



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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

Zoning Hearing Board
Manouel Changalis
Zachariah Cobrinik
Michael Gable
Robert Hicks, Alternate
Darin Lueders, Alternate

Zoning Hearing Board Minutes **December 20, 2011**

Chairman Robert Hicks called the meeting to order at 6:30 p.m. Also in attendance: Board Member Manny Changalis; Alternates Michael Gable and Darin Lueders; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator.

MINUTES

Approval of the November 1, 2011 minutes was moved by Mike Gable and seconded by Manny Changalis. The motion carried unanimously. Approval of the November 10, 2011 minutes was moved by Manny Changalis and seconded by Mike Gable. The motion carried unanimously

CORRESPONDENCE

HEARINGS

ZA2011-07 – Renee Hall d/b/a Let's Speak Dog

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Renee Hall, Applicant; Attorney Joseph Piperato.

Renee Hall provided testimony regarding her business. She has been in the dog training business for 6 years. This particular location is good because she needs the space to teach agility. Ms. Hall holds multiple certifications in dog training and behavior counseling. No dogs will be kept overnight and she will not be providing doggie daycare services. All activity will occur inside the building. She will offer some retail sales relative to the dog training service (750 s.f.). She does not intend to sell dog foods or supplements. The only improvements will be to paint the space and install a special floor. The restrooms may need to be improved. Exhibits entered into the record were:

- A-1: Aerial Photograph
- A-2: Professional Accreditations

Board Deliberation

The Zoning Hearing Board did not have any comments or questions.

There were no comments under Courtesy of the Floor.

Motion by the Board

The motion to approve the proposed dog training use, while the use is not specifically defined it is compatible with "Exercise Club" which is a permitted use in the General Commercial district,

approve the use based upon the requirements of Article 1, Section 105.B. provided it is conducted in conformance with the testimony and exhibits provided at the hearing, was moved by Mike Gable and seconded by Manny Changalis. The motion carried unanimously.

ZA2011-08 – Snyder’s-Lance, Inc.

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Paul Szewczak, P.E., Liberty Engineering.

Snyder’s-Lance has acquired a new line and need to construct a 7,500 s.f. addition to warehouse this product. Mr. Szewczak indicated the building was constructed in 1993 in conformance with zoning at the time; however zoning changed in 2001. The current setback requirements of the Light Industrial district now define this structure as existing non-conforming. Due to the change in zoning, they need a variance to encroach the setback to Daniels Road by 25 feet, and special exception approval to enlarge an existing non-conforming structure. No additional employees will be required as part of the addition. Exhibit provided:

A-1: Existing Plan, prepared by Keller Consulting Engineers, dated June 7, 1993

Michael Anderson, General Counsel for Snyder’s-Lance, provided testimony. He stated more trucks will be delivering product; however, they do not anticipate any new routes will be needed. The two types of vehicles they use are tractor-trailer trucks loaded with their product, and step-vans used to make deliveries.

There were no comments under Courtesy of the Floor.

Motion by the Board

The motion to grant Special Exception approval to expand the existing non-conforming structure, provided they comply with any and all land development submission procedures as prescribed in the Lower Nazareth Township Subdivision and Land Development Ordinance was moved by Mike Gable and seconded by Manny Changalis. The motion carried unanimously.

The motion to grant a variance of 26 feet for the Daniels Road side of the property as indicated under testimony was moved by Manny Changalis and seconded by Mike Gable. The motion carried unanimously.

ZA2011-09 – Adnan Qayyum

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Dr. Qayyum, Applicant; Robert Toedter, P.E., and Christopher Spadoni, Attorney.

Mr. Toedter indicated that property is owned by Dr. Qayyum’s wife and she has provided consent to file the application. A mobile home is presently located on the property; however a single family dwelling is considered an existing non-conforming use in the Light Industrial district. The proposed dental office actually brings the use into conformity; however due to the size of the lot a number of variances are requested. Exhibits entered into the record:

A-1 – Proposed Conditions Plan

A-2 – Existing Conditions Plan

Mr. Toedter stated Dr. Qayyum has attempted to purchase land from the adjoining property owner; however they were not willing to sell any land.

*corrected by Applicant
3 employees

The dental office will be a solo practice with one dentist and 4 employees. They have provided for 10 parking spaces. Hours will be 8 a.m. – 6 p.m., weekdays.

The requirement for a 75-foot buffer pursuant to Article 14, Section 1404.D was discussed. A buffer is required however it was not included in the advertisement.

Courtesy of the Floor

Ned Hower, 4897 Hanoverville Road, stated that no water is available to this site at this time. Mr. Hower also confirmed that this property must be perc-tested and the septic system approved.

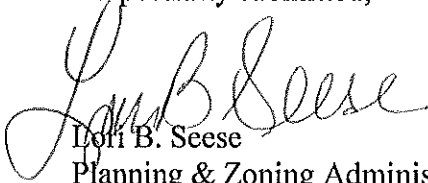
Motion by the Board

Since the buffer requirement must be advertised it was agreed to continue the hearing to the next available hearing date. The next hearing date is Tuesday, January 10, 2012. It was also suggested to invite the westerly adjoiner to the next meeting as the buffer requirement will affect them.

The applicant waived any time requirements imposed upon the Board pursuant to the PA Municipalities Planning Code pending their return to the Zoning Hearing Board.

The motion to adjourn the meeting at 8:20 p.m. was moved Mike Gable and seconded by Darin Lueders. The motion carried unanimously.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator

/lbs