

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

July 27, 2021

APPROVED MEETING MINUTES

1. CALL TO ORDER

The July 27, 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.
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Absent	None
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Also Present	Township Manager Brandon Stanick; Assistant to the Township Manager Jim Sutter; Police Chief Drew Hilk; Township Engineer Kevin Creagh; and Township Solicitor Dennis Makel.
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Chair Weber reported the Board had met in Executive Session on June 24, July 9, July 13 and July 27, 2021 to discuss personnel matters and potential litigation.

2. PLEDGE OF ALLEGIANCE

Chair Weber lead the Pledge of Allegiance.

Prior to the opening of the Public Comment period, Police Chief Drew Hilk introduced new South Strabane Township Police Officer Conner Cooley.

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 that she believes should be condemned. She stated that it is an eyesore and distributed a picture of the property to the Board. Township Manager Stanick stated that Code Enforcement will be sent to evaluate the property.

Mr. Craig Rumbaugh, resident on Barale Drive, expressed concern with the proximity of a slope to his property line that adjoins the southerly perimeter of the proposed Meadows Landing Planned Residential Development (“PRD”).

Mr. Jack Felix, resident on Fischer Road, addressed the Board regarding his concerns over the proposed Meadows Landing PRD adjacent to his property. Mr. Felix was told that a coal pile in the proposed PRD would be mixed in with soil for fill. He expressed concerns that stormwater runoff from the fill could contaminate his well. He also expressed concerns over the proximity of the planned duplexes to his property line. Solicitor Makel assured Mr. Felix that should his well be contaminated, Meadows Landing Associates, LP. would be responsible for connecting him to public water. Mr. Felix stated that the EPA tested his well about two weeks prior, which would provides a baseline measurement.

Mr. Paul Winter, resident on Locust Avenue and South Strabane Volunteer Fire Department (“VFD”) President, read a prepared statement to the Board expressing concern for the Township’s purchase of a Fire Rescue Apparatus and rumors the Township is looking to start its own Fire Department, contracting with neighboring communities and removing the volunteers. Mr. Winter stated the VFD owns and operates two stations and various equipment and apparatus. To provide services, the VFD has hall rentals, conducts fundraisers, receives community donations and receives contributions from the Township. He stated the men and women of the VFD have worked hard over the decades to build and run the Fire Department to keep the community safe. Now the Township wants 24/7 staffing which goes beyond the established Career staffed hours of 7:00 a.m. to 11:00 p.m., Monday through Friday, which is the best for any community. We would get an instant response with no delay waiting for a Volunteer. Volunteers have to leave their family and friends in the middle of the night or at a birthday party to drive to the station and answer the call. He stated the time spent training and responding to calls is something that people may not know or has been overlooked. We do this because it is our duty, our passion and we do it for free. The volunteers will never abandon the community that it serves.

Mr. Fred Allen, resident on Budd Street and serving as Assistant Chief and Treasurer of the VFD, read a prepared statement to the Board. He stated he has been a member for 44 years and the agenda item before the Board tonight was a surprise to the VFD as it has provided all the equipment needs to the Township for fire and emergency services for the past 60 years. He stated for the past 26 years, since the hiring of Career Firefighters, the VFD has allowed the Township to use all the Volunteer-owned equipment with no questions asked. He asked why the Township feels it needs to purchase a truck and equip the truck using taxpayer money. He stated that outside the Municipal Building this evening sits \$1.5 million in firefighting equipment and trucks and that’s only a partial representation of our fleet. All of the trucks sitting in the parking lot are newer than that which the Board intends to purchase. He asked why the Board did not communicate to the VFD any concerns before purchasing the truck. The Strategic Planning Study conducted by the Township pointed out there is a lack of communication, but the Board is intending to purchase a truck without communicating with the VFD or Career Staff. He inquired where the truck will be housed and intended use of the truck and the Township’s intentions towards the VFD. He noted

there is an agreement between the Township and VFD requiring an annual contribution paid in quarterly allotments. He stated that no contribution has been received to date for 2021. Mr. Allen further expressed his belief it is not in the best interest of the Township to purchase a 20-year old truck when a discussion with the VFD and Career Staff should have taken place to outline the needs of the Fire Department.

Mr. Ed Mazur, resident on Fischer Road and a former Supervisor, stated a Strategic Planning Study was conducted to determine how to structure our Fire Department to function similar to that of the North Strabane Fire Department where Volunteers and Career Firefighters work together. He inquired if the study's consultant recommended the contribution be withheld last year as the VFD didn't receive it until November. He also inquired if the Board did this to pressure the VFD in accepting the concepts of the Strategic Planning Study for a combined Volunteer and Career Fire Department.

