



P R O C E E D I N G S

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3 MS. JOCHIMS: We're going to call the  
4 September 15th, 2009, Zoning Hearing Board into session. We  
5 have to multitask. I'm going to ask for a motion to approve  
6 the minutes from the June 2009 meeting.

7 MR. GATES: So moved.

8 MS. KANE: I'll second.

9 MS. JOCHIMS: All in favor.

10 MR. GATES: Aye.

11 MS. KANE: Aye.

12 MS. JOCHIMS: Aye. The second order of  
13 tonight would be anybody who is here to offer testimony  
14 tonight, would you please stand and raise your right hand

15 ALL PROSPECTIVE WITNESSES,

16 were first duly sworn and testified as follows:

17 MS. JOCHIMS: Let me call the first hearing,  
18 the only hearing this evening, Hearing No. 4-09, Tractor  
19 Supply Company. I see somebody is here on behalf of Tractor  
20 Supply.

21 MR. YANKOVICH: Yes. Do you want me to state  
22 my name?

23 MS. JOCHIMS: Yes. For the record please  
24 state your name into the microphone. It will make it easier  
25 for our court reporter to take it down for the record.

1 MR. YANKOVICH: My name is Tom Yankovich with  
2 Ellis Sign Company. Do you need my address?

3 MS. JOCHIMS: Yes, please.

4 MR. YANKOVICH: 3041 East Waterloo Road,  
5 Akron, Ohio, 44312. We're here tonight representing Tractor  
6 Supply at 100 Tractor Lane. We're requesting one double  
7 face pole sign. It's an off-premise identification business  
8 sign. It will be situated on the southeast corner of the  
9 subdivision in the lot in the corner perpendicular to State  
10 Route 8.

11 In fact, it's 430 feet from the Tractor  
12 supply building or property line. We need this business  
13 identification for the safe ingress and regress in and out  
14 of Heckert Road into Tractor Lane from the major  
15 thoroughfare here of State Route 8.

16 There are several practical difficulties  
17 associated with our request tonight. First off, the parcel  
18 is located on a very busy four-lane highway. The parcel is  
19 located on a private lane, Tractor Lane. It has no frontage  
20 on any township highway.

21 I don't know if you have tried locating  
22 Tractor Supply with any of the technology today, but if you  
23 tried to use GPS or Google it sends you to another part of  
24 town. In fact, I'll show you for the record what I Googled  
25 today. Basically if you Google 100 Tractor Lane it sends

1 you about two miles down the road.

2 If you look on page two I marked them both.  
3 This is essential because with a sign out on the main area  
4 since the building has really no street presence you can  
5 kind of mark your directions per Route 8 north you see the  
6 sign in the corner of Heckert Road.

7 Again, because the road or the building has  
8 limited roadside presence and you have the topography of the  
9 land where it's actually back here on this parcel actually  
10 about eight to ten feet lower on the road, as you're driving  
11 southbound you're totally blocked by the building that's  
12 there.

13 And, in fact, the whole building is  
14 eliminated from view. And it's certainly visually  
15 obstructed as you go northbound with, of course, the lay of  
16 the land and also the building and such and trying to make  
17 the curve or the turn onto Heckert Road.

18 So you have a limited viewing angle and then  
19 the limited front parcel you have limited control of the  
20 surrounding parcels. If this front parcel was ever to be  
21 built per code and you had another building, it could be as  
22 high as 40 foot in the air. You couple that with the  
23 landscape buffers that the code requires, you'll still have  
24 Tractor Supply in this area that will be completely  
25 eliminated from street view.

1                   So basically this sign is essential to the  
2 success of the business. You really have no other, again,  
3 visual presence and potential total elimination of the  
4 visual presence of that building.

5                   Then you have the suppliers that come in that  
6 may be new to the area in their large trucks to deliver, you  
7 know, the products that the business needs to be able to  
8 safely identify that turn and turn into the building and  
9 regress safely.

10                   We believe it's a conservative design only  
11 supplying the logo type style and copy. It's the height and  
12 the square footage would be per code on our parcel. The  
13 only reason it's off premise is, again, because of the  
14 separation of the parcels.

15                   So if you have any questions I'd be happy to  
16 answer them and then, of course, if anybody else.

17                   MR. GATES: Is the sign going to be lit at  
18 night?

19                   MR. YANKOVICH: Yes, it will.

20                   MS. KANE: You were back also for relief of  
21 another ordinance where you requested an additional, a  
22 second sign?

23                   MR. YANKOVICH: Right. There's existing  
24 signs on the parcel itself identifying it's the same size as  
25 the sign that we are proposing.

1                   MR. GATES: It's already existing. So you're  
2 just here tonight looking for one sign to be put in the  
3 easement which is in the agreement between Tractor and  
4 Zottola?

5                   MR. YANKOVICH: That is correct.

6                   MR. WALZER: Just so the board understands,  
7 we discussed this on variance. Mr. Zottola also has the  
8 right to put signs on his property. So the additional  
9 signage would be if you had pole sign and Mr. Zottola's  
10 would be allowed 75 square feet. What they're asking for  
11 also would be an additional 75 square foot. That's the way  
12 the variance reads.

13                   MS. KANE: So it is within our ordinance.  
14 It's just that it's on a different piece of property that  
15 you have an agreement with, and should Mr. Zottola wish to  
16 put a sign for his property there would two signs on that  
17 particular property?

18                   MR. YANKOVICH: That is correct.

19                   MS. KANE: Well, I'd just like to go on the  
20 record as saying while I understand your problem I do feel  
21 that you selected where you were going to build your  
22 business, not you personally, but Tractor Supply.

23                   The topography did not change. You knew you  
24 were back off Route 8. You knew you were down a hill. You  
25 knew you were behind another building. You knew the

1 ordinances. I have a tough time saying that you really  
2 didn't create this problem yourself. That's kind of one of  
3 our questions that we have, is hardship being created by the  
4 appellant.

5 So I think kind of in a way you have created  
6 that hardship for yourself because you selected to build in  
7 a place that had all those negatives associated with it. So  
8 you should have known that it was going to be hard to locate  
9 your business.

10 There was a restaurant that came in recently  
11 and kind of had the same appeal, and I believe I voted no on  
12 that for that same reason. If you can't stand there and  
13 look at the piece of property with the help of surveyors and  
14 architects and so forth and so on, understand that it's not  
15 going to be very visible from Route 8, and you think you  
16 need that visibility to draw people in, then maybe you  
17 better look at a different piece of land.

