

MUNICIPALITY OF MONROEVILLE

ZONING HEARING BOARD

JULY 6, 2022

MINUTES

The meeting was called to order by Chairman Jim Rosipal at 7:30 p.m.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance was recited and a moment of silence observed.

ROLL CALL

The Recording Secretary, Sharon McIndoe, called roll and the following were present: James Rosipal, Gary Grysiak, Larry D'Agostino, Heather Wilkins, Bob Zunich and Paul Whealdon. Mr. Gaydos was absent.

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of the Regular Meeting of June 1, 2022, a motion was duly made by Mr. D'Agostino to approve them, as submitted and Mrs. Wilkins seconded it. Upon a voice vote, the motion carried unanimously.

NEW BUSINESS

22-18-A

COREY MESSENGER

The applicant is requesting a Dimensional Variance from Section 210, Fences, of the Monroeville Zoning Ordinance No. 1443, as amended, to construct a six-foot tall, chain-link fence in the front yard of the property that faces Rickey Drive. The property address is 302 Rick Drive, Tax Parcel 742-S-349, in the R-2, Single-Family Residential Zoning District.

Mr. Corey Messenger, the applicant, came forward to explain the request. He reported they currently have no fence on the 302 Rickey Drive side and they have two dogs they want to keep safe. He suggested a four-foot or five-foot fence would not be adequate and felt a six-foot fence would be more appropriate. He reported how people walking by have tried to communicate with the dogs even though they have discouraged it. He mentioned how there have been dogs off leash with no owners that have been to their yard and they do not want it to be a bigger problem than it is. He presented photographs and explained there should be posts on the left side.

Mr. D'Agostino inquired whether the fence would be placed in the highlighted yellow area and Mr. Messenger answered affirmatively. Mr. D'Agostino inquired whether his house is located on a cul-de-sac and Mr. Whealdon answered it is on a dead end. Mr. Messenger explained no one lives behind them to the left and he pointed out Parkway Route 376 and the PennDOT fence. He stated no one lives on the side or back side. He felt a six-foot fence is safer than a four-foot fence. Mr. D'Agostino inquired whether the fence has been purchased and Mr. Messenger answer negatively. He stated everything is on hold until they get their approval.

Mr. Grysiak questioned whether it would be a open chain-link fence and Mr. Messenger answered affirmatively. Mr. D'Agostino inquired whether it would silver and Mr. Messenger answered it could be silver or black. Mr. Whealdon asserted the municipality preferred black vinyl. Further discussion ensued. Mr. Messenger explained how it would go to where the Maple Tree is on the corner with room left over across to the parking spot then runs over then to the tree. Mr. Whealdon reported there was no correspondence from the neighbors.

There being no further discussion, Mr. D'Agostino duly made to approve Application No. 22-18-A, Corey Messinger, and Mr. Grysiak seconded it. Upon a voice vote, the motion carried unanimously.

22-19-A  
CAMPBELL

The applicant is requesting a Use Variance from Table 201 A of the Monroeville Zoning Ordinance, No. 1443, as amended, to operate a brewery business from an existing building in the Moya Industrial Park. The property is located at 203 Townsend Drive, Tax Parcel 854-E-341, in the M-1, Planned Industrial Zoning District.

Mr. Bill Campbell and Mrs. Barbara Campbell, the applicants came forward to explain the request. Mr. Campbell reported they currently own a building in the Moya Business Park at 203 Townsend Drive that has an M-1 variance for light industrial. He explained they want to start a small brewery or a nanobrewery to have a one-barrel brew system in the existing building because it would be too much for them to consume it so they would sell it.

Mr. Whealdon explained when when the zoning ordinance was written the use table for a brewery was considered big not micro brews so that is why it is located in the M-2 not the M-1 use. He reported times have changed and it is smaller.

