



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board

Manouel Changalis, Chairman
Michael Gable, Vice Chairman
Zachariah Cobrinik
Daniel Cortright, Alternate
Michael Gaul, Alternate

Zoning Hearing Board Minutes November 9, 2015

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

MINUTES

The motion to table the October 27, 2015 minutes was moved by Mike Gable and seconded by Mike Gaul. The motion carried.

HEARINGS

ZA2015-10 – Vinart Realty Associates

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Attorney Ronald Corkery, David Lear, Lehigh Engineering, and for the Applicant, Andrew Wright.

Attorney Ronald Corkery withdrew variance request Article 17, Section 1703.G.7.

Applicant's Exhibit A-1, a marked up version of the "Layout Plan for Vinart Realty Associates Hyundai Dealership", prepared by David Lear, was entered into the record. David Lear provided testimony regarding the proposed variances. They need a minimum of 600 spaces in order to accommodate the needs of the dealership. Exhibit A-2, Truck Turning Template Plan for Vinart Realty Associates, dated 9/22/15 was entered into the record. Traffic circulation on the property was discussed. A car wash would be incorporated into the Dealership building.

They intend to use public sanitary sewer and water.

Lori Seese inquired if they are asking for the variance for the whole development or just the area that would be vehicle inventory. Vehicle inventory does not have to comply with the parking space requirements. They have accounted for that in their parking calculations.

Andrew Wright, Vice President of Operations for Vinart Realty Associates, provided testimony. Mr. Wright stated that the intent is to move the Phillipsburg-Easton Hyundai dealership to Pennsylvania. The building design comes from Hyundai. Andrew restated the reasons they are looking for a variance from 1703.A.7. They will employ approximately 60-65 employees. Occupancy of the dealership is subject to the traffic signal being installed at the intersection of Commerce Park Drive and Hecktown Road.

Mike Gaul asked what would prevent them from selling Lot 5 for another use without the Township's knowledge. Mike was also concerned that they could sell Lot 5, making the car

dealership lot a legal non-conforming lot. Consideration of the lots as one unified tract was discussed at length.

A cross-walk will be provided to allow customers to cross the street to the auto storage on Lot 5. They will not phase the project. Moving the driveway and reconfiguring the building was discussed at length.

Mike Gable noted that a variance from Article 15, Section 1502.A.9.a, relative to auto parking display within a utility easement will be needed if they propose to proceed with the parking as depicted. There is a line of parking within the easement along the western edge of the property. That section was not included in the advertisement.

The motion to close testimony was moved by Mike Gable and seconded by Dan Cortright. The motion carried unanimously.

BOARD DELIBERATION

Mike Gaul stated he would have more issues if the property was somewhere else. The area is already developed. The Board Members concurred. The board is ok with the request conditioned upon the idea that the lots remain in common ownership and unified purpose.

MOTIONS BY THE BOARD

Article 11, Light Industrial Campus, Section 1108, Lot & Setback Regulations

Section 1108.N, Minimum Parking Setback to allow for a 10-foot setback

The motion to approve a variance for a 40-foot reduction, as demonstrated by the exhibit submitted and the testimony presented subject to other conditions being included was moved by Mike Gable and seconded by Mike Gaul. The motion carried unanimously.

Section 1108.E, Minimum Front Yard Setback to allow for a 57-foot setback

Mike Gaul does not feel it disturbs the neighborhood and it will not do more harm than good. Manny Changalis agreed with Mike Gaul. The motion to grant an 18-foot variance as set forth on the plan was moved by Mike Gaul and seconded by Mike Gable. The motion carried unanimously.

Article 17, Off-Street Parking and Loading, Section 1703, Design Standards for Off-Street Parking

Section 1703.A.7, from the requirement for defined and marked traffic patterns

Mike Gable noted (11) areas on Exhibit A-3 where the curbing will be required. Area #4 may be either depressed or raised. The motion to not require curbing installation on the site except where depicted on Exhibit A-3, which shall become part of the order, was moved by Mike Gable and seconded by Mike Gaul. The motion carried unanimously.

Section 1703.A.8, from the requirement for a 20-foot separation from the street

The motion to grant a 10-foot variance to allow for a 10-foot separation from the street was moved by Mike Gable and seconded by Manny Changalis. The motion carried unanimously.

Section 1703.G.4, from the 30-foot minimum paved area setback from an expressway

The motion to approve the requested variance by 3 feet along the Route 33 arterial right-of-way was moved by Mike Gable and seconded by Mike Gaul. The motion carried unanimously.

The variance requested for Section 1703.G.7, to allow mulch beds to be adjacent to a building structure was withdrawn by the Applicant.

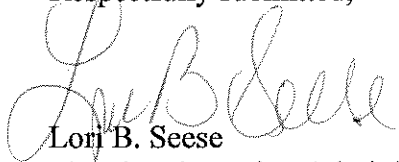
Mike Gable moved to approve the following Conditions:

1. The lots shall be maintained in common ownership and common use and until such time a new land development or additional zoning is approved by the Township.
2. None of the parking in the easement area is approved.
3. They shall develop adequate safe crossing across Commerce Park Drive during the land development process.
4. Any future land development shall comply with all local, state and federal guidelines and regulations.

The conditions were seconded by Mike Gaul. The motion carried unanimously.

The meeting adjourned at 9:00 p.m.

Respectfully submitted,



Lon B. Seese
Planning & Zoning Administrator

/lbs