

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
April 9, 2008**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday April 9, 2008. The Chairman called the meeting to order at 7:33PM.

Present were:

Dr. Alan Dilsaver	-	Chairman	Timm A. Tenges	-	Manager, Secretary/Treasurer
Eric E. Nagle	-	Vice Chairman	Lori B. Seese	-	Zoning Administrator
Ricky T. Johnson	-	Supervisor	Tammi Dravec	-	Assistant Secretary/Treasurer
Robert S. Kucsan	-	Supervisor	Gary Asteak	-	Solicitor
			Albert Kortze, P.E.	-	Engineer

Absent was:

Patrick J. Murphy, Supervisor
Kelly J. Sullivan, Office Clerk

A moment of silence was observed in honor of Hanover Township Supervisor Frank Colon who passed away a few weeks ago.

Approval of Minutes

A motion was moved by Mr. Johnson and seconded by Mr. Kucsan to approve the meeting minutes for February 27, 2008. Mr. Nagle abstained. The motion carried.

A motion was moved by Mr. Nagle and seconded by Mr. Kucsan to approve the meeting minutes for March 12, 2008. Mr. Johnson abstained. The motion carried.

Conditional Use Hearing

First Park 33 – CU2008-01 – Solicitor Asteak opened the hearing with a brief description of the application. Mike Minkiver from Liberty Engineering was present and requested that the hearing be continued until August 6, 2008. A motion was moved by Mr. Johnson and seconded by Mr. Nagle to accept the request to continue this hearing on August 6, 2008 at 7:30PM. The motion carried.

Reports

Dr. Dilsaver acknowledged the March 2008 Zoning Administrator’s Report and the Financial Report for February 2008 and indicated the reports are available for review in the Township Office.

Correspondence

There were no comments under Correspondence.

Subdivision/Land Development

Estates at Deer Crossing – Sewage Facilities Planning Module – Resolution #LNT-09-08 – A motion was moved by Mr. Nagle and seconded by Mr. Kucsan to approve Resolution #LNT-09-08. The motion carried.

Trio Farms III – Conditional Use – Time Extension – A motion was moved by Mr. Kucsan and seconded by Mr. Nagle to accept the time extension through July 31, 2008. The motion carried.

Phillips Feed – Conditional Use – Time Extension – A motion was moved by Mr. Johnson and seconded by Mr. Nagle to accept the time extension through June 16, 2008. The motion carried.

First Park 33 – Subdivision – Time Extension – A motion was moved by Mr. Nagle and seconded by Mr. Kucsan to accept the time extension through June 29, 2008. The motion carried.

First Park 33 – Land Development – Time Extension – A motion was moved by Mr. Nagle and seconded by Mr. Johnson to accept the time extension through June 29, 2008. The motion carried.

Charles Chrin – Preliminary/Final Subdivision – Time Extension – A motion was moved by Mr. Nagle and seconded by Mr. Johnson to accept the time extension through May 31, 2008. The motion carried.

Brown-Daub Chevy-Volvo – Conditional Use – Time Extension – A motion was moved by Mr. Nagle and seconded by Mr. Johnson to accept the time extension through June 12, 2008. The motion carried.

Haltman Farm Subdivision – Time Extension – A motion was moved by Mr. Nagle and seconded by Mr. Kucsan to accept the time extension through June 30, 2008. The motion carried.

Lower Nazareth Realty Partners – Revised Final Land Development – Resolution #LNT-10-08 –

The applicant presented revisions to the plan that was approved in 2006. Mr. Beste showed the proposed changes. One difference is that there would be 100 fewer parking spaces due to the change from a 114 unit to an 86 unit hotel and the switch from a fast food restaurant to smaller size and type of restaurant. Additional changes include a lower traffic count, 2,000 less square feet of commercial space and 3% more green space.

The plan presented to the Board proposes a restaurant on pad A however the applicant may decide to switch that to a commercial building. Solicitor Asteak stated that if the applicant made that switch, they would have to resubmit a revised plan and come before the Board for approval.

Mr. Kortze review his letter date April 8, 2008. He said his comment #11 could be stricken and recommended revised final approval.

A motion was moved by Mr. Johnson and seconded by Mr. Nagle to approve Resolution #LNT-10-08. The motion carried.

Supervisor's Comments

Mr. Johnson and Dr. Dilsaver had no comments.

