

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
February 10, 2016**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting at the Lower Nazareth Municipal Building on Wednesday February 10, 2016. 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
Robert S. Kucsan	- Supervisor	Timm A. Tenges	- Manager, Secretary/Treasurer
Martin J. Boucher	- Supervisor	Tammi Dravec	- Assistant Secretary/Treasurer
		Lori B. Seese	- Zoning Administrator

Absent was

Eric E. Nagle - Supervisor

Conditional Use Hearing -- CU2015-03 Vinart Realty Associates

Solicitor Asteak opened the hearing by discussing how the hearing would be run and stating that the Board of Supervisors had received the Planning Commission minutes with their recommendations. He also read a list of exhibits to be put on the record.

The application is for a new auto dealership on Commerce Park Drive. The Lower Nazareth Township Zoning Hearing Board granted the applicant variances for the following sections of the Lower Nazareth Township Zoning Ordinance: 1108.N, 1108.E, 1703.A.7, 1703.A.8, and 1703.G.4. In addition, the Lower Nazareth Township Planning Commission has recommended approval of the conditional use application.

Ronald Corkery, attorney for the applicant, discussed the variances granted by the LNT Zoning Hearing Board.

Mr. Corkery called Andrew Wright, Vice President of Vinart Management for his testimony. Mr. Wright stated that he manages vehicle dealerships and a collision center. He intends on moving an existing dealership from New Jersey to this location. Mr. Wright described the operation of the dealership which does not include a body shop since a body shop exists at one of their dealerships in Allentown. Deliveries would access the property from Route 33 across Hecktown Road onto Commerce Park Drive. Mr. Wright noted that the project is contingent upon the installation of a traffic signal at Hecktown Road and Commerce Park Drive. Mr. Corkery noted that the applicant will not purchase the property until the traffic light is installed. Once installed the maintenance of the traffic signal will be the responsibility of the businesses along Commerce Park Drive. Mr. Wright noted that neighboring car dealerships are in favor in this new dealership.

Mr. Pennington asked on the timing of the traffic light. Mr. Corkery and Mr. Wright are hoping it will be installed by June.

Mr. Green asked about fire suppression for the fueling station for new vehicles. Mr. Wright stated they are fully compliant. Mr. Green also inquired about curbing along Hecktown Road. Mr. Kortze stated that as part of the traffic signal curbing is required.

Janelle Hock, 4560 Ash Drive, inquired the location of the Penn East Pipeline in relation to this project. Mr. Tenges stated it is at least ½ mile away.

Mr. Corkery, called Brian Gasda, Lehigh Engineering, for his testimony. Mr. Gasda discussed the Columbia Gas Line and the overhead power lines and how they are complying with those utility companies. Mr. Corkery and Mr. Gasda discussed truck turning movements within the property and provided an updated drawing marked exhibit A1. They discussed the requirements from the Hecktown Fire Company and comments from Mr. Kortze's February 9th letter.

There were no questions for Mr. Gasda from the Board or the public.

Solicitor Asteak inquired if the applicant had reviewed Hecktown Fire Company's comments on the Knox box, fire hydrants, and sprinkler connections. Mr. Gasda stated they are willing to comply. When asked by Solicitor Asteak if the trips generated would add to hazards or congestion, Mr. Kortze stated they would not. There is an existing traffic study for the property and its previous intended use. Mr. Kortze commented that an up to date study should be done with the new proposed uses including the car dealership and proposed rental business. Solicitor Asteak stated that a condition of approval will be the receipt of that study. Solicitor Asteak also ensured this project would not pose a fire hazard, had adequate stormwater management, and reviewed the lighting plan and parking and sign requirement.

There was no public comment therefore, the hearing and the record closed at 7:20pm. Solicitor Asteak noted that the Board will review the information and have a decision at our March 9th meeting. Mr. Nagle will have to review the transcript in order to participate.

**** Mr. Pennington noted that the Board held an executive session prior to tonight's meeting to discuss litigation matters. ****

Approval of Minutes

A motion was moved by Mr. Kucsan and was seconded by Mr. Green to approve the minutes from the January 27th Board of Supervisors meeting. The motion carried.

Reports (*Reports are available to review at the Township Office and on our website.*)

Mr. Pennington acknowledged the receipt of the Hecktown Volunteer Fire Company Incident Report for January 2016.

Correspondence

There were no items to discuss under Correspondence.

Subdivision and Land Development

Route 33 Logistics Center, Building 1 (IDI) – Preliminary Subdivision & Land Development – Mr. Marles, attorney for the applicant, and Brian Evans, Evans Engineering were present on behalf of the applicant. Mr. Marles commented that the building is smaller than the one presented at the conditional use hearing. It was also moved further from Newburg Road to allow for additional buffering.

