

Zoning Hearing Board
Lower Saucon Township
Town Hall
January 21, 2013

MINUTES

The meeting was called to order at 7:00 p.m. by Chairman Jason Banonis.

Roll Call

Present at the meeting were Chairman Jason Banonis, Secretary Keith Easley, and Board Member Lachlan Peeke. Vice Chairman Ted Griggs and Board Member Austin Kunsman were absent. The Solicitor, George A. Heitzman, was present.

Reorganization

Chairman Banonis called for nominations for the coming year. Mr. Peeke moved to keep the same slate of officers, Solicitor, and meeting dates as last year. The motion was seconded by Mr. Easley and passed by a vote of 3 to 0, resulting in the reappointment of Jason Banonis as Chairman, Ted Griggs as Vice Chairman, Keith Easley as Secretary, and George A. Heitzman as Solicitor for 2013, and also resulting in the designation of 7:00 p.m. on the third Monday of each month during which there is business to transact as the date and time for meetings of the Board, except for the months of July and August when the Board may meet on the fourth Monday, so as to permit Township Council to review applications during that month.

Minutes

The Board had before it for approval the minutes of the meeting of

December 17, 2012. Mr. Easley moved to accept the minutes as submitted. The motion was seconded by Mr. Banonis and passed by a vote of 3 to 0.

Bills

The Board had before it for approval a bill from the Morning Call for advertising the meeting of December 17, 2012, the Court Reporter's bill for attendance at the meeting of December 17, 2012, and the Solicitor's invoice for the month of December, 2012. Mr. Peeke moved to pay the bills as submitted. The motion was seconded by Mr. Easley, and passed by a vote of 3 to 0.

Variance Appeal of Revolutions of Saucon Valley, LLC - Variance 15-12

Chris Garges, the Zoning Officer, was sworn and testified that this parcel is a building in condominium form of ownership which resides in the Saucon Square Shopping Center, which is located in the GB-1 zoning district.

The shopping center parcel was granted zoning relief from the width of the parking spaces and the amount of impervious coverage. The pylon sign at the shopping center entrance was the subject of prior variance relief.

Applicant is retrofitting the old movie theatre into a bowling alley/restaurant facility. Applicant is proposing to install 4 signs on the front of the building having a total area of 593.37 ft². One of the four new signs is to be a replacement for an existing sign. The Ordinance in §180-99C(10) permits one sign per exposed exterior wall, and requires that the surface area of each sign shall not exceed 15% of the surface area of the exposed exterior wall, up to a maximum of 150 ft². Applicant is seeking relief to allow 3 more signs than the Ordinance permits, with a total signage area that will be 443.37 ft² more than the Ordinance permits.

Mr. Garges noted that the General Sign Requirements contained in Appendix C of the Ordinance would impose a 120 ft² limit, but stated that he felt

the appropriate section to apply was §180-99C(10).

Mr. Garges also told the Board that the building in question is the largest retail building in the Township and has much larger walls than any other structure. He stated his opinion that the permitted sign area would be too small in consideration of the size of the building.

Township Council took no action, although Mr. Garges expressed the belief that Council was close to making an affirmative recommendation.

Attorney James F. Preston appeared representing Applicant. Attorney Preston called Sandy Faulkner as his witness. She is in charge of the division of sales and marketing for Revolutions. She testified that the business is currently open and provides family entertainment. The building comprises 40,000 ft² and includes a restaurant, a bowling alley, an arcade, and private party rooms. There are multiple entrances to the building.

Ms. Faulkner identified Applicant's Exhibit A as a packet showing the signs that are proposed. She concurred with Mr. Garges's testimony that this is the largest retail building in the Township. The building is set back approximately 500 feet from the roadway of Route 378.

Ms. Faulkner testified that the Ordinance would permit one sign for each building face, however only one of the faces of this building could have a sign that was visible, and hence the ability to put a sign on the other faces of the building was of absolutely no value.

She also testified that she believed the signs were necessary and reasonable to perform the function required. She testified that she was aware that other commercial applications had received sign relief.

Attorney Preston then noted that he had listed in his application an alternative ground for relief involving an interpretation of the Zoning Ordinance. He stated he was withdrawing his request for that particular relief and would rely upon his request for a variance.

There was no one in the audience who wish to be heard concerning the matter.

Mr. Peeke moved, seconded by Mr. Easley, to grant the variance as requested. The motion passed by a vote of 3 to 0.

Old Business

There was no old business before the Board.

New Business

There was no new business before the Board.

Adjournment

There being no further business before the Board, Mr.Peeke moved, seconded by Mr. Banonis, to adjourn the meeting. The motion passed by a vote of 3 to 0 and the meeting adjourned at 7:20 p.m.

Respectfully submitted,

George A. Heitzman
Solicitor