

**ROSS TOWNSHIP ZONING HEARING BOARD  
IN-PERSON/VIRTUAL MEETING  
March 8, 2023**

The Regular Meeting of the Ross Township Zoning Hearing Board was held on March 8, 2023, at 7:00 p.m. Mr. Little called the meeting to order.

**PRESENT:** Philip Little, James R. Atzert, Beth Schellhaas, Tara Howey and Brandon Keller

**SOLICITOR:** Catherine A. Conley, Esq.

**DIRECTOR OF COMMUNITY DEVELOPMENT AND BOARD  
LIAISON:** Dominic J. Rickert

**RECORDING SECRETARY:** Noreen A. Re

---

*Moment of Silence for Richard Quigley, Jr., and his family*

---

Pledge of Allegiance

---

**APPROVAL OF MINUTES:**

**February 8, 2023**

**Motion to approve the minutes of February 8, 2023, made by Ms. Schellhaas and seconded by Mr. Atzert.**

**Motion carries unanimously**

---

**OLD BUSINESS:**

**ZHB-2-23 - Richard P. Quigley, Jr., requests three variances from Section 27-309.4.A, Section 27-309.4.B and Section 27-309.4.D to permit two 20-foot portable storage units and one 40-foot portable storage unit for permanent or semi-permanent storage on property located at 383 Bascom Avenue with Parcel ID**

\*\*\*\*\*

**No. 161-R-25 in a C-2 Zoning District of the 6th Ward.**

**Motion to untable ZHB-2-23 made by Mr. Keller and seconded by Ms. Howey.**

**Motion carries unanimously**

Ms. Conley commented as follows:

MS. CONLEY: "First, I would like to express my condolences to the family and the condolences of the Zoning Hearing Board, the zoning officer and Ross Township. You have our sympathy. At this juncture, members of the Board, we have to acknowledge the death of Richard Quigley, the applicant."

Following the introduction of Mr. Kevin Quigley, who stated he would be speaking on behalf of the family, Ms. Conley commented further as follows:

MS. CONLEY: "Before we start, what I did want to acknowledge to everybody is that a site visit was conducted on March 1st, last Wednesday, at the site on Bascom. Members of the Board appeared, with the exception of Mr. Little and Mr. Keller. They went and visited the site on a different date.

"In review of the transcript from the last hearing, February 8th, there was some testimony that Mr. Quigley was operating a landscape supply business or landscape contracting business. I want to clarify for the record that back in May of 2022 the Zoning Hearing Board had a similar case with Mr. Quigley at the Transvaal Avenue site.

"Mr. Quigley credibly testified at the last hearing that he, in fact, was running the same business at Bascom. In that decision by the Board dated May 11, 2022, at Paragraph 13, the Zoning Hearing Board determined that what Mr. Quigley was running was a service business.

"Mr. Rickert, a service business, is that a permitted use in a C-2?

MR. RICKERT: "Yes, it is.

MS. CONLEY: "And was the property at Bascom Avenue a C-2 property?"

\*\*\*\*\*

MR. RICKERT: "Yes, it is.

MS. CONLEY: "So it was, in fact, a permitted use?

MR. RICKERT: "Yes, it was.

MS. CONLEY: "I wanted to clarify that for the record, because at this juncture we acknowledge the death of Mr. Quigley. And procedurally, if the family determines that they want to pursue this application, they can do so. They can --

MR. QUIGLEY: "We would like to proceed with the application.

MS. CONLEY: "Okay. So I want to clarify that this request was for three containers; two 20-foot containers and a 40-foot container.

MR. QUIGLEY: "Understood.

MS. CONLEY: "Okay. So at this point Mr. Quigley does not own the property; he leases it. So for the family to proceed with this, they would have to amend the application and file an application on behalf of his estate. In addition to that, they would have to get the permission of the owner of the property who leased it to Mr. Quigley to lease it to you, to get that paperwork set up.