Mr. Campbell pointed out their location and Easley and Rivers and reported it is a 3,000 square foot building. He reported 2,000 square feet is warehouse space where the beer would be brewed then it would house a walk-in cooler. He stated if they received the G-license from the state they could build a bar area and hold tastings. He explained they have to have nine seats with a G-License and serve snacks. He anticipated a barrel of beer a week in the first year not hundreds of barrels. He wanted at least eight beers on tap and they have to have people to drink it. He again did not anticipate that it would be large.

Mr. Whealdon requested he review the information in his email. Mr. Campbell reported they want to make different types and styles of beers for public consumption. He stated the hours of operation would be Wednesday through Sunday from 5 to 9 p.m. during the week days and Friday from 5 to 10 p.m., Saturday 12 noon to 10 p.m. and Sunday 12 noon to 5 p.m. He suggested those are proposed hours and subject to change depending on the number of people they receive.

Mr. Campbell described how small towns used to have walking towns with open store fronts with the nanobreweries with a few seats then have a brewery in the back. He showed a photograph of the brewing equipment with the 55-gallon kettles and the three fermenters. He presented a photograph of the warehouse space on the inside the building where the brewing equipment is located.

Mr. Rosipal inquired whether the kettles would be separate from the patrons or in the same room as the kettles. Mr. Campbell explained they would like them in the same room for the visual affect but the federal licensing requires a wall be built around it. He suggested a four-foot wall with plexiglass so it would have a separate production area and serving area.

Mr. Whealdon inquired whether this is a restaurant like the one on Center Road and Mr. Campbell answered negatively. He added they are not requesting a restaurant license. Mr. Grysiak pointed out the application states pre-packaged snacks. Mr. Campbell stated that is a requirement by the state for a G License. Mrs. Campbell reported the last page explains a G License which is a new law in 2016 that requires ten seats, a snack be provided and a manager. She explained they are popping up in different locations with one in the Bank of Business Park in North Huntington. She added they are converting old post offices into these nanobreweries but they do not want anything with the food industry. Mr. Campbell mentioned food trucks or people can bring in food but they will not serve food for the customer.

Mr. Grysiak questioned whether he has the equipment as shown in Picture Two and Mr. Campbell answered they do have the equipment. Mrs. Wilkins inquired whether they would hold events at this location or have bands. Mr. Campbell answered they may have acoustical bands but he could not see having any big bands. He wanted to keep it mellow and small. Mr. Grysiak inquired whether he anticipates any canning or bottling or serving growlers for take home. Mr. Campbell answered they would make single crowlers or growlers available to sell to the public. He mentioned they typically do four packs of 16-ounce beer cans. Mr. Grysiak inquired how they would advertise since it is a remote location and Mr. Campbell answered through the website and social media.

Mr. D'Agostino questioned the number of employees anticipated and Mr. Campbell was uncertain. He stated he would have the staff to run the facility during the hours with three or four part time employees. Mr. D'Agostino inquired whether he currently has experience with micro-brews and Mr. Campbell answered negatively. Mr. D'Agostino questioned whether he was hiring a brew master and Mr. Campbell answered negatively. He explained he has an engineering background in chemistry and explained a lot of water is involved and he has experience with water treatment services. He mentioned he contacted the Monroeville Municipal Authority about the water because it is an important part of the process.

Mr. Grysiak questioned the life of a keg and how long it will stay fresh. Mr. Campbell answered approximately six months. He explained once it is brewed, it has a certain aging time depending on the kind then it reaches its peak then slows goes down over a six-month period. He added it should be sold by then.

Mrs. Campbell reported they had to apply for a license with the Alcohol and Tobacco Tax Bureau (TTB) for federal status and that number is needed to apply to the State of Pennsylvania so they are familiar with licensing the other business. She stated there are a lot of regulations.

Mr. D'Agostino questioned whether a name has been selected. Mr. Campbell answered Squatch Brew. Mr. Grysiak inquired whether he would be present when the facility is open and Mr. Campbell answered he travels a lot but there will be a representative. Mrs. Campbell stated she is almost on the premises. Mr. Campbell felt he would be there initially.

