

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

DECEMBER 13, 2021

APPROVED MEETING MINUTES

1. ROLL CALL AND CALL TO ORDER

On Monday, December 13, 2021 at 6:00 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
Vacancy

Also Present

Jim Sutter, Assistant to the Township Manager
Gary Sweat, ZHB Solicitor
Sheila Rozanc, Stenographer

Chair Sullivan lead the Pledge of Allegiance

Chair Sullivan expressed appreciation for recently resigned member Andy Rembert, who is moving out of the Township, and stated he will be missed.

2. Approval of the Zoning Hearing Board Meeting Minutes – November 8, 2021

Chair Sullivan moved to approve the November 8, 2021 Meeting Minutes as presented. 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 by Caldwell Brands LLC for the Giant Eagle store located at 331 Washington Road in the C-2 Commercial Zoning District seeking a variance from Section 245-191C(1)(d) of the Zoning Code regarding the maximum allowable surface area for all wall signs

Chair Sullivan introduced the item. On October 20, 2021 the Township received and Application for Zoning Variance from Caldwell Brands LLC (“Applicant”), seeking a variance from the Township Code regarding the maximum allowable surface area for all wall signs (“Variance”) for the Giant Eagle store located at 331 Washington Road (“Property”) in the C-2 Zoning District. The Property applied for and received a variance to allow for 543.02 square feet of aggregate wall signage at the September 26, 2007 meeting of the ZHB.

At its November 8, 2021 meeting, the ZHB commenced with the Public Hearing for consideration of the request. Following a presentation from the Applicant, as well as public comments, the ZHB continued the hearing to its next meeting. This continuance was agreed to by the Applicant and granted by the ZHB so that an inventory of the signage currently existing on the Property could be completed. The Applicant subsequently provided this inventory.

Chair Sullivan asked Mr. Caldwell, representative of the Applicant, if there were any additional items he would like to add to the Application. Mr. Caldwell stated there were none. Chair Sullivan expressed his appreciation for the Applicant's attempts to bring the signage on the Property closer to the standards of the Code.

Solicitor Gary Sweat reviewed the following exhibits which had been entered into the record at the November 8, 2021 meeting:

- Exhibit A – Application dated October 20, 2021;
- Exhibit B – Proof of legal notice publication in the October 27 and November 1, 2021 editions of the Observer-Reporter;
- Exhibit C – Letter to neighboring property owners within 300 feet sent October 28, 2021;
- Exhibit D – Section 245-191C of the Township Code governing the standards for business identification wall signs in commercial and industrial districts; and
- Exhibit E – Staff memo dated November 3, 2021.

Mr. Sweat then read the following additional exhibits into the record:

- Exhibit F – Proof of legal notice publication in the November 29 and December 6, 2021 editions of the Observer-Reporter;
- Exhibit G – Staff memo dated December 3, 2021; and
- Exhibit H – Findings of Fact from September, 2007 Zoning Hearing Board meeting.

Chair Sullivan moved to incorporate Exhibits F-H into the record. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

Chair Sullivan moved to approve the request for a variance from Section 245-191C(1)(d) of the Zoning Code regarding the maximum allowable surface area for all wall signs to allow the Applicant to have 721.0 square feet of wall signage on the Property. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

5. Public Hearing: Consideration of an application by Accelerated Construction Services, on behalf of DeNovo Clinic, for the Property located at 2 Park Place Drive, owned by Washington Investments, LLC, in the C-2 Commercial Zoning District seeking a variance from Section 245-130B of the Zoning Code regarding frontage requirement for medical clinics having direct vehicular access to an arterial or collector street

Chair Sullivan introduced the item. On November 23, 2021 the Township received and Application for Zoning Variance from Accelerated Construction Services on behalf of DeNovo Clinic ("Applicant"), seeking a variance from Section 245-130B of the Zoning Code regarding the frontage requirement for

medical clinics having direct vehicular access to an arterial or collector street for the property located at 2 Park Place Drive ("Property") in the C-2 Commercial Zoning District.

Mr. Mark Kepple, general counsel for the Property owner and Accelerated Construction Services, provided an overview of the request. Mr. Kepple stated the Applicant also owns the adjacent development in North Strabane Township, which consists of commercial and residential uses. He stated the Applicant desires having a medical component to its development and believes it has found a quality tenant. Mr. Kepple stated DeNovo Clinic is a comprehensive psychiatric counseling facility currently located in the South Hills. He stated they are consistent with the type of medical clinic one would desire in their community. Mr. Kepple stated this facility is well-placed and only requires the variance to allow for a medical use.

