

**SOUTH STRABANE TOWNSHIP  
BOARD OF SUPERVISORS REGULAR MEETING**

**August 24, 2021**

**APPROVED MEETING MINUTES**

**1. CALL TO ORDER**

The August 24, 2021 Regular Meeting of the South Strabane Township Board of Supervisors (“Board”) came to order at 7:00 p.m. in the Mae C. Reynolds Meeting Room of the Municipal Building (550 Washington Road, Washington, PA 15301).

The following were present:

Board of Supervisors	Bob Weber, Chair; Mark Murphy, Vice Chair; Bracken Burns; Russell Grego; and Richard Luketich.
----------------------	--

Absent	None
--------	------

Also Present	Township Manager Brandon Stanick; Assistant to the Township Manager Jim Sutter; Police Chief Drew Hilk; Fire Chief Scott Reese Township Engineer Kevin Creagh; and Township Solicitor Dennis Makel.
--------------	--

Chair Weber reported the Board had met in Executive Session on August 10, August 23 and August 24, 2021 to discuss personnel matters and potential litigation.

**2. PLEDGE OF ALLEGIANCE**

Chair Weber lead the Pledge of Allegiance.

Following the Pledge of Allegiance, a moment of silence was held in respect for Washington County District Attorney Eugene Vittone following his passing on August 21, 2021.

**3. PUBLIC COMMENT**

Chair Weber stated the Township Board of Supervisors allocates a period of time during this item for those individuals who would like the opportunity to address the Board on any matter. Each person addressing the Board is asked to limit their comments to a maximum of three (3) minutes.

Ms. Janice Chehovin, resident on Country Club Road, addressed the Board about a neighboring vacant house she feels should be condemned and demolished. She stated she brought it to the attention of the Board at the previous meeting and it has not been addressed. Township Manager Stanick stated Code Enforcement has made contact with the property owner. He gave an overview of the steps involved and requested patience as the code enforcement process proceeds.

#### **4. CONSIDERATION OF REGULAR MEETING MINUTES – JULY 27, 2021**

Mr. Burns moved to approve the July 27, 2021 Board of Supervisors Regular Meeting Minutes as presented. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

#### **5. FINANCIAL BUSINESS**

The Board considered the following financial business:

- Payroll: \$ 111,673.74 (pay date of July 30, 2021)
- Payroll: \$ 112,814.12 (pay date of August 13, 2021)
- General Fund: \$ 160,372.66
- Liquid Fuels Fund: \$ 61,179.31
- Escrow \$ 9,149.66
- Total Expenditure \$ 405,189.49**

- Overtime Costs for the period include:
  - Police: \$ 2,724.63
  - Fire: \$ 2,783.30
  - Total OT: \$ 5,507.93** (pay date of July 30, 2021)
- Police: \$ 2,595.99
- Fire: \$ 1,925.93
- Total OT: \$ 4,521.92** (pay date of August 13, 2021)

General Fund:

- cfsbank (Community Park Kitchen/Bathroom General Obligation Note) \$50,000.00
- Municipal Employees Insurance Trust (September Coverage) \$46,801.90

Liquid Fuels:

- Golden Eagle Asphalt (19mm for Beagle Club) \$ 42,237.84

Capital:

- Play & Park Structures (Billy Bell Park Playground) \$ 94,180.37

Mr. Burns moved to approve the payroll for the periods July 11 through July 24, 2021 and July 25 through August 7, 2021 and Bills for the period July 24, 2021 through August 20, 2021. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

#### **6. ANNOUNCEMENTS**

Mr. Stanick announced the Green Team held a successful litter pickup event along Berry Road the previous Saturday. He stated another would be held at a location to be determined on September 18, 2021.

Mr. Stanick announced Tower Golf will be hosting South Strabane Day and all Township residents will receive either a free bucket of balls for the driving range or a free game of miniature golf.

Mr. Grego announced there had been a successful charity softball game between the fire and police departments the previous Saturday at Community Park.

Chair Weber announced the new kitchen and restroom facility the Township had dedicated in May had recently been vandalized with graffiti. He asked everyone do their part in policing the facility so it will be kept in good condition as long as possible.

## **7. TOWNSHIP REPORTS**

### **Municipal Separate Storm Sewer System (MS4) Report**

Chair Weber noted the Board allocates a period of time during this item for comments regarding the topic of stormwater. Each person addressing the Board is asked to limit their comments to a maximum of three (3) minutes.

Ms. Charlene Scuvotti, resident of Pine Valley Road, appearing over Zoom, stated Meadows Landing Associates, LP has not maintained their stormwater basins since the most recent construction activity completed in 2018.

### **Township Manager's Report**

Mr. Stanick provided an update regarding the following:

#### Electricity and Natural Gas Supply

At its meeting on July 27, 2021, the Board authorized the Township Manager to lock in rates for the supply of electricity and natural gas for municipal facilities. Working with the Township's broker, Premiere Power Solutions, the Township locked in the following rates and term:

#### Electricity

New Supplier	Dynergy	\$0.5600	24 months	12/21 – 6/24
Existing Supplier	Direct Energy	\$.05091	36 months	12/19 – 12/21

#### Natural Gas

New Supplier	WGL Energy	\$3.69	36 months	12/21 – 11/24
Existing Supplier	Snyder Brothers	\$3.70	36 months	12/18 – 11/21

#### Fire Department ISO Rating – Rating 04/4X

Mr. Stanick reported Fire Chief Scott Reese is in attendance to review the recent determination of the Township's ISO rating. As the Board may be aware the ISO rating plays an important role in the underwriting process at insurance companies as part of their decision-making when deciding what businesses to write, coverage to offer or prices to charge for personal or commercial property insurance.

