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1896-1937

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1928-1986

NAZARETH OFFICE:
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NAZARETH, PA. 18064

March 6, 2017

Mr. Giacomo Sgroi
1440 Greenview Drive
Bethlehem, PA 18018

**Re: Hanover Township Zoning Hearing Board –
Giacomo Sgroi**

Dear Mr. Sgroi:

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, 2017.

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 : Giacomo Sgroi
Application Dated : January 24, 2017
Property : 2114 Schoenersville Road

The Hanover Township Zoning Hearing Board, after conducting a hearing on Thursday, February 23, 2017, and rendering its oral decision granting the variance as hereinafter set forth, hereby makes the following findings of fact and conclusions of law in support thereof:

1. The subject property is located at 2114 Schoenersville Road in a C2 – Commercial Center District.
2. The petition was brought by Giacomo Sgroi, who is one of the tenants at the property, which is owned by Trigo, Inc. The sole witness on behalf of the application was Giacomo Sgroi. No one appeared at the hearing to testify against the application.
3. Attached to the application was a plan showing the layout of Mr. Sgroi's premises. This plan is titled "Floor Plan – Good Times Pizzeria" drawing No. A20F2, dated October 28, 2016, with no revision dates.
4. In addition, a document depicting the proposed sign on the building with its specific dimensions was marked Exhibit "A-1".
5. The applicant requests relief from Section 185-19D(4)(e) which provides that individual uses in a commercial center shall be permitted only one business sign not exceeding 16 square feet.
6. The applicant already has a business sign facing inward towards the parking lot. He now proposes another sign on the other side of his building which would face outward onto Schoenersville Road. This sign is slightly less than 16 square feet.
7. The applicant also requests relief from Section 185-29D(3) which provides that all permitted accessory uses except for off-street loading and parking signs shall be conducted within completely enclosed building except for the sale of planting and nursery stock.

8. In that regard, the applicant proposes to convert the existing window that's closest to the door on the Schoenersville side of the property and allow patrons to come to that window to purchase ice cream without coming into the shop.

9. According to Mr. Sgroi the area in question previously was devoted to a fountain use which is removed providing sufficient area for people to come and order ice cream.

10. The Board believes that due to the unique circumstances of this particular site, facing as it does on the corner of the property, that the additional sign identifying the pizzeria is necessary and will not be detrimental to the public welfare.

11. The Board notes from the testimony that the shop is very small and would not readily accommodate additional customers coming into the shop to purchase ice cream. It also notes that the sale of ice cream through the window will be seasonal and that both of these above circumstances are unique to this particular site.

12. The Board believes therefore that permitting the sale of ice cream cones through the window will not be detrimental and the unique circumstances of this case justify the granting of the variance.

WHEREFORE, the Hanover Township Zoning Hearing Board hereby adopts the above Findings of Fact and Conclusions of Law and grants the variances from the above two sections of the ordinance in order to permit the sign as submitted at the hearing, Exhibit A-1, and permit the sale of ice cream through the existing window.

HANOVER TOWNSHIP
ZONING HEARING BOARD

By: _____

Barbara E. Baldo, Esquire,
Chairperson

Dated: March 6, 2017

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March 6, 2017

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

**Re: Hanover Township Zoning Hearing Board –
Giacomo Sgroi**

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,



Theodore R. Lewis, Esquire

TRL/bn
Enclosures