



# LOWER NAZARETH TOWNSHIP

## ZONING HEARING BOARD

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### Zoning Hearing Board

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

April Cordts, Esq., Solicitor

## Zoning Hearing Board Minutes February 28, 2023

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

### APPROVAL OF THE AGENDA

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

### MINUTES

Approval of the January 18, 2023, minutes was moved by Brian Fenstermaker and seconded by Steve Nordahl. Mike Gaul abstained. The motion carried.

### MINUTES

Approval of the January 24, 2023, minutes was moved by Mike Gaul and seconded by Brian Fenstermaker. The motion carried unanimously.

### CORRESPONDENCE

ZA2022-16 – Chick-fil-A Continuance – Steve Nordahl noted receipt of letter from the Applicants attorney requesting a continuance of the hearing until March 28, 2023. Requirements of the PA MPC were waived. Mike Gaul moved for acceptance of the Continuance which was seconded by Brian Fenstermaker. The motion carried unanimously.

ZA2023-03 – Daniel DalMaso Continuance - Steve Nordahl noted receipt of an email from the Applicants attorney requesting a continuance of the hearing until March 28, 2023. Requirements of the PA MPC were waived. Mike Gaul moved for acceptance of the Continuance which was seconded by Brian Fenstermaker. The motion carried unanimously.

### HEARINGS

#### ZA2023-04, McDonalds USA, LLC

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Michael McIntyre and Charles McIntyre, Applicants; Erich Schock, Esq., Michael Jeitner, P.E.

Michael Jeitner provided testimony regarding the proposed project. Exhibit A-1, Site Plan, was presented. The proposed project involves two drive-thru lanes. The Zoning Ordinance requires a drive-thru lane width of 12 feet. The existing drive-thru lane is 10 feet. The proposed drive-thru lanes

would be a 12-foot interior lane, a 10-foot exterior lane, and a 18-foot bypass lane. Michael Jeitner stated it makes sense to have the 12 feet when you are bound by curb; however in this case the drive-thru lanes will not have curb but a stripe separating the lanes.

The plan was on the Planning Commission's February 27, 2023 agenda. A modification to the parking spaces was made pursuant to comments made at the Planning Commission meeting.

Relief for the number of parking spaces was discussed. Michael Jeitner provided testimony. A traffic study was conducted to determine how much parking was used to determine peak hours the highest number of cars on the lot. Applicant's exhibit A-2 was presented to the Board. Michael Jeitner stated he believes the number of cars on lot will decrease when the dual drive-thru lanes are installed, requiring even less parking spaces. Drive-thru sales are the primary sales generator across the fast-food industry. Dine-in sales has decreased; therefore, requiring less parking.

Charles McIntyre confirmed he performed the parking study. Michael Jeitner confirmed employee parking was included in the parking study.

Steve Nordahl inquired about whether they would be reducing the number of seats. Michael Jeitner stated there is a play area within the restaurant. Sometimes parents will sit elsewhere and then move into the play area to be with their children.

Charles McIntyre provided testimony. The number of seats reduced with the last renovation. The seats in the play area are anchored in. A wall of glass surrounds the playland. The playland has been underutilized in the past 3 years. The seats could be removed and they would end up with holes where the seats had been.

Steve stated concerns about the proximity of the dual lane location with the entrance/exit drive. Steve feels there is potential for a back-up at this point. Michael Jeitner stated the dual lanes will improve the stacking.


Motion by the Board

The motion to grant the requested variances to allow 42 parking spaces and a 10-foot wide drive-thru lane 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 7:22 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.***