Chief Reese stated he met with Tyler Olson from ISO on March 4, 2021. The Township's Public Protection Class was rated 04/4X. He stated the rating will renew in 5 years, but any improvement would immediately upgrade the rating. Chair Weber inquired on the scale. Chief Reese stated it is a 1 through 10 scale with 1 being the best and 10 being the worst.

#### DCED Regional Fire Services Study

On August 31<sup>st</sup>, DCED Consultant Dan Wauthier will be meeting with representatives of South Strabane (Mr. Burns and Mr. Luketich) and VFD, North Franklin and VFD, Chartiers and VFD and the City of Washington to review the results of the regional fire services study.

#### 2020 Census Results

Earlier this month the U.S. Census Bureau released the decennial census data for population, age/gender, race, housing, family characteristics, education level, health and economy among others. In summary, the Township's population increased from 9,346 in 2010 to 9,613 (+2.86%) as of April 1, 2020. To further understand the 2020 Census figures, the Township is currently reviewing its data regarding new residential construction and occupancies. Additionally, the economy section of the report indicates the Township has the lowest amount of retail sales when compared to the City of Washington, and North Strabane and Peters Townships. Again, the data presented will require further investigation should the Township wish to appeal any determinations of the U.S. Census Bureau.

#### **Secretary/Treasurer's Report**

The following was transmitted to the Board through the Secretary/Treasurer's Report:

#### Minutes and Agendas:

- a) Sanitary Authority Meeting Minutes - June 23, 2021;
- b) Planning Commission Regular Meeting Minutes – July 1, 2021;
- c) Zoning Hearing Board Meeting Minutes – July 12, 2021;
- d) Green Team Meeting Minutes – July 15, 2021;
- e) Sanitary Authority Agenda – July 28, 2021;
- f) Planning Commission Regular Meeting Agenda – August 5, 2021;
- g) Zoning Hearing Board Regular Meeting Agenda – August 9, 2021; and
- h) Green Team Meeting Agenda – August 19, 2021.

#### Reports and Publications:

- a) Finance Report – July 2021;
- b) Fire Department Report – July 2021;
- c) Volunteer Fire Department Transaction Detail – July 2021;
- d) Public Safety Department Report – July 2021;
- e) Police Department Report – July 2021;
- f) Tax Collector's Report & Interim Collection Only – July 2021;
- g) Animal Control Officer's Report – July 2021;
- h) Township Engineer's Report – August 24, 2021;
- i) PSATS News Bulletin – July 2021;
- j) *WEWJA Financial Statement for the fiscal quarter ending June 30, 2021; and*
- k) OR Legal Notice for the Liquor Distillery and a Legal Notice for the Old Mill Car Wash – August 10 and August 16, 2021.

**Correspondence:**

- a) Letter dated July 28, 2021 from Alex Shubert, Manager-National Processing Center regarding the Public Protection Classification survey for ISO;
- b) Letter dated August 2, 2021 from Brandon Stanick to Mr. Mazur, regarding his behavior towards the Board of Supervisors;
- c) Letter dated August 6, 2021 from Brandon Stanick to Richard Marker & Melissa Clingan regarding the 2021-2022 PennDOT Winter Municipal Agreement;
- d) Letter (*w/o attachments*) dated August 9, 2021 from Range Resources regarding modification for the proposed Mele Unit 10H-12H Wells in Chartiers Township; and
- e) Letter (*w/o attachments*) dated August 11, 2021 from Range Resources regarding a permit application to drill the proposed Chambers Phelan 17793 3H-6H Wells in Amwell Township.

*Copies of those items in italics are not attached, but available upon request.*

**Township Solicitor's Report**

Township Solicitor Dennis Makel provided an update regarding his recent work on behalf of the Township, specifically on issues regarding Zoning and Development.

**Township Engineer's Report**

Township Engineer Kevin Creagh provided an update regarding the following:

**Billy Bell Park**

Work is complete on this project by Play and Park Structures. Invoices have been received by the Township and processed through Staff. KLH will assist the Township as needed for reimbursement from DCNR.

**Transportation Improvement Plan (TIP)**

KLH worked with the Township to develop a letter requesting the Southwestern Planning Commission and PENNDOT consider three projects to be added to the 2023-2026 TIP Update – Manifold Road Re-Alignment, Route 19-Davis School Re-Alignment and Lakeview Road Widening.

**Developer Review Letters**

KLH has reviewed Tidal Wave Auto Spa, Pankratos Conditional Use, Cameron Plan of Lots Subdivision, Armen Geronian Conditional Use, Washington Penn Plastic, Chick-Fil-A Drive Thru, and ModWash for both the Planning Commission and Board of Supervisors.

**8. UNFINISHED BUSINESS**

**8A: Motion Adding a Written Statement to the Record for the Approved Inter-Municipal Restaurant Liquor License Transfer to Armen's Barrels at 10 McCoy Lane**

Mr. Stanick reported at its July 27, 2021 meeting, following a Public Hearing, the Board approved a resolution authorizing the inter-municipal restaurant liquor license transfer for Armen's Barrels. An email dated July 27, 2021 was received by Ms. Cynthia Rossi prior to the meeting providing

her comments regarding the requested liquor license. The comment was provided to the Board in the Informational Update distributed prior to the meeting. As Ms. Rossi's comments were not included in the initial record, she is asking the Board to add her July 27, 2021 communication to the record.

