

**NORTH FAYETTE TOWNSHIP
ZONING HEARING BOARD**

**WEDNESDAY, MAY 24, 2023
7:00 P.M.**

The meeting was called to order by Chairman, Brant Miller.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Chip McCarthy, Alternate Member

OTHERS PRESENT:

Mike Wozniak, Assistant Director Community Development
Leah M. Attanucci, LaGamba Reporting Services
Matt Brodman, Baker Young Corporation
Christine Stinson, Baker Young Corporation
David Myers, Thornson Baker Engineering

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

There were no public comments.

ADMINISTRATIVE:

Mr. Miller asked for a motion to approve the minutes from the April 27, 2023, meeting.

A MOTION WAS MADE BY Mr. JOHN SCOTT, SECONDED BY Mr. DAN PATTERSON TO APPROVE THE MINUTES FROM THE APRIL 27, 2023, MEETING. MOTION CARRIED UNANIMOUSLY.

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

Mr. Miller 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. Miller 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:

There was no old business.

NEW BUSINESS:

1. FERGUSON ENTERPRISES VARIANCE APPLICATION

- a. Mr. Miller opened the public hearing on the Variance Application filed by Ferguson Enterprises and summarized the application as follows:

An application filed by Giustini Enterprises LLC on behalf of Imperial Industrial Park LLC requesting variances from: 1) Section 27-305(3), Table 4, of Chapter 27 of the North Fayette Township Code of Ordinances, Zoning, as amended (the “Zoning Ordinance”); and 2) Section 27-306(4)(C)(2) of the Zoning Ordinance, to permit the construction of an accessory building on property located at 200-300 Imperial Industrial Park Drive in the Township I-1 – Light Industrial Zoning District, currently designated as Allegheny County Parcel ID Nos. 690-K-2 & 690-F-9.

- b. Mr. Miller stated that the Exhibits enumerated on the Exhibit List prepared by the Board Solicitor are entered into the Record of this hearing. Mr. Miller 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. Christine Stinson and Matt Brodman of Baker Young Corporation and David Myers of Thorson Baker Engineers, representing the applicant, presented the case and responded to questions by the Board.
- d. Township’s Case. Mr. Mike Wozniak, Township Assistant Director, Community Development, presented the Township’s case and responded to the Board’s questions.
- e. Executive Session: The Board recessed at 7:30pm to go into executive session and resumed at 7:38pm. Mr. Cosgrove stated the Board held an executive session to receive advice of the Solicitor.
- f. Public Comment: There were no public comments.

Mr. Miller called for a motion to close the Public Hearing for the Ferguson Enterprises variance request.

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

Mr. Miller called for a motion to act on the Ferguson Enterprises variance request.

A MOTION WAS MADE BY Mr. DAN PATTERSON, SECONDED BY Mr. JOHN SCOTT TO DENY THE APPLICATION FILED BY GIUSTINI ENTERPRISES LLC ON BEHALF OF IMPERIAL INDUSTRIAL PARK LLC REQUESTING VARIANCES FROM: 1) SECTION 27-305(3), TABLE 4, OF THE NORTH FAYETTE TOWNSHIP ZONING ORDINANCE; AND 2) SECTION 27-306(4)(C)(2) OF THE ZONING ORDINANCE DUE TO THE APPLICANT'S FAILURE TO SATISFY THE CRITERIA FOR THE APPROVAL OF A VARIANCE UNDER §27-1516(5) OF THE ZONING ORDINANCE AND §910.2 OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE.

PUBLIC COMMENT:

There were no public comments.

ADJOURNMENT:

A MOTION WAS MADE BY Mr. DAN PATTERSON, SECONDED BY Mr. JOHN SCOTT, AND CARRIED TO ADJOURN THE MEETING AT 7:42 P.M. MOTION CARRIED UNANIMOUSLY.

Respectfully submitted,

Debbie Midgley
Zoning Hearing Board Recording Secretary