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GEORGE F. COFFIN, JR.
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NAZARETH OFFICE:
BY APPOINTMENT ONLY
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NAZARETH, PA. 18064

March 19, 2015

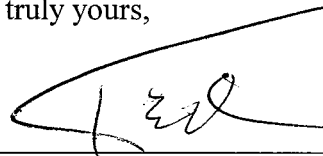
Yvonne D. Kutz, Zoning Officer
Hanover Township Municipal Bldg.
3630 Jacksonville Road
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –
Hanover Township Volunteer Fire Company #1
& Apple Tree Hill, LLC**

Dear Yvonne:

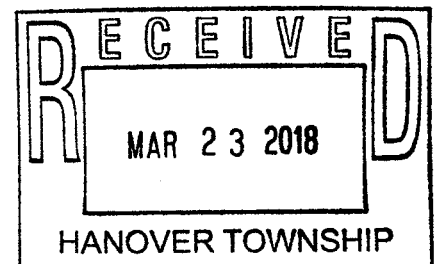
Enclosed herewith find copy of Findings of Fact and Conclusions of Law in the above matters,
along with a copy of the cover letters enclosing the same.

Very truly yours,



Theodore R. Lewis, Esquire

TRL/bn
Enclosures



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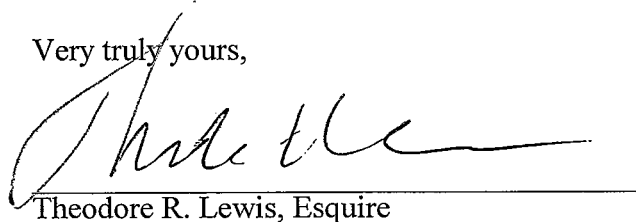
Hanover Township Volunteer
Fire Company #1
100 Stoke Park Road
Bethlehem, PA 18017

**Re: Hanover Township Zoning Hearing Board –
Hanover Township Volunteer Fire Company #1**

Dear Sir:

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 19, 2015.

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 : Hanover Township Volunteer
: Fire Company #1
Application Dated : January 19, 2015
Property : 100 Stoke Park Road

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, February 26, 2015, and rendering its oral decision granting the requested variances for parking areas located within the required setback, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is located in an LBD – Limited Business District.
2. The property is owned by Hanover Township Volunteer Fire Company #1.
3. The applicant submitted a Zoning Plan drawn by Liberty Engineering, Inc. with a date of January 19, 2015 and no revision dates. This Plan was marked Exhibit A-1 at the hearing.
4. Testifying on behalf of the applicant were members of the Volunteer Fire Association and Thomas R. Roache, Professional Engineer from Liberty Engineering, Inc.
5. According to the testimony, the proposed addition to the building will result in losing ten existing parking spaces.
6. However, according to the plan submitted by the applicant they would be able to provide an additional seventeen spaces for a net gain of seven parking spaces.
7. The parking areas that do not presently exist and that are located within the required setbacks, are shaded and marked Proposed Parking Area Within Setback.

8. Sect. 185-14(C)(3) does not permit parking spaces to be located within the required setback and therefore a variance from this section is required.

9. According to the testimony, the removal of an existing building will provide an area for new parking spaces some of which are proposed to be located within the required setbacks.

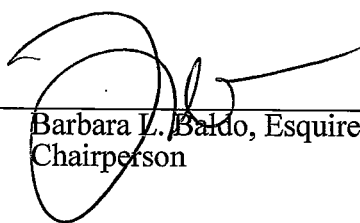
10. It is noted that the applicant is typically in a situation where it is responding to an emergency, and very often volunteers are coming to the site in response to that emergency. Therefore, given the nature of applicant's use, a safe and accessible parking area is particularly important.

11. Mr. Roache testified that he believes that this new parking area from a safety standpoint will be an improvement to the existing parking situation. He stated that in his opinion the parking spaces would be located in places where pedestrians walking to and from those spaces would be less likely to have to cross entrance and exit ways.

12. For this reason, as well as that the proposed plan provides more spaces than currently exist on the property, the Board believes that the grant of a variance is justified, and further believes that a variance will not be detrimental to the public welfare.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby adopts the above Findings of Fact and Conclusions of Law and grants the variances to permit the parking a set forth in Exhibit A-1.

HANOVER TOWNSHIP
ZONING HEARING BOARD

By: 
Barbara L. Baldo, Esquire,
Chairperson

Dated: 3/12/15

THEODORE R. LEWIS
THOMAS L. WALTERS

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NAZARETH, PA. 18064

March 19, 2015

Catherine E. N. Durso, Esquire
Fitzpatrick, Lentz & Bubba, PC
4001 Schoolhouse Lane
P. O. Box 219
Center Valley, PA 18034-0219

**Re: Hanover Township Zoning Hearing Board –
Applicant – Apple Tree Hill, LLC**

Dear Attorney Durso:

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 : Apple Tree Hill, LLC
Application Dated : January 26, 2015
Property : 4000 Wegmans Drive

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, February 26, 2015, and rendering its oral decision granting the variances set forth below, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is located in an LBD – Limited Business District.
2. The applicant, Apple Tree Hill, LLC is the owner of the property.
3. The applicant was represented at the hearing by Attorney Catherine Durso. The sole witness for the applicant was Joe Landrigan, President of Sage Design-Build, Inc.
4. Attorney Durso indicated that the applicant desires to have a free-standing sign of the dimensions as set forth in Exhibit 2, and to have wall signs on each of the two doors as set forth in Exhibits 4 and 5.
5. The ordinance permits one free-standing sign in a Limited Business District with a maximum area of 30 sq. ft.
6. During the course of the hearing the applicant deleted its request for relief from the area requirements of the free-standing sign and indicated that its proposed sign would be in compliance with this provision.
7. However, the applicant still requests a variance from Sect. 185-19(B)(4)(a), which prohibits free-standing signs from being located within seventy-five feet at the point of intersection of the right-of-way lanes at a street corner.
8. In the opinion of the witness, Joe Landrigan, the lot is unique in its shape. He stated that a sign positioned as required under the ordinance would not adequately serve its function and further would be located within the areas that are currently designated for parking.
9. The ordinance permits wall mounted signs pursuant to Sect. 185-19(D)(3)(c), provided that they are also in compliance with Subsection 1 through 4.

10. According to the testimony, the applicant will be in compliance with all of those sections, except that the applicant desires to locate the sign three feet above grade rather than the required four feet above grade.

11. Mr. Landrigan testified that due to the architectural features of the building, the sign would probably be partially obscured if it were to comply with this subsection of the ordinance.

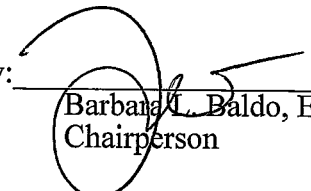
12. The applicant was not able to present the particulars of the other proposed wall-mounted sign because there is no current tenant. It is noted that subsection [4] requires that all mounted signs for the building be similar to one another. Therefore, the approval by the Board of the proposed sign would be further subject to the Zoning Officer's conclusion that the second sign is sufficiently similar to the approved sign so as to require no further action by the Zoning Board.

13. Given all of the testimony, the Board believes that the applicant has demonstrated a sufficient hardship for the grant of the aforesaid variances and that granting said variances will not be detrimental to the public welfare.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby adopts the above Findings of Fact and grants the variances as set forth above.

HANOVER TOWNSHIP
ZONING HEARING BOARD

By: _____


Barbara L. Baldo, Esquire,
Chairperson

Dated: 3/12/15