Mr. Burns moved to add Ms. Rossi's written statement to the record for the approved inter-municipal restaurant liquor license transfer to Armen's Barrels at 10 McCoy Lane. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

**8B: Public Hearing to Consider a Motion Granting Conditional Use Approval and Tentative Planned Residential Development Approval for Meadows Landing Associates, LP for the Meadows Landing Planned Residential Development Located Along Landings Dr. & U.S. Route 19, Parcel No. 600-001-00-00-0017-18, in the R-4 Residential Zoning District**

Mr. Burns moved to remove the item from the table. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Stanick reported on March 13, 2021 the Township received applications for Conditional Use, Preliminary Subdivision and Preliminary Land Development Approval (for Tentative Planned Residential Development approval) from Meadows Landing Associates, LP ("Developer") for the proposed Meadows Landing PRD ("Development") along U.S. Rt. 19 and Landings Dr. Recall, the rezoning of the property, from C-2 Commercial to R-4 Residential, as well as the Master Plan, were approved by the Board on April 27, 2021.

In summary, the proposed 167.63-acre Development will be conducted in three phases and will consist of a mixture of townhomes (107 units), duplexes (138 units) and single-family detached homes (101 units). This represents a change to the approved Master Plan to now include 20 additional townhouse units and 8 less duplex units for a total of 12 additional units. Additional features include:

- Open space in the amount of 56% (20% required);
- Four acres of Low Impact Active Recreation Area provided (2 acres required or 250 sq. ft./unit) including swimming pool and clubhouse amenities with associated parking, walking trails and sidewalks along both sides of the street where homes are located;
- Three parking lots with lighting;
- Stormwater management ponds and underground conveyance system (Township to adopt the conveyance system, but not the ponds);
- Streets that will be dedicated to the Township include: Chase Street, Lincoln Street, Jack Dr., Ashton Street, Adam St., Logan Dr. and existing Helen Dr. (signalized intersection with Rt. 19); and
- Future street access from Lincoln St. to Fischer Rd.

At its meeting on June 3, 2021, the Planning Commission unanimously recommended Conditional Use Approval and Tentative PRD Approval (Prelim Subdivision and Land Development) for the

Development pursuant to the Township Engineer's comments and the representations made during the hearing. At its July 27, 2021 meeting the Board, following receipt of public comment, continued the Public Hearing to August 24, 2021 to allow time to visit with neighboring property owners adjoining the southerly perimeter of the Development.

Chair Weber reported the Board members had an opportunity to visit the properties of concern since the previous meeting.

Ms. Sheila Rozanc swore in those who wished to provide testimony.

Mr. Makel read the following exhibits into the Public Record:

- Exhibit A – Letter dated August 19, 2021 from Developer's Engineer Bud Sheffler to Mr. Stanick;
- Exhibit B – Site Plan;
- Exhibit C – Grading Plan;
- Exhibit D – Sewage Plan;
- Exhibit E – Engineer review letter; and
- Exhibit F – Letter dated August 13, 2021 from Chester Patrino to the Board, Mr. Stanick, Assistant to the Township Manager Sutter and Mr. Creagh.

Mr. Burns moved to enter exhibits A-F into the Public Record. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Chester Patrino, resident of Patrino Lane, thanked the Supervisors and Township Engineer for coming to view the portion of his property that abuts the proposed Development. He expressed his desire for the Board to require the Developer to build a buffer fence along his property as part of the proposed Development to minimize any trespassing from future residents.

Ms. Linda Rumbaugh, resident on Barale Drive, thanked the Township representatives for coming to view the portion of her property that abuts the proposed Development. She stated her concern regarding potential trespassers is the same as Mr. Patrino's. She stated her desire for a buffer fence between her property and the proposed Development to be required of the Developer as well. Ms. Rumbaugh also expressed concern for the trees on her property being uprooted by construction activity on the Meadows Landing property.

Mr. Brad Witucki, representing the Developer, stated he respectfully disagrees regarding the need to include fences along the adjoining property lines as part of the approvals for the Development.

Mr. Luketich expressed his desires to know more about the trees on Ms. Rumbaugh's property. Mr. Witucki stated he was not present at the Supervisors' visit to the properties of concern. Neither of the representatives of the Developer stated having knowledge of activities on their part could have caused this. Mr. Witucki stated there has been no movement on the site for years. Mr. Grego stated they could see plainly where the activity has taken place and the damage that was caused.

Mr. Burns inquired if it was reasonable to assume the Developer would bear responsibility for removing the trees. Mr. Witucki confirmed the Developer would accept responsibility for this. Mr. Graham Ferry, representing the Applicant, stated that additional trees are being planted in the required buffer yard area.

Chair Weber asked the Developer if a potential deal with Mr. Patrino regarding a sewer easement had reached a resolution. Mr. Kestler stated there was no pending deal and he did not expect one to occur. Mr. Patrino stated his concerns this evening are regarding a fence.

