

**WEST DEER TOWNSHIP ZONING HEARING BOARD MINUTES**  
**February 16, 2023**  
**Zoning Cases: Z 02-23, Z 03-23, Z 04-23**

The Meeting was called to order with the following members in attendance:  
Joe Gizienski, Dan Smullin, H. Nelson Crooks, Scott Woloszyk, Sean Parkinson.

**Absent Member(s)**: Neil Tristani, Chad Dolby.

**Other Attendees:**

Branden Fulciniti, Solicitor  
Dorothy Moyta, Zoning & Planning  
Veronica Trettel, Court Reporter  
Linda Jamison, 3565 Huntertown Rd., Property Owner (Z 04-23)  
Rich Hollibaugh, RL Hollibaugh Associates, Designers  
Helen Jean Aresto, 348 Hickory St., Property Owner (Z 02-23)  
Brett Schultz, Cedar Ridge Partners, Weaver Homes (Z 03-23)  
Matt Kraper, Attorney, Cedar Ridge Partners

**Note: All public hearings were advertised in the newspaper, signs were posted on the sites and all the property owners within 300' of the parcel that is seeking a variance were notified about the public hearing via US mail.**

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**Zoning Case: Z 04-23:** *Represented by Linda Jamison.*

Variance: Zoning Side Yard Setback variance from Ordinance No. #394: Article 210 Attachment II, Conventional Development Dimensional Table

Property is Zoned R-2 Semi-Suburban Residential District

A zoning variance application was submitted for a side yard setback variance at 3565 Huntertown Rd., Allison Park, PA 15101, Parcel # 1214-K-32. (Lot size 11.336 SF).

Mr. Hollibaugh presented the case. Ms. Jamison has an elderly mother in need of more care who needs to move in with her and therefore Ms. Jamison needs to build the addition. Ms. Jamison's mother needs to be on the 1<sup>st</sup> floor, hence the location of the addition. No line of sight issues will be created by this addition. 3565 Huntertown Rd. is a corner lot therefore the setback variance was required as the side yard setback is greater than it would be for an- in line parcel.

**Comments/ Questions from the Board**

Questions from the Board are as follows. *(Mr. Hollibaugh's answers are in italics)*

1. Mr. Crooks: One of the reasons for a variance is for reasonable use of property. Are there any unique physical circumstances that the provisions of the Ordinance cannot already meet? *Mr. Lawrence answered that they placed the addition in the side yard so that it didn't encroach on the front yard.*
2. Mr. Crooks: Doesn't it change the character of the neighborhood? *Mr. Hollibaugh said that the addition on came up about 8' to 9' out of the ground so it would have minimal impact.*
3. Mr. Crooks commented that the owner already has reasonable use of the property and they are asking for over a 50% reduction in setback.

### **Comments from the Public**

An unidentified resident felt strongly about making accommodations for the growing older population West deer township.

### **The Board adjourned to the closed Conference room to discuss the case.**

Mr. Parkinson made a motion to approve **Zoning Case Z 04-23** with the following condition. Mr. Gizienski seconded the motion.

1. Obtain the appropriate building permits from the township.

Mr. Gizienski, Mr. Parkinson, Mr. Woloszyk, and Mr. Smullin voted yes. Mr. Crooks voted no. The variance was granted.

Any aggrieved parties have 30 days to file an appeal with the Court of Common Pleas.

**Zoning Case: Z 02-23:** *Represented by Helen Jean Aresto.*

Variance: Use variance from Ordinance No. #394: Article V: Zoning Districts, Section 5.4 Authorized Land Uses By District.

Property is Zoned R-4 Urban Suburban Residential District

A zoning variance application was submitted for a use variance at 248 hickory St., Tarentum, PA 15084, Parcel # 2012=H-347. (Lot size 41.36 Acres).

Ms. Aresto presented the case. She would like to have a place for the public to board farm animals when they are away on vacation or out of town. There is a demonstrated need for such a service. This would be for chickens, goats, and ducks. This would not be for horses. The property is 42 acres and quite some distance from everybody. People would be boarding their animals for at least a week so there would not be a lot of traffic generated from this. She uses all natural pesticides and also composts already on her property. She was an environmental science teacher. Ms. Aresto passed out a brochure showing her intentions for the set up of the farm animal kennel.

