

Carroll Township Zoning Hearing Board

Business Meeting Minutes

Monday October 24th, 2022 @ 6:00pm

Meeting attendees were:

Gary Reihart – ZHB Chairman

Rich Gensler – Vice Chairman

Frank Setlak – ZHB Secretary

Deana Weaver – ZHB Alternate Board Member

Brandon Slatt – Carroll Township Zoning Officer

John R. Wilson – Solicitor from CGA Law Firm

Following are the meeting minutes from the Zoning Hearing Board (ZHB) business meeting held on October 24th, 2022. The meeting was held at the Carroll Township offices.

1. The business meeting was recessed to commence with the hearing for docket 2022-012.
2. The hearing portion of the meeting was adjourned to continue with the business meeting.
3. The board began the discussion on the procedure for withdrawing special exception/variance approvals when conditions of approval are not complied with or have changed. The Zoning Officer is the township official to enforce all ZHB approved exceptions and/or variances. Should the conditions change on a plan that the ZHB took in consideration in their decision to approve the exception/variance, the Zoning Office would note this in a comment on the Review Letter during the plan approval process with the Township. The applicant has time to correct any notations. If the notations are not corrected, the applicant would have to once again reapply for an exception and/or variance with the ZHB for their consideration.
4. Brandon Slatt proposed new Zoning Hearing Notice signs to the Board with printed samples of what would be used. The concern of the Board was the current process of site notifications was posting the 8.5" x 11" Township Notice which most people miss or don't know what it was. The new proposed signs are larger with large lettering notifying passersby of the site being considered for a zoning hearing. A motion was made to accept and use the proposed new signs, which was seconded, and unanimously passed.
5. The Board continued the discussion of a tiered fee schedule from a normal residence fee vs. a commercial development fee. John Wilson found two other townships that have fee tiers for their exceptions/variances. The Board discussed and confirmed that we cannot consider the ZHB attorney fees into the cost of the Board hearings when reviewing cost considerations for proposed fees to residents or businesses. Brandon Slatt suggested that he bring this up with the Board of Supervisors (BOS) to get their idea if they would consider a tier fee structure before we spend legal time drafting up proposed language on a tier fee schedule. Gary Reihart asked John if he would still look at drafting language for a tier fee schedule. A motion was made to have John propose to the Board language for a tier fee schedule, which was seconded, and unanimously passed.

6. The Board discussed that the BOS last Monday night passed a resolution in accordance with the Municipalities Planning Code (MPC) that pays Alternate members of the Zoning Hearing Board only after being appointed a voting member of the Zoning Hearing Board to make a quorum for an official hearing. The ZHB understood and agreed with this change to align with the MPC, but it was noted that the MPC does not state that alternatives are prohibited from receiving compensation for just attending and not voting; it states that it is not permitted. Nonetheless, those Alternates who attended the ZHB meetings and were not appointed to be a voting member, will be paid their compensation (\$50/meeting) during the time the BOS resolution was in effect.
7. A motion was made to adjourn the meeting, which was seconded, and unanimously passed.

Prepared by: Frank Setlak – Secretary; Zoning Hearing Board
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