

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

Date: September 15, 2020

Location: Virtual meeting via the Zoom format, due to restrictions and safety concerns related to the continuing COVID 19 pandemic.

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 August 25, 2020.

**Hearing RE: Variance Application by
Andrew Roland / Roland Real Estate, LLC
1300 Stone Ridge Road
Sinking Spring, PA 19608**

Chairman Roberts called the hearing to order at 6:04 PM, and explained the purpose of the hearing. Applicant Andrew Roland joined the virtual meeting. Co-counsel for the applicant, John Roland and Joan Lunden (Kozloff-Stoudt), joined the meeting. Engineer for the applicant, Gregg Bogia, joined the meeting. Legal owner of the property, Joseph Schorn, joined the meeting. Solicitor Rothermel identified and documented the presence of other individuals who joined the meeting as notified adjoining and/or other interested person.

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 6:12 PM, Solicitor Rothermel asked Attorney John Roland to present the applicant's case for a dimensional relief variance.

Testimony was provided by Joseph Schorn, legal owner of the property at 4631 Penn Avenue, Sinking Spring, PA 19608. Andrew Roland, applicant and beneficial owner of the property, provided testimony to explain the need for a variance for dimensional relief to build a car wash. He based his argument on the irregular shape of the property which includes a storm water retention basin, the limited portion of the lot available for construction, and the negative impact of the required 50' side yard setback. He requested a reduction in the side yard setback to 40'. Testimony about the property and the proposed use was also provided by Gregg Bogia, engineer for the applicant. An opportunity was provided for questions from ZHB members and other attenders.

At 7:16 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 August 27, 2020.

At 7:18 PM, an opportunity was provided for public comment.

At 7:20 PM, counsel rested, and offered closing remarks.

At 7:24 PM, an opportunity was provided for questions.

At 7:26 PM, ZHB Chairman Roberts recessed the proceedings in order for the members of the ZHB to deliberate. A Zoom break out session followed, which was closed to the public.

At 7:35 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 and all planning, building code and procedural requirements be followed by the applicant. Mr. Kurtz 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. Melson, the ZHB members voted unanimously to adjourn the meeting/hearing at 7:38 PM.

Submitted for review and ZHB approval: Robert Melson - secretary