



# LOWER NAZARETH TOWNSHIP

## ZONING HEARING BOARD

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### **Zoning Hearing Board**

Manouel Changalis, Chairman  
Steven Nordahl, Vice Chairman  
Michael Gaul, Board Member  
Brian Fenstermaker, Alternate

April Cordts, Esq., Solicitor

## **Zoning Hearing Board Minutes** **February 2, 2022**

Chairman Manny Changalis called the meeting to order at 6:30 p.m. Board Member Steven Nordahl; Alternate, Brian Fenstermaker; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator were all in attendance. Board Member Mike Gaul was absent.

The motion to approve the agenda as presented was moved by Steven Nordahl and seconded by Brian Fenstermaker. The motion carried unanimously.

### **HEARINGS**

#### **ZA2022-01, Nazareth Jandy Boulevard, 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 Rowley, Esq; Aaron Bertrand, Applicant; and Donald Peters, Bohler Engineering are witnesses.

Mr. Rowley provided an overview of the property in question. They intend to subdivide Lot 9 and Lot 9a to develop a Caliber Collision. Pursuant to Article 9 Section 903.A., Auto Repair Garage is permitted by Special Exception. They are also requesting approval to reduce the parking, as necessary. They will have a maximum of 24 employees. "Repair Bay" is undefined in the Zoning Ordinance. Explanation of the difference of calculation was discussed.

Aaron Bertrand provided testimony.

Caliber Collision is a high-quality repair shop primarily doing insurance repairs. All repairs take place in doors. No totaled vehicles stored on site. They do not accept junk/totaled vehicles to their property. They do not service vehicles with 6 wheels or more. They will eventually build up to a maximum of 24 employees. 118 parking spaces is more than enough for a facility of this size.

Donald Peters, P.E. Bohler Engineering, provided testimony.

Mr. Peters prepared the plan for Caliber Collision. Outdoor storage is not proposed. Parking was discussed.

Also discussed was a Trip Generation letter prepared by a traffic engineer. They anticipate less than or equal to the number of trips as estimated in the initial analysis of the subdivision.

Steve asked to clarify how they would access this facility. Mr. Peters explained the access will use the same road as presently used by Tractor Supply. Steve asked what kind of vehicles will

be delivering vehicles. Mr. Peters explained generally, the cars have been in an accident and owners drive the cars in themselves. They do not accept cars which have been totaled and required to be dropped off by a tractor trailer truck.

Mr. Peters stated they will mitigate any stormwater issues during the land development process. Steve asked about on-site storage of hazardous materials, i.e., fluids. Mr. Peters stated that they will utilize stormwater features to insure that those materials don't get into the receiving waters.

Mr. Peters stated lighting will be per the requirements of the ordinance. A fence will be proposed for the stored vehicles.

Manny asked about the depiction of stacked cars. Mr. Peters explained that these vehicles are stored for employees and would not be accessed by the public.

The hours of operation will be Monday to Friday 7:30 to 5:30 p.m.

Attorney Rowley stated the signage will conform to code. If not, they will be back to the Zoning Hearing Board.

Manny stated that bays are not doors - bays are bays where vehicles can be prepared. The rest of the board agreed.

Manny stated the use fits in with the other businesses in the area. He was inclined to approve the use and the parking.

The other board members did not have any additional comments.

The motion to grant Special Exception approval as required in Article 9, Section 903.A for an Auto Repair Garage, and to reduce the number of required parking spaces pursuant to Article 17, Section 1701.B. pursuant to the testimony and exhibits provided, was moved by Manny Changalis and seconded by Brian Fenstermaker. The motion carried unanimously.

### **ZA2022-02, St. Luke's University Health Network**

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Erich Schoch, Esq.; Jennifer Peters, St. Luke's; Ed Reed, Reed Sign

Jennifer Peters provided testimony. St. Luke's owns the property in question which is vacant. The existing sign has been removed.

Exhibit A-1 was provided depicting the proposed location of the "billboard". No development is proposed except for installation of the sign.

Exhibit A-2 – This exhibit depicts all of the St. Luke's locations within approximately 5 miles, specifically 13 facilities. One third of their patients are coming from Monroe County and the Slate Belt area. Their property is located in the PIC zoning district and within 500 feet of the Route 33 expressway.

