



# LOWER NAZARETH TOWNSHIP

## ZONING HEARING BOARD

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### Zoning Hearing Board

Robert Hicks, Chairperson  
Manouel Changalis, Vice Chairperson  
Glenn Clearie, Board Member  
Rick Gangewere, Alternate  
Robert Latzanich, Alternate

## Zoning Hearing Board Minutes March 23, 2010

Chairperson, Bob Hicks, called the meeting to order at 7:00 p.m. Also in attendance: Board Member Glenn Clearie; Alternates, Rick Gangewere and Rob Latzanich; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator. Board Member Manny Changalis was absent.

### MINUTES

The motion to approve the minutes of the February 22, 2010 Zoning Hearing Board meeting was moved by Glenn Clearie and seconded by Rick Gangewere. The motion carried unanimously.

### HEARINGS

#### Service Select Signs – AT&T Signs, #ZA2010-02

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn.

Present for the Application: Jerry Canavan, Service Select Signs, Inc.

Mr. Canavan reviewed the signs which are presently installed on the building and the two additional signs. The new signs will match the existing signs in size. Cumulatively, the four signs are significantly less than the 200 s.f. allowed under the ordinance; however they will exceed the ordinance in number allowed. The proposed signs will be illuminated. They are proposed for the left and rear walls of the building. AT&T has no plans for a free-standing sign which is permitted under the ordinance. Mr. Canavan stated AT&T's hardship is their location and visibility from the streets that you must use to enter the site. There were no comments from the Board or Floor. The motion to grant a variance to Article 18, Section 1817.A.4 to allow for (2) additional signs as depicted in A-1, A-2, A-3 with the note that the westerly side sign will be removed if the building is constructed next door was moved by Glenn Clearie and seconded by Rick Gangewere. The motion carried unanimously.

**Trio Farms PA, LLC & Ashley Development Corporation, #2010-01 (continued)**

April Cordts noted for the record that the members of the Zoning Hearing Board and the Board of Supervisors received an anonymous letter at their homes and a letter was also sent to their attention at the Township Office. The record was noted that that the letter received and was entered into the record as an exhibit. The Zoning Hearing Board agreed that they have not been influenced by the letter.

Mr. Preston noted that the Age Qualified plan is dead. He requested to amend the application to remove the apartment uses from the plan. The only remaining variance required is the variance from the rear alley requirement. Mark Bahnick, Van Cleef Engineering Associates, explained the differences between the market rate plan and the age qualified plan. Exhibit #A-6, the Rendering for 600 units, Trio Farms, Phases I, II and III was entered into the record. The previous layout did not allow for them to meet the parking requirements; however this change would allow them to meet the parking requirements. Exhibit #A-7 was presented which showed the development without any apartments on the site. The differences in the plans were discussed. This plan depicts 374 units at market rate. Robert Latzanich inquired about the basis for a hardship – was it simply that the improvements were already installed? He did not believe that was a proper hardship.

Zach Cobrinik, 4477 Briarwood Drive, outlined the outstanding zoning requirements from his perspective.

David Lilly, 705 Daniels Road, inquired about the time required to hook up to the sewer.

Debra Alvino, 659 Daniels Road, stated that she attended a meeting where they were told that certain residences would be required to hook up.

Linda McDonald, 4659 Willow Lane inquired about the number of dwellings to be built and if a traffic study has been conducted.

Robert Hoffman, P.E. of Traffic Planning & Design explained his letter which was presented as Exhibit A-8. Mr. Hoffman answered questions pertaining to his letter.

Lewis Pektor of Ashley Development stated that they were previously under agreement with Ryan Homes; however they pulled out in 2007. They are now working with Toll Brothers. Toll is the only contractor willing to enter into an agreement with Ashley to produce a higher end product. The proposed dwellings are 2,000 s.f. townhomes, 28-feet wide to be marketed at \$300,00, and 2,800 s.f. single family dwellings to be marketed at \$375,000. Exhibit #A-7 depicts the 28-foot townhomes. The approval is required in order for the agreement to go thru for Ashley and Toll Brothers. Mr. Pektor stated they projected the development would sell out in 3.5-5 years. Construction is planned to begin in 3-6 months.

David Lilly stated that Ashley Development needs an easement through his property; however he has yet to sign the agreement. Bob Hicks inquired if Ashley Development presently has an agreement with Nazareth Borough Municipal Authority for sewer. Mr. Pektor confirmed that they did. Discussion followed regarding sewer installation and costs to the Township. Mr. Bahnick stated that the sewer would be installed at no cost to the Township and would have the capacity to serve the elementary school.

Martin Gilchrist of Urban Research and Development Corp provided testimony regarding the product mix of the project. Attorney Preston stated that the current proposal is that product mix


may need to be adjusted. The count of the dwellings could be modified to never exceed 374 but could elect to go down in number if they need to. They are presently proposing not to be building any apartments.

Exhibit #A-9, URDC Chart, Annual Revenue and Surplus was presented.

For the record, Solicitor April Cordts clarified that they hardship they were presenting was that the infrastructure was already installed and by no fault of their own, experienced an economic hardship.

Due to the late hour, the Zoning Hearing Board elected to continue the meeting to Friday, March 26, 2010 at 5:30 p.m. to render a decision. The meeting adjourned at 11:30 p.m.

Respectfully submitted,



Lori B. Seese  
Planning & Zoning Administrator