



LOWER NAZARETH TOWNSHIP ZONING HEARING BOARD

306 BUTZTOWN ROAD
BETHLEHEM, PA 18020-9718
TELEPHONE: 610-759-7434
FAX: 610-746-3317

Zoning Hearing Board
Robert Hicks, Chairperson
Manouel Changalis, Vice Chairperson
Glenn Clearie, Board Member
Rick Gangewere, Alternate
Robert Latzanich, Alternate

Zoning Hearing Board Minutes May 25, 2010

Vice Chairman, Manny Changalis, called the meeting to order at 7:04 p.m. Also in attendance: Board Member Glenn Clearie and Alternate Rick Gangewere; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator. Chairman Bob Hicks and Alternate Rob Latzanich were not present.

MINUTES

There were no minutes to approve.

HEARINGS

Remanded Hearing - Lowes Home Centers, #2009-07

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn.

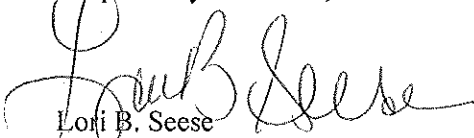
Present for the Application: Michael Gavin, Attorney

April Cordts reviewed the legal process which brought this matter back before the Zoning Hearing Board. The matter to be discussed was amending the language relative to stacking of pallets contained in Item C of the Order and Opinion. Michael Gavin provided an overview of the relief requested. Mr. Gavin stated that they would like to be able to stack to a height of 10 feet. The peat moss comes off the truck in pallets 10 feet high; mulch is in pallets 4 feet high enabling them to stack two pallets, and the other materials, such as concrete block, come in pallets that are less than 4 feet high. Lengthy discussion followed regarding the height requested and safety concerns of the Zoning Hearing Board. The Board was uncomfortable with the 10 feet requested. The Zoning Ordinance does not prescribe a height limitation for outdoor storage; however the prospect of having materials stacked that high and accessible to the public was of concern to the Zoning Hearing Board. Mr. Gavin stated that Lowes has safety procedures in place and would assume responsibility for safely stacking the pallets.

A motion was made by Glenn Clearie to allow outdoor storage (1) pallet high or if stacked, not to exceed 8 feet in height on outdoor staged and stored items, specifically related to the Garden Center on the northeast side of the store, with the condition that Lowes operates good safety practices and accepts full responsibility for any accidents that may happen, and all other conditions of Item C of the original Order and Opinion apply. The motion was seconded by Rick Gangewere and carried unanimously.

Meeting was adjourned at 8:23 p.m.

Respectfully submitted,


Lori B. Seese
Planning & Zoning Administrator