

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
August 22, 2007**

The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday August 22, 2007. The Chairman called the meeting to order at 7:30p.m.

Present were:

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

Absent was:

Patrick J. Murphy - Supervisor

Approval of Minutes

Motion to approve the meeting minutes from July 25, 2007 was moved by Mr. Kucsan and was seconded by Dr. Dilsaver. The motion carried unanimously.

New Business

Nazareth COG Mutual Aid Agreement – This agreement was on the agenda for review and discussion purposes only. After review the Board can make recommendations to the COG.

Mr. Tenges explained the attached sheet shows how a municipality can designate service and is able to break away from the municipality and offer different providers to their residents.

Block Watch Program – Mr. Fresco is a resident in Foxwood Farms and is interested in starting a Block Watch Program. He has met with Officer Kovatch and attended a Hanover Township Block Watch meeting. Mr. Fresco provided the Board with information on the program.

Mr. Tenges stated that Hanover Township provides funding to their Block Watch Program. He informed the Board that Block Watch Programs are a citizens program; the municipality's role is providing assistance.

The Board thought it was a worthy program and told Mr. Fresco that if he would be seeking funds to speak with Mr. Tenges since he will be preparing the 2008 budget in the coming weeks.

Reports

Dr. Dilsaver acknowledged the receipt of the Financial Report for June 2007, the Hecktown Vol. Fire Company July 2007 Incident Report, and Tax Collector 2006 Audit Report. All reports are available for review at the Township Office during regular business hours.

Correspondence

There was no discussion under correspondence.

Conditional Use Hearings

A complete transcript for each of tonight's hearings will be available at the Township Office.

Opus East, LLC – CU2007-01

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The Conditional Use Hearing began at 7:58PM. Present were: Tim Charlesworth, Attorney for Opus East, and the engineer, Stephen Pany.

The application was received on December 27, 2006. The proposed plan consists of two light industrial flex and/or warehouse buildings totaling 531,600 square feet. The property is located at Fritch Drive, parcel #L7-10-2 and is zoned planned light industrial campus.

Mr. Asteak marked the following as exhibits: the Conditional Use Application, certification that property owners were notified, proof of advertisement of the conditional use hearing, photographs of the posting of the property, Lower Nazareth Township Planning Commission comments dated January 15, 2007, letter from Lower Nazareth Township Planning/Zoning office dated January 15, 2007, Bethlehem Township meeting minutes and resolution dated June 18, 2007, and Keystone Consulting Engineers letter dated August 22, 2007.

Mr. Charlesworth marked the Opus Lot 3 Phase 2 plan as an additional exhibit. The parcel is land locked with Fritch Drive and the Conrail Railroad on the north end, the old National Cement Plant property on the west, and an old Fritch fuel depot and a medical building to the south.

Parking will be located in the front of the buildings and the loading area will be located in the rear. The buildings will house similar tenants to those in buildings 1 & 2. There will be a driveway to interconnect with building 3. In an emergency situation, where Fritch Drive could not be accessed, traffic could exit the property at the Opus Way cul-de-sac which exits onto Brodhead Road.

Mr. Kortze commented on light and noise. He would like to see a reduction in the height of the lights in the rear of the buildings. Mr. Kortze said that although the buildings would be far from residential areas that noise will still travel. A way to relieve some of that noise may be to see rotate the buildings 180 degrees.

Stephen Pany stated they would be willing to lower the height of the lights and add trees to the north property line. However, he believed that rotating the buildings 180 degrees would not be possible due to the grading.

Mr. Tenges stated that the skyline has changed dramatically and he would like to see a lighting plan. He would also like to see a plan to minimize noise.

Public water will be provided to this site and to Fritch Drive by the City of Bethlehem. For sanitary sewer, the intent is for the City of Bethlehem to provide go through Bethlehem Township. The intention is to collect the sewage from Buildings 4 and 5, pump that sewage to the Opus Way cul-de-sac then into the City of Bethlehem's system.

This will require an inter-municipal agreement between Lower Nazareth Township, the City of Bethlehem and Bethlehem Township.

Gary Drumheller, Opus East, stated that Bethlehem Township is in approval of the plan and the contribution of \$88,191.00.

