

FEBRUARY 18, 2013

The Plymouth Township Zoning Board held a public meeting at the Plymouth Township Building on Monday, February 18, 2013.

The meeting was called to order at 7:05 PM.

The Pledge of Allegiance was recited.

The following were present:

Vincent Frangiosa	Chairman
Robert Esposito	Vice Chairman
James Saring	Member
Michael Mattioni	Member
Robert Sassi	Member

Bernadette Kearney	Solicitor
David Conroy	Zoning Officer
Paula Meszaros	Court Reporter



The Board heard the following:

DAVID R. FAUST: On an application for a Variance from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIX, Section 1908.G.1.

The Variance requested is as follows: Addition for a three season room that is closer than 10' from the existing detached garage.

The property is located at 109 Valley Road in a "B" Residential Zoning District.

Mr. David Faust was sworn-in to testify.

Mr. Faust advised that all of the homes in the Valley Neighborhood are 1,014 square feet. Mr. Faust stated that any Valley house that has had the similar addition was a result of variance relief. Mr. Faust advised that he is applying for same variance that the other properties applied for.

Member Sassi asked how many stories is the proposed addition. Mr. Faust advised that the proposed addition is one story.

Member Mattioni asked if the three season room could become a four season room. Mr. Faust advised that it will not become a four season room as long as he owns the property. Mr. Faust stated that there will be a patio with a covered roof.

Member Saring asked if the patio is existing now. Mr. Faust advised that the patio is

existing. Member Saring asked if the neighbors have any concerns about the proposed addition. Mr. Faust stated that his neighbors support the proposed addition.

Member Esposito asked if the patio will be screened in. Mr. Faust advised that this is correct.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

DAVID R. FAUST: Member Saring made a motion that the application be approved. Member Esposito seconded the motion. Members Saring, Esposito, Sassi, Mattioni, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

CARTER AND ADRIENNE AMES: On an application for Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article XIX, Sections 1908.G.1 & 1908.1.

The Variances requested are as follows: Replace existing detached garage with a new detached garage that has a depth of 30' where a maximum of 24' is required, is closer than 10' from the existing dwelling, and is closer than 4' from the rear and side property lines.

The property is located at 821 Cherry Lane in a "B" Residential Zoning District.

Ms. Adrienne Ames was sworn-in to testify.

Ms. Ames advised that a tree from her neighbors' property fell on her detached garage, and this totally demolished the structure. Ms. Ames stated that she desires to build a new detached garage that will be a little larger by being 1' wider and 6' longer. Ms. Ames advised that she has no basement and no additions on her house, and therefore is very limited concerning storage space.

Member Sassi asked if the neighbor is fine with the new proposal. Ms. Ames advised that the neighbor feels bad about the tree incident, and he supports her new proposal.

Member Sassi asked if the work will be done professional. Ms. Ames advised that paperwork will be filed to have professional work done on the pre-fab garage. Member Sassi asked if there will be an electrical set up inside of the new garage. Ms. Ames stated that she would just have the electrical power that was in the previous garage.

Member Mattioni asked what is the height to the top of the garage. Ms. Ames advised that she is uncertain about this height. Mr. Conroy stated that the garage can not be higher than 16'.

Member Mattioni asked how does the applicant's new garage compare with her neighbors' garage. Ms. Ames advised that his garage sits up a little bit higher. Ms. Ames stated that her slab may be about 1' to 1.5' lower than her neighbors' slab.

Member Mattioni asked if there are any other storage places on the applicant's property. Ms. Ames advised that there is no other storage area on her property. Ms. Ames stated that storage takes place in the detached garage.

Member Saring asked if there is any other place on the property for the addition to go. Ms. Ames advised that the only place is the existing slab from the previous garage. Member Saring asked how many cars fit in the garage. Ms. Ames stated that it is a one car garage.

Member Saring asked if the new garage could be the same size as the old garage. Ms. Ames advised that the new size proposed will help make for a cottage like setting in her back yard. Ms. Ames stated that this is because a shed will not be needed for the back yard with the added room in the garage for storage.

Member Esposito asked if a damaged tree fell on the applicant's garage. Ms. Ames advised that a large healthy pin oak tree fell on her garage.

Ms. Kearney asked if the applicant will be showing the correct dimensions because the garage will be closer than 10' to the existing dwelling. Mr. Conroy advised that the exact dimensions must be shown when the applicant comes in for her permit.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

CARTER AND ADRIENNE AMES: Member Esposito made a motion that the application be approved subject to the following:

- 1) All information required by the Zoning Officer will be submitted.

