

TOWNSHIP OF SHALER ZONING HEARING BOARD  
300 Wetzel Road  
Glenshaw, PA 15116

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July 18, 2018

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MEMBERS PRESENT:

James W. Young, Jr., Esq., Chairman  
William C. Woods, Secretary  
Charles J. Porter, Jr., Esq., Member

BUILDING CODE OFFICIAL/ZONING OFFICER:

Robert Vita

ZONING HEARING BOARD COUNSEL:

Timothy J. Bish, Esq.

TRANSCRIBED BY:

Noreen A. Re  
Registered Professional Reporter

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EXCERPT OF PROCEEDINGS  
SCIOTO PROPERTIES

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P R O C E E D I N G

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3 MR. YOUNG: All right. We're going to  
4 call to order the special hearing of the  
5 Zoning Hearing Board for tonight, July 18,  
6 2018, which has been listed to hear the final  
7 closing arguments and to receive some  
8 exhibits in regard to the Scioto Properties  
9 case.

10 Before we do, though, I want to  
11 announce that we had an executive session  
12 before the meeting. And I'm advised by my  
13 solicitor that was in compliance with the  
14 law.

15 MR. BISH: Correct.

16 MR. YOUNG: Before we hear closing  
17 arguments, we do have some exhibits to be  
18 introduced into the record as a matter of  
19 housekeeping. With that, I will give the  
20 floor over to Mr. Bish.

21 MR. BISH: Yes. We will enter into the  
22 record Exhibits 27 through 31 on the exhibit  
23 list that has been prepared by the Board  
24 solicitor. Those would be the two hearing  
25 transcripts from the two previous hearings as

1 well as the public notice and proof of  
2 publication -- well, I'll just go through  
3 these quickly.

4 Exhibit 27 is the transcript from the  
5 hearing on May 10th. No. 28 is a transcript  
6 from the continued hearing on June 14th.  
7 No. 29 is the public notice and proof of  
8 publication for the special meeting notice  
9 for tonight.

10 No. 30 is the proposed findings and  
11 conclusions that were submitted on behalf of  
12 the applicant. No. 31 is the proposed  
13 findings and conclusions submitted on behalf  
14 of the party protestants.

15 MR. YOUNG: Thank you, Mr. Bish.

16 MR. BISH: You're welcome.

17 MR. YOUNG: At this point I believe we  
18 are at the point where we'll receive closing  
19 arguments from the parties.

20 Is there any particular order that we  
21 should adhere to in that regard?

22 MR. BISH: We indicated at the last  
23 meeting that each party would have up to  
24 15 minutes to provide closing arguments. I  
25 would imagine we would go in the same order

1 as the case; the applicant, then the  
2 township, then the opposing parties,  
3 protesting members.

4 MR. VENTURA: Mr. Bish, if you wouldn't  
5 mind, I'll let the residents go before me, if  
6 that's all right with the Board.

7 MR. BISH: Okay. That's fine. We can  
8 let Mr. Ventura handle clean-up, then. I'm  
9 sure it will be a scintillating --

10 MR. YOUNG: He wants to go last.

11 MR. VENTURA: Thank you, Mr. Bish. Or  
12 at least after Mr. Murray.

13 MR. BISH: Yes.

14 MR. YOUNG: Sounds good. Okay.  
15 Mr. Wratsher, it's your floor.

16 MR. WRATCHER: Thank you, Mr. Chairman.  
17 I have much less than 15 minutes. I'll just  
18 go through what I do have. I want to rely  
19 primarily on what I've given to you in  
20 written form. Certainly your solicitor will  
21 consult with you on that.

22 I want to just talk a minute, though,  
23 about how we got here. And specifically what  
24 happened is that I, on behalf of Scioto, made  
25 an inquiry to the township administration as

1 to how they wanted us to proceed, based on  
2 what I had read in your Zoning Ordinance.  
3 And I thought I read some things in there  
4 that were a bit conflicting.