Mr. Nagle stated that, along with Mr. Tenges and Mr. Kucsan, he attended a memorial service for Hanover Township Supervisor Frank Colon.

Mr. Nagle also attended the CRPD meeting at their new building. Hanover Township and Lower Nazareth Township Road Crew assisted CRPD with their move and it went well.

Mr. Kucsan stated that, along with Mr. Nagle, he attended the Nazareth COG meeting. The topic of changing the COG's name was discussed and possible names are Cement Belt Area COG or MidCounty COG. Dr. Dilsaver commented that he did not like MidCounty and Mr. Kucsan would like to keep the name the same.

Manager's Report

248 Brodhead Road – Addendum to Property Operating & Maintenance Management – A motion was moved by Mr. Nagle and seconded by Mr. Kucsan to approve the Addendum to the Property and Maintenance Management Agreement. The motion carried.

2008 Microsurfacing Project – Mr. Tenges stated that he would like to propose a microsurfacing project for the portions of the following roads: Meadow Drive, Hickory Lane, Locust Drive and Hemlock Lane and the following roads in their entirety: Mayfield Circle, Whitebriar Drive, Sturbridge Drive and Mikol Lane.

A motion was moved by Mr. Kucsan and seconded by Mr. Nagle to authorize Mr. Tenges to advertise for bids for this project. The motion carried.

Pension Information – Mr. Tenges asked the Board to review the pension information provided to them in their folders and provide comment to him prior to the next meeting.

Mr. Tenges stated that there would be a brief executive meeting after this meeting to discuss pending litigation.

Engineer's Report

There were no comments under Engineer's Report.

Solicitor's Report

Everson Tesla – Land Development Improvements Agreement – Authorization to Execute – A motion was moved by Mr. Nagle and seconded by Mr. Kucsan to authorize the execution of this agreement upon the satisfaction of Mr. Tenges and Solicitor Asteak. The motion carried.

Green Acres – Land Development Improvements Agreement – Authorization to Execute – A motion was moved by Mr. Johnson and seconded by Mr. Nagle to authorize the execution of this agreement upon the satisfaction of Mr. Tenges and Solicitor Asteak. The motion carried.

Old Business

There were no comments under Old Business.

New Business

Masonry Mailbox Agreement – Brooks – A motion was moved by Mr. Johnson and seconded by Mr. Nagle to approve the Masonry Mailbox Agreement for Dr. and Mrs. Brooks. The motion carried.

Masonry Mailbox Agreement – Negrao – A motion was moved by Mr. Kucsan and seconded by Mr. Nagle to approve the Masonry Mailbox Agreement for Mr. and Mrs. Negrao. The motion carried.

Payment of the Bills

A motion was made by Mr. Johnson and seconded by Mr. Nagle to approve the bills dated April 9, 2008. The motion carried unanimously.

Courtesy of the Floor

Charles Gordon and Brad Orey, representatives from the Easton Area Corvette Club, requested permission from the Board to continue holding their Car Cruises at Northampton Crossings and to hold them in the main as in previous years.

Mrs. Seese had previously spoken with Mr. Orey and told him a \$50 zoning permit was required and that they would have to use the outer parking lot near Burger King. Mr. Orey did not think the parking lot would be large enough for the 200-400 cars attend the Car Cruise. Mrs. Seese said they could file an appeal, which the applicant did not want to do.

The reasons for limiting events to the outer lot include congestion, safety and ensuring there is sufficient parking for people utilizing the movie theater, restaurant and stores.

After some discussion, the Board stated it was a zoning matter and that the decision was up to Mrs. Seese.


Ginger Buchser, 2731 Newburg Road, thanked the Township Staff and Board for their time and energy during the IDI Conditional Use Hearing. She also asked Solicitor Asteak what the residents of Palmer Township could do to help Lower Nazareth Township in IDI's appeal. Solicitor Asteak stated the court judge will determine whether the Board's decision will be sustained. He encouraged her and other

interested parties to reach out to Palmer Township. No further evidence is permitted and arguments at the hearing must be made through council.

Adjournment

A motion to adjourn was moved by Mr. Nagle and seconded by Mr. Johnson. The meeting was adjourned at 8:55PM.

Respectfully submitted,


Tammi M. Dravecz
Asst. Secretary/Treasurer