

The Zoning Hearing Board of Butler Township met on Wednesday, July 19, 2017 at 6:30 p.m. at the Butler Township Municipal Building, 290 South Duffy Road, Butler, PA 16001.

The following Members were present: Chair Greg Haughey, Vice-Chair Heather Starcher, and Tom Holman.

Also present were Secretary Theresa Giesler, Zoning Officer Jesse Hines, Solicitor Gwil Price, and Court Reporter Cheryl Eckstein.

Chair Haughey called the meeting to order at 6:30 p.m.

Chair Haughey opened the first hearing at 6:35 p.m.

Secretary Giesler read **Appeal No. 17-03** received May 15, 2017. The applicant is JG Contracting Company and the owner is Butler County. They are asking for a Special Exception for an Essential Communications Tower and for Variances from the maximum height of a tower and distance from an R District. The property is located at 120 McCune Drive, Butler, PA (Map & Parcel 40-38).

Chair Haughey swore in all who wished to testify.

Tom Holman stated that he does work in the Butler County Courthouse and if there were objections he would recuse himself from the hearing. There were no objections.

The applicant's attorney, Mr. Tom Ayoob of 710 Fifth Avenue, Suite 2000, Pittsburgh, PA 15219 was in attendance to represent the appeal. He explained that they wish to relocate the existing tower onto a new property and also need an 8" variance from the height requirement.

Discussion was held regarding the standards and criteria for essential communications towers.

The Zoning Hearing Board went off record at 6:47 p.m.

The Zoning Hearing Board was back on record at 6:49 p.m.

Solicitor Price interpreted that this is an existing essential communications tower on the Sunnyview Complex and that the tower is being replaced on the same Sunnyview site, but at a slightly different location.

The Zoning Hearing Board went off record at 6:50 p.m.

The Zoning Hearing Board was back on record at 6:52 p.m.

Mr. John Gyurina with JG Contracting Company of 100 W. Main Street, Suite 200, Carnegie, PA 15106 was in attendance to discuss the time frame of the construction of the tower.

Motion by Holman to grant the special exception for an essential communications tower, conditional upon construction being completed on or before December 31, 2018, and grant the *de*

24 *minimis* variance in the height of the tower permitting it to be 190' 8", seconded by Vice-Chair Starcher and carried unanimously.

Chair Haughey informed all present that anyone aggrieved by the decision of the Zoning Hearing Board may appeal to the Court of Common Pleas within thirty days of the written decision.

Chair Haughey adjourned the first hearing at 6:55 p.m.

Chair Haughey opened the second hearing at 7:00 p.m.

Secretary Giesler read **Appeal #17-04** received June 21, 2017. The applicant is Jahn Hunka and the property is owned by Richard & Robb Ritenour. He is asking for an Interpretation of Butler Township's Zoning Ordinance, **Chapter 300-9. Definitions. GUN AND ARCHERY RANGE, OUTDOOR** and a Variance from Butler Township's Zoning Ordinance, **Chapter 300-23.B.(27) Standards and Criteria for Gun and Archery Ranges (Outdoor)**. The property is located at 534 Evans City Road, Butler, PA (Map & Parcel 17-1C2).

Chair Haughey swore in all who wished to testify.

The applicant, Mr. Jahn Hunka of 273 Green Manor Drive, Butler, PA 16002 was in attendance to represent the appeal. He explained that he would like to have an indoor pistol range, but does not see anything in the Zoning Ordinance that discusses this type of range.

Discussion was held regarding hours of operation, parking, the NRA, and noise.

Mr. Hunka handed out folders that explained the rules of his indoor pistol range and discussion was held regarding the same.

Zoning Officer Hines stated that he had conversations with both Butler Township Fire Marshal and Butler Township Police Chief and there is nothing that would prohibit firearms indoors.

The Zoning Hearing Board went off record at 7:37 p.m.

The Zoning Hearing Board went back on record at 7:43 p.m.

Motion by Holman to grant the special exception for a comparable use not specifically listed to allow for a handgun/pistol range, conditional upon approval being for seven (7) lanes, hours of operation from 8:00 a.m. to 8:00 p.m., operation according to safety rules and standards as prescribed or recommended by a recognized national organization or the insurance industry, compliance with all noise limitations, and construction being completed on or before August 1, 2018, seconded by Vice-Chair Starcher and carried unanimously.

Chair Haughey informed all present that anyone aggrieved by the decision of the Zoning Hearing Board may appeal to the Court of Common Pleas within thirty days of the written decision.

Chair Haughey adjourned the second hearing at 7:47 p.m.

