

Borough of Canonsburg
Zoning Hearing Board
November 7, 2023
6:30 pm

1. Call to Order:

The meeting was called to order by Mr. Trona at 6:46 PM

2. Pledge of Allegiance

3. Roll Call:

Mr. Tony Trona, Chairman - Present

Mr. Joseph Graff, Jr. – Present

Mr. Earl Kleckner - Present

Ms. Holly Stabile, Solicitor – Present

Mrs. Melissa Graff, Zoning Officer - Present

4. New Business:

1. The application by Earl Kleckner, who is requesting a variance for the property located at 503-505 W. Pike St., Canonsburg, PA 15317, as to setbacks under Section 170-307 in the Canonsburg Borough Zoning Ordinance.

Mr. Kleckner – I am recusing myself from this vote because I am the petitioner for this variance

Mr. Trona – Ok. Would you take the podium please?

Mr. Kleckner – We currently two (2) parcels located at 503 and 505 W. Pike St. We are basically looking at dividing the property in between the brick building as well as the building in the back, so that the front property will include the front building and the second lot will only include the back building. We are requesting a variance because

the property line that divides the two (2) buildings is less than twenty-five (25) feet, the come in at 10.8 feet a piece

Mr. Trona – So, this change in the lot plan, was brought in front of the planning board?

Mr. Kleckner – Correct. Yes

Mr. Trona – And the decision?

Mr. Kleckner – It was approved based on the approval hear at the zoning board meeting

Mr. Trona – Ok. Any questions?

Mr. Graff – No, the planning commission went over all of the property lines and everything. I don't have any issues with it

Mr. Trona – Is there anyone here to speak to this?

Male audience member – I would like to

Ms. Stabile – You have to come up to the podium and introduce yourself. Give us your name and address

Male audience member – My name is Dennis Smiddle and my address is 631 Highland Ave in Canonsburg, PA. My question is does this variance have anything to do with the childcare?

Mr. Graff – No

Ms. Stabile – This is a different matter

Mr. Smiddle – Oh

Ms. Stabile – There are three (3) things on the agenda. This is the first matter on the agenda, so we have not yet gotten to. The one you are talking about is the third one on the agenda

Mr. Smiddle – Ok. Thank you

Mr. Trona – Any other comments regarding this variance? Motion to approve it

Mr. Graff made a motion to a variance for the property located at 503-505 W. Pike St., Canonsburg, PA 15317, as to setbacks under Section 170-307 in the Canonsburg Borough Zoning Ordinance. Seconded by Mr. Trona.

All in favor. Motion carries.

2. The application by Harold Close, who is requesting a variance for a special exception to allow an auto detail shop to be located at 26 N. Jefferson Ave, Canonsburg, PA 15317, as to Section 170-306 – Uses not Specifically Regulated in the Canonsburg Borough Zoning Ordinance.

Mr. Trona – Mr. Close

Harold Close – Good evening. Harold Close, 332 Fieldbrook. The long and short of it is it's a space behind the Bar Association. It's a warehouse area and had been vacant for quite some time, and I have been using it for personal storage. I had a detail shop approach me if they could rent the space. It's not/nonspecific in your ordinance, so I was instructed to come to the zoning hearing board for a special exception

Mr. Trona – There wouldn't be a lot of cars there, there would be no parking. You detail a car, and you get it out, is that how it works?

Mr. Close – Correct. And as you know in that particular district, that is a downtown overlay and there is no parking requirements for that particular district. Although, no, there will not be cars in que waiting

Mr. Trona – Ok

Ms. Stabile – And there hasn't been any, obviously, I don't think there is anyone here in the neighboring vicinity of the businesses that have voiced any

Mr. Close – I don't think so. It was posted and no one has approached me about it. Presently, it is posted No Parking behind that particular area of the building, again, because I use it for personal storage, so nobody parks there now. There would actually be three (3) spots that would be available for the detailer that currently does not impact the Bar Association's parking

Ms. Stabile – And there's no other changes to the building or anything like that

Mr. Close – Just bring it up to code. We had an electrician come in and add exit signs. The normal code stuff because it has been vacant for a while

Mr. Trona – Any questions? Does anyone have any comments? Ok. A motion please

Mr. Kleckner made a motion to a variance for a special exception to allow an auto detail shop to be located at 26 N. Jefferson Ave, Canonsburg, PA 15317, as to Section 170-306 – Uses not Specifically Regulated in the Canonsburg Borough Zoning Ordinance. Seconded by Mr. Graff.
All in favor. Motion carries.

3. The application by Canonsburg Educational and Cultural Institute, who is requesting a variance for a special exception to allow use of a portion of the

existing facility for childcare on the property located at 25 E. College St.,
Canonsburg, Pennsylvania 15317.