18 That I think is a problem within our  
19 township. It probably wouldn't be a problem if we lived in  
20 a very flat area. But with the topography here it's nice to  
21 have the hills and the valleys, but it does create site  
22 distance problems that people need to keep in consideration.

23 It's all water under the bridge. I  
24 understand that. But that is my objection to granting a  
25 variance.

1 MR. GATES: I think your people were in  
2 before they built. I guess it was a use variance they were  
3 looking for. One of the neighbors came in wondering how it  
4 was going to affect her property. I think she lives up on  
5 Sandy Hill. Will this sign emanate light out onto the  
6 neighborhood?

7 MR. YANKOVICH: Well, again, where we're  
8 located it should not affect the residential area to the  
9 back of the sign. I mean, the sign would be illuminated,  
10 yes, but it would be illuminated north and south and not  
11 really northeast of that location in order to cause a  
12 problem.

13 MR. GATES: So you know where this home is,  
14 going north, as you go north, there is a home right there at  
15 the intersection?

16 MR. YANKOVICH: Yes.

17 MR. GATES: On the west side of the road,  
18 west side of Route 8.

19 MS. KANE: No, it's on the east.

20 MR. GATES: On the east side.

21 MS. KANE: Going north on Route 8.

22 MS. JOCHIMS: I think more importantly it's  
23 the other houses that would be most impacted by the other  
24 sign.

25 MR. YANKOVICH: Well, I would think, yes,

1 that there's such a distance here and there's also, I  
2 believe, some landscaping there and such to shed the light.

3 MS. JOCHIMS: I thought it was residential  
4 folks that came in as to whether or not they'd be impacted.

5 MR. GATES: I thought it was the lady up on  
6 Sandy Hill.

7 MS. JOCHIMS: I don't think so.

8 MR. WALZER: I remember there was people from  
9 Sandy Hill Road up on top. Off the property of Tractor  
10 Supply they did extensive landscaping -- trees, buffers.

11 MR. GATES: They did do that? Okay.

12 MR. WALZER: You may want to elaborate.

13 MS. JOCHIMS: Just as probably not directly  
14 impacting the decision is probably not something considered.  
15 But I see direction signs tacked to the telephone poles  
16 around here. In fact, there's one right outside.

17 MS. KANE: At the intersection of Dickey  
18 Road.

19 MS. JOCHIMS: On the telephone pole.

20 MR. WALZER: We asked them to put that up for  
21 that reason. The reason is when they had their grand  
22 opening, the GPS system that you talked about, it showed  
23 Tractor Supply at the end of a dead-end street there. So  
24 all the tractor-trailers and all the trucks, the one lady  
25 had 50 cars turn around in her driveway in two hours on a

1 dead-end street. That's why they put the signs out there  
2 until they get this GPS from going back her street.

3 MS. KANE: That's a good explanation because  
4 I've been wondering why it's still there.

5 MR. WALZER: To my knowledge, we asked them  
6 as soon as the GPS gets straightened out to get it out of  
7 there.

8 MR. YANKOVICH: I'm not sure how that works  
9 if it's not a public road, but they are working on that.

10 MR. WALZER: It's a dead-end street with no  
11 cul-de-sac.

12 MS. JOCHIMS: Have you contacted Google?

13 MR. HACK: Yes. I'm Jerry Hack. I'm the  
14 store manager for Tractor Supply. We have contacted Google.  
15 It will be a full year before Tractor Lane is recognized as  
16 a street address. But we have really until next January or  
17 February to be recognized so it gets into the system.

18 But on a daily basis we have, I can't even  
19 tell you how many, at least a half a dozen -- that's not an  
20 exaggeration -- asking where we are, including truck  
21 drivers, customers, you know.

22 But the lady up here was nice enough to come  
23 down, contact us, saying all these cars to be parking in her  
24 driveway, et cetera, et cetera. So Jeff had mentioned let's  
25 put a sign up there just so people don't go back and bother

1 her anymore, which we did. And we can take it down at any  
2 time. I don't know if people are bothered by that.

3 MS. KANE: I'd rather people get to where  
4 they're supposed to be and not bother this resident. I  
5 think we should leave it up at least until you realize that  
6 Google has incorporated your change.

7 MR. HACK: That's not an issue.

8 MS. JOCHIMS: Any questions, Don?

9 MR. GATES: I have no further questions, no.

10 MS. JOCHIMS: Anybody in the audience like  
11 to?

12 MR. KENDRICK: Ray Kendrick. I agree with  
13 Betsy in a way, but we are moving on. These people built  
14 the building there based on recommendations. They have  
15 signs. You go by. You can't see the building. You can't  
16 see the sign.

17 I question down the road -- it may not be  
18 that far down the road -- these people might be out of  
19 business. They have to have the sign. Somebody has to see  
20 the building in order to stay in business.

21 I know there's a few people here that  
22 probably are going to be objectionable to any sign. But how  
23 would they like it if a diesel engine business come in  
24 there, and they could. It could be something real nasty  
25 there. Real nice clean company operating there now. All

1 you need is a sign, a directional sign, so that they can  
2 stay in business.

3 The board recommended this be approved. I  
4 just wanted to throw that out. The recommendation is there  
5 that it should be approved. I really think that it's in the  
6 township's best interest that this sign be approved and this  
7 business have a chance to survive in our community.

8 Other businesses are going to look at that  
9 and say, hey, we don't even want to be in Richland and  
10 especially if we wouldn't grant the sign that would save a  
11 business.

12 Somebody made a mistake. They approved this  
13 building in a hole. There's the sign in a hole. You can't  
14 see it. Somebody goofed up here. I think the only way to  
15 rectify that is to give them the opportunity to continue on  
16 with their business. Thank you.

17 MR. WALZER: The board of supervisors  
18 authorized me to testify for them. Jeff Walzer, Richland  
19 Township. At the last meeting the Richland Board of  
20 Supervisors; basically the township has no opposition to the  
21 variance, and the board of supervisors authorized me to read  
22 the following language supporting the requested variance but  
23 not setting a broad precedent into the record.

24 So a variance is appropriate due to factors  
25 unique to this property which include, (a), the business is

1 located in a lot behind a lot in a CC district and does not  
2 have frontage on an arterial or collector street; (b), the  
3 on-premises sign is not adequately visible to traffic from  
4 William Flynn Highway; (c), the lot upon which the sign will  
5 be located is in the same plan of lots as the TSC lots and  
6 is adjacent to the property where TSC is located; and (d),  
7 the sign is within 450 feet of the TSC property and is  
8 located directly between the front of the TSC property and  
9 the highway.

