

**Minutes of Meeting**  
**East Rockhill Township Zoning Hearing Board**  
**October 29, 2018**

The East Rockhill Township Zoning Hearing Board was held at 6:00p.m. on October 29, 2018 in the Pennridge High School LGI 3.3 located at Pennridge High School, 1228 North Fifth Street, Perkasio, Pennsylvania. The hearing was continued from a July 12, 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  
Carol McCabe, Township Legal Consultant

The Zoning Hearing Board public hearing was convened at 6:05p.m. by Mr. Chlebda.

At the request of Robert Gundlach Jr., applicant representation, the October 25, 2018 hearing has been continued. There were no dates to reschedule the hearing that all parties were available. Mr. Kracht, party status representation, may have a conflict on the already scheduled December 10, 2018 hearing date.

Party Status requests were made.

**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.

**Approval of July 12, 2018 and July 17, 2018 Notes**

July 12, 2018 and July 17, 2018 notes were accepted with no changes.

**Other Business**

There was none.

**Adjournment**

On motion by Mr. Chlebda, seconded by Mr. Watt the meeting was adjourned at 9:22pm. The next hearing has been scheduled for November 15, 2018 6:00pm at Pennridge High School.

Respectfully submitted,

Marianne Morano  
Township Manager