4. CONSIDERATION OF REGULAR MEETING MINUTES – JUNE 22, 2021

Mr. Murphy moved to approve the June 22, 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:	\$ 113,057.53 (pay date of June 18, 2021)
• Payroll:	\$ 112,097.26 (pay date of July 2, 2021)
• Payroll:	\$ 115,729.13 (pay date of July 17, 2021)
• General Fund:	\$ 293,244.62
• Liquid Fuels Fund:	\$ 96,826.59
• Capital Improvement:	\$ 94,180.37
• <u>Escrow</u>	<u>\$ 8,223.66</u>
Total Expenditure	\$ 833,359.16

- Overtime Costs for the period include:
 - Police: \$ 3,509.82
 - Fire: \$ 1,927.99
 - Public Works: \$ 540.44
 - Total OT:** **\$ 5,978.25** (pay date of June 18, 2021)

- Police: \$ 2,774.72
- Fire: \$ 2,036.25
- Public Works: \$ 1,077.17
- Total OT:** **\$ 5,888.14** (pay date of July 2, 2021)

- Police: \$ 6,145.46
- Fire: \$ 366.42
- Public Works: \$ 1,572.08
- Total OT: \$ 8,083.96** (pay date of July 16, 2021)

General Fund:

- Municipal Employees Insurance Trust (August Coverage) \$ 47,984.30
- Selective Insurance Co. of America (Commercial Coverage 07.01.21) \$ 33,582.00
- Zions Bank (General Obligation Bond – Series 2019) \$ 46,828.13

Liquid Fuels:

- Youngblood Paving (2020 and 2021 Seal Coat) \$ 89,058.58

Capital:

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

Mr. Luketich moved to approve the payroll for the periods May 30 through June 12, 2021, June 13 through June 26, 2021 and June 27 through July 10, 2021, and Bills for the period June 19, 2021 through July 23, 2021. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

6. ANNOUNCEMENTS

Township Manager Stanick announced that the Community Park Master Plan Steering Committee would be meeting on Wednesday, July 28, 2021, at 7:00 p.m. at the Municipal Building.

Township Manager Stanick introduced new Assistant to the Township Manager Jim Sutter.

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.

Mr. Zach Morgan, resident on Vance Station Road expressed concern for the amount of stormwater on Vance Station Road coming from Munce Street. He asked the Township to check on the issue to see if anything can be done.

Ms. Nancy Gray, resident on Lyman Avenue, stated that the storm drains are not kept clean in the neighborhood.

Township Manager's Report

Township Manager Stanick provided an update regarding the following:

Firefighter Recruitment Process

The Township is conducting a firefighter recruitment process. The deadline for applications is August 2, 2021. Agility tests will take place August 7 and August 11, 2021 and the written exam is currently scheduled for September 22, 2021.

2022 Budget Calendar

A memorandum establishing the 2022 Budget Calendar has been presented to the Board tonight and will be on the Agenda for formal approval at the next meeting on August 24, 2021.

Victory Centre Neighborhood Improvement District Meeting

The Neighborhood Improvement District Board met on Thursday, July 15, 2021 and approved a report prepared by Special Investment Consultant MuniCap, Inc. regarding the Victory Centre Neighborhood Improvement District. The reports and audit are available to the Board upon request.

Secretary/Treasurer's Report

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

Minutes and Agendas:

- a) Sanitary Authority Special Meeting Minutes – May 24, 2021;
- b) Sanitary Authority Meeting Minutes - May 24, 2021;
- c) Planning Commission Regular Meeting Minutes – June 3, 2021;
- d) Zoning Hearing Board Meeting Minutes – June 16, 2021;
- e) Planning Commission Regular Meeting Agenda – July 1, 2021;
- f) Zoning Hearing Board Regular Meeting Agenda – July 12, 2021; and
- g) Green Team Meeting Agenda – July 15, 2021.

Reports and Publications:

- a) Finance Report – June 2021;
- b) Fire Department Report – June 2021;
- c) Public Safety Department Report – June 2021;
- d) Police Department Report – June 2021;
- e) Tax Collector's Report & Interim Collection Only – June 2021;
- f) Animal Control Officer's Report – June 2021;
- g) Township Engineer's Report – July 27, 2021;
- h) PSATS News Bulletin – June 2021;
- i) PennDOT District 12 Report – Issue 6 & Issue 7;
- j) OR article "South Strabane hires assistant township manager" – June 29, 2021;
- k) OR Help Wanted Firefighter ad – July 2 & July 11, 2021;

- l) OR Public Hearing for Huntington Bank Signage, Chick-Fil-A variance and Food Truck at Victory Soccer Fields – July 5, 2021;
- m) OR Public Notice of the transfer of Liquor License to Armen's Barrels (10 McCoy Lane) – July 6 and July 13, 2021;
- n) OR Legal Notice for Meadows Landing PRD, New Potato Creek Holdings, LLC carwash and Proposed Text Amendment regulating woodpiles– July 13, 2021; and
- o) OR Legal Notice of the Conditional Use to operate a distillery at 10 McCoy Lane (Armen's Barrels) – July 22, & July 29, 2021.

