



Houston Harbaugh

ATTORNEYS AT LAW

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March 15, 2011

Via Email – EJZuk@peterstownship.com Mr. Edward J. Zuk Planning Director Peters Township Planning Office 610 East McMurray Rd McMurray, PA 15317	Via Email - wajohnsonesq@yahoo.com and Fax @ (724) 225-1365 Mr. William A. Johnson, Esquire 8 East Pine Avenue Washington, PA 15301
Via Email – talonich@earthlink.net Thomas A. Lonich, Esquire 11 East Beau Street Suite 400 Washington, PA 15301	Via Fax @ (724) 228-6296 Betsy D. McKnight, Esquire Washington Trust Building 30 East Beau Street Washington, PA 15301

Re: Crematory

Dear Mr. Zuk and Solicitors:

As you are aware, Audia Group Investments, LLC and Danielle Andy Belusko and Rod Belusko (collectively, “Applicants”) are scheduled to appear before the Zoning Hearing Board this evening in connection with applications for dimensional variances for parking and set-back as well as a special exception for a crematory as a “Use Not Provided For” pursuant to Section 1302 of the Zoning Ordinance of Peters Township (the “Ordinance”). Section 1302 of the Ordinance provides that when a use is neither specifically permitted or denied, the Zoning Hearing Board shall have the authority to permit or deny the use in accordance with criteria in Chapter 27 of the Ordinance. Given that (i) the Ordinance’s definition of a funeral home specifically excludes crematories, (ii) the Applicants have challenged the validity of the ordinance and (iii) Council has scheduled a public meeting on March 21 to consider the validity challenge and the landowner curative amendment, the Applicants are requesting to postpone the Zoning Hearing Board’s consideration of the special exception for a “Use Not Provided For” until the April Zoning Hearing Board meeting, in order to give Council the opportunity to make a decision on the validity challenge and landowner curative amendment in the meantime.

Applicants do intend to proceed this evening with the variance applications since those are specifically related to the funeral home use and are not impacted by the Applicants’ ability to install a crematory unit inside the building. Therefore, Applicants will appear at the public

Mr. Edward J. Zuk
Mr. William A. Johnson, Esquire
Mr. Thomas A. Lonich, Esquire
Ms. Betsy D. McKnight, Esquire
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hearing tonight to present testimony and evidence in support of the variance applications, but not the special exception application and again, are requesting to table the special exception application until the April meeting of the Zoning Hearing Board.

If you have any questions, please feel free to contact me. Thank you for your time and attention to this matter.

Very truly yours,

A handwritten signature in black ink that reads "Tammy L. Ribar". The signature is written in a cursive style with a large initial 'T' and a distinct 'L'.

Tammy L. Ribar

TLR/mb

cc: Danielle Andy Belusko – via email
Mary-Jo Rebelo, Esquire – via email
Richard Violi, Esquire – via email
Jeff Ross – via email