Male audience member – Good evening, I am Paul Scarmazzi, and I am here on behalf of the Canonsburg Educational and Cultural Institute. As part of our due diligence to purchase the property from the school district, we are requesting a variance for a special exception to allow use of a portion of the existing facility for pre-k and post-k childcare. Currently, extended day services operates within the district, and we see this as a wonderful opportunity to bring them into the former middle school. As you know there was seven hundred (700) kids in and out of there when it was operating, so we don't see it as a big deal, but it is in the ordinance, so we wanted to get it clarified before we purchase the property

Mr. Trona – Will you be purchasing the entire building?

Mr. Scarmazzi – Yes. The full campus is five (5) plus acres and 150,000 square feet plus the auditorium, gymnasium, and the pool

Ms. Stabile – Is there already a deal in place for the purchase or is it contingent just upon this particular

Mr. Scarmazzi – No. We have an agreement of sale that was signed this past summer and we are doing our due diligence which includes the environmental, engineering matters, and zoning matters, so this is what we are trying to check on

Ms. Stabile – Gotcha

Mr. Graff – Are you going to use the back end where the buses used to be? Is that where the daycare is going to be?

Mr. Scarmazzi – Yes

Mr. Graff – So everything will be off

Mr. Scarmazzi – That's where the natural drop off and pick up point will be

Mr. Graff – Ok. Cool

Mr. Trona – Any other questions? Is there anyone else who would like to speak on this matter?

Male audience member – I would

Mr. Trona – Sir

Male audience member - My name is Dennis Smiddle, and I live at 631 Highland Ave in Canonsburg, PA. I am a retired childcare inspector of eighteen (18) years, a certified playground safety inspector because every childcare had to have a playground. I know the requirements for operating a childcare are the minimum requirements already, so my advice would be to think twice before you grant any variance for a childcare facility and operating a childcare. Regulations and requirements are always changing with the times for health and safety. Childcares are licensed by the Department of Human Services whereas schools and public schools are licensed by the Department of Education, and they're only inspected mostly when they open and then they are not inspected after that whereas, childcares that are operated under the Department of Human Services are inspected every year

Ms. Stabile – Do you understand that the request for the variance is simply to have the ability to run a day care? This board has no control over how that daycare is run once it has been established, and once it has been established, and all of the licensing agencies and code requirements and anything that is involved with a daycare would not be under the auspices of this board. Our only, I mean I am the solicitor I don't vote the board votes, but from a legal standpoint, they don't have control over this. They only have control over saying "this is a mixed-use area and one of the special exceptions is a daycare". If you would like to open a daycare we can either say yes or

no to that, but they have no control over how the daycare is run and whether they follow the regulations. That would be something that would happen later, and the appropriate agencies would be in charge of that. So, it wouldn't be something that would fall under this situation

Mr. Smiddle – No, I wasn't aware of all of that

Ms. Stabile – Ok

Mr. Smiddle – My advice is to think twice and do your due diligence as they said they have done their due diligence and that way we can make sure everyone has the best practices for health and safety

Ms. Stabile – Understood, and we are always hopeful that whoever runs their business, if they get permission to do so that they do it under the proper rules and regulations

Mr. Smiddle – Hope is not a plan. It's good to be hopeful, but hope's not a plan

Mr. Trona – Thank you

Mr. Smiddle – Any other questions?

Mr. Trona – No sir

Mr. Smiddle – Thank you

Mr. Trona – I concur with our solicitor that this board has the power to grant a variance, we do not regulate, take law matters into hand, that has to be done by a separate institution. We are just here to grant a variance and if they want to possibly open a daycare, we are going to give them the approval or not give them the approval to do so, but thank you for your comment

Ms. Stabile – This is on a separate note on the pending petition, obviously once the board takes a vote and if they would grant the variance it would be conditional on the sale of the property. So, anytime we have those kind of matters before us where the property hasn't been purchased yet

Mr. Scarmazzi – How long would that apply?

Ms. Stabile – It would apply as it would be open unless something would change, meaning if the sale fell through, and somebody else purchased it they would have to come back to us in order to open a daycare. So, because it's specifically a cultural trust applying for the variance, it only applies to you under the condition that that particular building is purchased by the cultural trust, just so that's clear for the record

Mr. Trona – Any other comments?

Mr. Kleckner – The only thing that I saw was as long as there was adequate outdoor space and indoor space and drop-off which seems to already exists based on the size of the building and size of the property outside, those were the main things that I saw in the code, that pertained to this based on its previous existence as a school it seems as though it would have all of that and more

Mr. Trona – Alright. I will need a motion and the motion has to state that it is contingent on the successful completion of the educational cultural institute's completion of the sale, ok

Mr. Graff made a motion to approve variance for a special exception to allow use of a portion of the existing facility for childcare on the property located at 25 E. College St., Canonsburg, Pennsylvania 15317, contingent on the sale to the Canonsburg Educational and Cultural Institute. Seconded by Mr. Kleckner.

All in favor. Motion carries.

5. Old Business:

6. Adjournment:

Mr. Kleckner made a motion to adjourn the meeting at 7:02 PM. Seconded by Mr. Graff.

Meeting adjourned at 7:02 PM

Submitted by: Melissa Graff