

**MINUTES OF THE REGULAR MEETING  
OF THE UPPER PROVIDENCE TOWNSHIP ZONING HEARING BOARD HELD ON  
May 4, 2021**

A meeting of the Upper Providence Township Zoning Hearing Board was held on May 4, 2021 in the Rose Tree Fire Company, 1274 North Providence Road, Media, Pennsylvania. The meeting commenced at approximately 7:10 P.M. Present were Chairman Matthew Ryan, Vice-Chairman Mark Vakil, Edward Bierling, Michelle Ross, and Matthew Lake. Also present and participating were Greg Lebold, Township Manager, Code Enforcement Officer and Zoning Officer and Michael V. Puppio, Jr., Esquire, standing in for the Board solicitor, Ernest S. Angelos, Esquire, Michael Barnhart from Kelly & Close Engineers, Carl Ewald, Esquire, Solicitor for Upper Providence Township and Edmund C. Campbell, Jr, Esquire, Counsel for Applicants. 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.

The next order of business was to approval the minutes of the regular meeting of the Board held on October 28, 2020. Upon a duly made and seconded motion, the October 28, 2020 minutes were approved 4-0-1, with Ms. Ross abstaining.

Upon a duly made and seconded motion, the minutes of the regular meeting of the Board held on February 24, 2021 were approved 5-0.

Next the Chairman proceeded with new 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 dwelling unit, which is prohibited in the R-3 Zoning District.

The following residents were granted party status, 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 (“Party Protestants”).

The matter commenced and Applicants withdrew their request for a variance and special exception shifting the burden to the Township. The Township then proceeded with presenting its testimony and evidence in connection with its case in chief. All parties had an opportunity to cross examine the witnesses presented by the Township. Upon agreement by the parties the hearing was continued to May 11, 2021 to allow for the further presentation of testimony and exhibits by the Township and to permit the applicant and the Party Protestants to present their respective cases.

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**