

**EDGMONT TOWNSHIP ZONING HEARING BOARD
REGULAR MEETING MINUTES
SEPTEMBER 23, 2008**

1. **Open Meeting**: Thomas Lawrie called the meeting of the Zoning Hearing Board to order at 7:00 p.m. In attendance were Thomas Lawrie, chairperson; Thomas Donatucci, member; Neil Wasserstein, alternate member; J. Adam Matlawski, solicitor; Samantha Reiner, Township Manager/Zoning Officer; Susan Sharp, Recording Secretary; and 2 guests. The court reporter, Maria Lairdieson O'Neill, was present to transcribe the hearings.
2. **Public Comment**: There was no public comment.
3. **Meeting Minutes**: Mr. Donatucci made a motion to approve the minutes from August 26, 2008. Mr. Wasserstein seconded the motion. Mr. Lawrie abstained from voting as he was not at the meeting. The motion carried unanimously without further discussion.
4. **New Business**
 - a. Videon Family Partnership (owner) / Frank C. Videon, Inc. (lessee) - 4951 West Chester Pike – The applicant has requested variances from Zoning Ordinance Sections: (1) 1803.B.1.a(1) and/or 1803.B.1.b(1) to allow a freestanding sign of approx. 50.7 square feet (20 and 40 square feet permitted, respectively); (2) 1803.A.3 to allow 18 ft. high freestanding sign (13 ft. permitted); (3) 1803.A.1 to allow location of freestanding sign closer than 5 ft to street line; (4) 1805.B.1.a and 1805.B.1.b to allow 4 wall signs totaling approx. 102.14 square feet (one sign of 20 square feet. is permitted); and (5) 1802.C.11 to allow flag of 48 square feet (24 square feet permitted) in C-2 District. The applicant, Steve Videon, was present. David Malman, Esquire, alternate Township Solicitor, was present at the request of the Edgmont Township Board of Supervisors. This hearing was continued from August 23. Mr. Videon had asked for a continuance so that he could meet with the Township to try to resolve some issues before coming before the Board.

The following exhibits were entered into the record:

Board's Exhibits:

B-4: Applicant's extension of time

Mr. Videon reviewed the relief that he was asking for. He withdrew item number 3, request to allow a freestanding sign closer to the street than five feet. He also asked that the relief requested for number 5 be changed from 48 feet to a flag of proportionate size. Mr. Videon stated that he needed a larger freestanding sign than what is allowed by Ordinance because customers can not find his building. He compared

the relief that he was asking for to the regulations in the C-3 zoning district. Mr. Malman stated that the Board of Supervisors was neutral with respect to the application. Prior to taking a brief recess, Mr. Lawrie reviewed the relief that the applicant was seeking. THE COMPLETE NOTES OF TESTIMONY CAN BE FOUND IN THE TRANSCRIPT IN THE ZONING HEARING FILE FOR THIS PROPERTY. After the recess, Mr. Donatucci made a motion to deny the variance that would allow a freestanding sign of 50.7 square feet, as no hardship was proven. Mr. Wasserstein seconded the motion. The motion passed without further discussion. Mr. Donatucci made a motion to deny the request for relief to erect an 18' freestanding sign, as no hardship was shown. Mr. Wasserstein seconded the motion, which passed unanimously. Mr. Donatucci made a motion to grant the variance to allow four wall signs, with the condition that they conform to the testimony given. Mr. Wasserstein seconded the motion. The motion passed without further discussion. Mr. Donatucci made a motion to grant the variance to allow an American flag larger than what is allowed by ordinance with the conditions that it is no bigger than 40 square feet, and the flag pole is no more than 10 feet away from the building. Mr. Wasserstein seconded the motion, which carried unanimously. Mr. Donatucci made a motion to grant the variance to allow three directional signs of no more than four square feet each, with the condition that the signs be located on the back of the building and that the lettering on the signs contain a single font and color. Mr. Wasserstein seconded the motion. The motion carried without further discussion. Mr. Donatucci made a motion to deny the request for variance to allow the surfaces of a double faced sign to be more than 10" apart. Mr. Wasserstein seconded the motion, which carried unanimously.

5. **Adjournment**: At 8:40 p.m., Mr. Wasserstein made a motion to adjourn and Mr. Donatucci seconded the motion. There was no further discussion and the motion was carried unanimously.

Susan Sharp
Zoning Hearing Board Secretary