

From The Morning Call

October 20, 2006

## Forks project gets 2nd extension

**King's Farm developers still haven't tested soil.**

By Joe Nixon Of The Morning Call

The developers of a proposed subdivision in the Forks farmland protection zoning district will have until mid-February to show progress on the plan, and until the end of January to complete soil tests for on-lot septic systems, township supervisors decided Thursday in a close vote.

The King's Farm subdivision developers were in danger of having the project thrown out after the township Planning Commission voted last week to recommend rejection of the plan because of the lack of activity. Supervisors voted 3-2 to accept a time extension until Feb. 16, but said critical soil testing must be completed by Jan. 31. Township engineer Fred Hay said the soil tests are normally one of the first things done on land to determine its suitability for development. The first time extension on the project was granted in July and was due to expire early next month.

The developers propose 182 homes on about 435 acres in areas off Richmond Road, north of Newlins Road. It is proposed by a partnership of Signature Homes, Nic Zawarski and Sons, and Bethlehem attorney Dennis Benner.

Supervisors Bonnie Nicholas and David Howell voted against more time for the project. Revised plans, responding to an engineering critique by Hay, were delivered to the township Thursday afternoon. "I don't think they're serious, not when they hand in a plan a couple hours before the meeting," Nicholas said. "If they were serious, they would have had it done in time."

Howell said the township has acted in good faith from the beginning. "I don't feel the developer has responded equally," he said.

Doylestown attorney John VanLuvanee said the development's engineer didn't receive a review letter sent by Hay in July and said the revised plans were based on similar feedback from Hay received in late April. "That's a lot of work to do for preparation of plans for a project this size," he said.

Township solicitor Karl Kline told VanLuvanee it was "very unlikely there will be any further extensions" if the requested work isn't done.

VanLuvanee explained soil testing could not occur until crops on the land were harvested, but some questioned why the testing wasn't done before crops were planted. "I've done [soil] probes in the snow," Hay said. Kline said Benner told the township in July, when the first time extension was granted, that work on the project, including soil testing, would be done.

Kline last week said the developers had asked the township to change its sewage plan to allow public sewers in the farmland protection area. The township opposes extension of sewers into the region and Kline said he told the developers they had to proceed under current regulations.

The same development group has challenged parts of the township's zoning ordinance, including standards in the farmland zone. The challenge also alleged the township hasn't provided its fair share of land for some high-density uses, including mobile homes and townhouses. The case is before the township Zoning Hearing Board, which heard a second round of testimony on Monday. A third session is scheduled for Oct. 30.

Along with the challenge, the developers filed a sketch plan for more than 3,000 apartments, townhouses and mobile homes on the land, which would be known as King's Mill.

[joe.nixon@mcall.com](mailto:joe.nixon@mcall.com)

610-559-2145

Copyright © 2006, [The Morning Call](#)