5 So I thought that the best thing to do  
6 was to find out how they wanted us to  
7 proceed. After some back-and-forth  
8 discussion, they decided to give this to you  
9 all to make a determination. So that's how  
10 we got here.

11 The thing that I want to say, in  
12 general, I think, about disabilities laws and  
13 the Fair Housing Act and how they apply to  
14 zoning ordinances and municipalities, I sit  
15 on the other side of this in my practice a  
16 lot. So I have reasoned people call me, code  
17 enforcement officers call me, people like  
18 that. And they say, "Hey, we have this  
19 situation. We have these people. They want  
20 to move in. They're disabled. Our ordinance  
21 says this. What can we do? What can't we  
22 do?"

23 And the simple thing I always try to  
24 say to them is think about if the family of,  
25 whatever it is, people wanted to move in

1 similar to -- let's just pick a number, six.  
2 Do you have any regulations with regard to a  
3 family of six people moving into the  
4 township?

5 Well, if you don't or if maybe what you  
6 have is that everybody has to get an  
7 occupancy permit whenever they sell their  
8 house and a new occupant goes into that  
9 house. The bottom line is the same rules  
10 that would apply to people with disabilities  
11 as apply to any family that would move into a  
12 house.

13 How that's relevant here is that if  
14 eight people who were related and not  
15 disabled wanted to move into 444 McElheny  
16 Road, they could do so. There might be an  
17 occupancy permit requirement. I don't know  
18 if you have one here in Shaler or not. But  
19 beyond that, there are no regulations.

20 There's nothing that they have to do,  
21 other than move in, unless they have to get  
22 an occupancy permit. And that would just  
23 really be an administrative function, if they  
24 did that.

25 So, basically, that's what this case

1 all comes down to. There's always the  
2 situation that these things become fact  
3 specific and ordinance specific. Because  
4 what does the ordinance say? What doesn't it  
5 say? What are the facts of what's happening?  
6 Who's moving in? What's the situation?  
7 Whatever.

8 But I look at the township ordinance.  
9 And I see that an unlimited number of people  
10 can move into the township as a family and  
11 live here, as long as they're related by  
12 blood or marriage or some other way that  
13 people are commonly determined to be related.

14 If they're unrelated, there can only be  
15 three of them. That's the rule. And so the  
16 Zoning Ordinance basically says that, you  
17 know, we don't -- with related people, don't  
18 worry about it. But it also goes one step  
19 further than just limiting the number of  
20 unrelateds that can live together.

21 It also says if you're unrelated and  
22 you're disabled, you can only live in the R-4  
23 district, if you're going to have assistance  
24 to live, what we commonly would call a group  
25 home.

1           And the particular thing that's unique  
2           about your ordinance is you have in there  
3           what I'll refer to as a savings clause in  
4           your family definition. And the savings  
5           clause says, "Nothing in this chapter is  
6           intended or shall be interpreted, enforced or  
7           administered in any means or manner  
8           inconsistent with or conflicting with the  
9           Federal Fair Housing Amendments Act of 1988."

10           I suspect that that was either original  
11           language in the ordinance or it was added at  
12           a later time. Because the dilemma that all  
13           municipalities have had is there's a desire  
14           in every municipality to regulate what we are  
15           proposing, what Scioto is proposing. And I  
16           get that.

17           We feel that the Fair Housing Act  
18           doesn't permit municipalities to do that.  
19           But it's a matter of degree. Again, you get  
20           into facts. You get into the words of the  
21           ordinance and so forth.

22           But if you take that statement at its  
23           face value, I think that the Zoning Ordinance  
24           -- excuse me, the Zoning Board can basically  
25           come up with an interpretation that says

1           you're permitted. Just like those eight  
2           people that -- you know, just like maybe the  
3           mother, father, four kids and grandma and  
4           grandpa. You're permitted to live there. So  
5           that's one possible remedy that I believe  
6           that the Zoning Board can find.

