

SOUTH STRABANE TOWNSHIP  
PLANNING COMMISSION REGULAR MEETING MINUTES

July 7, 2022

**APPROVED MEETING MINUTES**

The Planning Commission of South Strabane Township held its Regular Meeting on Thursday, July 7, 2022 at 7:01 p.m. in the Meeting Room of the Municipal Building, 550 Washington Road, Washington, PA 15301.

Present: Thomas Steele, Chair; Jay Gordon, Vice Chair; Joe Kopko (via Zoom); and Dan Reitz

Not Present: Paula Phillis; and Fred Pozzuto

Also Present: Brandon Stanick, Township Manager; Jim Sutter, Assistant to the Township Manager; Jordan Cramer, Fire Chief; Scott Heckman, Building Official; Paris Szalla, Administrative Intern; Scott Groom, Engineer; Gabrielle Conti, Solicitor; and Sheila Rozanc, Stenographer

**1. PLEDGE OF ALLEGIANCE**

Chair Steele led the group in the Pledge of Allegiance.

**2. PUBLIC COMMENT**

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

Layne Zipko, resident on Berry Road, expressed her concerns with the traffic on Berry Road. She stated there had been an accident this morning and recently on June 25, 2022. She expressed a desire for stop signs to be installed in certain places. Mr. Gordon stated he has the same concerns regarding the traffic on the road. He expressed his desire to have the prospective developers of properties with access to Berry Road sit down with the Township to figure out what can be done and come up with solutions. A discussion ensued.

Tom Gould, resident on Vance Station Road, expressed concerns regarding stormwater draining down Pancake Hill. Township Manager Brandon Stanick stated this is a state road and they are currently discussing solutions with PennDOT.

**3. APPROVAL OF THE PLANNING COMMISSION REGULAR MEETING MINUTES  
JUNE 2, 2022**

Mr. Reitz moved to approve the June 2, 2022 meeting minutes. Mr. Gordon seconded the motion. The motion passed on a unanimous voice vote with Mr. Kopko abstaining.

**4. PUBLIC HEARING FOR THE CONSIDERATION OF A CONDITIONAL USE APPLICATION FROM LARRY AND BETH SIMPSON TO OPERATE A HOME OCCUPATION, SPECIFICALLY HOUSEKEEPING OR CUSTODIAL SERVICES, LOCATED AT 42 MANSE STREET IN THE R-4 ZONING DISTRICT**

Sheila Rozanc swore in Larry and Beth Simpson and Colleen Dille at this time.

Mr. Simpson read a statement outlining their request. He stated their business currently operates from the home of Larry Simpson's father, located in East Washington Borough. It will no longer be possible to continue operations at this location, and the Applicant desires to operate from the Property. Letters of support from neighbors in East Washington Borough reflecting the existing operation have been provided.

Mr. Simpson stated operations on the Property will be limited to the storage of equipment and supplies and loading and unloading activities at the beginning and end of the day taking approximately 30 minutes each time. All storage will be contained to the basement of the dwelling. Additionally, customers will not be visiting the site and no signage is proposed. The operation will include the assistance of one employee, who will arrive in the morning and leave at the end of the workday following unloading activities.

Solicitor Gabrielle Conti read the following items into the Public Record:

- Exhibit A – Application for Conditional Use and related materials;
- Exhibit B – Letters of support from neighbors in East Washington Borough;
- Exhibit C – Section 245-129 of the Zoning Code, providing the standards and criteria for Home Occupations;
- Exhibit D – Proof of Publication in the Observer-Reporter; and
- Exhibit E – Letters to neighboring property owners.

Ms. Simpson stated the letters of support came from an immediate next door neighbor, a neighbor across the street and a neighbor two houses down the street. Chair Steele asked if they will have any difficulties adhering to the standards and criteria applicable to Home Occupations. Mr. Simpson stated they will not.

Ms. Dille, resident on Manse Street, expressed concern over the possibility of additional vehicles parking on the street. Mr. Simpson stated his van will stay at the Property and the other van will be at the additional employee's residence. He stated the other employee will arrive in the morning, they will load and leave for the day. Ms. Dille asked if any additional buildings will be constructed. Mr. Simpson stated no construction will occur other than minor renovation of existing improvements.

Mr. Gordon moved to enter Exhibits A-E into the Public Record. Chair Steele seconded the motion. The motion passed on a unanimous voice vote.

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

Mr. Gordon moved to recommend the Board of Supervisors approve the Conditional Use application from Larry and Beth Simpson to operate a Home Occupation, specifically housekeeping or custodial services, located at 42 Manse Street in the R-4 Zoning District subject

to the Applicant adhering to their statements regarding parking. Mr. Reitz seconded the motion. The motion passed on a unanimous voice vote.

**5. CONSIDERATION OF AN APPLICATION FOR PRELIMINARY AND FINAL MINOR SUBDIVISION APPROVAL FROM THOMAS AND YVETTE KISLING FOR THE KISLING SUBDIVISION PLAN NO. 1 LOCATED AT 1885 E. BEAU STREET IN THE A-1 ZONING DISTRICT**

Kerry Krider of HMT & Associates, engineer representing the Applicant, stated all of the Township Engineer's comments have been addressed and they are appearing to ask for a positive recommendation for approval. Upon a question from Chair Steele, Township Engineer Scott Groom stated all of their comments have been addressed.

