

Borough of Canonsburg
Zoning Hearing Board
February 1, 2022
6:30 pm

1. Call to Order:

The meeting was called to order by Mr. Pihakas at 6:30 PM

2. Pledge of Allegiance

3. Roll Call:

Mr. Manuel Pihakas, Chairman - Present

Mrs. Carmina V. Vitullo - Absent

Mr. Tony Trona - Present

Ms. Holly Stabile, Solicitor - Present

Mrs. Melissa Graff, Zoning Officer - Present

4. New Business:

The application by Phillip Sollon, of Sollon Funeral Home, to include and operate a crematorium as an accessory use to the existing funeral home located at 30 E. College St., Canonsburg, PA 15317

Tom Lonich, Attorney at Law for Phillip Sollon – advised they have filed an appeal that was rendered by the zoning officer. Mr. Lonich provided a copy of the zoning permit and denial letter (Exhibit 1) and Ms. Stabile, Zoning Hearing Board Attorney kept a copy for the record. Mr. Lonich went over the zoning chart (Exhibit 2). Ms. Stabile advised Mr. Lonich that he was looking at the old ordinance and they were amendments made to the zoning ordinance after his request. Ms. Stabile went on to explain the difference between the information in both the old and new ordinance. Mr. Lonich advised their legal position is that a standalone crematorium is only permitted in the I-1 zone whereas a crematorium as an accessory use is permitted in the MU zone. Mr. Lonich asked the board if they have the same understanding as to what he just explained, and they agreed. Mr. Lonich then asked the board if they wanted him to put on the record how all of this will be enclosed in the existing building and the fact that all of the requirements would be followed. Mr. Trona and the rest of the zoning hearing board agreed. Mr. Lonich had Mr. Sollon testify to the following:

Mr. Lonich – State your name for the record

Mr. Sollon – Phillip Sollon

Mr. Lonich – Mr. Sollon, what is your business address?

Mr. Sollon – 30 E. College St

Mr. Lonich – Nature of your business

Mr. Sollon – Funeral Home

Mr. Lonich – Is your business operated under a certain name?

Mr. Sollon – Sollon Funeral and Cremation Services

Mr. Lonich – How long have you been at the current location?

Mr. Sollon – Since 1948

Mr. Lonich – How long have you been affiliated with Sollon Funeral Home?

Mr. Sollon – Since 2007

Mr. Lonich – You basically grew up in the business, is that what you are saying

Mr. Sollon – Yes

Mr. Lonich – asked Mr. Sollon to identify what he logged into evidence as Exhibit 3

Mr. Sollon – Identified the picture as the current/existing funeral home

Mr. Lonich – Can you describe the interior of the building for the board?

Mr. Sollon – Area to prepare deceased bodies and also lay them out for their families then take them to the cemetery or the crematory

Mr. Lonich – How many rooms are within the building?

Mr. Sollon – 7. As far as visitation, there are 3 main rooms then there are several other rooms

Mr. Lonich – There is an area for the preparation and embalming of the bodies

Mr. Sollon – Correct

Mr. Lonich - There are visitation and viewing areas within the funeral home

Mr. Sollon – Correct

Mr. Lonich – Is there also a garage within the funeral home?

Mr. Sollon – Correct

Mr. Lonich – Is that garage integral or connected within the same building as the funeral home?

Mr. Sollon – Correct

Mr. Lonich – So all of this is under one roof

Mr. Sollon – Yes

Mr. Lonich – Presented information from the Tax Assessment Office Records in Washington County (Exhibit 4). He showed the picture to Mr. Sollon and asked if it was basically an idea of the footprint of the building and the parking lot

Mr. Sollon – Yes

Mr. Lonich – Advised the square footage of the building is approx. 1,540 feet. He asked Mr. Sollon if he agreed that the actual building is approximately 1,540 feet

Mr. Sollon – I think it is definitely at least that

Mr. Lonich – A funeral home itself has to be licensed by a governmental agency, is that correct?

Mr. Sollon – Correct

Mr. Lonich – In this case, it is the Commonwealth of PA

Mr. Sollon – Correct

Mr. Lonich – That allows you to operate with the criteria and standards of the Commonwealth

Mr. Sollon – Correct

Mr. Lonich – As part of the services offered and conducted by Sollon Funeral Home, do you meet with the family and clients?

Mr. Sollon – We do

Mr. Lonich – You make necessary arrangements for the viewing and visitation?

Mr. Sollon – We do

Mr. Lonich – Do you assist with the notices of obituaries that are placed in the paper or other publications?

Mr. Sollon – Yes

Mr. Lonich – Do you do embalming and prepare the deceased for viewing?

Mr. Sollon – Yes

Mr. Lonich – Is there a dressing of the deceased?

Mr. Sollon – Yes

Mr. Lonich – How about casketing?

Mr. Sollon – Yes

Mr. Lonich – Do you arrange for the prayer or blessing of the deceased?