7                     Now, if you find that the savings  
8           clause doesn't really mean anything, then you  
9           have the situation where you're only allowing  
10          disabled people who need assistance to live  
11          to live in the R-4 zone. And I think that is  
12          clearly facially discriminatory against the  
13          Fair Housing Act any way you cut it. I think  
14          that's pretty cut and dry.

15                    So if you find that the ordinance is  
16          invalid, obviously, you have an ordinance  
17          that doesn't permit something that should be  
18          permitted. And that's another avenue of  
19          relief for Scioto.

20                    The final analysis is whether or not  
21          you want to grant a reasonable accommodation.  
22          And that's based largely on the evidence  
23          you've heard and whether you think that eight  
24          people living there with staff, as  
25          proposed -- if they didn't have that staff

1 and they didn't have those other amenities,  
2 so to speak, that we've talked about here in  
3 the hearing and we've gone through, if they  
4 couldn't live there but for the fact that  
5 they have to have these things.

6 In other words, if we took four people  
7 or six people or eight people with brain  
8 injuries, as was described here, the type of  
9 folks that are going to live in that  
10 environment or proposed to live in that  
11 environment, and you say, "Okay. Well, you  
12 can live there, but you can't have the staff,  
13 because that's going to cause impact. And  
14 you can't have these other things you want to  
15 have."

16 Well, then, if you believe that we've  
17 not met that burden, then, obviously, you  
18 will deny us the reasonable accommodation.  
19 And the reasonable accommodation is really --  
20 it's very similar to what we all see in terms  
21 of a variance. It's like granting a zoning  
22 variance, but under the Fair Housing Act it's  
23 a bit different. So those are the three  
24 potential reliefs that you can give to  
25 Scioto.

1                   We feel that we've made a case where  
2 we've laid out that these people couldn't  
3 live in that property in that zoning district  
4 but for the fact that they need these staff  
5 and other people to do it. We think the Fair  
6 Housing Act allows them to do it.

7                   And we urge you to find in our favor.  
8 In a lot of other jurisdictions, in a lot of  
9 other states, they've made this easy. What  
10 they've done is they've adopted statutes.  
11 And they've said, "Okay. You have four or  
12 six or eight people. And you want to live in  
13 this manner," the group home, as we described  
14 it.

15                   The law says that that's no different  
16 than any other family in an R-1 district.  
17 For whatever reason, Pennsylvania has not  
18 done that. All the states around us have  
19 done it. Why Pennsylvania hasn't, who knows?  
20 That's our guess, I guess.

21                   So unless you have any questions for  
22 me, I really don't have anything else to give  
23 to you tonight.

24                   MR. YOUNG: I don't have anything.

25                   MR. PORTER: No. Thank you.

1 MR. WOODS: Thank you.

2 MR. WRATCHER: I want to thank  
3 everybody. You've given us a very fair  
4 hearing. I appreciate that. It was very  
5 orderly and very well-run. I appreciate  
6 that. I think this is a difficult decision  
7 for you. I know this is a difficult issue  
8 for the neighbors. Thank you.

9 MR. YOUNG: Thank you. Mr. Murray.

10 MR. MURRAY: Thank you. First, as a  
11 small point of order, as I told you, I would  
12 bring the original signed copy of our  
13 findings. Should I turn those in now?

14 MR. BISH: Okay.

15 (Document given to Board.)

16 MR. MURRAY: I would also like to echo  
17 the thought of Mr. Wrat cher on thanking the  
18 Board for taking so much time, multiple  
19 hearings, to allow not only the applicant to  
20 be heard in this, but us to be heard as well,  
21 as we feel we have some concerns. And we  
22 certainly have some differences of opinion on  
23 this.

24 I have a few points I wanted to make  
25 just on the findings that were turned in.

1 First, I did want to respond to one thing  
2 Mr. Wrat cher just argued is that disabled  
3 people are only permitted to live in an R-4  
4 neighborhood in Shaler. And that's just not  
5 correct on our zoning code. Nowhere does it  
6 say you have to live in an R-4 if you are  
7 disabled.