Mr. Thomas Lonich, legal counsel for Jason and Kelly Briggs, neighboring property owners of the Applicant, stated they are appearing tonight in opposition to the application. He stated pursuant to Section 206-65 of the Subdivision and Land Development Ordinance ("SALDO"), the maximum of 4 lots are permitted off of a private street without a modification. Upon a question from Chair Steele, Assistant to the Township Manager Jim Sutter stated a modification from this provision of the SALDO had been requested by the Applicant. Mr. Krider confirmed the modification had been requested. Chair Steele stated he has not seen the request in writing. Mr. Lonich stated the request for modification must be in writing and practical difficulty and hardship must be established.

Chair Steele requested Mr. Lonich to go through all of the issues with the application and the Applicant will then be given a chance to respond. Mr. Lonich stated, pursuant to the requirements provided in Section 206-65 of the SALDO, a private street cannot be greater than 800 feet in length. He stated there is nothing indicating the length of the private street on the plans. Mr. Lonich asked for clarification if this will be a new private street or an extension of an existing private street. Mr. Groom stated a portion will be new and a portion is existing. Mr. Lonich stated the SALDO requires the existing private street must be improved to the standards of a public street and dedicated to the Township.

Mr. Lonich stated the SALDO requires the cartway be improved to be a mud-free and passable surface. There is no indication it will be improved in such a way. Mr. Lonich stated the SALDO requires the plat and deeds for each lot to reference an executed and recorded agreement obligating the property owners to maintain the private street. Mr. Lonich stated he is unaware of any such agreement. Further, he noted the adjacent property owners, who already utilize the existing portion of the private street, could in theory be restricted from accessing their properties due to not being party to such agreement. As a result, the request would result in 11 single-family homes having access to one private street. Mr. Lonich then noted these properties could be further subdivided leading to even more properties accessing this private street.

Ms. Conti asked if HMT & Associates would like an extension of time to respond to Mr. Lonich's concerns. Mr. Krider stated they would agree to an extension. Mr. Krider expressed his displeasure with these issues being brought seemingly late in the process and with Township Staff and the Township Engineer for not being aware of them and bringing them to their attention earlier. Mr. Kopko stated these are real concerns and the application is currently deficient. A discussion ensued regarding the possibility of the parcels being further subdivided.

Mr. Gordon noted the bridge on one of the existing private roadways likely needs to be improved.

Mr. Gordon moved to extend consideration of the application by 60 days to allow the Applicant the opportunity to respond to Mr. Lonich's comments. Mr. Reitz seconded the motion.

Mr. Lonich would like to make it clear he is not waiving his client's right to additional challenges beyond what was discussed at this meeting.

The motion passed on a unanimous voice vote.

**6. PREAPPLICATION MEETING WITH WASHINGTON COUNTY TRANSIT AUTHORITY (D/B/A/ FREEDOM TRANSIT) REGARDING A PROPOSED LOCAL AND SUBURBAN TRANSIT FACILITY LOCATED AT 375 BERRY ROAD IN THE I-1 ZONING DISTRICT**

Sheila Gombita of Freedom Transit stated they had recently entered into a sales agreement to purchase the property located at 375 Berry Road (currently the Tower Golf Driving Range and Amish Touch store) for the purpose of constructing a bus storage and maintenance facility. She stated they are in the early stages of planning and wanted to meet with the Planning Commission to discuss the project and identify any concerns to be addressed before moving forward with a land development plan.

Ms. Gombita introduced Andy Batson of PennDOT and Mike Hartley of KCI Technologies and presented a brief overview of the agency and provided examples of similar facilities PennDOT, who they are partnering with for the project, has constructed throughout the state. She stated this specific facility will be mid-sized compared to the others and will host roughly 90 vehicles in total.

Mr. Reitz asked if they are planning to align the entrance with the rear access to the adjacent Strabane Square Commercial Development. Ms. Gombita stated this is their intent. Mr. Gordon asked how many runs per day these vehicles will make. Ms. Gombita stated, of the larger buses with specific routes, seven will be on the road at any given time. She stated there are a number of buses which only make one trip per day and there may be 30 to 35 of these on the road. Upon questions from Mr. Gordon, Ms. Gombita stated there will be between 75 and 100 employees who work in shifts at the facility.

Mr. Gordon asked if any of them had ever driven on Berry Road. Mr. Hartley stated he has and acknowledged the challenges associated with the road. Mr. Gordon asked if any of the buses will be turning left out of the facility towards the section with tight turns. Ms. Gombita stated they would not and only travel towards Locust Avenue. Mr. Gordon noted the soccer fields to the right are often crowded. He asked if they would object to being part of discussions on improving Berry Road. Ms. Gombita indicated they would be willing to do so. Mr. Batson stated safety is paramount to them as a public safety organization. Further discussion ensued regarding Berry Road.

