

**LOWER NAZARETH TOWNSHIP
IDI CONDITIONAL USE HEARING MINUTES
JUNE 9, 2014**

The Lower Nazareth Township Board of Supervisors held a special meeting at Lower Nazareth Elementary School on Monday, June 9, 2014. The Vice-Chairman called the meeting to order at 5:08 PM.

Present were:

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

Continuation: IDI Conditional Use Hearing CU2013-02

Solicitor Asteak re-opened the hearing with a brief synopsis of the last meeting and reminded everyone of the ground rules: (1) Redundant comments and questions will not be permitted. (2) Only those with a direct interest will be allowed to comment. (3) Be considerate, quiet (no commenting aloud & silence cell phones), and be respectful.

Blake Marles called rebuttal witness Gavin Biebuyck, Environmental Consultant and Principal of Liberty Environmental to the stand. Mr. Biebuyck expert qualifications were reviewed. Exhibit A-42 was entered into the record.

Mr. Elliot and Mr. Noel questioned Mr. Biebuyck on his qualifications. Mr. Sheer had no questions.

Based upon the submitted professional profile and subsequent testimony, Mr. Asteak approved Mr. Biebuyck as an expert witness.

Blake Marles continued with rebuttal testimony from Mr. Biebuyck. Exhibits A-43 through A-49 were entered into the record with no further questions.

******Brief break from 6:25 PM – 6:38 PM******

The hearing was reopened with Mr. Elliot's cross of Mr. Biebuyck.

Supervisor Rick E. Nagle arrived at 6:56 PM

Mr. Elliot's cross continued. Exhibits OM-10 through OM-11 were entered into the record.

Mr. Noel began his cross of Mr. Biebuyck.

During Mr. Noel's cross, Mr. Asteak cautioned Mr. Noel on redundancy and reminded everyone that the record will close at 9:00 PM this evening on testimony.

Mr. Noel continued his cross. Exhibits O-37 through O-41 were entered into the record.

Public question and answer of Mr. Biebuyck followed.

Upon completion of public comment, Mr. Asteak called upon Mr. Noel to address surrebuttal. Mr. Noel decided upon calling Mr. Mineo as a fact witness to speak on the Bethlehem Intermodal Terminal built between 2010 and 2012. Exhibit O-42 was entered into the record.

Mr. Marles, Mr. Elliot, Mr. Noel had no further comment.

Mr. Asteak advised council they may submit Findings of Fact by August 1, 2014. The next hearing will continue on August 11, 2014 at 6:30 PM at the Lower Nazareth Township Municipal Building.

Mr. Asteak called upon Lori B. Seese, Planning and Zoning Administrator, Lower Nazareth Township to present the petitions received by the township office so they could be entered into the record; Exhibit Z-4.

Adjournment

The hearing concluded at 8:36 PM.

Respectfully submitted by,

A handwritten signature in cursive script, appearing to read "Kelly J. Sullivan".

Kelly J. Sullivan
Office Clerk