

## MINUTES OF ZONING HEARING BOARD MEETING

The zoning hearing board of Palmer Township met on Tuesday, May 3, 2011, 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, Cherie Kavanaugh Board Member, Peg Kennedy Alternate Board Member substituting for Dan Caravetta, James Raudenbush, Zoning Officer, and Court Reporter Ted Rewak.

Cherie Kavanaugh made a motion to accept the minutes from the April 5, 2011 Zoning Hearing. The motion was seconded by Peg Kennedy with all in agreement.

**11-08 7:30 p.m.** 2146 Gruver Ave., Metro Pennsylvania PCS, LLC, 510 Virginia Dr., Ft. Washington, Pa 19034, is seeking variances in order to co-locate six antennas on an existing tower. Relief from sections 190-199C (1) (a) [1] and [2] is being sought for a De minimis and/or dimensional variance to expand a non-conforming use that does not comply with the tower fall zone setback. Also the applicant is requesting relief from section 190-210B (9) (j) [3] relating to the proposed fence and landscaping, and section 190-210B (9) (j) [5] with respect to the location of the Telecommunications Facility within 500 feet of a residential use. The applicant is also requesting any other relief or interpretations the Zoning Hearing Board deems necessary. This property is located in a Medium Density Residential Zoning District.

**Witnesses:** Debra Shulski, Esq., William Blessing, Radio Frequency Expert, Petros Tsovkakas, P.E., Jeff Kicska, 2808 Woodlawn Ave.

**Action:** Cherie Kavanaugh made a motion to grant a variance from section 190-199 C to expand upon a non-conformity in order to co-locate 6 communication antennas on an existing tower and expand upon an existing telecommunications facility. Cherie Kavanaugh then made a motion to deny a variance request from section 190-210B (9) (j) [3], and motioned that a 6' chain link fence and screening be installed around all sides of the telecommunications facility in such a manner that there will be no interference with any right-of-ways/easements. 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:** None present

**Action:** At the request of the applicant the hearing has been continued until the regularly scheduled June 7<sup>th</sup> zoning hearing.

Having no further business to discuss, the hearing was adjourned at 8:45p.m.

James F. Raudenbush  
Zoning Officer