

PENN TOWNSHIP ZONING HEARING BOARD

Thursday, March 30, 2023

6:00 PM

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Eric Mockenhaupt, Chairman

Greg Ramsey, Vice Chariman

Carl Leicher, Jr., Member

Matthew F. Marshall, Esq., of Dillon McCandless King Coulter & Graham – Solicitor

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

5. REORGANIZATION.

A. Call for a motion to appoint _____ as Chairman for the Zoning Hearing Board for the ensuing year.

B. Call for a motion to appoint _____ as Vice Chairman for the Zoning Hearing Board for the ensuing year.

C. Call for a motion to appoint Matthew F. Marshall and the law firm of Dillon McCandless King Coulter & Graham, LLP, as Solicitor for the Zoning Hearing Board.

D. Call for a motion to appoint each Zoning Hearing Board member as a hearing officer.

6. ADMINISTRATIVE

A. Call for a motion to approve the minutes from the October 26, 2022 meeting.

B. Prior to this meeting, the Board held an executive session to receive advice of the Solicitor.

C. Notice of tonight's hearing was advertised pursuant to the requirements of the Pennsylvania Municipalities Planning Code.

(1) Confirm on record with Township Land Use Administrator Clinton Bonetti that:

(a) Public Notice of tonight's meeting was run in the Butler Eagle in accordance with the MPC;

(b) the property was posted per the MPC;

(c) the applicants were notified per §19.18(B) of the Zoning Ordinance; and

(d) all property owners of record within 300 feet of the exterior boundaries of the subject property was notified per §19.18(B) of the Zoning Ordinance.

7. OLD BUSINESS

A. None.

8. NEW BUSINESS

A. Pacific Coast Partners, LP, Substantive Validity Challenge

- (1) *Open Public Hearing.* Court reporter to swear in witnesses and any members of the public wishing to comment on this Variance Application.
- (2) *Summary:* Pacific Coast Partners, LP, owners of property in the Township currently designated as Butler County Parcel ID No. 270-2F94-15 in the Township C2 – Highway Commercial District and Township RE – Residential Estate District, have challenged the substantive validity of Penn Township Ordinance No. 173 which repealed and replaced Chapter 12 of the Zoning Ordinance now entitled “Planned Residential Development.”
- (3) *Board Exhibits:* The Exhibits as enumerated on the Exhibit List prepared by the Board Solicitor entered into the Record of this hearing. The court reporter will insert those exhibits into the transcript as if the Exhibit List was read into the Record.
- (4) *Applicant’s Case.*
- (5) *Township’s Case.*
- (6) *Public Comment.*
- (7) *Executive Session* (if necessary).
- (8) Call for a motion to *Close* or *Continue* the Public Hearing.
- (9) Call for a motion to *Table* or *Act* on the Application.

9. ADJOURNMENT