Ms. Scuvotti asked why the issues from the Township Engineer's comment letter dated May 25, 2021 had not been addressed. She asked if the Erosion & Sediment Control Plan had been approved. Mr. Creagh stated this was not necessary at this time and the plan was currently under review by the Washington County Conservation District. Basins? Ms. Scuvotti asked if the core borings had been completed. Mr. Creagh stated the borings were completed as part of the Geotechnical Report. Ms. Scuvotti asked if the Geotechnical Report had been submitted. Mr. Creagh stated the report has been submitted. Ms. Scuvotti asked where the stormwater runoff from the Developer's property would flow. Mr. Creagh stated the system is designed for runoff to flow to the appropriate waters of the Commonwealth. Ms. Scuvotti asked if KLH Engineers, Inc. approved of this. Mr. Creagh stated they had. Ms. Scuvotti asked why the drains that created the wetland were not on the current plan. Mr. Creagh stated they are not required to be at this stage. Ms. Scuvotti claimed the forebay infiltration rates were not shown on the Land Development Plan. Mr. Creagh stated this was not true. Ms. Scuvotti expressed concern of a potential failure of the basin above her property. Mr. Creagh stated the basin is designed to Code. Mr. Creagh stated the basin has been designed to meet all codes and requirements.

Mr. Burns moved to close the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Luketich moved to grant Conditional Use Approval and Tentative Planned Residential Development Approval pursuant to the Township Engineer's comments for Meadows Landing Associates, LP for the Meadows Landing Planned Residential Development Located Along Landings Dr. & U.S. Route 19, Parcel No. 600-001-00-0017-18, in the R-4 Residential Zoning District. Mr. Burns seconded the motion. The motion passed on a unanimous voice vote.

## **9. NEW BUSINESS**

### **9A: Motion Approving an Easement Agreement with Property Owner Sean Lewis for the Roadway Restoration Work Along Garber Road**

Mr. Stanick reported for the past several years the road surface on Garber Road has slipped as a result of water collecting underneath the roadway. Reviewed by Public Works Director Grego and Township Engineer Creagh, the Township intends to install a 6-inch PVC pipe to direct stormwater from under Garber Road to a creek running along the rear of 135 Garber, owned by Mr. Sean



Lewis. The attached easement agreement with Mr. Lewis is for a stormwater easement, 20 feet in width, to allow the Township to construct and permanently maintain the pipe to ensure the integrity of the roadway.

Mr. Grego provided technical details on the restoration work to be undertaken on Garber Road.

Mr. Burns moved to approve the easement agreement with property owner Sean Lewis for the roadway restoration work along Garber Road. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

**9B: Public Hearing for a Conditional Use Application from BL Companies Pennsylvania, Inc. (d/b/a/ Clean Express Auto Wash) to Operate a Car Wash along Old Mill Boulevard and a Resolution Granting Preliminary and Final Land Development Approval for a Car Wash at this Location in the C-2 Commercial Zoning District**

Mr. Stanick reported on July 15, 2021 the Township received an application for Conditional Use Approval from BL Companies Pennsylvania, Inc. ("Applicant") for a proposed car wash ("Development") along Old Mill Blvd (Parcel ID 600-003-00-00-0020-20) in the C-2 Commercial Zoning District. In addition, the Township received an Application for Preliminary and Final Land Development Approval for the Development on July 22, 2021. The Applicant is seeking concurrent Conditional Use and Land Development Approvals for the Development.

In a letter dated August 2, 2021 the Township Engineer reviewed the Land Development Application for completeness and compliance with the Township Code and recommended approval contingent on the Applicant being granted Conditional Use Approval. In a letter dated August 5, 2021 the Township Engineer reviewed the Conditional Use Application for compliance with the Township's Zoning Code and recommended approval. During its August 5, 2021 meeting, the Township Planning Commission unanimously recommended the Board of Supervisors grant Conditional Use Approval and Preliminary and Final Land Development Approval per the application materials and the Township Engineer's comments.

A legal notice was published in the August 10 and August 16, 2021 editions of the Observer-Reporter advertising the Public Hearing for the Board's consideration of the Conditional Use Application. Additionally, letters were mailed to neighbors within 300 feet of the subject property on August 10, 2021.

Ms. Rozanc swore in those who wished to provide testimony.

Mr. Makel read the following exhibits into the Public Record:

- Exhibit A – Proposed resolution granting Conditional Use Approval;
- Exhibit B – Conditional Use Application;
- Exhibit C – Land Development Plans; and
- Exhibit D – Preliminary and Final Land Development Application.

Mr. Burns moved to enter exhibits A-D into the Public Record. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Michael Archer, engineer representing the Applicant, reviewed the project and how it meets the Conditional Use requirements presented in the Code for a car wash and drive-through facility. Chair Weber asked for a clarification on the number of vacuums on-site for customers. He then inquired on the cost of using the facility. Mr. Joseph Bertucci of BL Companies, representing the Applicant, stated it will be very affordable.

Mr. Luketich asked about the hours of operation. Mr. Bertucci stated the facility will be open on weekdays from 8:00 a.m. to 7:00 p.m. and on weekends from 9:00 a.m. to 6:00 p.m. Mr. Murphy asked if it would be possible for the handicapped parking spaces to be moved to a more optimal location. Mr. Bertucci stated they will look into the location of the spaces.

Mr. Bertucci expressed his excitement for bringing the business into the Township. He stated they are looking to develop seven locations in the Pittsburgh area. He noted the company is community oriented and will hire people who live locally. He also stated all of their locations partner with local charities that serve the communities in which they operate. Membership subscriptions will be available to customers and good for any location.

Mr. Murphy asked how long the full wash process will take. Mr. Archer stated it typically is under three minutes. He noted the tunnels are longer than most competitor car washes.

