

**Amity Township Board of Supervisors**  
**Conditional Use Hearing**

November 17, 2021

**Call to Order**

The November 17, 2021, Conditional Use Hearing for Christine Hall, 1091 W. Ben Franklin Highway, held at the Township Municipal Building, 2004 Weavertown Road, Douglassville, Berks County, Pennsylvania, was called to order at 6:30PM, by Chairperson Kim McGrath. The following were in attendance:

**SUPERVISORS**

Kim McGrath, Chairperson  
Dave Hackett, Vice Chair  
Paul Weller  
Terry Jones  
Kevin Keifrider

**STAFF**

Troy Bingaman, Manager  
Brian F. Boland, Kozloff/Stoudt Attorneys  
John Weber, LTL Consultants  
Steve Loomis, Director of Codes and Life Safety  
Pamela Kisch, Township Secretary

A stenographer was present for the Conditional Use Hearing. The stenographer's transcript shall be the official record of this hearing.

Mrs. McGrath turned the hearing over to Mr. Boland at 6:31PM.

Mr. Boland stated the Conditional Use Hearing was properly advertised and being held to consider approval of a landscape contractor establishment at 1091 Ben Franklin Highway West, in the Highway Commercial (HC) Zoning District.

Mr. Boland introduced Exhibits 1 through 8 for Amity Township into the record.

Mr. Boland turned the hearing over to Ms. Hall. Ms. Hall was sworn in by the stenographer. Ms. Hall testified the property has a small cape code residential dwelling that she leases to Mr. Cruz. Ms. Hall stated the adjacent vacant lot is only accessible by using Mr. Cruz's driveway. Ms. Hall stated the vacant lot is sloped, which also limits the use. Mr. Cruz uses the vacant lot for storage of landscaping vehicles and equipment. Ms. Hall testified there is no retail use of the vacant lot. Clients do not enter the property and materials are not sold on-site. Mr. Boland asked what hours the business operates. Ms. Hall stated they begin working at 8:00AM and work until dark. Employees park their personal vehicles on the vacant lot and leave the property in Mr. Cruz's landscaping vehicles for the day.

Mr. Boland asked Ms. Hall what relief was granted by the Zoning Hearing Board. Ms. Hall entered a drawing of the property into the record, as the Applicant's Exhibit 1 showing the area where the ZHB granted relief to install a six-foot fence in lieu of a high-intensity buffer screen. Mr. Weller asked if the property had one or two deeds. Ms. Hall stated there were two separate deeds. Mrs. McGrath

asked if relief was being requested for the vacant lot. Ms. Hall affirmed. Mr. Loomis stated the ZHB granted relief for the fence on the vacant lot on August 31, 2021.

Mr. Boland asked for parties of interest to step forward. Hearing none, Mr. Boland asked the Board if they desired to take action. Mr. Keifrider moved, seconded by Mr. Hackett to approve the Conditional Use as requested. Mr. Boland asked for the those in favor to say Aye:

Mrs. McGrath – Aye  
Mr. Hackett - Aye  
Mr. Weller – Aye  
Mr. Jones – Aye  
Mr. Keifrider – Aye

Motion passed unanimously. Mr. Boland stated he will prepare the written Decision and Order to be presented for adoption at the December meeting of the Board of Supervisors.

Ms. Hall asked for a timeframe when the work needs to be completed. Mr. Loomis stated the improvements need to be completed and in place, per the Zoning Hearing Board decision.

Mr. Boland closed the Conditional Use Hearing at 6:48PM.

Respectfully submitted,

  
Pamela L. Kisch  
Township Secretary