



## Developers eye rezoning parcels for 800-home proposed project

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By **EDWARD SIEGER**  
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FORKS TWP. – Already home to about 4,500 houses and nearly 11,500 residents, the township could see hundreds more homes under a new proposal from two local developers to rezone about 400 acres.

Developers Terry Zawarski and Tom Maloney have informally approached a number of township officials concerning the possibility of rezoning two separate parcels of land in the township's northern end for roughly 800 homes.

Zawarski and Maloney have reportedly met individually with each of the township's five supervisors and presented sketch plans and architectural renderings for a combination of single-family homes and an age-restricted community.

One of the properties is directly across Newlins Road East from a 53-acre parcel owned by the township at Newlins and Richmond roads. The second parcel is farther north and bounded by Uhler, Richmond and Padula roads.

Although details are still preliminary at best, supervisors said about 800 homes, roughly 40 percent of which would be restricted to residents ages 55 and older, could follow the rezoning.

Discussions between the developers and township officials have included the possibility of 41 acres of open space dedicated to the township, a new public works garage and at least four athletic fields across the street from the township property at Newlins Road East and Richmond Road.

The land is currently zoned farmland preservation, which requires 2-acre building lots. Supervisors would have to agree to a zoning overlay or rezoning, allowing the developer to build at a much higher density.

Supervisors John Ackerman and Bonnie Nicholas each confirmed they've met with the developers to review the concept and sketch plans. But each declined to comment on the proposal until they've seen detailed plans.

"Until it comes before me and the board in public, I don't want to comment on it," Nicholas said.

Supervisor Henning Holmgaard said he reviewed the proposal with some planning commissioners, Solicitor Karl Kline, Engineer Fred Hay and Manager Cathy Kichline.

With the building lot restrictions in the farmland preservation district, a developer would be able to construct about 150 homes on 400 acres, Holmgaard said. As proposed, the project would consume all the excess sewer capacity the township recently purchased for \$2.7 million, he said.

And even with the age-restricted housing component, the project would "put the high school over the edge," Holmgaard said.

"It's just the enormity of the project, I think, that would totally overwhelm people," he said.

Holmgaard said the developers must make major revisions before any such plan is taken to the planning commissioners for review.

Supervisor David Hoff said he met with the developers, Kichline and zoning officer Tim Weis. Hoff called

the presentation "an informal sketch plan" so the developers could get some input from officials before proceeding with their proposal.

"They wanted to make a presentation, and they did," he said.

Developers appear to be approaching the project in terms of a partnership with the township, offering to satisfy some municipal needs, Hoff said. And while the developer is on the right track by seeking input before submitting formal plans, no commitments have been made, he said.

Hoff reserved his comments on the overall concept until a formal presentation is made.

"There's a lot of work on their part and a lot of consideration on ours," he said.

Like fellow board members, Supervisor Donald Miller met with developers and other township personnel. Miller said Zawarski and Maloney propose building four fields that could be used for soccer and baseball and an extensive bike path through the development.

"It's a nice-looking project," he said. "I don't believe anything in Forks Township looks like this."

But he also reserved his reactions because the project may never make it past the planning commissioners. In June, the planning commission blasted a proposal from Ashley Development Corp. to craft a zoning overlay on 38.8 acres to allow twin homes, townhouses and apartments restricted to residents age 55 and older.

"They've got major hurdles," Miller said. "I'm not getting too excited about this."

In the past, planning commissioners questioned the need for more age-restricted housing. Developers said this proposed project – which Miller described as looking like a country club – is being built for future generations.

"They're not going to put all this money in this thing without being able to sell these homes," Miller said.

Miller expressed concern developers could bring legal action against the township if supervisors do not agree to an overlay. As land available for housing dwindles, officials may feel pressure to open the farmland preservation district for housing and have little say in how the land is developed, he said.

Zawarski declined comment, instead referring questions to attorney Dennis Benner.

Benner's firm represented developer Charles Tuskes, who fought a 2-year legal battle with Upper Nazareth Township supervisors over how he could develop a 170-acre parcel northwest of Routes 248 and 946.

Benner said no project engineering has been done and the developers have yet to determine the final number of houses. He would only confirm the project would include a mix of single-family homes and an active adult community.

"A lot of acreage has been assembled," he said. "How that's used has yet to be determined."

Benner said he would expect residents to turn out to complain about traffic and the impact on schools.

"That's the half-empty approach," Benner said. "This developer is taking the glass-is-half-full approach."

The township currently owns 53 acres of open space but would need to tax its residents for years before the land could be used for recreation, Benner said. It's akin to owning a Rolls Royce with three wheels, he said.

Township planning commissioners and supervisors must be able to look through the "anti-everything crowd" and realize the benefits the township could receive "today, not in 50 years," Benner said.

Developers envision an upscale project separated from the "little, square, cookie-cutter, age-restricted developments" and "straight-line subdivisions that seem to keep popping up all over the place," he said.

Regarding the potential for legal action if supervisors opt to reject a rezoning or overlay, Benner said he'd rather talk about public-private partnerships.

"Litigation only breeds negative connotations," he said.

Benner could not say when a formal application would be submitted to the township, adding he hopes an application could be made within the next few months only after all details and issues are hammered out.

"There will be no application before its time," he said.

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