

**LOWER HEIDELBERG TOWNSHIP  
ZONING HEARING BOARD (ZHB)  
Minutes of the Meeting and One Hearing**

Date: November 10, 2020

Location: Lower Heidelberg Township Municipal Building  
(Covid 19 safety protocols were invoked and observed)

Members of the Zoning Hearing Board in attendance:

Chairman Michael Roberts  
Vice Chairman David Kurtz  
Secretary Robert Melson

Others in attendance:

ZHB Solicitor Thomas Rothermel  
Zoning Officer Andrew Kraft  
Court Reporter Roxanne Weaver

It should be noted that a general business meeting, and one hearing were conducted. Additional attendees for the hearing will be noted hereafter.

Chairman Roberts called the meeting to order at 6:00 PM, and announced that a quorum was present to conduct business.

On motion by Mr. Kurtz, seconded by Mr. Melson, the ZHB members approved the minutes of the business meeting held on September 15, 2020.

**Hearing RE: Variance Application by  
Jessie and Lisa Dionne  
98 Connecticut Avenue  
Sinking Spring, PA 19608**

Chairman Roberts called the hearing to order at 6:02 PM, and explained the purpose of the hearing. Applicant Jessie Dionne was present for the hearing. Counsel for the applicant, Mark J. Merolla (Brumbach, Mancuso & Fegley, P.C.), was present for the hearing. Solicitor Rothermel identified and documented the presence of other individuals who joined the meeting as notified adjoiners and/or other interested persons.

Solicitor Rothermel announced the ground rules and procedures for the conduct of the hearing. He emphasized that each person who desired to be heard must identify by name prior to testifying, commenting or asking a question, in order that the court

reporter may accurately attribute each comment to a specific individual. He read into the record the list of exhibits, and identified each by number.

Detailed information about the exhibits, testimony and commentary incorporated into the hearing may be found in the official transcript.

At 6:06 PM, Solicitor Rothermel asked Attorney Mark Merolla to present the applicant's case for a dimensional relief variance.

Testimony was provided by Jessie Dionne, applicant and legal owner of the property at 98 Connecticut Avenue, Sinking Spring, PA 19608. He explained the need for a variance for dimensional relief for a utility shed (10' x 16'), which he previously built without first obtaining a permit. The shed is reportedly five feet from the house, rather than ten feet as required by the ordinance. He based his argument for dimensional relief on the fact that moving the shed would create a hardship, based upon the fact that it is built on footers, and an underground irrigation system limits reasonable relocation. He requested a reduction in the required distance from the house to five feet. An opportunity was provided for questions from ZHB members and other attenders.

At 6:23 PM, an opportunity was provided for Zoning Officer Andrew Kraft to offer any comments in addition to those which were included in his letter to the ZHB, dated October 21, 2020.

At 6:24 PM, an opportunity was provided for public comment. Adjoiner Megan Bressler, 99 Connecticut Avenue, testified in support of the application.

At 6:25 PM, ZHB Chairman Roberts recessed the proceedings in order for the members of the ZHB to deliberate. Deliberations were closed to the public.

At 6:55 PM, ZHB Chairman Roberts resumed the public hearing. Mr. Melson made a motion to approve the request for the dimensional variance, with the provision that any procedural requirements be followed by the applicant. Chairman Roberts seconded the motion. A roll call vote yielded the following results:

Mr. Roberts – YES    Mr. Kurtz – YES    Mr. Melson – YES

The motion was unanimously approved.

Solicitor Rothermel will provide written notification of approval and conditions to the applicant within 45 days.

On motion by Mr. Roberts, seconded by Mr. Kurtz, the ZHB members voted unanimously to adjourn the meeting/hearing at 7:00 PM.

Submitted for review and ZHB approval:                      Robert Melson - secretary