

## MINUTES OF ZONING HEARING BOARD MEETING

The zoning hearing board of Palmer Township met on Tuesday, April 2, 2013, at 7:30 P.M. in the Palmer Memorial Library, One Weller Place, to hear the following appeals. In attendance Nicholas Noel III, Esq., Zoning Board Solicitor, Charles Roseberry, Board Chairman, Peg Kennedy Board Member, Cherie Kavanaugh Board Member, Michael Mancino Board Member, Emilio DeNisi Board Member, James Raudenbush Zoning Administrator, and Court Reporter Ted Rewak.

Cherie requested that the minutes for hearing 13-2 (First Baptist Church of Easton) reflect that the church received a conditional use approval from the board of supervisors. Cherie Kavanaugh then made a motion to accept the minutes of the February 5, 2013 zoning hearings, with the requested change. The motion was seconded by Peg Kennedy, with all in agreement.

**13-3 7:30 p.m.** Parcel M8NE2-24-5(Corner of Greenwood Ave and Division St), Nicholas Pugliese, 1072 Grand St., Phillipsburg NJ 08865 is seeking a variance from section 190-199 C(2) (e) in order to construct a single family dwelling on a non-conforming lot of record. This property is located in a High Density Residential Zoning District.

**Witnesses:** Nicholas Pugliese, Applicant, Kristin Kluskiewicz, 702 Oakwood St, Tara Youngkin, 700 Greenwood Ave, Nicholas Huff, 700 Greenwood Ave

**Action:** Peg Kennedy made a motion to deny the application, since the proposed house was not able to meet the minimum setbacks on the non-conforming lot of record. Peg Kennedy also felt the Greenwood Ave traffic volume would warrant a larger site triangle that would then encompass a portion of the house creating a hazard. The motion was seconded by Emilio DeNisi with all in agreement.

**13-5 7:40 p.m.** 2918 William Penn Highway, Eric Bass, 3578 Neville Way, Nazareth Pa 18064 is seeking a special exception to change from one non-conforming use to another. The proposed use would be for a dance and fitness studio that would take the place of a movie rental store that has vacated the space. This property is located in a Heavy Industrial Zoning District.

**Witnesses:** Eric Bass, Applicant

**Action:** Emilio DeNisi made a motion to approve the change of one non-conforming use to another with the following conditions; the fitness studios hours will be as was presented at the time of the hearing, there will be a maximum of 75 people permitted in the studio at any time, all signage will meet township ordinances since no relief was requested, and any illuminated signage will be extinguished 30 minutes after close of business. The motion was seconded by Peg Kennedy with all in agreement.

**13-6 7:50 p.m.** 2251 Newlins Mill Road, Jeff Carson from City Sign Service, 424 Caredean Dr., Horsham Pa 19044, is seeking a variance from section 190-185A(5) in order to have an additional freestanding sign. The proposed sign would be 24 square feet and would be in addition to the 49.5 square foot freestanding sign that has already been approved. One Freestanding sign is permitted in the PO/IP Zoning District with a maximum sign area of 50 square feet.

**Witnesses:** Jeff Carson, Applicant

**Action:** Charles Roseberry made a motion to deny the application. Mr. Roseberry felt the requested variance was excessive and that adequate directional signage could be placed meeting township ordinances. The motion was seconded by Cherie Kavanaugh with all in agreement.

**13-7 8:00 p.m.** 2916 Charlotte Ave, 0229 Ventures LLC, 701 West Broad St, Suite 200 Bethlehem Pa 18018 is seeking a variance from section 190-53A (Minimum Lot Area) for a minor subdivision. One of the two lots will meet the 12,000 square foot minimum lot density requirement and the other lot would have a lot density of 10,124.4 square feet. The applicant is also seeking variances from section 190-53D(1) to have a side yard setback that would be less than the 8' minimum for an existing dwelling, and section 190-53E(1) in order to have a rear yard setback that's less than the 30' minimum also for an existing dwelling. This property is located in a High Density Residential Zoning District.

**Witnesses:** Daniel Cohen, Atty., Donald Wenner, Applicant, Greg Noll, Keystone Consulting Engineers, Ray Olsen, 2917 Norton Ave

**Action:** The hearing was continued to next month's regularly scheduled meeting in order for the applicant to provide the board more information on the ownership of the original subdivision parcels in relation to the abutting properties.

**13-8 8:10 p.m.** 2956 Norton Ave., Barry Fehnel from Trademark Builders Inc., 4677 Stafford Ave, Bethlehem Pa 18020 is seeking a variance from section 190-53A (Minimum Lot Area) for a lot line adjustment. The applicant would like to give some of the lot area from a conforming lot to a non-conforming lot in order to make the non-conforming lot more conforming in order to build two single family detached dwellings. This property is located in a High Density Residential Zoning District.

**Witnesses:** Daniel Cohen, Atty., Barry Fehnel, Applicant, Ray Olsen, 2917 Norton Ave, David Burgio, 403 Adriene Dr, Forks Pa, Bill Gischel, 2915 Hartley Ave.

**Action:** Cherie Kavanaugh made a motion to approve the lot line adjustment in order to create two undersized lots as was presented on exhibit A-3 at the time of the hearing. The applicant still needs to go before the Palmer Township Planning Commission and get Township Supervisors approvals prior to any permits being issued. The motion was seconded by Peg Kennedy with all in agreement.

Having no further business to discuss, the hearing was adjourned at 10:30 p.m.

James F. Raudenbush  
Zoning Officer