

The North Strabane Township Zoning Hearing Board met in regular session on Wednesday, April 7, 2010 at the Municipal Building, located at 1929 Route 519, Canonsburg, PA 15317.

Attending this session

W. Patric Boyer, Chairperson
Richard Murphy, Vice Chairperson
Robert Shader, Secretary
Steve Bilko, Member
Walter LeMunyon, Alternate Member

Absent from this session

Peter Elish, Member

Also attending this session

Roger Gaydos, Solicitor
Candie Yerkey, Court Reporter
Margaret Householder, Stenographer

Boyer We had recessed or closed the testimony at the last hearing in order to get some information from the Township. I'd like to, at this point in time, make a motion to open the hearing, just to introduce these two drawings that I got from the Township. I'll let Mr. Tershel take a look at them, but all they do is establish the history of the zoning from 1974 to the present. Initially, the property was zoned as R-1. The zoning was changed to A-1, and in 2006, it was changed to A-2. Is that correct, Margie?

Householder Yes.

Boyer When was it changed to A-1? 1996?

Householder I don't have that information.

Boyer I make a motion to open the testimony. Is there a second?

Shader I'll second.

Motion carried, all members present voting yes.

Boyer In that regard, I'd like to introduce these two maps. It's map that existed from 1974 to 1999, and it's the map that existed from 1996 on. Or do we know? It's been an agricultural district for at least 10 years, and it was before that a residential district, so they've both been higher density than

a commercial property. I'll introduce those as an exhibit. Mr. Tershel, would you like to take a look at them?

Tershel

I trust you.

Bilko

This one says dated April 19th, 1999.

Boyer

Well, they were the revisions.

I'll make a motion to close the testimony. Is there a second?

Shader

I'll second.

Motion carried, all members present voting yes.

Boyer

Is there a motion?

I'll make a motion that we approve the George request for a non-conforming use status relative to the staging and storage of commercial or business-related construction and/or excavating equipment on the subject property. The Board hereby finds that the storage or staging of a limited number of such equipment is proper and established as a non-conforming use; however, this approval is limited to the extent of the non-conforming use as it existed on the date of the hearing in March. In other words, the equipment that you had on the site at the hearing can stay there, but no additional equipment, or any other additional uses for that property – the nature and extent. Any additions or changes to the extent or nature of the non-conforming use shall be done only by application to the Zoning Hearing Board, as a request for an expansion or the non-conforming use. Do you understand that? Does everybody understand that? So the equipment that you had on site in March of this year is the extent and the nature of what you can have on that site. You cannot increase the use. If you do, you have to come back here.

Dan George

There wasn't anything on site in March.

Boyer

That's the ruling. In March of this year.

Is there a second? Anybody have any questions on that?

Shader

I thought that there was, because right before the meeting, I thought I drove by. There was some equipment on site.

Unidentified

In March?

Shader

For last month's meeting, yes.

Tershel Are you going to dispute the guy's own testimony? Is that what you're doing? It's a ridiculous ruling as it is, but don't try to make it a farce. This man has already tes-he's telling you something, and you're trying to expand it? You ought to be ashamed.

Unidentified Male Resident Hey, is there any concern about the weight limit on the road?

Resident

Boyer That's the motion made. Is there a second?

Murphy I second it.

Boyer Roll Call.

Unidentified Female Resident Wait, what about the road?

Resident

Boyer Roll Call.

The motion was carried, all members present voting yes.

Is there anything further, Margie?

Householder No.

Boyer I make a motion to adjourn.

Tershel I'd like to know what research you did with the zoning, or with the Township officials that you said you were going to do.

Boyer They didn't offer anything, except these two maps.

Tershel So you looked into these other, I thought the whole idea was to look into these other...

Boyer They didn't offer anything.

Tershel Did you ask?

Boyer Yes.

Tershel They refused to give it to you

Boyer They didn't offer anything.

Tershel Well, you asked and they said no, or they, what? What?

Boyer They weren't going to present any testimony. Refuse is a strong word.

They didn't offer any information.

Tershel Well, it's just beyond me how you could possibly let this continue, when you have three different places going. We've been abiding by your rules, to present this limited matter, and you have no credible evidence whatsoever that this was going on for a long time, let alone back when they started the residential areas.

Boyer Well, that's the decision, and I believe it passed. Is that correct, Margie?

Householder Yes.

Boyer That's the decision of the Board.

Tershel Well, that's true, but of course, you'll hear more.

Boyer His use is limited to what was there in March.

Tershel Well, this gentleman here wants to expand already.

Boyer That hasn't been done. That hasn't been done. It's limited to what was there in March. And site-specific. You're aware of that? Limited solely to the George property.

Unidentified Female Resident Who can we talk to about the weight limit on our road?

Boyer Township. Is there a weight limit on the roads, Margie?

Unidentified Female Resident Yes.

Householder I'm not familiar with that. It is a State road.

Boyer It's a State road?

Householder Yes, sir.

Boyer Then you'll have to take it up with the Township or the State?

Householder State, I would imagine.

Boyer Take it up with the State.

Unidentified Female Resident If it's 10 tons, then how we getting tractor trailers on it?

Boyer Take it up with the State.

Bilko Don't we have to approve minutes?

Boyer Do we have minutes to approve?

Householder We do have minutes of March 3rd.

Boyer Well, we'll do that next meeting.

Householder That's fine.

Boyer Did I make a motion to adjourn?

Householder Yes, you did.

Boyer Was it seconded?

Householder No, it was not.

Bilko I'll second.

Motion carried, all members present voting yes, and the meeting was adjourned at 7:10 P.M.

W. Patric Boyer, Chairperson

Robert Shader, Secretary