"So at this juncture I would recommend to the Board, because Mr. Quigley has determined that they do want to pursue this application, that the Board could table it until April to permit the family to get their paperwork together.

"At this point do you have any questions, Mr. Quigley?

MR. QUIGLEY: "No. I just would like to take a moment and speak about some things."

After being duly sworn, Mr. Kevin Quigley, 940 Flora Street, Pittsburgh, PA 15212, gave a brief family history of the Quigleys and read a brief statement to the Board.

Mr. Chris Ketterer, 731 Rookery Lane, Whispering Pines, North Carolina, 28327, was present via Zoom and was duly sworn. He stated he is one of three owners of the property. He indicated they approved of the requested variances. Regarding documents needed, Mr. Rickert gave Mr. Ketterer his phone number. Mr. Rickert stated he would meet with the solicitor to see what is required legally for the family to proceed. Mr. Ketterer stated his brother is local, and they would work with the family to amend the lease so the variances can proceed.

\*\*\*\*\*

Mr. Atzert expressed he was concerned about Mr. Richard Quigley's stress level at the site visit.

Mr. Little asked if there was anyone to speak on the variance request.

Mr. Dan DeMarco, 307 Woodbridge Drive, Pittsburgh, PA 15237, after being duly sworn, addressed the Board regarding the situation. As part of his comments he stated "The individuals employed by the Township of Ross know the law and had followed all of the laws as it related to this issue."

Mr. Little stated no further testimony would be heard. He indicated to Ms. Kathleen Vello that she had spoke at the last meeting. Upon inquiry by Mr. Little to Ms. Conley if he was correct in not hearing more testimony, Ms. Conley responded as follows:

MS. CONLEY: "It's within your discretion."

The Board agreed to not let Ms. Vello speak. Mr. Little indicated after the estate takes over the property, Ms. Vello would be able to speak at that time.

Mr. Atzert reiterated to the family that the business is permitted to be operated on the property; the only thing that needs the variances are the three containers.

**Motion to table ZHB-2-23 made by Ms. Schellhaas and seconded by Mr. Atzert.**

**Motion carries unanimously**

---

**NEW BUSINESS:**

**ZHB-4-23 - Nicholas Salachup requests a use variance from Section 27-905 to operate a service business known as Salachup Landscaping on property located at 20 Saint William Place with Parcel ID No. 517-B-98 In an R-1 Zoning District of the 8th Ward.**

**WITHDRAWN**

\*\*\*\*\*

**FURTHER OLD BUSINESS:**

**Motion to limit participation in Zoning Hearing Board hearings via Zoom to broadcast only and no public comment or questions through Zoom's chat feature.**

Following discussion, Ms. Conley commented as follows:

MS. CONLEY: "So at this point you're making three recommendations in regard to standing issues. The five-minute clock issue -- check that out, the five-minute clock issue -- and the site visit. So the Board can think about those recommendations. I think at this juncture I think the motion that has been advertised should just be exactly how it is written. Someone should make a motion to do that and just cut off the chat from Zoom."

**Motion to approve the motion to limit participation in the Zoning Hearing Board hearings via Zoom to broadcast only and no public comment or questions through Zoom's chat feature until the Board can come up with a comprehensive solution made by Mr. Keller and seconded by Ms. Schellhaas.**

**Motion carries unanimously**

---

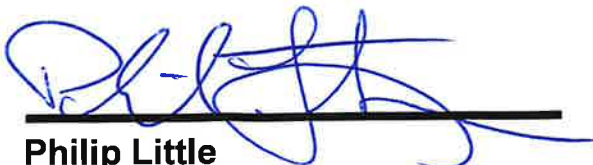
**Motion to adjourn made by Ms. Howey and seconded by Mr. Keller.**

**Motion carries unanimously**

---

**MEETING ADJOURNED AT 7:43 P.M.**

---



---

**Philip Little  
Chairperson**

**Minutes prepared by Noreen A. Re, Certified Realtime**