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Official: Forks is nearly all built out

Engineer testifies in 16th hearing on township zoning law challenge.

By Tom De Martini Of The Morning Call
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According to Forks Township engineer Fred Hay, only 5 percent of township land is suitable for development.

Hay testified Monday night before the Zoning Hearing Board on behalf of the township during the 16th hearing of a substantive challenge to Forks zoning laws by developers proposing the controversial Kings Mill housing development.

Hay stated 1,934 acres, accounting for about 25 percent of township land, is currently undeveloped.

However, Hay said, according to zoning maps introduced to the board attorney Steven Goudsouzian, land zoned for agricultural use is considered developed.

"The township is basically built out," Hay said. "There are extremely isolated pockets of developable land."

Attorney John Van Luvanee, representing KMRD, a development partnership, chided Hay's thesis upon cross-examination.

"I can't understand how you can color maps to show that agricultural land is developed," Van Luvanee said.

Van Luvanee grilled Hay about how building multifamily dwellings on 2-acre "cluster lots" would be preferable to constructing single-family homes on 3 acres.

Hay said that type of development would save open space.

Van Luvanee asked Hay why he felt sinkholes would be more problematic on a 3-acre tract than a 2-acre tract.

Hay said sinkholes are mainly caused by storm water and poor infrastructure construction, not from the home building.

Both types of construction are permitted under current zoning law.

KMRD is a partnership between builder Nic Zawarski and Sons, Doylestown's Signature Homes and Bethlehem attorney Dennis Benner. The proposed Kings Mill would have more than 3,000 apartments, townhouses and mobile homes on 545 acres in the northeastern part of the township.

Most of the land is in the township's farmland protection zone.

The developer has already presented its substantive challenge case to the board. Three remaining lawsuits involve an appeal of the denial of KMRD's subdivision and land development plans.

A separate procedural challenge will be addressed by the zoning board. The Forks' Board of Supervisors will decide on a request for a conditional use permit for multifamily housing.

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