

## FERGUSON TOWNSHIP ZONING HEARING BOARD

Regular Meeting  
Tuesday, April 15, 2014  
7:00 pm

### I. ATTENDANCE

The Zoning Hearing Board held its regular meeting on Tuesday, April 15, 2014 at the Ferguson Township Municipal Building. In attendance were:

Board: Matthew Patch, Chairman	Staff: Jeffrey Ressler, Zoning Administrator
George Pytel, Vice Chairman	Jeffrey Stover, ZHB Solicitor
Scott Petryshak, Secretary	
Charles Farrell	
Michael MacNeely	

Other in attendance included: Heather Bird, Recording Secretary; Jon Andrews, Louwana Oliva, Mark Torretti, CATA Variance; Alex Patch, Austin Patch, Shawn Layton, Michael Dudinyak

### II. CALL TO ORDER

Mr. Patch called the April 15, 2014 regular Zoning Hearing Board meeting to order at 7:00 pm.

### III. SWEARING IN OF THOSE WHO WISH TO TESTIFY

Two individuals stood to be sworn in.

### IV. THE ZONING HEARING BOARD SOLICITOR EXPLAINS BASIS OF VARIANCE/APPEAL REQUEST

#### V. CENTRE AREA TRANSPORTATION AUTHORITY – VARIANCE REQUEST

Mr. Ressler stated the variance is for property located at 2081 West Whitehall Road tax parcel 24-004-070W and is owned by Centre Area Transportation Authority (CATA). The property is zoned IRD. The applicants are proceeding through the land development process for a new maintenance building, new parking garage and an addition to the existing bus storage building. The applicants are requesting a variance to Chapter 27-807.16 of the Zoning Ordinance to not be required to provide landscaping in and on the proposed parking structure. Chapter 27-807.16 requires planting islands at the end of all parking bays abutting an aisle or driveway. Also a planting island is required for every 10 parking spaces in a row. The planting islands need to be bordered by a curb 4 inches high, shall be 9 feet wide and extend the entire length of the parking space. The island needs to be planted with a combination of suitable ground covers and one canopy tree. The applicants are requesting a variance to Chapter 27-602, the maximum building height, to be permitted to exceed the maximum building height with light poles on top of the parking structure and with elevator penthouse and HVAC equipment. The proposed light poles on top of the rooftop parking deck will be 51 feet high, which is 6 feet over the maximum height requirement. The top of the elevator penthouse for the parking structure will be 47 feet above ground, which is 2 feet over the maximum permitted building height. The maintenance building requires that certain HVAC equipment be located on top of the structure. The top of the HVAC equipment will be 47.3 feet above ground, 2.3 feet over the maximum permitted height. There have been no previous hearings on this property.

Mr. John Andrews, Attorney from McNees Wallace and Nurick, represents CATA began by stating he has two witnesses, Ms. Louwana Oliva and Mr. Mark Torretti. CATA is looking to redevelop their site due to significant ridership increase. CATA has outgrown the current site and would need these two variances in order to stay at their current location.

Mr. Andrews called his first witness, Louwana Oliva, CATA Assistant General Manager. Ms. Oliva handles all maintenance issues, transportation issues and capital projects for CATA. Following depicts the question and answer exchange between Mr. Andrews and Ms. Oliva.

Please explain to the Board the need to redevelop the current site. When CATA moved to the current site it was designed to hold 40 buses, 30 feet long and 96 inches wide. Currently CATA is up to 71 buses that are 40 feet long and 102 inches wide. Currently the buses are being parked everywhere on the site and they have to be moved three or four times throughout the evening in order to fuel and maintain the buses.

Did you look at locating elsewhere? Yes, CATA looked around for land that would allow them to be all on one level. The land located would have moved the facility too far outside the service area causing long trips without passengers. When this option was ruled out the only way to stay at the current site was to build up. This new facility has a life plan of 20 to 30 years use.