Mr. Kortze reviewed his February 8th letter.

Mr. Green asked about a fence around the detention pond. Mr. Evans indicated that there would be a fence.

Mr. Pennington inquired about sewer and traffic flow. Mr. Evans stated they would be bringing sewer up from Palmer Township. The other lot will be perced and probed for on lot septic. If the property is used in the future and they wish to connect, the possibility exists.

Mr. Evans showed views from properties along Newburg Road both at planting and after 10 years. After the initial planting you see trees and the wall. After 10 years the wall is almost completely obscured by the trees.

The applicant also requested five waivers from various sections of the SALDO. The Planning Commission recommending granting all five waivers. Those sections are as follows:

- (1) Section 421
- (2) Section 774.32.b
- (3) Section 774.32.c
- (4) Section 774.32.3
- (5) Section 792.21

A motion was moved by Mr. Green and was seconded by Mr. Kucsan to grant the five waivers. The motion carried.

A motion was moved by Mr. Green and was seconded by Mr. Kucsan to grant Preliminary Subdivision and Land Development approval subject to the engineers comments. The motion carried.

Supervisors' Comments

Mr. Kucsan, Mr. Green, and Mr. Boucher had no comments.

Previously, Mr. Pennington provided the Board with an update on Lehigh Valley Planning Commission's (LVPC) review of the Comprehensive Plan. He stated that a letter should be sent to LVPC indicating that the Board had no comments. Mr. Tenges stated that he will prepare the letter.

Manager's Report

Freight Advisory Committee – Mr. Tenges reported that, along with Ms. Seese he attended the kick off meeting for Freight Advisory Committee. Mr Green stated that he liked Mr. Tenges' comment on integrating GPS technology to keep tractor trailers off roads they should not be traveling on.

Background Check Policy – Mr. Tenges stated at our next meeting we will discuss an update to our background check policy. Mr. Pennington noted that this is mandated by State Law.

Reconstruction Tennis & Basketball – Mr. Tenges reported that the reconstruction of the tennis and basketball courts will also be discuss at our March meeting.

Engineer's Report

There were no items to discuss under Engineer's Report.

Solicitor's Report

Solicitor Asteak reported that on January 25th the court reversed the Baord's denial of Conditional Use for Liberty Properties. We have 30 days to file appeal with Commonwealth Court. A motion was made by Mr. Boucher and was seconded by Mr. Kucsan to file an appeal.

Chris Sandone, 4358 King George Drive, questioned the judge's decision and if she actually reviewed the Board's comments.

Phoebe Cubberly, 4632 Ash Drive, didn't understand if Lower Nazareth has an ordinance how this can be.

Bill Hunter, 4631 Ash Drive, asked Solicitor Asteak to explain the appeal process. Solicitor Asteak stated the the appeal goes to the Commonwealth Court and if appealed again goes to PA Supreme Court.

Chris Sandone, 4358 King George Drive, stated the he believes Liberty only talked about changing the timing of traffic lights and has traffic concerns.

Janelle Hock, 4560 Ash Drive, stated the she hopes the Board takes this as far as they can. She asked that they please look at the big picture of all development.

The motion carried.

Old Business

There were no items to discuss under Old Business.

New Business

There were no items to discuss under New Business.

Payment of the Bills

A motion was moved by Mr. Green and was seconded by Mr. Boucher to approve payment of the bills dated February 10, 2016. The motion carried.

Courtesy of the Floor

There were no items to discuss under Courtesy of the Floor.

Adjournment

The meeting adjourned at 7:55PM.

