

RESOLUTION R 2016 - 08

Hopewell Township, Beaver County, Pennsylvania

**A RESOLUTION OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY,
PENNSYLVANIA APPROVING THE LAND DEVELOPMENT PLAN FOR
CONSTRUCTION OF A WAREHOUSE BUILDING AND LAYDOWN YARD IN THE
RIVERFRONT INDUSTRIAL DISTRICT KNOWN
AS THE BETTERS REAL ESTATE HOLDINGS L.P. WAREHOUSE & LAYDOWN
YARD LAND DEVELOPMENT PLAN IN ACCORDANCE WITH SUBDIVISION &
LAND DEVELOPMENT ORDINANCE NO. 91-02**

WHEREAS, on March 9, 2016 an application was submitted to Hopewell Township by Better's Real Estate Holdings, L.P., to consider a proposed land development plan, known as the Better's Real Estate Holdings LP Warehouse & Laydown Yard Land Preliminary/Final Development Plan (hereinafter the "Plan"); and

WHEREAS, the Plan seeks approval for the construction of a warehouse building and laydown yard, permitted principal uses in the Riverfront Industrial District, encompassing six (6) parcels; and

WHEREAS, the Beaver County Planning Commission received the proposed Plan and issued review comments in correspondence dated April 20, 2016; and

WHEREAS, the Hopewell Township Planning Commission received the proposed Plan and issued review comments recommending approval of the Plan in correspondence dated April 22, 2016 with said approval being conditioned upon compliance with the comments contained in the Township Engineering review letter dated April 4, 2016 (attached hereto as Exhibit "A") as well as the comments contained in the Beaver County Planning Commission letter dated April 20, 2016 (attached hereto as Exhibit "B") and Hopewell Township Planning Commission letter dated April 22, 2016 (attached hereto as Exhibit "C").

NOW, THEREFORE, BE IT RESOLVED that the Hopewell Township Board of Commissioners hereby approves the Better's Real Estate Holdings LP Warehouse & Laydown Yard Land Development Plan conditioned upon the following:

1. The proposed warehouse building is situated upon Parcel B-1 entirely in Hopewell Township. Proposed site work associated with the warehouse building (utilities, parking, loading/unloading dock, sewage grinder pump station and driveway) is located on Parcel B-1 and Parcel A, both entirely in Hopewell Township. The proposed laydown yard is located upon all parcels within Hopewell Township and Center Township. A small portion of the roadway is located within the City of Aliquippa on Parcel 9-1.

2. The Applicant must fully comply with the comments contained in the Township Engineering review letter dated April 4, 2016 (and any subsequent comments or requirements of the Township Engineer) as well as the recommendations of both the Beaver County and Hopewell Township Planning Commissions set forth in the letters identified above.
3. The Applicant will comply with all requirements/permits of Hopewell Township and/or Beaver County and/or the Commonwealth of Pennsylvania and its agencies relative to construction standards, storm water management, grading and filling, signage, ADA accessible parking, erosion and sedimentation control, water service and zoning. This approval is further conditioned upon execution of a Developer's Agreement requiring single entity ownership of Parcels B-1 and A, with reference to the Developer's Agreement expressly noted on the recorded Plan, as a structure is proposed to be constructed across the boundary of these two parcels or, in the alternative, the Developer shall consolidate these lots by way of an approved Lot Consolidation Plan.
4. All of these aforementioned conditions must be fully satisfied prior to recording the Plan with the Beaver County Recorder of Deeds Office.

RESOLVED AND ENACTED this 25th day of April, 2016

Attest:

Hopewell Township Board of Commissioners

By: 
Norman Kraus, Jr., Township Manager

By: 
President

**-TOWNSHIP OF HOPEWELL
Beaver County, Pennsylvania
BOARD OF COMMISSIONERS
BUSINESS MEETING MINUTES**

7:12pm Business Meeting Called to Order by Mr. Bufalini and he announced that the meeting will be recorded

7:12pm PLEDGE OF ALLEGIANCE

ROLL CALL 7:13pm

- President Rich Bufalini In Attendance
- Vice President Joe Kusnir In Attendance
- Commissioner David Ciccone Absent
- Commissioner Nick DiPietro In Attendance
- Commissioner Gary Tranelli In Attendance

OTHERS PRESENT

- Norm Kraus, Jr./ Township Manager
- Marie Stratakis Hartman/ P.E. , Engineer/Assistant Manager
- Mike Jones (McMillen, Urick, Tocci and Jones) Township Solicitor

7:13 pm CITIZEN COMMENTS PERTAINING TO THE BUSINESS AGENDA None

7:13 pm BUSINESS AGENDA

Mr. Kusnir Motion to approve the Business Meeting Minutes of March 25th, 2016
 Mr. Tranelli Second the Motion

Roll Call Vote:

- Mr. Tranelli Yes
- Mr. Ciccone Absent
- Mr. DiPietro Yes
- Mr. Kusnir Yes
- Mr. Bufalini Yes

Motion Carried

Mr. DiPietro Motion to approve the list of bills dated April 25th, 2016, as stated; General Fund;
 \$59,789.85; Sewer Fund; \$42,616.16 and State Fund; \$82.18.

Mr. Kusnir Second the Motion

Roll Call Vote

- Mr. Tranelli Yes
- Mr. Ciccone Absent
- Mr. DiPietro Yes
- Mr. Kusnir Yes
- Mr. Bufalini Yes

Motion Carried

Mr. Bufalini Motion to approve the March 2016 Tax Collector's Report for Tax Year 2015.
Mr. DiPietro Second the Motion

Roll Call Vote

Mr. Tranelli Yes
Mr. Ciccone Absent
Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Bufalini Yes
Motion Carried

Mr. Kusnir Motion to approve the March 2016 Tax Collector's Report for Tax Year 2016.
Mr. Tranelli Second the Motion

Roll Call Vote

Mr. Tranelli Yes
Mr. Ciccone Absent
Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Bufalini Yes
Motion Carried

Mr. DiPietro Motion to approve Resolution R -2016-08, a Resolution of the Township of Hopewell, Beaver County, Pennsylvania, approving the land development plan for construction of Warehouse Building and Laydown Yard in the Riverfront Industrial District known as the Betters Real Estate Holdings L.P. Warehouse and Laydown Yard Land Development Plan in accordance with Subdivision & Land Development Ordinance NO. 91-02.

Mr. Tranelli Second the Motion

Roll Call Vote

Mr. Tranelli Yes
Mr. Ciccone Absent
Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Bufalini Yes
Motion Carried

Mr. Bufalini Motion to approve Resolution R 2016-09, a Resolution of the Township of Hopewell, Beaver County, Pennsylvania, approving the Carelli Plan of Consolidation of six (6) lots – Parcel Numbers 65-003-1000, 65-003-1018, 65-003-1017, 65-003-1016, 65-003-1015, 65-003-1014, into one (1) parcel, Referenced as Parcel "A" Located at 41 Vernon Avenue within the Woodlawn Park Area, Hopewell Township, in accordance with the zoning Ordinance and Subdivision & Land Development Ordinance.

Mr. Kusnir Second the Motion

Roll Call Vote

Mr. Tranelli Yes
Mr. Ciccone Absent
Mr. DiPietro Yes
Mr. Kusnir Yes
Mr. Bufalini Yes
Motion Carried

- 7:17 pm COMMISSIONERS REPORTS NONE
- 7:17pm THE VARIOUS DEPARTMENT REPORTS WERE GIVEN AND ARE ON FILE
- 7:28pm OLD BUSINESS NONE
- 7:28pm NEW BUSINESS NONE

- 7:28pm PUBLIC FORUM

Mr. John Janicki 141 Stone Quarry Rd. Ed Burak 1105 Morrow Rd.

Mr. Janicki acted as a group spokesman for a group of concerned citizens from Stone Quarry Rd. and Morrow Road in Hopewell Township. They wanted to address the ongoing issue of the Hopewell VFW Post 8805 Rifle Range renting their facility to private outside training firms such as 3Rivers Tactical Training Solutions, Protective Shooting Concepts and the CCBC Police Technology Basic Firearms Course. Mr. Janicki stated there is heavy shooting activity and excessive noise at the shooting range, proving to be a detriment to citizens living around there. Their citizens group went to the Gun Range Meeting to plead their case, without any success. The Shooting Range at the VFW has been there for over 38 years and Mr. Janicki pointed out it was for rifles and single shotgun weapons before, not AK-15s, 47s and any other number of semi-automatic and automatic weapons shooting 500 rounds or more at one time from early morning till late night.

Ed Burak, whose family lives at 1151 Morrow Road, said the VFW sign out on Route 151 advertises the shooting range opportunities. The shooting takes place all day, all weekend and even late night when the shooters use night lights to shoot at targets. Furthermore, Mr. Burak has two water wells on his property approximately 120 yards from the shooting range. He had the wells tested for lead and found it to be 30 times over the limit allowed in the state. EPA came out and tested it and still found the limit allowed. As Mr. Burak said, there is 38 years of lead shot into the hillside of the shooting range and this affects the lead base now showing up in tests.

Gertrude Beistel of 1102 Morrow Road mentioned a house being for sale up there and who would want to buy that house with all the loud shooting noises going on. She said she's "Scared to death" of the shooting range and what's going on there.

President Bufalini said that the Board of Commissioners would contact the VFW about this issue of noise, lead, etc. Mr. Janicki pointed out that the gripe is not with the VFW, but rather with Gun Range, which is a Club within a Club. Zoning Officer John Bates said the VFW was established in 1973, and the Shooting Range setup as it now stands evolved into what now takes place there. The township has no specific ordinance that covers Gun Ranges, but does have a Noise Ordinance. Mr. Janicki said the Shooting Range Club did a noise survey and came back saying the levels were okay?? The noise level allowed is 60 decibels from 10pm till 7am and 80 decibels from 7am till 10pm. Mr. Burak added he has not had a family gathering at his residence in over three years, due to the multi shooters coming in shooting hundreds of rounds all through the day and night, seven days a week. The situation is possessing him over all else he does right now.

Cindy Murphy of 25 Temple Road, who also represents the B.F. Jones Library, asked how the property was zoned. John Bates said it is R-1 agricultural zone where the range is and R-4 (residential) where the residents live.

Solicitor Mike Jones said that he and Mr. Bates and township officials would look into the situation. If it is found that the shooting practice there currently is not allowed, it will be stopped. If the shooting at some level is allowed, he will look to see what limit is allowed. Mr. Jones said there could be a ban on assault rifles used on the range. Also, a noise nuisance study done by an independent party must be conducted, sampling the 3 decibel levels going on there. Mr. Janicki

and Burak again stated about the concern about lead at the premises affecting the properties and water there.

Mary Ellen Hornyak 182 Edgewood Street

Ms. Hornyak returned to again voice her concern with paving that needs done on Edgewood. She was hoping it could be done this Fall. Mrs. Hartman said it would more likely be next year with the 2017 paving program. Ms. Hornyak continued that the intersection of Edgewood and Temple is extremely rough and needs patched and worked on. Also, she has an issue with the overgrowth taking place on the guide rail on Green Street to the Aliquippa property line. It looks bad and there are also pieces of broken up road in the same area. Road Supervisor Chas Srafin said there are boulders behind the rail, so getting a cutting mower behind there to clean up vegetation would not be possible. He said he'd get some of his crew to throw the vegetation back away from the guide rail and cut it as best they could and spray it to kill it. Ms. Hornyak also complained about two dilapidated houses needing torn down in the neighborhood. Also, she said several lawns had not been cut and the house with the mini-horses had the horses back there again and Ms. Hornyak questioned how this could be with Hopewell not being "farm county." Zoning Officer Bates said the two owners of the houses would receive letters again and be cited and fined if necessary. Also, the owners of the houses with grass not being cut would be issued citations. Commissioner Bufalini said the township could get up there with the street sweeper and sweep away some of the heavy road material lying on the roads in that area.

Carl Hughes Kane Road.

Mr. Hughes manages the VFW and came to the meeting when he heard citizens were going to come to wage complaints to the BOC from the shooting range. He said "members only" were supposed to be shooting there and rogue entities were being permitted instead. He did say that the Hopewell Police used the range to shoot and qualify and this had been done as a courtesy to our police department. Mr. Janicki said if it was our police using the range to qualify, that was okay by him. Mr. Burak did not agree, pointing out there are five gun/shooting ranges in a 10 mile radius from which our police and others could go and shoot. "Noise is noise and lead is lead" is the statement Mr. Burak made with regards to the whole situation. Mr. Hughes added that the gun range was not covered under certain aspects of their insurance policy for use of the facility, but when he had told the man running the range, he was told that "They could do as they wished. They were covered as far as they were concerned."

Cindy Murphy B. F. Jones Library/Aliquippa

Cindy was there to promote the adult reading programs the library had to offer, as well as get the latest May 2016 Activity calendar at the library passed out to everyone. The "PA 1 Book" program for adults is being promoted by the library to adults who use the library and Cindy pointed out they are promoting that program.

8:13pm

ANNOUNCEMENTS : Our Youth Fishing Derby, free for kids up to 15 years old, will be held at The Hopewell Community Park Lake on Saturday, April 30th, 2016, from 8am till Noon. Our Adult Fishing Derby will be held on Sunday, May 1st, 2016, from 7AM till 11AM. More details are available on our township website on both fishing derbies.

Please check our website at www.hopewelltpw.com, our Facebook page, and Twitter, for updates on Township news and events.

8:15pm **At this time, President Bufalini announced that the Board of Commissioners would be going into an Executive Session. Solicitor Mike Jones said there would be no action taken on the on the police collective bargaining contract discussions, as well as litigation discussions on the old Pizza Masters property.**

8:23pm **Executive Session Begins**

8:50pm **Executive Session Ends**

8:52pm **ADJOURNMENT**

Mr. DiPietro Motion to adjourn
Mr. Kusnir Second the motion
Voice Vote: All in favor
Motion Carried

Minutes Recorded by: Norm Kraus 4/25/2016
Minutes Prepared by: Norm Kraus 4/26/2016