

Notes of Meeting
East Rockhill Township Zoning Hearing Board
January 30, 2019

The East Rockhill Township Zoning Hearing Board was held at 6:00p.m. on January 30, 2019 in the Student Common Area at Bucks County Community College Upper Bucks Campus located at One Hillendale Road, Perkasio, Pennsylvania. The hearing was continued from a December 10, 2018 Hearing.

Present: David Chlebda, Chairperson
David Watt, Vice-Chairperson
John Fenley, Alternate Member
Scott MacNair, Zoning Hearing Solicitor
Marianne Morano, Township Manager and Zoning Officer
Patrick Armstrong, Township Solicitor
Steve Baluh, Township Engineer
Robert Gundlach, Applicant Representation
Matthew Burns, Owner Representation
Michael Kracht, Party Status Representation
Mark Freed, Party Status Representation

The Zoning Hearing Board public hearing was convened at 6:03p.m. by temporary Chairperson Mr. Chlebda.

Reorganization

On motion by Mr. Chlebda, seconded by Mr. Watt to appoint David Chlebda as Temporary Chair. Mr. Chlebda asked if there were nominations for a Chairperson.

On motion by Mr. Fenley, seconded by Mr. Watt, to nominate David Chlebda as the Zoning Hearing Board Chairperson. With no additional discussion, all present voted in favor.

On motion by Mr. Fenley, seconded by Mr. Chlebda, to nominate David Watt as the Zoning Hearing Board Vice-Chairperson. With no additional discussion, all present voted in favor.

On motion by Mr. Watt, seconded by Mr. Chlebda, to appoint Scott MacNair, Esquire Clemons, Richter & Reiss as the Zoning Hearing Board Solicitor. With no additional discussion, all present voted in favor

Stenographic Record: A stenographic record of the meeting was taken and will provide a record of the proceedings. A request can be made to Robert W. Harley Court Reporter. Transcripts are stored for five years.

Old Business

18-03: Richard E. Pierson Materials Corp. – concerning a property located at 2055 North Rockhill Road, East Rockhill Township, also known as Tax Map Parcel Number 12-009-102-000. This property is located in the E, Extraction zoning district. The Applicant appeals the Zoning Officer's denial of a zoning permit and request to cease the extractive operation use. The Applicant further appeals the zoning officer's determination that: (1) a special exception is required for the use, (2) the use is required to comply with the buffer requirements, (3) the use is required to comply with development and performance standards, (4) the use fails to comply with and is required to comply with requirements concerning sewage disposal, industrial waste disposal, water supply and storm drainage, (5)) the use fails to comply with and is required to comply with requirements concerning noise, air pollution, smoke, fumes, water pollution, fire hazards and other safety hazards, (6) the use fails to comply with and is required to comply with the Township's Stormwater Management Ordinance, (7) construction activities have commenced without a permit, (8) zoning hearing board

relief is required to operate an asphalt plant and (8) land development approval is required. Alternatively, the Applicant requests a special exception to permit an H12 Extractive Operation use, a special exception to permit an asphalt plant as an accessory use and any additional relief required to permit an asphalt plant to be operated as accessory to the H12 use.

18-04: Richard E. Pierson Materials Corp – 2055 North Rockhill Road to consider the Application of Richard E. Pierson Materials Corp. concerning a property located at 2055 North Rockhill Road, East Rockhill Township, also known as Tax Map Parcel Number 12-009-102-000. This property is located in the E, Extraction zoning district. The Applicant appeals the Township's Notice of Violation dated March 23, 2018. Specifically, the Applicant appeals the determination (i) that an asphalt plant on the property violates or will violate the Zoning Ordinance (ii) that an asphalt plant on the property requires relief from the Zoning Hearing Board, and (iii) that land development approval from the Board of Supervisors is required to continue to operate an asphalt plant. Alternatively, the Applicant requests a special exception to permit an asphalt plant as an accessory use to the H12 Extractive Operation use.

Testimony: Mr. Daniel Humes, P.E., Civic Engineer provided testimony. Mr. Humes had a prior commitment and will be made available for additional testimony at a future hearing.

Slavic Mokienko, Vice President R. E. Pierson Materials Corp provided testimony which will continue at the next scheduled hearing.

Approval of December 10, 2018 Notes

December 10, 2018 notes were accepted with no changes.

Other Business

There was none.

Adjournment

The next hearing has been scheduled for February 25, 2019 at Bucks County Community College Upper Bucks Campus Student Common Area.

The Chairperson declared the meeting adjourned. With no additional discussion, the meeting adjourned at 9:34pm.

Respectfully submitted,

Marianne Morano
Township Manager