

**Planning Commission Meeting  
MINUTES**

October 5, 2005

The meeting was called to order at 7:00 p.m. by Chairman Jim Brownlow and opened with the *Pledge of Allegiance*.

All Members present: Jim Brownlow, Stefanie Campbell, Bobb Carson, Scott Douglas, Walt French, Pete Lamana and Barbara Lindtner. Bryan McAdam, C. Robert Wynn Associates, was present.

**Planning Commission Comments**

Pete Lamana shared information with the Members regarding conservation easements and deed restrictions.

**Approval of Minutes**

Pete Lamana **moved**, Jim Brownlow **seconded**, that the minutes of September 7, 2005, Planning Commission meeting be approved as presented; motion **passed** unanimously.

**Public Comments (Agenda Items) - None**

**Sketch Plans**

**Creticos Property (Hickon Road)** – Larry Romanowski, Horizon Engineering, presented for the applicant and equitable owner, Hancock Realty.

Development of this 153-acre property located on Hickon Road is proposed in accordance with the by right cluster ordinance provisions of the rural preservation district.. The site has limited frontage on Povenski and Quarry Roads. The property is bisected by an existing PP&L and MetEd right-of-way comprising approximately 20 acres of the site. Additionally, there are approximately 60 acres of woodland area and 32 acres of combination wetland areas and regulated waters of the U.S.

The proposed development includes the required minimum of 75% of open space that would be restricted from future development. Additionally, the project proposes to incorporate the use of community sewer and water systems, if testing indicates they are feasible. The yield planned for the plot is 66 lots, pending test results.

The proposed development is broken into two areas. The first area would be accessed off Hickon Road and would be 38 lots situate along a through loop road and a cul-de-sac that would stop short of the environmental features. The balance of 28 lots would be accessed from Quarry Road. Although the required open space for this tract is 99 acres, the plan being proposed contains 110 acres of open space. Approximately 11 acres of open space will be set aside for recreational purposes, as well as two tot lots and two play fields (combined into one area). A combination walking trail and emergency access lane between the two areas of development is proposed.

Mr. Romanowski turned the discussion over to the Planning Commission for their input and comments. Jim Brownlow stated that presenting this as a sketch plan is really a good step in the process because it allows the developer to get Planning Commission and residents feedback. Jim opened the discussion for the Planning Commission first, after which public comments will be heard.

**Walt French** - The engineer who formerly presented this plan said this tract could not be developed any further, and Walt feels this property should not be further developed. The revised zoning ordinances may restrict development in this area to 3-acre lots and may cut the yield to 10 or 12 lots of 3 acres each. Because this plot is in the Resource Protection District, as a Planning Commission member, he would be looking for ways to put road blocks up for this type of development.

**Barbara Lindtner** - This is the third time this property has come before the Planning Commission, and she does not feel comfortable with this type of development in the Resource Protection District. Sewer and water will be a huge concern. The location of the proposed children's park near the PP&L and MetEd right-of-way is also a problem. The proposed cul-de-sac is a problem and she would not favor granting any waivers to permit it.

**Stefanie Campbell** - The placement of the recreational area is a problem to her and she feels they should be open to the public. If this happens, the resulting traffic on Quarry Road would be unacceptable. She is concerned about the portion of the development on Quarry Road, should emergency vehicles need to access it, because there is not enough road to effectively service this area. This development will double the number of homes on Quarry Road. She is also concerned about the impact on the wildlife and historic homes in the area. A final concern is that the roads around this development were not built to support a development of this size.

**Bobb Carson** - He is concerned about lots that incorporate significant portions of water course/wetland margins, and the access of the cul-de-sac coming into Quarry Road is entirely within the water course margin. That is unacceptable in a Resource Protection area. Following a question about width of the emergency access, Mr. Romanowski stated width of the emergency road would be determined by talking with emergency officials. Bryan McAdam stated these are normally 12-13' wide.

**Scott Douglas** - Many of his concerns were already covered, but a remaining concern is whether after a well is drilled that will service 66 homes, there will be any wetlands left. There is not a lot of depth to the aquifer in this area, and the wetlands are very critical in the Resource Protection District.

**Pete Lamana** - His concern is with the Homeowner's Association (of which he is not in favor) which would care for the community water and sewer systems that are proposed for this development. They are not always responsible in the long run, and thus, care ultimately reverts back to the Township.

