

SOUTH STRABANE TOWNSHIP
PLANNING COMMISSION REGULAR MEETING MINUTES

October 6, 2022

APPROVED MEETING MINUTES

The Planning Commission of South Strabane Township held its Regular Meeting on Thursday, October 6, 2022 at 7:00 p.m. in the Meeting Room of the Municipal Building, 550 Washington Road, Washington, PA 15301.

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

Not Present: Paula Phillis

Also Present: Brandon Stanick, Township Manager; Jordan Cramer, Fire Chief; Jaime Harshman, Alternate 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.

There were no comments from the Public.

3. APPROVAL OF THE PLANNING COMMISSION REGULAR MEETING MINUTES SEPTEMBER 1, 2022

Mr. Pozzuto moved to approve the September 1, 2022 meeting minutes. Mr. Kopko seconded the motion. The motion passed on a 4-0-1 voice vote with Mr. Gordon abstaining.

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

Jaime Harshman of Harshman CE Group, LLC, Alternate Engineer for the Township, stated his recent review letter has been addressed by the Applicant and updated comments have been provided for the meeting. He stated the updated plan proposes to divide the existing parcel into four lots while conveying a portion to the neighboring property owners to the northwest (Nickel Tract). He stated the plan no longer proposes to extend private roads and conforms to the Minor Subdivision designation. The Applicant has also labeled the 50-foot floodplain and utilities are shown. Mr. Harshman stated Department of Environmental Protection (“DEP”) approval is necessary for the Planning Module and there must be a maintenance agreement, drafts of which

have been received. Mr. Harshman stated the Applicant will require three waivers from the requirements of the Subdivision and Land Development Ordinance (“SALDO”): the allowance of iron pins for monumentation; the allowance of lots on a private road exceeding 800 feet; and the requirement to have mud-free streets due to the roadway being gravel. Mr. Harshman stated the updated plans have addressed all engineering comments.

Chris Furman of Gabriel Fera, P.C., legal counsel for the Applicant, provided an overview of the proposal. He stated Fire Chief Cramer has offered his opinion the roads and bridges serving the proposed subdivision can handle the Township’s fire apparatus. He stated no further lots will be created. He stated the Applicant has not yet received DEP approval and has not heard comments regarding the maintenance agreements. Kerry Krider of KLH Engineers, Inc., Engineer for the Applicant, stated the DEP has received the Planning Module.

Mr. Pozzuto stated he would be surprised if the DEP approved the Planning Module due to the proximity of the perc test locations to the creek flood way. Mr. Furman stated this is a consideration of the DEP not the Planning Commission. Mr. Kopko expressed concern over potentially recommending conditional approval to allow the Applicant to conduct a perc test in a new location and expressed a desire for the matter to not have to come back before the Planning Commission. Mr. Harshman stated the sewer system is subject to the approval of the DEP and Board of Supervisors pursuant to Section 206-56 of the SALDO.

Fire Chief Jordan Cramer stated there are difficulties with the grade of the roadway and contrary to Mr. Furman’s statement he cannot confirm the bridges can handle the weight of the fire apparatus. Solicitor Gabrielle Conti clarified the Board of Supervisors has final authority on the matter after the DEP.

Thomas Lonich, legal counsel for Jason and Kelly Briggs, neighboring property owners of the Applicant, stated they are in attendance to oppose the application and requested the Planning Commission forward a negative recommendation to the Board of Supervisors. Mr. Lonich asked for clarification on the involvement of the Nickel Tract. Mr. Krider stated this portion of the Kisling property is being deeded to the Nickel’s. Mr. Harshman confirmed it was reviewed as one subdivision.

Mr. Lonich expressed concern regarding the waiver request to allow a private street more than 800 feet in length, noting the actual length is more than 2 ½ times this distance (1,954 feet). He stated his client takes exception to the assertion the undue hardship of the Applicant is they are not able to develop the property without the waiver. Mr. Lonich distributed copies of Article X of the SALDO which addresses Waivers and Modifications and made comments related to the standards for hardship. Mr. Pozzuto stated the Applicant may not be able to adhere to Township standards. Mr. Lonich expressed concerns regarding the Applicant's representation of the roadway. Mr. Lonich and Mr. Krider reviewed the plat at this time. Mr. Lonich expressed his client’s concerns regarding the naming of the private roads and the maintenance agreements.

Bob Fulton, neighboring property owner of the Applicant on E. Beau Street, expressed concern regarding the location of the perc test site. He stated he is not in favor of the different proposed private street name. He also expressed concern regarding the bridge weight limit and the 50-foot easements. Mr. Krider confirmed the 50-foot easement does not run the length of the road. Robin

Stang, neighboring property owner of the Applicant on E. Beau Street, expressed agreement with Mr. Fulton's concerns. She stated she does not want to change her address and agrees with the concerns over the condition of the bridge. Joe Yablonski, neighboring property owner of the Applicant on E. Beau Street, stated he does not believe the Applicant meets the hardship requirements to receive a waiver. He stated no engineering study has been done on the bridge and expressed concern over its capacity. Mr. Yablonski expressed his concerns regarding the draft maintenance agreement with the neighbors.

Judy Panasik, resident on Green Crescent Drive, noting the number of modifications required, asked why the Zoning Hearing Board ("ZHB") is not considering the matter. Mr. Lonich stated modifications to the SALDO are determined by the Board of Supervisors. The ZHB only has the authority to grant variances from the provisions of the Zoning Code. Ms. Panasik noted the Meadows Landing Planned Residential Development was approved conditionally upon receipt of DEP approvals. Ms. Panasik suggested new home builders be responsible for any impact to the existing road

A discussion ensued regarding the usage and safety of the private roadways. Chair Steele thanked everyone for their comments and concerns.

Chair Steele stated it is the responsibility of the Planning Commission to review the proposed subdivisions against the requirements of the SALDO. Mr. Gordon asked Chief Cramer if he was willing to take one of the apparatus across the bridge. Chief Cramer stated he would not unless someone was in danger. Mr. Gordon inquired on the possibility of having the Applicant conduct an engineering study. Mr. Harshman stated pursuant to Section 206-67 of the SALDO, every lot shall be accessible to emergency vehicles and noted this would make it a reasonable request for a study to be done. Mr. Gordon stated he would like to see the maintenance agreements signed between the neighbors. Mr. Kopko stated it would not be prudent to recommend approval, which would have more people using the bridges over time.

Mr. Kopko moved to extend consideration of the application by 60 days to allow the Applicant the opportunity to address the concerns of the Planning Commission. Mr. Pozzuto seconded the motion.

Mr. Furman stated his client agrees to extend the timeframe. Mr. Lonich stated his client is not waiving the right to make additional claims based on new evidence.

The motion passed on a unanimous voice vote.

5. REVIEW AND DISCUSSION CONCERNING PROPOSED AMENDMENTS TO THE ZONING AND SUBDIVISION AND LAND DEVELOPMENT CODES

Township Manager Brandon Stanick reported nothing has been prepared for the Planning Commission this evening as Staff continues to work on these items.

6. ADJOURNMENT

There being no further business to come before the Commission, Mr. Pozzuto moved to adjourn the meeting at 8:50 p.m. Mr. Reitz seconded the motion. The motion passed on a unanimous voice vote.

Respectfully,

Brandon J. Stanick
Township Manager