

1 CITY OF GREENSBURG ZONING HEARING BOARD

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3 TRANSCRIPT OF PROCEEDINGS

4 City of Greensburg Zoning Hearing Board Meeting,
5 held on October 19, 2022 before the Zoning Hearing
6 Board Members of the City of Greensburg,
416 South Main Street, Greensburg, PA 15601,
recorded by Lisa M. Wolfe, commencing at 4:00 p.m.

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8 BEFORE:

9 CITY OF GREENSBURG ZONING HEARING BOARD

10 Peter P. Cherellia, Solicitor
11 Jeff Raykes, Planning Director
12 Jessica S. Mosko, Administrative Assistant
13 Barry Gaetano, Chairman
14 Victoria Baur, Vice Chairman
15 Kyli Stoner

16 LISA M. WOLFE, COURT REPORTER
17 441 PEREGRINE DRIVE
18 NORTH HUNTINGDON, PA 15642
412-608-8004

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I N D E X

WITNESSES:PAGE

TONY RANIERI

11

EXHIBITS:

NO. 1 - PHOTOGRAPHS

(Exhibit marked but not received.)

P R O C E E D I N G S

MR. GAETANO: So we're going to call the meeting to order of the Greensburg Zoning Board. It's October 19th at 4:00 p.m. If we can call roll, please?

MS. MOSKO: Victoria Baur?

MS. BAUR: Here.

MS. MOSKO: Kyli Stoner?

MS. STONER: Here.

MS. MOSKO: Barry Gaetano?

MR. GAETANO: Here.

MS. MOSKO: Sean McLaughlin?

MR. GAETANO: Absent.

MS. MOSKO: Ben Thompson?

MR. GAETANO: Absent.

Has everybody signed in that's going to speak today? Okay.

So before we swear you in, there are five Zoning Board Members. We need to have three for a quorum. You need to agree to accept the three peoples' decision. If you want to have all five available, we would have to reschedule for another day.

Are you okay with the decision of --

1 MR. RANIERI: I'm fine.

2 MR. CHERELLIA: Mr. Ranieri,
3 will you identify yourself for the record,
4 please.

5 MR. GAETANO: We have to swear
6 him in.

7 MR. CHERELLIA: The reason I
8 say this is because he agreed, and she
9 technically doesn't know who he is.

10 MR. GAETANO: Oh, okay. Go ahead.

11 MR. RANIERI: My name is
12 Anthony Ranieri.

13 MR. CHERELLIA: And your address
14 Mr. Ranieri?

15 MR. RANIERI: 2016 Meadow Lane
16 in Greensburg.

17 (The oath was administered.)

18 MR. RAYKES: If it's okay with
19 the Chair, what I would like to do is give it a
20 little bit of a background, and then turn it
21 over to Tony. And then let him talk a little
22 more. Because I'll just give you just a 50,000
23 foot flyover. And that will give you a frame
24 to work in.

25 And, guys, I should introduce Josh Steele

1 who is a code enforcement officer in our office.
2 So he's going to start doing some zoning stuff.
3 So my hope is he and I will be working together.
4 And then eventually he will be a staff person for
5 you all, and a good resource. So he comes from
6 North Huntingdon. He was a planner at North
7 Huntingdon, and comes from the Navy, and lives in
8 town. He lives in Saybrook. So we're happy to
9 have him.

10 I think you were hired in September,
11 right?

12 MR. STEELE: Yes.

13 MR. RAYKES: Anything that I
14 missed, Josh, that you want to add?

15 MR. STEELE: I also was the
16 code enforcement officer at Murrysville
17 beforehand. And I was their zoning officer.

18 MR. GAETANO: Well, welcome to
19 the City.

20 MR. STEELE: Thank you.

21 MR. RAYKES: So my
22 responsibility was to give you a rough outline
23 of what we're looking at. So this is the
24 property. This is 116 Carpenter Street in the
25 City of Greensburg. You will immediately

1 recognize this. If you don't recognize it
2 from, say, 1,500 feet, you will recognize it as
3 soon as I go to street view, which I'll do that
4 now.

