

APPROVED

**SPRINGETTSBURY TOWNSHIP
ZONING HEARING BOARD
JANUARY 7, 2016**

MEMBERS IN

ATTENDANCE: John Schmitt, Vice Chairman
Sande Cunningham
David Seiler

ALSO IN

ATTENDANCE: John Luciani, Acting Zoning Officer
Gavin Markey, Solicitor
Sue Sipe, Stenographer

NOT PRESENT: Dale Achenbach, Chairman
James Deitch

1. CALL TO ORDER:

A. Pledge of Allegiance

Vice Chairman Schmitt called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance. He introduced the members of the Board. It was noted that Mr. Seiler has been appointed as a voting member of the Zoning Hearing Board.

B. Reorganization of the Board for 2016

Held for the February meeting.

2. ACTION ON THE MINUTES

A. OCTOBER 1, 2015

MOTION MADE BY MS. CUNNINGHAM TO APPROVE THE MINUTES OF OCTOBER 1, 2015 AS PRESENTED. MR. SEILER SECONDED. MOTION UNANIMOUSLY PASSED.

B. DECEMBER 3, 2015

MOTION MADE BY MR. SEILER TO APPROVE THE MINUTES OF DECEMBER 3, 2015 AS PRESENTED. MS. CUNNINGHAM SECONDED. MOTION UNANIMOUSLY PASSED.

Mr. Luciani confirmed that the cases were properly advertised.

3. OLD BUSINESS

A. Case Z-15-10 Darrah Motorsports, LLC

Attorney Markey indicated he received a letter dated January 4, 2016 from the associate Township solicitor indicating there is an agreement between the counsel for the applicant as well as the Township to continue the case until the February 4, 2016 meeting.

4. NEW BUSINESS

B. Case Z-15-12 Alex Biehl

All witnesses were sworn in.

Mr. Luciani stated the location of the property is 2359 North Sherman Street. He noted it was formerly the office of the tax collector Margaret Cousler. The tax maps for the parcel were distributed to the Board.

Mr. Biehl stated he owns a small business called Hydra Cone and recently purchased this property. He noted the building is split up into 3 units, with an apartment upstairs and one on the first floor and also office space on the first floor with a garage in the rear of the building. His intentions for the property would be to rent out the first floor and second floor apartment and run his business out of the office space.

Mr. Biehl indicated his business is commercial fire proofing supplies and equipment. He noted they have no "retail" business, business is conducted by phone, email and faxing all orders. He then assembles the products and takes them to UPS for delivery. Mr. Biehl stated that he is the only employee. He does have a non-working partner who is retired. He also noted that one of the tenants may be assisting him with assembly.

He indicated the stock for his business will be at the North Sherman Street location. Currently his business is on Board Road. This was previously a family owned business called Gentle Clean. It occupies about 150 sq. ft., in a 15 x 10 sq. ft. area.

Mr. Luciani indicated the summary sheet from Township staff shows that the applicant requested a special exception. He clarified that although this could be considered to be a home occupation the applicant is not intending to live there and for a home occupation special exception to be granted he would have to be on the site. Therefore the applicant is asking to vary that provision in his application.

Mr. Luciani also reminded the Board the building is the former Margaret Cousler tax collector office at which time the apartments were inhabited by family members.

Mr. Luciani recommended if the Board is inclined to approve the use a condition be placed that the number of employees be confined to Mr. Biehl, and that a building permit be filed with the Township.

Att. Markey asked if there was anyone in attendance who wished to speak for or against the applicant. There were none. Att. Markey recommended the use be treated as a request for a variance for a mixed use rather than a home occupation.

MS. CUNNINGHAM MOVED TO RECOMMEND APPROVAL OF THE APPLICATION AS PRESENTED FOR A MIXED USE WITH THE FOLLOWING CONDITIONS:

- 1. THE BUSINESS AS PRESENTED IN THE TESTIMONY WILL BE OPERATED ON THE FIRST FLOOR**
- 2. ONE TENANT WILL BE PERMITTED ON THE FIRST FLOOR EFFICIENCY**
- 3. A TENANT WILL BE PERMITTED ON THE SECOND FLOOR WITH THE OPTION OF THE BROTHER OF THE EXISTING TENANT MOVING IN**
- 4. THE TRANSCRIPT OF TESTIMONY WILL BE IMPOSED AS A BINDING CONDITION ON THE APPROVAL AND ALL AFFIRMATIONS OF FACT CONTAINED THEREIN.**
- 5. THE NUMBER OF EMPLOYEES WILL BE LIMITED TO THE APPLICANT WITH THE EXCEPTION OF SOME HELP BY THE OTHER TENANT.**
- 6. THERE WILL BE FUTURE COMPLIANCE WITH ALL APPLICABLE BUILDING AND TOWNSHIP CODES AS PART OF THE APPROVAL PROCESS.**

SECONDED BY MR. SEILER. MOTION UNANIMOUSLY PASSED.

5. ADJOURNMENT

VICE CHAIRMAN SCHIMTT ADJOURNED THE MEETING AT 6:15 P.M.

Respectfully submitted,

Secretary

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