10 This also is one of the things that this is a  
11 business identification sign also, so that we don't get that  
12 confused with any other kind of sign.

13 MS. KANE: Jeff, while you're still  
14 testifying I have a question for you. You say you don't  
15 want to set a precedent. But we are by each ruling, by each  
16 time that we allow a sign to go where initially there was.

17 It was hunky dory to build in this lot.  
18 Everybody approved it. Then within a year you come back and  
19 have them change it because they don't have a sign because  
20 they chose this lot and there's all kinds of implications.

21 To me you are setting a precedent and,  
22 really, everybody along Route 8 could come in and say, well,  
23 you can't see my building, the hill dips here, the site  
24 distance is bad, et cetera.

25 I mean, I kind of feel like are we ever going

1 to get to the point where we say no, you cannot build there  
2 because it will be a poor decision down the road. You will  
3 not be visible from the road. You will come back and ask us  
4 to change our ordinances and we don't want to do that, so  
5 we're not going to let you build there.

6 Is somebody going to back us up and not let  
7 this end here but take care of it in the planning  
8 commission? That's probably a rhetorical question.

9 MR. WALZER: They basically just thought it  
10 would work if they put their sign up. They put the sign  
11 there. They did have an easement agreement to put one  
12 there. Rather than do that, they tried to make it work as  
13 it said.

14 MR. GATES: How is the property zoned?

15 MR. WALZER: It's zoned CC.

16 MR. GATES: This was not a permitted use.  
17 What did they come here?

18 MR. WALZER: It was a special exception use.

19 MR. GATES: Okay.

20 MR. WALZER: Actually the only thing it was  
21 the special exception use was the building of the outside  
22 sales vehicles, which is their little tractors.

23 MR. GATES: They have the right to build  
24 there. I don't know that the township has the right to tell  
25 them you cannot build there.

1 MS. JOCHIMS: Because you may not succeed.

2 MR. WALZER: That's correct. They have the  
3 right to build there. They thought it would be a good  
4 location.

5 MR. GATES: Then the legal question is  
6 whether or not they created the unique condition which was  
7 borne to granting of the variance or did they just happen to  
8 build there knowing or unknowing did they accept that. I  
9 don't think they created it. I don't think they created the  
10 unique condition.

11 Then the question is if you build then there  
12 is a unique condition, does that preclude you from getting  
13 the variance? That's the legal issue. I don't believe it  
14 does.

15 MR. WALZER: No, I think it was by grading  
16 it.

17 MS. JOCHIMS: Let me ask this. You obviously  
18 are asking for the maximum allowed sign on that property?

19 MR. YANKOVICH: Correct.

20 MS. JOCHIMS: You intimated that you think  
21 that anybody who lives in Parkview Estates is going to not  
22 want any sign there, which I don't know if it's true or not  
23 true. Is there anything about, is there any compromise you  
24 would make for either-- Your operating hours are supposedly  
25 daylight hours anyway; correct? You're not open in the

1 evenings.

2 MR. HACK: 8:00 to 8:00 Monday through  
3 Saturday and 9:00 To 6:00 on Sunday.

4 MS. JOCHIMS: You do not get deliveries in  
5 the evening?

6 MR. HACK: No. Deliveries are usually cut  
7 off at 5:00 p.m.

8 MS. JOCHIMS: The reason for the sign would  
9 be?

10 MR. YANKOVICH: Just nighttime visibility  
11 during store hours. We can have it lit just during the  
12 store hours.

13 MS. JOCHIMS: How about the pole mounted sign  
14 as opposed to-- I have no idea if a pole mounted sign as  
15 opposed to a ground sign is materially different as far as  
16 visibly or not.

17 MR. YANKOVICH: well, you're decreasing the  
18 visibility in what we're trying to achieve, but increased  
19 visibility as safe as possible without going overboard.

20 MR. WALZER: That's one thing about our old  
21 ordinance. The new ordinance is 25 feet. So that's what  
22 they're showing. Going in here you go back, I would say  
23 that Tractor Supply is probably 25 feet on this end down,  
24 you come down the first units are another, they're way  
25 downhill down here. Then behind Tractor Supply this was

1 left in the--

2 (Multiple voices, inaudible.)

3 MR. WALZER: Up on Sandy Hill Road when we  
4 built this store they put an extensive row of pine trees.

5 MR. OPALINSKI: Jeff, did you say there's an  
6 existing pole sign on the property so this will make the  
7 second?

8 MR. WALZER: Yeah, they put a pole sign up on  
9 their property.

10 MR. OPALINSKI: Was that a lit pole sign?

11 MR. WALZER: It's the same size sign showing  
12 right here.

13 MR. OPALINSKI: Is there also signage on the  
14 building? Do you need the existing if this new sign is on  
15 Route 8 for improved visibility?

16 MR. WALZER: You have a hard time seeing the  
17 building at all from Route 8. It really sits down in a  
18 hole. The sign they have here you can't see it.

19 MR. OPALINSKI: I guess what I'm saying is if  
20 they're requesting signage on Route 8 do you need the other  
21 signs? In other words, do you need a belt and suspenders?

22 MR. WALZER: Well, I think what happens is if  
23 they don't have another sign over there you have the same  
24 problem. They're going to go down Heckert Road and pass it  
25 up again without seeing the sign on the property. That's my

1 opinion on it, because this is actually residential down  
2 here. If they don't see it they're going to keep going down  
3 right into a residential district.

4 MR. GATES: Another issue is traffic safety.  
5 People follow that there and then they're going to stop and  
6 make a left turn to go down to Harvest, you know, the new.  
7 They're flying up there for that. Without the sign, if they  
8 want to get into this place, they're slamming on their  
9 brakes.

10 So you got people in both northbound lanes  
11 slamming on brakes and turning quickly. So there is an  
12 issue of traffic safety, I believe, that the requested sign  
13 would leave you with.

14 MR. WALZER: If we take the existing sign out  
15 of there, I think it would be a mistake. They can't put any  
16 directional signs out here. We don't allow directional  
17 signs. They took that out of the ordinance. This is  
18 residential down here. You couldn't go on there anyways to  
19 go in there. So if you don't have it you're bypassing the  
20 place again.

21 MR. YANKOVICH: The building is set back  
22 away from the property line there because you have the  
23 actual building and then before that you have the area where  
24 a lot of the product is displayed.

