

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS
MINUTES
February 8, 2006**



The Lower Nazareth Township Board of Supervisors held a regularly scheduled meeting in the Township Municipal Building on Wednesday, February 8, 2006. The Vice Chairman called the meeting to order at 7:33 p.m.

Present were:

Dr. Alan Dilsaver	-	Chairman	Timm A. Tenges	-	Manager, Secretary/Treasurer
Eric E. Nagle	-	Vice Chairman	Lori B. Seese	-	Asst. Secretary/Treasurer
Ricky T. Johnson	-	Supervisor	Tammi Dravec	-	Administrative Assistant
Robert S. Kucsan	-	Supervisor	Gary Asteak	-	Solicitor
Patrick J. Murphy	-	Supervisor	Albert Kortze, P.E.	-	Engineer

Approval of Minutes

Motion to approve the minutes of the January 25, 2006 meeting was moved by Mr. Johnson and seconded by Mr. Kucsan. The motion carried unanimously.

Correspondence

Mr. Nagle acknowledged the receipt of a memo from The County of Northampton announcing a municipal meeting to review the operation of the County's E-911 and communications system.

Conditional Use Hearing

Joseph McNichol, of Dennis Trucking, and his attorney, Edward Andres, from Corriere and Backenstoe, were present for the conditional use hearing. The conditional use application was filed after the zoning officer issued a cease and desist notice. It came to the township's attention that L-Rod Trucking was operating a truck repair business out of the end bay and Watkin's Motor Lines is occupying the remainder of the building.

The present use is a trucking terminal. However, Dennis Trucking has been leasing part of its facility to Watkin's Motor Lines, as a truck terminal, since 1983. In 2003, Dennis Trucking began leasing another part to L-Rod Trucking. If Mr. McNichol had run both businesses the second one would have been an accessory use. But since two people are running a business out of the facility it is two principal uses. Only one type of principal use is permitted per lot. A conditional use must be granted in order to have two principal uses.

The zoning officer received complaints about the storage of trash trucks and odors being emitted from those trucks. The storage of garbage trucks was unknown to Mr. McNichol and has been discontinued since the cease and desist order. Mr. McNichol said that L-Rod Trucking is now storing and repairing box trucks. Therefore, Mr. Asteak stated that a condition could be that there be no trash trucks stored or repaired at the facility.

Mr. Asteak stated that this facility does not cause significant traffic congestion or hazards. It does not pose a public safety hazard. There is no stormwater issue and there are no issues from residents.



Sean Karch, who lives next door to the facility, was present at the meeting. Mr. Karch is concerned about noise. He says they work on the trucks at all hours of the day. Mr. McNichol stated that the vehicles should be worked on inside the garage. Mr. Karch is requesting buffers be installed between the two properties. Mr. McNichol stated this is not a new situation. It has been like this for over 20 years.

There was discussion between the Board, Mr. Karch, and Mr. McNichol, and review of photographs of the site taken by Mrs. Seese. Mrs. Seese's recommendation to the Planning Commission was that Mr. McNichol install trees for screening. Dr. Dilsaver asked if Mr. McNichol was opposed to installing trees. Mr. Andres stated that he would have to weigh the costs of installing the trees and then decide whether to continue to do business with L-Rod Trucking.

Mr. Nagle asked Mr. Karch if he noticed a change in the noise. Mr. Karch stated that even though Watkin's Motor Lines has more trucks, they make less noise than L-Rod Trucking.

Mr. Kucsan said that Mr. McNichol is asking for the Board to grant him a conditional use, but then complains when asked to plant some trees. Mr. Kucsan made a motion to require 6-foot trees to be installed 15 feet apart between the two properties. The motion was not seconded.

Mr. Nagle made a motion to grant the conditional use so long as there is no repair or storage of garbage trucks. Mr. Johnson seconded the motion. The motion carried unanimously.

Reports

Dr. Dilsaver acknowledged the receipt of the Hecktown Fire Company's December 2005 Report and Incident Report for 2005.