5 Tony's parcels -- he's purchased the
6 property -- is both this parcel and this parcel
7 (indicating). This (indicating) is an old plan
8 right-of-way. And Tony may talk a little bit
9 about it, because I think he was getting it
10 surveyed. And I know they were asking some
11 questions about this. I couldn't find anything
12 in our records. But he may have an update.

13 But essentially these are the
14 parcels that are part of this process today,
15 and, I guess, the parcels sort of in question
16 in terms of the variance.

17 This (indicating) is Carpenter up
18 here. And then what is the name of this street
19 here (indicating)? Does anybody know?

20 Tony, do you know the name of that
21 little alley right here (indicating)? Does it
22 have a name?

23 MR. RANIERI: Not that I'm
24 aware of.

25 MR. RAYKES: So this is the

1 parcel. And then if I go to street view -- we
2 will just take a look at it.

3 Do you have your bearings? There's
4 nothing worse than looking at a map. I should
5 have pointed out some more things there. Does
6 everybody have their bearings? Hang on, this
7 (indicating) is the building. It's the old
8 Ludwick Fish House. In fact, the sign, I don't
9 think is there anymore. But it is in this
10 picture in 2020.

11 So this is the building. And you
12 can see all of the parcel and all the area
13 around it. This is the small alley. There's a
14 little bit of a change in the topography as you
15 move in this direction. And then this is just
16 looking back up (indicating throughout.)

17 MR. GAETANO: You should have
18 took pictures after it was painted.

19 MR. RAYKES: That's right,
20 because he's worked on it.

21 So that's the parcel. I just took
22 some street views. These (indicating) are just
23 sort of screen graphs from what we just looked
24 at, just to give you an idea. I always worry
25 that if we don't have an Internet connection, I

1 want for you to still be able to see it. So
2 this is kind of a backup.

3 Zoning, so zoning for this parcel is
4 R2, which is our general residence district.
5 The closest commercial zoning is the C1, which
6 is in the bottom right-hand corner of the
7 screen here (indicating). And then this
8 (indicating) is zoned as industrial. It's the
9 M district. But we call that industrial.

10 So it's an R2 zoning designation.
11 Obviously it's these two parcels here. And
12 then this up here, I put this -- it's a
13 separate shot. And it's difficult to tell.
14 But it's a separate screen graph. It's also in
15 an overlay district. And it's in the
16 healthcare overlay district. And this is
17 important. It has some bearing in terms of
18 your decision here. So I just wanted to put
19 that in there.

20 So this is what's proposed, and
21 really is why we're here. So Tony is opening a
22 yoga and fitness studio. Again, he will give
23 you more detail on that.

24 It's called tonified?

25 MR. RANIERI: Yes.

1 MR. RAYKES: And obviously if
2 you have a business, you want people to know
3 you're there. He's been working on the
4 building. So this is going to be critical to
5 his success, is putting a sign there.

6 And the difficulty is -- and these
7 are just some review notes. If these are hard,
8 it's okay, I'm going to hit on them. R2 base
9 zoning healthcare overlay, business is an
10 allowable use in the healthcare district. This
11 is important because the overlay came later.
12 If you look at those pictures, you can tell
13 that that use doesn't match the rest of the
14 surrounding neighborhood. It really is in
15 residential use all around it, except on the
16 other side of the main highway. But in the
17 healthcare district, businesses are allowed.
18 So he is in the healthcare -- or not in
19 healthcare. It would be in the health field.
20 So a fitness center, within the healthcare
21 district, is an allowable use.

22 However, there is some difficulty in
23 terms of how the signage language, which is in
24 that third bullet -- it really is awkward.
25 It's an awkward application of the healthcare

1 signage provisions for this particular type of
2 use. Essentially, it's because Tony didn't
3 build a new building. It's an old existing
4 building, right, that he's reusing for the
5 fitness studio?

6 So the only thing that was possible
7 for me to do was apply the base zoning sign
8 regulations. So if you go to the base zoning
9 sign regulations in an R2 district, the largest
10 sign that you can have is four square feet.
11 Fairly small. But that's okay if you live in
12 the structure and you're doing consulting work,
13 or you're doing some kind of low impact home
14 occupation.

