

WEST NOTTINGHAM TOWNSHIP
Conditional Use Hearing Minutes
October 20, 2009

Chairman Gerald Cox called the public hearing to order at 7:30 p.m.

The following were in attendance: Gerald Cox, David Ross, Eric Todd, Candace Miller, John S. Carnes, Jr., Cynthia King, Mark Wood, Andy Lambert, Nelson Eustice, John Reynolds, Jr., Norman Brown, and Marcella Peyre-Ferry.

PUBLIC HEARING

Mr. Cox opened the hearing and turned it over to the Township Solicitor. Mr. Carnes summarized the conditional use hearing application submitted by Mr. Mark Wood on behalf of Schagrin Gas Company and introduced the exhibits. Township exhibit 1 was the application requesting approval of a conditional use to install a 60,000 gallon propane refueling tank on tax parcel 68-6-75 in the limited industrial zoning district. Township exhibit 2 was the posting of the public notice on the property and verification of posting by the Road master. Township exhibit 3 was the posting at the municipal building and verification of posting by the Secretary/Treasurer. Township exhibit 4 consisted of a list of residents within 1000 feet of the property. Township exhibit 5 consisted of copies of the notice of public hearing mailed to residents within 1000 feet of the property listed on the application. Township exhibit 6 was the proof of publication in the Daily Local News.

Mr. Carnes asked if the applicant wanted to amend his application to cite the zoning ordinance as noted by the Codes Enforcement Officer. Mr. Lambert and Mr. Wood agreed. Mr. Lambert provided testimony regarding propane, its use, and how the state mandates the storage and distribution. He gave a brief history of Schagrin Gas Company and discussed the precautions taken at other storage facilities. Mr. Nelson, owner of the property, discussed the pole barn on the property and how it is currently being used. Also discussed was the railway along the property and what was known about the railroad's right-of-way. Mrs. King discussed the zoning of the property and the requirements for screening as described by the ordinances. After further discussion, it was suggested that the hearing be continued so that the applicant could pull together additional information for the Board.

The Board asked the applicant to agree to the following conditions and the following information at the next hearing:

1. Provide a safety plan for the site which might include video surveillance or a plan detailing the safety devices around the structure.
2. Agree to restrict overnight Bobtails.
3. Provide a copy of the lease to the Board.
4. Provide a copy of the deed of the property to identify the railroad right-of-way.
5. Provide a plan to screen the property or show how the screening has been met.

Mr. Cox moved to continue the hearing until November 10, 2009 at 7:00 p.m. Mr. Ross seconded the motion. Motion carried unanimously

Mr. Cox recessed the hearing at 8:42 p.m.

Respectfully Submitted,

Candace Miller
Secretary/Treasurer