

**MINUTES OF THE REGULAR MEETING
OF THE UPPER PROVIDENCE TOWNSHIP ZONING HEARING BOARD HELD ON
May 11, 2021**

A special meeting of the Upper Providence Township Zoning Hearing Board was held on May 11, 2021 in the Rose Tree Fire Company, 1274 North Providence Road, Media, Pennsylvania. The meeting commenced at approximately 7:11 P.M. Present were Chairman Matthew Ryan, Vice-Chairman Mark Vakil, Edward Bierling, and Matthew Lake. Also present and participating were Greg Lebold, Township Manager, Code Enforcement Officer and Zoning Officer and Ernest S. Angelos, Esquire, Board solicitor, Carl Ewald, Esquire, Solicitor for Upper Providence Township and Edmund C. Campbell, Jr, Esquire, Counsel for Applicants. Additionally, the following Party Protestants were present: June Morris, 47 Shady Hill Road; Juliette Rossi, 30 Shady Hill Road; David Hatton, 34 Shady Hill Road; and Mitch Harmon, 23 Shady Hill Road. The hearing was record by court stenographer, Lori Defabio.

Chairman Ryan called the meeting to order and Vice-Chairman Vakil lead in the Pledge of Allegiance.

Next the Chairman proceeded with old business, that being Case No. 2021-02-03.

Case No. 21-02-03 is the application of J. Brian O’Niell, Jr., and Jennifer Gentilini, owners of 44 Shady Hill Road, located in the Township’s R-3 Residential Zoning District. Applicant requests a special exception and/or variance from the Township Code, Chapter 1256, Sections 1256.02, 1256.04, I3 and I5. Applicant is appealing the decision by the Township Zoning Officer that the accessory structure placed on his property is an accessory swelling unit, which is prohibited in the R-3 Zoning District.

The matter commenced and testimony and evidence were then presented and admitted on behalf of the Applicant, including testimony from the Applicant J. Brian O’Niell and its expert land planner, Daniel Mallach. All parties had an opportunity to cross examine the witnesses presented

by the Applicant. Additionally, the Party Protestants had an opportunity to present testimony and evidence in connection with their respective cases in chief. Following no further testimony or evidence presented by the Township, the Applicant or the Party Protestants and after general public comment, the matter concluded and record was held open to allow the parties to confirm the submission of exhibits admitted into evidence. The parties were informed that a decision would be rendered at the Board's regular meeting on May 26, 2021.

With no further old or new business to come before the Board, a motion was duly made and seconded and the meeting was adjourned.

**UPPER PROVIDENCE
TOWNSHIP ZONING HEARING
BOARD**

BY: 
Ernest Spiros Angelos, Esq.
Recording Secretary