Mr. Rich Yohe, one of the owners of Easley and Rivers, came forward to express his concerns about being located right next door to an establishment that serves alcohol. Mr. D'Agostino inquired about the type of his business and Mr. Yohe answered construction. Mr. Grysiak questioned his hours of operation and Mr. Yohe answered 5:30 a.m. to 5 p.m. Monday through Friday sometimes Saturday. Mr. D'Agostino inquired about his concerns and Mr. Yohe answered the exposure of their property for vandalism. He was concerned with what happens when people get together with alcohol. Mr. Grysiak questioned whether his establishment closes at 5 p.m. which is the proposed time the nanobrewery would open. Mr. Yohe answered affirmatively. Mr. D'Agostino questioned whether his property was fenced in and Mr. Yohe answered negatively. Mr. D'Agostino inquired whether he parks construction vehicles on his property and Mr. Yohe answered affirmatively. Mr. Rosipal questioned how far away they are located from his property. Mr. Yohe answered from building to building is a couple hundred yards. Mr. D'Agostino asserted there is a large parking lot and a dirt parking lot. He questioned whether he parks in the dirt parking lot and Mr. Yohe answered affirmatively. He pointed out their building in the aerial photograph. Mr. Grysiak suggested there is quite a distance between the proposed facility and their building with a large parking area. Mr. Yohe again estimated the buildings to be a couple hundred yards apart and expressed his concerns over what can happen when people and alcohol merge. Further discussion ensued.

Mr. Rosipal inquired whether their building has two bays and Mr. Yohe stated they are the building to the right of the tan building. Mrs. Wilkins questioned whether there is a fence between the properties and Mr. and Mrs. Campbell answered affirmatively. Mr. Agostino clarified his area is fenced in and Mr. Yohe agreed there is fencing.

There being no further discussion, a motion was duly made to approve Application No. 22-19-A, Campbell and Mr. Grysiak seconded it. Upon a voice vote, the motion carried unanimously.

22-20-A

SPECTRUM CHARTER SCHOOL

The applicant is requesting a Use Variance from Table 201 A, of the Monroeville Zoning Ordinance No. 1443, as amended, to operate an office from an existing residential building on the property. The house is located at 4371 Northern Pike, Tax Parcel 977-N-091, in the R-2, One-Family Residential Zoning District.

Mr. John Zahorchak came forward representing the applicant. He reported this property was donated to the Spectrum Charter School several years ago by the Autism Society and it has not been used and sat vacant. He explained how their intension is to grow the school and it has been growing over the past several years with 40 students enrolled hoping to have 44 next year. He reported space has become an issue in their existing building. He proposed to move himself and the other office people out of the current building with the students into this building. He stated the primary reason is to do it the right way. He reported the property was primarily used as a residential home.

Mr. Whealdon clarified this is not a rezoning but a use variance. He pointed out it is the little white house.

Mr. Zahorchak proposed to use the space for four offices and there are opportunities to bring students in because there is a kitchen. He added it would provide opportunities to get some of the

transitional work by learning to use the appliances in that building. He stated they do a lot of transitional work with students to help them prepare for life after.

Mr. D'Agostino inquired about the age of the students at the school and Mr. Zahorchak answered it is seventh through twelfth grade but they can stay up to the age of 21 so it is 14 to 21 years old. Mr. D'Agostino questioned whether it is a school for Autism and Mr. Zahorchak answered primarily for Autism. He added it is with one exception to all autistic students. Mr. Grysiak questioned whether it is strictly a day program or whether there is residential. Mr. Zahorchak answered it is not residential and operates the same time as a regular school district. He added they are currently offering an extended school year program so children are in session over the summer. Mr. Rosipal inquired whether the students are bused in or brought in privately. Mr. Zahorchak answered they are bused in from the home school. Mr. Rosipal suggested the busing would not matter and Mr. Zahorchak agreed. Mr. Grysiak questioned whether the house would need renovated and Mr. Zahorchak answered negatively. He felt it could use some tender loving care but it is a solid building. He stated they would not have to do anything structurally but just cleaning it up.