15 However, in this case it's a
16 business use. And that's really kind of why
17 we're here, because he wants to do a 24 square
18 foot. His first proposal was 32 square feet.
19 He's been absolutely great to work with in
20 terms to adjusting his application to fit our
21 requirements. The difficulty here is that
22 fitting within our requirements would leave him
23 with a very small sign. So this is really as
24 small as he feels like we can go. And, again,
25 I'll give Tony some time to talk about that.

1 This is just an interesting thing.
2 One of the things Tony and I talked about is
3 the continuance of a non-conforming sign. You
4 saw the old Ludwick Fish House. The difficulty
5 here is we have an explicit provision in our
6 ordinance. And I've referenced this before
7 that any sign can be continued, but not
8 enlarged, moved, or replaced. In this case it
9 falls right neatly within that. So that
10 wouldn't apply. So, again, giving you the
11 mechanics of why we're here.

12 Special condition, this is what I
13 was talking about. It's kind of a bad fit. So
14 really the variance request is for a sign area
15 variance for doing a 24 when 4 is required.
16 And essentially, the understanding is that
17 we're applying the base zoning requirements.

18 Any questions for me in terms of
19 technical stuff in terms of the review?

20 MR. GAETANO: No.

21 MR. RAYKES: Tony, I'll turn it
22 over to you.

23 MR. RANIERI: I have some
24 pictures I'd like to share tonight.

25 MR. RAYKES: Do you want them

1 to be exhibits, or do you want them back?

2 MR. RANIERI: Oh, I don't need
3 them back. But if you could give one of these
4 to each?

5 MR. RAYKES: Yes. Can I put
6 them in a pile and have them go through them?
7 Or are they five different sets?

8 MR. RANIERI: Well, they're
9 five different ones. Four piles.

10 MR. CHERELLIA: Well, are you
11 going to be discussing those?

12 MR. RANIERI: Not really.

13 MR. CHERELLIA: Because if you
14 were, we would mark them. But if he's going to
15 discuss them as a group --

16 MR. RANIERI: They're just kind
17 of a before and after pictures just to kind of
18 give you an idea. It will give you an idea of
19 what exactly --

20 MR. GAETANO: They're all
21 different, right?

22 MR. RANIERI: Yes. There's
23 four piles of five different photos.

24 MR. CHERELLIA: Mr. Ranieri,
25 after the Board has reviewed them, do you want

1 to mark them as exhibits?

2 Off the record.

3 (Brief discussion.)

4 MR. CHERELLIA: We would just
5 note that after the Board reviews the photos,
6 that they will be included as part of the
7 record.

8 (Exhibit No. 1 was marked for
9 identification.)

10 MR. GAETANO: Are they all
11 different pictures?

12 MR. RANIERI: There's five
13 different photos. There's four sets of five
14 photos.

15 MR. GAETANO: Well, I'm going
16 to take a set.

17 MR. RANIERI: I just wanted to
18 give you an idea of what I purchased, and what
19 it looks like now. It is quite a considerable
20 difference I think. So I think that it's
21 enhancing the neighborhood. You can see that
22 one side view of the building, and see all of
23 the weeds and all the windows missing, and
24 whatnot. And you see the black. That's kind
25 of a bad front photo. I did a bad job there.

1 But I hope it gives you an idea.

2 And as Jeff has said, if I can just
3 kind of rehash a little bit, that I purchased
4 the old Matteotti Club, which was an after
5 hours bar in the Ludwick section. And it was
6 pretty much a well known, kind of a rough, type
7 bar. People were there until -- obviously a
8 lot of them didn't get there until -- well,
9 it's an after hours club. It stays open pretty
10 much all night long. It needed a considerable
11 amount of work. If you look at those pictures,
12 you can tell by that.