Correspondence:

- a) Letter dated June 16, 2021 from Ryan J. Frazee, Interim Director of Wash. Co. Dept. of Public Safety, regarding an invite to Participate in a Hazard Mitigation Planning Process;
- b) Letter dated June 17, 2021 from Brandon O'Neil, Sales Manager for Lehigh Hanson, regarding an increase to all aggregate products and asphalt products;
- c) Letter dated June 22, 2021 from Jessica Au, Esq. representing the Scuvotti Family on Pine Valley Rd. regarding Meadows Landing Proposal Violation;
- d) Email dated June 22, 2021 from Stephanie Humensky regarding a phone call she received from Mrs. Crumpton rented Driscoll Park, thanking Public Works for their maintenance of the park;
- e) Email dated June 23, 2021 from Brandon Stanick to Ms. Mitchell regarding the Pancake Reunion Rental;
- f) Email dated June 29, 2021 from Brandon Stanick regarding the curb work along Nevada Street performed by the Public Works Department;
- g) Letter dated July 1, 2021 from Wash. Co. Assoc. of Twp. Officials regarding the 2021 Washington Co. Convention;
- h) Letter (*w/o attachments*) dated July 1, 2020 from Rice Energy regarding a permit renewal request to drill the proposed Shotski Well in Somerset Township;
- i) Email dated July 6, 2021 Darlene of Makel and Associates regarding Sunshine Act Amendment/Agenda;
- j) Letter (*w/o attachments*) dated July 14, 2020 from Range Resources regarding a permit application to drill the proposed Mele Unit 10H-12H Wells in Chartiers Township; and
- k) Letter received July 22, 2021 from Tom Lonich, resident along Davis School Rd., regarding application for the transfer of a liquor license submitted by Armen's Barrels (10 McCoy Lane).

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

Township Solicitor's Report

Solicitor Makel provided an update regarding his recent work on behalf of the Township.

Township Engineer's Report

Township Engineer 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 if needed for reimbursement from DCNR.

Above Ground Fuel Storage Tank

KLH has been working with Advanced Petroleum Solutions to obtain budget quotes for a potential 1,000-gallon aboveground gasoline tank for the Township.

Developer Review Letters

KLH has reviewed applications from Meadows Landing, Tidal Wave Auto Spa, Pankratos, Cameron Plan of Lots Subdivision, Armen Geronian Conditional Use for a Liquor Distillery, Washington Penn Plastics Land Development and ModWash for both the Planning Commission and Board of Supervisors.

8. UNFINISHED BUSINESS

8A: Public Hearing to Consider an Ordinance Amending Chapter 245 of the South Strabane Zoning Code Providing Regulations for the Keeping of Woodpiles as an Accessory Use in All Residential Districts

Township Manager Stanick reported a text amendment to the Zoning Code establishing regulations for woodpiles in residential zoning districts has been prepared for the Board's consideration. He reported following an unsuccessful attempt to reach a mutually agreeable resolution with the Property Owner of 1 Acacia Drive regarding the cutting and splitting of wood and overall maintenance of woodpiles, a petition was received on March 10, 2021 from Ms. Sharon Sabatini urging the Board to adopt an ordinance regulating firewood and woodpiles on residential property.

The Board, at its next meeting on March 23, 2021, unanimously directed the Planning Commission to consider an ordinance regulating woodpiles. The Planning Commission subsequently met on several occasions to discuss the proposed ordinance and at its regular meeting on June 3, 2021 unanimously recommended the Board approve an ordinance regulating woodpiles in all residential districts pursuant to the following:

- A. Woodpiles shall be no higher than six feet;
- B. Woodpiles shall not occupy a footprint greater than fifty square feet in area;
- C. All Woodpiles shall comply with the setback requirements applicable to accessory structures in the zoning district in which they are located;
- D. No Woodpile can be located in a front yard as defined herein;
- E. No Woodpile can be located between a principal structure and the front yard line of a lot; and
- F. Any Woodpile in existence as of the first day of September 2021 which does not comply with the provisions of this Chapter must be removed or placed in compliance within one year after written notice to comply is given by the Zoning Officer. Such notice shall be in writing and shall be served upon the property owner either in person or by certified mail.

In preparation for the Public Hearing, the proposed text amendment was forwarded to the Washington County Planning Commission on June 22, 2021 with a response received on June 28, 2021. A legal notice was also published in the July 13 and July 20, 2021 editions of the Observer-Reporter. Should the Board adopt the proposed ordinance, a copy would be forwarded to the Washington County Law Library within thirty (30) days.

Township Solicitor Makel proceeded to read the following exhibits into the Public Record:

Exhibit A – Proposed Ordinance;

Exhibit B – Letter dated June 22, 2021 transmitting the proposed ordinance to the Washington County Planning Commission;

Exhibit C – Letter dated June 28, 2021 from the Washington County Planning Commission with their review of the proposed ordinance;

Exhibit D – Legal notices advertising the public hearing published in the July 13 and July 20, 2021 editions of the Observer-Reporter; and

Exhibit E – Responses from the Public regarding the proposed Ordinance.

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

Mr. David Podolinsky, resident on Acacia Drive, stated that he had initially cleared the wood on his property to build his house and has been using it to heat his house for the past 19 years. He stated this was never an issue before and feels he is being singled out. Mr. Podolinsky stated he has been trying to clean up the pile. Chair Weber asked what he does not like about the ordinance. Mr. Podolinsky responded he does not believe there should be a size restriction. Mr. Luketich asked if most of his piles are actually in the woods on his property. Mr. Podolinsky stated he keeps one woodpile to the side of his house at the top of his driveway.