25 when you're coming up, especially if you're

1 coming this way, if you have no idea this building is here  
2 at all going southbound, you see the sign, you pull in, the  
3 first thing you're going to see to give you any indication  
4 of where that business is is that existing pole sign that's  
5 here. So you would make that turn safely onto Tractor Lane  
6 and, again, as Jeff was saying, without going down into the  
7 residential area.

8 MR. GATES: I don't see how you can miss the  
9 building, I really don't.

10 MR. YANKOVICH: I think you can. I mean, my  
11 first impression tonight when I got there was when I turned  
12 in the first thing I saw was that existing sign that was on  
13 the corner because the building is back here. You have the  
14 building here and then you have the product area here. If I  
15 was going northbound I wouldn't have caught it. I caught a  
16 glimpse, and I was looking for it.

17 MR. GATES: With your sign.

18 MR. YANKOVICH: Well, with the new sign,  
19 sure. But I'm talking about the existing sign on the corner  
20 and why you need the two.

21 MR. GATES: And when Chris was asking if you  
22 were granted this would you eliminate the existing sign.

23 MR. YANKOVICH: I don't think you can. I  
24 think that directly affects the flow of traffic into the  
25 business.

1 MS. JOCHIMS: How about the size of the sign?  
2 I appreciate your geographical problem. My concern is that  
3 Zottola ends up having a business on there and now you've  
4 got two pole signs on that property or two lit pole signs on  
5 that property, one of which is permitted, the other is  
6 allowed through use of a variance.

7 Your easement agreement obviously doesn't  
8 address this. This is the maximum allowed signage at all on  
9 that property as long as one puts both signs on that  
10 property. Is there any reduction in the size of the sign  
11 that you'd be willing to look at?

12 I'm not sure that size sign is needed  
13 traveling northbound on Route 8. I mean, I drive to Ice  
14 Connections four times a week, and there really is nothing  
15 else obstructing your view. Your building is in full view,  
16 but there's no landscaping, there's nothing. It's just a  
17 big open area that used to be the nursery there.

18 So there's really nothing that if you have  
19 such a large sign that really sticks out. Is there any way  
20 that you could talk about a reduction in the size of the  
21 sign?

22 MR. YANKOVICH: Well, I think the size of the  
23 sign, since it is allowed per code for any parcel, we would  
24 want the sign out by the road as large as you could per  
25 code.

1 MS. JOCHIMS: So the answer is no. You're  
2 saying that your point is that, yes, that is the allowed  
3 signage for that particular sign on that property. But now  
4 we're allowing you two signs of that size and you want to do  
5 it.

6 MS. KANE: Even in the municipal building  
7 conundrum because the sign out of the entrance to here was  
8 the sign for the library before this building was built. If  
9 you'll notice they actually had to come and get a variance  
10 to put the municipal sign on the same base. They had the  
11 same problem. But they piggybacked the original township  
12 sign and the library sign on the same base.

13 Now, if I could know that when Zottola's  
14 property wants to put a sign up that half of that would say  
15 Tractor Supply and other half would be advertised Zottola's  
16 property, now, that would at least eliminate in my mind  
17 where you have two signs on the same piece of property.

18 MS. JOCHIMS: What you're going to run into,  
19 and correct me if I'm wrong, doesn't Zottola's go in a  
20 separate entrance where you're pulling into Zottola's?

21 MR. ZOTTOLA: No, we have the same entrance.

22 MS. JOCHIMS: Your name, sir?

23 MR. ZOTTOLA: Frank Zottola.

24 MS. JOCHIMS: Just for the court reporter.

25 Your drive doesn't go all the way back into Tractor Supply,

1        though?

2                       MR. YANKOVICH: I believe this is your mutual  
3       lane to go to both properties.

4                       MS. JOCHIMS: But you can ingress and regress  
5       directly off of Route 8.

6                       MR. YANKOVICH: Right.

7                       MS. JOCHIMS: My point being that you are  
8       going to have two signs on this property and I think you'll  
9       ultimately end up with confused tractors anyway. You end up  
10      having the business in there. I'm not sure-- Are you  
11      understanding what I'm saying?

12                      MR. YANKOVICH: Yes.

13                      MS. JOCHIMS: I'm not sure they're going to  
14      know to turn into Heckert anyway with your sign.

15                      MR. YANKOVICH: I mean, I guess the thing I  
16      could emphasize would be that, again, you have a property  
17      that will have no street presence. If that gets developed  
18      they will have street presence, but, you know, they would  
19      probably need identification on the same spot as opposed to  
20      having two or three separate signs out there or two in one  
21      place.

22                      I think if we were to cut that square footage  
23      in half with the national recognized logo, I think that  
24      would really put Tractor Supply in a very difficult area of  
25      visibility even more, I think even cutting that in half.

1           If you look at the existing sign that's on  
2 the parcel, it can be seen, it doesn't look, you know  
3 enormous. But I think that's the size sign for the safety  
4 factor that we're looking at getting in and out that you  
5 need for that corner.

6           I think if you reduce that sign at that  
7 corner you're really going to affect those businesses  
8 because on that highway you'll certainly need ample time to  
9 locate, recognize, figure out how you're going to enter and  
10 exit.

11           MR. GATES: If we were to grant your request  
12 for that sign, very simply, would you eliminate the other  
13 sign?

14           MR. YANKOVICH: I don't know. I think it  
15 would be difficult to do.

16           MS. JOCHIMS: Can I open up to anybody else  
17 that wants to comment. Is anybody else present who would  
18 like to make a statement?

19           MS. MARTINEZ: I'm Susan Martinez. I live at  
20 Parkview Estates. I'd like to know where the sign is going.  
21 I'd like to take a look at the map. Is it going in the  
22 center of the property or more towards the street?

23           MR. YANKOVICH: Here is Heckert. Here's the  
24 proposed location.

25           MS. MARTINEZ: This is the Heckert Road. Is

1 this where the tractor was when they first opened?

2 MR. HACK: Yes.

3 MS. MARTINEZ: My issue with the sign being  
4 lighted, with a lighted sign, is that when I moved into the  
5 plan about two years ago our house, the back of our house,  
6 our deck is actually facing where Tractor Supply now sits.  
7 It's very illuminated in the evening. I noticed the lights  
8 do turn off. I'm not sure what time they do turn off.

9 MR. HACK: 9:00.

10 MS. MARTINEZ: 9:00 they're off? which is  
11 fine. Sometimes in the summer we can see it. It looks like  
12 a UFO landing out by the road. So now my concern is the  
13 sign is actually moving more in a direct view of my house.

14 I don't live up on the hill. Where I am I  
15 can see the top of Heckert very, very clearly. I think that  
16 will be another-- I'm not opposed to a sign. I'm opposed  
17 to a bright lighted sign that doesn't turn off.

