



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board

Manouel Changalis, Chairman
Daniel Cortright, Vice Chairman
Michael Gaul, Board Member
Robert Stocklas, Alternate
Steven Nordahl, Alternate

Zoning Hearing Board Minutes September 22, 2020

Chairman Manny Changalis called the meeting to order at 6:30 p.m. Present were: Board Members Mike Gaul and Daniel Cortright; Alternate Steven Nordahl; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator.

Alternate Robert Stocklas was not present.

MINUTES

Approval of the July 28, 2020 minutes was moved by Dan Cortright and seconded by Steven Nordahl. Michael Gaul abstained. The motion carried.

HEARING

ZA2020-07, Triple Net Investments LXII, LLC

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Gregory Davis, Esq. and Terry DeGroot, P.E.

Terry DeGroot provided a booklet of Exhibits A-1 thru A-5. Attorney Davis introduced the proposed project.

The motion to accept Terry DeGroot's CV was moved by Michael Gaul and seconded by Manny Changalis. The motion carried unanimously.

Terry DeGroot reviewed the proposed project. Terry noted that the Applicant applied for a Letter of Map Revision (LOMR) due to grade inconsistencies when the project commenced. The effective date of the LOMR is December 16, 2020. No floodplain changes are proposed. No fill will be added to the floodplain.

The improvements added within the floodplain are stormwater irrigation system to the rear of the property. Stormwater pipes, a manhole and relocation of an inlet at the intersection to the edge of pavement and replacement of an 8" pipe with an 18" pipe will be added at the southwest corner. All structures will be bolted so they do not float away.

Board Member Michael Gaul inquired about operation of the irrigation system. Irrigation system will be activated 24 hours after the rain has stopped. It is designed to handle the 2-year storm up to the 100-year storm.

The stormwater that is not going to the sprayer field will be going to the inlet and through pipes to the Monocacy Creek.

Board Member Steve Nordahl inquired if they have verified the system can handle the additional flow. Terry DeGroot confirmed they have included it in their calculations. The stormwater flow on the property was reviewed. The small basin was added in response to Lehigh Valley Planning Commission requirements to control runoff from the 10-year storm.

Mike Gaul inquired about the blue line on Exhibit A-5 which represents the 100-year storm. Why did they use an irrigation system in lieu of just discharging to that system? Terry DeGroot stated the water would flow right off the site. The irrigation system allows for controlled discharge and infiltration. It will take (6) days to discharge from the irrigation system.

Terry DeGroot noted that due the high tendency for sinkholes, this is a preferred option.

A letter prepared by Township Engineer Albert Kortze was entered into the record as Exhibit #Z-2. It was noted that Mr. Kortze has reviewed the application and recommends issuance of the Special Permit provided approvals from PA Department of Environmental Protection and Northampton County Conservation District are obtained.

Yvonne Plakotaris representing East Penn Sanitation asked for further explanation about the proposed improvements at the Georgetown/Hanoverville Road intersection and those proposed west of the intersection. Yvonne asked for guarantee that the development will not affect the cresting of the Monocacy Creek and will not affect the contiguous landowners.

Attorney Greg Davis stated the Applicant has provided testimony stating compliance along with approval by the Township Engineer. They cannot offer a guarantee to anyone except to say that they are complying with the regulations as required.

Yvonne Plakotaris made a statement regarding the recent Hurricane Isaias: East Penn wants to be on record that “they don’t feel the Monocacy Creek can handle any more water and if the 18” pipe and the detention basins don’t hold the rainwater that is constantly an issue, they are going to hold all of them responsible for it.”

Lori Seese explained the introduction of the letter from the Township Engineer and the clarification obtained from FEMA.

Lori Seese inquired what would happen if the Board of Supervisors do not grant the requested Subdivision & Land Development Ordinance waivers and they must widen Georgetown Road? Terry DeGroot stated that more impervious would be introduced and they may need to come back to the Zoning Hearing Board for additional approvals.

The motion to close testimony was moved by Mike Gaul and seconded by Daniel Cortright. The motion carried unanimously.

Board Deliberation

Manny Changalis stated based upon the testimony it appears that the necessary approvals have been obtained. Mike Gaul stated that it would be nice to do something about the flooding at this intersection and something should be done to improve it. Mike Gaul stated that the approval should be conditioned upon approval by PA Department of Environmental Protection and Northampton County Conservation District approvals. He cannot contradict the testimony and approval of two engineers. Terry DeGroot noted that the property is 24 acres; however, the area of the Monocacy Creek is 18,500 acres. Manny summarized that the flooding is a function of the overall creek flooding, not just this development.

Dan Cortright agreed that the intersection does get flooded and if they are going to do improvements to address some of the problems there, he supports it.

The motion to approve the special permit request based upon the testimony and documents provided made by Manny Changalis and seconded by Michael Gaul. The motion carried unanimously.

The motion to adjourn the meeting was moved by Dan Cortright and seconded by Michael Gaul. The meeting was adjourned at 7:56 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator

/lbs

**** Note: These minutes are only a brief summation of the actual hearing. All Zoning Hearing Board hearings are officially transcribed by a professional stenographer. Should any parties wish to view these transcripts, please contact the Zoning Officer. If an official copy has not been requested, the requestor must pay for the transcript.***