Mr. Angelo Sabatini, resident on Robin Drive, stated no one needs a pile as big as Mr. Podolinsky's to heat their house. Mr. Sabatini stated the woodpile has been an issue for a long time. He stated the pile has increased in size over time.

Mr. Patrick Daley, resident on East Beau Street, stated the Podolinsky's have tried to work with the Township and have attempted to comply. He then claimed that many of the signers of the petition in favor of the proposed ordinance are individuals that do not reside in the Windsor Highlands neighborhood.

Ms. Linda Rumbaugh, resident on Barale Drive, expressed her belief local government should not make more rules given the events of the past year and encouraged the Board to reject the proposed ordinance.

Ms. Kristen Podolinsky, resident on Acacia Drive, appearing over Zoom, stated her online petition against the ordinance received twice as many votes as the petition that was circulated in the Township in favor of the ordinance. Ms. Podolinsky then gave an overview of the layout of their house and property and explained how it was unique. She stated the proposed ordinance will never be adequate in the eyes of the complainants and the Township.

Ms. Sharon Sabatini, resident on Robin Drive, stated her only goal with bringing this to the Township was to establish limits on the size of woodpiles.

As there were no further comments, Mr. Burns moved to close the Public Hearing. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Luketich stated the Township would not be in this position if the neighbors would have worked out their disagreements. Mr. Luketich reiterated that this proposed ordinance will affect the entire Township.

Following a consensus of the Board, Chair Weber announced the Board would go into Executive Session to deliberate the zoning ordinance and discuss potential litigation at 7:52 p.m. The Board returned from Executive Session at 8:00 p.m.

Mr. Murphy moved to approve the ordinance establishing woodpile regulations in all residential districts. Mr. Burns seconded the motion.

The motion passed on the following roll call vote:

Ayes: Mr. Burns, Mr. Grego, Mr. Luketich, Mr. Murphy and Chair Weber

Nays: None

9. NEW BUSINESS

9A: Motion Authorizing the Purchase of a Pierce Quantum Fire Rescue Apparatus from the Village of Falconer, New York and Associated Equipment in the Amount of \$130,000

Township Manager Stanick presented for the Board's consideration a motion to authorize the purchase of a new fire rescue apparatus from the Village of Falconer, New York and associated equipment in the amount of \$130,000. He reported, of the total price, \$60,000 will be used to purchase the apparatus and approximately \$70,000 will be used to upfit and equip the truck. The purpose of the purchase is to ensure the level of fire and emergency medical services provided to the community are maintained at a level responsive to the Township's continued growth.

Mr. Burns moved to authorize the purchase of a Pierce Quantum Fire Rescue Apparatus from the Village of Falconer, New York and associated equipment in the amount of \$130,000. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9B: Public Hearing to Consider a Motion Granting Conditional Use Approval for New Potato Creek Holdings, LLC. (d/b/a/ Tidal Wave Auto Spa) for a New Car Wash at 370 Washington Rd., Parcel No. 600-005-13-00-0016-01, in the C-2 Commercial Zoning District

Township Manager Stanick reported on May 10, 2021 the Township received an application for Conditional Use Approval from New Potato Creek Holdings, LLC. ("Applicant") to operate a car wash at 370 Washington Road. He stated per Section 245-63 of the Township Code, a car wash is a Conditional Use within the C-2 Zoning District subject to certain conditions identified in Section 245-116.

He reported, in a letter dated June 1, 2021, the Township Engineer reviewed the Conditional Use Application for completeness and compliance with the Township's Zoning Code and recommended approval. During their June 3, 2021 regular meeting, the Planning Commission unanimously recommended approval of the Conditional Use per the application materials and the Township Engineer's comments. The Applicant plans to submit applications for subdivision and land development in the near future.

In addition, a legal notice was published in the July 13 and July 20, 2021 editions of the Observer-Reporter advertising this Public Hearing, and letters were mailed to neighbors within 300 feet of the subject property on July 13, 2021.

Township Solicitor Makel proceeded to read the following exhibits into the Public Record:

- Exhibit A – Application for Conditional Use Approval submitted by New Potato Creek Holdings, LLC.;
- Exhibit B – Information concerning Tidal Wave Auto Spa;
- Exhibit C – Traffic Impact Assessment;
- Exhibit D – Zoning verification letter;
- Exhibit E – Site plans (2 pages);
- Exhibit F – Engineer review letter;
- Exhibit G – Proof of advertisement in the Observer-Reporter;
- Exhibit H – Letter to property owners within 300 feet; and
- Exhibit I – Minutes from the June 3, 2021 meeting of the Planning Commission.

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

Ms. Rozanc administered the oath to Justin McCall and Patrick DeNardo, representatives of the Applicant. Mr. McCall stated Tidal Wave Auto Spa is based out of Macon, Georgia and has been in business since 2004. Currently, the car wash has 65 locations mostly in the South and Midwest but are looking to expand into the Pittsburgh market. Mr. McCall went on to state the parcel is expensive and as the entire parcel is not needed, the property will be subdivided to allow the Applicant to sell the remaining land. Mr. McCall reviewed the site plan and how the car wash meets the requirements for Conditional Use Approval.