Stuart Schooley, 4655 Fir Drive, has concerns over lighting and how it will affect his business on Hanoverville Road (Dutch Springs).

Tim Rister, 557 Country Club Road, voiced concern over tractor trailer traffic, parking, material stored in the buildings, and diesel fuel fumes and its health effects.

The conditions are: (1) submit and have approved a lighting mitigation plan at the time of land development (2) submit a noise abatement plan at the time of land development, (3) an agreement between Bethlehem Township, City of Bethlehem and Lower Nazareth Township be presented and meet the satisfaction of the Board of Supervisors with regard to sewer and water service to the property, (4) submit a landscaping/buffer plan at the time of land development, and (5) address Mr. Kortze and Mrs.

Seese's comments. Motion to grant conditional use so long as all the conditions are met was moved by Mr. Johnson and seconded by Mr. Kucsan. The motion carried unanimously.

The Conditional Use Hearing concluded at 8:45PM.

THE BOARD TOOK A BRIEF RECESS

Regency Realty Group, Inc. – CU2007-03

The Conditional Use Hearing began at 8:52PM. Present were Tamer Ahmed, Fitzpatrick, Lentz and Bubba and Michael Jeitner, Bohler Engineering.

The proposed plan is for a shopping center. The property is located at Route 248/Easton-Nazareth Highway; parcel K8-9A-2 and is zoned planned industrial campus. This proposed shopping center is part of the Easton Hospital subdivision.

Mr. Asteak marked the following as exhibits: conditional use application, the certification that property owners were notified, proof of advertisement of the conditional use hearing, the photographs of the posting of the property, the Keystone Consulting Engineers letter dated August 22, 2007, the Zoning Hearing Board Opinion 2007-06, and the Lower Nazareth Township Planning/Zoning Officer letter.

Mr. Ahmed marked the site plan and the lower and upper renderings as additional exhibits. The plan depicts sidewalk connections throughout the shopping center. The applicant is currently working with LANTA for public transportation to the shopping center. The rendering also depicts landscaping and benches along those sidewalks. All utilities will be underground and the buildings will be decorative in nature in order to avoid the "big box" appearance. Mr. Jeitner commented that they are proposing almost twice the landscaping required.

Residents inquired about tractor trailer traffic and pollution.

Attorney James Broughal and Brian Dempsey, traffic engineer from TRC, were present on behalf of National Realty / Northampton Crossing Shopping Center. They have concerns with traffic patterns along Route 248 and the possible impact to the existing shopping center. One concern was with Corriere Road being extended and the loss of the protected left at Corriere Road at Route 248. They have submitted a letter to PADOT requesting a green arrow at that intersection to allow for a protected left. Attorney Broughal marked the letter to PADOT was marked as an additional exhibit. In addition, there are 5 signals in a short stretch and they would like that stretch of the Route 248 corridor to be analyzed as a whole. Mr. Kortze believes the study would be helpful and James DeNave, Regency Center, stated that they agree to perform the study.

Tim Rister, 557 Country Club Road, commented about gridlock from all of the development along Route 248 and the numerous traffic lights.

Motion to continue the hearing for purposes of deliberation was moved by Mr. Kucsan and was seconded by Mr. Nagle. The motion carried unanimously. The hearing will continue at the next scheduled meeting on September 26th.

The Conditional Use Hearing concluded at 9:55PM.

THE BOARD TOOK A BRIEF RECESS

Green Acres Lawn Furniture – CU2007-04

The Conditional Use Hearing began at 10:00PM. Present were: Cleon and Carl Swartzenruber, applicants, and Donald Lynch, engineer.

The proposed plan is for a pre-manufactured lawn furniture business. The property is bound on three sides by Northwood Avenue, Route 33, and Newburg Road; parcel L8-3A-2 and is zoned planned light industrial campus.

Mr. Asteak marked the following as exhibits: application the Conditional Use Application, proof that property owners were notified, proof of advertisement of the conditional use hearing, photographs of the posting of the property, opinion of the Zoning Hearing Board 2007-04, review letter from the Lower Nazareth Township Planning/Zoning Office, and Keystone Consulting Engineer letter dated August 22, 2007.

