



LOWER NAZARETH TOWNSHIP

ZONING HEARING BOARD

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Zoning Hearing Board

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

April Cordts, Esq., Solicitor

Zoning Hearing Board Minutes September 22, 2026

Chairman Steven Nordahl called the meeting to order at 6:49 p.m. Board Member Roberto Reyes and Michael Gaul; Alternates David McGinnis and Darrell Crook; Zoning Hearing Board Solicitor, April Cordts; Lori Seese, Planning & Zoning Administrator; and Emily Fucci, Assistant Planning & Zoning Administrator were in attendance. Paige LaBar, Stenographer, was in attendance via Zoom. Prior to commencing the hearing, all applicants gave their consent to proceed with the court stenographer attending virtually.

APPROVAL OF THE AGENDA

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

MINUTES

Approval of the July 28, 2026 minutes was moved by Reyes and seconded by McGinnis. The motion carried unanimously.

HEARINGS

ZA2026-05 Setzer Properties NAT, LLC

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn in. Present for the Application: Attorney Matthew Deschler, Project Manager Jeffery Baughman and FedEx Service Manager Stan Long.

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

Deschler introduced application. The Applicant is requesting an expansion of the existing building, which houses the non-confirming use of a truck terminal. The use predates the current zoning. A truck terminal is not currently permitted in the TD-9 zoning district.

Baughman provided testimony.

Exhibit A-1 – Property Deed. Setzer Properties NAT, LLC purchased the property on June 9, 2021.

Exhibit A-7 – Property information printout from NC Pub. The property is sized at 8.27 acres. The existing truck terminal is 11,788 s.f, with 7,591 s.f. for loading docks, 2,002 s.f. for the office and 2,195 s.f. for a maintenance bay. The surrounding properties are commercial and agricultural in nature.

Exhibit A-2 – Google Earth aerial imagery from March 29, 1992, April 15, 2005, May 20, 2012, October 15, 2022 and August 15, 2026 showing the subject property. The footprint of the existing building has not changed.

Baughman stated the current use is a trucking terminal operated by FedEx. The property owner is looking to expand the existing building to add a breakroom and upgrade the restroom facilities.

Exhibit A-3 – Site development plan of the subject property. The existing building is depicted in light gray shading. The dark gray shading depicts the proposed expansion of a break room and restrooms.

Baughman testified that the restrooms will be upgraded to be ADA compliant. There will be no change in the number or size of truck bays. The current area for the proposed expansion is pavement. No additional impervious will be added to the lot. The addition is 564 s.f. of additional floor space and equals 4.8% of the existing building size.

An external man door will be eliminated with the expansion to allow for access between the loading docks and addition.

Acceptance of the exhibits presented was moved by Gaul and seconded by Reyes. The motion carried unanimously.

Reyes asked if the breakroom will be accessed from outside or inside the facility. Long replied that he believed it would be from both the external loading dock and from inside the building. The access points would be ADA accessible.

Nordahl asked if modifications would be needed for water and sewer. Baughman replied they would use the current facilities, on-site septic and public water, for the expansion. Nordahl asked Seese if the Township Sewage Enforcement Officer (SEO) needed to review the expansion. Seese replied that they are only adding bathrooms, not changing the employee count, so it would not need to be evaluated by the SEO.

Closure of the hearing testimony was moved by Gaul and seconded by Nordahl. The motion carried unanimously.

Motion by the Board

Motion by Gaul to approve the special exception to expand the non-confirming use of a truck terminal with a 564 s.f. addition, subject to compliance with the application presented and testimony provided. Seconded by Reyes. The motion carried unanimously.

LaBar advised that she lost her connection to Zoom and did not record the motion. The motion by the Board was repeated.

Motion by Gaul to approve the special exception to expand the non-confirming use of a truck terminal with a 564 s.f. addition, subject to compliance with the application presented and testimony provided. Seconded by Nordahl. The motion carried unanimously.

ZA2026-06 McDonald's USA, LLC c/o Alexander Ortiz

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Justin Klee of Bohler Engineering and Applicant Alexander Ortiz

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

Klee introduced himself and provided an overview of his professional resume. Klee requested he be accepted as an expert in civil engineering and zoning. Gaul stated he was fine with accepting Klee as an expert. The Board unanimously agreed.

Exhibit A – Zoning Appeal application and supporting material packet as submitted to the Township.

Exhibit B – Professional resume of Justin Klee.

Klee provided background on the site. The vacant parcel is located at 859 Nazareth Pike and totals 6.22 acres. McDonald's will subdivide 1.24 acres. The property is located in the TD-7 zoning district. The proposed McDonald's will be a 3,780 s.f. restaurant with side-by-side drive-thru lanes that converge into one lane.

Exhibit D – Site plan of the proposed McDonald's. Access to the site will be from an existing driveway in the shopping center. Traffic will be one-way circulation around the building.

Klee is requesting relief to allow the drive-thru window lanes to be separated from the parking lot by striping instead of curbing. Striping is being requested because of the operational challenges that come from installing curbing. The curbing creates an obstruction around the drive-thru which can restrict customers from leaving the queue in an emergency. McDonald's offers pull forward windows and reserved parking spaces for customers with large take-out orders. Curbing would restrict customers from leaving the queue to access these waiting spots.

