



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board
Manouel Changalis, Chairman
Michael Gable, Vice Chairman
Zachariah Cobrinik
Darin Lueders, Alternate
Robert Hicks, Alternate

Zoning Hearing Board Minutes **April 17, 2012**

Chairman Manny Changalis called the meeting to order at 7:01 p.m. Also in attendance: Board Member Zach Cobrinik and Alternate Darin Lueders; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator. Board Member Mike Gable and Alternate Bob Hicks were not present.

MINUTES

Approval of the March 27, 2012 minutes was moved by Zach Cobrinik and seconded by Darin Lueders. The motion carried unanimously.

CORRESPONDENCE

HEARINGS

ZA2011-03 – John and Tracy Walker

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Applicants, John and Tracy Walker; Attorney James Zulick; Engineer, Terry DeGroot of Terraform Engineering; and Michael Betz, Adjoining Property Owner.

Jim Zulick provided a summary of the proposed project. Mr. Walker provided testimony regarding their intentions to build a house on Parcel #K7-17-11. Exhibit A-1, "Existing Conditions Plan", dated March 9, 2012, was entered into the record. It is their intention to purchase a portion of adjoining parcel #K7-17-11A-1 from Mr. Betz. They would like the potential for their children to have land when they grow up. It is also their desire to create these lots so that they can be entered into Act 319, for which the minimum lot size is 10 acres. Exhibit A-2, "Zoning Sketch Plan, Subdivision & Lot Line Adjustment", dated March 20, 2012, was entered into the record. As proposed, this subdivision leaves Parcel #K7-17-11A with 1.2 acres which is less than the minimum lot size allowed. All of proposed Lot A-2 would remain in agriculture with the exception of the wooded area around the pond. The use of the property would remain in agriculture. Mr. Walker noted that they are renovating the existing house on Parcel #K7-17-11A for their parents and it is their intention to sell that property to their parents. The property would not remain in their name.

Terry DeGroot reviewed the existing conditions plan #A-1. On Plan #A-2, Mr. DeGroot noted the 60' of right-of-way to be dedicated to the Township along Christian Springs Road caused them to lose approximately ¼ acre in area for the lot calculations. Parcels less than the minimum

lot size of 1.5 acres in the vicinity of these properties were pointed out on Exhibit A-3. It is the Walker's intention to connect to public sewer when it becomes available. Overall, the lands were difficult to configure due to the geographic condition of the ponds, road frontage, and the ability to allow for future roads/driveways. Zoning Exhibit #Z-2, an aerial photograph, of the properties, was entered into the record. The testimony was closed.

Board Deliberation

The Board discussed possible conditions to be added including the requirement for sewer connection, maintenance of tree plantings on Lots 11A and 11A-2, and possibly supplementing the plantings on Mr. Betz property. Credence was given to the fact that it is their intention to preserve the land and the request is dimensional in nature.

There were no comments under Courtesy of the Floor.

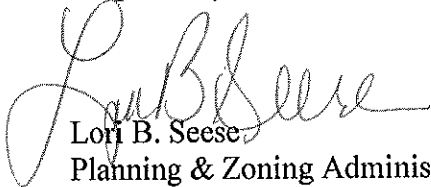
Motion by the Board

The motion to waive the requirement to create a buffer meeting the requirements of the Zoning Ordinance so long as the wooded areas along the property lines of these lots are maintained until such time as a dwelling is constructed on Lot 2 was moved by Zach Cobrinik and seconded by Darin Lueders. The motion carried unanimously.

The motion to grant a dimensional variance to allow for subdivision of the lots as depicted on Exhibit A-2, with the condition that lots 11, 11A, and 11A-2 are connected to public sewer and Lots 11A-2 and 11 are entered into Act 319 was moved by Manny Changalis and seconded by Darin Lueders. The motion carried unanimously.

The meeting adjourned at 7:30 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator

/lbs