Mr. Burns moved to close the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Burns moved to grant Conditional Use Approval for BL Companies Pennsylvania, Inc. (d/b/a/ Clean Express Auto Wash) to operate a car wash along Old Mill Boulevard and grant Preliminary and Final Land Development Approval for a car wash at this location in the C-2 Commercial Zoning District pursuant to the Township Engineer's comments. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

**9C: Public Hearing to Consider an Ordinance Amending the Text of the Zoning Code to Create a Definition for "Liquor Distillery" and to Permit it as a Conditional Use in the C-2 Commercial Zoning District and to Provide Specific Regulations for Said Use**

Mr. Stanick reported the Township is in receipt of a concurrent request from Armen's Barrels ("Applicant") for a Text Amendment to the Zoning Code to establish "Liquor Distillery" as a Conditional Use in the C-2 General Commercial District and a Conditional Use Application to operate a Liquor Distillery at 10 McCoy Lane ("Property"). The Board may recall in 2020, the Township approved the Applicant's request to amend the Zoning Code to allow "Boutique Winery" as a Conditional Use in the C-2 Commercial Zoning District and granted Conditional Use

Approval to operate a Boutique Winery at the Property. In addition, the Applicant received approval from the Board on July 27, 2021 for a Liquor License Transfer into the Township to serve alcohol at a planned restaurant at the Property.

At its meeting on August 5, 2021, the Planning Commission conducted a Public Hearing, received public comment, and on a 5-1 vote recommended the Board approve the text amendment by adding the word “Distillery” to the definition of “Boutique Winery” as the proposed conditions for a Distillery match that of the existing conditions for a Boutique Winery. Should the Board consider the Planning Commission’s recommendation, which is different than what the Applicant has proposed, the change to the Zoning Code would result in having a new definition - “Boutique Winery/Distillery”.

Ms. Rozanc swore in those who wished to provide testimony.

Mr. Makel read the following exhibits into the Public Record:

- Exhibit A – Copy of the proposed text amendment;
- Exhibit B – Conditional Use Application;
- Exhibit C – Additional documentation;
- Exhibit D – Planning Commission memorandum; and
- Exhibit E – Email dated August 24, 2021 from Ms. Nancy Gray to Mr. Sutter.

Mr. Makel read aloud the email from Ms. Gray.

Mr. Burns moved to enter exhibits A-E into the Public Record. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Ms. Sarah Scott, attorney representing the Applicant, gave an overview of the proposed text amendment and the reason for the request. The Applicant is requesting permission to operate a distillery on the premises at 10 McCoy Lane. This is in addition to the permission he received last year to operate a Boutique Winery. The different timelines for wine production and liquor production would allow the businesses to start generating revenue sooner. For wine, it will take up to two years to produce the finished product, but only a few months for liquor. This text amendment and conditional use approval will allow the Applicant to earn income while the winery operations are being established.

Mr. Armen Geronian, owner of Armen’s Barrels, presented a more detailed explanation of the proposed operations. He stated the traffic will not noticeably change with the addition of distillery activities. He stated there will only be one machine performing the distillation process. He stated these proposed operations are much less disruptive than some of the existing uses in the C-2 Zoning District.

Ms. Scott reiterated every condition for the conditional use will be adhered to by the Applicant. She stated the restaurant on the Property will be completely separate from the distillery. She then

addressed a recent email from a neighboring resident expressing concern for the state of the Property's rear. Ms. Scott stated, in response to this, the Applicant had repainted this area within one week.

Mr. Luketich inquired on the amount of vodka the Applicant will distill each year. Mr. Geronian stated the equipment is not suited to produce large amounts and he stated it will be a fraction of the 15,000 gallons of wine he will produce per year, but admitted it is hard to give specifics at this stage. He stated even a magnitude of expanded production would not cause the neighbors to see a significant increase in the amount of traffic.

Ms. Scott expressed her desire to add two additional exhibits into the Public Record:

Exhibit F – Photograph of rear of Property showing previous state of building; and

Exhibit G – Photograph of rear of Property showing updated state of building.

Mr. Burns moved to enter exhibits F-G into the Public Record. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Richard Crompton, resident on E. Maiden St., expressed pleasure for the Applicant's improvements made to the Property. Mr. Crompton then asked if all activities will be inside the building. He expressed his concern for any outdoor parties on the Property. Mr. Geronian stated all operations will occur inside the building. He stated there will be no parties or music in the parking lot.

Ms. Cheryl Pitzer, resident on Pierce Avenue, expressed concern for the Applicant's distillery operations as the website states he is currently producing on the Property. Mr. Geronian stated he works with 6 different agencies to meet state requirements for his operation. He stated he cannot distill without obtaining all of the permissions. He added he can advertise, but reiterated he is not permitted to produce currently.

Ms. Pitzer asked how the Township will monitor whether he is complying with the conditions he is required to operate under. Chair Weber stated Code Enforcement would handle any complaints. Mr. Geronian stated they can also call the Pennsylvania Liquor Control Board ("PLCB"), the agency responsible for enforcing the State Liquor Code. Ms. Pitzer expressed her belief there will be more traffic in the neighborhood due to these operations. Mr. Burns asked the Applicant to provide an estimate on the number of trucks visiting his property in a year. Mr. Geronian stated he will receive deliveries of juice 4 to 5 times per year. He stated the restaurant will generate much more deliveries than the distillery.