Member Saring seconded the motion. Members Esposito, Saring, Mattioni, Sassi, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

NORMAN CARPET COMPANY: On an application for Variances from Plymouth Township Zoning Ordinance No. 342, as amended, Article XVI, Section 1602.D and Section 1603.G.

The Variances requested are as follows: To permit freestanding, one-side, animated LED visual message display sign 44' in height where 35' in height is allowed.

The property is located at 550 Brook Road in a "Limited Industrial" Zoning District.

Ms. Kearney noted that an amendment was made for the sign to be 41' in height.

Marc Jonas, Esq. was present to represent the applicant in presenting their application.

Mr. Jonas advised that the variances sought by the applicant are for an existing sign. Mr. Jonas stated that there is a hardship for the applicant, and it will be demonstrated how the sign being a bit higher will be beneficial. Mr. Jonas advised that the additional height is needed to accomplish the purpose for the sign to be seen.

Mr. Jonas advised that the applicant is eliminating one full side of the sign. Mr. Jonas stated that the sign will be 6' higher than what it is presently, however the sign will be 25 square feet less in size.

Submitted for inclusion into the record was the following:

A1) Application Tabs 1 Through 9

Mr. Jonas advised that Exhibit A1 includes the deed for the property, lease agreement, and letter for authorization. Mr. Jonas stated that the previous decision for Ardmore Tire dated 12-20-10 included 5 conditions, and this is included in Exhibit A1.

Mr. Jonas advised that the applicant made an appearance before Plymouth Township Council. Mr. Jonas stated that Township Council dropped their opposition when the applicant agreed to drop the height of the sign down to 41'. Mr. Jonas advised that the Township desires 15% of the allotted time on the signage to be used for public service announcements.

Mr. Jonas advised that the rest of Exhibit A1 includes the resume of a witness, the subdivision plan, elevation detail of existing sign, color photographs, and the proposed sign rendering.

Mr. Robert Oelenschlager was sworn-in to testify.

Mr. Oelenschlager advised that he has been in the sign business for 35 years. Mr. Oelenschlager stated that he has testified before many municipalities concerning signage. The Board accepted Mr. Oelenschlager as an expert in signage testimony.

Mr. Oelenschlager advised that he surveyed the existing sign for the applicant. Mr. Oelenschlager stated that he then made calculations to determine what is the minimum relief needed for the signs to be safely seen from the Blue Route. Mr. Oelenschlager advised that it was determined that 41' height is acceptable for the sign to be safely seen from the Blue Route.

Mr. Oelenschlager advised that the site is industrial in nature. Mr. Oelenschlager stated that the only neighbors are the residential neighbors to the south. Mr. Oelenschlager advised that the proposed sign on the south will be blank, and will have no affect on these

residential neighbors. Mr. Oelenschlager stated that the residents presently see a sign, and that will be done away with.

Mr. Oelenschlager advised that Ardmore Tire is down the street from the applicant's property. Mr. Oelenschlager stated that Ardmore has the electronic reader board on the top of their building, and this sign is double sided. Mr. Oelenschlager advised that the applicant is not proposing a double sided sign.

Mr. Oelenschlager advised that Tab 7 of Exhibit A1 shows the present sign being 35' in height. Mr. Oelenschlager stated that the sign is internally illuminated. Mr. Oelenschlager advised that this sign is much larger than the sign the applicant is proposing. Mr. Oelenschlager stated that total signage will be reduced.

Mr. Oelenschlager advised that Tab 8 consists of photographs of what currently exists at the property. Mr. Oelenschlager stated that the photographs show what the sign looks like as vehicles travel northbound toward the applicant's sign on the Blue Route. Mr. Oelenschlager stated that the photos show that the sign is actually blocked by the State highway signs, by vegetation, and also the concrete sound barriers.

Mr. Oelenschlager advised that vehicles traveling at the speed limit can only see the applicant's sign for about 5 or 6 seconds. Mr. Oelenschlager stated that visibility for the sign currently is very limited.

Mr. Oelenschlager advised that Tab 9 consists of a photograph of the sign at 44' height. Mr. Oelenschlager stated that this is what was originally applied for. Mr. Oelenschlager advised that the sign is now proposed to be 41' in height. Mr. Oelenschlager stated that this is the minimal height that the sign can be seen safely from the Blue Route.

Mr. Oelenschlager advised that making the sign visible will not have any direct affect for traffic on the Blue Route. Mr. Oelenschlager stated that the new sign will not adversely affect residential neighbors as the sign will be blanked out on the side facing the residences.

