

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

**DECEMBER 12, 2022**

**APPROVED MEETING MINUTES**

On Monday, December 12, 2022 at 6:02 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  
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 approve the November 14, 2022 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 Maria Donohue and Brooke Sanderson.

**4. PUBLIC HEARING: CONSIDERATION OF AN APPEAL OF THE DETERMINATION OF THE ZONING OFFICER FROM BERRY PROFESSIONAL ASSOCIATES THAT A PROPOSED USE AT 50 BERRY ROAD BE DEFINED AS PREOFESSIONAL OFFICES INSTEAD OF MEDICAL CLINIC**

Upon a request from Chair Sullivan, ZHB Solicitor Michael Cruny provided a summary of the matter before the ZHB. Mr. Cruny stated Township Manager Brandon Stanick, in his role as Zoning Officer, had previously made the determination that the Applicant’s proposed use at 50 Berry Road (“Property”) was a “Medical Clinic”. The Applicant subsequently went through the processes of obtaining use approvals under this determination. Mr. Cruny stated, at this stage, the Applicant wishes to appeal this determination and have their use considered as “Professional Offices”. Mr. Cruny noted an appeal to the Zoning Officer’s determination falls under the jurisdiction of the ZHB pursuant to the Municipalities’ Planning Code and the Township’s Zoning Code.

Chair Sullivan noted the Applicant has consistently referred to the proposed operations as a “Medical Clinic” and the “Professional Offices” definition was first referenced in their appeal. Ms. Donohue noted she has felt from the beginning that the proposed operations are more consistent with “Professional Offices” and stated they were instructed by Township Staff to apply as a “Medical Clinic”. Discussion continued regarding the contents of the Applicant’s previous applications. Chair Sullivan stated it is the responsibility of an Applicant to file an appropriate application and not Township representatives. He noted legal counsel should be obtained if necessary to submit an appropriate application.

Upon a request from Ms. Donohue, Mr. Cruny read aloud the definition of “Professional Offices” for the record. Ms. Sanderson provided a summary of the proposed operations for the facility. She stated it is appointment-based with no walk-in visitors. She stated no medical procedures are performed and ambulances will not visit the Property. Ms. Sanderson described the appointments as consisting of “talk therapy” and no one in the office is a Medical Doctor. She stated the operations are similar in character to an accountant or attorney office.

At 6:17 p.m. the ZHB adjourned into Executive Session by acclamation to discuss potential litigation. The ZHB returned from Executive Session at 6:38 p.m.

Chair Sullivan noted the traffic concerns with Berry Road and questioned the Applicant on their proposed operations. Upon questioning, Ms. Sanderson stated there will be one psychologist, six counselors and one administrative employee in the office. She stated approximately 50% of the sessions will be virtual and cancellations and no-shows do occur from time to time. Ms. Sanderson stated sessions will be 50 minutes in length and take place five days per week. She stated counselors will be having sessions from 9:00 a.m. through 4:00 p.m., with two to three providing evening sessions. Ms. Sanderson stated there will be a maximum of one counselor on weekends.

Chair Sullivan inquired of the Applicant how they can assist with mitigating traffic issues on Berry Road. A discussion ensued regarding the number of counselors necessary for the Applicant’s operation. Chair Sullivan expressed his opinion the operation can be considered a professional office if limited to five counselors. Mr. Cruny read aloud the definition of “Medical Clinic” for the record.

Mr. Cruny read the following exhibits into the Public Record:

- Exhibit A – Letter dated November 10, 2022 from the Applicant requesting an appeal to the Zoning Officer’s determination;
- Exhibit B – Proof of Publication in the Observer-Reporter;
- Exhibit C – Letter sent to neighboring property owners informing them of the Public Hearing;
- Exhibit D – Meeting Minutes from the November 3, 2022 meeting of the Planning Commission;
- Exhibit E – Prior Exhibits from Public Hearings dated August 8, September 12 and October 10, 2022; and
- Exhibit F – Traffic Impact Study dated October 5, 2022 conducted by Trans Associates for the Property.

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

Chair Sullivan moved to overturn the determination of the Zoning Officer that the Applicant's proposed use at 50 Berry Road is not a "Medical Clinic" and shall be considered "Professional Offices". Ms. Tysiak 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.

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. Ms. Tysiak seconded the motion and the meeting adjourned at 6:58 p.m.

Respectfully Submitted,

Brandon J. Stanick  
Township Manager/Zoning Officer