



MINUTES
WARRINGTON TOWNSHIP ZONING HEARING BOARD (ZHB)
November 28, 2022 – 7:00 P.M.

Introduction of Members: The members present were as follows:

Frank Shelly, Chair	Present
Janice DeVito, Vice-Chair	Present
Richard Alsdorf, Member	Present
Dennis Gordon, Member	Present
Harry Chess, Member	Present
Kevin Lawlor, Alternate Member	Excused
Thomas E. Panzer, Esq., Solicitor	Present
Roy W. Rieder, Zoning Officer	Present
Doreen Curtin, Deputy Zoning Officer	Present
Christian Jones, Assistant Twp Mgr	Zoom

Stenographic Record: A stenographic record of the meeting will provide a record of the proceedings. Copies of the stenographic record may be purchased from Donna DeAngelis

1. Call to Order

2. Pledge of Allegiance

3. Approval of Minutes

- a. October 24, 2022. Mr. Gordon made a motion, seconded by Mr. Chess to approve the minutes of October 24, 2022. The motion passed unanimously.

4. Old Business

- a. None

5. New Business

- a. **ZHB #22-16, Cianelli**, regarding Tax Parcel Nos. 50-032-045 and 50-032-046 which are located at 529 & 541 Easton Road, in the BZ, Business Zone Zoning District of Warrington Township. Applicant plans to demolish an existing warehouse building and construct a car wash building with associated site improvements. Applicant seeks the following variances from the Warrington Township Zoning Ordinance: from §370-425.5 A (6) a.i, to permit the building to be setback at 160 feet from the street line, where a maximum setback of 35 feet is permitted; from §370-503 F 1, to allow disturbance of steep slopes in excess of permitted disturbance; and, from §370-503 G 1, to allow disturbance of greater than 50% of Forested area on site. (aka Tommy's Express Car Wash)

The Applicant was represented by David Amerikaner Esq. with Duane Morris and Steven Michalczyk, from Pennoni Engineers regarding Tommy's Express Car Wash, 529-541 Easton Road in the BZ district. Mr. Michalczyk testified regarding the site plan. Ed Gilmore spoke on behalf of Olympus Pines, the Applicant, and presented information regarding site operations. The Traffic Engineer with Pennoni Associates testified that Pennoni started work on a traffic study, but it was not completed. Testimony included a discussion of the proposed stacking plan for vehicles, the number of lanes for stacking,

the location of the lanes and how many cars the lanes would accommodate. The request for relief from the setback requirement was for safety with the intent on the avoidance of stacking onto Easton Road. Also discussed were plans for turn lanes and egress and ingress from and to the property. John Medendorp, P.E., from Pennoni Associates testified and confirmed the testimony of Mr. Michalczyk who is not a licensed engineer. There was some concern expressed during public comment about how the project may affect traffic flow. Mr. Amerikaner testified as to the nature of the hardship stating that the depth and narrowness of the lot made meeting zoning requirements difficult.

Upon hearing all testimony, the Board deliberated. Mr. Gordon made a motion to deny the request for all variances and the motion was seconded by Ms. DeVito. The motion carried unanimously. Additional details will be contained in the written Decision and Order to be released on or before January 12, 2023.

- a. **WT ZHB #22-17, Steven & Jessica Huggett**, regarding Tax Parcel No. 50 017 047 which is located at 690 Honora Street, in the RA, Residential Agricultural Zoning District of Warrington Township. Applicants are proposing to construct an addition to the rear of a nonconforming structure on an undersized lot in the RA Zoning District. Applicants are requesting a special exception under §370-801.B(1) to structurally expand an existing legally nonconforming structure and a variance from §370-816.A(1) of the Ordinance to memorialize construction of the single-family dwelling in the RA district on a lot of less than one acre.

Bryan Wolfgang testified regarding the application. Mr. Wolfgang is the contractor for the Huggetts. The proposed project is to expand the existing home 10 feet to the rear of the property. The house is non-conforming as it sits on a nonconforming undersized lot for the Zoning District. Mr. Gordon made a motion seconded by Mr. Alsford to grant the requested relief. The motion passed unanimously. Additional details will be contained in the written Decision and Order to be released on or before January 12, 2023.

- b. **WT ZHB #22-18, Patriot International Foods**, regarding Tax Parcel No. 50-031-022-00D which is located at 60 Easton Road, in the CBD, Central Business District Zoning District of Warrington Township. Applicant seeks to renovate and reuse an existing Burger King as a McCallister’s Deli. Applicant seeks the following variances from the Warrington Township Zoning Ordinance: (1) from §370-709.H.(1).m.i.(b), to permit 3 wall signs measuring 32.8 sf each, where only one wall sign measuring 24 sf is permitted facing Route 611; and (2) from §370-709.H.(1).f.i., to permit a new 39.4 sf freestanding sign in place of what was the sign for Burger King.

The Applicant was represented by Annie Niemann, Esq. Jason Korzak, Bohler Engineering, testified. The applicant requested two variances of the sign ordinance. The Applicant testified the company intends to revitalize an existing vacant building. Mr. Korzak reviewed using exhibits provided, the general size layout. After hearing all testimony, Mr. Gordon made the motion to grant relief for the wall signs but to deny relief for the monument signs. Ms. DeVito seconded the motion. The motion passed unanimously. Additional details will be contained in the written Decision and Order to be released on or before January 12, 2023.

6. Additional Business

WARRINGTON TOWNSHIP PROPOSED 2023 ZONING HEARING BOARD SCHEDULE		
Month	Hearing Date	Application Deadline

January 2023	January 23, 2023	December 21, 2022
February 2023	February 27, 2023	January 27, 2023
March 2023	March 27, 2023	February 24, 2023
April 2023	April 24, 2023	March 24, 2023
May 2023	May 22, 2023	April 21, 2023
June 2023	June 26, 2023	May 26, 2023
July 2023	July 24, 2023	June 23, 2023
August 2023	August 28, 2023	July 28, 2023
<i>September 2023</i>	<i>September 18, 2023*</i>	<i>August 18, 2023</i>
October 2023	October 23, 2023	September 22, 2023
November 2023	November 27, 2023	October 27, 2023
<i>December 2023*</i>	<i>December 18, 2023</i>	<i>November 17, 2023</i>
January 2024	January 22, 2024	December 21, 2023
<i>*Meeting moved from Fourth Monday of the month.</i>		

- a. Consider and, if appropriate, approve the 2023 Zoning Hearing Board Schedule. Members of the ZHB made a motion to approve the 2023 Zoning Hearing Board Schedule, the motion was seconded and passed unanimously.
- b. Consider cancelling the Zoning Hearing Board Meeting scheduled for Monday, December 19, 2022. Members of the ZHB made a motion to cancel the December 19, 2022, Zoning Hearing Board meeting, the motion was seconded and passed unanimously
- c. Remarks by the Zoning Officer. Mr. Rieder stated that since the December meeting has been cancelled and since he is retiring in 2023, that this would be his final Zoning Hearing Board Meeting. He thanked the Board Members for their professionalism and hard work over the last eleven years and wished them well.

Mr. Alsdorf made motion to adjourn. Mr. Gordon seconded the motion and the motion carried unanimously.

Next Meeting

Monday, January 23, 2023, 7:00 PM (Reorganization and regular business)