8 What I believe he's probably referring  
9 to is the definition of a group care  
10 facility. I will be able to get in the case  
11 law that says on that briefly. However, the  
12 order of some of the points that were made,  
13 in their findings and conclusions Scioto  
14 argues that treating disabled people  
15 different under the statute is a singling out  
16 of disabled people, based on the way Shaler  
17 has their code written.

18 But, then, their own conclusions, the  
19 last page, Conclusion No. 2, which  
20 Mr. Wrat cher just noted again, now has the  
21 savings clause. And in their own conclusions  
22 they note that it is not the intent of Shaler  
23 to discriminate based on having that they  
24 don't want to do anything that would not  
25 comply with federal law.

1           Based on that alone, we do not have a  
2 statute that is going to be facially  
3 discriminatory. By their own admission and  
4 by the words of the code, there is no  
5 discrimination in the code.

6           The next thing would be is whether or  
7 not the impact would be discriminatory. And  
8 they cite the Wind Gap case. It's very  
9 important that this is federal Third Circuit  
10 case. We're not talking state law. We're  
11 not talking bordering states. We're talking  
12 Third Circuit federal case law that has the  
13 ability to interpret these federal statutes.

14           The Wind Gap case states that where a  
15 regulation is explicitly discriminatory,  
16 because the protected trait by definition  
17 plays a roll in the decisionmaking process  
18 and explicitly classifies people to exclude  
19 them, that it can be found discriminatory.  
20 However, the way it is cited in their  
21 findings and conclusions is the way the  
22 District Court in the Eastern District of  
23 Pennsylvania found it.

24           The Third Circuit specifically  
25 overturned that decision and held that the

1 use of the words "personal care home" with a  
2 definition just like one of a group facility  
3 is not facially discriminatory. And they  
4 reversed the Eastern District of Pennsylvania.

5 That's not the only case out there  
6 that's held it. I'm not going to bore you by  
7 going through every case I have again, but we  
8 have spelled it out in great deal in our  
9 findings and conclusions. I know they just  
10 came in. And I would please ask that if you  
11 haven't had the opportunity to read them in  
12 detail to please look at the federal cases  
13 we've cited and, actually, Pennsylvania case  
14 we've cited dealing with whether or not a  
15 personal care home can be residential or  
16 family. It simply isn't, based on federal  
17 case law, specifically Wind Gap.

18 Shaler's definition of a group care  
19 facility says that group homes, halfway  
20 houses, resident schools, boarding homes,  
21 foster homes and resident facilities, they  
22 are allowed to be in the R-4 area as a  
23 conditional use. R-4 is still a residential  
24 area.

25 Shaler's statute is extraordinarily

1 similar to the one in the Cornerstone case.  
2 Cornerstone was just decided by the Western  
3 District of Pennsylvania Federal Court in  
4 2017 and upheld in almost identical township  
5 code.

6 The wording of these courts is clear.  
7 You are allowed to separate where a personal  
8 care facility is.

9 Next, Scioto summarized some of the  
10 issues that we have by summarizing the  
11 testimony that specifically we had, talking  
12 about diminishing of value and things of that  
13 nature. I would like to note that the Board  
14 asked us to state what our pecuniary interest  
15 was when asking to be a party to the case,  
16 which was the only time we mentioned those  
17 issues.

18 Therefore, I would like to note that  
19 that is not the issue that we are arguing on,  
20 as is shown through the evidence we put in in  
21 the June 14th hearing and, furthermore, in  
22 the Findings of Fact and Conclusions of Law  
23 which we presented, which detail out specific  
24 federal case law and citations to the record,  
25 not any argument that has to do with just

1 emotion. And we would not do that.

2 If the case law wasn't strong in this  
3 situation, I would not come up here and say  
4 we need to exclude people just because I want  
5 them to be excluded. This isn't about  
6 exclusion. This is about meeting with what  
7 the code allows, what the zoning code is for  
8 in a residential R-1 area.

