

## MINUTES OF ZONING HEARING BOARD MEETING

The zoning hearing board of Palmer Township met on Tuesday, April 5, 2011, at 7:30 P.M. in the Palmer Memorial Library, One Weller Place, to hear the following appeals. In attendance Maura McGuire, Esq. substituting for Nicholas Noel III, Esq., Zoning Board Solicitor, Charles Roseberry, Board Chairman, Cherie Kavanaugh Board Member, Peg Kennedy Alternate Board Member substituting for Dan Caravetta, James Raudenbush, Zoning Officer, and Court Reporter Ted Rewak.

Since no minutes were provided for the board members James Raudenbush explained that the First Star Bank hearing (11-03) was a continuance and was the only item on the agenda last month, also at the previous hearing the board agreed to allow First Star Bank to replace the sign panels within the freestanding sign until there has been a decision made on the First Star Bank application. The board accepted the explanation of the previous hearing by James Raudenbush

**11-04 7:30 p.m.** 3901 Freemansburg Ave/ 838 Stones Crossing Rd., B&P Holdings 2005 City Line Rd, Suite 106 Bethlehem, Pa 18017 is seeking a variance form section 190-215 I in order to have a one year extension on previous zoning variances to obtain permits for the construction of a financial institution. A use variance and dimensional variances for a financial institution were granted by the Zoning Board in April of 2009. This property is located in a Medium Density Residential Zoning District.

**Witnesses:** Joe Piperato III, Esq., Jody King NAI Summit

**Action:** Peg Kennedy made a motion to grant a 12 month extension on the previous zoning approvals from April 2009 for a financial institution. The motion was seconded by Cherie Kavanaugh with all in agreement.

**11-05 7:40 p.m.** 2014 Newlins Mill Rd., Ronald and Antonia Sutton are seeking a Special Exception from section 190-38B in order to operate a family hair salon out of their residence. This property is located in a Medium Density Residential Zoning District.

**Witnesses:** Antonia and Ronald Sutton

**Action:** Cherie Kavanaugh made a motion to grant the Special Exception for a Family Hair Salon with the following conditions; there shall be one style chair allowed, a 1 square foot sign will be permitted, the salon will be by appointment only, and the salon will be open a maximum of three evenings a week until 9 o'clock. The motion was seconded by Peg Kennedy with all in agreement.

**11-06 7:50 p.m.** Palmer Town Center, SCI Palmer Town Center LLC, 633 West Germantown Pike, Suite 200 Plymouth Meeting Pa 19462 is seeking relief from section 190-184A(4)(b)[1][2] in order to install additional tenant panels on the existing pylon signs at the entrances of the shopping center. This property is located in a General Commercial Zoning District.

**Witnesses:** Karyn Bennet, Fameco Management, Theresa Nightlinger, Compass Sign Company

**Action:** Peg Kennedy made a motion to deny the application for the individual tenant panels that were to be located on the existing freestanding signs within the Palmer Town Center. The motion was seconded by Cherie Kavanaugh with all in agreement.

**11-07 8:00 p.m.** 2804 William Penn Highway (Magic Touch Hair Design Studio), Ken Chiu is seeking relief from section 190-191A to have an additional use in the form of an apartment to be located on the second floor above his salon. Mr. Chiu would also like to amend his previous zoning decision from August 2010 in order to offer private massages. Relief from section 190-161 D (1) is also being sought in order to have a changeable message panel to be part of the freestanding sign. The message panel would have a white background with black letters. This property is located in a Heavy Industrial Zoning District.

**Witnesses:** Ken Chiu

**Action:** Cherie Kavanaugh made a motion a grant the requested variances in order to have an apartment located on the second floor above the salon, to have message panel that would have changeable letters as was presented on exhibit A-2 at the time of the hearing, expand the previous zoning decision in order to have 3 private massage rooms and that the messages be conducted in a professional manner, in strict compliance with all applicable laws and regulations. The motion was seconded by Peg Kennedy with all in agreement.

**11-03 8:10 p.m.** 2415 Park Ave, First Star Bank, 418 west Broad Street, Bethlehem, Pa 18018, is seeking relief from section 190-6 which authorizes the Zoning Hearing Board to permit or deny a use not specifically regulated by ordinance in order to install an electronic message sign. In the event relief is not granted from section 190-6 the applicant would like to challenge the validity of section 190-171 entitled "Signs" feeling that the section would then be invalid. In the alternative the applicant would like to request use and dimensional variances from sections 190-183A in order to have a sign that would exceed the 10 foot maximum height allowed, and section 190-184 relating to the signage area. First Star Bank is also requesting a validity variance due to the extensive use of electronic message signs in connection with the banking industry. An interpretation of section 190-180 "Signs Prohibited in all Districts" is also being requested, as the applicant feels an electronic message sign does not violate any part of this section. This property is located in a Planned Commercial Zoning District.

**Witnesses:** Charles Bruno, Palmer Township Solicitor, Chuck Hagen, V.P. First Star Bank, Andy Ralston, First Star Bank Attorney, William Smillie, Time "O" Matic, Michael Cox, Time "O" Matic

**Action:** At the request of the applicant the hearing has been continued until the regularly scheduled May 3<sup>rd</sup> zoning hearing, to gather additional testimony.

Having no further business to discuss, the hearing was adjourned at 11:45p.m.

James F. Raudenbush  
Zoning Officer