

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

JULY 15, 2019

APPROVED MEETING MINUTES

1. ROLL CALL AND CALL TO ORDER

On Monday, July 15, 2019 at 7:00 p.m., after due advertisement according to law, a public meeting of the Zoning Hearing Board (ZHB) was held in the Municipal Building, 550 Washington Road, Washington, PA 15301 and the following were present:

Andrew Rembert, Chairman
James Stewart, Member
Art Sullivan, Member

Ms. Diane Streshenkoff, Representing the Applicant
Pat Smider, ZHB Solicitor
Brandon Stanick, Township Manager/Zoning Officer
Patrick Conners, Assistant to the Township Manager

2. REORGANIZATION

Chair Rembert stated that the Zoning Hearing Board will reorganize prior to the regular meeting.

Mr. Rembert moved to nominate Mr. Art Sullivan as Chairperson for 2019. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

Chair Sullivan moved to nominate Mr. Andrew Rembert as Vice-Chair for 2019. Mr. Stewart seconded the motion. The motion passed on a unanimous voice vote.

3. PUBLIC COMMENTS

There were no public comments.

Chair Sullivan administered the oath to those in attendance.

4. ZHB MEETING MINUTES

Mr. Rembert moved to approve the minutes of the October 15, 2018 ZHB Meeting. The motion was seconded by Mr. Stewart. The motion passed on a unanimous voice vote.

5. PUBLIC HEARING: Consideration of an Application from South West Land Associates, requesting a Variance from Section 245-191 of the South Strabane Township Zoning Code Concerning the Maximum Aggregate Size of Changeable Copy Signs for the Property Located at 333 Washington Road (Get Go Gas Station) in the C-2 Zoning District.

Ms. Diane Streshenkoff of Carik Signs came before the Board representing the Applicant. Ms. Shreshenkoff presented for the Board and for the Public Record additional copies of photographs outlining the difference between vinyl and LED digital price signs. Chair Sullivan inquired as to who Ms. Shreshenkoff was representing. Ms. Shreshenkoff stated

that she works for Carik Signs who is serving as the sign installation agent for this project. She highlighted that Blair Signs (Get Go) is the Applicant. Mr. Rembert inquired if she represented the ownership of Giant Eagle and sought confirmation that the variance would be awarded to the property owner rather than the applicant. Ms. Shreshenkoff affirmed that in both instances that was the case.

Ms. Shreshenkoff continued to explain that currently there are two LED digital canopy price signs on the property. One sign was visible to customers accessing the property from Berry Road, while the other sign is visible to those traveling through the Strabane Square shopping plaza off State Route 19. Ms. Shreshenkoff later explained that the current signs are the smallest variant used by Get Go gas stations (measuring 13.56 sq. ft. each). She outlined that Giant Eagle is proposing to install one additional LED digital canopy price sign of equal size to accompany each current sign. This according to Ms. Shreshenkoff, would highlight the new Advantage Pay discount fuel program. Ms. Shreshenkoff stated that the additional signage would add 27.12 sq. ft. to the property's total.

Mr. Rembert highlighted that the current zoning code permits a maximum of 25 sq. ft. for changeable copy signs. Ms. Shreshenkoff stated that to her knowledge, state law requires discounted pricing to be advertised on the property. She stated she could provide documentation confirming this, highlighting a recent variance from another municipality in which the requirement was discussed.

Ms. Shreshenkoff stated that due to the location of the gas station, it would not be feasible to construct a traditional pylon or pole pricing sign. She also highlighted that the shopping plaza currently has a pylon sign outlining various businesses that reside within Strabane Square. Township Manager Stanick highlighted the possibility of advertising the regular price of gasoline on the shared pylon sign.

Chair Sullivan stated the potential state requirement concerning advertising discounted fuel pricing would be an important factor in the Board's consideration of this case. Chair Sullivan highlighted that until further detail is provided concerning that requirement, the Board should withhold a verdict. Mr. Smider stated that he was unaware of such a requirement. Chair Sullivan asked Ms. Shreshenkoff to send her findings to the Township Manager at her earliest convenience.

Ms. Shreshenkoff continued the discussion by addressing questions of the Board regarding the different signage on the property. In response to a request from the Board, Ms. Shreshenkoff provided clarification regarding the Advantage Pay program. Mr. Rembert stated the additional signage may provide Get Go a commercially competitive advantage but found difficulty in finding a hardship based on evidence presented.

Mr. Smider asked that the Application to the Zoning Hearing Board be submitted to the Public Record as Exhibit A. Mr. Smider continued by identifying all notices for the Hearing as Exhibit B. Chair Sullivan outlined the five standards of a zoning hardship identified by the Pennsylvania Municipal Planning Code. Chair Sullivan inquired about

the unique physical characteristics on the Get Go property. Ms. Shreshenkoff stated that the unique characteristic was the inability to construct a traditional pole sign outlining the pricing of the fuel. Chair Sullivan highlighted that reasoning would not be considered a physical condition. A discussion regarding the response to the standards ensued. Ms. Shreshenkoff stated the current sign size regulations hinder the ability of the Applicant to properly display the desired pricing tiers.

Mr. Rembert highlighted that the property faces two directions from two separate access points (Berry Road and the Strabane Square shopping plaza). Mr. Rembert stated that strict conformity to the zoning code regarding changeable copy signs may be harmful to businesses within the Township. Mr. Rembert identified numerous variances granted by the Zoning Hearing Board for similar requests. Chair Sullivan stated that the record has not indicated the current signage which exceeds the current zoning code by approximately two feet was ever given a variance. Chair Sullivan identified the discrepancy as de minimis and separate from the variance proposal at hand.

Mr. Rembert stated there should be a reasonable attempt by the applicant to show effort to abide by the current code. Chair Sullivan highlighted the need of the Zoning Hearing Board to reasonably follow the standard which has been set forth by the community. Mr. Rembert discussed criteria number five of the hardship process which states, if authorized, the proposed action will represent the least modification possible of the regulation at issue. Mr. Rembert stated the proposal to exceed the current zoning code by 116% is not the minimum relief that is needed to accommodate the Applicant. Ms. Shreshenkoff again highlighted that the current signage is the smallest version provided by Get Go gas stations.

After further discussion, Mr. Smider sought confirmation from the Applicant that a hearing was scheduled for June 17, 2019 but a re-scheduling was requested by the Applicant. Ms. Shreshenkoff affirmed that was the case. Mr. Smider stated there would be no requirement to re-advertise a future hearing on this matter because no party has appeared or participated, other than the Applicant. The Applicant and Board came to a consensus on a desire to revisit this case within sixty days.

Mr. Rembert again highlighted the temporary banner sign on the Applicant's property. Ms. Shreshenkoff stated the banner in question was not installed by her business and is not a part of the variance request. Ms. Shreshenkoff highlighted the temporary nature of the banner. Chair Sullivan highlighted the prominence of the banner stating that it changes the whole appearance of the property. Township Manager Stanick stated the Township may grant a temporary sign permit after review of a submitted application and a fee of \$25. Ms. Shreshenkoff stated she would apply for the temporary permit and discuss the long-term plans of the banner with the property owner.

Mr. Rembert moved to table the application of South West Land Associates requesting a variance from Section 245-191 of the South Strabane Township zoning code concerning the maximum aggregate size of changeable copy signs for the property located at 333

Washington Road (Get Go Gas Station) in the C-2 Zoning District. Chair Sullivan seconded the motion. The motion passed on a unanimous voice vote.

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 7:39 p.m.

Respectfully Submitted,

Brandon J. Stanick
Township Manager/Zoning Officer