



LOWER NAZARETH TOWNSHIP ZONING HEARING BOARD

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Zoning Hearing Board
Manouel Changalis, Chairman
Michael Gable, Vice Chairman
Zachariah Cobrinik

Zoning Hearing Board Minutes January 28, 2014

Acting Chairman Manny Changalis called the meeting to order at 6:30 p.m. Also in attendance: Board Member Mike Gable; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator. Board Member Zach Cobrinik was not present.

MINUTES

Approval of the July 29, 2013 minutes was moved by Mike Gable and seconded by Manny Changalis. The motion carried.

REORGANIZATION

The motion to re-elect the same slate of officers as last year was moved by Mike Gable and seconded by Manny Changalis. The motion carried.

Move to appoint April Cordts as the Zoning Hearing Board Solicitor was moved by Manny Changalis and seconded by Mike Gable. The motion carried.

No additional **CORRESPONDENCE** was received or announced.

HEARINGS

ZA2014-01 Gemstone Resources LP and Wallingford One Holdings, LP

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Jerry Bermingham, Gemstone Resources; Richard Crawford, Mercer Sign Consultants, and Rueben Fernandez, District Manager for Regal Cinemas.

The following exhibits were entered into the record:

Exhibit A-1 – Freestanding Signage Plan, the same plan submitted with the application;

Exhibit A-2 – Sign Design

Exhibit A-3 – Photo

The requested variances are to install an additional freestanding sign, and obtain variances for the sign height and area. Mr. Crawford reviewed the proposed sign. The proposed sign would be internally illuminated, 72 s.f., 15' to the top of the sign, and located 16'-4" from right-of-way line.

Jerry Bermingham noted that the cinema has good exposure off the highway but from Route 248 they don't have any visibility. He also noted that the cinema is not located on the pylon sign

previously approved. It was also noted that the cinema is on the same pad site as the shopping center, unlike the other businesses that are on individual lots.

Rueben Fernandez noted that the cinema has had a 30% drop in attendance. Regular customers know where the theater is located but new customers can't see it if they are on Route 248. The road is lower than the shopping center so you don't get a good line of sight until you get closer.

Mr. Crawford also noted that the Township's 8-foot sign limitation is low and in this situation, a size of that height can be blocked by larger vehicles in traffic. They also hope to avoid dangerous driving behaviors by providing signage and direction for anyone looking for the movie theater. Mr. Crawford summarized his presentation, noting how they are meeting the criteria for a variance.

The motion to close testimony was moved by Mike Gable and seconded by Manny Changalis.

Board Deliberation

Mike Gable noted that the sign is actually smaller than some signs you might see for other businesses so he doesn't think the request is unreasonable. He agrees that the sign would be blocked by truck traffic if it were smaller and limited to 8 feet taller. Manny Changalis agreed.

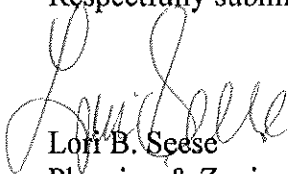
The issue of a second freestanding sign was discussed. Attorney Cordts agreed that they met the legal requirements. Discussion followed whether there was opportunity for them to request any more signs in the future.

Motion by the Board

The motion to approve the variance to allow for a second freestanding sign pursuant to Article 18, 1817.A.(5), approve of variance of an additional 23 s.f. of sign area pursuant to Article 18, 1817.A.(5), and a variance of 7.5' for height pursuant to Article 18, Section 1814.A was moved by Mike Gable and seconded by Manny Changalis, consistent with the testimony and exhibits presented. The motion carried.

The meeting adjourned at 7:10 p.m.

Respectfully submitted,



Lori B. Seese
Planning & Zoning Administrator

/lbs