

Residents pleased that supervisors rejected proposed subdivision

By TIMOTHY J. RAUB
Post Staff

KINGSTON TWP. — The Board of Supervisors, responding to complaints from numerous township residents, unanimously voted to deny preliminary plans for the Windsor Farms subdivision April 11.

The township Planning Commission had earlier recommended approval of the Windsor Farms Major Subdivision preliminary plan April 11.

The board also denied the request of G and Albert Consultants, on behalf of developer John Halbing, Robert A. Smith and Charles P. Gelso, for a 30-day time extension for the subdivision decision.

The extension would have provided G and Albert Consultants with time to speak with Halbing, who had been on vacation in Portugal last week, and had not been made aware of the latest developments.

Board vice-chairman J. Carl Goodwin cited concerns over the subdivision's proposed water supply, only one means of ingress and egress, and what he called a potentially dangerous location for the entrance into and exit out of the development as reasons for the board's denial

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J. Carl Goodwin
Vice Chairman, Kingston Township Supervisors

of the recommendation.

"I'm not against development in the township," said Goodwin. "I believe in planned development, and that is why I've suggested the creation of a long-range planning committee for the township."

"I think if we had a long-range planning committee, we would be able to avoid fiascos like this is the future."

Goodwin also pointed out the developers had not set any area aside for green space, which is undeveloped land set aside for recreational use — something that township solicitor Benjamin Jones III has since said Halbing won't have to address.

"The ordinance of Kingston Township was not yet brought up to date regarding the setting aside of green space," said Jones. "Mr. Halbing filed before the ordinance was enforced, so there is no authority in the township to enforce it upon

him."

The developers had planned to dig 44 individual wells for the subdivision, but the township's subdivision ordinance states that if a development can use a nearby community water system, it must.

"I have serious reservations with a development that wants to sink 44 wells when there are three water companies immediately in the area," said Goodwin.

Helen Tamanini, representing the Sunrise Estates Water Company, located adjacent to the proposed subdivision said the company could provide the water.

"According to my water works operator, we can provide 44 homes with water," said Tamanini. "But I have not heard anything from (the developers)."

Contacted Tuesday, Halbing said he had been spoken with Sunrise Estates during the early stages of the planning for the

subdivision, and was told about providing water to the homes, but the water supply for fire hydrants in the development could not be provided.

He also said that he has tried several times to get information concerning the water supply for the homes in writing, but has been unsuccessful.

"I want to be able to contribute to the community of Kingston Township," said Halbing. "I was very surprised by the ruling, but I'm sure we'll work things out."

The supervisors were also concerned about a document submitted to the board which showed deposits had already been taken for lots in the subdivision — another violation of the ordinance — through Century 21 Realty.

Jones said that the options were a sale of interest in real estate, which is prohibited by the subdivision ordinance prior to the board's preliminary approval.

"I think this is a very damaging statement. I did not see it before. You may call it an option agreement, but I think it is a rose by another name," he said.

But Halbing said only options, or the first opportunity to purchase the real estate were made.

"It makes me feel that as a resident that my voice actually counts."

Kay Strickland
Kingston Township

"If and when the subdivision gets approval, then we will be able to sell the lots," said Halbing.

Goodwin met with Luzerne County Planning Commission Executive Director Adrian Merolli April 13, and said information he was provided with only reinforced his decision.

"(Merolli) found it incredible that the Kingston Township Planning Commission approved the preliminary development plans," said Goodwin. "And after meeting with him, I agree completely. I can't understand how our planning commission voted to approve this preliminary subdivision plan."

Jeffrey Box, who had worked with issues concerning the subdivision ordinance for 13 years as township manager and as a member of the township plan-

ning commission, presented the township with a letter outlining what he thought to be violations of the township subdivision ordinance, a letter that Goodwin said helped provide great insight in the supervisors' decision.

"I'm pleased that they listened to the concerns I brought forth and that the board listened to the many concerns expressed by the audience," said Box.

"It makes me feel that as a resident that my voice actually counts," said township resident Kay Strickland, who lives near Windsor Farms. "I think that so many times, people feel helpless and out of the government loop. I appreciate being heard and taken seriously."

In other business at the meeting:

- The Supervisors approved estimates from Borton and Lawson Engineering regarding the Center Street bridge replacement project, and the Department of Environmental Protection permit application, submitted by Borton and Lawson for the project.

- The Supervisors appointed John Versari and Cornelius J. Allen as liaisons to the Police Department and Zoning Hearing Board, respectively.

