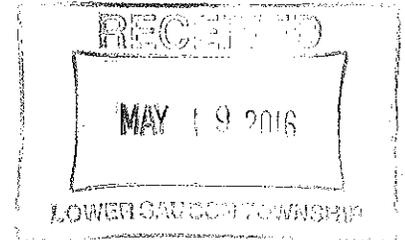


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MOLLY BENDER
LOWER SAUCON TOWNSHIP
ZONING HEARING BOARD
3700 OLD PHILADELPHIA PIKE
BETHLEHEM PA 18015



May 17, 2016

RE: Minutes of meeting of May 16, 2016

Dear Molly:

Enclosed are the Minutes of the meeting of the Zoning Hearing Board held on May 16, 2016. I have also sent a copy via e-mail.

Please advise if any additions, deletions or corrections need to be made to these Minutes.

Very truly yours,

A handwritten signature in cursive script that reads "George A. Heitzman".

George A. Heitzman
Solicitor

GAH:cm
Enclosure

S

ROUTING

- Council
- Manager
- Asst. Mgr.
- Zoning Orig
- Finance
- Police
- P. Works
- P/C
- P & R
- EAC
- Engineer
- Solicitor
- Planner
- Landfill
- EMC
- Other ZNB

Zoning Hearing Board
Lower Saucon Township
Town Hall
May 16, 2016

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, Vice Chairman Lachlan Peeke, Secretary Keith Easley, and Board Members Austin Kunsman and Jay Lazar. The Solicitor, George A. Heitzman, was also present.

Minutes

The Board had before it for approval the minutes of the meeting of April 18, 2016. Mr. Kunsman moved to accept the minutes as submitted. The motion was seconded by Mr. Peeke and passed by a vote of 5 to 0.

Bills

The Board had before it for approval a bill from the Morning Call for advertising the meeting of April 18, 2016, the Court Reporter's bill for attendance at the meeting of April 18, 2016, and the Solicitor's invoice for the month of April 2016. Mr. Peeke moved to pay the bills as submitted. The motion was seconded by Mr. Kunsman and passed by a vote of 5 to 0.

Special Exception Appeal of PA Venture Capital, Inc. - Special Exception 01-16

This appeal was again continued at the request of Applicant because Applicant is finalizing its plans subsequent to its last appearance before Township

Council.

Variance Appeal of Janet Towns - Variance 11-16

Chris Garges, the Zoning Officer, was sworn and testified that Applicant has commenced construction on a detached 20' x 28' accessory structure which will not meet the required side yard setback. The parcel contains a single family dwelling and driveway, and there was a foundation at the site where the structure is to be built, although the structure is slightly larger than the foundation that had existed. The parcel is located in an R40 zoning district, is approximately 0.7 acres in size, and is long and narrow. The parcel utilizes a shared driveway to provide access to Easton Road. Applicant will need approximately 21' of relief from the side yard setback of 30' required by §180-35B.

The appeal was properly posted and advertised and Township Council took no action. There have been no prior variances granted as to this property.

Janet Towns appeared, was sworn, and stated that she had nothing to add to the presentation of Mr. Garges. In response to a question from the Board she stated that the side of her property where the structure is to be built is the side that is on the other side from the nearest street. She stated there is open space adjacent to her property line at the site.

Janice Bendics, a member of the audience, was sworn and testified that she was present because she had received a notice and that the structure was satisfactory to her.

Stephen Leonard, another member of the audience, was sworn and testified that he has no objection to the proposed structure, but questioned whether there is an issue as to the impervious surface coverage. In response to this question Mr. Garges said there was no issue because the property is 0.7 acres as to which 25% impervious coverage is allowed, and this will not be exceeded by the addition of the structure.

The issue of storm water management was also discussed and the Board

noted it does not treat storm water management issues. However, during the discussion, Applicant and Mr. Leonard agreed that the roof leaders from the structure will run out onto Church Lane. This was satisfactory to Mr. Leonard.

Mr. Banonis moved, seconded by Mr. Peeke, to grant a variance from §180-35B of the Zoning Ordinance subject to the specific condition that the roof leaders from the structure shall be directed to the Church Lane side of the property. The motion passed by a vote of 5 to 0.

Variance Appeal of Jonathan D. Bodnyk - Variance 12-16

Chris Garges, having previously been sworn, testified that Applicant is seeking relief to permit the construction of a dwelling on a vacant, land locked parcel. The parcel is approximately 3.2 acres and is located in an RA zoning district. The plans accompanying the application are vague with regard to details, however a more detailed plan (grading plan) will be required prior to approval of a building permit. Applicant will need relief from §180-91A in order to construct a principal structure on a lot that does not contain road frontage.

The property was properly posted and advertised and Township Council took no action.

Donald Lynch was sworn and testified that he is an engineer who was been retained in this matter. He testified that the parcel is landlocked but that there is a 33 foot wide easement on a neighboring parcel on which a driveway can be constructed. The easement provides access to the parcel, however a variance is needed because the lot has no actual road frontage. He stated that the easement is shown on the deed from Mary Savitske to Charles Szlivko and Dolores Szlivko, his wife, dated August 4, 1965, recorded in Deed Book 249, page 176. He entered a copy of the deed into evidence as Applicant Exhibit A-1. He also noted that Mr. Bodnyk has a power of attorney permitting him to present this matter to the Board

A member the audience, John J. Skraban, Jr., was sworn and testified that he wanted to ensure that the driveway that is proposed would not be on his

property. He was shown the plans and noted that the driveway will be offset 5 feet from the edge of the easement and his property, and he said that was satisfactory.

George J. Savitske was sworn and testified that he also questioned the exact location of the easement, and he was given the opportunity to view the plan. After he had done so, he stated that all of his concerns were satisfied.

The Chairman and Mr. Lazar both noted that approval of the variance does not guarantee that there is an easement, valid or otherwise. It just represents the decision of the Board relieving Applicant from the requirement that the lot have road frontage. It is up to Applicant to obtain lawful access to the parcel once the variance from the requirement of road frontage has been granted.

After discussion, Mr. Peeke moved, seconded by Mr. Banonis to grant the requested variance. The motion passed by a vote of 5 to 0.

Old Business

There was no old business.

New Business

There was no new business.

Adjournment

There being no further business before the Board, Mr. Kunsman moved, seconded by Mr. Peeke, to adjourn the meeting. The motion passed by a vote of 5 to 0 and the meeting adjourned at 7:40 p.m.

Respectfully submitted,


George A. Heitzman
Solicitor