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NAZARETH OFFICE:
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NAZARETH, PA. 18064

April 1, 2014

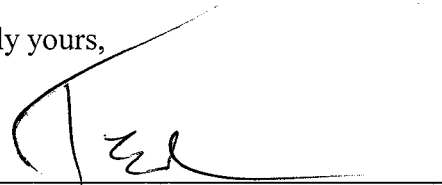
Yvonne D. Kutz, Zoning Officer
Hanover Township Municipal Bldg.
3630 Jacksonville Road
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –
Bethlehem Retirement Residence, LLC,
School Sisters of Saint Francis &
Richard D. and Flora A. Wistreich**

Dear Yvonne:

Enclosed herewith find copy of Findings of Fact and Conclusions of Law in the above matters, along with a copy of the cover letters enclosing the same.

Very truly yours,



Theodore R. Lewis, Esquire

TRL/bn
Enclosures

HANOVER TOWNSHIP ZONING HEARING BOARD

OF NORTHAMPTON COUNTY, PENNSYLVANIA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Application of : Richard D. Wistreich &
 : Flora A. Wistreich
Application Dated : January 24, 2014
Property : 6805 Allegiance Drive

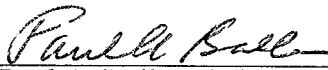
The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, February 27, 2014, and rendering its oral decision granting the requested variance, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is known as 6805 Allegiance Drive and is located in R1-A - Residential District.
2. The applicants are the owners of the property, Richard D. and Flora A. Wistreich.
3. The subject property is located in the Traditions of America Adult Community. In that regard, the applicant presented at the time of the hearing a letter signed by Kim Gialanella dated November 1, 2013 conditionally approving their request for their proposed construction.
4. The applicants testified that they desire to construct a 3 season room on the back of their house which would encroach into the required setback by about 3 feet, for a total of 33 sq. ft. of encroachment into the required setback.
5. Sect. 185-28.1.C.(4)(b) provides that there shall be a minimum separation distance between the walls of buildings of 40 feet between the rears of buildings.
6. The Zoning Officer indicated that this provision has been interpreted and consistently applied as the distance between the furthest wall on each of the two parcels in question.
7. Thus in the present situation Unit 95, directly across from the subject property which is Unit 99, has a similar build out. The proposed build out on Unit 99 would be a distance of 37 feet from the extension of the line of the build out on Unit 95.
8. On the other hand, the build out on Unit 95 is on the other side of where the build out on Unit 99 will be, and therefore the distance between the build out on Unit 99 and the wall directly across from Unit 95 is 45 feet.
9. The applicant indicated that Unit 99 and Unit 95 for some reason were set back a little further from the road than the other Units, thus creating this problem.

10. The proposed construction that he described is not unusual in the development.
11. The owners of Unit 95, John Licini and Marcia Grant, were present at the hearing, and confirmed that they do not object to the proposed construction.
12. Under the foregoing facts the Board believes that the grant of a variance is appropriate and will not be detrimental.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby grants a variance from the minimum setback provisions as distance between the rears of buildings from 40 feet to 37 feet.

HANOVER TOWNSHIP ZONING HEARING BOARD

By: 
Paul A. Balla, Chairman

Dated: April 1, 2014

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April 1, 2014


Joseph F. Leeson, Jr., Esquire
70 East Broad Street
Bethlehem, PA 18016

**Re: *Hanover Township Zoning Hearing Board –
School Sisters of Saint Francis***

Dear Joe:

Enclosed herewith please find a true and correct copy of the Findings of Fact and Conclusions of Law of the Hanover Township Zoning Hearing Board that I am sending to you as attorney for the applicant in the above matter.

Very truly yours,



Theodore R. Lewis, Esquire

TRL/bn
Enclosure

cc: Yvonne D. Kutz, Zoning Officer

HANOVER TOWNSHIP ZONING HEARING BOARD

OF NORTHAMPTON COUNTY, PENNSYLVANIA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Application of : School Sisters of Saint Francis
Application Dated : December 27, 2013
Property : 395 Bridle Path Road

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, February 27, 2014, and rendering its oral decision granting the necessary variances to permit the structures and proposed uses as described in the application, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is located at 395 Bridle Path Road in an R1-R – Single Family Residential Rural District.

2. Appearing on behalf of the applicant was Sister Bonnie Marie Kleinschuster, Treasurer of the School Sisters of Saint Francis, the owners of the subject property.

3. Also testifying in favor of the application was Robert Drake, Project Manager.

4. According to the testimony the applicant desires to have an 8 foot deer fence. Mr. Baker indicated this was the minimum height as recommended by the County Extension Office to prevent deer who sometimes can jump even that high.

5. The applicant also desires two prefabricated outbuildings; one being 12'x20', and the other being 36'x12', as described in the documents and the application.

6. Mr. Drake indicated that the larger shed will have a cold room, dry storage and storage for tools and equipment. The larger shed will contain tools and equipment that are necessary for the demonstration garden.

7. The applicant also desires to construct two greenhouses; one being a Geodesic Greenhouse, the other being a High Tunnel Greenhouse.

8. In addition, the applicant desires a portable sanitation unit to provide bathroom facilities for users and guests.

9. The applicant also desires a pick your own retail sale of vegetables and flowers use of the premises.

10. Finally, the applicant desires a place to locate bee hives.

11. Testifying in favor of the application was Charles Talaber of 2608 Pioneer Road who indicated that he was speaking on behalf of numerous residents of the Traditions of America development to the west of the subject property.

12. Speaking against the application was Eric Bean of 450 Bridle Path Road. He stated that according to his recollection in prior approval proceedings this area was to be kept as a buffer zone or open space, and he believes that the present application was not consistent with that.

13. The Board finds that the proposed uses are primarily agricultural in nature and that the agricultural use of the property has been there for a considerable length of time.

14. It is noted also that the agricultural uses are permitted in this district. It is also noted that other uses that are permitted in this district could be, in the opinion of the Board, much more intensive than the proposed uses.

15. It is believed by the Board that the uses which involve community supported agriculture are consistent with and within the scope of those uses permitted in this zone.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby grants any and all necessary variances to permit the structures and proposed uses as set forth in the application at the hearing.

HANOVER TOWNSHIP ZONING HEARING BOARD

By: Paul A. Balla
Paul A. Balla, Chairman

Dated: April 1, 2014

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April 1, 2014


Mr. and Mrs. Richard D. Wistreich
6805 Allegiance Drive
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –
Richard D. and Flora A. Wistreich**

Dear Mr. and Mrs. Wistreich:

Enclosed herewith please find a true and correct copy of the Findings of Fact and Conclusions of Law of the Hanover Township Zoning Hearing Board concerning your application dated January 24, 2014.

Very truly yours,


Theodore R. Lewis, Esquire

TRL/bn
Enclosure

cc: Yvonne D. Kutz, Zoning Officer