



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 September 27, 2022

Chairman Manny Changalis called the meeting to order at 6:32 p.m. Board Members Mike Gaul and Steven Nordahl; Alternate, Brian Fenstermaker; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator were all in attendance.

APPROVAL OF THE AGENDA

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

MINUTES

Motion to approve of the August 23, 2022, minutes was moved by Mike Gaul and seconded by Brian Fenstermaker. Manny Changalis abstained. The motion carried.

HEARINGS

ZA2022-05, AAA Northampton County

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Michael Gaul recused himself as his employer has represented AAA Northampton County in the past.

Present for the Application: Steven Lindemann, Applicant; Anthony Giovannini, Esq., and Delford Hesener, JHM Signs.

Steve Lindemann provided testimony regarding the AAA property. There are two existing freestanding signs on the AAA property.

A variance was granted for the sign on Hecktown Road sign in 1976. The requested variance for this hearing is for a 2-sided digital sign in the existing location. The size would be the same. The sign would operate 7 a.m. to 10 p.m. The sign would solely advertise for AAA and no other business. The sign would be located within 1,000 ft. of a residential dwelling.

The Country Club Road sign would remain and will stay as is. AAA chose the Hecktown Road location because this side has more traffic, and it is farther away from the dwelling than the Country Club Road sign.

Steve Lindemann showed the Board the sign locations using the Google Earth image on display on the Township monitor.

Steve Nordahl verified with Steve Lindemann that the sign would be dimmed between 10 p.m. and 7 a.m.

Manny Changalis inquired about the number of messages which will cycle on the sign. Steve Lindemann stated they will comply with the Township Ordinance.

Delford Hesener, JHM Signs provided testimony regarding the sign. The entire sign from the pedestal base up would be replaced. The sign area will stay the same.

Attorney Giovannini reviewed compliance of the sign per the Zoning Ordinance with Delford Hesener.

Mr. Hesener stated the viewing angle of the sign is 160°. Due to the proximity of the sign to the existing dwelling on Country Club Road, it would be unlikely that anyone at the dwelling could read or see the sign from that distance.

Mr. Hesener stated the sign could have photo eye which will control the brightness of the sign. Steve Lindemann stated they have no problem adding that feature to the sign.

Brian Fenstermaker confirmed that they will be able to conform to the Township Ordinance.

The motion to grant a variance from Article 18, Section 1817.A.7 to permit this sign in the LI zoning district with the provision the sign will be equipped with a light sensor and based upon testimony, exhibits, placement, size, location and operation of the sign will comply with 1821.G was moved by Brian Fenstermaker and seconded by Steve Nordahl. Michael Gaul abstained. The motion carried.

The motion to grant a variance from Article 18, Section 1821. J. to allow both a freestanding sign and a digital sign on the property was moved by Manny Changalis and seconded by Brian Fenstermaker sign since the signs have been in existence for a number of years and both signs were permitted to exist. The motion carried unanimously.

ZA2022-09, Timothy and Jennifer Deily

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Timothy and Jennifer Deily

Timothy Deily presented testimony regarding the proposed project. The dwelling is an existing non-conforming structure. The front yard setback is 40 feet. The house sits 5 feet within the front yard setback.

No existing utilities in the vicinity of the proposed porch. The plans must be amended to reflect the stairs coming off each side of the porch in lieu of the front. The Deily's will be installing porch lighting.

The depth of the porch was discussed. The Deily's would like a depth/width of 9 feet. The Board felt that was a lot and suggested a depth of 7 feet. The Deily's agreed.

The motion to grant a 7-foot with the provision that the steps be located off the side of the porch was moved by Mike Gaul and seconded by Steve Nordahl. The motion carried unanimously.

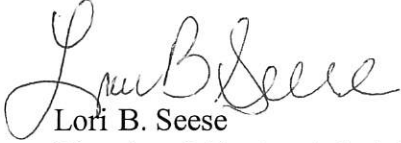
The motion to grant a variance to allow the alteration of non-conforming structure based upon plans, testimony and exhibits received, was moved by Manny Changalis and second by Mike Gaul. The motion carried unanimously.

ADJOURNMENT

The motion to adjourn was moved by Brian Fenstermaker and seconded by Manny Changalis. The motion carried unanimously.

The meeting adjourned at 8:15 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.***