



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board

Steven Nordahl, Chairman
Michael Gaul, Vice Chairman
Brian Fenstermaker, Board Member
David McGinnis, Alternate
Roberto Reyes, Alternate

April Cordts, Esq., Solicitor

Zoning Hearing Board Minutes June 10, 2025

Chairman Steven Nordahl called the meeting to order at 6:30 p.m. Board Members Mike Gaul and Brian Fenstermaker; Alternates David McGinnis and Roberto Reyes, Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator were all in attendance. Township Solicitor Gary Asteak was also present.

APPROVAL OF THE AGENDA

Approval of the agenda as posted was moved by Michael Gaul and seconded by Brian Fenstermaker. The motion carried.

MINUTES

Approval of the April 22, 2025 minutes was moved by Michael Gaul and seconded by Brian Fenstermaker. The motion carried.

HEARING

Zoning Appeal ZA2025-02 – SIND, LLC

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Daniel DalMaso, Applicant; John VanLuvanee, Esq.

Gary Asteak queried Lori Seese on the chronology of the property.

The property started as a lumber storage use. Ceco Corporation applied for a land development for addition. It went to the Planning Commission where it stalled. In 2020, Ceco was moved off the property due to a decision by their parent company.

There were several zoning use applications submitted afterward, however, they either were not permitted, required relief, conditional use, etc.

A Conditional Use application was made by EquipmentShare, to rent industrial use equipment. They were granted Conditional Use approval February 14, 2024.

EquipmentShare also submitted a land development application; however, they tabled the application before appearing before the Planning Commission. They later withdrew their application in May 2024.

The Zoning Ordinance was amended in December 2023 which changed the zoning district for the property.

SIND, LLC submitted a zoning permit to use the property as approved under the Conditional Use; however, it was Lori's opinion that the conditional use approval for the property was expired.

Attorney VanLuvanee cross examined Lori Seese relative to the Zoning Ordinance language for time limitations.

Michael Gaul and Steve Nordahl inquired about the land development process. Discussion followed about the existing and proposed uses of the property and requirements for Special Exception versus Conditional Use approval. .

Attorney Asteak objected to the proposed use comparing it to Port Newark with lots of stacked storage containers. Attorney VanLuvanee stated that is not what they are proposing.

Asteak stated their proposed use needs Conditional Use approval, not Special Exception approval.

Robert Reyes agreed that the use described by Attorney VanLuvanee does not sound like light industrial equipment.

It was confirmed by Lori Seese that the Applicant would have to appear before the Board of Supervisors to make any amendments to the EquipmentShare Conditional Use Order & Opinion. Lori would only be able to make that determination if and when a formal application would be made by an end user.

The Zoning Hearing Board went into Deliberation at 7:37 p.m. The Zoning Hearing Board returned at 7:52p.m.

Motion by the Board

Michael Gaul made a motion to grant the applicant's appeal and overturn the decision of the Zoning Officer. The Conditional Use approval is still valid. The motion also included the denial of the special exception request.

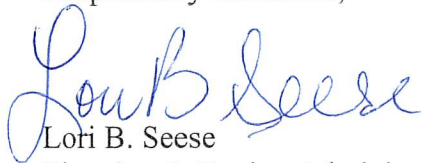
Attorney VanLuvanee stated they withdraw the request for Special Exception approval.

Michael Gaul added the condition that the Applicant must follow the terms of the Conditional Use approval. The motion was seconded by Brian Fenstermaker and carried unanimously.

ADJOURNMENT

The meeting adjourned at 7:56 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator

jf/lbs

**** Note: These minutes are only a brief summation of the actual hearing. All Zoning Hearing Board hearings are officially transcribed by a professional stenographer. Should any parties wish to view these transcripts, please contact the Zoning Officer. If an official copy has not been requested, the requestor must pay for the transcript.***