could include a variety of support facilities.
 - Medical Offices and Healthcare Related Services (exactly what types of healthcare related services would be offered).
 - Banking
 - Floral Shop
 - Post Office
 - Hair Salon
 - Chapel
 - Exactly how much square footage does Phoebe intend to allocate for each of these types of support services on their CCRC campus?
 - How many parking spaces would be required for these support facilities and where would they be located?
 - Would the support facilities be subject to Saucon Valley School District, Northampton County, and Lower Saucon Township real estate taxes?
- g. *Parking*
- What type of parking will be used on the campus? Surface? Above ground structure? Below ground structure?
 - Would the parking areas be subject to Saucon Valley School District, Northampton County, and Lower Saucon real estate taxes?
48. Employment as a direct result of Phoebe's Development of this land:
- a. *Construction Phase:*
- How many construction jobs will be created as a direct result of Phoebe's development of this site? What is the anticipated payroll for these jobs?
 - Direct Construction
 - Administrative
 - Manufacturing & Production
 - Public Safety
 - What would be the daily work schedule of individuals who are engaged in the construction of this development?
 - How many days a week would construction workers be working on the construction of this development?
 - Would residents of Lower Saucon Township be given prior over individuals from outside the township?
- b. *Operational:*
- How many executives, administrative and clerical positions will be required for this development? How would these be allocated according to the type of CCRC operation? When would these positions be scheduled to be on site? What is the anticipated payroll for these positions?
 - How many healthcare/nursing related positions will be required for this development? How would these be allocated according to the type of CCRC operation? When would these positions be scheduled to be on site? What is the anticipated payroll for these positions?
 - How many support positions will be required for this development (food service, housekeeping, activities, banking, personal service, etc.)? How would these be allocated according to type of CCRC operation? When would these positions be scheduled to be on site? What is the anticipated payroll for these positions?
 - How many physical plant maintenance and landscaping maintenance positions will be required for this development? How would these be allocated according to the type of CCRC operation? When would these positions be scheduled to be on site? What is the anticipated payroll for these positions?
 - What is the geographical range Phoebe Ministries will search to fill the position created by this development?
 - What priorities/consideration would residents of Lower Saucon Township be given when filling positions created by this development?
 - Will senior management of the facility be required to maintain residential status in Lower Saucon Township or Northampton County?
 - What type of benefits will Phoebe provide to individuals employed as a result of this development?
49. What studies have been conducted to determine the actual impact the CCRC will have on the quality of life in Lower Saucon Township?
50. How does the current population density of the area where the CCRC is being proposed compare to the rest of Lower Saucon Township?
51. What is the current demand for a CCRC community located in this area of Lower Saucon Township compared to the long term need to this type of community?