Chair Sullivan stated the primary concern is regarding the quantity of and type of traffic associated with this use. Chair Sullivan stated the ZHB would like to know who will be using the services and how many individuals will be in the facility at any one time. He also stated there are indirect concerns regarding the use of the facility by individuals with addictive disorders. Mr. Kepple stated there are many opportunities for efficient traffic flow via the connections with the North Strabane portion of the development. Mr. Sweat clarified the matter before the ZHB is regarding the frontage requirement for medical clinics and how it relates to traffic concerns.

Dr. Alex Axelson, representative of DeNovo Clinic, appeared before the ZHB and provided background on his more than 40 years of experience providing psychiatric services in Washington County. He stated the clinic currently occupies a space in Bethel Park consisting of approximately 8,000 square feet of a 50,000 square foot building with 175 parking spaces. He stated based on experience they do not have a traffic problem and there is not a high volume of in and out traffic. He stated this clinic will be an extension of and duplicate the services provided in Bethel Park.

Dr. Axelson provided additional information on the services that will be offered at the clinic. He stated the first type of services they will provide are general psychiatric services for the adult population. This involves small waiting rooms and individuals generally in the facility for 20-30 minutes with appointments spread throughout the day and early evening. The second facet of their services are children and families. Dr. Axelson stated this is not a high volume and clients for these services will be on-site for about an hour. Clinical staff will be present all day as well.

Chair Sullivan asked if anyone visiting the clinic will have been directed by the court system. Dr. Axelson stated this does not occur at their current facility and will not at this one. In response to a question from Chair Sullivan, Dr. Axelson advised patients will not be under the jurisdiction of the court.

Dr. Axelson discussed a third facet of their operations involving the treatment of individuals with severe depression and anxiety with Transcranial Magnetic Stimulation ("TMS"). This is a treatment used on individuals in which more traditional methods have not proven effective. It involves placing a magnet over the patient's head in sessions over a period of 5 weeks. Dr. Axelson stated TMS involves few or no side effects. A discussion ensued on depression. Dr. Axelson stated TMS treatments will bring people into the Township, but not at as high volume as the other two aspects of their services.

Dr. Axelson stated there will be a permanent staff of approximately 20-25 people and there will be 20-30 patients in the clinic at any given time. He reiterated traffic is not an issue at their current location.

A discussion ensued on the design of the nearby intersection with Route 19. Chair Sullivan inquired of Mr. Sweat if the purpose of this requirement in the Code is to control and safely handle traffic. Mr. Sweat

stated this is the case. Chair Sullivan stated it is apparent 30 vehicles can back from the intersection to the entrance to Park Place Drive. He stated traffic would not cause unreasonable congestion.

Mr. Stewart asked about other proposed uses along Burkett Lane. A brief discussion ensued on the Burkett Manor Planned Residential Development (“PRD”) that recently received approval and the plan for the road to eventually be dedicated to the Township.

Mr. Sweat read the following items into the record:

- Exhibit A – Application for Variance from the Applicant received November 24, 2021;
- Exhibit B – Advertisement of Public Hearing published in November 29 and December 6, 2021 editions of the Observer-Reporter;
- Exhibit C – Section 245-130B of the Zoning Code;
- Exhibit D – Staff Memo dated December 3, 2021; and
- Exhibit E – Satellite map of the Property.

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

Chair Sullivan moved to approve the request for a variance from Section 245-130B of the Zoning Code regarding the frontage requirement for medical clinics having direct vehicular access to an arterial or collector street for the Property located at 2 Park Place Drive in the C-2 Commercial Zoning District. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

Dr. Axelson clarified the clinic is not going to be for the purpose of drug treatment. However, under his medical license he is permitted to prescribe suboxone and a very small number of individuals may come to the clinic as part of their treatment. Chair Sullivan asked if Dr. Axelson would be distributing suboxone. Dr. Axelson stated he is not, and he does not wish to stigmatize suboxone. He stated he would just like to clarify they will not be running a suboxone clinic, but they may have some on hand to prescribe. A brief discussion ensued on the at-risk agreement the Applicant has with the Township regarding the facility.

6. Staff Update: Humbert Main Land, LLC for a Use by Special Exception previously considered at the November 8, 2021 meeting.

Assistant to the Township Manager Sutter provided an update for ZHB members on the open Public Hearing to consider the application by Humbert Main Land, LLC for a Use by Special Exception previously considered at the November 8, 2021 meeting. The Applicant was not prepared to continue the Public Hearing and waived all time requirements. They advised staff they will be in contact if and when they would like to continue the consideration of their application.

7. 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.

8. 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 6:47 p.m.

Respectfully Submitted,

Brandon J. Stanick
Township Manager / Zoning Officer