Mr. Stanick stated this use doesn't necessarily fit the Truck Terminal definition already present in the Zoning Code and the Standard Industrialization Code ("SIC") has a better use definition. He stated this would require a text amendment and conditional use application as the next step. Mr. Batson noted most of their facilities are located in industrial or commercial zoning districts.

Mr. Gordon expressed his support for the project and acknowledged there are issues to rectify. Upon an inquiry for their timeline, Mr. Batson stated they are anticipating a 12 to 16 month design process and 18 to 24 month construction process.

**7. PUBLIC HEARING FOR THE CONSIDERATION OF A TEXT AMENDMENT TO THE ZONING CODE TO REQUIRE THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY PRIOR TO A CHANGE IN TENANCY OR OWNERSHIP OF AN EXISTING COMMERCIAL OR MULTI-FAMILY BUILDING OR STRUCTURE**

Mr. Stanick gave a presentation regarding this proposed text amendment. He reported that in response to several recent incidents in the Township, notably the fire at Thomas Campbell Apartments and deplorable conditions at Rodeway Inn, Staff has developed an updated approach to building occupancies, inspections and condemnations. In order to implement this new approach, it is necessary to amend the Zoning Code, specifically Section 245-215A(3), to require a Certificate of Occupancy upon a change in tenancy or ownership of a commercial or multi-family residential structure.

A discussion ensued over the appropriateness of including multi-family residential structures in the definition. Due to some noted challenges with multi-family structures, Mr. Stanick stated they would adjust the definition to clarify only apartment buildings are required to obtain a new Certificate of Occupancy upon change in tenancy.

There were no comments from the Public.

Ms. Conti read the following items into the Public Record:

- Exhibit A – Draft Ordinance;
- Exhibit B – Proof of Publication; and
- Exhibit C – Staff memorandum and presentation.

Mr. Reitz moved to enter Exhibits A-C into the Public Record. Mr. Gordon seconded the motion. The motion passed on a unanimous voice vote.

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

Mr. Kopko moved to recommend the Board of Supervisors amend the Zoning Code to require the issuance of a certificate of occupancy prior to a change in tenancy or ownership of an existing commercial or multi-family building or structure contingent upon the definition being clarified regarding which multi-family structures are included. Mr. Gordon seconded the motion. The motion passed on a unanimous voice vote.

**8. REVIEW AND DISCUSSION OF ACCESSORY USE OR STRUCTURE DEFINITION**

Mr. Sutter reported staff periodically comes across sections of the Municipal Code that may be in conflict, deficient, confusing or issues that are simply not regulated and are ripe for discussion. At its May 10, 2022 Non-Legislative Meeting, the Board of Supervisors (“Board”) was presented with the Code Action Item List in order to facilitate a discussion regarding the prioritization of these items. At its June 2, 2022 meeting, the Planning Commission received the prioritization list that was developed. Following a discussion, the Planning Commission directed Staff to prepare the definition of Accessory Use and Structure and the differing definition of Impervious Surface between the Zoning and Stormwater Codes for review.

The review of Accessory Use and Structure definition was included in the Code Action Item list due to incidents where accessory structures have been constructed larger than the principal structure. A review of the Code revealed no clearly stated size requirements for Accessory structures.

Mr. Kopko stated he did not think size is in and of itself something to disqualify a structure from being considered accessory. A discussion ensued, following which it was the consensus of the Planning Commission to not change the current definition of accessory structure.

#### **9. REVIEW AND DISCUSSION OF DIFFERING DEFINITIONS FOR IMPERVIOUS SURFACE BETWEEN THE ZONING AND STORMWATER CODES**

The discussion moved to the differing definitions for impervious surface given in the Zoning and Stormwater Codes. Mr. Groom expressed his opinion the definitions should be the same and stated Washington County has a model definition. He stated of the two, the Stormwater Code's definition should be the one utilized. Mr. Kopko expressed his concurrence with Mr. Groom's opinion. It was the consensus of the Planning Commission for Staff and the Township Engineer to move forward in developing a consensus definition modeled closely with the current Stormwater Code definition.

#### **10. STAFF UPDATE**

Mr. Sutter reported on the following outstanding items:

- Application for Conditional Use by Pankratos to operate a Juvenile personal care home at 1961 N. Main Street remains tabled with a six-month extension expiring in September;
- Preapplication meeting for the Snuffy Planned Residential Development is anticipated later this year;
- Land Development application from Menard, Inc. is anticipated later this year;
- Text Amendment and Conditional Use Applications are anticipated from Cresco Labs in August;
- Conditional Use, Land Development and Minor Subdivision applications from Amerco Real Estate Co. anticipated later this year; and
- Meadows Landing Final PRD granted approval by the Board of Supervisors.

There were no questions from the Planning Commission.

#### **11. ADJOURNMENT**

There being no further business to come before the Commission, Mr. Reitz moved to adjourn the meeting at 9:16 p.m. Ms. Gordon seconded the motion. The motion passed on a unanimous voice vote.

Respectfully,

Jim Sutter  
Assistant to the Township Manager