9 Next, I would like to note that Scioto  
10 also notes that we only have some general  
11 testimony and bold circumstances,  
12 specifically talking about some general  
13 circumstances by Dr. Tracy. Dr. Tracy came  
14 in here with all the qualifications necessary  
15 to opine on what is necessary in this area,  
16 and he gave very specific testimony. And  
17 we've cited to that with specific page  
18 numbers and specific instances in our  
19 findings and conclusions. We would ask that  
20 that be taken into account.

21 Next, there are three cases. I've  
22 already briefly touched on them. I was  
23 talking about the definitions, but also three  
24 cases specifically that we cite to; Wind Gap  
25 being one of them, the Cornerstone case I

1 cited to and then the Ken Crest decision,  
2 which is also in our findings where it  
3 specifically says a personal care home or in  
4 the case of the Ken Crest case a foster home  
5 for disabled children that required medical  
6 staff coming in does not qualify as a family  
7 unit.

8           Regardless of whether or not the  
9 statute or the code in Shaler meets the way  
10 it is being argued, they still have to be a  
11 family unit to be able to come in under the  
12 single-family definition. While we believe  
13 that it meets all requirements and is not  
14 facially discriminatory, even if there was a  
15 problem with that, they still don't meet the  
16 definition of a family.

17           If you look at multiple federal cases  
18 and the Pennsylvania case that say when  
19 you're bringing in all this extra staff,  
20 you're not a family unit. So how do you get  
21 to come into one of these residential  
22 neighborhoods if you're not a family unit?

23           Then you have to go into the other  
24 issues that Mr. Wratsher mentioned and we  
25 note, also, which would be the reasonable

1 accommodation. But before we get to the  
2 reasonable accommodation, I just want to  
3 point out another point that is in the facts  
4 in evidence in this case.

5 If we were to say that we didn't have  
6 any case law that directly addressed whether  
7 or not a personal care home could be a family  
8 unit in a residential setting, then this  
9 would be an issue of first impression. And I  
10 would argue that their own exhibit, 6-B, that  
11 shows one office on the first floor, followed  
12 by 6-C, which shows two more offices on the  
13 lower level, not the two total offices that  
14 Ms. Lesako testified to, but one on the first  
15 floor, two on the lower level. Plus a  
16 conference room. Plus an occupational  
17 therapy room. Plus a physical therapy room.  
18 Both sitting right off the exercise room,  
19 which clearly appeared to be somewhere where  
20 they're going to come in and treat the  
21 patients on property.

22 This is not a family residential  
23 setting. Just because eight people unrelated  
24 are living there doesn't mean you get to say,  
25 "It is a family setting, and we win."

1           You have to live as a family unit, not  
2           as a massive commercial personal care  
3           facility. If eight people were going to live  
4           together and they needed somebody to help  
5           with their laundry and food-making, it would  
6           be a completely different argument, because  
7           it wouldn't be a personal care home.

8           The courts are clear. Their drawings  
9           are clear. They are not a family unit. They  
10          are a personal care home, commercial  
11          facility. And I would ask that you take a  
12          very close look especially at Wind Gap and  
13          Ken Crest and Cornerstone to see whether or  
14          not they qualify as such.

15          Next, we move on to if they are not a  
16          family unit, they need a reasonable  
17          accommodation. Scioto has conclusions that  
18          we agree with. Paragraphs 25 through 29 of  
19          their conclusions admit that the Plaintiff in  
20          a case like this has the burden to show that  
21          they are requesting an accommodation which is  
22          reasonable. An accommodation that is both  
23          reasonable and necessary to, No. 3, afford  
24          disabled people the opportunity to live in a  
25          residential neighborhood.

1                   And they cite McKivits, which is a 2010  
2 Western District of Pennsylvania federal case  
3 directly in our chain, direct authority above  
4 where -- actually where this case would go if  
5 somebody decided to appeal.

6                   McKivits is clear. It was citing Third  
7 Circuit law. McKivits states that it is the  
8 burden to first prove through evidence on the  
9 record for the applicant or Plaintiff. This  
10 record doesn't have anything that meets the  
11 requirements.

