



LOWER NAZARETH TOWNSHIP ZONING HEARING BOARD

306 BUTZTOWN ROAD
BETHLEHEM, PA 18020-9718
TELEPHONE: 610-759-7434
FAX: 610-746-3317

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 26, 2010

Chairperson, Bob Hicks, called the meeting to order at 5:30 p.m. Also in attendance: Board Member Glenn Clearie; Alternate, Rob Latzanich; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator. Board Member Manny Changalis and Alternate Rick Gangewere were absent.

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

April Cordts provided the legal requirements for granting a variance.

The record was re-opened to accept a March 26, 2010 letter from Toll Brothers stating their commitment to the project.

The Applicant confirmed that the revised plan must receive approvals from the Planning Commission and Board of Supervisors.

Board Member Manny Changalis arrived at 5:40 p.m.

To clarify, Engineer Mark Bahnick stated that new agreements will be required for water and sewer when they go back thru for Planning Commission and Board of Supervisor approvals.

Chairman Bob Hicks reviewed the evolution of the appeal testimony and conclusions reached during the hearing. Bob Hicks proposed the Zoning Hearing Board grant the variance with conditions on the value of the dwellings, size of the dwellings, number of dwellings, market price of the dwellings, and that they approval would have a 36-month expiration. In addition, since the Applicant has indicated they are removing the apartments from the project, they must formally withdraw their conditional use and land development application for Phase III, which is still pending. The Board discussed the proposed conditions pursuant to the Applicant's testimony. The motion to grant the variances to Section 705.G.1, 705.G.2, and 705.G.3 with following conditions was moved by Manny Changalis as follows:

1. The Applicant must withdraw their conditional use application and land development application for Phase III of the project, in writing.

2. The total number of residential units cannot exceed 374. The units will consist of 233 townhouses and 141 single family dwellings. The applicant is allowed the flexibility to increase the number of single family dwellings proportionate to a decrease in townhouses; however the Applicant cannot increase the number of townhouses more than 233.
3. The townhouses will be 2-story with a 2-car garage with a minimum square footage of 1950 s.f. and a width of 28 feet. The target price of the townhouses will be \$300,000 with discretion to sell them at 10% less than the targeted price.
4. The single family dwellings will each have a minimum of 2,500 s.f. of living space and a 2-car garage. The target price for the single family dwellings is \$375,000 with discretion to sell them at 10% less than the targeted price.
5. The Applicant has testified and provided evidence that they have an agreement with Toll Brothers to build the dwellings.
6. There will be a homeowner's association which will maintain the subdivision.
7. The developer will be solely responsible for all costs associated with sewer connection to the project.

The motion was seconded by Glenn Clearie and carried unanimously.

The meeting adjourned at 6:40 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator