

NEVILLE TOWNSHIP
5050 GRAND AVENUE
NEVILLE ISLAND, PA 15225

August 4, 2020
6:00 PM

SPECIAL MEETING – CONDITIONAL USE HEARING

CALL TO ORDER:

The August 4, 2020 Special Meeting was called to order by Chairman Rutter at 6:00 PM. Due to the COVID-19 Pandemic Emergency the meeting was held virtually.

ROLL CALL:

Officials Present: Mr. Rutter, Mr. Kerr, Mr. Leon, Mrs. Phillips.
Mr. Brown was absent due to technical difficulties.

Also Present:

Township Manager Jeanne Creese
Township Solicitor Charles Means
Township Engineer Drew Null

CONDITIONAL USE HEARING:

Neville Island Commons applied for conditional use approval for a parking use for Amazon delivery vehicles at 5800 Grand Avenue. Zoning Ordinance Section 6.3.2 allows for “parking terminals” in the commercial district; Section 13.8.18 states conditions to be met.

The applicant’s presentation and Board discussion are recorded in the hearing transcript.

Motion:

Motion by Mr. Leon to approve the Conditional Use Application submitted by Neville Island Commons for a parking use at 5800 Grand Avenue.

Second- Mr. Kerr

Roll Call- Mr. Kerr-Yes, Mr. Leon-Yes, Mrs. Phillips-Yes and Mr. Rutter-Yes

Motion:4/4

ADJOURN:

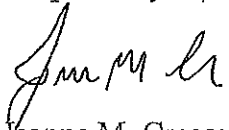
Motion by Mr. Leon to adjourn the meeting at 6:17 PM.

Second: Mr. Kerr

All in favor.

Meeting adjourned at 6:17 PM.

Respectfully Submitted By:



Jeanne M. Creese
Township Manager

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A P P E A R A N C E S

ZONING HEARING BOARD:

RICK RUTTER, CHAIRMAN
Bill Leon
David Kerr
James Brown
Tracy Phillips

Jeanne Creese, Township Manager

ON BEHALF OF ZONING HEARING BOARD:

CHARLES MEANS, ESQUIRE
Goehring, Rutter & Boehm
1424 Frick Building
Pittsburgh, PA 15219

ON BEHALF OF NEVILLE ISLAND COMMONS, LLC

SEAN CARMODY, ESQUIRE
801 Vinal Street
Pittsburgh, PA 15212

1 P R O C E E D I N G S

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3
4 (WITNESSES JOINTLY SWORN)

5
6 MR. MEANS: Maybe, Jean or Rick,
7 would you put into the record all the board
8 members that are present by remote or however?

9 MS. CREESE: Yes, I can do that.
10 Present for this meeting are our chairman,
11 Richard Rutter, our vice-chairman, Bill Leon,
12 commissioner Tracy Phillips, and commissioner
13 Dave Kerr. Also present are the township
14 solicitor, Chuck Means, the township engineer,
15 Drew Null, and the attorney for the applicant,
16 Sean Carmody.

17 MR. MEANS: With that, I think
18 that we can go ahead and have the applicant,
19 through Mr. Carmody, present his case.

20 MR. CARMODY: Thanks, Chuck.
21 Everyone should have a submission signed by
22 Mr. Snyder detailing what his request is as
23 well as a revised conditional use application
24 for the property at 5800 Grand Avenue and,
25 finally, there is an aerial photo that we've

1 Mr. Snyder is leasing. This is a
2 month-to-month lease that he has with them.
3 He's actively trying to market the property.
4 This is not the highest and best use by any
5 means, but it provides him with a stream of
6 income now to pay his taxes and generate a
7 little bit of an income stream while he looks
8 for somebody else to develop the property for
9 a higher and better use.

10 That's really as simple as it is.
11 The parking stalls meet the borough ordinance
12 with respect to their size when they were
13 approved for King's and so we are looking to
14 see if the commissioners would approve this
15 conditional use as a parking terminal.

16 My understanding, I was at the
17 meeting of the planning commission and it was
18 their recommendation to the board that they
19 approve this. But, of course, it is up to the
20 Board of Commissioners. So if anybody has any
21 questions, I'd be happy to try to answer.

