

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

January 18, 2023

**Call to Order**

The January 18, 2023, Conditional Use Hearing for M.B. Investments (Santora's Repair), 63 E. Ben Franklin Highway, held at the Township Municipal Building, 2004 Weavertown Road, Douglassville, Berks County, Pennsylvania, was called to order at 6:00PM, 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  
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 6:00PM.

Mr. Boland stated the Conditional Use Hearing was properly advertised and being held to consider an additional auto repair garage for the property known as 63 East Ben Franklin Highway, Birdsboro. The application was submitted by M.B. Investments, owner, and Santora's Repair, lessee.

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

Mr. Boland stated Al DeGennaro was in attendance, and would be counsel representing M.B. Investments. Mr. Boland noted there were no members of the public present. George Santora and Robert Scott "Burt" Dotterer were in attendance. Mr. Boland asked if Mr. Dotterer would be testifying. Mr. Dotterer responded he didn't think he would. Mr. Santora was sworn in. Mr. DeGennaro stated the 3200 square foot building is owned by M.B. Investments, with half the building being leased to Mr. Dotterer and half the building leased to Mr. Santora. Mr. DeGennaro introduced the Santora lease into the record as Applicant's Exhibit 1. Mr. Santora was sworn in and testified he leases a garage from M.B. Investments and performs minor repair on cars and trucks, such as oil changes, brakes, and water pumps. Mr. Santora stated he was in business for over 30 years. Mr. Santora stated his hours are from 8:00AM until 5:00PM, but he usually leaves at 1:00PM. Mr. DeGennaro introduced pictures of vehicles, the building, accessory buildings and a boat into the record as Applicant's Exhibit 2A, 2B, 2C, 2D and 2E, 2F and 2G. Mr. Santora answered questions about the various doors and vehicles. Vehicles out front were those that could be worked on more quickly. Vehicles in the back are ones that are waiting for parts or are waiting for major repair by

Mr. Dotterer. Mr. Santora stated he currently has 9 vehicles on the property, waiting for repairs or waiting on parts delivery. Mr. Santora stated he no longer holds a PA Inspection License and has been renting 2 bays to perform the small repairs for a little more than a year. He does the small work and Mr. Dotterer does the larger jobs and inspections. Mr. Santora stated he doesn't have any evening hours, doesn't burn on the property and doesn't sell merchandise. Mr. Santora stated all vehicles on-site are titled. Mr. Boland asked why vehicles waiting on parts are kept on site, instead of the customer's location. Mr. Santora stated some were towed there and won't start. Mr. Dotterer stated he uses the small trailer behind the building for storage and the larger trailer to change tires. Mr. Boland asked why he changes tires in the trailer. Mr. Santora answered he changes them in the trailer because it's too small inside to do that work. Mr. Boland asked if the Board had any questions for

Mr. Santora. Mr. Keifrider stated questions could be asked collectively at the end of the hearing.

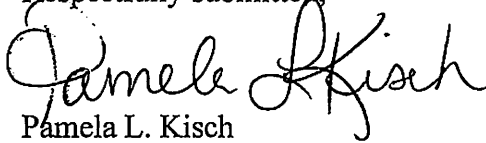
Mr. Dotterer was sworn in and testified that he has been in business at this address for 9 years. Mr. DeGennaro entered Applicant's Exhibit 3 into the record. Mr. DeGennaro questioned Mr. Dotterer about Exhibits 1 through 3. Mr. Dotterer testified most cars parked along the front are there for a day or two, for quick repairs. Some cars there for extended periods of time have been disassembled and are waiting on parts. Several of the vehicles are waiting for the wrecker to be taken to the scrap yard. Mr. Dotterer stated he gets a lot of dealer work. If vehicles are diagnosed and found to need repairs that the dealer doesn't want to have completed, the cars are taken for scrap. One vehicle was waiting on a transmission and two vehicles were waiting for an engine. Mr. Dotterer testified he had been waiting for a part for the boat on the property for about 2 years. Once repaired, the boat would be removed. Mr. Dotterer stated vehicles towed there will no longer be put out front. In the future, vehicles towed would be taken to the back or would be moved inside the shop. Mr. Dotterer stated vehicles would no longer be put in the mud pit. Mr. Dotterer stated none of the vehicles are there for storage. Mr. Dotterer stated he and his son, who is part owner, work there. He does not have any employees. Mr. Boland asked Mr. Dotterer how many vehicles he'd like to have at this location at any one time. Mr. Dotterer answered he'd like to have 16 vehicles. Mr. Boland stated when testimony was given at the 2014 Conditional Use Hearing, Mr. Dotterer testified there would be no storage and no more than 8 vehicles on-site, with all work being done inside the building. Mr. Dotterer stated he didn't remember. Mr. Boland stated vehicles not being actively worked on were not to be stored on-site. Mr. Dotterer explained that the trailer company that made the leaf springs for the boat went out of business, making it difficult to find the part. Mr. Weller stated the Board understands the issue caused by waiting for parts but wants the property to look good. Mr. Keifrider stated he didn't have an issue with the use, but rather the way the property looked. Mr. Weller stated when the Township tried to resolve the issue, M.B. Investments told the Township to address the issues with the tenant, Mr. Dotterer. Mr. Boland asked Mr. Dotterer if he recalled how many vehicles were permitted by the Conditional Use granted by the Board of Supervisors in 2014. Mr. Dotterer responded he did not. Mr. Boland stated the way the property is being used and looks does not match the conditions set by the Board in 2014. Mr. Bingaman projected a picture onto the TV, showing the property taken in spring 2022, showing high weeds, various vehicles and accessory structures as well as the boat, trailers and drums. Mr. DeGennaro stated the employee at Mascaro was not doing his job and was addressed. Mr. DeGennaro stated that concluded their testimony.

Mr. Boland stated Township's Exhibits 1-8, Applicant's Exhibits 1 to 3 and Township's Exhibit 9 (picture of the property in spring 2022) were entered into the record and that concluded the hearing.

The Board did not vote on approval at the hearing.

Mr. Boland stated the Board would take the testimony under advisement and closed the hearing at 6:49PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Pamela L. Kisch". The signature is written in a cursive style with a large initial "P" and "K".

Pamela L. Kisch  
Township Secretary