13 As Jeff mentioned, it's in an R2
14 residential neighborhood. But it's a
15 commercial building. So I had to adhere to all
16 of the compliances of a commercial building,
17 which I have. But the sign only allows a 2 by
18 2. If you can imagine a 2 foot by 2 foot sign
19 on that 2,000 square foot building. I think it
20 would just look out of place. I don't think
21 that's anything that's going to be out of the
22 ordinary as far as look out of place or -- I
23 think it really may enhance the building
24 actually. To put a residential 2 by 2 sign up
25 on a commercial building, I just think, in this

1 situation, is a little unfair to me, because I
2 had to adhere to all of the commercial
3 requirements, but yet I'm only allowed to put a
4 residential sign. I just don't think that's
5 fair.

6 I think the reasonable thing to do
7 would be to allow me to put a 24 square foot
8 sign that meets the commercial compliance code.
9 And I think that would be, for the business
10 itself -- I would like to stay in business a
11 long time. Because you can tell from looking
12 at those pictures that that building was in
13 rough shape. And, you know, I'm going to be
14 there for a long time. And anything that I can
15 do to try to enhance the building and increase
16 my chances of success is what I would ask you
17 to allow me to do.

18 MR. GAETANO: The sign that was
19 on there, the fish sign, was that about a 4 by
20 6 sign? Do you have any idea?

21 MR. RANIERI: That is much
22 larger. I don't know if they got a variance
23 for that. But you can tell by looking at that,
24 that's probably -- that looks like about an
25 8 by 4 sign, I'd say. About 32 square feet. I

1 don't know. I could count the block.

2 MR. GAETANO: That's okay. I
3 was just curious.

4 MR. RANIERI: But it's bigger
5 than what my sign is going to be. And it's
6 paper.

7 MR. GAETANO: And you put a
8 window in there?

9 MR. RANIERI: I put a window.

10 MR. GAETANO: It looks nice.

11 MR. RANIERI: Thanks. It's a
12 bad picture. But there's also a glass store
13 front and door there now.

14 MR. GAETANO: And you've also,
15 if I remember correctly when I drove up there,
16 you sealed the parking lot?

17 MR. RANIERI: Yes.

18 MR. GAETANO: So you've
19 actually put some money into this to enhance
20 the neighborhood?

21 MR. RANIERI: I've put a
22 considerable amount of money into it, yes. Like I
23 said, if you look at that one side shot of that
24 building that shows the weeds, it's a rough looking
25 building. It's a blighted building.

1 MR. GAETANO: Yes.

2 MR. RANIERI: And then look at
3 the picture where it's painted black and
4 there's shrubbery planted in there. It's the
5 same building.

6 MR. GAETANO: Yes. I'm sure
7 your neighbors are happy.

8 MR. RANIERI: Well, the first
9 thing they were happy about is that I wasn't
10 going to put an after hours club in. And then
11 when they heard it was going to be a yoga
12 studio, they were even happier because, you
13 know, yoga people a little more calmer than an
14 after hours club.

15 But, yes, I've met most of the
16 neighbors. It's a very nice neighborhood. I
17 like it there.

18 MR. GAETANO: So what you're
19 asking us for is a variance for 24 square feet
20 signage?

21 A. Correct. As opposed to a 2 by 2
22 sign. I just don't think a 2 by 2, if you put
23 it above that door -- it just would look out of
24 place, I think.

25 MR. GAETANO: If we were to

1 grant a variance, we could grant a variance
2 specifically for this business. And we could
3 grant a variance for this signage. But if it
4 would need to be changed in any way down the
5 road to another business, we could require a
6 new variance to be requested.

7 Is that correct?

8 MR. CHERELLIA: That is
9 correct. That's a reasonable stipulation if
10 you would agree that if --

11 MR. RANIERI: Yes. I think
12 that Jeff mentioned that there is a sign there
13 now existing. I could leave that sign there.
14 But since I want to change it or move it, I
15 need a variance.

16 MR. CHERELLIA: I think what
17 Mr. Gaetano is saying is that the Board would
18 grant you a variance for your sign, but just
19 for your tonified Yoga & Fitness sign.

20 Okay?

21 MR. RANIERI: Okay.

22 MR. CHERELLIA: And then if the
23 business would change, or there would be a new
24 ownership of the business, they would have to
25 come in for another variance or whatever legal

1 process they would need at that time.