Dr. Dilsaver acknowledged the receipt of the Hecktown Ambulance Corps Vol. Firefighter's Relief Assoc. Audit from 1/1/02 – 12/31-04. Mr. Tenges stated that they are reviewing the audit and if there are any items of discussion they'll be discussed later.

Dr. Dilsaver acknowledged the receipt of the LNT Nonuniform Pension Plan Audit for 1/1/02 – 12/31-04. Mr. Tenges stated that there were no findings.

Dr. Dilsaver acknowledged the receipt of the LNT Public Works Department – Roadmaster Report for January 2006.

Subdivision/Land Development

Greenfield Industrial Park – Preliminary Plan – LNT-06-06 - Jeffrey Greenwalt of Greenfield Builders, his attorney James Preston and an engineer from RETTEW were present for the meeting. Mr. Preston stated he had received Mr. Kortze's letter. Mr. Kortze reviewed his letter, which was based on Greenfield's October 31, 2005 plan submission. Mr. Kortze recommends preliminary approval provided his comments and the conditional use opinion and order requirements are addressed. Motion to approve LNT-06-06 granting Preliminary Approval was made by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

Logisticenter Parking Lot Expansion – Preliminary Plan – LNT-07-06 - Blake Marles, of Stevens and Lee presented a graphic of Logisticenter. Mr. Marles stated that the Planning Commission recommended preliminary approval, however the Zoning Officer had two issues with the plans. The first issue, buffering, was discussed at a meeting between Mrs. Seese, and Mr. Tenges. The second issue is the possible relocation of Keystone Drive. If the road were to be relocated the parking lot would have to be moved about 75 feet. Mr. Marles discussed different ideas for the "exchange" of this land. Mr. Kortze reviewed his letter dated February 7, 2006. He recommends preliminary approval. C&S Wholesale Grocers would use the parking lot. Mr. Mead, of C&S Wholesale Grocers, stated that one area of the parking lot would be used for the parking of the company's tractors and trailers and one area would be for staging. After some discussion the Board decided they do not want to lose the ability to relocate



Keystone Drive if they ever decide to do so. Motion to approve resolution LNT-07-06 was made by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously. The Board also made a motion to waive the deadline for the submission for the February 27th Planning Commission meeting. The applicant has until 2:00PM Friday February 10th to submit their plans. Motion was made by Mr. Kucsan and seconded by Mr. Nagle. The motion carried unanimously.

Jaindl Lot 1 – Preliminary/Final Land Development – Time Expansion – Dr. Dilsaver read the letter from The Pidcock Company, written on behalf of the Jaindl Land Company, granting a time extension through April 30, 2006. Motion to accept this time extension was made by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

Colt's Run South – Final Major Subdivision – Time Extension – Dr. Dilsaver read the letter from Joseph Piperato, written on behalf of Rondel Development, granting a time extension through May 31, 2006. Motion to accept this time extension was made by Mr. Nagle and second by Mr. Kucsan. The motion carried unanimously.

Saturn of Route 33 – Land Development Plan – Time Extension – Dr. Dilsaver read the letter from Steven Boell of Fitzpatrick, Lentz & Bubba, P.C., granting a time extension through May 31, 2006. Motion to accept this time extension was made by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

Colt's Run Letter of Credit Reduction – Mr. Kortze reviewed his letter dated February 8, 2006. At the developer's request, Mr. Kortze's office performed a site review of the subdivision's secured improvements. Mr. Kortze recommended the letter of credit be reduced by \$13,257.53 to \$226,649.91. Motion to approve this letter of credit reduction was made by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

Jaindl Farms Residential Subdivision – David Jaindl presented a proposal for a development of 340 acres in the far northwest corner of the township. The proposal calls for two pockets of land development with public water and sewer. It will be single-family homes on 16,000-18,000 square foot lots, with 130 acres of open space and a 100foot deep buffer around the entire perimeter. Mr. Tenges stated that this is a mechanism for the landowner to profit while still preserving land in the township. This plan would meet Mr. Jaindl's needs and the needs of the community as a whole. Mr. Jaindl stated that he would develop the land either way, but would rather preserve some land. Mr. Asteak stated that this is the next logical level to land preservation. Mr. Kortze asked if the open space would be dedicated to the township and Mr. Jaindl stated that would be at the township's discretion. The Board liked the proposal and decided to move forward. Mr. Jaindl will draw up some sketches and bring them to the Board.