This is an existing business that would like to relocate from Easton. Estimations of 2-3 delivery trucks per week and 6-7 cars per day were made. The business hours would be Monday-Saturday 10:00-5:00, and evenings in the summer. Since they are only open during daylight hours, lighting would be minimal. The lighting would be shielded and on the building and parking lot. The business would be serviced by a well and an on-lot septic system.

The applicant is looking into a secondary access from Newburg which would eliminate the need for access from Northwood. They are currently awaiting final approval from PADOT. The Northwood access could be used for emergencies.

The location is highly visible from Route 33. Mr. Tenges stated the applicant should submit a site rendering and a landscaping plan so the Board can see the proposed layout.

Beverly Hoyer, inquired about the widening of Northwood Avenue. However, if PADOT approves the second access from Newburg Road, Northwood Avenue would not need to be widened.

Mr. Kucsan motioned the hearing be continued until the next meeting and allow the record to be reopened in order to allow for additional testimony and information to be submitted to the Board. The motion was seconded by Mr. Nagle. The motion carried unanimously.

The Condition Use Hearing ended at 10:33PM.

Subdivision/Land Development

Marquis Realty Daycare – Final Land Development – Resolution #LNT-23-07 – Mr. Kortze reviewed his letter recommending Final Approval. Motion to approve Resolution LNT-23-07 was moved by Mr. Johnson and seconded by Mr. Nagle. The motion carried unanimously.

Deer Crossing – Preliminary Major Subdivision – Time Extension – Larry Turoscy, Lehigh Engineering, sent a letter on behalf of the applicant granting the Township a time extension through October 31, 2007. Motion to accept the time extension was moved by Mr. Kucsan and seconded by Mr. Johnson. The motion carried

Regency Center – Preliminary Land Development – Tamer Ahmed stated that since their Conditional Use was being continued until the September meeting they would not ask for action on the Land Development application. However, he requested they be allowed to present it to the Board for feedback and comments. Mr. Kortze reviewed his letter and commented on stormwater and sidewalks to connect their shopping center to Wegman's. Mr. Tenges commented on the internal traffic flow and the potential need for traffic signals to regulate traffic.

Supervisor's Comments

There were no comments under Supervisor's Comments.

Manager's Report

Milling Machine – Agreement of Sale – Authorization to Execute – Motion to authorize execution of the Agreement of Sale was moved by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

Escrow Account Deficit – Michael and Gloria Zin – Motion to authorize Mr. Asteak to file the appropriate paperwork in order to collect funds owed to the Township was moved by Mr. Nagle and seconded by Mr. Kucsan. The motion carried unanimously.

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Summer Park Program – Mr. Tenges commented on the receipt of a letter from a parent on the success of the Summer Park Program.

Engineer's Report

Trio Farms – Letter of Credit Reduction – Mr. Kortze reviewed his letter recommending a reduction in the Letter of Credit. Motion to authorize a reduction in the Letter of Credit in the amount of \$215,879.40 was moved by Mr. Johnson and seconded by Mr. Kucsan. The motion carried unanimously.

Solicitor's Report

Rental Disclosure Ordinance – #190-08-07 – Motion to approve Ordinance #190-08-07 was moved by Mr. Johnson and seconded by Mr. Nagle. The motion carried unanimously.

Old Business

There were no comments under Old Business.

Payment of the Bills

Motion to approve the bills dated August 22, 2007 was moved by Mr. Nagle and seconded by Mr. Johnson. The motion carried.

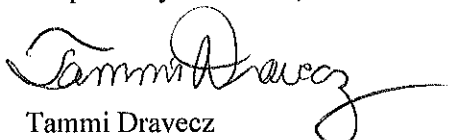
Courtesy of the Floor

Tim Rister, 557 Country Club Road, voiced concern about the LVCRS Aerodrome Club flying gasoline powered airplanes on the property adjacent to his. He pleaded with the Board to ban this club from flying their planes in this area before someone is seriously hurt or even killed.

Adjournment

Motion to adjourn the meeting was moved by Mr. Johnson and seconded by Mr. Nagle. The meeting was adjourned at 11:15PM.

Respectfully submitted,



Tammi Dravec
Assistant Secretary/Treasurer

tmd