**Jim Brownlow** - Because of the history of the development of this property and because of safety issues around the development, he would be very strict about adhering to our exact zoning requirements. He would not be inclined to grant any waivers. There are a number of issues in the sketch plan as now presented that would require waivers.

Jim opened the discussion to Township residents.

**John Dollman, 277 Hickon Road** - His home is at the bottom of the hill below this proposed development. He is concerned about his 180' well and his supply of water if a development of this size is permitted. He is concerned about how the community sewer system of such a large development might affect his water supply. He is also very concerned about the dangerous traffic situation on the rural streets.

**Nick Palumbo, 312 Hickon Road** - He is concerned about the proposed sewage treatment on the property. Mr. Romanowski stated whatever was developed would be done with adherence to DEP and Township regulations. His other concern is how the large additional pull upon the water source would affect his and other residents' wells. He requested what the starting price of homes in this development would be.

Mr. Romanowski assured Nick that many tests would take place to ensure that sewage disposal and water for the development would not adversely affect the properties of other residents. Tests may show that the site will not support the proposed 66 homes, and this would be represented in the ultimate plan that is submitted to the Township.

Mr. Romanowski indicated that in similar developments, there is sometimes a well guarantee that is required. It is typically tied to a radius around the development whereby the developer has to guarantee residents within that radius that if their well goes dry the developer would be responsible for it.

In response to the question about home starting prices, Mr. Romanowski is not the builder and could not provide that information. The homes will be on half-acre lots.

**Wayne Knibbs, 533 Crowthers Road** – He asked for clarification on the discussion about the guarantee to neighbors if their wells go dry. Mr. Romanowski stated it is not atypical for townships to require that there be some type of well guarantee. This guarantee is usually a required escrow from the developer up front to ensure that this guarantee remains in force after the development is completed.

**Todd Hemmert, 317 Hickon Road** – He lives behind lots 1 – 5. His question is about what kind of a detention basin was being placed near his property; specifically, that it not be designed as a retention basin. His concern is about when it rains and there is water in the basin and the possibility of that basin then becoming a mosquito breeding place. He is also concerned about the loss of wetlands if a community well is drilled.

**Robert Morales, 920 Povenski Road** – It appears that the trees will be removed for lots 39 to 44 and he wondered if they would be replaced in another location. Mr. Romanowski stated that they will probably remove trees on about 3 acres of the total tract. They will also be planting the buffers required in our zoning ordinances. Mr. Morales was also concerned about the impact on the school system from this development and asked whether the developer would contribute to the school system. Mr. Romanowski stated it is not atypical in developments of this size for the developer to contribute toward the fire company that services the area in which the development is located.

**Unknown Resident** – She was under the impression that there was a 2 acre or 200' minimum for building lots, which most of the current residents have. With that in mind, she questioned how this development could have only half-acre lots. Walt French explained the “cluster option” is what this development is being planned under, which permits smaller lots.

**Mike Sacks, 735 Crowthers Road** – He has lived in his home for 40 years. He has been encouraged by the Planning Commissions' strong stand against the various problems associated with this plan.

**Unknown Resident** – She has lived in her home here for 20 years. Her question was how can residents fight this development? Jim Brownlow said that the Planning Commission will apply the ordinances as they are written. Usually, there are several variances needed by the developer, and the Planning Commission will not be inclined to grant any variances, so the developer will have to plan the development around that fact.

**Paul Himmelwright, 1857 Quarry Road** – He is concerned about the roads and the effect on them of all the developer's and or builders' trucks and equipment that will be on them if this development is approved. The roads are in fair condition now. If the roads are torn up, will the developer/builder take care of repairing them or will the Township have to repair them using citizens' tax money? He does not want to have his taxes raised to cover this kind of road damage. He is also concerned about the sewage system, water conditions, stormwater runoff, where people will park, and will the road be wide enough for fire engines.

**Pat Royer, 1844 Quarry Road** – She is curious about the open space requirements discussed earlier in the meeting. If there are 153 acres and 75% of it is not to be developed, the developer is down to about 39 acres of property. On this land area with so many other issues—wetlands, waterways, etc.—she finds it hard to understand how there can be room for 66 homes. She hopes the fees are sufficient to compensate the Township for developers bringing this type of plan in for the Planning Commission to review. Jim Brownlow explained how the fee structure covers the various reviews of plans for which there are charges.