There being no further discussion, Mr. Grysiak duly made a motion to approve Application No. 22-20-A, Spectrum Charter School, and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

22-21-A

CHRISTOPHER SCHUTTE

The applicant is requesting a Dimensional Variance from Section 207.3(a), Lot and Yard Requirements, of the Monroeville Zoning Ordinance, No. 1443, as amended, to install an eight by ten foot shed that will encroach approximately nine feet into the require 10-Foot Side Yard Setback for Accessory Structures. The property is located at 717 Lincoln Avenue, Tax Parcel 545-D-276, in the R-2, One-Family Zoning District.

Mr. Christopher Schutte, the applicant, came forward to explain the request. He proposed to build a shed approximately eight by twelve foot at the rear of his driveway in the back yard close to 723 Lincoln Avenue owned by Billy and Joann Bower. He reported it would be located about five feet from their property line which would allow for the construction and the neighbor to make changes or maintain their retainer wall. He pointed out there are several other homes located close to his and he showed photographs of 724 across the street and 728 is beside that. He stated their sheds are close together. He felt it fits with the aesthetics of the neighborhood to build the structure. He mentioned it is a older neighborhood with a lot of sheds in the back yards. He again stated his neighbors have no concerns and support him building a shed.

There being no further discussion, Mr. D'Agostino duly made a motion to approve Application No. 22-21-A, Christopher Schutte, and Mrs. Wilkins seconded it. Upon a voice vote, the motion carried unanimously.

22-22-A

MELISSA BYTNER

The applicant is requesting a Dimensional Variance from Section 207.8 of the Monroeville Zoning Ordinance No. 1443, as amended, to increase the size of an existing driveway beyond the

maximum permissible 25 percent of the front yard. The property is located at 158 Willow Drive, Tax Parcel 640-G-394, in the R-2, One-Family Residential Zoning District.

Ms. Melissa Bytner, the applicant, came forward to explain the request. She pointed out the driveway in the picture is approximately ten-feet wide and two cars can fit back to back which requires someone to back out of the driveway. She reported they cannot back into the driveway because there is not enough time with motorists coming over the hill. She explained it is a short hill with a stop at the bottom and is posted 25 miles per hour but people who go faster. She reported the gas and water lines are on the righthand side when looking at the house on the upper front yard and the front porch and the steps. She was proposing to expand it width wise to the left of the house where a pine tree has been removed. She pointed out it would be approximately an additional 15 feet and if she gets approval she will have the property surveyed. She mentioned how it would be 10 foot in width with two cars back to back facing in towards the house. She pointed out the 15 feet approximately is being generous with the property line and she would have it surveyed. She explained this would allow the first person to pull in then maneuver to back up when they exit so they can pull straight out instead of blocking two lanes to back out. She stated it is right in the middle of the hill so it is a sharp turn with their landscaping walls. She reported the contractor is uncertain whether they can slope the dirt or if they need to bring the landscaping wall to the other side. She indicated it would depend on what happens when they get into the work.

Mr. Grysiak inquired whether there is a neighbor to the left and Ms. Bytner answered affirmatively. She stated it is at the corner of Willow and Poplar Drives. Mr. Rosipal asserted it is the second house going up the hill and Ms. Bytner concurred. Mr. D'Agostino stated this is basically for turning around and Ms. Bytner agreed. She stated it would allow them space for a guest but the main inconvenience would be the construction. Mr. D'Agostino inquired whether there were any neighbor concerns and Ms. Bytner answered negatively.

There being no further discussion, Mr. Grysiak duly made a motion to approve Application No. 22-22-A, Dimensional Variance, Melissa Bytner and Mr. D'Agostino seconded it. Upon a voice vote, the motion carried unanimously.

#### ADJOURNMENT

There being no further business to come before the Zoning Hearing Board, at this time, Mrs. Wilkins duly made a motion to adjourn the meeting at 8:15 p.m. and Mr. Grysiak seconded it. Upon a voice vote, the motion carried unanimously.

Respectfully submitted,

James Rosipal,  
Chairman

JR/sam