Township Manager Stanick asked how many cars the site can accommodate at one time. Mr. DeNardo stated the two lanes could handle 10 each plus an additional five between the entrance and the split. Mr. Murphy asked how much time each car would spend in the facility. Mr. McCall stated while he did not have specifics, his understanding the time is comparable to any typical car wash. He cited personal experience at a similar facility being around 45 seconds, but reiterated he could not confirm the total time for a wash.

Mr. Luketich asked how many cars the business would serve per day. Mr. McCall stated that he could not say with any certainty. Mr. Luketich expressed his concern about cars potentially backing up onto Route 19. Mr. McCall stated that while he cannot cite a specific figure for the number of cars served per day, he would be surprised if the volume came anywhere close to the point where this would be a concern.

Mr. Murphy asked Township Engineer Creagh if he had any concerns with the ingress/egress of the site. Mr. Creagh stated there were no concerns. A discussion ensued regarding philanthropic activities of Tidal Wave Auto Spa.

Solicitor Makel asked about the status of the Traffic Impact Study through PennDOT. Mr. DeNardo stated it was pending but moving forward. Chair Weber asked for clarification on the location of the proposed car wash. Mr. Stanick stated it was between the old Route 19 Bowl and Aspen Dental. Mr. Grego noted the existing stormwater pipe under the property. Mr. DeNardo stated that the pipe will be relocated away from under the building.

There were no comments from the public.

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 New Potato Creek Holdings, LLC. (d/b/a/ Tidal Wave Car Wash) to operate a car wash at 370 Washington Rd., Parcel No. 600-005-13-00-0016-01, in the C-2 Commerical Zoning District with the condition the Applicant complies with the Township Engineer's comments. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9C: 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

Township Manager Stanick reported on March 13, 2021 the Township received applications for Conditional Use, Preliminary Subdivision and Preliminary Land Development Approvals from Meadows Landing Associates, LP. (“Applicant”) for the proposed Meadows Landing PRD along U.S. Route 19 and Landings Drive. 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.

He stated, the proposed 167.63-acre Development will be conducted in three phases and will consist of a mixture of townhomes, duplexes and single-family detached homes. 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. As a reminder, any change in density following Tentative PRD approval will require additional public hearings. Additional features include:

- Open space in the amount of 56%, compared with the 20% requirement;
- 4 acres of Low Impact Active Recreation Area provided, compared with 2 acres required. This includes swimming pool and clubhouse amenities with associated parking, walking trails and sidewalks along both sides of the street where homes are located;
- Stormwater management ponds and underground conveyance system;
- Streets that will be dedicated to the Township include Chase Street, Lincoln Street, Jack Drive, Ashton Street, Adam Street, Logan Drive and existing Helen Drive; and
- Future street access from Lincoln Street to Fischer Road.

Further, he reported at its meeting on June 3, 2021, the Planning Commission unanimously recommended Conditional Use Approval and Tentative PRD Approval pursuant to the Township Engineer’s comments and the representations made during the hearing. In preparation for the Board’s Public Hearing a legal notice was published in the July 13 and July 20, 2021 editions of the Observer-Reporter. Additionally, letters were mailed to neighbors within 300 feet on July 13, 2021.

Township Solicitor Makel proceeded to read the following exhibits into the Public Record:

- Exhibit A – Application for Conditional Use Approval and Tentative PRD Approval submitted by Meadows Landing Associates, LP.;
- Exhibit B – Application for Subdivision Approval submitted by Meadows Landing Associates, LP.;
- Exhibit C – Letter to property owners within 300 feet;
- Exhibit D – Proof of advertisement in the Observer-Reporter;
- Exhibit E – Letter from Washington County Planning Commission dated June 16, 2021;
- Exhibit F – Letter from KLH Engineering dated July 19, 2021;
- Exhibit G – Response letter from Sheffler & Company, Inc.;

Exhibit H – Letter from KLH Engineering dated May 25, 2021;
Exhibit I – Minutes from the June 3, 2021 meeting of the Planning Commission;
Exhibit J – Copy of the Master Plan.

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

Ms. Rozanc administered the oath to those in attendance. Mr. Allen Beechey of Sheffler & Co., representing the Applicant, described the location of the proposed PRD and the process for rezoning the property from C-2 Commercial to R-4 Residential. Mr. Beechey stated the adjacent properties along Route 19 would remain C-2. The proposed PRD required the existing traffic study to be updated to account for the change from commercial use to residential. The impact of having residential will be less than the previous commercial zoning that was previously in place.

Mr. Beechey stated the PRD would be built out in three phases, comprise 346 total units (mixture of townhomes, duplexes and single-family detached homes). Mr. Beechey described a small change from the previously presented Master Plan due to the redistribution of the types of units so all varieties would be offered during each phase. Mr. Beechey further presented information regarding the Conditional Use and PRD requirements met by the Applicant.