Stuart Schooley, Fir Drive, asked what effect clustering would have on property taxes. Mr. Jaindl stated that it would balance out. Larger lots would be have higher taxes, but the smaller lots will carry more value because of the public water and sewer.

Supervisors Comments

Mr. Kucsan reported that he had been to the building on Broadhead Road in Hanover Township that is being proposed for the Colonial Regional Police Department.

Mr. Nagle reported that he attended the February 1, 2006 Colonial Police Commission meeting. They voted to have Mr. Asteak be their acting solicitor. He also had visited the State Farm building that on Broadhead Road.

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Dr. Dilsaver, Mr. Johnson, and Mr. Murphy had no comments.

Manager's Report

Mr. Tenges presented a mailbox agreement for Mr. and Mrs. Nauman. Motion to authorize the execution for recording of this agreement was made by Mr. Nagle and seconded by Mr. Kucsan. The motion carried unanimously.

Mr. Tenges reported that an agreement was written between the township and the Syrstads. They want to build an addition on their home but their septic system may not be able to support it. The agreement allows them to build their addition, however they must maintain their current septic system and, when public sewer becomes available, hook up immediately. Motion to approve the agreement between Lower Nazareth Township and Mr. & Mrs. Syrstad was made by Mr. Johnson and seconded by Mr. Nagle. The motion carried unanimously.

Mr. Tenges reported that he would like to appoint Tammi Dravec to Assistant Secretary/Treasurer. Motion to appoint Tammi Dravec to Assistant Secretary/Treasurer was made by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

Mr. Tenges reported he was in receipt of the comp plan for review. The adoption date of April 15, 2006 is unlikely. The plan will be distributed to the Planning Commission. Both the Planning Commission and the Board will hold a public hearing and will have 45 days to comment. Mr. Asteak will take care of advertisement.

Mr. Tenges reported that there was a conflict for the March 22, 2006 Board of Supervisors meeting and asked the Board to cancel the meeting. Motion to cancel the March 22, 2006 Board of Supervisors meeting was made by Mr. Nagle and seconded by Mr. Kucsan. The motion carried unanimously.

Mr. Tenges reported that he received a letter from PSATS and that he had been appointed to the State Association's Secretary and Managers Committee.

Mr. Tenges reported that Lehigh Valley Hospital would once again be running their program "Communities on the Move" and wanted to know if their was interest in participating this year.

Engineer's Report

Mr. Kortze reported that DP Partners would be performing roadwork, weather permitting, this weekend. Keystone Drive would be closed from 2/10/06 – 2/14/06.

Solicitor's Report

Mr. Asteak presented Ordinance 183-02-06 for approval. The Ordinance is for an intergovernmental agreement between Hanover Township and Lower Nazareth Township. Motion to approve Ordinance 183-02-06 was made by Mr. Nagle and seconded by Mr. Johnson. The motion carried unanimously.

There was no discussion under **Old Business.**

There was no discussion under **New Business.**

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There were no comments under Courtesy of the Floor.

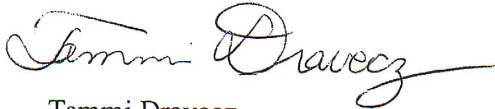
Payment of the Bills

Mr. Tenges made a correction to the bills. Motion to approve the bills dated February 8, 2006, with the correction made by Mr. Tenges, was moved by Mr. Kucsan and seconded by Mr. Johnson. The motion carried unanimously.

Adjournment

Motion to adjourn the meeting was moved by Mr. Nagle and seconded by Mr. Johnson. The meeting was adjourned at 9:45p.m.

Respectfully submitted,



Tammi Dravec
Assistant Secretary/Treasurer

tmd