Mr. Sollon – Yes

Mr. Lonich – All of these services take place within the funeral home itself

Mr. Sollon – Yes

Mr. Lonich – The services are services that are conducted currently at the funeral home

Mr. Sollon – Yes

Mr. Lonich – Are those the same services that have been conducted by the funeral home for decades?

Mr. Sollon – Yes

Mr. Lonich – And they have all been done on premises, correct?

Mr. Sollon – Correct

Mr. Lonich – With the crematorium as an accessory use, do you intend to offer and maintain such funeral related services, any supplies or materials at the funeral home itself?

Mr. Sollon – Absolutely

Mr. Lonich – The supplies and materials will include caskets, urns and those types of things

Mr. Sollon – Yes

Mr. Lonich – Do you use vehicles in the operation of the funeral home?

Mr. Sollon – Yes

Mr. Lonich – Do you have an idea as to how many vehicles you currently use?

Mr. Sollon – 4

Mr. Lonich – What are those vehicles used for?

Mr. Sollon – Transporting deceased bodies, leading a funeral procession, snow plowing for this time of year

Mr. Lonich – The vehicles that are used for transporting, they are maintained in the garage area?

Mr. Sollon – Yes

Mr. Lonich – Am I correct that a body is brought to the funeral home it is within one of the vehicles or transported and goes directly into the garage area?

Mr. Sollon – Yes

Mr. Lonich – There is a garage door that is open and shut just like any other vehicle for a home, correct?

Mr. Sollon – Yes

Mr. Lonich – As a crematorium as an accessory use, you would still intend to use these vehicles in the operation of the funeral home?

Mr. Sollon – Yes

Mr. Lonich – Lets talk a little bit about the actual system

Mr. Lonich – The crematorium is system is basically a furnace as you understand it?

Mr. Sollon – Yes

Mr. Lonich – A deceased body is placed within that furnace for processing, correct?

Mr. Sollon – Yes

Mr. Lonich – The body is reduced to ashes?

Mr. Sollon – Yes

Mr. Lonich – What happens to those ashes once the body goes through the cremation process?

Mr. Sollon – They are placed inside some type of container, commonly known as an urn then returned to the family or buried in the cemetery

Mr. Lonich – It is your understanding that the Commonwealth of PA through the Department of Environmental Protection has certain regulations that govern the cremation process and the storing or containing of the ashes

Mr. Sollon – Yes

Mr. Lonich – You intend to follow all intend to follow all DEP regulations and requirements in the operation of the crematorium?

Mr. Sollon – Absolutely

Mr. Lonich – The DEP is charged with inspecting the cremation system, the process to ensure all of the rules and regulations are followed, correct?

Mr. Sollon – Yes

Mr. Lonich – I believe I am on Exhibit 5, is that what you have

Ms. Stabile – I think so, yes

Mr. Lonich – Mr. Sollon let me show you what I have marked as exhibit 5. Can you tell me what exhibit 5 is?

Mr. Sollon – It is the cremation machine

Mr. Lonich – Presented an enlarged picture of said machine to the board

Mr. Lonich – This picture is what I have been referring to as the furnace, is that correct?

Mr. Sollon – Yes

Mr. Lonich – Where will this be located within the funeral home?

Mr. Sollon – We will have an area inside the funeral home, likely near the preparation room but somewhere where it will be completely inside of our building

Mr. Pihakas – You are talking about the ground floor, right?

Mr. Sollon – Yes sir

Mr. Lonich – Let me show what I marked as Exhibit 6. This provides the dimensions and information concerning the furnace itself. Have you seen this document before?

Mr. Sollon – I have, yes

Mr. Lonich – The document indicates the overall height of the mechanism is 8ft. 4 in., do you see that?

Mr. Sollon – I do

Mr. Lonich – The length is 14ft. 8 in.

Mr. Sollon – Yes

Mr. Lonich – It is your understanding that that is the size of the furnace you intend to utilize at the funeral home, correct?

Mr. Sollon – Yes, that is the exact one

Mr. Lonich – If you do the math, if my math is correct, I have indicated that it is 96.2 sq. ft. that this furnace will take up and the overall building is some 1500 sq. ft. for the operation

Mr. Lonich – Do you intend to have this system installed by licensed installers?

Mr. Sollon – Absolutely

Mr. Lonich – Just so we are clear, you are not going to attempt to do this yourself?

Mr. Sollon – No

Mr. Lonich – The installation of this cremation system, you intend to have it within the interior of the existing funeral home

Mr. Sollon – Yes

Mr. Lonich – It is not going to be a separate standalone building or operating center?

Mr. Sollon – No

Mr. Lonich – The deceased body, after it is prepared and viewed, will be taken interiorly from your building by elevator down to the basement area of the funeral home, correct?

Mr. Sollon – That's correct

Mr. Lonich – Then placed in the crematorium process for disposition?

