

**West Deer Township Zoning Hearing Board Minutes**  
**July 20, 2023**  
**Zoning Cases: Z10-23, Z11-23**

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

**Absent Member(s):** None.

**Other Attendees:**

Branden Fulciniti, Solicitor  
Joseph Shook, Assistant Township Manager/ Zoning Officer  
Dorothy Moyta, Zoning & Planning  
Veronica Trettel, Court Reporter  
Phil Karanovich, Applicant/ Red Swing Group, Project Manager (Z 10-23)  
Jonathan E. Garczewski, Gateway Engineers, Project Manager (Z 11-23)  
Kento Ohmori, Fukui Architects, PC, (Z 11-23)  
Robert Feree, Applicant, 910 East LLC., Property Owner (Z 11-2023)

**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 10-23:** *Represented by Phil Karanovich.*

Variance: Dimensional Variance at 4430 Gibsonia Rd., Gibsonia, PA 15044, Parcel # 1357-D-325, (Lot size: 12.3 Acres), from Ordinance No. #394, Article V Zoning Districts, Section 5.5 Dimensional Requirements, Side Yard Setbacks.

Property is Zoned SU: Special Use.

A zoning variance application was submitted for relief of 25' from the required 50' yard setback to construct a 12,000 SF warehouse expansion. Due to a steep slope north of the proposed expansion, the buildable area is limited.

Mr. Karanovich presented the case. He stated that they are adding 2 warehouses with a lot line revision and consolidation. There is a steep slope to the north and they are looking to place the building in the only useable space on the site.

**Comments/ Questions from the Board**

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

1. Mr. Crooks asked if Mr. Karanovich was representing owners of all 3 sites and which address the variance is actually on. *Mr. Karanovich said that yes he is representing all 3 owners; the site is on 16 Frontier Lane. The topography is such with 2 to 1 slope that the options are limited for building.*
2. Mr. Crooks asked whether they could resize the building to make it smaller. *Mr. Karanovich said that they needed the space for storage and manufacturing.*

Mr. Shook stated that the Lot Line Revision will be in the PC Meeting on July 27, 2023. Also, the Township Engineer, Scott Shoup, looked at this Bon-Tool layout at a preliminary meeting and this solution was the best-case scenario.

### **Comments from the Public**

1. Regis Ferlan of 43 Christonia Rd. is a longtime resident. His property is near 4430 Gibsonia Rd. He hopes that they protect the stream and abide by all Township Codes and ordinances so as not to harm the property or become a nuisance.

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

First motion by Mr. Crooks and second motion by Mr. Parkinson to Recommend Approval of **Zoning Case Z10-23 for a Dimensional Variance at 4430 Gibsonia Rd. with the following conditions:**

1. The Lot Line Revision is approved.
2. A 25' required setback is maintained.

Mr. Gizienski, Mr. Parkinson, Mr. Woloszyk, Mr. Smullin and Mr. Dolby voted yes. Mr. Tristani voted no. Nelson Crooks as an alternate didn't need to vote. The variance was granted.

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

**Zoning Case: Z 11-23:** *Represented by Jonathan E. Garczewski,*

Variance: Dimensional Variance at 4431 Gibsonia Rd., Gibsonia, PA 15044, Parcel #1357-H-134, (Lot size: 16.42 Acres), from Ordinance No. #394, Article V Zoning Districts, Section 5.5 Dimensional Requirements, Side Yard Setbacks

Property is Zoned SU: Special Use.

Mr. Garczewski presented the case. He said that they are planning a mixed-use flex building with loading zones and parking. It will be a 67,500 SF building. They have taken into consideration that the site is bisected by a creek, has a pond, a 100-year floodway, flood plains and steep slopes. Mr. Garczewski showed the proposed site plan. He noted the required setbacks. They are looking for a 20' reduction from the 50' setbacks in the front. They need to relocate a portion of the sanitary sewer line; they will work with Deer Creek Drainage.

**Comments/ Questions from the Board** (Mr. Garczewski's/ others answers are in italics)

1. Mr. Crooks asked if the setback was reduced for 125' of the building. *Mr. Garczewski said yes.*
2. Mr. Crooks asked whether they alter the outside dimensions of the building. Mr. Garczewski said that it wouldn't be practical; they needed the space.
3. Mr. Crooks asked if making the building smaller is a possibility. Mr. Ohmori said that they have spent a lot of time looking at options and this is the best solution.
4. Mr. Crooks asked when they relocate the sanitary sewer can it be under the parking. *Mr. Garczewski said that yes it can be under the parking but not under the building.*
5. Mr. Crooks asked if they can develop within the floodplain. Mr. Garczewski said that yes they could develop within the flood plain if they kept it above a certain elevation but not the floodway,
6. Mr. Woloszyk asked what the purpose of the building would be. Mr. Garczewski that that it's speculative and they would be looking for 1 or more tenants. 1 tenant would be most desirable.

**Comments from the Public**

1. Cheryl Ferlan of 43 Christonia Rd. wonders what kind of tenant would occupy the building. She hopes that they would not be noisy. She lives on 6 ½ acres adjoining the site and doesn't want to hear loud noises and clanking. *Mr. Garczewski said that any new tenant would need to abide by all Township codes and ordinances.*
2. Regis Ferlan of 43 Christonia Rd. says that this property touches the back of his property. He hopes that they protect the trout stream and abide by all Township Codes and ordinances so as not to harm the property or become a nuisance.

Mt. Ohmori showed the proposed elevation for the building. They are asking for a 42' height allowance for the parapets that pop up above the building; the allowed height is 35'. The parapets help break up the façade of the building and lend more of an aesthetic to the building.

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

Mr. Parkinson made a motion to approve the setback variance for **Zoning Case Z 11-23 Dimensional Setback Variance at 4431 Gibsonia Rd.** Mr. Dolby seconded the motion.

Mr. Gizienski, Mr. Parkinson, Mr. Woloszyk, Mr. Smullin and Mr. Dolby voted yes. Mr. Tristani abstained from voting. Nelson Crooks as an alternate didn't need to vote. The variance was granted.

Mr. Dolby made a motion to approve the height variance for **Zoning Case Z 11-23 Dimensional Height Variance at 4431 Gibsonia Rd.** Mr. Gizienski seconded the motion.

Mr. Gizienski, Mr. Parkinson, Mr. Woloszyk, Mr. Smullin and Mr. Dolby voted yes. Mr. Tristani abstained from voting. Nelson Crooks as an alternate didn't need to vote. The variance was granted.

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

Mr. Woloszyk motioned to adjourn the meeting. Mr. Crooks seconded the motion. The meeting was adjourned.