



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board

Manouel Changalis, Chairman
Michael Gable, Vice Chairman
Zachariah Cobrinik
Daniel Cortright, Alternate
Michael Gaul, Alternate

Zoning Hearing Board Minutes June 23, 2015

Chairman Manny Changalis called the meeting to order at 6:36 p.m. Also in attendance: Board Member Zach Cobrinik; Alternates, Daniel Cortright and Michael Gaul; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator. Board Member Mike Gable was not present.

MINUTES

Zach Cobrinik stated his objection to the Zoning Ordinance sign requirements being omitted from the minutes. Manny stated he thought that statement was made off the record. Zach stated he wasn't going to push the issue. Approval of the May 26, 2015 minutes as written was moved by Michael Gaul and seconded by Daniel Cortright. Zach Cobrinik abstained. The motion carried.

CORRESPONDENCE

Manny Changalis read a letter from Attorney Tim Siegfried granting a continuance for Zoning Appeal ZA2015-01 from July 28, 2015 to October 31, 2015.

HEARINGS

ZA2011-08 – TAD Holdings, LLC

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Graham Simmons, Esq., Thomas Daub and Laura Leuders for the Applicant.

Lori Seese entered the Zoning File into the record as Exhibit #Z-1. Attorney Simmons noted that he would be referring to the plan set submitted with the application during their hearing. For the record, Mr. Simmons numbered the pages of the sign package and noted he would be entering the package into the record as Exhibit A-1.

Applicant, Thomas Daub, provided testimony regarding the subject property, ownership, and sign requirements from the automobile companies.

Zach Cobrinik asked the Applicant to go thru the signs one by one, stating the hardship they would incur if each sign were not displayed. Mr. Daub stated that if any of the signs were not included they would be in violation of their agreement with Fiat. The franchise agreement requires that they must conform to their sign package.

Manny Changalis asked if they couldn't just move the Fiat and Alfa Romeo next to the "Brown Daub" to make one sign and then the service sign would be their second sign. Mr. Daub indicated he had not asked the manufacturer's if he could make that change, but that goes back to the fact that they are trying to comply with the manufacturer's sign package.

Laura Leuders provided testimony regarding her role with the construction of the new dealership. Ms. Leuders stated she does not believe the manufacturer would allow them to deviate from the sign package because they want all the dealerships to look consistent.

For the record, the total cumulative area is 126 s.f.

Lori Seese noted that the Applicant has a number of additional signs that are not permitted and requested that they be removed.

Mr. Simmons entered the sign package into the record as Exhibit A-1.

The motion to close testimony was moved by Zach Cobrinik and seconded by Michael Gaul. The motion was carried.

Board Deliberation

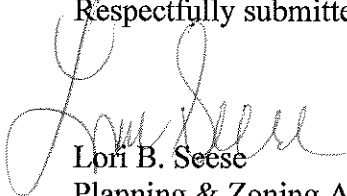
Zach suggested that the Applicant provide a good faith effort to see if the manufacturer would be willing to move the signs to the center. Proof of that effort can be a letter to the manufacturer making the request and a denial of that request to the Applicant would then allow the applicant to be granted.

Motion by the Board

The motion to grant the requested variance to allow four signs on the dealership consistent with the plans and testimony contingent upon the applicant requesting a conforming a design that combines the three signs together to a single sign and contingent upon FCA denying the request, and copies of the applicant's request and FCA's response be provided to the Township. Moved by ZC and seconded by MG.

The meeting adjourned at 7:40 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator

/lbs