Mr. Beechey stated a portion of the Manifold Pump Station, including the Manifold Force Main will require upgrades. Future meetings with the Township Sanitary Authority are being scheduled. Mr. Beechey stated they still need to submit their NPDES permit and they would soon be meeting with the Washington County Conservation District to comply with this requirement. Mr. Beechey continued stating they have brought all previous designs up to meet current stormwater regulations required by the Township and now meet an 80% reduction in stormwater runoff from pre-development rate.

Mr. Burns asked about the land set aside for conservation purposes. Mr. Beechey stated he spoke to an expert with Carnegie Mellon University, and it appears that there is sufficient evidence to necessitate the creation of a 200-foot buffer around the northwesterly portion of the project. Mr. Luketich asked Mr. Beechey to confirm the size of the clubhouse and swimming pool proposed for the development. Mr. Beechey stated the clubhouse would be typical for others they use in their Ryan Home plans and the swimming pool would be 40-feet by 60-feet. In response to a question from Mr. Luketich, Mr. Beechey confirmed the future HOA would be responsible for the cost and maintenance of the streetlights.

In response to a question from Chair Weber, Mr. Beechey stated an extension of road will be built off of Lincoln Street to accommodate a roadway connection to Fischer Road should the parcel to the west develop. Mr. Grego expressed concerns over the future extension going through the conservation area. Mr. Beechey stated he had adjusted the plans to ensure it would avoid the conservation area. Chair Weber inquired about potential improvements necessary for the two roads connecting into the Development from Route 19. Mr. Beechey stated this would not be necessary

according to PennDOT. Chair Weber asked if the walking trails go through the entire PRD. Mr. Beechey demonstrated the location of the trails and the trail connections to the sidewalks.

Chair Weber inquired of the proximity of the proposed duplexes to Mr. Felix's property. Mr. Beechey stated the densest type of buffer yard plantings will be provided between Mr. Felix's property and the proposed PRD. Mr. Luketich asked if they were working with Mr. Felix on his well concerns. Mr. Beechey stated while they have not done so yet, they will work with him to ensure his well is protected.

Township Engineer Creagh went over the issues regarding the PRD that he raised in his review letters. Mr. Creagh stated the major stormwater issues have since been addressed. He noted there were minor stormwater issues and sewage capacity concerns that continue to be outstanding. Solicitor Makel asked for clarification on the sewage capacity concerns and concluded that an agreement with the Sanitary Authority regarding upgrading the force main will be required.

Ms. Linda Rumbaugh expressed concern for the proximity of the proposed slope from her adjoining property line at the southerly perimeter of the Development. Mr. Beechey stated the plans have been updated to reflect 20-25 feet of virgin ground would be provided before the property line.

Mr. Chester Patrina, resident of Patrina Lane, expressed his concern for the potential trespassing onto his property once the units are occupied. Mr. Patrina expressed his preference for the developer to construct a fence, approximately 620 feet along his property line to prevent any potential trespassers. Mr. Patrina stated he feels the onus for keeping trespassers off his property should fall on the developer.

A lengthy discussion regarding Mr. Patrina's request ensued. Other concerns regarding buffer zones, the health of trees adjacent to his property and the activities of Meadows Landing Associates, LP. were raised as part of the discussion. Mr. Kestler stated he believes there is a compromise and there would be no issue in making reasonable accommodations. Mr. Grego suggested the buffer zone be planted with Hemlocks and other hearty evergreen species. Mr. Kestler noted several solutions, including pruning and removing dead trees and invasive species and planting hearty evergreens. Mr. Patrina and Ms. Rumbaugh invited the Supervisors to tour their property that adjoins the proposed PRD.

Ms. Charlene Scuvotti, resident of Pine Valley Road, appearing over Zoom, addressed the Board with her concerns regarding stormwater runoff onto her property from the proposed PRD. Further she asked the letter from her attorney be made part of the record and the Board table its consideration until her letter and comments are addressed.

Mr. Burns moved to continue the Public Hearing until the August 24, 2021 meeting. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9D: Public Hearing to Consider a Resolution Approving a Transfer of Restaurant Liquor License No. 59948 from Cascade Hops, Inc. of Peters Township to Armen's Barrels, LLC for a Restaurant at 10 McCoy Lane, Washington, PA 15301

Township Manager Stanick reported the Township received a letter dated June 11, 2021 from Marc Reisman of Gelman & Reisman, legal counsel for Armen's Barrels, LLC. The letter requested the Township approve an inter-municipal transfer of Restaurant Liquor License No. 59948 from Cascade Hops, Inc. of Peters Township to the facility located at 10 McCoy Lane, currently home to Armen's Barrels winery. According to the submitted materials, Armen's Barrels, LLC. intends to apply to the Pennsylvania Liquor Control Board ("PLCB") for a Restaurant Liquor License that will allow for on-site consumption at a restaurant planned for 10 McCoy Lane, which is a permitted use as of right in the C-2 Commercial Zoning District.

On July 28, 2020, Mr. Armen Geronian received Conditional Use Approval by the Board of Supervisors to operate a Boutique Winery at 10 McCoy Lane. Also, Mr. Geronian has submitted an application to amend the text of the Zoning Code to allow a "Liquor Distillery" as a Conditional Use in the C-2 Zoning District, which will be considered by the Planning Commission on August 5, 2021. As required, the Township published a legal notice in the Observer-Reporter advertising the Public Hearing for the liquor license transfer for two successive weeks at least seven days in advance of the hearing date on July 8 and July 13, 2021.