18 I think that living where we live, I came out  
19 to this area for the open spaces and the peace and quiet and  
20 the being able to see the stars at night.

21 MR. OPALINSKI: So if there was a limitation  
22 on the hours at which the sign could remain lit that would  
23 address your concern?

24 MS. MARTINEZ: That would. I'm not real  
25 happy with the fact that the store stays lit until 8:00/9:00

1 because in the fall and the spring it gets darker earlier.  
2 So you still have that if you're sitting on your deck. I'm  
3 not sure about the sign in the entrance. I know the store  
4 closes at 8:00. Is there a reason for the lights not coming  
5 down at 8:00 because of safety reasons for the employees?

6 MR. HACK: Employees and customers, sure.

7 MS. MARTINEZ: So if it turned off at 8:00  
8 would that be a safety issue for anybody at that point?

9 MR. HACK: No.

10 MS. MARTINEZ: I think that's everything that  
11 I had to say. I think that's it. Thank you.

12 MR. WILKINSON: My name is Jay Wilkinson.  
13 I'm in the plan as well. I think that Ms. Kane has some  
14 reasonable points in terms of the topography hasn't changed.  
15 I mean, you built where you built. It is what it is, I  
16 guess.

17 I'm not clear if probably Mr. Zottola will  
18 develop that land. There will be another sign there. What  
19 you're doing is compounding, if you will, multiple signs in  
20 a very small space that the main entranceway to our  
21 community where there is a building community, there's more  
22 houses going to be built back there, and it will be damaging  
23 people's lines of sight.

24 There's two duplexes that run parallel to  
25 Route 8. If you start putting 75 square foot signs on poles

1 you're going to be shining in people's living rooms. I'll  
2 ask you to hold that into consideration not just for folks  
3 up on the hill -- and that's where more of the construction  
4 is going -- as well as the people who own the duplexes that  
5 are both parallel and perpendicular to Route 8.

6 I do understand the need to learn a living.  
7 But, I mean, the topography has not changed. I mean, there  
8 could be some more creative solutions for a ground sign as  
9 well conforming with the Parkview Estates code and using a  
10 brick sign and pointing your way into the store.

11 So it just seems don't just put a big lighted  
12 sign. I think there's other solutions here that can work.

13 MS. KANE: Do you have a monument sign on  
14 your properties or for your properties?

15 MR. HACK: Monument sign coming out of the  
16 ground?

17 MS. KANE: Right.

18 MR. HACK: Cranberry has one. If you're  
19 familiar with Route 19, it's the Tractor Supply in Cranberry  
20 Township.

21 MS. KANE: North of Cranberry?

22 MR. HACK: North of Cranberry right up near  
23 North Park Lounge. They have a monument sign.

24 MS. KANE: Is that something you would  
25 consider? Nevermind.

1                   MR. KENDRICK: Ray Kendrick. I have a  
2 question for Jeff. I understand that this sign is going to  
3 be a north/south illuminated sign with no side illumination.  
4 Is that correct?

5                   MR. WALZER: That's correct.

6                   MR. KENDRICK: You're going to be north and  
7 you'll see the sign. You're going to be going south and  
8 you'll see the face of the sign. Is that correct?

9                   MR. WALZER: I don't think the other way  
10 you'll see that sign if you're out on the street. I don't  
11 think you'll see it.

12                   MR. KENDRICK: You can't see the sign from  
13 the sideview or the back area of Tractor Supply?

14                   MR. WALZER: If you were standing on Tractor  
15 Supply's property in the back you wouldn't see the sign.

16                   MR. KENDRICK: So there's no illumination  
17 going towards the homes north/south on Route 8?

18                   MR. WALZER: Not on 8, no.

19                   MS. MARTINEZ: I'm sorry. I have to make a  
20 statement on that. Our houses actually sit south of this  
21 Tractor Supply building. So if a sign is over here  
22 illuminating this way, it's not going to shine on windows.  
23 It may on someone's windows that are in the carriage houses  
24 below me. But we will be able to see that, not that it  
25 would be shining in my eyes. But it's going to be another

1 illuminated object, you know, that I'm seeing on my deck  
2 looking out.

3 MR. WILKINSON: One other point affecting the  
4 adjacent property before this Tractor Supply was built in  
5 Richland Park. So one of the factors that differentiates  
6 Parkview Estates is it's farmland built adjacent to the  
7 park, so lots of kids, families with kids like to build  
8 there and then have access to the park where all the soccer  
9 games and things like that. When you start more and more  
10 commercial builds in the area it can degrade the value of  
11 our property.

12 So her point, the carriage homes, some of  
13 them are built on a perpendicular line from Route 8. So if  
14 you have a north/south facing sign and it's on a pole which  
15 I'm assuming would be elevated, the homes that are below the  
16 pole that are looking directly north are going to have the  
17 logo, you know, right smack in their front windows.

18 MS. JOCHIMS: In your opinion, will a  
19 monument sign get you the visibility that you need?

20 MR. YANKOVICH: I think, you know, taken into  
21 view the illumination portion is, you know, we would like to  
22 turn the sign off after the store closes, 8:00,  
23 automatically on a timer.

24 I think the spillover effect of the sign you  
25 may be able to see the sign, but I don't think it's going to

1 be-- It's going to be illuminated so people can see it.  
2 It's not there to land planes basically. It's not going to  
3 be a beam of light coming out. I think the further away you  
4 get the less spillover effect you're going to have. It  
5 should not be an issue.

6 In terms of the size out on Route 8, I think  
7 it needs to be large enough, again, for the safe ingress and  
8 regress. I think you need that sign allowed per code. If  
9 we could decrease the size of the existing sign to make it  
10 less obtrusive for all parties, less sighting coming in,  
11 we'll certainly agree to reducing that square footage to  
12 accommodate any additional light but still serve the  
13 purpose. Because I still think that you need the main sign  
14 because of all the issues that were presented tonight on  
15 Route 8, your major thoroughfare.

16 That secondary sign per code, you know, we  
17 can reduce the square footage of that, but I still think  
18 it's needed. We don't want to eliminate it because I think  
19 the flow of traffic coming in there is going to be of far  
20 more benefit to you folks in that residential area than not  
21 having a sign there at all.

22 So if we could have, you know, a monument or  
23 smaller square footage sign maybe since the pole is there if  
24 we can use the pole and downsize with that square footage  
25 still keeping the logo so it would be visible because you do

1 slow down when you're coming into Heckert Road, you know,  
2 we'd agree to something like that.

