

West Deer Township Zoning Hearing Board Minutes
June 15, 2023
Zoning Cases: Z08-23, Z09-23

The Meeting was called to order with the following members in attendance:
Joseph Gizienski, Neil Tristani, Scott Woloszyk, Dan Smullin, and H. Nelson Crooks.

Absent Member(s): Sean Parkinson and Chad Dolby.

Other Attendees:

Branden Fulciniti, Solicitor
Dorothy Moyta, Zoning & Planning
Mary Spagnola, Court Reporter
Brian Sagath, Applicant/ Property Owner, (Z08-23)
Matt Brudnok, Applicant/ Property Owner (Z09-23)

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.

Zoning Case: Z 08-23: *Represented by Brian Sagath.*

Variance: Use Variance at 100 Sky Lane, Tarentum, PA 15084, Parcel # 1220-E-290, (Lot size: 6.83 Acres), from Ordinance No. #394, Section 5.4 Authorized Land Uses By District, B Non-Residential Uses.

Property is Zoned I: Industrial/ Business Technology Park Overlay

A zoning variance application was submitted for a Use Variance for a Banquet Hall. (Lot size: 16,272 SF).

Mr. Sagath presented the case. He stated that he is looking to use the interior of the building at 100 Sky Lane for a banquet hall or place of worship (church) and he needs to acquire a Use variance for this purpose. The existing building use has been offices.

Comments/ Questions from the Board

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

1. Mr. Crooks how the building is configured now. *Mr. Sagath said that it is now all open offices with systems low moveable dividers and he has taken these out. None of the office partitions went up to the ceiling.*
2. Mr. Crooks asked how much of the building is currently occupied. *Mr. Sagath said that 3 offices are occupied.*

3. Mr. Crooks asked whether any of these offices are in the space to be reconfigured. *Mr. Sagath said the plan is to keep the office space separate from the banquet and new toilet rooms area.*
4. Mr. Crooks asked if there are some current uses that the building is already allowed to be utilized for such as a commercial school, R & D, or office. *Mr. Sagath said that there are no docks so commercial wouldn't work. They tried to rent out office space and there is no interest.*
5. Mr. Crooks asked whether they currently have a church that is looking at this space. *Mr. Sagath said yes that the church that is currently located at Shop'N'Save has an interest in leasing this space.*
6. Mr. Crooks asked what the attendance was at that Church. *Mr. Sagath said about 200 congregants and they would also use the small existing kitchen and some Sunday school space.*
7. Mr. Crooks asked whether the church has 2 services on Sunday. *Mr. Sagath said yes and they may have Sunday school on other days.*
8. Mr. Crooks asked whether they have adequate parking. *Mr. Sagath said yes..*
9. Mr. Crooks commented that the space that they have available is about 3100 SF; about 2 ½ times the size of the meeting room.
10. Mr. Crooks asked whether there would be exterior lighting. *Mr. Sagath said yes, whatever is required.*
11. Mr. Crooks said that this is in a flight path so is light an issue ? *Mr. Sagath said that they will do what is required by the FAA.*
12. Mr. Crooks asked whether they will utilize any outdoor space. *Mr. Sagath said perhaps for something like vacation Bible school, but currently that is unknown.*
13. Mr. Crooks asked whether they will be adding toilet rooms. *Mr. S Sagath said yes.*
14. Mr. Crooks asked how they will handle egress. *Mr. Sagath said that they have an architect.*
15. Mr. Crooks asked how much of this new space will be offices vs. sanctuary or banquet hall. *Mr. Sagath said about 75% sanctuary and 25% offices..*
16. Mr. Crooks asked about fire barriers between the uses. *Mr. Sagath said that it depends on the uses and they will defer to the architect.*
17. Mr. Crooks asked whether they will update the HVAC system. *Mr. Sagath said yes as in a typical remodel..*
18. Mr. Crooks asked whether there are windows. *Mr. Sagath said yes; windows are in the back wall..*
19. Mr. Crooks asked how the 2 different occupants will be segregated. *Mr. Sagath said each of the occupant groups will have their own egress..*
20. Mr. Crooks asked whether there are sprinklers and whether they have plans to install sprinklers. *Mr. Sagath said that there are no sprinklers currently, but they will install if the architect deems this necessary depending on the occupancy requirements.*
21. Mr. Crooks said that this building will need to comply with the Conditional use as applies to a church and/or banquet hall in regards to egress, parking, and hours of operation..
22. Mr. Crooks asked about the existing kitchen and whether it would be upgraded to Allegheny County standards. *Mr. Sagath said that a caterer would be bringing in food.*

23. Mr. Crooks asked when they might be getting started on this project. *Mr. Sagath said as soon as possible as they are planning a graduation party for next year. They have already begun taking down partitions.*
24. Mr. Woloszyk asked how long they have owned the building. *Mr. Sagath said about 1 year; it was previously an overhead crane operation.*

Comments from the Public

1. Robert Mihalic of 17 Deer Hollow Lane said that they have been bothered by noise from 100 Sky lane for years. Noise starts at 4 AM or 5 AM He believes that the Ordinance says that they cannot start till 7:00 AM. He also feels that the lighting will be a concern. There have been planes flying out. Rock Ferrante owned the site for 20 years.
2. Christina Wenskovitch of 26 Deer Hollow Lane lives next door to 100 Sky Lane. The owners were supposed to plant trees as a buffer and never did. They also put in the wrong kind of fence. The trucks are left running for 45 minutes at a time. Dirt, dust, diesel fumes, noise and lights have been constant issues through the years. Her house needs to be washed but she can't afford to have that done.

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

First motion by Mr. Crooks and second motion by Mr. Tristani to Recommend Approval of **Zoning Case Z08-23 for a Use Variance at 100 Sky Lane with the following conditions:**

1. The construction meets all building codes.
2. The development meets all requirements of the Conditional Use 210-120 33. A thru F, and/or Conditional Use 210-120 33. A thru F.

The vote was unanimous in favor of approval. The variance was granted

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

Zoning Case: Z 09-23: *Represented by Matt Brudnok.*

Variance: Zoning Side Yard Setbacks Variance from Ordinance No. #394: Article 210 Attachment II, Conventional Development Dimensional Table for 1403 Sandstone Dr., Tarentum, PA 15084, Parcel #1670-L-2), Lot size: 12,401 SF).

Property is Zoned R-3 Suburban Residential.

Mr. Shook presented the case. He said the setback requirement is 35'.

Mr. Brudnok is the applicant for the case. A zoning variance application was submitted for a side yard setback in order to build a shed on this corner lot. Sightlines would not be affected and other properties in the plan have similar placement. He wants to build a 12' x 14' shed that will be 2' off the house, so he is looking for about a 4' encroachment into the setback.

Comments/ Questions from the Board

There were no questions from the Board.

Comments from the Public

There were no comments from the public.

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

Mr. Tristani made a motion to approve a 5'-0" setback for **Zoning Case Z 09-23 Side yard Setback variance for 1403 Sandstone Ct.** Mr. Gizienski seconded the motion.

Mr. Gizienski, Mr. Tristani, Mr. Woloszyk, and Mr. Smullin voted yes. Mr. Crooks voted no. The variance was approved.

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

The meeting was adjourned.