

LOWER MACUNGIE TOWNSHIP
ZONING HEARING BOARD MINUTES

April 27, 2021

The April 27, 2021 Zoning Hearing Board Meeting was called to order at 6:00 p.m. by Mr. Scott Aquila. Members present were Charles Ervin, Avery Smith, William Royer and Jared Hanna. Also in attendance were Carl L. Best, Zoning Officer, Vincent Tranguch, Codes and Mark Malkames, Solicitor. The hearing was held at the Lower Macungie Township Municipal Building, 3400 Brookside Road, Macungie, PA. 18062.

On a motion by Mr. Ervin and a unanimous vote, the invoice for The Malkames Law Office was approved.

On a motion by Mr. Ervin and a unanimous vote, the March 23rd, 2021 minutes (with corrections) were approved.

Appeals to the Zoning Hearing Board:

Mr. Best is sworn in and testifies that he is the Zoning Officer for Lower Macungie Township and that the following Appeals were properly advertised, that adjoining property owners were notified and that the properties were posted and a record is on file.

Mr. Aquila makes an announcement that Appeal No. 09-2021 has been withdrawn.

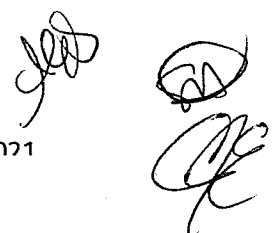
On a motion by Mr. Ervin and a unanimous vote, the request to withdraw Appeal No. 09-2021 is approved.

Appeal No. 06-2021 of John and Cheryl Peters 2615 Houghton Lean, Macungie, PA. 18062.

Mr. Peters stated that he is here this evening seeking relief from the building restriction setback line. They are proposing to construct a 320 S.F. addition to the rear of their existing home. Approximately half the proposed addition is within the rear yard setback. Mr. Peters stated that they have a letter from the condominium association supporting their request.

Mr. Ervin questioned whether the applicants ever experienced any flooding on the property.

Mr. Peters stated that they never had flooding on their property and that there is a swale with an inlet to catch stormwater along the rear of their property. The proposed addition will be used as an office. The addition will match the current architectural design of the existing dwelling.



Mr. Aquila questioned Mr. Best on what is the distance that they need relief for.

Mr. Best stated that they are into the required building restriction line by thirteen (13) feet. Twenty-five (25) feet is required.

There were no interested parties or objectors in this Appeal.

On a motion by Ms. Smith, second by Mr. Ervin and a unanimous vote, the applicants request for a Variance is granted by a 3-0 vote.

Appeal No. 07-2021 of Jacob P. Chacko 6999 Lincoln Drive Macungie, PA. 18062.

Jacob and Joelyne Chacko are sworn in. Joelyne Chacko is the daughter and will be testifying in behalf of her father. They are requesting a Variance for the proposed driveway extension. Ms. Chacko stated that they need additional off-street parking for four (4) vehicles. The proposed driveway would be nine (9) feet wide. Also, the driveway would be 3.08' feet from the property line.

Mr. Best stated the required setback is five (5) feet.

Ms. Smith stated that it appears that the neighbor extended their driveway as well.

There were no interested parties or objectors in this Appeal.

On a motion by Mr. Ervin, second by Ms. Smith and a unanimous vote, the applicants request for a Variance is granted by a 3-0 vote.

Appeal No. 08-2021 of Joshua and Victoria Ziatyk 1358 S. Krocks Road Allentown, PA. 18106.

Mr. and Mrs. Ziatyk are sworn in. They are here this evening requesting a Variance for the maximum impervious coverage for the proposed in-ground pool. They are requesting an additional 10% percent in impervious coverage. Currently they are at 32% percent, which would put them at 42% percent, total with the proposed pool and concrete decking. There was a pool on the property which was removed in November of 2020.

There were no interested parties or objectors in this Appeal.

On a motion by Mr. Ervin, second by Ms. Smith and a unanimous vote, the applicants request for a Variance is granted by a 3-0 vote.

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Appeal No. 10-2021 of Lehigh Valley Hospital Inc. 2100 Mack Blvd. Allentown PA. 18103.

Mr. Aquila informs the applicant's attorney that Mr. Best received two (2) letters regarding objection to the Lehigh Valley Hospitals appeal.

Attorney Grant Simmons represents the Hospital. Mr. Dallas Pulliam, VP. of Real Estate is sworn in. Mr. Pulliam stated that they purchased the property with the intention of using it for a meeting facility. The Hospital also owns the neighboring vacant parcel of land which makes the total acreage to 6.3 acres. The home which currently exists on the property is a single-family dwelling, 2 ½ stories high which was built in 1996. The property was purchased by the Hospital in 2019. The address of the property is 1160 Estates Drive.

