

February 16, 2017

Zoning Case: Z04-17

**William Yanicko
23 McKrell Rd.
(PO Box 21)
Russellton, PA 15076**

Attendees: Neil Tristani, George Hollibaugh, Sean Parkinson, Scott Woloszyk, and James Smullen

Absent Member(s): Joseph Gizienski

Other Attendees: William Payne, Code Enforcement Officer
Patrick Cassetti, Solicitor

Variance: From requirements of Ordinance No. 394: Article V, Section 5.4 (Chart)

Property is zoned R-4 (Urban Residential District – High Density)

Case Z04-17: Represented by Mr. Dennis Blackwell, solicitor for Mr. Yanicko, and Mr. Ron Salvatore of Matthew’s Environmental Solutions, the crematory company who would be the builder.

Yanicko Funeral Home was established in 1948 prior to zoning. Mr. Blackwell stated that a crematory is an accessory use to a funeral home and would be permitted on the property. Cost of construction will be \$250,000.00 and will be built by Matthew’s Environmental Solutions. Exhibit A was submitted outlining the site of the present funeral home and where the proposed crematory would be placed. Crematory building will be 30 ft. x 30 ft.

Mr. Salvatore presented a power point presentation explaining the building.

- Stated that the DEP has very stringent standards for a crematory. (Gases emitted from the stack are below what the DEP requires.)
- No odors are emitted.
- Exhaust gases are regulated by DEP.
- Burner maintains a heat of 1800 degree required by the DEP.
- Equipment has emission monitor systems installed.
- Noise is similar to an air conditioner operating in resident’s homes.

Mr. Yanicko explained that the crematory building will be completely enclosed and will have block and brick fascia. Building will be similar to other garage on property.

The following neighbors voiced their opinions/concerns:

- Sam Gornick (21 McKrell Road): Against proposed crematory as he believes there will be fumes, noise and the operation will de-value his property. Plus he has severe allergies.
- Mike Whitico (20 Starr Road): Concerned about stack height and noise. Not in favor of crematory but knows that Mr. Yanicko will do it right. (*Mr. Yanicko stated that stack height will be 3 feet higher than the highest roof line.*)

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- Wesley Ruggs (21 Crest Street): Moved to Township two years ago. Concerned that crematory will create an increase in traffic. *(Mr. Yanicko explained that the crematory will decrease traffic due to the fact that he takes the bodies to Pittsburgh back and forth for the crematory service. Furthermore, the funeral home seldom uses Crest Street as traffic can enter and exit on McKrell Road.)*
- Norbert Miller (19 Crest Street): In favor of project as Mr. Yanicko keeps the grounds perfect, benefits the funeral home and promotes business.
- Leonard Lavrich (47 Crest Street): Does not think it will be a nuisance to any of the residents.
- William Berberich (3 Crest Street): Concerned that the crematory would decrease property value when he sales.

Mr. Payne reached out to Blawnox Boro who has a crematory. Was in operation since the 90's and reported that they never received a complaint.

Mr. Yanicko explained the process: cremation would occur between 8:00 a.m. and 5:00 p.m., Monday through Saturday. Ashes are processed and returned to the family. Takes 45 minutes for chamber to reach the 1800 degrees and total cremation time is 3.5 hours. No cremation will be done in the evening hours.

First motion by Mr. James Smullin and second motion by Mr. Sean Parkinson to **GRANT** the Land Use Variance to construct and operate a crematory at 23 McKrell Road with the following conditions:

1. Building must be comprised of same building materials as existing surrounding buildings (block/decorative block/brick/siding or a combination of block and siding).
2. Crematory operation hours shall not begin before 8:00 a.m. and must be finished by dusk.
3. Any transport of coffins to the crematory must be done via an enclosed transportation vehicle.
4. All crematory operations must be contained inside crematory building behind closed doors.
5. Only certified crematory operators can conduct cremation process.
6. Crematory must comply with any state or federal requirements. If any state or federal requirements are violated, the crematory owner must immediately notify the Township's Code Enforcement Officer and suspend all cremation operations until written notification of the violation is being corrected by the governing body.
7. A copy of all state and federal licensed or certifications shall be filed with the Township as they originate or renew.
8. Crematory building must be locked at all times when not occupied.
9. Cremation process may be viewed by loved ones but must have a funeral home representative present at all times when occupied by said loved ones.
10. Failure of any conditions will constitute an immediate termination of the crematory use until all violations have been corrected to the satisfaction of the Code Enforcement Officer. A violation of stated variance conditions shall also be deemed a violation of West Deer Township's Zoning Ordinance.

Voting was unanimous to **GRANT** the Land Use variance.