

Officials worried project will disrupt waterway

By: **HILARY BENTMAN** (Sun, Feb/18/2007)

A developer who wants to build 15 homes in Nockamixon faces an uphill battle.

Literally.

Township officials are worried the property's steep slopes, as well as the builder's plans for a sewerage facility and a road across Gallows Run, could potentially cause environmental problems for the waterway.

"Not every piece of property is meant to be developed, and maybe that applies to this one," said Al Santopietro, a member of Nockamixon's planning commission.

Cobbler Road LP has proposed building the homes on 13 acres on Route 611 in the village of Ferndale. The property is next to Gallows Run, a waterway that travels through the eastern end of the township. The developer must find a way to cross the stream to build the homes and provide vehicle access for future homeowners.

On Thursday, representatives of Cobbler Road will go before the Nockamixon zoning hearing board for a public hearing to request relief on this issue and several others involving the development.

As a way to bridge Gallows Run, the developer wants to lay a 120-inch metal pipe into the stream. The water would run through the pipe like a tunnel, and the builder would construct a road on top of the pipe. It would require a 14-foot-high retaining wall, Santopietro said.

According to the township, this would constitute a "disturbance of lands that qualify as protected lands."

Officials are worried that the deterioration of the road could pose environmental problems for the stream.

"We don't believe it's in the best interest," said Santopietro, who said the township recommended a concrete bridge over Gallows Run instead.

William Benner, attorney for Cobbler Road, said the developer will abide by all Pennsylvania Department of Environmental Protection standards, which are strict.

"The subdivision plan needs to be reviewed and processed. We will comply with the regulations," Benner said. "There's nothing that isn't solvable."

Cobbler Road also wants to install a community sewerage plant to service the homes. It would, as required by regulations, need to be placed at least 200 feet back from the property line. But Cobbler is looking to move it closer to the line.

"Sewage-treatment plants, by nature, are built so they're close to the discharge point," Benner said.

But that worries Nockamixon Supervisor Nancy Janyszeski.

"What impact will it have?" she asked. "Even treated water being put into a stream changes the property of the stream. They are not treating Gallows Run with respect."

The Bucks County Conservation District is also reviewing the plans. District manager John Thomas said he is most worried about the steep slopes, since building in these spots could potentially accelerate sediment erosion if the development does not follow engineering specifications.

Gallows Run is a cold-water fishery with "certain protections afforded it," Thomas said. The stream is stocked with trout between March and June, and earth moving in the area would be limited during this time, he said.

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