CITY OF GREENSBURG ZONING HEARING BOARD

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TRANSCRIPT OF PROCEEDINGS

City of Greensburg Zoning Hearing Board Meeting, held on October 19, 2022 before the Zoning Hearing 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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BEFORE:

CITY OF GREENSBURG ZONING HEARING BOARD

Peter P. Cherellia, Solicitor
Jeff Raykes, Planning Director
Jessica S. Mosko, Administrative Assistant
Barry Gaetano, Chairman
Victoria Baur, Vice Chairman
Kyli Stoner

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TONY RANIERI 11

EXHIBITS:

NO. 1 - PHOTOGRAPHS

(Exhibit marked but not received.)
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 --
MR. RANIERI: I'm fine.

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

MR. GAETANO: We have to swear him in.

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

MR. GAETANO: Oh, okay. Go ahead.

MR. RANIERI: My name is Anthony Ranieri.

MR. CHERELLIA: And your address Mr. Ranieri?

MR. RANIERI: 2016 Meadow Lane in Greensburg.

(The oath was administered.)

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

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

I think you were hired in September, right?

MR. STEELE: Yes.

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

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

MR. GAETANO: Well, welcome to the City.

MR. STEELE: Thank you.

MR. RAYKES: So my responsibility was to give you a rough outline of what we're looking at. So this is the property. This is 116 Carpenter Street in the City of Greensburg. You will immediately
recognize this. If you don't recognize it from, say, 1,500 feet, you will recognize it as soon as I go to street view, which I'll do that now.

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

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

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

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

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

MR. RAYKES: So this is the
parcel. And then if I go to street view -- we will just take a look at it.

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

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

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

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

So that's the parcel. I just took some street views. These (indicating) are just sort of screen graphs from what we just looked at, just to give you an idea. I always worry that if we don't have an Internet connection, I
want for you to still be able to see it. So this is kind of a backup.

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

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

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

It's called tonified?

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

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

However, there is some difficulty in terms of how the signage language, which is in that third bullet -- it really is awkward. It's an awkward application of the healthcare
signage provisions for this particular type of use. Essentially, it's because Tony didn't build a new building. It's an old existing building, right, that he's reusing for the fitness studio?

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

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

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

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

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

MR. GAETANO: No.

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

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

MR. RAYKES: Do you want them
to be exhibits, or do you want them back?

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

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

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

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

MR. RANIERI: Not really.

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

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

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

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

MR. CHERELLIA: Mr. Ranieri, after the Board has reviewed them, do you want
to mark them as exhibits?

   Off the record.

   (Brief discussion.)

   MR. CHERELLIA: We would just

note that after the Board reviews the photos,

that they will be included as part of the

record.

   (Exhibit No. 1 was marked for

identification.)

   MR. GAETANO: Are they all
different pictures?

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

photos.

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

   MR. RANIERI: I just wanted to
give you an idea of what I purchased, and what

it looks like now. It is quite a considerable
difference I think. So I think that it's

enhancing the neighborhood. You can see that

one side view of the building, and see all of

the weeds and all the windows missing, and

whatnot. And you see the black. That's kind

of a bad front photo. I did a bad job there.
But I hope it gives you an idea.

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

As Jeff mentioned, it's in an R2 residential neighborhood. But it's a commercial building. So I had to adhere to all of the compliances of a commercial building, which I have. But the sign only allows a 2 by 2. If you can imagine a 2 foot by 2 foot sign on that 2,000 square foot building. I think it would just look out of place. I don't think that's anything that's going to be out of the ordinary as far as look out of place or -- I think it really may enhance the building actually. To put a residential 2 by 2 sign up on a commercial building, I just think, in this
situation, is a little unfair to me, because I had to adhere to all of the commercial requirements, but yet I'm only allowed to put a residential sign. I just don't think that's fair.

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

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

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

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

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

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

MR. RANIERI: I put a window.

MR. GAETANO: It looks nice.

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

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

MR. RANIERI: Yes.

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

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

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

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

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

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

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

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

MR. GAETANO: If we were to
grant a variance, we could grant a variance specifically for this business. And we could grant a variance for this signage. But if it would need to be changed in any way down the road to another business, we could require a new variance to be requested.

Is that correct?

MR. CHERELLIA: That is correct. That’s a reasonable stipulation if you would agree that if --

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

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

Okay?

MR. RANIERI: Okay.

MR. CHERELLIA: And then if the business would change, or there would be a new ownership of the business, they would have to come in for another variance or whatever legal
process they would need at that time.

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

    MR. CHERELLIA: I suggest a
proposed motion.

    MR. GAETANO: Okay.

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

    Will someone make that motion?

    MS. BAUR: I make that motion.

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

    MR. CHERELLIA: Yes.

    MR. GAETANO: We have a motion.

We need a second.

    MS. STONER: I'll second.

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

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

MR. GAETANO: Are you open to that?

MS. BAUR: Yes.

MS. STONER: Yes.

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

MR. RANIERI: Thank you.

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

Any questions?

MS. STONER: I don't have any.

MR. GAETANO: Any questions?

MS. BAUR: No.

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

MS. MOSKO: Barry Gaetano?

MR. GAETANO: Aye.
MS. MOSKO: Kyli Stoner?
MS. STONER: Aye.
MS. MOSKO: Victoria Baur?
MS. STONER: Aye.

MR. GAETANO: Motion carries.

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

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

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

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

MR. GAETANO: Just so you keep in mind that 30 days must pass in case anybody wants to contest our decision.
MR. RANIERI: I understand. I appreciate it. I thank you all.

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

Can we have a motion to adjourn?

MS. STONER: I motion to adjourn.

MS. BAUR: I second.

MR. GAETANO: We are adjourned.

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

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