

JULY 17, 2019

The Zoning Hearing Board of Butler Township met on Wednesday, July 17, 2019 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 David A. Crissman, and Court Reporter Kelly Ferrari.

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

Chair Haughey opened the first hearing at 6:31 p.m.

Chair Haughey swore in the Township Secretary, Zoning Officer, Applicant and all who wished to testify.

Secretary Giesler read **Appeal #19-05** received May 24, 2019. The applicant is the property owner Christopher Henry. He is asking for a Special Exception for Indoor Amusement. The property is located at 18 Chesapeake Street, Lyndora, PA (Map & Parcel 37-A388). The application was marked at Board Exhibit 1.

The written notice of the hearing given to the applicant was marked as Board Exhibit 2.

The Township Planning Commission and Zoning Officer were informed of the hearing.

The written notice of the hearing that was given to the property owners within 200 feet of the subject property as supplied by the applicant was marked as Board Exhibit 3.

The public notice that was published once each week for two successive weeks with the first publication not more than 30 days, and the second publication not less than 7 days from the date of the hearing was marked as Board Exhibit 4.

The written notice of the hearing that was posted on the property for which the special exception was requested was marked as Board Exhibit 5.

The applicant explained that he would like to operate a pinball arcade.

Holman went over the Standards and Criteria for Indoor Amusement.

1. Does the site have frontage on and direct vehicular access to an arterial street or collector street? The applicant stated yes.
2. Will all activities be conducted within a completely enclosed building? The applicant stated yes.
3. Will all activities comply with the noise standards? The applicant stated yes.
4. Will all parking areas facing a residential use or zoning classification be screened by a buffer? The applicant stated yes.

Zoning Officer Hines explained that the property is located in the Hansen Avenue Revitalization H Overlay.

Discussion was held regarding the hours, number of employees, number of machines, and seating arrangements.

Mr. Mike Hussar of 114 North Breezewood Drive, Butler was in attendance and questioned the parking. He stated that the applicant does not have permission to park in the Slovak parking area.

Mr. John Chruscinski, owner of 15 & 17 Chesapeake Street, Lyndora was in attendance and stated that the applicant could use his on-street parking spaces. He is not opposed at all.

The Zoning Hearing Board went off record at 6:41 p.m.

The Zoning Hearing board went on record at 6:42 p.m.

Motion by Holman to grant the special exception for a pinball arcade with the condition that the applicant applies for an occupancy permit by January 1, 2020, 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 and the meeting at 6:46 p.m.

Theresa Gessler