3 MS. KANE: So are you saying that you would  
4 be willing to put a monument sign at Heckert Road and  
5 Tractor Lane?

6 MR. YANKOVICH: Downsize. Only because the  
7 monument sign with the existing pole that's there, I don't  
8 want to remove the pole if I can lower it slightly or, you  
9 know--

10 MS. KANE: You can't reuse it at the Route 8  
11 location?

12 MR. YANKOVICH: I don't think so. I think  
13 it's going to be a different type of design. I don't think  
14 so, but, you know, the existing pole that's there, like I  
15 said, if we would lower it slightly, okay. If we reduce  
16 proportionally the size of it, you know, okay. But we want  
17 to work with everyone. We just want to definitely serve the  
18 purpose that we're here to try to--

19 MR. WALZER: You have the ordinance, too.  
20 They can't be any lower than 15 feet so people can see  
21 underneath it. So he's kind of like in a 25 to 15 foot  
22 space there.

23 MR. YANKOVICH: It actually is a 15-foot  
24 clearance right now, which is well below the sign. I can  
25 still reduce the size of that sign.

1 MR. GATES: Doesn't a monument sign there  
2 serve the entire purpose you're intending?

3 MR. YANKOVICH: Yes. But, you know, here  
4 again, if we could save the existing structural portion of  
5 it I would like to utilize that; if not, you know--

6 MR. WALZER: Are you talking about the old  
7 sign or the new sign?

8 MR. YANKOVICH: The existing sign.

9 MR. GATES: No.

10 MR. YANKOVICH: He was talking about the  
11 existing sign.

12 MR. GATES: Like Betsy said, but replace the  
13 existing sign with the monument sign like you have out in  
14 Cranberry. Well, it is directional at that point.

15 MS. KANE: That would be my preference. I do  
16 understand that all of this is an expense that you're  
17 bearing.

18 MR. YANKOVICH: I mean, you literally have to  
19 abandon that sign structure and then go, you know, move it  
20 over, you know, do another. If we can keep that pole,  
21 great; if not--

22 MS. KANE: How often do you replace a pole  
23 sign? I mean, does the pole deteriorate and you replace it?

24 MR. YANKOVICH: Well, it's many, many years.

25 MS. KANE: I'll still be here, though.

1 MR. YANKOVICH: I think I probably will be,  
2 too.

3 MS. KANE: Well, that would be my preference.  
4 But at the same time I don't want to, you know, burden you  
5 with an extra expense on something that's really just a year  
6 old. It's very wasteful to do that.

7 MR. YANKOVICH: I think with the electric in  
8 place and everything, like I said, we'd be happy to change  
9 off cabinets and retrofit the existing pole. It's just, you  
10 know--

11 MR. GATES: What would that cost to do that,  
12 Betsy?

13 MS. KANE: I don't know.

14 MR. GATES: What would it cost to take that  
15 pole design down and put up a monument sign?

16 MR. ZOTTOLA: Fifteen or 20,000 I would say.

17 MR. YANKOVICH: For a monument sign here,  
18 removing the existing sign, I would definitely put it in the  
19 \$10 to \$15,000 range.

20 MS. KANE: I'm not asking for that kind of--  
21 I mean, you have a sign. You'd be wasting, you'd be  
22 throwing it away, unless you could use it at another store.

23 MR. YANKOVICH: They probably would use that  
24 at another store. I'm strictly focusing on the structural  
25 portion of it.

1                   MR. WALZER: I don't know if you've ever been  
2 to the store, but they put those kinds of signs up as you go  
3 in the front. If you read our ordinance they all have to  
4 have extensive landscaping underneath of it, which they did  
5 also. So if they brought the monument sign down at that  
6 point they'd be able to leave the landscaping around it. So  
7 you get one thing and lose something else.

8                   MS. JOCHIMS: Yes, sir?

9                   MR. HACK: Is there any point in time that  
10 the Commonwealth will recognize Tractor Lane and put up a  
11 green and white sign on Route 8 as it has for Heckert Road?

12                   MR. WALZER: Well, that is Heckert Road now.

13                   MR. HACK: But Heckert does come off of it.  
14 So wouldn't it be identified also, could it be?

15                   MR. WALZER: That would have to be a PennDOT  
16 question.

17                   MR. HACK: That's not a--

18                   MS. JOCHIMS: Richland Township? No. Now,  
19 I'm sort of curious why is the highway spelled differently  
20 as you travel down William Flynn.

21                   MR. HACK: I often thought of that.

22                   MS. JOCHIMS: I assume it wasn't a Richland  
23 Township person that did that.

24                   MR. GATES: Hampton spells it wrong, and we  
25 spell it right.

1 MR. WALZER: PennDOT did have a program for  
2 businesses, like, Wal-Mart two miles and that kind of stuff.  
3 They eliminated that program.

4 MR. HACK: Just to identify the street  
5 address.

6 MS. KANE: It should be a township thing,  
7 though, to identify Tractor Lane.

8 MR. WALZER: But that's Heckert Road.  
9 Traffic Lane doesn't come in until the beginning of Heckert.

10 MS. KANE: Is it a project lane?

11 MR. WALZER: Yeah. Coming in Tractor Lane  
12 doesn't come down here. This is a private road.

13 MS. KANE: Couldn't they erect a street sign  
14 to match our street signs in Richland Township?

15 MR. WALZER: We can't do that. That's  
16 PennDOT.

17 MS. KANE: No, no, just put it right on  
18 Tractor Lane, right at the intersection of Tractor Lane and  
19 Heckert?

20 MR. WALZER: Well, that would be a township  
21 sign.

22 MS. KANE: Isn't that what I'm asking?

23 MR. HACK: No. To put a Tractor Lane sign  
24 out on Route 8 as Heckert Road is identified right now. You  
25 can see that going north and south.

1                   MR. WALZER: Traffic light right here is what  
2 you're talking about and underneath of that big sign that  
3 says Heckert Road. That's what he's talking about.

4                   MR. KENDRICK: One thing. Are you saying  
5 that if the zoning hearing board grants your request for a  
6 sign along Route 8 that you'd be willing to reduce the  
7 illuminated sign you have now on your property by one  
8 percentage?