Mr. Pulliam stated the hospital also owns the property to the north which is currently being farmed. The Hospital purchased this property with the intention of having small gatherings for meetings either for Board members or for other events, but only used on special occasions. The average guest size for an event or meeting would be approximately 10 to 50 people. The Hospital would provide shuttle service to and from the Hospital to meeting at this property. The only changes to the home would be a fresh coat of paint and maybe replace the siding. The basement is unfinished and would be used for storage. No other changes to the building are planned. There are five (5) garages. Mr. Pulliam describes various sections of the home from the photo Exhibits. The Hospital would consider using the courtyard to have outdoor events. Board meetings would occur quarterly.

The kitchen is unique in the sense that it has 2 sinks, 2 dishwashers, 2 microwaves, 2 stoves and 2 refrigerators. The kitchen was built for entertainment. Mr. Pulliam stated that If any events would be planned, it would catered. No food would be prepared on the property. There is an indoor swimming pool located in the home. The Hospital is planning on filling in the pool and constructing a floor over the structure. Mr. Pulliam stated that you can fit anywhere from 10-15 vehicles in the driveway and another 5 vehicles in the garages. Mr. Pulliam stated that the proposed use would not alter the character of the neighborhood. When the property was under sale of agreement, the Hospital reached out to all the neighbors and informed them of the proposed use.

Mr. Aquila questioned Mr. Pulliam on the types and operations of meetings they would hold.

Mr. Pulliam stated that the meetings would be held during business hours from 9 to 5, Monday thru Friday. Unlikely on the weekends.

Mr. Ervin questioned the number of vehicles parked in the shared driveway.

Mr. Pulliam stated that no one would park in the cul-de-sac and that guests would park in the driveway.



Mr. Ervin also questioned the water retention basin and what the future plans are.

Mr. Pulliam stated that the basin was built to capture and retain water from the property. The Hospital will continue to maintain the basin. They put additional landscaping in as well.

Mr. Ervin also questioned the land to the north and whether the Hospital plans to build a hospital on the property.

Mr. Pulliam Stated as of today there are no plans to build a Hospital.

Mr. Michael Calogero 4291 Ascot Circle Allentown PA. 18103. Mr. Calogero is concerned about additional traffic, times of meetings and if alcohol would be served. Also, he is concerned about vehicles parking along Nonnenmacher Road.

Mr. Jeffery Waltemyer 1150 Kressler Road, Allentown PA 18103. Mr. Waltemyer is concerned about the future expansion of the Hospital on or near this property. Also, he is concerned about Nonnemacher Road and how narrow it is, especially when additional traffic would use the Road.

Mr. Brice Ambron 1172 Estate Drive Allentown PA. 18103. Mr. Ambron is concerned about his young children playing in the area and additional traffic since he lives next door. Also, he is concerned about the use affecting his property values.

Mr. Sean Buskirk 1172 Kressler Road Allentown PA 18103. Mr. Buskirk is concerned about several of the answers that Mr. Pulliam stated during his testimony such as the number of meeting guests, overnight stays, and the future plans to the dwelling.

Mr. Peter Adams, Realtor, employed at Berkshire Hathaway who informed the Hospital that the property was going on the market for sale is sworn in. He was not the listing agent. Mr. Adams stated that the property was first listed (MLS) for sale in 2011. It was on the market each time for at least 100 days. The property was listed again in 2012, 2017, 2018 and again in 2019 when it was sold. Mr. Adams stated that home like this, which are unique and are in the million-dollar range, can be a challenge to sell. They way the home is laid out, only having three (3) bedrooms, the interior pool and with the amount of interior space, it would not interest the average home buyer.

Attorney Simmons requests that the Board accept Exhibits 5 thru 24 into the record and gives his closing remarks.

On a motion to approve the Variance by Mr. Aquila, and with no second, the motion does not carry.


On a motion by Mr. Ervin to deny the Variance, second by Ms. Smith and vote, the applicants request for a Variance is denied by a 2-1 vote.

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On a motion by Mr. Aquila , and a unanimous vote, the meeting was adjourned.

The minutes are only a summary of the meeting. The official transcript should be consulted for completeness and accuracy

Respectfully submitted; Carl L. Best, Zoning Officer

Handwritten signature of Carl L. Best, consisting of a circled initial 'CB' and a full signature below it.