



# LOWER NAZARETH TOWNSHIP

## ZONING HEARING BOARD

623 MUNICIPAL DRIVE  
NAZARETH, PA 18064  
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### **Zoning Hearing Board**

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

April Cordts, Esq., Solicitor

## **Zoning Hearing Board Minutes** **March 28, 2023**

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

### **AGENDA APPROVAL**

Approval of the agenda was moved by Brian Fenstermaker and seconded by Manny Changalis. The motion carried unanimously.

### **MINUTES**

Approval of the February 28, 2023, minutes was moved by Brian Fenstermaker and seconded by Steven Nordahl. Manny Changalis abstained. The motion carried.

### **CORRESPONDENCE**

ZA2023-03, Daniel DalMaso – Steve Nordahl noted receipt of an email from Attorney Joseph Piperato requesting a continuance to the May 25, 2023, Zoning Hearing Board meeting.

### **HEARINGS**

#### **ZA2022-16, Chick-fil-A**

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Erich Schock, Esq.; Adam Citrullo, P.E., Bohler Engineering; Doug Wolfe and Chris Cathcart, Applicant (virtually).

Adam Citrullo provided testimony. The proposal is primarily to update kitchen and the drive-thru. The proposed change is a 460 s.f. building addition and increase the drive-thru to two lanes. The variance requests are for drive-thru lane width and parking setback. Chick-fil-A uses 9-foot-wide lane widths with a 3-foot gore (pavement striping) in between the lanes in other locations. The lanes will be delineated by pavement markings only. The total width of the lanes with gore will be 21 feet. The parking requirement will be satisfied according to the Zoning Ordinance.

The 2-foot setback request is only on the curb line associated with the parking spaces on the Corriere Road side of the property.

The kitchen addition is to the rear (west) of the building and has no effect on the drive-thru and parking variance requests.

Doug Wolfe, Chick-Fil-A, provided testimony regarding the restaurant operations, and changes in drive-thru/carry-out/dine-in sales.

Chris Cathcart, Store Operator testified about current drive-thru conditions.

Motion to close testimony was moved by Michael Gaul and seconded by Brian Fenstermaker. The motion carried.

Mike Gaul feels this is a de minimis request and causes no harm to the public. Improvement of logistics to the property. Steve and Manny agreed.

#### Motion by the Board

Mike Gaul made a motion to grant the variances consistent with the application and testimony provided. The motion was seconded by Brian Fenstermaker and carried unanimously.

#### **ZA2023-05, Jeff Stoneback**

The advertisement for the hearing was read aloud and all parties who would testify in the hearing were sworn. Present for the Application: Jeff Stoneback and Ricardo Escobar, Applicants.

Ricardo Escobar provided testimony. They have quadrupled their parking spaces.

Applicant's Exhibit #1 consisting of 9 pages was provided to the Board.

They have increased their total from 7 additional spaces to 29 additional spaces.

Action Karate uses 20 spaces regularly. They determined this by reviewing 30 days of security footage. Nazareth Pickleball will rearrange their scheduling around the Action Karate belt ceremonies.

Mike Gaul asked how they would be limiting their use of the parking lot? Ricardo would be willing to mark spaces if necessary.

Daniel DalMaso provided testimony regarding Action Karate's use as his tenant. He said Action Karate is entitled to 19 spaces per the Zoning Ordinance.

Ricardo testified about other pickleball court uses in other municipalities: Flemington and Grand Island, NY.

Mike Gaul stated concern that Action Karate was not present and able to agree to anything.

Ricardo pointed out the Zoning Ordinance parking requirements are different for a bowling alley and mini-golf and are more specific. They are no different. They just take up more space.

Manny is okay with the logic presented. Steve Nordahl is in favor of the application however he is concerned about the nights when they have a belt ceremony. There is parking in the streets. Steve stated concern about security lighting. April Cordts asked if they would be willing for patrolling when the more heavily traffic events are underway. They need to control traffic. Minimizing and mitigating traffic circulation. Ricardo agreed.

Mike Gaul said relief should be granted for the pickleball court. If someone wants to do something different in the future, they have to come back. Limit to regulation pickleball courts.

Mike Gaul made the motion to grant the requested variance with the following conditions: 1) limit to use regulation size pickleball courts, 2) Applicant provide some traffic management on days when there are events at the location or the other tenants business are likely to exceed the

parking requirements for the property; 3) relief is based upon testimony and exhibit provided; and 4) contingent upon review by the fire chief and the planning commission. The motion was seconded by Brian Fenstermaker and carried unanimously.

**ADJOURNMENT**

Motion to adjourn moved by Mike Gaul and seconded by Brian Fenstermaker. The meeting adjourned at 8:14 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.***