

## PLANNING COMMISSION

July 7, 2016

The Planning Commission of South Strabane Township held their Regular Meeting on Thursday, July 7, 2016 at 7:00 P.M. in the Municipal Building, 550 Washington Road, Washington, PA 15301.

Present for the meeting were: Fred Pozzuto, Chairman, Vice-Chairman Paula Phillis, Joseph Kopko, Laynee Zipko, Jay Gordon, Tom Steele and Ken Rigby, Members. Also present were: John Stickle, Township Manager; Michael Sherrieb, KLH Engineers; John Cambest, Township Solicitor, Steve Toprani, Planning Commission Solicitor and Ellen Wallo, Recording Secretary.

Mr. Pozzuto led the group in the Pledge of Allegiance and read the agenda to the audience.

### PUBLIC COMMENTS

Judi Panasik of Green Crescent Drive stated that the Board of Supervisors should look into getting a new solicitor as she feels there is a conflict of interest regarding the fact that Mr. Toprani is Chairman of the Redevelopment Authority and the solicitor of the Planning Commission.

Mr. Toprani stated that his law firm, Dodaro, Matta & Cambest, P.C. has no seat on the Redevelopment Authority.

### PUBLIC HEARING

#### **Racetrack Road Development, LLC and Mulach Steel**

This application is a Continuation of a Conditional Use Application for Racetrack Road Development, LLC and Mulach Steel to build a light manufacturing and business office at Racetrack Road and Tanger Boulevard, zone C-3.

Dusty Elias Kirk, Esquire; Jeff DePaolis and George Haberman of CEC Engineering; Bill Matthews, Ensinger; Tony Rosenberger, Chapman Properties were present in support of this application.

#### Engineer's Comments (KLH):

A conditional use application dated May 11, 2016 was received from Racetrack Road Development, LLC, for conditional use approval of vacant land at Racetrack Road and Tanger Boulevard, a C-3 commercial district. The application was reviewed by KLH Engineers, Inc. for completeness and compliance with the Township zoning requirements for a conditional use in a C-3 Commercial District.

The conditional use application dated May 11, 2016 was found to be complete. The application was reviewed for compliance with the Township zoning Article XI. C-3 Mixed Use Commercial District, Section 245-71,b,(1).(c) and (f) conditional uses of Business office subject to Section 245-115, and Light Manufacturing facility subject to Section 245-137.1.

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The conditional use application is in compliance with the five requirements under Section 245-115 and Section 245-137.1.

Conditional Use Approval requires a land development plan be submitted if new construction is proposed. New construction is proposed and a Master Plan Application has been submitted for consideration and approval.

The Master Plan requires that Tanger Boulevard, a "Private Street" be dedicated to the Township and accepted by the Township as a Public Road, in order to comply with the Township's Land Development and Subdivision requirements. The Master Plan will not comply with the Township's Land Development and Subdivision requirements without acceptance of Tanger Boulevard as a Public Street.

Dusty Elias Kirk, Esquire, representing Ensinger, presented the cost of road maintenance for Tanger Boulevard and Southport Road and the projected taxes that should be received by the Township in the future. Mr. Cambest also presented a memo providing a legal opinion on the impact, if any, of the Township's acceptance of Tanger Boulevard and Southport Road on the existing TIF Plan.

Mr. Pozzuto stated that he feels this is a good project with quality construction.

Mr. Steele asked the engineer for Ensinger if the cost estimates for road maintenance are correct and he stated that they are.

Ms. Zipko stated that she feels this project will be very good for the Township and asked if Tanger could be asked to help pay for such road maintenance costs.

After some discussion, Ms. Zipko then made a motion to recommend approval of this Conditional Use application of Racetrack Road Development, LLC and Mulach Steel for light manufacturing and business office at Racetrack Road and Tanger Boulevard, zone C-3, with the provision that Tanger maintain Tanger Boulevard.

There was then discussion about Tanger maintaining Tanger Boulevard and it was decided that this was not the responsibility of Tanger as several businesses will benefit from using this road, not just Tanger customers.

Ms. Zipko then withdrew her motion.

Mr. Kopko then made a motion to recommend to the Board of Supervisors acceptance of the Conditional Use application of Racetrack Road Development, LLC and Mulach Steel for Zoning Ordinance 245-115.A-E and 245-137.1.A-E for light manufacturing and business office at Racetrack Road and Tanger Boulevard, zone C-3, subject to the comments from the engineer and that the Township accept Tanger Boulevard and Southport Road as Township roads with the recommendation that a Maintenance Agreement regarding sharing of the road maintenance costs be in place. The motion was seconded by Mr. Gordon and carried. The Roll Call Vote was as follows:

Mr. Gordon	Yes
Ms. Zipko	Yes
Mr. Rigby	Yes
Mr. Kopko	Yes
Mr. Steele	Yes
Ms. Phillis	Yes
Mr. Pozzuto	Yes

## CONTINUATION OF CONSIDERATION OF MASTER PLAN

### **Racetrack Road Development, LLC and Mulach Steel**

This item on the agenda is a continuation of consideration of a Master Plan of Racetrack Road Development, LLC and Mulach Steel for property at Racetrack Road and Tanger Boulevard, zone C-3.

