

SOUTH STRABANE TOWNSHIP
PLANNING COMMISSION MEETING MINUTES

December 5, 2019

APPROVED MEETING MINUTES

The Planning Commission of South Strabane Township held a Regular Meeting on Thursday, December 5, 2019 at 7:00 P.M. in the Mae C. Reynolds Meeting Room of the Municipal Building, 550 Washington Road, Washington, PA 15301.

Present: Chairperson Joe Kopko, Vice-Chair Fred Pozzuto, Mr. Jay Gordon, Ms. Paula Phillis, Mr. William Ursic, Mr. Thomas Steele and Ms. Susan Bayard

Also present: Assistant to the Township Manager Patrick Connors, Township Solicitor Chris Furman, Township Engineer Scott Groom,

A list of 6 visitors is on file at the Municipal Building.

Chair Kopko led the group in the Pledge of Allegiance.

PUBLIC COMMENT:

No public comments were received.

APPROVAL OF PLANNING COMMISSION MINUTES – November 7, 2019

Mr. Pozzuto moved to approve the November 7, 2019 Regular Meeting Minutes as presented. Mr. Ursic seconded the motion. The motion passed on a unanimous voice vote.

**CONSIDERATION OF AN APPLICATION FOR PRELIMINARY AND FINAL MINOR SUBDIVISION
APPROVAL FOR PHILLIPS SUBDIVISION NO. 1 ALONG ELMWOOD AVENUE**

Township Engineer Groom reported the property located at 596 Locust Avenue is located within the C-1 Zoning District which requires a minimum lot area of 0.5 acre with access to public sewers. He noted that in its current condition, the property located at 596 Locust Avenue consists of 0.51 acre which conforms with the Township Code. He stated the proposed subdivision would reduce the lot size of 596 Locust Avenue to 0.314 acre and would only increase the lot size of 591 Locust Avenue to 0.303 acre, resulting in neither lot conforming with the Township's Code. He concluded by highlighting the Applicant may be best served applying for a zoning variance to seek relief from the Township's Zoning Code. Mr. Eric Perrell, representing the Applicant, briefly discussed the background of the subdivision highlighting the owner of the properties is facing foreclosure and eviction. He stated the proposed subdivision would make the property located at 591 Locust Avenue more marketable noting the lot's current unique dimensions. Township Solicitor Furman recommended the Applicant request the matter be tabled until a future Planning Commission Meeting when further information can be collected for the consideration of a zoning variance request. He also noted the Applicant may need to waive the time limit for the application's consideration. Mr. Perrell asked for such a motion and acknowledged the time limitation.

**Township of South Strabane
Application for Subdivision Approval
Preliminary and Final Approval Review
Minor Subdivision Application – Edward Phillips Subdivision No. 1**

An application for Subdivision Approval has been received from Edward Phillips for the Edward Phillips Subdivision No. 1.

KLH Engineers, Inc has completed a review of the following drawings and documents received by this office for compliance with Township Ordinances:

- Township of South Strabane Application for Subdivision Approval dated November 21, 2019
- Subdivision Plan prepared by Mounts Engineering dated November 20, 2019

CHAPTER 206 SUBDIVISION AND LAND DEVELOPMENT

ARTICLE IV – MINOR SUBDIVISIONS

206-13 APPLICATION PROCEDURE-Completeness Review

- §206-13.A.(11)(b) County Assessment Tax Parcel Numbers for the western portion of Lot 5A and adjoining parcels should be shown on plan.
- §206-13.A.(11)(d) The original Plan of Lots should be referenced on the plan.
- §206-13.A.(11)(e) Building or setback lines for Lot 5A should be shown on the plan.
- §206-13.A.(11)(h) There are manholes shown on the plan. The existing sanitary sewer and easement should be shown on the plan.

APPENDIX IV - APPROVAL AND CERTIFICATION CLAUSES

Highway Occupancy Permit Requirements - Locust Avenue is PennDOT SR 1009. Clause required

CHAPTER 245 – ZONING-Compliance Review C-2 Commercial District

This property is zoned C-2 Commercial District.

The Subdivision Plat contains the required Table of Zoning Requirements.

The application **is not** in compliance with the requirements of Chapter 245, Article IX for C-2 Neighborhood Commercial District. Lot 5 and Lot 5A do not meet the minimum required 0.5 acre lot size.

GENERAL COMMENTS

The Township may have additional comments.

