

**SOUTH STRABANE TOWNSHIP  
ZONING HEARING BOARD REGULAR MEETING MINUTES**

**September 13, 2021**

**APPROVED MEETING MINUTES**

**1. ROLL CALL AND CALL TO ORDER**

On Monday, September 13, 2021 at 6:01 p.m., after due advertisement according to law, a public meeting of the Zoning Hearing Board (“ZHB”) was held at the South Strabane Township Municipal Building (550 Washington Road, Washington, PA 15301) and the following were present:

Art Sullivan, Chairperson  
James Stewart, Vice-Chair  
Andy Rembert, Member

**Also Present**

Brandon Stanick, Township Manager  
Jim Sutter, Assistant to the Township Manager  
Michael Cruny, ZHB Solicitor  
Sheila Rozanc, Stenographer

**2. Approval of the Zoning Hearing Board Meeting Minutes – August 9, 2021**

Chair Sullivan moved to approve the August 9, 2021 Meeting Minutes as presented. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

Ms. Rozanc administered the oath to those in attendance.

**3. Public Hearing: Consideration of an application by Aladdin Signs, Inc. submitted on behalf of Staenberg Group, Inc. for the new Burlington department store located along Old Mill Blvd. in the C-2 Commercial Zoning District seeking a variance from Section 145-191C(1)(d) of the Zoning Code regarding the maximum allowable surface area for all wall signs**

Mr. Dan Holladay, representative from Aladdin Signs, Inc. (“Applicant”), gave an overview of the request. The Applicant is seeking this variance to allow 527.9 square feet of wall signs on the proposed building’s storefront. Of the 527.9 square feet, 511.9 square feet will be comprised of the main wall sign above the entrance displaying the full name of the store, as well as signage depicting the departments within the store. The remaining 16.0 square feet will be comprised of a secondary wall sign, which displays the Burlington logo, found at street-level next to the entrance.

Mr. Holladay stated the signage will contain a list of the various departments contained within the store. He stated this is due to a change in the company’s business model to sell a wider variety of

clothing instead of primarily coats. Mr. Holladay states the other wall sign is the standard Burlington logo.

Mr. Rembert asked for clarification if the building has been constructed yet. Township Manager Stanick confirmed the building has not been built at this time. Mr. Rembert asked the Applicant for clarification if he is seeking a variance for a building which has not been built yet. Mr. Holladay confirmed this is what he is asking for. He went on to state he is unsure if receiving this variance will determine whether or not the building will be constructed. Mr. Rembert asked for clarification if Mr. Holladay represents the sign company. Mr. Holladay stated he represents the Applicant.

Mr. Stanick advised the ZHB there is no evidence that Burlington will not come to the Township based on a decision concerning the sign variance. A brief discussion ensued regarding a variance being approved for a sign to be placed on a building not yet constructed.

Chair Sullivan inquired why no representative from Burlington itself was in attendance for the hearing. Mr. Holladay stated his company was hired for permitting and installation purposes and they have been tasked with seeking any variances as a part of the job.

Chair Sullivan expressed his opinion the only argument being presented by the Applicant is the extra signage is needed to enhance the volume of business. He inquired of the evidence or data to confirm why the additional signage is needed. He stated he would have a hard time voting to approve this variance without a justification for this testimony from someone with Burlington.

Mr. Rembert asked Mr. Holladay to clarify the location of the proposed building. The Applicant expressed his minimal familiarity with the location. Mr. Rembert stated the submitted application made reference to the location being in the back of the Old Mill development. He went on to state the proposed location is actually in a very prominent spot. He stated the decision by the Applicant to place the signage facing the interior parking lot instead of Route 19 undercuts the argument for needing any special consideration. Mr. Rembert expressed his opinion they are really missing the perspective of a representative from Burlington to explain the rationale of the signs.

Chair Sullivan reiterated his reluctance to vote to approve the variance request given his previously raised issues and those from Mr. Rembert. He stated nothing he has heard in the hearing has given him any reason to approve. Mr. Stewart stated his agreement with Chair Sullivan in wanting to hear testimony from a representative from Burlington. Mr. Holladay stated he will forward this information to Burlington.

