



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 August 23, 2022

Vice Chairman Steven Nordahl called the meeting to order at 6:30 p.m. Board Member Mike Gaul, Alternate, Alternate Brian Fenstermaker; Zoning Hearing Board Solicitor, April Cordts; and Lori Seese, Planning & Zoning Administrator were all in attendance. Manny Changalis was not present.

The motion to amend the agenda adding the AAA Northampton continuance requests was moved by Michael Gaul and seconded by Brian Fenstermaker. The motion carried unanimously.

MINUTES

Approval of the July 28, 2022, minutes was moved by Brian Fenstermaker and seconded by Michael Gaul. The motion carried.

CORRESPONDENCE

Two time extensions have been granted by AAA Northampton County related to their appeal. The motion to accept the time extensions thru September 28, 2022, and place matter on the September 27, 2022, agenda was moved by Michael Gaul and seconded by Brian Fenstermaker. The motion carried unanimously.

HEARINGS

ZA2022-06, Mazaraki, Inc.

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Dave Berger, Esq.; Stavros Gougoustamos, Applicant; and Brian Rodenbach, Valley Wide Signs and Graphics.

Stavros Gougoustamos provided testimony. An exhibit package, containing exhibits A-1 thru A-12, were provided to the Board. Customers have expressed concern about the location of the sign, need better visibility to locate the building. The sign will be an electronic message. Specific messages to the business – promotions, customer marketing and will comply with the Township Ordinance. The applicant will have the ability to control the sign. The sign will be on a static message overnight. There are no residences around the property.

Brian Rodenbach provided testimony about the height of other signs in the general vicinity, all within Lower Nazareth Township. The proposed height is 13'-8" feet. Message control will be controlled by the property owner. Timing of the light can be controlled. The address will not be illuminated.

Steve Nordahl stated concerns about the brightness of the sign. Brian Rodenbach noted Exhibit #13 which states the brightness of the sign can be manufactured to comply with zoning regulations.

The sign will not be used for any other use other than Diner 248.

The dimming will begin once it becomes dark. They can adjust the sign if we do not feel it is complying.

Mike Gaul inquired about the proposed height, 13 feet, versus the current height of 10 feet. Mike asked if they knew the height of the sign at street level. Brian Rodenbach stated he did not.

Brian Fenstermaker had no questions.

David Berger moved to enter Exhibits A-1 thru A-13 into the record.

Mike Gaul made a motion to grant the variance as to the height of the sign as stated in the application and per the testimony given. The motion was seconded by Brian Fenstermaker. The motion carried unanimously.

ZA2022-08, James Kevin Landis

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Kevin Landis, Applicant.

Following up on his previous application, Kevin is looking to use more the building for his home occupation use. He needs to use 100% of the barn for storage as opposed to 25%. He will be constructing a shed roof in the back to store trailers.

Mike Gaul does not want him storing a trailer with trash at the property. He has to drop it off at East Penn. No construction debris at the site. Kevin agreed. Leftover materials such as framing lumber, trim, roofing materials will be stored in the barn.

The existing barn is 1830 s.f. with 1,064 s.f. on the second floor. The previously permitted square footage was 890 s.f. Kevin intends to use the second floor for a shop/tool area with the remainder being storage.

Mike Gaul asked to incorporate that testimony into this hearing. Kevin Landis confirmed.

Mike Gaul stated that based upon the prior proceedings, the neighbors do not object to the use. If they grant the variance, he would be subject to the terms of the previous Order. Mike stated the request is to change the amount of building he can use. It would be a waste to limit the use the property.

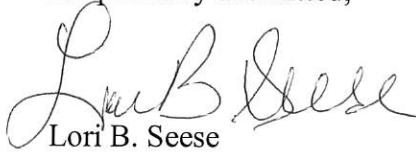
The motion to grant the variance to allow the second floor to be used for the home occupation with storage on the first floor, all subject to the conditions of ZA2022-04 and subject to his testimony and exhibits moved by Mike Gaul and seconded by Brian Fenstermaker. The motion carried unanimously.

ADJOURNMENT

The motion to adjourn was moved by Mike Gaul and seconded by Brian Fenstermaker. The motion carried unanimously.

The meeting adjourned at 7:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lori B. Seese".

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.***