9                   Now, this is the one that's the closest to  
10 the homes now that's going to reduce light and be a benefit  
11 to the homeowners that are behind you. If you reduce that  
12 light by 50 percent or 40 percent, that's got to be--

13                  MR. YANKOVICH: I would guess the next size  
14 down, you know, you'd be 30 to 50 percent roughly.

15                  MR. GATES: Do you have to have lights on  
16 that sign at all?

17                  MR. YANKOVICH: I think it's necessary, but  
18 it could go off at 8:00 with the other sign.

19                  MS. KANE: So it would be maybe, like, 4 by  
20 12?

21                  MR. YANKOVICH: Yeah, roughly, you know. I  
22 can bring it in. It could be subject to the zoning review.

23                  MR. WALZER: I have an idea for that, too.  
24 This could help the residents. When they built Tractor  
25 supply, because they put their sign there because they

1       couldn't do it out on Route 8, their sign is currently  
2       situated around here.  What they did instead of having is,  
3       like, go like they turned it so you could see Route 8.  
4       Maybe they could take and turn that sign back around the  
5       other way.

6                       MR. KENDRICK:  Black out the back driveway.  
7                       (Multiple voices, inaudible.)

8                       MR. GATES:  You take the face off the back of  
9       it and just have your face coming up.  You don't need those  
10      back lights.

11                      (Multiple voices, inaudible.)

12                      COURT REPORTER:  One at a time.

13                      MR. KENDRICK:  That would eliminate all glare  
14      on the backside and still have the directional sign in your  
15      property--

16                      MR. WALZER:  That would help the neighbors to  
17      be blacked out with the back of that sign.

18                      MR. HACK:  Once you are in Tractor Supply you  
19      don't need to see it anyway.

20                      MS. JOCHIMS:  Would that help your property,  
21      sir, from where you sit?

22                      MS. MARTINEZ:  Actually that probably  
23      wouldn't have any effect on my property just because back  
24      where the other sign is it is behind some foliage and some  
25      houses I suppose.  I see mostly the parking lights that are

1 illuminated. I don't even see that particular sign. It  
2 would be the one that they want to put up now at the  
3 driveway at Heckert Road coming into the plan.

4 MS. KANE: Do you think anybody sees the back  
5 of the sign, you do?

6 MR. WILKINSON: I do. Well, as it's  
7 illuminated today.

8 MR. ROBINSON: I'm Jerry Robinson. I'm the  
9 district manager, Perryopolis, Pennsylvania. Really, this  
10 store is one of the new store opening is one of our lowest  
11 performing new stores. That's one of the reasons we're here  
12 today.

13 In addition, Jerry's very good at helping us  
14 trying to kind of work with the residents. I'm working up  
15 here. They can turn around in their driveway. Certainly  
16 tractor-trailers have gone up that direction and this  
17 direction and turn around in the businesses's property,  
18 which is great.

19 One of the mission values of our company is  
20 do the right and ethical things. It's posted on our web  
21 site and handed out on our applications and everything else.  
22 Certainly that's what we're trying to do here. We just want  
23 to get a fighting chance to really give this store a running  
24 shot.

25 MS. KANE: I sympathize very much with you.

1 I just come back to the point that unfortunately we can't  
2 tell people, look, we think a better place for you to put it  
3 is on an outparcel down in this mall that is dying to have  
4 another store in it.

5 You pick a place based on your financial  
6 circumstances and the deal you got on the thing. Even if  
7 your building were three stories tall with a sign on it, if  
8 it would just be a lot more visible, if you were a different  
9 type of company that your store looked like the L.L. Bean  
10 store that's three stories tall because it has a second  
11 floor, you'd be more visible.

12 So a lot of these things come into play. I  
13 know that you're trying to work with everybody. I  
14 appreciate that. That's probably going to sway our vote.  
15 At the same time, I do want to say to Mr. Kendrick that this  
16 can't continue. I don't think it should always be coming to  
17 the zoning hearing board.

18 If we have ordinances that we want to  
19 enforce, then we should tell people ahead of time if you  
20 want to build this fine, but don't come back. Think about  
21 it before you build. The planning commission should think  
22 about it before they grant these permits and so forth.

23 MR. KENDRICK: I agree with you. There was  
24 an error made here somewhere when they built this building  
25 and didn't realize you could not see the building. But

1 things change, as you well know. If they put up a  
2 five-story in front of these people things change. They  
3 could have built it there thinking, boy, if they could see  
4 it, even if they could see it before.

5 Now comes a new building right smack in front  
6 of them. The first thing that they'd say is it could be  
7 somebody else. You're going to see this all around. Well,  
8 we didn't plan on this. We need some relief.

9 MR. WALZER: One thing I'd say about Tractor  
10 Supply is at least they close at 9:00. They could have  
11 somebody else there, a grocery store that's open 24 hours  
12 around with lights shining 24 hours.

13 MR. KENDRICK: That's what worries me. You  
14 got a company that's quiet. Who knows what could have moved  
15 into that building. It's a different issue. Who could end  
16 up in there.

17 MR. WALZER: It could be anybody by our  
18 ordinance.

19 MR. KENDRICK: You only have so much control  
20 over it.

21 MS. JOCHIMS: Let me ask you this. If we  
22 grant the sign for Tractor Supply -- and I'm hoping you  
23 don't -- but saying it's not successful anyway, and we end  
24 up with a new business there, does the variance travel with  
25 the use of the land?

1                   MR. GATES: I was going to suggest that we do  
2 it just for this business.

3                   MS. JOCHIMS: Can we not have that because I  
4 don't want that to happen is that if you are not successful  
5 there ends up being this diesel company or whatever that  
6 ends up having--

7                   MS. KANE: So we want the sign to only exist  
8 as long as Tractor Supply exists.

9                   MR. GATES: Correct, put that in the variance  
10 for them and them only.

11                   MS. KANE: It would have been a nicer  
12 business to go in where GetGo is.

13                   MR. WILKINSON: So if Mr. Zottola sells his  
14 property or there's another building or another property put  
15 on his property and they still want to put a sign there or  
16 that tenant wants to put a sign on there does that mean  
17 there's going to be two 75-foot signs up greeting the new  
18 residents of Parkview Estates where there's going to be 30  
19 to 50 new homes?

20                   MS. KANE: I would hope that if that happens  
21 we could maybe convince the people that are building there  
22 to do a monument sign because they have the front, they have  
23 the access, and they have a greater frontage on Route 8 and  
24 they have the ability to put a sign on their building so  
25 that--

1                   MR. GATES: Theoretically the answer could be  
2 yes. Theoretically the answer could be yes.

3                   MR. WALZER: That or the other thing you  
4 could do is we could ask them to put it on the public pole  
5 and Zottola put under theirs all in the same solution.

