

IN THE COURT OF COMMON PLEAS OF WESTMORELAND COUNTY,  
COMMONWEALTH OF PENNSYLVANIA

CIVIL DIVISION

PATRICIA ANN TROIANO,	)	
	)	
Appellant,	)	
	)	
vs.	)	No. 2527 of 2017
	)	
UPPER BURRELL TOWNSHIP ZONING	)	
HEARING BOARD, WESTMORELAND	)	
COUNTY, PENNSYLVANIA,	)	
	)	
Appellee.	)	

PATRICIA ANN TROIANO,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 3853 of 2017
	)	
UPPER BURRELL TOWNSHIP, UPPER	)	
BURRELL TOWNSHIP BOARD OF	)	
SUPERVISORS, WESTMORELAND COUNTY,	)	
PENNSYLVANIA, HUNTLEY & HUNTLEY,	)	
INC.,	)	
	)	
Defendant.	)	

**ORDER OF COURT**

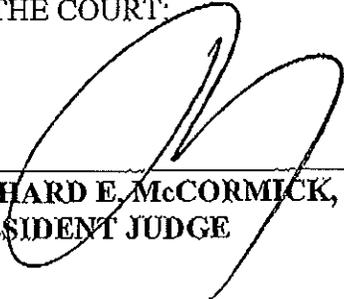
AND NOW, to wit, this 10<sup>th</sup> day of August, 2017, after a status conference on the Appellant's Appeal from the Deemed Denial/Decision of the Zoning Hearing Board of the Township of Upper Burrell, dated May 7, 2017, it is hereby **ORDERED** and **DECREED** as follows:

- 1) The conditional use application process that was initiated by the filing of the application with Upper Burrell Township on July 21, 2017, is **STAYED** pending the outcome of the proceeding at No. 2527 of 2017.
- 2) Huntley & Huntley is **DIRECTED** to produce material safety data sheets for all chemicals anticipated to be used on the site in question to the Plaintiff within five (5) days of the date of this Order.
- 3) Appellant's expert is to provide a report to the Appellee and counsel for Huntley & Huntley within fifteen (15) days of receiving the aforementioned material safety data sheets.
- 4) Huntley & Huntley's expert is to provide a report to the Appellant within twenty (20) days of receiving the Appellant's expert's report.
- 5) A hearing on this matter will be held before the undersigned in Courtroom No. 2, Westmoreland County Courthouse, 2 N. Main Street, Greensburg, PA 15601, from 9:00 a.m. to 4:00 p.m. on October 16, 17 and 18, 2017.
- 6) Upon the conclusion of the hearing and receipt of the transcript, Appellant shall file a brief within fifteen (15) days, and Appellee shall file a responsive brief fifteen (15) days thereafter.

FURTHER, in accord with Pa.R.C.P. No. 236(a)(2) and (b), the Prothonotary is **DIRECTED** to note in the docket that the individual(s) listed below have been given

notice of this Order.

BY THE COURT:



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**RICHARD E. McCORMICK, JR.,  
PRESIDENT JUDGE**

ATTEST:

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Prothonotary

cc: John M. Smith, Esq., & Hannah Shaffer, Esq. – for the Appellant (via USPS and e-mail)

Blaine A. Lucas, Esq. – for Huntley & Huntley (via USPS and e-mail)

Steve Yakopec, Esq., Solicitor for Upper Burrell Township

Adam Ventura, Esq. – for the Zoning Hearing Board

Paul David Burke, Esq. – Vice-President and General Counsel for Huntley &

Huntley