22 MR. MEANS: Well, for
23 clarification then, I don't think the court
24 reporter has your July 27th letter of
25 submittal.

1 of the public contact us for the access code.
2 This meeting was advertised as a video
3 conference with an access code and
4 instructions for the public to contact us
5 through the access code or to contact us if
6 they needed assistance for any reason. We did
7 not receive any inquiries to join the meeting
8 nor did we receive any questions or comments.

9 MR. MEANS: Okay, so I did want to
10 get that in the record, Jean, that you
11 advertised it through the newspaper.

12 MS. CREESE: Yes, it was
13 advertised on the newspaper and it's also
14 posted on the township's website as a meeting
15 event for this evening.

16 MR. MEANS: And if any member of
17 the public had wanted to, they could have
18 followed the directions in the advertisement
19 and contacted you and both received an access
20 code and ability to participate and they could
21 have submitted any question or comment they
22 had, but you have received none?

23 MS. CREESE: That's correct.

24 MR. MEANS: Okay. With that, is
25 there anyone else that may have a question or

1 other three conditions under that Section
2 13.8.18, they all refer to storage. As I
3 understand the application, but I would ask
4 Mr. Carmody to confirm it, this is not for
5 storage of vehicles, it is for parking of
6 vehicles that will come in and out and it is
7 not intended as a vehicle storage; is that
8 correct?

9 MR. CARMODY: That is correct.

10 MR. MEANS: And then the final
11 thing I have is not a question, but I wanted
12 it to be in the record and to be considered in
13 the event this is approved. And it's clear
14 from the record. This parking is in
15 connection with a structure that has been
16 built so we are not dealing here with a vacant
17 piece of ground that someone is turning into a
18 parking lot. And making no other use or
19 construction on the property.

20 So I want that to be clear, that
21 if the board would grant an approval, this is
22 not a precedent for any vacant piece of ground
23 in the township to be used as property for a
24 parking lot. With that, I didn't have
25 anything else to ask or to offer unless the

1 the property owner has agreed to do that and I
2 believe must do that to comply with your
3 maintenance code.

4 MR. MEANS: So if approval was
5 granted, then the property owner is not
6 relieved of any maintenance obligations to any
7 degree that he would have had if the
8 restaurant was still in operation, parking for
9 the restaurant was going on. And that would
10 be my understanding.

11 MR. CARMODY: That is my
12 understanding as well, Chuck.

13 MS. CREESE: This is the township
14 manager, Jean Creese. Just for the board's
15 information, at the time that the applicant
16 took occupancy of the property but prior to
17 the application, we did receive a similar
18 question to the township with the
19 understanding it was based on littering that
20 was occurring at Amazon facilities not located
21 in Neville. We inspected the site.

22 Our property maintenance inspector
23 inspected the site on the date of the
24 Complaint and then weekly for a few weeks. He
25 reported back to the township that at no time

1 motion.

2 MR. RUTTER: So I call for a
3 motion to approve Neville Island Commons
4 application for continued conditional use of a
5 parking facility at 5800 Grand Avenue.

6 MR. KERR: I'll second it.

7 MR. RUTTER: Roll call.

8 MS. CREESE: Mrs. Phillips?

9 MS. PHILLIPS: Yes.

10 MS. CREESE: Mr. Kerr?

11 MR. KERR: Yes.

12 MS. CREESE: Mr. Leon?

13 MR. LEON: Yes.

14 MS. CREESE: Mr. Rutter?

15 MR. RUTTER: Yes. Okay, I guess
16 it's approved and that's a wrap.

17 MR. MEANS: That's a wrap. You
18 can adjourn, Mr. Chairman.

19 MR. RUTTER: All right, guys, I
20 guess we'll meet again on Thursday.

21 MS. CREESE: Thanks, everyone.

22 MR. MEANS: Thanks, everybody.

23

24 (Whereupon, at 6:20 p.m. the
25 record was closed.)

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C E R T I F I C A T E

I hereby certify that the transcript of the proceedings and evidence contained herein are a true and accurate transcription of my stenographic notes taken by me at the time and place of the within cause; that the transcription was reduced to printing by me; and that this is a true and correct transcription of the same.

Leaette Cavaliere
162 Cobblestone Drive
Pittsburgh, PA 15237
(412)847-8256

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