

The Zoning Hearing Board of the Borough of Columbia met on Wednesday, July 27, 2011, in the Paul W. Myers Council Chambers. Chairman Beverly Shank called this meeting to order at 7:00 p.m.

Roll call was taken with the following members being present: Beverly Shank, Cle Berntheizel and Joe Nikolaus. Jamie Hess and Bill Melbert were absent from this meeting. Also present were Josele Cleary, Solicitor; Jeff Helm, Zoning Officer; George Weis, Code Enforcement Officer; Ray Danyo, Court Stenographer; and Deb LaClair, Clerk.

There was the pledge to the flag.

Joe Nikolaus motioned to retain the current officers – Beverly Shank as Chairman and Cle Berntheizel as Vice-Chairman for 2011 and Cle Berntheizel seconded. There was a roll call vote with the following members voting yes: Shank, Berntheizel and Nikolaus. All favored this motion.

Cle Berntheizel motioned to approve the minutes from the February meeting and Joe Nikolaus seconded. All favored this motion.

Jeff Helm, Zoning Officer, stated the property for tonight's hearing was posted and the hearing was duly advertised.

Josele Cleary, Solicitor, explained the procedure for tonight's hearing. Josele stated, for the record, there were no questions on the procedures or persons who sought to be recognized as a party to the hearing.

Beverly Shank stated the hearing for tonight was for the property located at 40 North Third Street owned by Suzanne Doolittle in the Downtown Commercial zoned district.

Josele Cleary stated a zoning application was originally submitted in April with the applicant requesting a continuance numerous times. Dave Mountz, Attorney, confirmed the extensions and waived any objections to the time restrictions and stated his client would remit all advertising fees incurred by the Borough.

Dave Mountz stated the original application would be modified to remove the exterior renovation request. He explained the new request would be for retail sales of "stink bug traps" and storage of materials. The business is owned by Andy Strube and called "Strube's Stink Bug Traps". The modified zoning application would be for the first floor. He explained the Doolittles' owned the property for 3 years and presented a brief history of the building. Dave described the proposed use as assembly of the traps along with a sales and office area.

David Doolittle was sworn in and testified there were some issues with the original zoning request submitted and in the mean time was introduced to Andy Strube. He described the new plan submitted to the Board showing the proposed area of the building to be used. Josele Cleary asked about public access to the building. David pointed out the existing steps and a proposed handicap ramp at the center of the door. Cle Berntheizel asked about the handicap ramp. David further explained the ramp would be entirely interior and not affect the pedestrian sidewalk. Joe Nikolaus asked if the building was ready for occupancy. David stated the building was ready for occupancy. Cle asked if assembly was taking place in the building at this time. David stated no, only storage of some items.

Andy Strube was sworn in and testified about the research of the stink bug problem and development of the traps. He described the use of the building which included the light assembly of the traps. He talked about the materials, use of the proposed office space, the residential and commercial aspect of the business, and the storage of materials. He testified there would be approximately 6 part-time employees and no office staff, no dust or dirt, and the fact the cutting of the pvc pipe was outsourced. He concluded by stating, if approved, he would start immediately.

Cle Berntheizel asked Mr. Strube to explain the commercial aspect of the business. Andy explained how they service commercial farms, which was from the farm site. Cle expressed his concerns about the workers bringing stink bugs back to the business for disposal. Andy explained some would be kept but a large number would be taken directly to the incinerator. Josele Cleary asked if the applicant would agree to a condition that the bugs would not be brought back to the property for disposal. Andy stated yes.



Cle asked Andy how long he thought the business would be at this location. Andy stated they would continue to use the building for office space but would eventually need a larger space elsewhere to assemble traps. Cle asked about the hours of operation. Andy stated there would be a third shift. Josele informed Andy he would have to testify to the specific hours of operation. Andy stated then it would be all three shifts. Cle asked about the hours of retail sales. Andy stated 9:00 a.m. until 5:00 p.m., Monday through Saturday. Dave suggested the retail hours be 9:00 a.m. until 9:00 p.m., Monday through Saturday. Andy agreed to that suggestion.

Josele Cleary asked about advertising signs for the business. Andy stated they have a few in place. Josele asked if permits were obtained. Andy stated no. Dave Mountz added signage would comply with the Zoning Ordinance and all permits would be obtained.

Josele asked about the parking and clarified that according to the plan there were no off street parking spaces. Dave Mountz stated that was correct. Josele asked about the number of employees at the business at any single time. Andy stated 10 to 20 employees. Josele asked if the applicant would agree to the condition not to exceed a 47 people occupant load including customers. Andy stated yes.

Josele asked if the applicant would agree to a condition there would be no noise from the assembly of the "sting bug traps". Andy stated yes.

Mayor Lutz stated he was excited about the business but had concerns about parking for employees and the size of trucks that would be coming to the business for shipping. Andy stated the UPS truck was a standard size truck. Cle also expressed concerns about future increases in shipping. Andy stated they have not had any parking issues so far. Mayor Lutz asked that if the business would grow to the extent there would be parking issues could the applicant be conditioned to discuss these issues with the appropriate Borough officials. Josele explained on-street parking concerns would be the Borough's issue and any parking variances would go to the Board. There was discussion on parking.

Elaine Beckley expressed her concerns about the light industrial use proposed for the building and asked Andy to clarify what part of the manufacturing was out-sourced. Andy explained he was currently assembling the traps at his house and the drilling of the pvc part of the trap was out-sourced. Elaine asked for clarification on the statements made about the business not having an issue with parking if the business was not operating. Andy stated the business was not in operation at that location but when there were times he was at the building there was not a problem with parking. Elaine asked about storm water entering the building. Andy stated that was not happening.

Frank Doutrich suggested the employees for this proposed business use available parking at David Doolittle's property on Bridge Street. Andy stated he was not familiar with that property. Frank asked if the lot to the rear of the Third Street property could be used for parking. David stated no, he did not own that property. Frank asked if a patent was obtained for the traps. Andy stated not yet but his was the only company with a commercial trap that worked. Frank asked about bugs being transported to the property. Andy explained they were dead bugs used for counting and research.

David Doolittle stated this current modified use request had a much lower impact on parking than what was on the original application submitted in April. David suggested a condition on the hours trucks could park to pick up items to be shipped.

Josele Cleary asked for statements from citizens present.

Elaine Beckley, Mayor Lutz, and Frank Doutrich were sworn in and offered statements. Elaine expressed her concerns about the light industrial use and about trucks parking for pick-ups. Mayor Lutz also expressed concerns about parking. Frank Doutrich suggested the Zoning Hearing Board work with the applicant but also monitor what goes into the building.

Dave Mountz offered closing remarks.

Cle Berntheizel motioned to adjourn to an executive session at 8:30 p.m. with the meeting to reconvene and Joe Nikolaus seconded. All favored this motion.

Chairman Beverly Shank reconvened the meeting at 8:55 p.m.

Joe Nikolaus motioned to approve the variance request from Suzanne Doolittle for the property located at 40 North Third Street for "Strube's Stink Bug Traps", owned by Andy Strube, for a light assembly business located in the Downtown Commercial zoned district with the conditions read into the record by Josele Cleary and Cle Berntheizel seconded. A roll call vote was taken with the following members voting yes: Shank, Berntheizel and Nikolaus. Motion carried.

Cle Berntheizel motioned to adjourn and Joe Nikolaus seconded. All favored this motion.

There being no other business, this meeting of the Columbia Borough Zoning Hearing Board was adjourned at 9:00 p.m.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'J. Helm', with a long horizontal flourish extending to the right.

Jeffrey M. Helm  
Zoning Officer