As explained in the application, the Master Plan depicts a portion of Tanger Boulevard and all of Southport Road as roads “to be dedicated to public street.” Tanger Boulevard is currently a private road. Racetrack Road Development, LLC and Mulach Steel are requesting, as part of the application, that the designated portion of Tanger Boulevard and all of Southport Road, as shown on the Master Plan (the “Dedicated Roads”) be accepted as public roads by the Township and that the Township assume maintenance responsibilities for the Dedicated Roads. The acceptance by the Township of the Dedicated Roads is the key to this project moving forward. Per the South Strabane Subdivision and Land Development Ordinance, the lots in the development must be located upon a public road, and a public road cannot be accessed by a private road. Without acceptance of the Dedicated Roads, the project cannot proceed.

In answer to a question from the Board at the previous meeting, it was explained that a public road cannot be built directly from Racetrack Road to this site due to topographical issues.

Mr. Kopko asked what impact this will have on the Victory Centre Tax Increment Financing (TIF) that is in place. Ms. Kirk stated that there will be no impact. She stated that Tanger Outlets have paid \$125,000 annually to the Township for the past ten years, in addition to the real estate taxes paid each year. That amount should offset the cost to maintain Tanger Boulevard going forward.

After further discussion, Mr. Steele made a motion to recommend consideration of the Master Plan of Racetrack Road Development, LLC and Mulach Steel to build a light manufacturing and business office at Racetrack Road and Tanger Boulevard, zone C-3, contingent on the Board of Supervisor’s approval of the Conditional Use . The motion was seconded by Mr. Gordon and the motion carried.

## PUBLIC HEARING

### **Rosemary Finelli/Personal Care Home**

This agenda item was a Conditional Use application of Rosemary Finelli of 260 Ellis Avenue, Washington, PA 15301 to establish a Personal Care Home at 45 Nannie Street, subject to Zoning Ordinance Section 245, 39.B.1.L and Section 245-128, zone R-3.

Jay Shockley, a realtor representing Ms. Finelli, was present in support of this application.

Mr. Shockley stated that Ms. Finelli plans to purchase the home at 45 Nannie Street and use it as a Personal Care Home. Ms. Finelli has a Personal Care Home at this time at 260 Ellis Avenue with three (3) residents and plans to house the same number of residents at 45 Nannie Street.

Engineer’s Comments (KLH Engineers):

The Conditional Use application, dated June 14, 2015, was found to be complete, although the application date is in question. The application was received by South Strabane Township on June 16, 2016.

The application was reviewed for compliance with the Township zoning requirements of article VII Section 245-39 for the R-3 Residential District as defined in the Township Zoning Ordinance as a conditional use, and for compliance with Article SV Section 245-128 Group care facilities; personal care board homes; transitional dwellings.

Article XV Section 245-128.B requires “In the A-1, R-2 and R-3 Districts, a personal care boarding home shall have frontage on and direct vehicular access to an arterial or collector street, as defined by this chapter”. The application indicates 45 Nannie Street does not have frontage on, nor does the property have direct vehicular access to an arterial or collector street, therefore; the application does not comply with the Township Zoning Ordinance as submitted. A variance would be required for the condition defined in Section 245-128.B for the application for conditional use to be considered.

Mr. Pozzuto asked for comments from the audience.

Elizabeth Sobansky of 50 Nannie Street stated that the home at 45 Nannie Street was just remodeled and doesn't feel a business should be put there.

Kathy Ward of 60 Nannie Street stated that there is a steep hill there and ambulances and fire trucks would have a very hard time turning around in this area.

Dan Oswald of 42 Nannie Street stated that there is no parking available on Nannie Street and access is not good.

Judi Panasik of Green Crescent Drive stated that she feels this is a group home rather than a personal care home.

After further discussion, Mr. Pozzuto then closed the Public Hearing.

Mr. Kopko recommended denial of this Conditional Use application of Rosemary Finelli of 260 Ellis Avenue, Washington, PA 15301 to establish a Personal Care Home at 45 Nannie Street, subject to Zoning Ordinance Section 245.39.B.1.L and Section 245-128, zone R-3, subject to the engineer's comments, specifically non-compliance with the requirement that a Personal Care Boarding Home shall have frontage on and direct vehicular access to an arterial or collector street. Mr. Pozzuto seconded the motion and it carried.

#### PRELIMINARY SUBDIVISION APPROVAL

##### **Michael Siegel (Simvet, Inc.)**

This application is for Preliminary Subdivision Approval for Michael Siegel (Simvet, Inc.), 98 South Main Street, for two (2) lots of the Siegel Plan of Lots No. 4 on Quarry Road, zone R-1.