12                   Let me go through a couple of the  
13 requirements that is in a lot of the case law  
14 that both the applicant has used and so have  
15 we. They must prove necessity for a  
16 therapeutic purpose or financial viability.

17                   It was very clear throughout this  
18 entire record that they said they don't have  
19 to talk about finance. They won't even  
20 answer the questions on finance. They put in  
21 evidence they need eight people for it to be  
22 financially viable at all. No evidence at  
23 all.

24                   For therapeutic value, they mentioned  
25 briefly they like to have a feeling of

1 community with eight people. But then  
2 Miss Lesako was asked directly "Why eight  
3 people?" Quoting from page 68 of the May 10th  
4 transcript, "So I'm not quite sure. And I  
5 can't speak to why that would be the best  
6 thing for that population."

7 No evidence produced at all to show why  
8 it is a therapeutic value to have eight  
9 people. I know there is something in the  
10 findings that notes there's a therapeutic  
11 value, that that is the magic number. But it  
12 cites to page 17 of the record. It doesn't  
13 say which record, but neither page 17 has it.

14 As a matter of fact, it appears to me  
15 that that was just the exact same argument  
16 that was in a prior case, because it's not in  
17 this record. I've read it multiple times.  
18 Probably more than I should have. But it's  
19 not there.

20 There's no testimony on it. There's  
21 actually testimony on the other side,  
22 Dr. Tracy, who said that eight people is not  
23 going to be therapeutic value. Actually, for  
24 what they're proposing, two, three or four  
25 would be the magic number, because eight is a

1 better number for outpatient therapy. They  
2 haven't met their burden.

3 Their argument then goes to just talk  
4 about how we raised only bold circumstances  
5 and opinions. I would ask that you look to  
6 how detailed our findings and conclusions are  
7 and how many different specific points we  
8 point to in the record, as opposed to the  
9 conclusions on the other side, which we argue  
10 are only making bold assertions that,  
11 basically, the statutes are discriminatory  
12 and people don't want them here with no  
13 evidence of that being the case as to what  
14 the actual arguments are.

15 I would then like to go on to talk  
16 about the McKivits case in a little more  
17 detail. Because even if they said there was  
18 a therapeutic value, they haven't met their  
19 burden here. McKivits is clear. It's 2010,  
20 Western District of Pennsylvania, which is  
21 cited and acknowledged by all parties in this  
22 case as good, valid law in this area.

23 The law is clear. "A Plaintiff must  
24 present evidence that there are no places in  
25 the township where the use is permitted."

1           McKivits is even more clear that the right to  
2           a dwelling, which is the right that anybody  
3           would have in this case, a disabled person,  
4           any person, you have a right to live in a  
5           residential dwelling.

6                     But McKivits separates and says a right  
7           to a dwelling does not mean any specific  
8           dwelling. If you're a landlord and you  
9           discriminate, it would mean that specific  
10          dwelling.

11                    But when you are a township and you  
12          have to take in the concerns of a total  
13          residential area, a Zoning Ordinance for an  
14          entire township, you have to take that in an  
15          entire vacuum. And you have to not exclude  
16          people from your township. But where, as  
17          here -- unlike Fox Chapel, they didn't have  
18          this in their code when ReMed went there.

19                    But Shaler has the R-4 area, which is  
20          still residential. It falls right in line  
21          with McKivits. And in R-4 still provides for  
22          single-family residential units. And unless  
23          they can show that they've been excluded by  
24          not having anything available in that area,  
25          which they provided no testimony of -- I

1 specifically asked where they looked in  
2 Shaler. Her answer was "I don't know. We  
3 look at places all the time."

4 However, even though it's not our  
5 burden to show there's something available  
6 there in between the time of the Fox Chapel  
7 purchase and the Shaler purchase, I brought  
8 in just one example and put it into evidence  
9 that there was, in fact, a home. It meets  
10 all the criteria. It had plenty of acres in  
11 an R-4 area.