Respectfully submitted by,



Tammi Dravec
Assistant Secretary/Treasurer

**Lower Nazareth Township
Bills To Be Approved
February 10, 2016**

GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
15985	Lafayette Ambassador Bank - Leasing De	Lease Payment	\$ 12,637.80
15986	Hecktown Volunteer Fire Company	Fire Company Loan	\$ 965.26
15987	Volunteer Companies Loan Fund	Fire Company Loan	\$ 965.26
15988	Colonial Regional Police Department	Police Contract Payment	\$ 98,566.50
15989	Volunteer Companies Loan Fund	Fire Company Loan	\$ 1,011.77
15990	Atlas Copco Compressors, LLC	Equipment Parts/Repairs	\$ 1,839.80
15991	Easton Suburban Water Authority	Municipal Bldg Water	\$ 34.12
15992	Lori Peck, OCR	Stenographer	\$ 85.00
15993	EMC Insurance Companies	Township Insurance	\$ 4,814.64
15994	Met-Ed	Traffic Signal / Street Light Electricity	\$ 289.42
15995	RCN	Internet & Telephone Services	\$ 803.95
15996	Brown & Brown of Lehigh Valley	Public Official Liability Insurance	\$ 7,758.00
15997	Five Star International LLC	Public Works Equipment Parts/Supplies	\$ 289.77
15998	Deer Country Farm & Lawn, Inc.	Public Works Equipment Parts/Supplies/Repair	\$ 451.84
15999	Crafco, Inc.	Construction/Rebuilding	\$ 2,250.00
16000	Cumberland Truck Parts	Public Works Tools/Equipment/Supplies	\$ 118.03
16001	Lehigh Fuels, LLC	Equipment Motor Fuel	\$ 1,304.84
16002	Bath Supply Co., Inc.	Facilities Supplies/Maintenance	\$ 187.77
16003	Pitney Bowes	Office Supplies	\$ 76.47
16004	Powerco, Inc.	Public Works Equipment Parts/Supplies	\$ 159.00
16005	NJ Advance Media	Advertisement	\$ 840.35
16006	Signal Service, Inc.	Traffic Signal Maintenance	\$ 1,400.17
16007	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 2,892.75
16008	National Elevator Inspection Services	Municipal Building Facilities Maintenance	\$ 78.00
16009	PA Recreation and Park Society, Inc.	2016 Membership Dues	\$ 120.00

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GENERAL FUND CHECKING ACCOUNT

Num	Name	Memo	Amount
16010	The Pennsylvania Municipal League	Membership Renewal	\$ 65.00
16011	Chase Card Services	Mun Bldg Supplies/Training/Membership	\$ 2,224.65
16012	Home Depot	Equipment Parts/Supplies/Facilities Maintenanc	\$ 637.38
16013	Sam's Club	Supplies	\$ 411.15
16014	Staples Business Advantage	Office / Public Works Supplies	\$ 280.54
16015	American Rock Salt Company LLC	Winter Maintenance	\$ 22,926.55
16016	PPL, Inc.	Traffic Signal/St Light/Municipal/PW/Park Ele	\$ 676.81
16017	PPL, Inc.	Municipal Drive Electricity	\$ 890.88
16018	L&D Automotive	Fire Company Equipment Maintenance	\$ 390.19
16019	Service Electric Cable TV Inc	Fire Company Internet	\$ 44.10
16020	Emergency Services Marketing Corp., Inc.	Fire Company Services	\$ 10.44
16021	Sam's Club MC/SYNCB	Fire Company Supplies	\$ 464.01
16022	Dell Marketing L.P.	Fire Company Computers	\$ 95.98
16023	Home Depot	Fire Company Supplies	\$ 98.88
16024	Easton Suburban Water Authority	Fire Company Water	\$ 60.09
16025	ExxonMobil	Fire Company Fuel	\$ 83.72
16026	PPL, Inc.	Fire Company Electricity	\$ 675.72
	PA Municipal Health Insurance Cooperati	Employee Health Insurance	\$ 18,873.19
		Total General Fund Checking...	\$ 188,849.79

CAPITAL RESERVE ACCOUNT

Num	Name	Memo	Amount
932	Chase Card Services	Capital Purchase	\$ 2,257.79
933	Interport Maintenance Co., Inc.	Capital Purchase	\$ 2,600.00
		Total Capital Reserve Checking...	\$ 4,857.79

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SPECIAL HOST FEE ACCOUNT

Num	Name	Memo	Amount
550	First Regional Compost Authority (FRCA)	1st Quarter 2016	\$ 4,964.75

OPEN SPACE ACCOUNT

Num	Name	Memo	Amount
636	Keystone Consulting Engineers	Engineering & Consulting Services	\$ 2,316.25

RECYCLING / REFUSE ACCOUNT

Num	Name	Memo	Amount
1227	Commonwealth of PA	Municipal Waste Transporter Application	\$ 100.00

PAYROLL ACCOUNT

February 5, 2016

\$ 41,448.95

MASTER ESCROW CHECKING (LAB)

Num	Name	Memo	Amount
1563	Met-Ed	Traffic Signal Electricity	\$ 107.76
1564	Keystone Consulting Engineers, Inc.	Engineering & Inspection Services	\$ 21,640.15
1565	Kay Builders, Inc.	Escrow Refunds	\$ 2,000.00
1566	Gilmore & Associates, Inc.	Engineering & Consulting Services	\$ 3,036.19
<i>Total LAB Master Escrow Account...</i>			\$ 26,784.10