Windsor Farms

(continued from page 1)

annually beyond what is needed to serve the proposed 44 homes.

"I spent a lot of money to hire a licensed, registered hydrologist, and he did a study that showed that almost one million gallons of extra water annually is available to us," said Halbing. "I did this because I still have not received any documentation from Helen Tamanini (of the neighboring Sunrise Estates Water Co.) saying that we could hook up to their water system."

The developer also said he had been working to amend almost 75 issues on the township engineer's list of recommendations, consisting of small details to large engineering and environmental concerns, such as the

water supply. He said he narrowed the list to three or four items, and was under the impression that the planning commission had approved the preliminary plan for Windsor Farms contingent upon those issues being resolved.

But no contingencies were discussed at the supervisors' discussion of the issue, and township Zoning Officer Ben Gorey, who is the recording secretary for the planning commission, said there were only four waiver applications discussed, but no contingencies.

"I just want to be able to contribute to the community of Kingston Township," said Halbing. "This development will be an asset to the community. Five

"This development will be an asset to the community. Five years from now, it will not be an issue."

John Halbing
Summit Pointe Builders

years from now, it will not be an issue.

"(Windsor Farms) is only going to complement the other developments in the area."

Pointing out the size of each individual lot, Halbing said he could have doubled the number of homes in the subdivision, but his concern is more for the quality of the development and not the quantity of homes.

"We're allowed by law a mini-

mum of 15,000 square foot lots," said Halbing. "But my smallest lot is 23,000 square feet, or about one-half acre, and I have lots that are 61,000 square feet in size, or about one and one-half acres in size."

"I don't want to squeeze too many homes into the area. That's not the way I work."

Another major problem with the subdivision came with an access road that was installed

on Manor Drive, and a single entry and exit from the future development.

Halbing's construction company, Summit Point Builders, had been cited by Penn DOT April 9 for installing a rock access road off Manor Drive, into the subdivision. There was no fine levied, and Halbing said it was nothing more than a mistake which would not have occurred if he were in the country at the time.

As for the alternate access into and out of Windsor Farms, Halbing said he listened to the concerns of the Sunrise Estates residents who did not want Alfred Road or Tamanini Drive linked to the development, and left the plans for the subdivision with only one road in and out.

The main and only entrance for the subdivision, which would be off Manor Drive, is something that Halbing said is being worked on.

"We are still waiting for a highway occupancy permit for the road," said Halbing. "We made a mistake with the access road, and I think it would be safer to enter and exit on Manor Drive than in Sunrise Estates where a lot of children play in the road."

"These are all details we need to work out."

Although Halbing said he was shocked by the Supervisors' decision, he said he still wants to work with the township and continue with plans to develop the subdivision.

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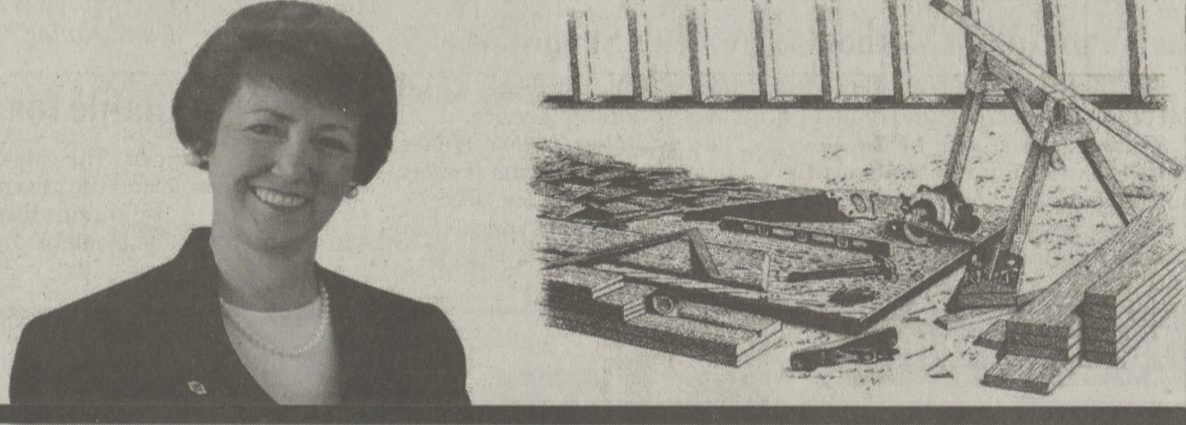
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