**Hans Reimann, 2915 Springtown Road** – He shares the good feeling that the residents have expressed about the Planning Commission Members because of their concerns expressed about this plan—storm water, traffic, environmental, community impact, etc.

**Rich Baumbach, 320 Hickon Road** – His well is 40' deep and he is across the road from this development, so is very concerned. He is also concerned, with the current drought, how they will actually determine where the wetlands are. It isn't enough to look at the property as it now is during a drought.

**Barry Marczesky, 568 Crowthers Road** – What will happen to the tree line between his property and the development? Mr. Romanowski said that tree line would be retained and, if necessary, would be enhanced to comply with the buffer ordinance.

The Planning Commission commended the residents for their concern and participation in the sketch plan review. Mr. Romanowski commented that the residents attending this meeting were one of the friendliest groups he had presented before in a long time.

## Confirmed Appointments

**Sienicki Subdivision (Mink Road)** – Scott Mease, Mease Engineering, P.C., presented for the applicant, Paul Sienicki, who was also present.

Referring to the Township Engineer's September 26, 2005, review letter, Scott pointed out that of the three comments listed, numbers 1 and 3 have been accomplished. Item 2, a drafting item in the legal description, will be revised.

Bobb Carson pointed out that although use of the existing driveway for Lot 3 is drawn on the plan, the plan itself did not contain a note (on sheet 4) indicating that Lot 3 had to use the existing 25' access easement. Scott Mease stated that this was not a condition of approval and to require this now would be to add another condition of approval, which he does not think can be required.

The plan was temporarily tabled while Scott Mease and Mr. Sienicki discussed this request.

## New Business

**Sartori 3-Lot Subdivision (Route 412 – Kintnersville)**  
**Prime Properties 5-Lot Subdivision (West Cherry Road)**

Both of these plans were "received, with "acceptance" subject to the Township Engineer's review for completeness.

Following a question from Scott Douglas, Bryan McAdam stated that when the plan actually appears on the agenda as a "Confirmed Appointment," that is when it is deemed a complete plan and is the starting time for the review process.

**Old Business** – The next Joint Meeting of the Planning Commission/Board of Supervisors Zoning Revision Team will be on October 27, 2005, at 7:00 p.m.

## Correspondence

Jim Brownlow presented a letter and Draft Mini Open Space Plan received from Lower Saucon Township requesting our comments. The recording secretary made copies of the documents for each Planning Commission Member. Jim asked them to bring their comments to the November 2 Planning Commission meeting. Because of the time constraint in getting our responses to Lower Saucon (November 4), this came directly to the Planning Commission, rather than to the Supervisors who would have routed this back to the Planning Commission. Jim will inform the Board of Supervisors that, with their approval, the Planning Commission will respond directly to Lower Saucon Township with comments.

## New Business (resumed)

**Sienicki Subdivision (Mink Road)** – Scott Mease, speaking for Mr. Sienicki, requested that the Planning Commission make a recommendation to the Board for approval of the plan with the condition added that a note be placed on the plan that Lot 3 must use the existing access easement. Although the applicant does not agree with this condition, it was suggested by him to enable the plan to move forward to the Board. Mr. Sienicki felt that other accommodations had already been granted on this subdivision—the location of a house was changed and he agreed to no further subdivision of the center lot—and he is concerned with again going back to the tentative buyer of Lot 3 with this new requirement.

Bobb Carson **moved** that a recommendation be made to the Supervisors to grant conditional approval of this subdivision pending addition of a note to the plan that Lot 3 must use the existing access easement and also,

subject to the conditions in the Township Engineer's review letter of September 26, 2005. Walt French **seconded** the motion; it **passed** unanimously.

### **Public Comments**

**Hans Reimann** – Hans brought a sample of a Mist flower, a native plant that is one of the types he would like to someday use to enhance the Township building, a future park, the pump house and the Springtown Fire House. He indicated that this plant, as well as others, could be purchased at the Fall Dinner of the Cooks Creek Watershed Association. He invited the Members to this event, scheduled for Saturday, October 9, 2005, at 5:00 p.m., at the Rod and Gun Club in Springfield. There will be two speakers who will talk about native plants.

### **Planning Commission Comments**

**Scott Douglas** – The Source Water Protection Plan is almost finished. When it is completed, he would like to forward copies to members of the Planning Commission and to the Supervisors of both Springfield and Lower Saucon Townships for review and comments. There was a general agreement that this was a good plan and Scott will proceed with this.

An additional comment from Scott concerned one of the 90' deep groundwater wells (located on Oak Lane off of Winding Road) that has been monitored for the past five years as part of the Cooks Creek Monitoring and Planning Program. Recently, this well went dry. Scott isn't certain why this occurred, but stated that since 2002, the aquifer has not stabilized. Over the past several months, he noticed that all of the well monitoring points have been dropping. Jim Brownlow mentioned the intense cleanup of the Springtown Knoll property as being the only significant activity in that area. Scott is trying to determine what is causing this problem and will keep the Members posted about what he learns.

Bobb Carson brought up what we planned to do about package sewage treatment plants. The ordinance allows them, but there is no protocol in place for how the Township will handle follow up of these systems. Although this ultimately is the responsibility of the Supervisors, Bobb feels it is in the province of the Planning Commission to look into how these systems can be managed, how they are managed elsewhere and how we can maintain them. Pete stated that he has about 12 pages of information, which address some of the points Bobb is listing. Pete will give this information to Bobb and to any other Member who wishes to have a copy.

Scott Douglas said that we need to look at where we are locating cluster development. In addition, if we are going to permit alternate public sewage treatment systems, we should have a uniform standard for each of them. He feels that in many cases, the Township will end up taking these systems over, and having a standard in place will ensure that we would know exactly what we were dealing with in those situations.

There was a consensus among the Members that we should have someone knowledgeable present information on this topic to the Planning Commission for consideration. Jim Brownlow felt this topic should be an agenda item at some future meeting.

Bryan McAdam suggested that someone from his office might be qualified to speak to this issue. He will speak to Bob Wynn and get back to the Township about this.

Stefanie Campbell feels that developers creating large developments need to contribute funds as permitted legally to bear some of the burden that will be imposed on the Township because of the additional growth. Scott Douglas and Bobb Carson indicated we could impose recreation fees, but that impact fees will not be permitted legally. However, recreation fees cannot be "escrowed" for future plans; a plan must already be in place to which these funds are being applied. Pete referred to the land the Township already owns which is earmarked for a park as one possibility.

There was a discussion about wells as brought up earlier in the Creticos Sketch Plan. Pete asked for clarification on the “escrow” discussion brought up by Mr. Romanowski. Bryan said he thinks the process is that the developer puts an agreed-upon amount of money in escrow for a certain period of time. These funds ensure that if wells within a certain radius of the development’s well are negatively affected, the developer will be responsible for them. However, after the agreed-upon period of time, it is assumed that well problems are created by nature rather than the well in the development.

Bobb Carson feels that for major subdivisions we ought to be requiring a hydrologic study to define the cone of depression when the wells are in place. This should address issues like a) does the cone of depression extend beyond the property lines and, b) does the cone of depression affect the wetlands? Bryan stated our ordinances are stringent about this matter. Bobb feels that what may need to be defined is what we determine to be an acceptable outcome—i.e., can wells affect adjacent properties or wetlands? Scott Douglas stated that Tincum and Bridgeton may have ordinances in place addressing this issue.

Barbara Lindtner brought up the news article regarding the McGrath plan for age-restricted active adult housing in Springfield Township near the golf course at Locust Valley. She feels it will be important for the Planning Commission to review carefully the Springfield Township portion of the plans now that Upper Saucon will not be age-restricted, but rather 1-acre lots with families and children. She is particularly concerned about the traffic impact from the Upper Saucon portion of the tract.

Her second comment regarded the response received from Attorney McNamara regarding a new home being built on the farmland lot. Bryan has submitted wording to correct the unclear sections to Charlie Schmehl for clarification in the zoning ordinance revision. Both McNamara and Bob Wynn’s office do not feel it is necessary to clarify this prior to adoption of the entire revision.

### **Adjournment**

At 9:25 p.m., Walt French **moved** to adjourn the meeting, Pete Lamana **seconded** the motion and it **passed** unanimously.

Respectfully submitted,

Sandra L. Everitt, Secretary  
Next Meeting: November 2, 2005