Exhibit A-3, Rendering of the proposed sign – 378 s.f., 55 feet tall, actually taller than the trees in the PADOT easement.

The sign would be for wayfinding purposes. They want to change the message to advertise the different services they have and the directions how to reach the facilities which have those services. The sign would be two-faced, with directions to the facilities north and south of the sign. They intend to provide direction on the sign to help patients only. The sign will not be

used for outside advertising purposes. Exhibit A-4 was submitted to demonstrate the street view from the highway along the way to the Anderson Campus.

They want the sign to operate 24 hours a day since the hospital campuses are open 24 hours a day as well.

Exhibits A-5, A-6 and A-7 depicting 1,000 ft radius and a 1,500 radius.

Exhibit A-8 depicts the property. They have pushed the sign as far into the northwest corner to stay away from residential properties, and distance from the other billboard.

Exhibit A-9 depicts the two existing billboards. The westerly side is an Adam Outdoor sign, and the other is the LVHN sign. The closest is 1300 feet away.

Exhibit A-10, rendering of the proposed sign. Proposed height is 55 feet tall and 378 s.f. in area. They are complying with maximum height requirement. They need relief for the area. The maximum allowed by ordinance is 300 s.f.

The proposed sign size is the same as the LVHN sign. The height was chosen due to the height of the existing trees.

The sign will be within 50 feet of the PADOT right-of-way.

Steve Nordahl inquired about the wayfinding feature and static directional signage to direct them to the Anderson campus.

Brian Fenstermaker asked if they intend to direct people to all 13 facilities. Brian stated a concern about managing the advertisements as they cycle through because they can't address all 13 facilities at one time.

Steve said if the Anderson Campus is the target, they need focus on wayfinding for the Anderson Campus as a static portion of the sign.

Edward Reed, Reed Sign Company, provided testimony about the proposed sign. This sign is a "Junior" billboard size. The goal was to make the sign both visible and useful for the visiting public.

Wayfinding was discussed. The sign will be manufactured by Daktronics. The sign will be able to comply with the requirements outlined in the Zoning Ordinance.

Manny asked how high the static area is for the LVHN sign. Mr. Reed said he is not sure.

Erich Schoch provided Exhibit A-11, Eric Johnson's credentials. Mr. Johnson is employed by Daktronics. Eric Johnson provided testimony remotely.

Exhibit A-12, Light Analysis was presented. Mr. Johnson explained the exhibit.

Exhibits A-1 thru A-12 were admitted to the record.

Brian Fenstermaker, asked why they would under be an obligation to grant the relief just because they are same sign? Manny stated they own the land, and they are placing the sign at the farthest point they could go. Erich Schoch stated if the 200' PPL easement wasn't there they would be in compliance. Erich Schoch said they have done everything they possibly can to comply with all of the ordinance requirements.

Manny stated that St. Luke's owns this land where LVHN is leasing the space where their sign is located.

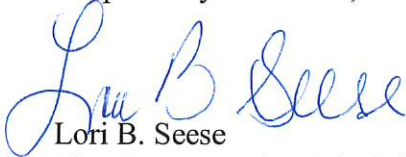
Steve stated he would be in favor of a 378 s.f. hybrid digital and static sign combined where it is used for St. Luke's University Health Network only and no sub-leasing, no outside advertising. Only used for wholly owned by St. Luke's facilities and employees. He also suggested it could not be subleased for a cell tower. It would only be the sign.

Testimony was closed.

The motion to grant a variance from Section 1819.E.3 granting 78 s.f. of area more than 300 allowed by code with the condition that the static portion will be included in the 378 s.f., and will provide wayfinding information for the St. Luke's Anderson campus, with the North and Southbound signs being the same; further, grant relief from Section 1821.C distance between digital signs, Section 1819.E.4, Spacing of Off-Premise Signs; and Section 1821.G, Hours of Illumination for a Digital Sign to allow the sign to be illuminated 24/7, pursuant to the exhibits and testimony provided, was moved Steve Nordahl and seconded by Brian Fenstermaker. The motion carried unanimously.

The motion to adjourn was moved by Brian Fenstermaker and seconded by Manny Changalis. The motion carried unanimously. The meeting adjourned at 8:54 p.m.

Respectfully submitted,



Lori B. Seese  
Planning & Zoning Administrator

/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.***