

Zoning Hearing Board  
Lower Saucon Township  
Town Hall  
May 21, 2012

## **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 Ted Griggs, and Board Member Lachlan Peeke. Secretary Keith Easley and Board Member Austin Kunsman were absent. The Solicitor, George A. Heitzman, was also present.

### **Minutes**

The Board had before it for approval the minutes of the meeting of April 16, 2012. Mr. Griggs moved to accept the minutes as submitted. The motion was seconded by Mr. Peeke 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 April 16, 2012, the Court Reporter's bill for attendance at the meeting of April 16, 2012, and the Solicitor's invoice for the month of April, 2012. Mr. Peeke moved to pay the bills as submitted. The motion was seconded by Mr. Banonis and passed by a vote of 3 to 0.

### **Variance Appeal of Michael & Tracy Kiefer - Variance 03-11**

This appeal was continued at the request of all parties, including the

Township, as it appears that the parties are close to a global resolution of the issues.

**Variance Appeal of David & Maureen LaBarre - Variance 02-12**

This matter was continued from the April 16, 2012, hearing. Mr. LaBarre had requested the matter be held over at the end of that meeting so that he could consider the comments of his neighbors.

Mr. LaBarre appeared, was sworn, and testified that he had modified his plan so as to locate the proposed structure 6' from the property line rather than 3', and had also placed it closer to the road. The structure will be limited to 16' in height, and he will also install snow guards and rain gutters to allay the neighbors' concerns.

Mr. Garges reminded the Board that Council had taken no action in the original matter.

Shirley Kemmerer, a member of the audience, was sworn and testified that in view of the modifications that had been made, she and her husband no longer objected to the proposed structure.

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

**Variance Appeal of Jim Morel - 05-12**

Chris Garges was sworn and testified that Applicant would like to construct a 6' high fence on his lot located in an R12 zoning district. The fence is proposed to be located in the required front yard setback. The Zoning Ordinance only permits a fence that is located in the required front yard to have a maximum height of 4'.

The lot is approximately 14,000 ft<sup>2</sup> in size. The property contains a single family dwelling and attached garage. The lot has frontage on Old Philadelphia

Pike and Walter Street. Applicant is proposing to place the fence in the required front yard on Walter Street. Applicant will need a variance from §180-97C(2)(a) and will require approximately 2' of relief from the maximum permitted height of 4'.

The Solicitor questioned Mr. Garges about the comment in his memorandum that the Board consider restricting the size of the fence so as to insure that traffic sight lines are not impeded. Mr. Garges replied that he had since visited the site and measured the area and determined that the proposed fence at the proposed location will not cause any interference with any traffic sight lines.

Mr. Morel was sworn and testified that he had nothing to add to what Mr. Garges said other than to reaffirm that the proposed location for the fence will not impede any traffic sight lines.

Carol Sieger, a member the audience, was sworn and stated that she had concerns regarding visibility. She noted that there is a school bus stop in the area and there were some visibility difficulties. She looked at the plan provided by Mr. Morel and learned that the fence was not in the location she had initially believed it to be. She agreed that Mr. Morel's proposal, as she now understood it, should not cause any difficulties with traffic sight lines.

Mr. Peeke moved, seconded by Mr. Banonis, to grant the request for a variance. The motion passed by a vote of 3 to 0.

### **Variance Appeal of John McCabe - 06-12**

Chris Garges having previously been sworn testified that Applicant would like to construct a deck on his land which is located in an R20 zoning district. The proposed deck will exceed the maximum allowable coverage by 185 ft<sup>2</sup>. The lot is approximately 14,630 ft<sup>2</sup> in size. The property contains a single family dwelling and attached garage. The lot has frontage on Highland Drive and

Sanbrook Drive. The parcel is undersized by approximately 5,000 ft<sup>2</sup> which limits the amount of coverage compared to what would be allowed by a lot that meets the minimum lot size of 20,000 ft<sup>2</sup>. The existing coverage is 3,382 ft<sup>2</sup> (23.1%) and the proposed coverage is 26.25% (3,840 ft<sup>2</sup>). Applicant will need approximately 1.25% or 185 ft<sup>2</sup> of relief from the maximum allowable lot coverage of 25%.

Applicant had originally wished to construct a deck 644 ft.<sup>2</sup> in size. When Applicant appeared before Council, Council agreed to take no action if the deck size were reduced. Applicant therefore reduced the deck size to 456 ft.<sup>2</sup>. A variance to increase the permitted coverage from 25% to 26.25% results in an impervious coverage of 3,840 ft.<sup>2</sup>, and Applicants proposed drawings show 3,838 ft.<sup>2</sup>. Therefore, if a variance of the requested 1.25% is granted, Applicant's plans will meet that requirement.

Mr. McCabe testified that he had modified his plan after his appearance before Council and that he agreed with Mr. Garges's recitation of the facts.

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

Mr. Peeke moved to grant the requested variance. The motion was seconded by Mr. Banonis and passed by a vote of 3 to 0.

#### **Variance Appeal of Allentown S.M.S.A, d/b/a Verizon Wireless - 07-12**

Chris Garges stated that Applicant had not as yet had an opportunity to appear before Township Council, but would be doing so in the early part of June. Applicant therefore requested a continuance until the June meeting of the Board.

#### **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 7:19 p.m.

Respectfully submitted,

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George A. Heitzman  
Solicitor

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