Engineer's Comments (KLH Engineers):

Section 206-13.A (3) Application must provide a copy of the applicant's cover letter transmitting the Application to the Washington County Planning Commission for review. Three (3) copies are required to be submitted to the Washington County Planning Commission. **Not provided, please submit copy of applicant's letter to Washington County Planning Commission.**

Section 206-13.A (11)(h) Plans of all existing or proposed sanitary and storm water systems showing feasible connections to the existing or any proposed utility systems. Pipe sizes, grades and direction of flow, locations and inlets, manholes or other appurtenances and appropriate invert and other elevations shall be indicated. **Sanitary and storm sewers are located on drawing, no detailed size, material, connection or invert elevations are provided, please provide.**

Section 206-13.A (11) (j) An indication on the plat identifying the company or authority that will provide water, sewer, gas electric and other utility services, showing the existing or proposed location of the utilities. **Please provide utilities listing on the plat.**

**This property is zoned R-1.**

**The Subdivision Plat contains the required Table of Zoning Requirements and is in compliance with the zoning requirements of the R-1 District.**

Engineer Michael Sherrieb recommends Preliminary Approval.

Mr. Pozzuto asked for comments from the audience.

Judi Panasik of Green Crescent Drive asked if wetlands are present on this property. Mr. Pozzuto replied that this meeting is only for consideration of a subdivision, not for a building permit.

After further discussion, Mr. Pozzuto made a motion to recommend Preliminary Subdivision Approval for Michael Siegel (Simyet, Inc.), 98 South Main Street, for two (2) lots of the Siegel Plan of Lots No. 4 on Quarry Road, zone R-1, subject to the engineer's comments. Mr. Gordon seconded the motion and it carried.

#### PUBLIC HEARING

#### **W&W Realty Enterprises, LP**

This agenda item is a Conditional Use Application of W&W Realty Enterprises, LP of 2100 Washington Pike, Heidelberg, PA 15106 for an automobile storage lot on Munce Ridge Road, subject to Zoning Ordinance Section 245-63.B.1.r, zone C-2.

Dan Wind of W&W Realty Enterprises, LP and Rich Rush of Widmer Engineering were present in support of this application.

Engineer's Comments (KLH Engineers, Inc.):

The conditional use application dated June 23, 2016 was found to be complete and in compliance with Article X Section 245-63.B(1)(r) as a permitted conditional use in the C-2 commercial district.

The application was also reviewed for compliance with Article XV Section 245-163 vehicle rental, sales and service. The application is in compliance with all of the conditions contained in Article XV Section 245-163, A through I.

Engineer Michael Sherrieb recommends Conditional Use Approval.

Mr. Wind Stated that this automobile storage lot is located next door to the Municipal Building and that there will be no buildings erected on this property and no activities will be going on. There will be low-level lighting for safety and no fencing, other than a gate at the entrance on Munce Ridge Road. The lot is used as a single-family residence at this time.

Anthony Ciampa, 11 Tuscany Lane, asked about the buffer that will be placed around the property on Munce Ridge Road. Mr. Rush and Mr. Wind explained the buffer that is required and stated that all regulations will be followed regarding such buffer.

David Carlisle of 14 Kingswood Court asked about the buffer and lighting. His yard directly abuts the affected property on Munce Ridge Road.

After further discussion, Mr. Pozzuto closed the Public Hearing on this matter.

Mr. Gordon then made a motion to recommend Approval of this Conditional Use Application of W&W Realty Enterprises, LP of 2100 Washington Pike, Heidelberg, PA 15106 for an automobile storage area at Munce Ridge Road, zone C-2. The motion was seconded by Mr. Steele and carried.

#### **PRELIMINARY LAND DEVELOPMENT PLAN APPROVAL** **W&W Realty Enterprises, LP**

This agenda item is for Preliminary Land Development Plan Approval for W&W Realty Enterprises, LP of 2100 Washington Pike, Heidelberg, PA 15106 for an automobile storage area at Munce Ridge Road, zone C-2.

Dan Wind of W&W Realty Enterprises, LP and Rich Rush of Widmer Engineering were present in support of this application.

Engineer's Comments (KLH Engineers):

The application for Land Development Approval was reviewed for completeness per the requirements of Article VI Section 206-35.C and 206-26 A-H. The application was determined to be complete with the requirements for Preliminary Land Development Approval.

The application for Land Development Plan Approval was reviewed for compliance with the zoning requirements of Section 245-63 and 245-163. The application was found to be in compliance with the zoning requirements for the C-2 district.

Mr. Sherrieb recommended Preliminary Land Development Approval for this application.

Mr. Wind stated that this is a 4.5 acre parcel and they plan to use 2 to 2.5 acres for this automobile storage lot.

After further discussion, Mr. Gordon made a motion to recommend Preliminary Land Development Plan Approval for W&W Realty Enterprises, LP of 2100 Washington Pike, Heidelberg, PA 15106 for an automobile storage area at Munce Ridge Road, zone C-2. The motion was seconded by Ms. Zipko and carried.

#### **MINUTES**

A motion was made by Ms. Zipko and seconded by Mr. Pozzuto, to approve the minutes of the meeting of June 2, 2016. The motion carried.

There being no further business to come before the Board, Mr. Pozzuto made a motion to adjourn the meeting at 9:30 P.M. The motion was seconded by Ms. Phillis and carried.

Submitted by,

Ellen G. Wallo  
Recording Secretary