As submitted, the Plan **is not** recommended for Final Approval. A written response must be provided addressing the above items, including a revised plan. Final Approval would be given once all items are addressed to the satisfaction of the review engineer.

Very truly yours,

KLH ENGINEERS, INC.

Scott D. Groom, PLS

After some further discussion Mr. Steele moved to table consideration of an application for preliminary and final minor subdivision approval for Phillips Subdivision No. 1 along Elmwood Avenue. Mr. Pozzuto seconded the motion. The motion passed on a unanimous voice vote.

CONSIDERATION OF AN APPLICATION FOR PRELIMINARY AND FINAL MINOR SUBDIVISION APPROVAL FOR THE SMITH & TRUMAN LOT CONSOLIDATION PLAN ALONG KOPPER KETTLE ROAD

Township Engineer Groom reported that omissions from the Applicant's survey included unidentified utility easements and documentation confirming the location of an approved septic field. He noted that if the aforementioned material could be updated and submitted prior to the Board's consideration of the matter he would recommend conditional approval. Mr. Michael Smith, owner of 69 Kopper Kettle Road reported the only utility on the lot would be electric. He highlighted that a perk test was conducted with the designated area being approved by the Washington County Sewage Council. He concluded by stating he would relay all requested materials to the Township prior to the Board of Supervisors meeting on December 10th.

The following comments from the Township Engineer (KLH Engineers) were received:

**Township of South Strabane
Application for Subdivision Approval
Preliminary and Final Approval Review
Minor Subdivision Application – Smith and Truman Consolidation Plan**

An application for Subdivision Approval has been received from Michael and Miranda Smith for the Smith and Truman Consolidation Plan.

KLH Engineers, Inc has completed a review of the following drawings and documents received by this office for compliance with Township Ordinances:

- Township of South Strabane Application for Subdivision Approval dated November 12, 2019
- Consolidation Plan prepared by Gary P. Hill Surveying dated September 20, 2019

**CHAPTER 206 SUBDIVISION AND LAND DEVELOPMENT
ARTICLE IV – MINOR SUBDIVISIONS
206-13 APPLICATION PROCEDURE-Completeness Review**

- §206-13.A.(11)(e) Minimum rear yard for principal structures should be shown on the plan. Minimum rear yard for accessory structures should be shown in the table on the plan.
- §206-13.A.(11)(h) Sewage planning documents, sewage planning exemption or a non-building waiver will be required.
- §206-13.A.(11)(j) An indication on the plat identifying the company or authority that will provide water, sewer, gas, electric and other utility services, showing the existing or proposed location of the utilities should be shown on the plan.
- §206-13.A.(11)(k) Kopper Kettle Road is not a State road. It is Township Road T684.

APPENDIX IV - APPROVAL AND CERTIFICATION CLAUSES

Owners Acceptance of Responsibility for Providing Stormwater Drainage Facilities and Control of Stormwater Drainage. - Clause on drawing lists the wrong Municipality.

Highway Occupancy Permit Requirements - Clause is not required. Clause on drawing lists the wrong Municipality.

CHAPTER 245 – ZONING-Compliance Review A-1 Agricultural District

This property is zoned A-1 Agricultural District.

The Subdivision Plat contains the required Table of Zoning Requirements, revision listed above should be made.

The application is in compliance with the requirements of Chapter 245, Article IV for A-1 Agricultural District.

GENERAL COMMENTS

The property is adjacent to a zoning boundary line which should be shown and labeled on the plan.

The Township may have additional comments.

As submitted, the Plan is recommended for Conditional Final Approval. A written response must be provided addressing the above items, including a revised plan. Final Approval would be given once all items are addressed to the satisfaction of the review engineer.

Very truly yours,

KLH ENGINEERS, INC.
Scott D. Groom, PLS

Mr. Pozzuto moved to recommend conditional approval of the Smith & Truman Lot Consolidation Plan along Kopper Kettle Road per the Township Engineer's comments. Mr. Gordon seconded the motion. The motion passed on a unanimous voice vote.

REVIEW AND EVALUATION OF SECTION 245-168.1 OF THE TOWNSHIP'S ZONING CODE CONCERNING THE USE AND IMPACT OF FRESHWATER IMPOUNDMENTS

Assistant to the Township Manager Conners began discussion by outlining the current definition for a freshwater impoundment highlighting that a conditional use was recently granted for a freshwater retention facility at the William Munce Well Pad along Meadows View Road. He noted the recently approved freshwater impoundment facility will be providing water to four separate sites using a combination of pipelines and approved trucking routes. Ms. Phillis stated that the intention of the discussion should center around the limitation of water truck traffic within the Township, highlighting that pipelines routes and easements are a matter between the developer and private property owners. Supervisor Luketich of Booth Road highlighted that many private property owners receive substantial royalties from temporary pipeline easement agreements. Mr. Kopko highlighted that a new definition should be crafted to clarify permissible methods of transportation for freshwater to alternative well sites. A brief discussion on the approved zoning locations for freshwater impoundments ensued.

