

**NORTH FAYETTE TOWNSHIP
ZONING HEARING BOARD**

**THURSDAY, APRIL 27, 2023
7:00 P.M.**

The meeting was called to order by Solicitor, Anthony Cosgrove.

MEMBERS PRESENT:

Dan Patterson, Vice Chairman
John Scott, Member
Anthony Cosgrove, Esq., Solicitor
Debbie Midgley, Recording Secretary

MEMBERS ABSENT:

Brant Miller, Chairman
Chip McCarthy, Alternate Member

OTHERS PRESENT:

Mike Wozniak, Assistant Director Community Development
Leah M. Attanucci, LaGamba Reporting Services
Scott Saunders, Wayfinding Associates
Rachel O'Neill, Esq., Reed Smith LLP
Laura St. Amant, Allegheny Health Network

PUBLIC COMMENT: (on agenda action items only, excluding public hearings):

There were no public comments.

REORGANIZATION:

Mr. Cosgrove asked for a motion of Chairman for the Zoning Hearing Board for the ensuing year.

A MOTION WAS MADE BY Mr. DAN PATTERSON, SECONDED BY Mr. JOHN SCOTT TO APPOINT Mr. BRANT MILLER AS CHAIRMAN FOR THE YEAR 2023. MOTION CARRIED UNANIMOUSLY.

Mr. Cosgrove asked for a motion of Vice Chairman for the Zoning Hearing Board for the ensuing year.

A MOTION WAS MADE BY Mr. JOHN SCOTT, SECONDED BY Mr. DAN PATTERSON TO APPOINT Mr. DAN PATTERSON AS VICE CHAIRMAN FOR THE YEAR 2023. MOTION CARRIED UNANIMOUSLY.

Mr. Cosgrove asked for a motion of Recording Secretary for the Zoning Hearing Board for

the ensuing year.

A MOTION WAS MADE BY Mr. JOHN SCOTT, SECONDED BY Mr. DAN PATTERSON TO APPOINT Ms. DEBBIE MIDGLEY AS RECORDING SECRETARY FOR THE YEAR 2023. MOTION CARRIED UNANIMOUSLY.

Mr. Cosgrove asked for a motion of Solicitor for the Zoning Hearing Board for the ensuing year.

A MOTION WAS MADE MY Mr. JOHN SCOTT, SECONDED BY Mr. DAN PATTERSON TO REAPPOINT MATTHEW MARSHALL AND THE LAW FIRM OF DILLION MCCANDLESS KING COULTER & GRAHAM, LLP AS SOLICITOR FOR THE ZONING HEARING BOARD IN ACCORDANCE WITH THE RATES AND TERMS REFERENCED IN THE LETTER DATED DECEMBER 9, 2021. MOTION CARRIED UNANIMOUSLY.

Mr. Cosgrove asked for a motion to appoint each Zoning Hearing Board member as a hearing officer.

A MOTION WAS MADE BY Mr. JOHN SCOTT, SECONDED BY Mr. DAN PATTERSON TO APPOINT EACH ZONING HEARING BOARD MEMBER AS A HEARING OFFICER FOR THE YEAR 2023. MOTION CARRIED UNANIMOUSLY.

ADMINISTRATIVE:

Mr. Cosgrove asked for a motion to approve the minutes from the December 22, 2022 meeting.

A MOTION WAS MADE BY Mr. DAN PATTERSON , SECONDED BY Mr. JOHN SCOTT TO APPROVE THE MINUTES FROM THE DECEMBER 22, 2022 MEETING. MOTION CARRIED UNANIMOUSLY.

Mr. Cosgrove said prior to this meeting, the Board held an executive session to receive advice of the Solicitor.

Mr. Cosgrove said that notice of tonight's hearing was advertised, and the subject properties posted pursuant to the requirements of the Pennsylvania Municipalities Planning Code.

Mr. Cosgrove asked the Court Reporter to swear in witnesses and any members of the public wishing to comment during any of the hearings.

The Court Reporter swore in the witnesses.

OLD BUSINESS:

None.

NEW BUSINESS:

1. ALLEGHENY HEALTH NETWORK SPECIAL EXCEPTION & VARIANCE APPLICATION

- a. Mr. Cosgrove opened the public hearing on the Special Exception, Variance Application filed by Allegheny Health Network and summarized the application as follows:
An application filed by Allegheny Health Network requesting: 1) a special exception under Section 27-704 of Chapter 27 of the North Fayette Township Code of Ordinances, Zoning, as amended (the “Zoning Ordinance”), in order to permit a pole sign in the B-2 zoning district; 2) a variance from Section 27-1008(1), Table 15, of the Zoning Ordinance to permit a pole sign of 180 SF; and 3) a variance from Section 27-503(8)(B)(5) to permit the use of high-intensity fluorescent paint on the pole of the pole sign proposed on property located at 200 Quinn Drive in the Township B-2 – General Business Zoning District, currently designated as Allegheny County Parcel ID No. 412-K-1.
- b. Mr. Cosgrove stated that the Exhibits enumerated referenced on the Exhibit List prepared by the Board Solicitor are entered into the Record of this hearing. Mr. Cosgrove requested that the court reporter insert those exhibits into the transcript as if the Exhibit List was read into the Record.
- c. Applicant’s Case. Rachel O’Neill, Esq., Reed Smith LLP and Scott Saunders, Wayfinding Associates, representing the applicant, presented the case and responded to the Board.

Ms. O’Neill stated that the applicant is withdrawing the third variance request from Section 27-503-(8)(B)(5) to permit the use of high-intensity fluorescent pain on the pole of the pole sign proposed on the property.

Mr. Cosgrove asked if the township consents to the interpretation of the provision of the zoning ordinance as it pertains to the at issue pole sign.

Mr. Wozniak stated the township consents with the applicant.

Mr. Cosgrove stated that the Board accepts the withdrawal of that request.

Ms. O’Neill submitted an expanded sign packet, the Board accepted that packet as Exhibit A-1.

- d. Township’s Case. Mr. Mike Wozniak, Township Assistant Director, Community Development, presented the Township’s case and responded to Board questions.
- e. Executive Session: None.
- f. Public Comment: None.

Mr. Cosgrove called for a motion to close the Public Hearing for the Allegheny Health Network variance request.

A MOTION WAS MADE BY Mr. DAN PATTERSON, SECONDED BY Mr. JOHN SCOTT TO CLOSE THE PUBLIC HEARING. MOTION CARRIED UNANIMOUSLY.

Mr. Cosgrove called for a motion to approve the following a special exception under Section 27-704 of Chapter 27 of the North Fayette Township Code of Ordinances, Zoning, as amended (the "Zoning Ordinance"), in order to permit a pole sign in the B-2 zoning district; and a variance from Section 27-1008(1), Table 15, of the Zoning Ordinance to permit a pole sign of 180 SF.

A MOTION WAS MADE BY Mr. DAN PATTERSON, SECONDED BY Mr. JOHN SCOTT TO APPROVE. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT:

There were no public comments.

ADJOURNMENT:

The meeting was adjourned at 7:17 PM.

Respectfully submitted,

Debbie Midgley
Zoning Hearing Board Recording Secretary