

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

**OCTOBER 10, 2022**

**APPROVED MEETING MINUTES**

On Monday, October 10, 2022 at 6:01 p.m., after due advertisement according to law, a Public Meeting of the South Strabane Township Zoning Hearing Board (“ZHB”) was held at the Municipal Building (550 Washington Road, Washington, PA 15301) and the following were present:

Art Sullivan, Chairperson  
James Stewart, Vice-Chairperson  
Michele Tysiak

Also Present

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

**1. PLEDGE OF ALLEGIANCE**

Chair Sullivan lead the Pledge of Allegiance.

**2. APPROVAL OF THE ZONING HEARING BOARD MEETING MINUTES**

Chair Sullivan moved to withhold approval of the September 12, 2022 Meeting Minutes as the ZHB has not had adequate time to review. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

**3. ADMINISTRATION OF OATH**

Ms. Rozanc administered the oath to those in attendance.

**4. PUBLIC HEARING: CONTINUED CONSIDERATION OF AN APPLICATION FROM MENARD, INC FOR THE PROPERTY LOCATED ALONG OLD MILL BOULEVARD, MORE SPECIFICALLY KNOWN AS PARCEL NOS. 600-003-00-00-0020-09, 600-003-00-00-0020-11 AND 600-003-00-00-0020-00, IN THE C-2 ZONING DISTRICT REQUESTING THE FOLLOWING:**

- **A VARIANCE FROM SECTION 245-64J TO ALLOW AN ACCESSORY STRUCTURE 31 FEET IN HEIGHT;**
- **A VARIANCE FROM SECTION 245-172C(3) TO ALLOW A FENCE 14 FEET IN HEIGHT;**
- **A VARIANCE FROM SECTION 245-182K TO REQUIRE ONLY 8 SHOPPING CART RETURN AREAS;**

- **A VARIANCE FROM SECTION 245-191C(1) TO ALLOW 651 SQUARE FEET OF WALL SIGNAGE; AND**
- **ANY OTHER ZONING RELIEF REQUIRED.**

Chair Sullivan asked the Applicant if they had anything new to present since initial consideration during the September 12, 2022 meeting. Nick Brenner, Real Estate Representative for Menard's, stated they have submitted a new site plan which includes an additional 6 cart corrals, for a total of 14 on site, and distances to neighboring properties shown. He stated they find losing 6 parking spaces to accommodate the additional cart corrals to be acceptable. Mr. Brenner stated a photometric plan has also been submitted showing the lighting decreases to 0 foot-candles prior to reaching any residential properties.

Mr. Brenner presented a rendering of how the structure will appear from Manifold Road. He stated this is the only location where it will be visible from Manifold or Berry Roads. He stated there is already a significant amount of vegetation providing screening and it is a significant distance from the road. Ms. Tysiak asked for clarification on where the presented view is located. Mr. Brenner confirmed it is on Manifold Road. Judy Panasik, resident on Green Crescent Drive, asked if the structure would be visible from Berry Road. Mr. Brenner stated the store itself will not, but the fence at the rear of the property will be visible. Mr. Stanick noted it is hard to envision how this will appear without a rendering from Berry Road being provided.

Chair Sullivan asked the Applicant to describe what the differences in elevation will be between the rear of the Property and Berry Road in order to give an idea of what the view will be for the residents in that area. Mr. Brenner stated the store will sit at 1,160 feet (above sea level) and based on the contours given in the plan, the highest part of the adjacent Zipko property is 1,140 feet. Nancy Zipko, resident on Berry Road, stated they are concerned about the lighting. Mr. Brenner reviewed the photometric plan. Ms. Nancy Zipko stated she can already see lights from the Old Mill Commercial Development even without the presence of Menard's. Mr. Brenner stated the source of the lights will be visible from the neighboring properties, but it will not be shining on any neighboring properties. A discussion ensued on light pollution.