Mr. Norman Chaikin was sworn-in to testify.

Mr. Chaikin advised that he is the owner of Norman Carpet. Mr. Chaikin stated that Norman Carpet has different sources that attracts business. Mr. Chaikin advised that referrals are often a way in which business comes to their site. Mr. Chaikin stated that there is also the drive by customers. Mr. Chaikin advised that his walk in business has diminished by about 80% since the wall on the Blue Route was built.

Mr. Chaikin advised that the State erected green directional signs on the Blue Route. Mr. Chaikin stated that these signs now obstruct his sign making it almost non-visible. Mr. Chaikin advised that he has been in business in Plymouth Township for almost 20 years.

Mr. Chaikin advised that he reviewed the decision that was made concerning the Ardmore Tire Property. Mr. Chaikin stated that he would accept the conditions imposed on the Ardmore application to his application. Mr. Chaikin advised that he would accept the conditions concerning no fading out, no fading in, no scrolling text, no image changes, and no video. Mr. Chaikin stated that he would accept a condition concerning public announcements.

Ms. Kearney asked about the acceptance of the applicant concerning the message change rate. Mr. Jonas advised that the message change rate shall be no less than every hour.

Member Mattioni asked if there will be third party advertising on the sign. Mr. Jonas advised that only Norman Carpet business and Township announcements will be allowed to be on the sign.

Member Mattioni asked on Tab 9 Photo 2 how far a distance away was this photo taken from the sign. Mr. Oelenschlager advised that they do not know the exact distance. Mr. Oelenschlager stated that it was determined that 41' high sign is appropriate for this approximate distance. Mr. Oelenschlager advised that this photo was taken past the State highway signs from the emergency lane.

Member Mattioni asked if there will be any other changes to signage on the applicant's site such as on the building. Mr. Chaikin advised that this signage probably will not change.

Member Saring asked if the proposal was discussed with the residential neighbors. Mr. Jonas advised that he is not aware of any discussions with neighbors. Mr. Jonas stated that the sign is not being moved, and the side facing the neighbors is being blanked out.

Member Saring asked if the applicant's sign predates the PennDOT signs and the sound barrier. Mr. Chaikin advised that this is correct.

Member Saring asked how long will it take the applicant to erect the new sign after receiving approvals and permits. Mr. Oelenschlager advised that this process would take about 2 months.

Member Esposito asked if the higher sign would be oriented as it is today or reoriented toward another side. Mr. Chaikin advised that the proposed sign would be oriented the same way as the existing sign. Member Esposito asked if the sign will meet all requirements concerning darkness and dimming. Mr. Chaikin stated that these requirements will be met.

Member Esposito asked if the applicant per agreement with the Township is accepting up to 15% of allotted time for public service messages. Mr. Chaikin advised that this is acceptable. Member Esposito asked if the applicant would accept the change rate being no less than every hour. Mr. Chaikin stated that this condition is acceptable.

Member Esposito asked if temporary signs can be removed. Mr. Chaikin advised that

these signs can be removed.

Ms. Kearney inquired about the total sign reduction. Mr. Jonas advised that total sign reduction will be 177 square feet.

There were no questions from the audience. There was no testimony for or against the applicant from the audience.

The Board discussed and decided as follows:

NORMAN CARPET COMPANY: Member Esposito made a motion that the application be approved subject to the following:

- 1) Up to 15% of the allotted time for messages on the sign can be allocated to Plymouth Township for public service announcements.
- 2) The sign can not exceed 41' in height.
- 3) All of the transitions shall be done without any fading in or any fading out, there be no scrolling text, no image changes, and no video.
- 4) The message change rate shall be no less than every hour.
- 5) The messages on the sign be limited to Norman Carpet with the option to display public service announcements.
- 6) There shall be no adverse impact on residential properties and businesses in the area.
- 7) The applicant shall proceed in accordance with any Commonwealth regulations.
- 8) The temporary signs can be removed per agreement with the owner.
- 9) All of the images in Tab 9 should be stated correctly for the 41' height.
- 10) The changes outlined are for the property in question only.
- 11) The applicant comply with the testimony presented at the Zoning Hearing.

Member Sassi seconded the motion. Members Esposito, Sassi, Mattioni, Saring, and Frangiosa voted in favor of the motion. The motion passed by the vote of 5-0.

The meeting was adjourned at 8:00 PM.

Respectfully Submitted,

Richard Clifford