

**LOWER NAZARETH TOWNSHIP  
BOARD OF SUPERVISORS  
CURATIVE AMENDMENT HEARING MINUTES  
September 9, 2014**

The Lower Nazareth Township Board of Supervisors held a special meeting at the Lower Nazareth Township Municipal Building on Thursday September 9, 2014. The Chairman called the meeting to order at 6:30 PM.

Present were:

James S. Pennington	- Chairman	Albert Kortze	- Engineer
Gerald R. Green	- Vice Chairman	Gary Asteak	- Solicitor
Eric E. Nagle	- Supervisor	Timm A. Tenges	- Manager, Secretary/Treasurer
Robert S. Kucsan	- Supervisor	Eric Albert	- Office Coordinator
Martin J. Boucher	- Supervisor	Lori B. Seese	- Zoning Administrator

Curative Amendment Hearing- Stone Post Meadows – K&S Development Curative Amendment

Solicitor Asteak re-opened the hearing and gave a brief recap of the previous meeting. Solicitor Asteak stated that assuming testimony does not conclude this evening, the Board will resume the hearing on September 18<sup>th</sup> at 6:30pm at the Lower Nazareth Township Municipal Building.

Recall that James Preston represents K&S Development; Karl Kline represents AAA; Donald Miles, represents Robert and Beverly Hoyer (Buzas Greenhouse); and Kate Durso represents Woodmont Properties.

Mr. Preston called Dan Disario, Director of Traffic Engineering Services with Langan Engineering to testify about the volume of traffic that will occur if this project goes forward. Mr. Disario stated that federal data shows an estimated 46% of Lower Nazareth Township residents work in Northampton County, 14 % work within the township, 22% work in Lehigh County and roughly 13% work out of state in New Jersey. He stated that the reason for that is that the Route 33 interchange is advantageous to travel within the Lehigh Valley. Mr. Disario stated that they did not do a formal traffic study but they did go out on two separated days and took traffic volume counts, once on January 9, 2014 and again on January 11, 2014. Mr. Disario stated that a majority of the vehicles, during peak hours, did in fact head to the Route 33 interchange. He feels that 60% to 70% of traffic generated by this development would be using the Route 33 interchange for travel within the Lehigh Valley.

Mr. Preston asked Mr. Disario if he felt this would be a good location for the proposed use from a traffic standpoint, Mr. Disario stated the closer to the interchange, the better it is. He said that there probably are other sites within the township where this type of use could be put, but he felt that this location, with its incredibly close proximity to the entrance ramps would be an ideal location for these apartments.

Mr. Disario was cross-examined by Mr. Miles. Mr. Miles asked how an apartment complex with 645 apartments would only generate an average of 256 vehicle trips during peak hours in the morning and how it would probably be more like 1,000 vehicle trips. Mr. Miles felt that these low numbers were very unlikely to be what would actually be on the roads. Mr. Disario responded by saying that the study they are giving is only for the peak hours and vehicles will most certainly be on the roads outside of these hours.

Mr. Disario was cross-examined next by Mr. Kline. Mr. Kline asked if the counts were done when Northampton College was in session, Mr. Disario stated he wasn't sure.

Robert Hoyer of Country Club Road asked Mr. Disario if the state takes into account accidents and school buses when it is reviewing a highway occupancy permit. Mr. Disario stated that yes those factors are included in the scope for review.

Pat Fuisz of Green Pond Road asked Mr. Disario if development in other nearby towns would be factored into the final decision when a full traffic study is conducted. Mr. Disario responded by stating that yes they do look into neighboring towns and look to see what new developments will be coming in an attempt to plan better for their project. He said that once they are at the proper stage a complete traffic study would be done and looks into all of the concerns stated earlier and that every effort would be made to rectify them when improvements are being made.

Mr. Preston called his next witness Linda Dietrick, of the Dietrick Group, to testify about the demand for these types of apartment complexes. Ms. Dietrick stated that the majority of newer complexes are being built in similar locations throughout the Lehigh Valley and are proving to be in very high demand.

Ms. Dietrick was cross-examined by Mr. Miles. Mr. Miles stated that the examples of apartment complexes that she was referring to were all located in much larger municipalities and wanted to know if she thought if a complex of this size would be marketable within Lower Nazareth Township. Ms. Dietrick said that she felt that Lower Nazareth Township is a very nice community and would be very sought after by the typical demographics that are currently renting within the Lehigh Valley; she said with the close proximity to Route 33 she feels it would be a very desirable location to build.

Robert Hoyer asked if there is another commercial business that would be less of a drain on the community resources, Ms. Dietrick stated she could not speak to that question.

Tara Capecci of Mikol Lane asked Ms. Dietrick if there is an actual demand for these types of apartments because a few years back when another submission was brought before the township it was shown that there was not a need for this type of housing. Ms. Dietrick stated that there is a high demand for higher-end apartments within this area and that many apartment complexes of this type are rented to capacity with a waiting list to get in.

Roberto Reyes of Jefferson Place asked how occupancy rates run within these complexes. He also asked what does the cost of these apartments run and do they have to discount them to fill them. Ms. Dietrick state that most places are mostly full, she stated that many of them offer a lower rate when you first rent but it goes up after a few months until it reaches their current rate.

Betty Lou Holstein of Eisenhower Place wanted to know if there are many apartment complexes that are similar in size to this proposed site. Ms. Dietrick stated that many of the newer complexes were similar but not quite the size of this one.

Doug Frey of Madison Drive asked how she would market these types of apartments. Ms. Dietrick said she would market the wonderful town of Lower Nazareth and how conveniently these apartments will be located to a major highway with routes to many destinations.

Mr. Preston stated that the Brooks Development Group made a records request to the township asking for the certificate of occupancy for any apartments in the medium density residential district, and secondly any CO's for any apartments within Lower Nazareth Township with ten or more units. Mr. Preston stated that the response that they received for both questions was that there were no CO's issued.

Mr. Preston then stated that a new records request was sent in asking for any CO's for any apartments within Lower Nazareth Township. He stated that a 30 day extension was requested by the township because of how

broad this search would be, which was granted by Brooks Development Group. Mr. Preston stated that they were notified that after researching the township records they did not find any Use and Occupancy Permits specific to apartments within Lower Nazareth Township. A motion was made after Mr. Preston's statement to move exhibits P1 – P38 into the record, and was accepted.

Testimony concluded for the evening around 8:50pm. The hearing will continue on September 18<sup>th</sup> at 6:30pm at the Lower Nazareth Township Municipal Building.

Respectfully submitted by,

*Eric Albert*

Eric Albert  
Municipal Office Coordinator