6                   MS. JOCHIMS: That's so confusing to me. I  
7 think you're advertising two businesses on separate parcels  
8 of property.

9                   MS. KANE: That have separate accesses. It's  
10 not like doing two businesses on an entry sign like the one  
11 up at Atria's, you're coming down the same road to come in.  
12 Here you're having two signs, but one person has to go here  
13 and one person has to go there to gain access to the  
14 property. But, at any rate, that's a question for the  
15 future.

16                   MS. MARTINEZ: I'm sorry. Just to go back to  
17 that. The road that takes you to-- Tractor Lane is to the  
18 right to go to Tractor Supply. Then the other road that  
19 comes off of Tractor Lane goes into Zottola's, if I'm not  
20 mistaken. Is there another road?

21                   MR. ZOTTOLA: Just the exit to Route 8 only  
22 to go north. You can't make a left turn there.

23                   MS. MARTINEZ: You would have to turn down  
24 Heckert. Whatever went there, you'd have to come down  
25 Heckert Road anyway and then it branches off like this.

1 MS. KANE: So you could make Zottola's  
2 probably the main entrance, in other words, in people's  
3 minds so that they would come in that way, but they would  
4 also leave via Heckert to come out.

5 MR. ZOTTOLA: Yes. It would have to be the  
6 same exit because you can't go south on our driveway right  
7 now, you can only go north. So the main entrance would have  
8 to be off Heckert Road.

9 MS. JOCHIMS: So you could shut off your  
10 access that you currently have at the light?

11 MR. ZOTTOLA: No, no, we're not going to shut  
12 that off, no.

13 MS. MARTINEZ: I want to make one more. This  
14 might not even be worthwhile. But everyone keeps saying  
15 about how tractor-trailers or trucks are coming down, I  
16 guess, Dickey Road and turning around. How will that sign  
17 prevent someone who is looking for Tractor Supply on GPS or  
18 on Google make them find it any easier? I mean, that's  
19 going to eliminate that problem.

20 MS. JOCHIMS: I don't think that's what he's  
21 saying. He's just saying by Google, the location is  
22 physically compounded by Google not having it up to date. I  
23 don't think that this sign is going to fix that. Google  
24 needs to remedy their own situation.

25 MS. MARTINEZ: If a tractor-trailer is unable

1 to find the store on their GPS, which my house is you can't  
2 find it on Google either because it's a new plan. But I'm  
3 not sure if they can't-- This is what I'm--

4 MS. JOCHIMS: If they turn at the light, if  
5 they see the sign they'll know to turn at the light and  
6 then--

7 MS. MARTINEZ: But Dickey Road is so far down  
8 they're not going to see Tractor Supply's sign from Dickey  
9 Road. They're still going to go on Dickey Road if they're  
10 lost.

11 MS. JOCHIMS: This is going to--

12 MS. KANE: They're moving down Route 8 and  
13 then turning onto Dickey Road.

14 MR. WALZER: We're just talking about right  
15 now traffic is passing that up.

16 MS. MARTINEZ: well, I know coming south it  
17 is very difficult, you cannot see it. Coming north I don't  
18 think there's a problem, to tell you the truth honestly.  
19 But coming south there's definitely a problem. Thank you.

20 MS. JOCHIMS: Any questions?

21 MR. GATES: I have none.

22 MS. KANE: No, I'm done.

23 MR. GATES: I'm prepared.

24 MS. JOCHIMS: Nothing else from the crowd?

25 MS. JOCHIMS: Do I have a motion?

1                   MR. WILKINSON: I'm sorry. So is there a way  
2 to kind of distill this into some options so option one is  
3 the request as stated? Is that the only option that you're  
4 going to vote on or was there a formal, if you will,  
5 submission of alternative options to consider like, I guess,  
6 the term was pedestal sign on Route 8, I guess, that changed  
7 to signify after you turned on Heckert where Tractor Lane  
8 is? Are there any other options or are you just voting on  
9 what they're asking for, the big 75 foot on the pole?

10                   MR. GATES: I'm making a motion that we grant  
11 the 75-foot pole conditioned upon them reducing the present  
12 sign that they have to the numbers that Mr. Ellis (sic) gave  
13 us.

14                   MS. JOCHIMS: Hold on.

15                   MR. GATES: And that the variance only run to  
16 Tractor Supply, that it not run to the land.

17                   MS. JOCHIMS: How about the back lighting of  
18 the sign?

19                   MR. OPALINSKI: Yes. Wouldn't we also  
20 suggest that they black out the back of the existing sign  
21 and limit the hours of operation to the close of business  
22 and that would be for consideration whether or not if we  
23 don't require the monument sign we propose to reducing the  
24 signage of the proposed additional sign on the street to  
25 something in the four to twelve range?

1 MS. KANE: We did get that in there.

2 MS. JOCHIMS: So are we confused?

3 MR. GATES: I'm willing to accept all those.

4 MS. KANE: Try to read it.

5 MS. JOCHIMS: I think that, correct me if I'm  
6 wrong, but the motion was to approve the sign on the Zottola  
7 property as proposed.

8 MR. GATES: Correct.

9 MS. JOCHIMS: Conditioned upon the variance  
10 only run with Tractor Supply.

11 MS. KANE: Correct.

12 MS. JOCHIMS: That the existing sign on  
13 Tractor Supply's current property be reduced in size to, I  
14 believe, you said approximately--

15 MR. YANKOVICH: Four foot high by whatever  
16 the width is, four by twelve.

17 MS. JOCHIMS: Okay. That we remove the back  
18 lit portion of that sign and reorient it so that it can only  
19 be seen coming off of Heckert.

20 MR. YANKOVICH: One face.

21 MS. JOCHIMS: Right. And that we limit the  
22 hours of both signs to the close of business. Is that  
23 right?

24 MR. GATES: Yes.

25 MS. KANE: I second that motion.

1 MS. JOCHIMS: All in favor.

2 MR. GATES: Aye.

3 MS. KANE: Aye.

4 MS. JOCHIMS: I wish you well. I hope you  
5 make it.

6 MS. JOCHIMS: Do I have a motion to adjourn?

7 MR. GATES: So moved.

8 MS. KANE: Second.

9 MS. JOCHIMS: All in favor.

10 (All said aye.)

11 (Whereupon, at 8:10 p.m., the proceedings  
12 adjourned.)

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C E R T I F I C A T E

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the written proceedings and that this copy is a correct transcript of the same.

Dated at Penn Hills Township, Pennsylvania, this 30th day of October 2009.

\_\_\_\_\_  
Karen L. Cross  
Reporter - Notary Public

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