12 If our burden was to show that there  
13 was, in fact, something available in an R-4  
14 area for them, we would have met it. They  
15 haven't met their burden at all. There are  
16 two different areas. They have to meet it in  
17 both areas. One, nothing would be available  
18 in an R-1; and, two, they would have to show  
19 that there's a therapeutic value. The  
20 evidence is not there.

21 MR. YOUNG: Mr. Murray, that bell, I  
22 thought it was a phone call, but it's the  
23 timer. Like Appellate Court --

24 MR. MURRAY: I was just finishing.  
25 Unless there is any questions for me, that

1 was my -- McKivits was my concluding  
2 argument.

3 MR. YOUNG: All right. Thank you.

4 MR. MURRAY: Thank you.

5 MR. YOUNG: Mr. Ventura, you get  
6 clean-up. Don't make us ring the bell again.

7 MR. VENTURA: I don't think there's any  
8 risk of me hitting my time.

9 MR. YOUNG: Before you go, Mr. Murray,  
10 your argument was for all of the neighbors;  
11 right?

12 MR. MURRAY: Correct.

13 MR. YOUNG: All the parties? The  
14 opposing neighbors?

15 MR. MURRAY: Myself, my wife, Mr. Neely  
16 and Mr. Bonati all signed it collectively and  
17 submitted it together. As far as our  
18 findings go, I don't want to speak for them  
19 as to whether or not they had separate  
20 argument, but we did submit our findings  
21 together.

22 MR. YOUNG: Your oral argument tonight  
23 was on behalf of those parties as well?

24 MR. MURRAY: Yes.

25 MR. YOUNG: Thank you. Excuse me,

1 Mr. Ventura.

2 MR. VENTURA: No problem. Again, I  
3 would like to reiterate Mr. Murray's and  
4 Mr. Wratsher's comments. Thank you very much  
5 for your time, both tonight and in the prior  
6 hearings of this case. It can be a thankless  
7 job, but it is very much appreciated.

8 I did let Mr. Murray go first. I don't  
9 really have a lot to say beyond what  
10 Mr. Murray said. I'm just here on behalf of  
11 the township to say the township has heard  
12 the concerns of its residents, and it shares  
13 those concerns. So thank you very much for  
14 your time, and that's all I have.

15 MR. BISH: So at this point I would  
16 recommend that the Board use the following  
17 motion and close the public hearing. Someone  
18 can just say "So moved."

19 "Motion to close the public hearing  
20 provided that the hearing record is left open  
21 for the limited purpose of receiving the  
22 July 18th continued hearing transcript as  
23 Exhibit 32."

24 MR. PORTER: So moved.

25 MR. WOODS: Second.

1 MR. YOUNG: All those in favor may  
2 state aye.

3 (All members in agreement.)

4 MR. YOUNG: Thank you all.

5 MR. WRATCHER: I just have one point.  
6 It's a housekeeping. Do you need my original  
7 signed --

8 MR. BISH: No.

9 MR. WRATCHER: Because I just E-mailed  
10 you a copy of it.

11 MR. BISH: That was fine.

12 MR. WRATCHER: I wanted to make sure  
13 that was sufficient. Sorry, Mr. Chairman.

14 MR. BISH: We may just want to note for  
15 the record that the Board is going to hold a  
16 post-meeting executive session, if the  
17 meeting is adjourned, for deliberation and  
18 receive advice of counsel.

19 MR. YOUNG: Well-spoken. Thank you.  
20 Meeting adjourned.

21 -----

22 (Whereupon, the meeting was adjourned  
23 at 8:11 p.m..)

24 -----

25

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF ALLEGHENY ) SS:

CERTIFICATE OF REPORTER

I, Noreen A. Re, do hereby certify that the evidence and proceedings are contained fully and accurately in the machine shorthand notes taken by me at the hearing of the within cause and that the same were transcribed under my supervision and direction and that this is a correct transcript of the same.

Registered Professional Reporter

DATE: July 25, 2018

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