

Bond Case Briefs

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ZONING & PLANNING - PENNSYLVANIA

Appeal of Andover Homeowners' Association, Inc.

Commonwealth Court of Pennsylvania - August 26, 2019 - A.3d - 2019 WL 4007577

Homeowners' association sought review of decision by zoning board that granted zoning, building, electrical, and grading permits for placement of pipelines on association's property according to easement.

The Common Pleas Court affirmed, and association appealed.

The Commonwealth Court held that:

- Record established that township reasonably accounted for environmental features of property;
- Zoning board lacked jurisdiction to consider association's argument that township's grant of grading permit to energy company for placement of pipelines violated Business Corporation Law; and
- Substantial evidence support zoning board's findings that energy company would perform construction work on property within its right-of-way within energy company's easement.