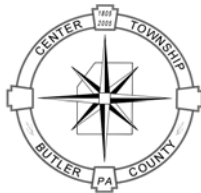


Board of Supervisors:
Ronald Flatt, Chairman
Philip Wulff, Vice Chairman
Edward Latuska, Supervisor
Robert Sloan, Supervisor
Alan Smallwood, Supervisor



Anthony Amendolea, Secretary/Treasurer
Michael Gallagher, Solicitor
Gateway Engineers, Engineer
Patrick Gauselmann, BCO/Zoning Officer

Center Township Board of Supervisors
 Clearview Mall Associates Conditional Use Hearing
 December 9, 2019
 6:30 p.m.

CALL TO ORDER:

Chairman Ronald Flatt called the Clearview Mall Associates Conditional Use Hearing, of the Center Township Board of Supervisors, to order at 6:00 p.m. The meeting was held at the Unionville Volunteer Fire Company Firehall, 102 Mahood Road, Butler PA 16001.

ROLL CALL:

In addition to Chairman Flatt, present were; Vice Chairman Philip Wulff; Supervisors Edward Latuska, Robert Sloan and Alan Smallwood; Recording Secretary Cheryl Eckstein; and Township Secretary/Treasurer Anthony Amendolea.

PURPOSE:

The purpose of this public hearing is to obtain public comment and testimony from the parties involved in the conditional use application filed by Clearview Mall Associates. The applicant is requesting that Center Township Board of Supervisors consider granting the use of B.Y.O.B within the tenant spaces located within the Covered Mall. The property is owned by Clearview Mall Associates and located at 101 Clearview Circle, Butler, PA 16001 (Center Township Map 060-S18-A1). Per Chapter 20, Article IX, Section 20-904 of the Center Township Codification of Ordinances permits the use with conditions in the "C-1", Retail and Service Commercial District. Public notifications were mailed Friday, November 8, 2019 to all property owners within 300 feet. The Planning Commission recommended approval at their meeting held on Wednesday, November 20, 2019. The notice of the public hearing was published in the Butler Eagle editions on Sunday, November 24, 2019 and Sunday, December 1, 2019. The property was posted on Monday, December 2, 2019.

APPLICANT COMMENTS: Applicant was not present.

PUBLIC COMMENTS: None

BOARD OF SUPERVISORS:

- A. Latuska stated he was disappointed that Mr. John Brautigam was not present. He questioned type of enforcement and who would be responsible for the enforcement.
- B. Gauselmann, Building Code Official/Zoning Officer stated that Mr. Brautigam may have gotten confused with the time. Each tenant would be responsible to apply for a BYOB license. He suggested repealing current ordinance which was designed for the former Ghost Riders. He requested the Board of Supervisors approve with the conditions of (1) Clearview Mall Associates/Property Owner(s) and all tenants must comply with the proposed

ordinance that shall replace the existing Club/BYOB ordinance, (2) Each tenant within the covered mall that would like to operate a BYOB shall first apply for either an annual BYOB permit or special event permit prior to permitting occupants within the establishment to consume alcoholic beverages within the tenant space and (3) If Clearview Mall Associates/Property Owner(s) or tenant violate any provision within the proposed ordinance, Center Township shall have the right to revoke Clearview Mall Associates/Property Owner (s) Conditional Use Permit without written notice.

- C. Wulff asked if a permit would be issued to any tenant within the mall without a conditional use hearing. Also, he wanted to know if an annual inspection would be conducted.
- D. Flatt stated Gauselmann prepared a proposed ordinance to repeal current which was designed for Ghost Riders. The Board of Supervisors would not consider approval without Clearview Mall Associates agreement to the conditions, in writing, prior to Wednesday, December 11, 2019.

ADJOURNMENT:

Latuska made a motion to adjourn at 6:16 p.m. Smallwood seconded. Motion carried.

Anthony A. Amendolea
Township Secretary/Treasurer

Ronald E. Flatt
Chairman

Phillip B. Wulff
Vice Chairman

Edward G. Latuska
Supervisor

Robert M. Sloan
Supervisor

Alan H. Smallwood
Supervisor