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July 8, 2015

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

**Re: Hanover Township Zoning Hearing Board –  
Steven Mortazavi**

Dear Yvonne:

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

Very truly yours,

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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	:	Steven Mortazavi
Application Dated	:	May 26, 2015
Property	:	4145 Airport Road

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, June 25, 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 AFHBD – Aircraft Flightpath Highway Business District.
2. The applicant is Steven Mortazavi and the property is owned by WBB Associates, LLC.
3. Mr. Mortazavi appeared at the hearing and testified as to the nature of his use as further outlined in his letter to the Zoning Board dated May 28, 2015 which accompanied his application. He also attached an Exhibit A to the application showing the parking and building proposed on the property. He also submitted a supplemental letter dated June 3, 2015 which was made a part of the application.
4. The proposed use as a Wellness Center is permitted as a conditional use in this district. However, the applicant indicated that he needs three variances from the strict provisions of the ordinance.
5. Section 185-54E(15)(b)[3] indicates that the lot can be no smaller than five acres and no larger than eight acres. According to the applicant after subtracting the applicable setbacks and lot coverage criteria, the lot size is 8.77 acres and therefore exceeds this limitation.
6. The applicant also indicates that he needs relief from Sect. 185-54E(15)(b)[1], in that a portion of the building and other facilities will be closer than 500 feet to the R1-S zoning district in violation of this section. According to his letter of May 8, 2015, the proposed building is 206 ft. from the boundary line with the proposed outdoor pool being closer.
7. Finally the applicant requires relief from Sect. 185-38M(12), requiring a hundred foot buffer rather than a fifty foot buffer.
8. The applicant indicated that he believes the proposed buffering from the R1-S zone is adequate.

9. Also appearing at the hearing was John Finnigan, Jr., Township Manager, who testified on behalf of the Supervisors, stating that they were in favor of this application.

10. Mr. Finnigan stated that the Supervisors were of the opinion that the proposed use was very suitable for this area and that the lot size requirement of not exceeding eight acres was an oversight in that there was no intention to prevent this kind of use from being on this lot which was already in existence when the ordinance was revised.

11. In addition, he indicated it was the opinion of the Supervisors that none of the variances would be detrimental.

12. The Board having reviewed all of the testimony likewise agrees that the grant of the variances would 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: Joan Rosenthal  
Joan Rosenthal,  
Acting Chairperson

Dated: July 8, 2015