Ms. Panasik read aloud a statement from Laynee Zipko, resident on Berry Road, who was not able to be in attendance. Ms. Laynee Zipko expressed her concern regarding the potential presence of hazardous materials in a mound on the Property and it being disturbed during development. Ms. Laynee Zipko's statement also expressed concern regarding lighting and noise from the store. Mr. Stanick noted Mr. Brenner had already touched on the concern regarding the hazardous materials and asked him to point out the mound of concern. Mr. Brenner pointed to where the mound is located on the site plan based on statements he has heard and stated they are not purchasing this portion and have no plans to disturb it. A discussion ensued on the specific property to be purchased.

Chair Sullivan inquired on stormwater control measures. Mr. Brenner stated they will construct a detention pond on site which will drain to an existing pond serving the Old Mill Commercial Development. A discussion ensued regarding stormwater controls. Mr. Brenner emphasized all proposed plans must adhere to Washington County Conservation District requirements and they are currently conducting their own review.

Ms. Panasik reiterated her concerns regarding the height of the fence. Mr. Brenner stated the fence is proposed at its height in part so they can be good neighbors by screening their lumber yard. He noted no deliveries will take place outside of the hours of operation. Upon a question from Ms. Panasik, Mr. Brenner confirmed the entrance to the lumber yard is exposed and not fenced. Ms. Panasik expressed her appreciation for the Applicant adding several cart returns and inquired if an employee will be responsible for collecting them. Mr. Brenner confirmed this will be the case.

Chair Sullivan expressed a desire to have vegetation screening the fence where it faces adjacent neighboring property owners. He indicated locations on the site plan where a mix of hardy evergreen species should be placed to accomplish this goal. Ms. Tysiak requested clarification on the number of cart returns now being proposed by the Applicant. Mr. Brenner stated they are now proposing 14 cart returns, an increase of 6 from what was originally proposed.

Ms. Panasik expressed her concern regarding traffic on Berry Road in relation to the development and the mound potentially containing hazardous materials.

Upon a question from Chair Sullivan, Mr. Brenner reiterated their stormwater management control plans. Chair Sullivan stated he had previously been concerned about stormwater on the site, but based on what he understands from these plans, the Applicant will create a cleaner environment. A discussion ensued.

Solicitor Michael Cruny read the following items into the Public Record:

- Exhibit F – Updated Site Plan;
- Exhibit G – Photometric Plan;
- Exhibit H – Aerial Plan with requested buffer vegetation as noted by Chair Sullivan;
- Exhibit I – Viewshed from Manifold Road;
- Exhibit J – Legal Notice published in Observer-Reporter; and
- Exhibit K – Neighbor notice letter.

Chair Sullivan moved to enter Exhibits F-K into the Public Record. Ms. Tysiak seconded the motion. The motion passed on a unanimous voice vote.

Mr. Cruny noted there was an error in the date of the hearing published in the legal advertisement in the Observer-Reporter. He recommended the ZHB, out of an abundance of caution, continue the Public Hearing to one last meeting in November to allow anyone else to provide testimony. A discussion on procedure ensued.

Chair Sullivan moved to approve the application from Menard, Inc. for the Property located along Old Mill Boulevard, more specifically known as Parcel Nos. 600-003-00-00-0020-09, 600-003-00-00-0020-11 and 600-003-00-00-0020-00, in the C-2 Zoning District requesting variances from: i) Section 245-64J to allow an accessory structure 31 feet in height; ii) Section 245-172C(3) to allow a fence 14 feet in height subject to hardy evergreens of mixed species being planted outside the fence as shown in Exhibit H; iii) Section 245-182K to require only 14 shopping cart return areas; iv) Section 245-191C(1) to allow 651 square feet of wall signage; and

v) Section 245-182I(2) to allow parking within 13 feet of the right-of-way line. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

**5. PUBLIC COMMENT TIME**

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.

Ms. Panasik asked the ZHB to recommend the Planning Commission amend the Zoning Code to establish special regulations for commercial structures in residential areas. The ZHB advised this is outside of their authority. A discussion ensued.

**6. ADJOURNMENT**

As there was no further business to come before the ZHB, Chair Sullivan moved to adjourn. Mr. Stewart seconded the motion and the meeting adjourned at 6:58 p.m.

Respectfully Submitted,

Brandon J. Stanick  
Township Manager / Zoning Officer