Mr. Makel asked the Applicant if he is producing wine now. Mr. Geronian stated the juice has been ordered but has not been delivered as it is not time to harvest the grapes. Mr. Makel asked if the restaurant is open. Mr. Geronian stated it is not, but he is hoping to do so in September.

Ms. Pitzer stated the grass on the Property has not been cut for some time. She stated the lower parking lot also has 3-foot tall weeds growing out of the cracks. Mr. Geronian stated the lower parking lot will not be used for parking. Ms. Pitzer asked how many parking spots are in the upper parking lot. Mr. Geronian stated there are 36 spaces. He added the 19 tables in the restaurant will produce less than 36 cars. Ms. Pitzer asked if this includes employees. Mr. Geronian confirmed the number does include parking for employees. He stated these issues will be corrected. Mr. Stanick asked how many trucks will be making deliveries to the restaurant in any given week. Mr. Geronian stated trucks will deliver food twice per week and waste removal trucks will come to empty the dumpster twice per week.

Chair Weber asked the Applicant if he will be correcting the issues brought up by Ms. Pitzer. Mr. Geronian stated the grass will be cut tomorrow and the lower parking lot issues will be corrected in the next few days.

Ms. Cynthia Rossi, resident on Zediker Station Road, read a prepared statement. She expressed her opposition to the proposed operations. She also expressed concern over a Sunday in late July when the parking lot had been extremely busy. She then expressed her concern for the Applicant's website stating he is currently producing liquor.

Following Ms. Rossi's request for her statement to be entered into the record, Mr. Burns moved to enter her statement as Exhibit H into the Public Record. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Geronian stated his current activities are acceptable to the State Police and the Department of Agriculture. He reiterated no production is done for the public, but it is necessary for testing purposes. He reiterated he will never produce for public consumption without the proper permissions in place, but stated testing is necessary and is permitted.

Chair Weber asked if the Applicant is based in the city of Pittsburgh. Mr. Geronian stated he lives in Upper St. Clair Township; a municipality with a Pittsburgh mailing address. He stated he may move into the Township to be closer to his business operations though.

Mr. Makel asked the Applicant to address Ms. Rossi's statement regarding the event on the Property in July. Mr. Geronian stated it was a one-time private party to celebrate his daughter's graduation.

Ms. Rossi asked if it would be possible to add additional conditions or re-examine those previously granted. Specifically, regarding traffic and outside entertainment, operation hours, and a limit on future changes. Mr. Makel stated the first two items are already covered under the proposed text amendment. Mr. Makel asked the Applicant if he plans on this being his last request. Mr. Geronian stated it is impossible to predict the future, but he certainly hopes to never come through the public process again.

Mr. Burns moved to close the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Murphy moved to adopt the ordinance amending the text of the Zoning Code to create a definition for “Liquor Distillery” and to permit it as a Conditional Use in the C-2 Commercial Zoning District and to provide specific regulations for said use. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

**9D: Public Hearing for a Conditional Use Application from Armen Geronian (d/b/a/ Armen’s Barrels) to Operate a Liquor Distillery at 10 McCoy Lane in the C-2 Commercial Zoning District**

Mr. Stanick reported The Township is in receipt of a concurrent request from Armen’s Barrels (“Applicant”) for a Text Amendment to the Zoning Code to establish “Liquor Distillery” as a Conditional Use in the C-2 General Commercial District and a Conditional Use Application to operate a Liquor Distillery at 10 McCoy Lane (“Property”). The South Strabane Township Planning Commission conducted a Public Hearing on August 5, 2021 and by vote of 5-1 recommended the Board grant Conditional Use Approval with the following conditions that were submitted as part of the application and are the same as the operation of the Boutique Winery:

- The Applicant must comply with the traffic provisions of Section 245-103 of the Township Code;
- No outside activities shall occur;
- Special indoor events such as bridal showers, baby showers, engagement parties, etc. will be limited to 50 people or less;
- Special events shall only be permitted Sunday – Thursday from 12:00 p.m. – 7:00 p.m. and Friday – Saturday from 12:00 p.m. – 9:00 p.m.;
- No outdoor amplified sound shall be permitted on the premises;
- Retail operations may only occur Sunday – Thursday from 12:00 p.m. – 7:00 p.m. and Friday – Saturday from 12:00 p.m. – 9:00 p.m.;
- If marketing or promotional events are to be permitted, the number of events shall be no more than 4 in a calendar year;
- All events must abide by the established hours of operation and capacity;
- All deliveries must occur between the hours of 9:00 a.m. and 2:00 p.m. in order to avoid school traffic;
- Outdoor consumption of wine and or other spirits is specifically prohibited;
- A letter must be secured from the Washington-East Washington Joint Authority (WEWJA) establishing a provisional plan for the disposal of waste and or byproduct of the production process; and
- No vehicles shall be permitted to park outside of the designated business parking lot/area(s).

Ms. Rozanc swore in those who wished to provide testimony.

Mr. Makel read the following exhibits into the Public Record:

- Exhibit A – Copy of the proposed text amendment;
- Exhibit B – Conditional Use Application;
- Exhibit C – Additional documentation;
- Exhibit D – Planning Commission memorandum; and
- Exhibit E – Email from Nancy Gray to Mr. Sutter.

Mr. Burns moved to enter exhibits A-E into the Public Record. Mr. Murphy seconded the motion. The motion passed on unanimous voice vote.

Ms. Scott reiterated the Applicant has already been approved for the Conditional Use for a Boutique Winery, the conditions of which mirror those for the Liquor Distillery. She stated every condition attached to the use will be met by the Applicant.

