



LOWER NAZARETH TOWNSHIP ZONING HEARING BOARD

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Zoning Hearing Board

Manouel Changalis, Chairman
Michael Gable, Vice Chairman
Zachariah Cobrinik

Zoning Hearing Board Minutes April 30, 2013

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

MINUTES

Approval of the March 26, 2013 minutes was moved by Mike Gable and seconded by Zach Cobrinik. The motion carried.

CORRESPONDENCE

Manny Changalis read April 30, 2013 correspondence from Adams Outdoor, requesting a continuance, into the record.

HEARINGS

ZA2013-02 – Lower Nazareth Commons, LP c/o Regency Centers

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Tim Charlesworth, Esq., Fitzpatrick, Lentz & Bubba, Michael Jeitner, P.E., Bohler Engineering, and John Fitzpatrick for the Applicant.

Mike Jeitner provided testimony to the site layout, topography, and signage in the immediate area. Exhibit A-1, Highlighted Overall Plan, dated 5/20/11, revised 8/5/11; Exhibit A-2, Photograph; Exhibit A-3, Collection of Photographs; and Exhibit A-4, Proposed Sign Example were entered into the record. The proposed sign will maintain the same type of illumination. The sign for Northampton Crossings across the street is 25 feet tall within the same area of 240 s.f. John Fitzpatrick confirmed that leases for their tenants prohibit free-standing signs in the shopping center so there are no other free-standing signs in the shopping center. The motion to close testimony was moved by Mike Gable and seconded by Zach Cobrinik. The motion carried unanimously.

Board Deliberation

The Board concurred that the sign does presently sit in a hole. They did not have any issues with the request.

There weren't any comments under Courtesy of the Floor.

Motion by the Board

The motion to approve the variance to allow an additional 16 feet to a total height of 24 feet, allow an additional 190 s.f. to a total area of 240 s.f., with the condition that the sign shall be installed in accordance with the testimony presented at the hearing, was moved by Mike Gable and seconded by Zach Cobrinik. The motion carried unanimously.

ZA2013-03 – Kurt Koch

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Attorney Tim Seigfried, Brian Evans, P.E., Evans Engineering, and Applicant, Kurt Koch.

It was noted by Lori Seese that in addition to the appeal application, she provided the Zoning Hearing Board with a copy of the Conditional Use Order and Opinion along with the Township Engineer's comment letter related to the Conditional Use approval.

Mr. Siegfried provided a package containing all of the exhibits:

- A-1 Site Plan of Proposed Uses
- A-2 Aerial photograph of property
- A-3 Photograph: Existing parking under high tension wires
- A-4 Photograph: Existing parking under high tension wires
- A-5 Photograph: Looking northeast from the same location
- A-6 Photograph: Looking south from same location
- A-7 Photograph: High tension wires
- A-8 Curriculum vitae for Brian Evans, P.E.
- A-9 Landscaping proposal for the site
- A-10 Letter from Columbia Gas Transmission (4/18/13)
- A-11 Email correspondence from PP&L (4/18/13)
- A-12 Letter from PP&L Interstate Energy Company (2/28/13)

Brian Evans provided a summary of the proposed project, including traffic flow, stormwater management, easements, on-site parking, and the need for underground detention. Mr. Koch intends to purchase 18 acres from Merritt Brown, the adjoining property owner to build a Toyota dealership. Toyota is requiring separation of the dealership from Ford. Brian reviewed the requested variances related to trees in parking islands and parking under high tension wires.

Seth Tipton, Esq. and Michael Russek, P.E. representing adjoining owner Richard Bartolacci, Fairfield Development, requested that the application be denied until a traffic study can be completed for the project. Mike Gable countered that the requested variances don't have anything to do with traffic. The Zoning Hearing Board solicitor concurred that they request was not relevant to the proposed variances. The Board gave them a few more minutes to present an argument; however the Board did not consider the request since a traffic study is required as part of the subdivision and land development approval process. It is not germane to the requested variances. The motion to close testimony was moved by Mike Gable and seconded by Zach Cobrinik. The motion carried unanimously.

Board Deliberation

Zach Cobrinik suggested that if no trees were being provided in the islands then he would like to see 80% greenery, i.e. grass, bushes, etc. There were no other comments by the Board.

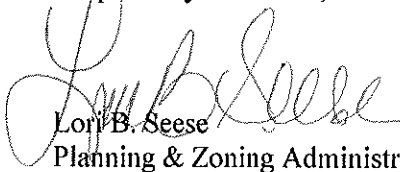
There were no other comments under Courtesy of the Floor.

Motion by the Board

The motion to approve the requested variances with the condition that the islands contain 80% greenery, i.e. grass, bushes, etc. and that the plan remains consistent with the testimony and exhibits presented during the hearing, was moved by Zach Cobrinik and seconded by Michael Gable. The motion carried unanimously.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,


Lori B. Seese
Planning & Zoning Administrator

/lbs