Exhibit E – Photograph showing an example of an existing McDonald's drive-thru lane.

Nordahl asked if the configuration proposed is used at the existing McDonald's in Northampton Crossings. Klee replied that he will show photographs of that specific McDonald's in a later exhibit.

Crook expressed concern about the stacking of traffic at the entrance/exit point to the facility and asked if they had plans for a second exit point. Klee responded that it was considered but PennDOT preferred the use of only one access point. Discussions are still being held with PennDOT regarding improvements at the intersection with Route 248, which may help alleviate the traffic concerns.

Exhibit F - Site plan of the McDonald's at 3708 Easton-Nazareth Highway in the Northampton Crossings shopping center. The side-by-side drive-thru lanes were approved in 2023 without curb separation.

Exhibit G – Photographs of quick-serve restaurants within Lower Nazareth Township that do not have curbing in the drive-thru lanes, including McDonald's, Arby's and Panera at Northampton Crossings and the Dunkin' on Route 191.

Klee described the need for curbing as a hardship because it creates a physical obstruction that restricts McDonald's operations.

Klee requested relief from providing a designated fire lane. A fire lane would increase the amount of impervious on site and create a deficiency in parking spaces.

Exhibit H – Review letter from Lori Seese, Planning & Zoning Administrator, dated July 17, 2026. Comment 3d references the Zoning Ordinance requirements for a fire lane.

Exhibit I – Letter from Jeffrey Seip, Fire Marshall, dated July 23, 2026. The letter states that a fire lane is not required and an emergency access lane will be adequate.

Gaul asked where the emergency access lanes are located. Klee replied the emergency access would be the parking lot that circles the building. Because the structure is one-story and relatively small, it does not require a separate lane.

Klee requested relief to allow the proposed free-standing sign to be twenty (20) feet in height instead of the permitted ten (10) feet.

Exhibit J – Signage plan showing the location and design of all signs proposed for the site. The free-standing sign would be a 5' x 5' red box with the "M" logo. Additional panels would be below to show additional information, such as "WiFi" or "24Hours". The sign complies with the square footage requirements.

Crook mentioned how McDonald's are often located in other municipalities with historic districts or specially regulated areas, and he does not see why they can't comply with the Zoning Ordinance.

Exhibit C – Aerial image of the subject property. Klee described the main commercial corridor as being located along Route 191 and Jandy Blvd. The proposed McDonald's will not be centralized to that corridor. The presence of trees and lack of frontage along Route 191 will make a 10-foot sign "get lost". Klee hopes the 20-foot sign will be visible from Route 191 and Jandy Blvd so customers know where they are located.

Nordahl asked if the sign would be static. Klee responded they originally proposed a digital sign, but that request was removed and it is now proposed as static.

Nordahl asked if this McDonald's location will be open 24/7 or have limited hours, and if the sign will be illuminated at all hours or shut down when the building is closed. Klee responded that the sign will be illuminated at all hours.

Ortiz described the ideal scenario for this location as being open with a 24/7 drive-thru. They would request the sign be illuminated if the restaurant is open.

Reyes asked if they considered placing a sign at a different location on the property to improve visibility. Klee replied that the sign would still be set a far distance away from Route 191 and Jandy Blvd.

Exhibit K – Existing free-standing sign for the shopping center. Klee believes the sign is around 20-feet in height.

Nordahl asked if the free-standing sign is the only indicator of the McDonald's. Klee referenced other signage that will be placed on the site to provide directions to the access drive.

Crook expressed his opinion that the sign for the shopping center predates the current Ordinance. The Ordinance regulations have been set in place for a reason, and it is not a hardship for McDonald's to meet the sign requirements.

Exhibit L – Enlarged image of the proposed free-standing sign.

Exhibit M – Google street view image of the shopping center intersection at Route 248. The sign will be located several feet to the right. If the sign is not 20 feet in height, vehicles parked in the shopping center may obstruct the sign. At 20 feet, the sign will be visible from across the shopping center.

Acceptance of the exhibits presented was moved by Gaul and seconded by Reyes. The motion carried unanimously.

Closure of the hearing testimony was moved by Gaul and seconded by Reyes. The motion carried unanimously.

Board Deliberation

The Board met in executive session at 7:55PM. The hearing resumed at 8:05PM.

Motion by the Board

Motion by Gaul to grant variances from Article 5, Section 504.5.E requiring the drive-thru window-lanes be separated by curbing from the parking area and Article 10, Section 1005.3 requiring a designated fire lane, subject to compliance with the application presented and testimony provided. Seconded by Reyes. The motion carried unanimously.

Motion by Gaul to deny the variance from Article 11, Section 1113, Appendix A, TD6-9 setting forth the maximum height of a free standing sign at 10-feet, with the reasoning be elaborated in full in the written decision, noting it as unnecessary and not justified. Seconded by Reyes. The motion carried unanimously.

COURTESY OF THE FLOOR

No comments received.

ADJOURNMENT

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

The meeting adjourned at 8:07p.m.

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.*