Solicitor Cruny read the following exhibits into the record:

- Exhibit A – Application dated August 7, 2021 and related materials;
- Exhibit B – Proof of advertisement in the September 1 and September 4, 2021 editions of the Observer-Reporter;
- Exhibit C – Letter dated September 3, 2021 sent to neighboring property owners within 300 feet informing them of the Public Hearing;
- Exhibit D – Email from Assistant to the Township Manager Sutter to Mr. Cruny stating notices had been posted on the Property at least 7 days prior to the Public Hearing;

Exhibit E – Section 245-191 of the Township Zoning Code regarding signs permitted in commercial and industrial districts;  
Exhibit F – Memo from Township Staff to ZHB dated September 8, 2021; and  
Exhibit G – Confirmation HCB Foundry, LLC. is the property owner.

Chair Sullivan moved to enter Exhibits A-G into the record. Mr. Rembert seconded the motion. The motion passed on a unanimous voice vote.

A discussion on the proposed pylon sign at the entrance to the development ensued. The Applicant stated they do not represent the Marshall's store represented on the elevation. In response to a question from Mr. Rembert, Mr. Stanick advised the change to the pylon is the change to the Burlington sign panel.

Chair Sullivan moved to continue the hearing until the next meeting of the Zoning Hearing Board to allow time for a direct representative of Burlington to be in attendance. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

**4. Public Hearing: Consideration of an application by Theresa Mirachi of a Use by Special Exception to operate and maintain a recreational vehicle storage facility located at 53 Oak Spring Road in the C-2 Commercial Zoning District per Section 245-121 of the Zoning Code regarding Comparable Uses Not Specifically Listed**

Ms. Theresa Mirachi expressed her desire to make it clear, despite how the agenda item is worded, it is a misnomer to describe her proposed operations as a facility. She stated she is not looking to construct any buildings. Mr. Mirachi provided a description of her property, stating the upper and lower parking lots are both existing. At this time, she distributed pictures of the property and the parking lots in question to the members of the ZHB. She stated the upper parking lot is not being utilized and not earning any revenue at this time.

Ms. Mirachi reiterated her intention to not build any structures and added she will not be employing anyone for this use. She stated there will be minimal disturbances and the only improvements she will make will be to add security cameras. She then presented an overview of the standards for comparable uses not specifically listed and how her proposal meets the requirements.

Mr. Stewart inquired on security for the lot, specifically regarding fencing. Ms. Mirachi stated there was no need for this due to the high incline and abutting trees at the rear of the parking lot. A discussion ensued clarifying how far back Ms. Mirachi's property goes from the upper parking lot. It was determined the parcel does not extend all the way to Interstate 79 as she had previously believed.

Mr. Stewart asked for clarification on which types of vehicles she will be storing on the property. Ms. Mirachi stated they would be recreational vehicles, such as boats, RV's and trailers. Mr. Stewart asked the Applicant if she was intending to restrict the types of vehicles or line off spaces. Ms. Mirachi stated she will line off spaces but had not wanted to do so before receiving her approval. A discussion ensued on how the Applicant's proposed operation fulfills a need.

Mr. Rembert inquired on the length of time the Applicant had owned the Parcel. Ms. Mirachi stated she has owned the property for nearly three years. Mr. Rembert asked for clarification if she had been the owner when the parking lot was built. Ms. Mirachi stated the parking lot had been constructed prior to her purchase of the property. She then gave a brief overview of the different businesses that had occupied the building and stated the upper parking lot was constructed sometime after it had ceased being a house and prior to her purchase. A discussion ensued on the zoning of the property and the presence of lighting in the upper parking lot.

Mr. Cruny read into the record an email dated September 13, 2021 received by Mr. Sutter from Dr. Mark Clemente, the apparent owner of 23 Oak Spring Road. The letter raised potential safety concerns for the occupants of his property and liability issues for the Township. Chair Sullivan raised concerns over Dr. Clemente's claimed relationship to the property, as the legal owner is a trust, not an individual. Chair Sullivan stated he is not in attendance to provide clarification regarding his relationship to the legal property owner. Chair Sullivan expressed skepticism over the claimed liability issues to the Township. Both Chair Sullivan and the Applicant stated any liability issues are the Applicant's alone. Ms. Mirachi stated she already has insurance to cover this use of her property. A discussion ensued on the letter. It was determined due to the last-minute nature of the letter, Dr. Clemente's inability to appear in person, the invocation of supposed issues occurring prior to the Applicant owning the property and the Applicant's response to the concerns raised, the communication would be made a part of the record and given the weight the members of the ZHB feel it deserves.

Mr. Rembert inquired of the Applicant why she does not believe a fence is necessary around the parking lot. Ms. Mirachi stated she will be installing a gate for control purposes. She went on to state full fencing encapsulating the lot is not typical of parking lots for auto dealers. Mr. Rembert expressed his concern over the lack of fencing for the Applicant's proposed operations, given the vehicles being stored are not her own. Ms. Mirachi reiterated her plan to install a gate to control access to the parking lot.