### **Comments/ Questions from the Board**

Questions from the Board are as follows. (*Ms Aresto's answers are in italics*)

1. Mr. Crooks asked Ms. Aresto whether she had contacted Penn State agriculture or Allegheny County to determine rules and inspections guidelines. *Ms. Aresto said that she had not contacted Penn State or the County yet but dog kennels have inspections so she thinks she will be under an inspection schedule as well.*
2. Mr. Crooks asked whether a license to operate was needed. *Ms. Aresto said no.*
3. Mr. Crooks asked how many enclosures would be part of the farm animal kennel. *Ms. Aresto said 4-5 enclosures.*
4. Mr. Crooks asked what the effect odors and noise may have on the neighbors.? *Mr. Aresto said that she didn't foresee any issues but would answer to and remedy any complaints.*
5. Mr. Crooks asked whether all the animals would be in enclosures. *Ms. Aresto said yes.*

### **Comments from the Public**

Cynthia Kleiner of 392 Poplar St. lives nearby and was interested in looking at the brochure. There was a positive exchange between Ms. Kleiner and Ms. Aresto.

### **The Board adjourned to the closed Conference room to discuss the case.**

Mr. Nelson made a motion to approve **Zoning Case Z 02-23** with the following conditions. Mr. Smullin seconded the motion.

1. Verify whether an operating License is required.
2. Follow all requirements in the Township Zoning Ordinance Section 210-120 A-F for an animal kennel.

Mr. Gizienski, Mr. Parkinson, Mr. Smullin, and Mr. Crooks voted yes. Mr. Woloszyk voted no. The variance was granted.

Any aggrieved parties have 30 days to file an appeal with the Courts of Common Pleas.

**Zoning Case: Z 03-23:** *Represented by Brett Shultz of Cedar Ridge Partners.*

Variance: Dimensional variance: required lot width and area. Zoning Side Yard Setback variance from Ordinance No. #394: Article 210 Attachment II, Conventional Development Dimensional Table

Property is Zoned R-2 Semi-Suburban Residential District

A zoning variance application was submitted for a dimensional lot variance at Cedar Ridge Rd, Allison Park, PA 15101, Parcel # 1214-G-100. (Lot size 12 .18 Acres). A prior variance was granted on 3.17.2022 on this parcel.

Mr. Kraper stated that this variance complies with all conditions set forth in the previously granted variance for this parcel.

Mr. Schultz presented the case. He showed the dimensional table and how the proposed lots differ slightly from what the table requires.

### **Comments/ Questions from the Board**

Questions from the Board are as follows. (*Mr. Shultz's answers are in italics*)

1. Mr. Woloszyk asked how Mr. Schultz found room for 18 homes when Mr. Crum only found room for 15 homes. *Mr. Schultz said that they did more due diligence and found room due to the diagonal layout of the stormwater..*
2. Mr. Crooks asked whether they were part of the previous HOA. *Mr. Schultz answered no.*
3. Mr. Crooks asked what the hardship was. *Mr. Schultz said designing lots that would adequately support an HOA in order to make this feasible for senior housing.*
4. Mr. Crooks asked whether all the utilities would be available. *Mr. Schultz said yes. .*
5. Mr. Smullen inquired about stormwater. *Mr. Schultz said that all stormwater is on the plans that have been submitted.*

### **Comments from the Public**

Clyde Hardt of 3681 Cedar Ridge Rd. has been plagued by water runoff onto his property for many years. He feels that Shoff Farms has not done their stormwater properly, along with several other items on nearby roads and properties. He had to install a 3' diameter pipe under his driveway and it runs constantly. He has no issue with Weaver homes but does not want to see the problem exasperated.

### **The Board adjourned to the closed Conference room to discuss the case.**

Mr. Crooks made a motion to approve **Zoning Case Z 03-23** with the following condition. Mr. Parkinson seconded the motion.

1. Verify that all the final lot layouts meet all the requirements put forth in Zoning, Table 210 Attachment 2: Conventional Development Dimensional table. Obtain the appropriate building permits from the township.

Mr. Gizienski, Mr. Parkinson, Mr. Woloszyk, Mr. Smullin and Mr. Crooks said that it was the position of the board that the proposed development complies with the prior variance granted and therefore the variance can remain in place going forward.

Any aggrieved parties have 30 days to file an appeal with the Courts of Common Pleas.

**Adjournment**

Mr. Gizienski made a motion to adjourn. Mr. Crooks seconded the motion. The meeting was adjourned at 8:45 PM

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