Mr. Steele highlighted the recently approved freshwater impoundment could be considered an industrial use noting the site resides in the Agricultural Zoning District. He stated that truck traffic and industrial uses should be encouraged to develop within the Township's Industrial Zoning Districts. He noted that if the Township's current Industrial Zoning Districts are not properly located where industrial expansion is occurring within the Township, the Zoning Map should be amended to reflect that. Mr. Steele concluded by highlighting that freshwater impoundments being conditional uses in the A-1 Agricultural Zoning District likely emanated from an agricultural and not industrial need. The Commission agreed regarding the importance of maintaining current freshwater impoundment regulations for agricultural uses. Assistant to the Township Manager Conners illustrated the locations of the current Zoning Districts on a map.

Mr. Kopko guided discussion regarding restricting transportation methods for freshwater impoundments. Mr. Pozzuto highlighted that approximately 500 feet of Township roadway is impacted by the recently approved freshwater impoundment facility. Mr. Kopko noted the discussion to amend the Zoning Code should not solely revolve around the recent Conditional Use approval. Regarding water truck traffic, he reported the burden of proof regarding impacts related to a perceived increase in traffic falls to the objector (i.e. the Township, or local residents). He concluded by requesting that Staff formulate multiple renditions of zoning language to limit the industrial impact of freshwater

impoundment facilities on Township residents. Mr. Pozzuto voiced his concern for the Commission's perceived apprehension regarding industrial impacts related to the natural gas industry. He highlighted the Township receives substantial Act 13 revenues that are directly tied to the industry's impact in the Township and surrounding municipalities. The Planning Commission tabled the discussion.

REVIEW AND EVALUATION OF DEEP WELL OIL AND GAS DRILLING IN THE A-1 ZONING DISTRICT

Assistant to the Township Manager Conners reported at the November 19, 2019 Regular Meeting of the Board of Supervisors, the Board moved to direct the Planning Commission to review and recommend possible changes to the Township's Zoning Code related to oil and gas regulations. He stated that specifically, the Board directed the Planning Commission to consider amending the Zoning Code to permit deep well oil and gas drilling in the A-1 Zoning District as a Conditional Use. Next, he distributed materials including the Township's current zoning regulations relating to Deep Well Oil and Gas Drilling and permissible uses and restrictions in the A-1 Agricultural District. He also distributed sample fracking regulation guidelines created by the American Planning Association and current Deep Well Oil and Gas Drilling ordinances for North Strabane Township and West Pike Run Township, respectively. He noted the preliminary discussion regarding this matter should be purely informational in nature. He concluded by stating Staff will work to condense all provided materials as well as continue research into the subject.

Mr. Kopko noted that the Board of Supervisors and Planning Commission meeting minutes from 2014-2015 may prove to be a useful resource for this new discussion. Assistant to the Township Manager Conners stated that he would provide pertinent minutes from those discussions to the Commission for its next meeting. Mr. Steele noted the Planning Commission's prior recommendations regarding Deep Well Oil and Gas Drilling included permitting it as a Conditional Use in the A-1 Zoning District; however, it was not adopted in the final regulations. A discussion related to isolation distance for natural gas pipelines ensued. Mr. Kopko requested that Staff look further into isolation distance requirements. The Planning Commission tabled the discussion.

REVIEW AND EVALUATION OF THE TOWNSHIP'S LAND DEVELOPMENT AND ZONING REQUIREMENTS CONCERNING GREEN SPACE, LANDSCAPING, AND STEEP SLOPES

Assistant to the Township Manager Conners stated there was no new material to be reviewed at this time. He highlighted that newly appointed Township Engineer Groom and Staff will be working together to prepare material for the Planning Commission's consideration at the next Regular Meeting.

Adjournment

There being no further business to come before the Board, Mr. Gordon moved to adjourn the meeting at 7:45 p.m. Mr. Pozzuto seconded the motion. The motion passed on a unanimous voice vote.

Respectfully,

Patrick M. Conners
Assistant to the Township Manager

