



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board

Steven Nordahl, Chairman
Michael Gaul, Vice Chairman
Roberto Reyes Board Member
David McGinnis, Alternate
Darrell Crook, Alternate

April Cordts, Esq., Solicitor

Zoning Hearing Board Minutes **April 28, 2026**

Chairman Steven Nordahl called the meeting to order at 6:30 p.m. Board Members Mike Gaul and Roberto Reyes; Alternate David McGinnis, Zoning Hearing Board Solicitor, April Cordts; Lori Seese, Planning & Zoning Administrator and Emily Fucci, Assistant Planning & Zoning Administrator were all in attendance. Alternate Darrell Crook was absent.

APPROVAL OF THE AGENDA

Approval of the agenda as posted was moved by Gaul and seconded by Reyes. The motion carried unanimously.

MINUTES

Reyes requested a correction to the spelling of his name on page 2. Approval of the March 24, 2026 minutes with the correction noted was moved by Gaul and seconded by Reyes. The motion carried unanimously.

HEARINGS

ZA2025-08 – Windrift Real Estate Associates, LLC - continued from February 27, 2026

Present for the Application: David Ronca

Board Deliberation

Nordahl called for an executive session. Motion for an executive session moved by Gaul and seconded by Reyes. The motion carried unanimously. Executive session at 6:33PM.

The Zoning Hearing Board returned at 6:53PM.

Motion by the Board

Motion by Gaul to deny the variance from Article III, Section 303.1.c, TD-9 Quick View Front Yard Setback, and seconded by Reyes. Gaul commented that a previous variance for the front yard setback is still in effect, and the property owner did not demonstrate proper justification. The motion carried unanimously.

Motion by Gaul to grant the variance from Article IV, Section 401.4, requirement to connect to public sewer, with the following conditions:

1. The landowner must connect the property to public sewer within two (2) years of receiving future written notice from the Township that public sewer has become available within 1,000 feet
2. The condition is written on the Land Development Plan.

Seconded by Reyes. The motion carried unanimously.

Motion by Gaul to grant the variance from Article VI, Section 605.1.2, Dumpster Setback, with approval of the dumpster subject to location shown on the submitted plan. Seconded by Reyes. The motion carried unanimously.

ZA2026-02 – Rosaleen Fehnel, Matthew Fehnel and Nicole Somers

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Attorney Michael Recchiuti; Applicants Rosaleen Fehnel, Matthew Fehnel, Nicole Somers, and Surveyor Greg Noll.

Exhibit Z-1 – Township folder containing the original application and supporting materials, affidavit of publishing, proof of posting and proof of mailing was entered into the record by Seese.

R. Fehnel provided testimony.

R. Fehnel intends to subdivide the property to gift to her grandson Matthew Fehnel and his fiancé, Nicole Somers. The property will not be for sale or development, and the goal is to keep the property within the family and actively farmed. Two (2) acres is the minimum lot needed for M. Fehnel and Somers to live on the property while still preserving the active farmland.

Exhibit A-2 – The property deed. The property is sized at 45 acres and has been owned by the R. Fehnel since 2016. The property is in active agricultural use and is historically part of the family farm.

Exhibit A-3 – The tax assessment record. The property is enrolled in Act 319 and maintaining enrollment is important for the tax rebate as farmers. Subdividing more than two (2) acres will create significant tax consequences.

Gaul asked how big the proposed lot was and Attorney Recchiuti clarified the lot will technically be .0276 acres less than two (2) acres due to the dedicated right-of-way.

Gaul asked if the property was preserved or in any other covenant. R. Fehnel confirmed it is in the Agricultural Security Area.

Reyes asked if the home's location was due to the location of existing utilities. Attorney Recchiuti responded there are existing utilities on the proposed location and an operational septic system and well.

Gaul asked if testing was done for septic, referencing the requirement to have a backup site. Attorney Recchiuti responded that the applicants were requesting zoning relief first and would fulfill all septic requirements during the subdivision process.

Greg Noll, Professional License Surveyor, provided testimony.

Exhibit A-1 – Survey of 564 Township Line Road. The proposed lot considered existing topography, the existing roadway and Act 319 when being designed. A flag lot is being proposed because it is most practical to keep the existing utilities on the property and minimize farmland disturbance. A full frontage lot would consume more farmland.

The flag lot will have a width of forty (40) feet instead of the required width of one-hundred and eight (180) feet. The proposed width will still be adequate for safe access.

The lot size will end up being 1.9724 acres due to right of way dedication. This size will still be adequate to support a residence, on-lot well and septic, and meet the required setbacks.

Noll expressed his professional opinion that the minimum amount of relief needed is being requested to avoid unnecessarily impacting farmland, that the lot will not impact the character of the neighborhood, is consistent with surrounding uses, and does not impact drainage or increase density.

Nordahl asked for confirmation of the lot frontage width and driveway length. The frontage width will be forty (40) feet and the driveway length will be approximately two hundred (200) feet. No changes are being made to existing driveway.

Gaul asked what the existing buildings were being used for. No one is currently living on the property, and the buildings are used for agricultural equipment storage.

Noll stated that if the variances are granted, the applicant will request a Sewage Facilities Planning Module exemption and perform testing for a secondary system.

Gaul asked how access would be granted to the remaining agricultural property. Attorney Recchiuti responded a shared driveway agreement will be put in place, but that the lot can be accessed from the roadway or from adjacent fields.

Nordahl asked for the width of the driveway, which is approximately twelve (12) to fifteen (15) feet wide.

Matthew Fehnel provided testimony.

M. Fehnel is the grandson of the property owner and is planning to build his primary residence on the property with his fiancé Nicole Somers. They will live on the property full time and plan to build a 2,000 square foot ranch style home. M. Fehnel expressed the importance of living near his family and his intent to live in the Township long term. His full-time occupation is working on the family farm.

M. Fehnel stated they planned the lot to minimize impact, as a conventional rectangular lot will take away active farmland. M. Fehnel reiterated earlier testimony that existing improvements are located on the lot.

M. Fehnel stated the proposed home will be consistent with surrounding uses, have no impact on neighboring properties, and will not be a commercial business. M. Fehnel's goal is to build a family home and preserve the family farm.

Gaul stated that access will need to be shown for the bigger lot, referencing the shared driveway agreement.

Reyes asked if any changes are proposed for the access drive. M. Fehnel confirmed they are not proposing any changes, and it will remain stone.

Seese questioned a building shown on Google Earth that was not shown on the survey plan. M. Fehnel responded it was a small garden shed.

Motion to close testimony by Gaul and Seconded by Reyes. The motion carried unanimously.

Gaul announced no closing statement from the applicant was necessary.

Motion by the Board

Motion by Gaul to grant variances from Article VI, Section 604.J prohibiting flag lots, Article III, Section 303.1.C requiring the minimum lot width at a collector street to be 180 ft, and Article III, Section 303.1.C. requiring a minimum residential lot area of 2 acres subject to the following conditions:

1. The trailer is removed from the property before the new house is built on the site
2. Relief is limited to what is shown on the submitted plan and application
3. Relief is pursuant to the testimony provided.

Seconded by Reyes. The motion carried unanimously.

COURTESY OF THE FLOOR

No comments received.

ADJOURNMENT

The meeting adjourned at 7:25 p.m.

Motion by Gaul to adjourn the meeting. Seconded by Reyes. The motion carried unanimously.

Respectfully submitted,



Emily Fucci
Assistant Planning & Zoning Administrator

**** 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.***