Mr. Rembert inquired if there will be any limitations or restrictions on the types of vehicles and how long they can be stored. Ms. Mirachi stated every client will have individual contracts which will stipulate the specific vehicle and length of storage. Mr. Rembert asked for clarification on whether the Applicant intends to build any structures. Ms. Mirachi stated she has no intention of doing so. A discussion ensued on the various types of potential leases and vehicle titles associated with the operation.

Mr. Stanick asked if the Applicant foresees any issues with not having a shelter for storage. Ms. Mirachi stated there are other facilities which can provide this and she has no interest in getting involved in this type of operation.

Chair Sullivan inquired on what the hours of operation will be for the facility. Ms. Mirachi stated it will generally be when she is on the premises, but it does not prevent a client from stopping by when she is not attending to her store. She stated her office hours will be 8:00 a.m. until 6:00 p.m., but access hours will be 6:30 a.m. until 9:00 p.m. Chair Sullivan asked if vehicle maintenance will be allowed outside of the access hours. Ms. Mirachi stated this will not be allowed. She advised 9:00 p.m. until 6:30 a.m. will be quiet time. The security cameras will monitor this and anyone

visiting outside of these hours will be breaking their lease. A discussion ensued on the existing lighting of the facility.

Chair Sullivan expressed a desire to see stipulations on the proposed operation relating to there being no accessory structure, a gate being installed and quiet hours being enforced. Mr. Cruny noted for the ZHB to consider the standards for an equipment storage yard, which the Applicant is proposing as the nearest comparable use not specifically listed, which prohibits engines from running after 8:00 p.m. This is in contrast to the Applicant's proposal of 9:00 p.m. as the later limit of quiet hours. Additionally, he noted the 5-acre lot size requirement for the same use. Mr. Rembert asked for clarification on whether the ZHB is permitted to use their discretion to make the distinction these requirements are not applicable for the intended use. Mr. Cruny confirmed this is the case. Mr. Rembert emphasized his desire to stipulate no additional structures are to be built on the property for the proposed use. A discussion ensued on this matter and the other previously discussed limitations.

Mr. Cruny asked the Applicant if she intends there to be any signage. Ms. Mirachi stated she would only consider a temporary banner.

Mr. Cruny read the following exhibits into the record:

- Exhibit A – Application for Use by Special Exception;
- Exhibit B – Proof of advertisement in the September 1 and September 4, 2021 editions of the Observer-Reporter;
- Exhibit C – Letter dated September 3, 2021 sent to neighboring property owners within 300 feet informing them of the Public Hearing;
- Exhibit D – Email from Mr. Sutter to Mr. Cruny stating notices had been posted on the Property at least 7 days prior to the Public Hearing;
- Exhibit E – Email correspondence between Ms. Mirachi, Mr. Sutter and Mr. Stanick;
- Exhibit F – Washington County Tax Parcel ID indicating ownership of the parcel by Furry Friends Camp, LLC.;
- Exhibit G – Memo from Township Staff to ZHB dated September 8, 2021;
- Exhibit H – Sections 245-63 and 245-121 of the Township Code;
- Exhibit I – Email dated September 13, 2021 from Mark Clemente; and
- Exhibit J – Photographs of the current site conditions provided by the Applicant.

Chair Sullivan moved to enter Exhibits A-J into the record. Mr. Rembert seconded the motion. The motion passed on a unanimous voice vote.

Chair Sullivan moved to approve the request for a Use by Special Exception by Theresa Mirachi to operate and maintain a recreational vehicle storage facility located at 53 Oak Spring Road in the C-2 Commercial Zoning District with the following conditions: a) there will be a gate limiting access to the upper parking lot; b) no additional structures will be erected on the property; c) the hours of operation will be 6:30 a.m. to 9:00 p.m., seven days a week; and d) quiet time will be from 9:00 p.m. to 6:30 a.m., seven days a week. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

**5. PUBLIC COMMENTS**

The ZHB allocates a period of time during this item for those individuals who would like the opportunity to address the ZHB on any matter. Each person addressing the ZHB is asked to limit their comments to a maximum of three (3) minutes.

There were no comments from the public.

**6. ADJOURNMENT**

As there was no further business to come before the ZHB, Chair Sullivan moved to adjourn. Mr. Rembert seconded the motion and the meeting adjourned at 7:21 p.m.

Respectfully Submitted,

Brandon J. Stanick  
Township Manager / Zoning Officer