Chair Weber inquired of the hours of the establishment. Mr. Geronian stated they will have customers from 4 to 10 p.m. on Tuesdays, Wednesdays, and Thursdays and 4 to 11 p.m. on Fridays and Saturdays. He stated production will occur from 9 a.m. to 5 p.m. Monday through Friday.

Mr. Crompton asked if there will be any conditions placed on the restaurant. Mr. Makel stated there will be none other than what is required of all uses by the Code. He went on to explain that a Restaurant is a use permitted as of right where conditional uses allow the Township to apply conditions to the use of the property.

Ms. Pitzer expressed her concern there will be no way to tell the difference between the restaurant and distillery operations. Ms. Rossi claimed it will be possible for the Applicant to have activities on the Property seven days per week. Mr. Makel stated if the conditions are not followed the Township will take enforcement actions. He added the PLCB will also be monitoring the activities.

Mr. Burns moved to close the Public Hearing. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

Mr. Luketich moved to approve the Conditional Use application from Armen Geronian (d/b/a/ Armen's Barrels) to operate a Liquor Distillery at 10 McCoy Lane in the C-2 Commercial Zoning District per the conditions set forth by the Planning Commission. Mr. Burns seconded the motion. The motion passed on a unanimous voice vote.

**9E: Resolution Granting Preliminary and Final Subdivision and Land Development Approvals for New Potato Creek Holdings, LLC (d/b/a/ Tidal Wave Auto Spa) for a Car Wash Located at 370 Washington Road in the C-2 Commercial Zoning District**

Mr. Stanick reported on July 22, 2021 the Township received applications for Preliminary and Final Subdivision and Land Development Approvals from New Potato Creek Holdings, LLC. ("Applicant") for a proposed carwash ("Development") at 370 Washington Road ("Property").

Prior to this, the Applicant received Conditional Use Approval to operate a car wash at the Property.

In a letter dated August 2, 2021 the Township Engineer reviewed the Subdivision and Land Development Applications for completeness and compliance and recommended approval contingent on deficiencies outlined in the letter being addressed. At its August 5, 2021 meeting, the Planning Commission recommended the Board of Supervisors grant Preliminary and Final Subdivision and Land Development Approvals subject to the Township Engineer's comments.

Mr. Patrick DeNardo, representing the Applicant, stated they had reviewed the comments from the Township Engineer, and they had made corrections based upon them. Chair Weber asked for a clarification on where the Property is located. Mr. Stanick stated it is on Route 19 between the Aspen Dental plaza and the former Route 19 Bowl. Chair Weber asked Mr. Creagh if the Applicant had satisfied their comments. Mr. Creagh confirmed they had.

Mr. Burns moved to grant Preliminary and Final Subdivision and Land Development Approvals for New Potato Creek Holdings, LLC (d/b/a/ Tidal Wave Auto Spa) for a car wash located at 370 Washington Road in the C-2 Commercial Zoning District. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

**9F: Resolution Granting Preliminary and Final Land Development Approval for Washington Penn Plastic Co., Inc. for a Parking Lot Expansion Located at 2020 N. Main Street in the I-1 Industrial Zoning District**

Mr. Stanick reported on June 1, 2021 the Township received an application for Preliminary and Final Land Development Approval from Washington Penn Plastic Co., Inc. ("Applicant") for the expansion of an existing parking lot ("Development") located at 2020 N. Main Street ("Property") in the I-1 Industrial Zoning District. The Development includes 25 additional parking spaces situated on the southwesterly corner of the Property.

In a letter dated July 30, 2021 the Township Engineer reviewed the Land Development Application for compliance with the Township Code and recommended approval. The Township Engineer recommended the plan be submitted for PennDOT for review.

During their August 5, 2021 meeting the Township Planning Commission unanimously recommended approval of Preliminary and Final Land Development per the application materials and the Township Engineer's comments contingent on documentation indicating PennDOT's review and approval.

Mr. Michael Rizzo, representing the Applicant, presented the site plan to the Board. Mr. Rizzo stated PennDOT had comments on the plan they will need to address prior to starting the project. Chair Weber asked what were the comments received by PennDOT. Mr. Rizzo stated PennDOT is requiring a Highway Occupancy Permit for the driveway as it connects to N. Main Street.



Mr. Burns moved to grant Preliminary and Final Land Development Approval pursuant to the Township Engineer's comments to Washington Penn Plastic Co., Inc. for an expanded parking lot located at 2020 N. Main Street in the I-1 Industrial Zoning District. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

**9G: Resolution Granting Preliminary and Final Land Development for Washfila Pooh, LLC for the Expansion of the Existing Drive-Through Facility at the Chick-Fil-A Restaurant Located at 375 Old Mill Blvd. in the C-2 Commercial Zoning District**

Mr. Stanick reported on July 22, 2021, the Township received a Preliminary and Final Land Development Application from Chick-Fil-A Restaurant ("Applicant") for the expansion of its existing drive-through facility located at 375 Old Mill Blvd. ("Property") in the C-2 Commercial Zoning District. According to the Applicant, Chick-Fil-A is proposing to again enlarge the existing drive-through facility to respond to changes in customer habits resulting from the COVID-19 pandemic that created a rapid shift in customer delivery methods. To accommodate, the Applicant is proposing to add an additional lane for picking up orders in the drive-through.