Mr. Sollon – Correct

Mr. Lonich – The borough ordinance has certain requirements and restrictions and I believe this is what the board has been referring to as Section N; Crematorium and I believe you all have a copy of that

Mr. Lonich – Mr. Sollon all of the emissions must meet the requirements of the PA Dept. of Environmental Protection as part of their permitting requirements. Do you intend to abide by that regulation?

Mr. Sollon – Yes

Mr. Lonich – The hours of operation are limited to 7:00am to 7:00pm Monday through Friday. Do you intend to abide by these hours of operation?

Mr. Sollon – Yes

Mr. Lonich – As you have indicated several times that the cremation unit will be totally enclosed within a building?

Mr. Sollon – Yes

Mr. Lonich – That building will be where the funeral home is now?

Mr. Sollon – Yes

Mr. Lonich – The stack height shall be at least 1.5 times the height of nearby structures. You intend to comply with that?

Mr. Sollon – Yes

Mr. Lonich – The operator/owner shall provide the Borough with the necessary certifications to operate the crematorium and prior to issuing a building permit, a copy of the required PA DEP General Permit shall be provided. Do you intend to provide all documentation to the borough?

Mr. Sollon – Yes

Mr. Lonich – Do you intend to operate the crematorium in conformance with all local, state, and federal laws?

Mr. Sollon – Yes

Mr. Lonich – Bodies shall be cremated in wooden/crate containers only and with plastic that does not create toxic emission (no halogenated plastics). Do you intend to comply with that in the operation of the crematorium?

Mr. Sollon – Yes

Mr. Lonich – There will be no plastics involved in the incineration process at all, is that correct?

Mr. Sollon – Correct

Mr. Lonich – When cremations are taking place, an operator certified to operate the crematorium shall be on site. Do you intend to comply with this?

Mr. Sollon – Yes

Mr. Lonich – The services we had previously discussed regarding the funeral home, you intend to continually and constantly such services through the funeral home, correct?

Mr. Sollon – Correct

Mr. Lonich – With the crematorium process as an accessory use, you still intend to operate the funeral home at the current location?

Mr. Sollon – Absolutely

Mr. Lonich – With the crematorium as an accessory use, do you anticipate any additional parking will be needed?

Mr. Sollon – No

Mr. Lonich – Do you anticipate there will be an increase in traffic?

Mr. Sollon – Less

Mr. Lonich – There will be less traffic through the crematorium as an accessory use?

Mr. Sollon – Correct

Mr. Lonich – Can you explain that to the board?

Mr. Sollon – Right now when we have to go to the crematory, we have to load the hearse or the vehicle that we are transporting the deceased to the crematory, then we have to return back to the funeral home, and then we have to go back out and pick the ashes up and return back to the funeral home as well. So, this is actually going to eliminate 4 trips. It reduces the vehicle traffic

Mr. Lonich – With the crematory as a process as an accessory use, do you anticipate there will be any disturbance to the regular normal operation of the funeral home?

Mr. Sollon – No

Mr. Lonich – Am I correct that the only bodies or deceased that will utilize the crematorium will only be those that also utilize Sollon Funeral Home Services?

Mr. Sollon – Correct

Mr. Lonich – Just so we are clear, with the crematorium as an accessory use, you still intend to operate the funeral home, offer the same funeral home services that you currently provide and have provided for years

Mr. Sollon – Yes

Mr. Lonich – That is all the questions I have. We can certainly open it up to the board

Ms. Stabile – I think you covered just about anything. Just so it is clear for the board, the crematorium and you said this, is going to be a component of your existing business. You are not going to have a separate LLC or business entity, it's purely an accessory use under the entirety of your existing corporation in addition to the physical containment.

Mr. Sollon – Yes

Mr. Trona – I think as long as we are following the guidelines given forth in our code and he seems to have answered those questions, I am fine with it.

Ms. Stabile – I think that the vote and I am just clarifying because I don't vote I am the solicitor is that your application for the application to move forward should be approved. You are not asking for any special exceptions, any variances you're just asking to move forward with the crematorium as an accessory use not a new existing crematorium business only which is I think what our code under mixed use that prevents that is dealing with as opposed to an accessory use

Mr. Lonich – Correct

Mr. Pihakas – As long as we are all covered, I am satisfied.

Ms. Stabile – One thing we have to make sure is if there is anyone here that has anything to add in opposition.

Mr. Pihakas – No

Ms. Stabile – Then the board can vote

Mr. Pihakas – I need a motion to accept

Mr. Trona – Made a motion to accept. Seconded by Mr. Pihakas.

All in favor. Motion carries.

5. Old Business

None.

6. Adjournment:

Mr. Pihakas made a motion to adjourn the meeting at 7:00 PM. Seconded by Mr. Trona. Meeting adjourned at 7:00 PM

Submitted by: Melissa Graff