Township Solicitor Makel proceeded to read the following exhibits into the Public Record:

- Exhibit A – Letter dated June 11, 2021 from Marc Reisman requesting the Township approve an inter-municipal transfer of a restaurant liquor license;
- Exhibit B – Proposed Resolution;
- Exhibit C – Letter from Thomas Lonich, as a resident of the Township, opposing the liquor license transfer;
- Exhibit D – Letter dated September 1, 2020 from Township Manager Brandon Stanick to Mr. Geronian concerning the Conditional Use for a Boutique Winery;
- Exhibit E – Proof of advertisement in the Observer-Reporter;
- Exhibit F – Internet site page for Armen's Barrels regarding the restaurant;
- Exhibit G – Internet site page for Armen's Barrels regarding the winery; and
- Exhibit H – Internet site page for Armen's Barrels regarding the distillery.

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

Ms. Rozanc administered the oath to those in attendance. Mr. Reisman described the building at 10 McCoy Lane and the proposed operations. The winery operations are limited to one side and the planned distillery will be located on the same side, if approved. The restaurant will be a fine dining establishment and will be in the other half of the structure. Mr. Reisman then addressed the comments from Mr. Thomas Lonich in his letter to the Township.

Mr. Geronian updated the Board on his progress since purchasing the building in 2020. He stated the property has been cleaned up and is under 24/7 surveillance. There were no structural changes

made to the building, but the interior has been completely renovated to reflect the “barrels” theme of the business. Mr. Geronian described the proposed use as a destination with an upscale dining experience. He went on to state he believes it fills a need in the community.

Ms. Nancy Gray expressed her concerns regarding the constant changes made by Mr. Geronian to his business plans. She stated the Township has not done enough to provide notice of any hearings that have been held for this property. Ms. Gray stated she appreciates the positive changes that have been made to the property; however, she expressed her opposition to another drinking establishment in the neighborhood that could turn into another bar.

In a response to a question from Chair Weber, Mr. Stanick stated the Township had provided all legally required notices for this and past Public Hearings. In response to Ms. Gray’s concerns, Mr. Reisman stated this will not be a drinking establishment and that Mr. Geronian has a sophisticated business plan.

Mr. Luketich asked when the restaurant will open. Mr. Reisman stated the restaurant’s opening will coincide with the PLCB approval of the liquor license. However, he was hoping they could open in a couple of months. Mr. Makel asked for clarification on whether there were two businesses operating at the property, a boutique winery and a restaurant. Mr. Reisman stated this was the case and they are both owned by Armen’s Barrels, LLC. Chair Weber inquired of the status of the restaurant. Mr. Geronian stated it is moving forward and inspections are being coordinated. Mr. Geronian stated he has spoken with many of the neighbors and he expressed a desire to speak with Ms. Gray about her concerns.

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 approve the Resolution Approving the Transfer of Restaurant Liquor License No. 59948 from Cascade Hops, Inc. of Peters Township to Armen’s Barrels, LLC. for a Restaurant at 10 McCoy Lane, Washington, PA 15301. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9E: Motion Granting Final Planned Residential Development Approval for PA Finance II, LLC. for the Burkett Manor Planned Residential Development Located Along Burkett Lane at U.S. Route 19, Parcel No. 600-001-00-00-0048-00, in the R-4 Residential Zoning District

Township Manager Stanick introduced the item noting the Burkett Manor PRD consists of a 55.6-acre property (rezoned from C-2 to R-4). At its May 25, 2021 meeting, the Board granted Conditional Use Approval and Tentative PRD Approval which includes:

- 102 age-targeted Patio Homes and 43 age-targeted Townhomes;
- 41% open space; and
- Amenities such as two pickleball courts, a 20-foot by 40-foot pavilion, a firepit, 3 parklets, 2 walking trails and sidewalks on both sides of the streets.

He stated on July 1, 2021 the Planning Commission recommended Final PRD Approval for the Development pursuant to the Township Engineer's comments, which have been addressed, and the request for a modification from the maximum length of the roadway with a cul-de-sac to allow Red Bud Lane to be 1,875 feet in length, and HOA documents.

Township Manager Stanick noted the Applicant has yet to provide the required HOA documents. He also noted the PRD has not changed from Tentative Approval; however, the Applicant has submitted a request in writing (as required by the Code) for a modification from the Subdivision and Land Development Ordinance to allow the length of Red Bud Lane to exceed the maximum length of a roadway with a cul-de-sac.

Mr. Burns moved to grant Final PRD Approval for PA Finance II, LLC. for the Burkett Manor Planned Residential Development Located Along Burkett Manor at U.S. Route 19. Parcel No. 600-001-00-00-0048-00, in the R-4 Residential Zoning District subject to the Township Solicitors' approval of the HOA documents. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9F: Motion to Consider a Resolution Granting Preliminary and Final Subdivision Approval for a Correction to the CNX Land LLC. Subdivision No. 1 Plan

Township Manager Stanick presented the item noting the updated subdivision plan corrects the name of the owner as CNX Land LLC. from Eighty-Four Mining Company. As this subdivision plan encompasses both South Strabane and North Bethlehem Townships, CNX Land LLC. will ask North Bethlehem to also approve the correction.