The drive-through facility expansion will affect the number of parking spaces along the northerly perimeter of the Property. As a result, prior to submitting its Land Development Application, the Applicant appeared before the Zoning Hearing Board ("ZHB") on July 12, 2021 and received a Variance from the minimum required parking spaces for fast food restaurants to allow for 51 spaces.

In a letter dated August 2, 2021 the Township Engineer reviewed the Land Development Application for compliance with the Township Code and recommended approval. During its August 5, 2021 meeting the Township Planning Commission unanimously recommended approval per the application materials and the Township Engineer's comments.

Chair Weber asked for clarification on the reason for expanding the drive-through facility. Ms. Erin Gogolin, representing the Applicant, stated it was due to changes in customer habits brought about by the COVID-19 pandemic that they have reason to believe are permanent. Habits have changed to more drive-through traffic than carry-out or dine-in service.

Mr. Burns moved to approve the Resolution granting Preliminary and Final Land Development for Washfila Pooh, LLC. for the expansion of the existing drive-through facility at the Chick-Fil-A restaurant located at 375 Old Mill Boulevard in the C-2 Commercial Zoning District. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

**9H: Motion Adopting the 2021 Community Park Master Plan**

Mr. Stanick reported Ms. Heather Cuyler of Pashek MTR, the Township's consultant facilitating the update to the Community Park Master Plan process, is in attendance to present the recommendation of the Steering Committee to adopt the 2021 Master Plan.

Ms. Cuyler gave an overview of the process that led to the formation of the Master Plan. First, it involved an Inventory & Analysis Process. This led to soliciting public input. Finally, a concept plan was developed. Ms. Cuyler then went through the highlights of the plan. She also discussed potential sources of funding to implement the items involved.

Chair Weber inquired if the cost of the amphitheater was included in the analysis. Ms. Cuyler stated it was part of the Phase 2 costs. Mr. Murphy inquired about the digital questionnaire as part of the public input stage of the process. He specifically was interested in how the dog park was included in the plan as it did not appear in the responses. Ms. Cuyler stated a dog park has been requested for a long time. Chair Weber stated there had been a petition signed by a number of people previously in favor of it. A discussion ensued on a potential dog park as part of the Community Park.

Chair Weber expressed his opinion the plan is a good start and a good tool to use moving forward. Ms. Cuyler added having a master plan supported with public input, will assist in any future grant funding awards secured for build out of the park.

Mr. Burns moved to adopt the 2021 Community Park Master Plan. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

#### **9I: Motion Amending an Employment Agreement with Police Chief Hilk**

Mr. Luketich moved to table the motion amending the employment agreement with Police Chief Hilk. Mr. Burns seconded the motion. The motion passed on a 4 to 1 voice vote with Mr. Murphy voting no.

#### **9J: Resolution Amending the Township Police Department Policies and Procedures Manual Regarding the Use of Emergency Notification Systems**

Mr. Stanick reported for the Board's consideration is an update to the Police Policy and Procedures Manual concerning the Township's use of emergency notification systems, including CodeRED. Police Chief Hilk gave an overview of how the police department would use emergency notification systems going forward.

Mr. Burns asked if staff had determined how to link the CodeRED system in with the National Weather Service or other Emergency Notification Systems. Chief Hilk stated they will rely on the current infrastructure and make a determination based on this policy how to push that information out. Mr. Burns asked if there was any way to make it automatic. Chief Hilk stated he was not aware of a way to do this, but will look into the option.

Mr. Murphy moved to amend the Township Police Department Policies and Procedures Manual regarding the use of emergency notification systems. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

### **9K: Motion Approving the 2022 Budget Calendar**

Mr. Stanick reported the 2022 Budget Calendar is presented for the Board's consideration. Mr. Murphy stated he has conflicts with a couple of the dates presented. Mr. Stanick stated he will circulate new dates for the Board

Mr. Murphy moved to approve the 2022 Budget Calendar with changes. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

### **9L: Resolution Authorizing Local Projects for the Southwestern Pennsylvania Commission 2023-2026 Transportation Improvement Program**

Mr. Stanick reported at its August 10, 2021 Non-Legislative Meeting, the Board reviewed several infrastructure projects with Township Engineer Creagh that were recommended for submission to the Southwestern Pennsylvania Commission ("SPC") for inclusion in its 2023-2026 Transportation Improvement Program ("TIP"). The TIP is one of the core products of SPC's metropolitan transportation planning process and seeks to accomplish significant improvements to the region's roadway infrastructure.

The projects reviewed with the Board include:

- 1) Manifold Road Realignment Project;
- 2) Route 19/Davis School Road Realignment Project;
- 3) Lakeview Road Widening Project;
- 4) Cameron Road/E. Beau Street Realignment Project; and
- 5) Zediker Station Road/Route 40 Realignment Project.

Following the review with Township Engineer Creagh, the Board prioritized Projects #1 and #2 for submission to the SPC. However, given the recent interest in residential development along Lakeview Dr., Staff also recommends including Project #3 in its submission to the SPC.

Mr. Burns moved to approve the Resolution authorizing local projects for the Southwestern Pennsylvania Commission 2023-26 Transportation Improvement Program. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

## **10. ADJOURNMENT**

As no further business came before the Board, Mr. Murphy moved to adjourn the meeting. Chair Weber seconded the motion. The motion passed on a unanimous voice vote. The meeting adjourned at 9:28 p.m.

Respectfully submitted,

Brandon J. Stanick  
Township Manager