Will you be able to maintain all services throughout the redevelopment? Yes the way the plan has been phased CATA will continue to operate on site while under construction. Nine of the office employees will be relocated temporarily during the construction project.

The next witness was Mr. Mark Torretti, Senior Project Manager PennTerra Engineering. The following depicts the question and answer exchange between Mr. Andrews and Mr. Torretti.

Please describe exhibit A1. This is an ariel view of the existing CATA site. Mr. Torretti went over the existing facilities.

Are there any characteristics of the property that would make redevelopment challenging? The size of property will make this very challenging.

Will the existence of the compressed natural gas station and the Verizon building also make this challenging? Yes, both of these buildings must remain in the same location and remain up and running for the full length of the project.

Please describe exhibit A-2. This is the record plan from the land development plan that was submitted to Ferguson Township. This plan shows what is being proposed for the project and is designed in accordance with the Ferguson Township zoning ordinance except for the items requesting a variance.

What zoning district is the site located in and what is the maximum building height in that district? The site is located in light industrial or the IRD District and the maximum building height is 45 feet.

Please describe exhibit A-3. This exhibit shows the building elevation for parking structure. The main structure is under the maximum 45 feet allowed. The elevator shaft and the light poles for the lighting on the top of the parking garage exceed the 45 feet maximum. The elevator shaft is 2 feet above the 45 and the light poles will be 15 foot tall poles with 6 feet exceeding the 45 feet maximum. The light fixtures will be led cutoff fixtures meaning the light won't project further than 90 degrees.

Please describe exhibit A-5. This exhibit shows the lighting plan for the whole site and was prepared in accordance with the Ferguson Township ordinance. The light poles on top of structure would not reflect over the property lines. The light emitted from these poles with not go beyond the property deck.

Mr. Stover clarified the location of the elevator shaft. The elevator shaft exceeding the maximum height will be located on the parking garage.

Please describe Exhibit A-4. This exhibit is the shows the architects elevation of front of the bus maintenance building. The HVAC units go over the maximum building height of 45 feet by 2 foot 3 inches. Many exceptions are listed from building height that include barns and silos, flag poles, monuments, smoke stacks, ventilators, etc. These are all non-occupied structures. The HVAC units and elevator shaft are also non-occupied structures.

The Ferguson Township ordinance in regards to parking structures is broad. In both the new zoning districts, Terraced Streetscape and Traditional Town Development (TTD), specific regulations for parking garages and surface parking are identified. In the TTD the requirements state that landscape requirements should not be included in parking decks. Instead of screening with plantings, the plan includes having a concrete wash and vehicle barrier guard with headlight screen. This would still achieve what is desired by the ordinance.

In summary the size of property creates difficulty with redevelopment. The proposed redevelopment should not detrimentally impact the neighboring properties. The size of the property creates the hardship and this property size is the original size. These variances requested are the minimum variances possible to complete this redevelopment.

Mr. Pytel made a motion to GRANT the variance for the CATA property located at 2081 West Whitehall Road, tax parcel #24-004-070W, Chapter 27-807.16 to not be required to provide landscaping in and on the proposed parking structure and Chapter 27-602 maximum building height to be permitted to exceed the maximum building height with light poles on top of the parking structure and with elevator penthouse and HVAC equipment. Mr. Petryshak seconded the motion.

The motion passed unanimously.

#### **VI. APPROVAL OF MEETING MINUTES**

Mr. Pytel made a motion to APPROVE the minutes from Thursday, March 20, 2014 Zoning Hearing Board Regular Meetings as modified. Mr. Petryshak seconded the motion.

The motion passed unanimously.

#### **VII. ADJOURNMENT**

With no further business to come before the Ferguson Township Zoning Hearing Board, Mr. Patch adjourned the April 15, 2014 meeting at 7:51 pm.

RESPECTFULLY SUBMITTED,



Scott Petryshak, Secretary  
For the Zoning Hearing Board

Date approved by the Board: 5-21-14