2 MR. RANIERI: Well, that's
3 totally understandable and acceptable to me.

4 MR. CHERELLIA: I suggest a
5 proposed motion.

6 MR. GAETANO: Okay.

7 MR. CHERELLIA: A motion would
8 be to approve a variance from Section 265-115
9 on the Greensburg Zoning Ordinance for the
10 Applicant to erect a 6 foot by 4 foot wall sign
11 on the building located at 116 Carpenter
12 Street, Greensburg on property designated as
13 Westmoreland County Tax Map #2-14-0-052. And
14 this variance is granted only for the purpose
15 of a wall identification sign for tonified Yoga
16 & Fitness, and not for any other purpose.

17 Will someone make that motion?

18 MS. BAUR: I make that motion.

19 MR. RANIERI: I'm sorry, can I
20 intervene?

21 MR. CHERELLIA: Yes.

22 MR. GAETANO: We have a motion.
23 We need a second.

24 MS. STONER: I'll second.

25 MR. GAETANO: Go ahead.

1 MR. RANIERI: Initially, it was
2 going to be a 6 by 4 sign. I've kind of
3 changed my mind to making an 8 by 3 sign. It's
4 the same square footage.

5 MR. CHERELLIA: Maybe we will
6 re-modify the motion to 24 square feet. He is
7 allowed to erect a 24 square foot sign.

8 MR. GAETANO: Are you open to
9 that?

10 MS. BAUR: Yes.

11 MS. STONER: Yes.

12 MR. GAETANO: Okay. So we have
13 an amended motion to 24 square feet instead of
14 6 by 4.

15 MR. RANIERI: Thank you.

16 MR. GAETANO: So we have a
17 motion and a second.

18 Any questions?

19 MS. STONER: I don't have any.

20 MR. GAETANO: Any questions?

21 MS. BAUR: No.

22 MR. GAETANO: Can we have a
23 roll call vote, please?

24 MS. MOSKO: Barry Gaetano?

25 MR. GAETANO: Aye.

1 MS. MOSKO: Kyli Stoner?

2 MS. STONER: Aye.

3 MS. MOSKO: Victoria Baur?

4 MS. STONER: Aye.

5 MR. GAETANO. Motion carries.

6 Now, one thing you have to keep in
7 mind is you can't do anything with signage for
8 30 days. If anybody wants to contest the
9 decision of the Zoning Board, they have 30 days
10 to do that. So it would be 30 days from today.
11 And at that point in time, once that 30 days
12 passes, then you would be able to erect the
13 sign and put it on the building.

14 MR. RAYKES: And Tony knows
15 this, but it's important that you pull your
16 zoning permit for a sign. And we would work
17 with you to do that. We already have you on
18 record. It's just going to require a permit.

19 MR. RANIERI: Okay. I've
20 applied for that?

21 MR. RAYKES: I don't know. We
22 will work with you.

23 MR. GAETANO: Just so you keep
24 in mind that 30 days must pass in case anybody
25 wants to contest our decision.

1 MR. RANIERI: I understand. I
2 appreciate it. I thank you all.

3 MR. GAETANO: Well, we
4 appreciate you making the neighborhood look
5 better, and bringing another business into our
6 community. We appreciate that.

7 Can we have a motion to adjourn?

8 MS. STONER: I motion to adjourn.

9 MS. BAUR: I second.

10 MR. GAETANO: We are adjourned.

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12 (Whereupon the hearing was
13 concluded at 4:25 p.m.)

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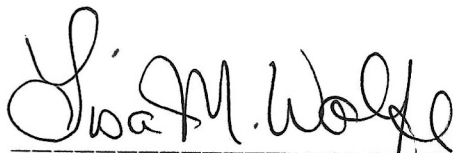
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REPORTER'S CERTIFICATE

I, Lisa M. Wolfe, certify that the foregoing pages are a true and correct transcript of my stenographic notes taken at the proceedings on October 19, 2022.



Lisa M. Wolfe, Reporter

Commonwealth of Pennsylvania - Notary Seal
Lisa M Wolfe, Notary Public
Westmoreland County
My commission expires April 28, 2024
Commission number 1201950