He stated the approved subdivision consolidated Parcels A, B and C, a total of 30.218 acres, which are to be conveyed to the owner of the Andy Parcel, resulting in one larger parcel 146.1 acres in size.

Mr. Andrew Chumney of Peacock Keller representing CNX Land LLC, confirmed the subdivision was processed with the incorrect ownership name. Chair Weber asked if North Bethlehem Township had approved the correction. Mr. Chumney responded they would at their meeting next week. A discussion ensued regarding the Township taking action prior to North Bethlehem Township.

Mr. Burns moved to approve the Resolution Granting Preliminary and Final Subdivision Approval for a Correction to the CNX Land LLC. Subdivision No. 1 Plan. Mr. Murphy seconded the motion. The motion passed on a 4 to 1 voice vote with Chair Weber voting no.

9G: Motion Approving a Resolution Updating the South Strabane Township Policy and Procedures Manual Regarding Canine Operating Guidelines, Responses to Suspected Overdose Events, Use of Computers and Criminal Justice Informational Systems and Washington County Local Rules of Criminal Procedure

Police Chief Hilk presented the following policy updates to the Police Department Policies and Procedures Manual:

- General Order 2.5 – Canine Operating Guidelines
- General Order 4.17 – Response to Suspected Overdose Events
- General Order 5.11 – Washington County Local Rules of Criminal Procedure
- General Order 6.7 – Use of Computers and Criminal Justice Information Systems

Chief Hilk stated the proposed policies were developed by committee and all key stakeholders were involved.

Mr. Burns moved to approve the Resolution Updating the South Strabane Township Policy and Procedures Manual Regarding Canine Operating Guidelines, Responses to Suspected Overdose Events, Use of Computers and Criminal Justice Informational Systems and Washington County Local Rules of Criminal Procedure. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9H: *This Item Left Intentionally Blank.*

9I: Motion Authorizing a Lien on Property Located at 906 Idaho Street for Violations of Section 302.4 (high grass) and 308 (rubbish and garbage) of the Township's Property Maintenance Code

Township Manager Stanick reported pursuant to Section 302.4 of the South Strabane Township Property Maintenance Code, grass, weeds and similar vegetation are not permitted to grow in excess of eight inches. Additionally, Section 308 states exterior property and premises and the interior of every structure shall be free from any accumulation of rubbish or garbage.

Due to the property at 906 Idaho Street being in violation, notices have been sent to the owner without response. Estimates received over the phone resulted in a range of \$300 to \$600 to address the violations. As such, it is recommended the Board authorize the removal of the violations and lien the aforementioned property once the Township incurs a total cost of \$500.00 for the work.

Mr. Burns moved to authorize a lien on the property located at 906 Idaho Street for violations of Section 302.4 (high grass) and 308 (rubbish and garbage) of the Township's Property Maintenance Code. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9J: Motion Authorizing Premier Power Solutions, LLC and the Township Manager to Shop for Renewal Rates for the Supply of Electricity and Natural Gas for Municipal Facilities

Township Manager Stanick reported Direct Energy and Snyder Brothers supply electricity and natural gas respectively to the Township. Premier Power Solutions, LLC, is the Township's energy broker that shops for supply rates on behalf of the Township. As the 30-month contract with Direct Energy expires on the December 2021 meter read, and the Township's natural gas agreement with Snyder Brothers will expire on the November 30, 2021 meter read, it is recommended the Board motion to authorize the Township's energy broker to shop for renewal rates for the supply of electricity and natural gas for municipal facilities. This includes buildings, streetlights, traffic lights, etc.

He noted because the market for electricity and natural gas supply changes from minute to minute, it is impractical to ask the Board to approve a rate at a scheduled public meeting. As this is the case, this authorization from the Board will allow the Township Manager to work closely with Premier Power Solutions in seeking a competitive rate that will lock the Township into a term not to exceed 36 months.

Mr. Burns moved to authorize Premiere Power Solutions, LLC. and the Township Manager to Shop for Renewal Rates for the Supply of Electricity and Natural Gas for Municipal Facilities. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9K: Motion Approving Exhibit A to the Municipal Winter Traffic Services Agreement with PennDOT for the 2021-2022 Season

Township Manager Stanick reported pursuant to the five-year Agreement approved in 2019, the Township will maintain the following State roads during the winter season:

- Lakeview Drive
- Vance Station Road
- Zediker Station Road
- Manifold Road
- Davis School Road
- Oak Grove Road

Exhibit A of the Winter Traffic Agreement identifies the rates PennDOT will pay to the Township to maintain the roads. The amount for 2021-22 is \$25,178.57, an increase of 3.29% over the previous season.

Mr. Burns moved to approve Exhibit A to the Municipal Winter Traffic Services Agreement with PennDOT for the 2021-22 Season. 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. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote. The meeting adjourned at 10:12 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager