

**MINUTES**  
**UPPER SAUCON TOWNSHIP PLANNING COMMISSION**  
**Regular Meeting**  
**Tuesday, December 4, 2018 - 6:30 p.m.**  
**Township Municipal Building**

**Call to Order/Pledge of Allegiance**

Mr. Macfarlane called the meeting to order at 6:34 p.m. with the reciting of the Pledge of Allegiance.

**Members Present:**           **Bryan Macfarlane, Acting Chair**  
   **Dennis Aranyos**  
   **George Bloeser**  
   **Rod Chirumbolo**  
   **Antonio Roman**

**Staff Attending:**           **Trisha Lang, Secretary/Director of Community Development**  
   **Tom Dinkelacker, Township Solicitor**  
   **Kevin Chimics, Township Engineer**

**Minutes**

The minutes of the November 7, 2018 meeting were reviewed and approved as drafted.

**Subdivision and Land Development Reviews**

**Brinley Court Preliminary Land Development Plan #40802**

The applicant was represented by Kimberly Freimuth, legal counsel with Fox Rothschild, LLC, Brian Grant, Brinley Court, LLC and Dan Humes, Van Cleef Engineering Associates, LLC.

The Township's Solicitor reviewed the history of the project including prior approvals and the associated timeline, as well as presenting an update on the status of the proposal. The Preliminary Plan which includes land that is located in adjacent Springfield Township, Bucks County, was previously acted on and approved by the municipality which has also granted a five (5) year extension of the vesting period.

The applicant voiced concern over several conditions identified in the Hanover Engineering Associates review letter dated November 29, 2018 including items C.2, C.7, C.10 and C.11. After a lengthy discussion amongst Commission members, these four (4) items were dealt with in the following manner:

- C.2 - a requirement to address the sanitary sewer comments prepared by SEA Associates remained as a condition of approval. Staff will entertain further discussion with the applicant regarding the specific requirement for the use of ductile iron pipe prior to the project being placed on the Board of Supervisor's agenda for action.

C.7 - the Commission acted to including as a condition of approval that streets in the development remain private.

C.10 - the applicant agreed to acceptance of the condition that the separate lots that comprise the development tract be consolidated by deed at the time of plan recording.

C.11 - the condition associated with the need to provide striping to designate the on-street parking spaces will be applicable *only* if the streets should be accepted for dedication as public streets.

The Preliminary Plan was unanimously recommended for approval by a vote of 5-0.

### **Brinley Court Final Land Development Plan - Phase 1 #40806**

The applicant was represented by Kimberly Freimuth, legal counsel with Fox Rothschild, LLC, Brian Grant, Brinley Court, LLC and Dan Humes, Van Cleef Engineering Associates, LLC.

Phase 1 of the three (3) phase build out of the project includes the construction of sixty-six (66) townhouse units as well as the first 1,400' of Clayton Avenue and a portion of Brookside Court; both of which will be stubbed for extension associated with future phases.

Issues raised for discussion included the requested waiver of the length and number of units served by the proposed cul-de-sac street (Clayton Avenue) and comment C.3 from the Hanover Engineering Associates review letter dated November 29, 2018 related to Township access to an existing well location on the site.

The Commission discussed a waiver of the 1975 Subdivision and Land Development regulations associated with cul-de-sac length and number of units served (1,000' / 15 units). Clayton Avenue, as depicted on the plan, will ultimately serve as the only access to 217 residential units and will approach 3,000' in length. The applicant had previously indicated that a temporary emergency access could not be established and that the permanent emergency access would not be constructed until Phase 3 - the final phase of the project. The applicant suggested a willingness to abide by a condition that would withhold final Certificates of Occupancy for the units in Phase 3 until the permanent emergency access was constructed. However, this would leave 140 dwelling units occupied in Phases 1 and 2 with only a single point of ingress/egress to the site.

After much discussion, Mr. Humes identified the location of an adjacent lot containing a pump house owned by Coopersburg Borough. This lot currently has driveway access out to S. 3<sup>rd</sup> Street (Rt. 309). The ability to construct a temporary emergency access through the site to connect to this location was discussed. The Commission agreed to approve the requested waiver subject to the condition that a 12' wide temporary cartway connection be made to this location. The design for this access is to be included in the preparation of plans for Phase 2 of the project. Action by the Commission to recommend conditional approval of the waiver was unanimous (5-0).

Comment C.3 from the Hanover review letter addresses the need to determine whether the Township desires to obtain an easement over the site containing an existing well or whether

they wish to acquire the site. The applicant and Commission agreed to defer resolution of this issue until such time as a meeting could be held with staff.

The Phase 1 Final Plan was unanimously recommended for approval by a vote of 5-0.

**Adjournment**

There being no further business, the meeting adjourned at 8:30 p.m. The next regular meeting is scheduled for January 8, 2019, at 6:30 p.m.

Respectfully submitted,

Patricia Lang,  
Secretary