

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

February 23, 2021

APPROVED MEETING MINUTES

1. CALL TO ORDER

The February 23, 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; and Rich Luketich.

Absent Thomas Moore

Also Present Township Manager Brandon Stanick; Assistant to the Township Manager Patrick Conners; Police Chief Drew Hilk; Chief Scott Reese; Township Engineer Kevin Creagh (via Zoom); and Township Solicitor Dennis Makel.

2. PLEDGE OF ALLEGIANCE

Chair Weber led the Pledge of Allegiance.

3. PUBLIC COMMENT

There were no Public Comments.

4. CONSIDERATION OF REGULAR AND LEGISLATIVE MEETING MINUTES – JANUARY 26 & FEBRUARY 9, 2021

Mr. Murphy moved to approve the January 26 & February 9, 2021 Board of Supervisors Regular and Legislative 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: \$ 115,821.52 (pay date of January 29, 2021)
- Payroll: \$ 123,940.11 (pay date of February 12, 2021)
- General Fund: \$ 329,088.77

- Liquid Fuels Fund: \$ 41,427.08
- Capital Improvement: \$ 5,938.00
- Escrow: \$ 3,812.85
- Drug Fund: \$ 20,378.58
- Total Expenditure: \$ 640,406.91**

Overtime costs for the period include:

- Police: \$ 3,227.97
- Fire: \$ 927.65
- Public Works \$ 5,381.49
- **Total OT:** \$ **9,537.11** (pay date of January 29, 2021)

- Police: \$ 3,063.18
- Fire: \$ 2,025.39
- Public Works \$ 9,299.73
- **Total OT:** \$ **14,388.30** (pay date of February 12, 2021)

Please know the following expenses are included for this period:

General Fund:

Municipal Employees Insurance Trust (February Coverage)	\$48,952.83
Zions Bank (General Obligation Bond – Series 2019 PD/PW Bldg)	\$205,703.13

Liquid Fuels:

American Rock Salt (Ice Control Salt)	\$37,595.13
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Capital Fund:

J5 Construction (Pay Application #6 – Community Park Kitchen & Bath)	\$5,938.00
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Drug Fund:

Empire Emergency (K9 Unit Equipment and Accessories)	\$20,378.58
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Mr. Murphy inquired regarding invoices for dumpster service in the Township’s Parks. He also inquired regarding an invoice from Pennsylvania America Water. Township Manager Stanick stated that he would look into both matters.

After some discussion, Mr. Luketich moved to approve the payroll for the periods January 10 through January 23 and January 24 through February 6, 2021 and the Bills for the period January 23, 2021 through February 23, 2021. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

6. ANNOUNCEMENTS

Township Manager Stanick noted the Washington County Commissioners conducted an award ceremony and presented the Township with a check in the amount of \$303,866.00 through the

CARES Act funding on February 8, 2021. He also noted the Township was awarded a grant from the Washington County Local Share Account (LSA) in the amount of \$150,000 for the Manifold Road Streambank Restoration Project. Mr. Weber also noted the Township's award through the Pennsylvania Department of Conservation and Natural Resources (DCNR) for the revitalization of Billy Bell Park. Township Manager Stanick noted the DCNR Grant is a matching grant in the amount of \$46,100. Additionally, Assistant to the Township Manager Connors reported the Township has launched a YouTube Channel which will facilitate and store all Township Board of Supervisors Meetings. He noted the channel can be accessed directly by visiting the Township's website.

7. TOWNSHIP REPORTS

Municipal Separate Storm Sewer System (MS4) Report

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

No comments were received.

Township Manager's Report

DCED Fire Services Study

Township Manager Stanick reported the group of nine agencies, consisting of South Strabane, North Franklin, Chartiers, Canton (and their volunteer agencies, in addition to the career service for the City of Washington, met February 17th (over Zoom) to reboot its ongoing work with the DCED. He stated the data and reporting being requested by the DCED is to be provided before the end of the week of February 22nd and the group anticipates a draft report in the beginning of April.

Township Fire Services Strategic Planning Initiative

Township Manager Stanick reported the Steering Committee will be scheduling a meeting for the month of March. He noted the February meeting was delayed to provide the Volunteer Department to review the draft report (executive committee structure and best management practices) with its legal counsel.

CDBG Funds – Municipal Building Accessibility Improvements

Township Manager Stanick reported the Township's 2019 Community Development Block Grant Funding, through Resolution 37-18, was allocated to accessibility improvements to the Municipal Building; this project is managed by the Redevelopment Authority. He noted that due to delays caused by the pandemic bids were advertised in January and due on February 12th. He continued by highlighting that with the assistance of RSH Architects (the firm that bid to design the project), the project received 4 bids and according to the Redevelopment Authority, M.A. Dunn Construction of Pittsburgh was the lowest responsible bidder at \$67,500. He stated the total amount allocated to the Township is \$71,400; however, following costs for design, the remaining balance is \$60,200. He continued by reporting the Redevelopment Authority has advised the Township may close this gap using funds from its 2023 allocation. He concluded by stating the Township

will be in contact with the Redevelopment Authority and the architect to determine the construction schedule in the near future. It was the consensus of the Board to close the gap with the 2023 allocation.

BOS February 9th Recap

Township Manager Stanick reported the Board of Supervisors met during a legislative meeting and took the following actions: i) directed Staff and Legal Counsel to revise/simplify the draft ordinance restricting on-street parking (for those with off-street parking) during winter snow events and include a public education initiative for the Board's consideration at an upcoming meeting (anticipate March); ii) reached a consensus to not pursue an aluminum can recycling program at the Township's Recycle Center as the service is already provided at curbside and is cost prohibitive; iii) following a presentation regarding a fire hydrant assessment fee, directed Staff to confirm additional information and present a pros and cons comparison of such a fee; iv) reached a consensus to not change the open burning ordinance and directed Staff to see that existing regulations are enforced; v) received an update from Chief Hilk regarding the Police Department's Body Camera Program.

Community Park Master Plan Update

Township Manager Stanick reported the Steering Committee met over Zoom on February 16th and focused its discussion on responding to several draft master plans prepared by the Consultant and distributed draft vision and mission statements for review by the Committee at its next meeting on March 16th.

Township Solicitor's Report

Solicitor Makel had nothing to report.

Township Engineer's Report

Community Park Kitchen and Bathroom 2020-01

Township Engineer Creagh reported that an end of construction walkthrough was held with KLH and Township staff on Wednesday, February 17th. He highlighted that a punch list of items to remedy was completed and submitted to J5 Construction following the walkthrough. He noted they have submitted Pay Application #7 in the amount of \$5,938.00 for the Board's review and consideration.

2020 CIPP Contract 2020-02 454-02-009

Township Engineer Creagh reported that KLH and Public Works Director Grego met with Standard Pipe's field foreman in early February to view the work along Clare and Crile Roads. He noted they will be onsite in mid-March to complete the work.

Planning Commission

Township Engineer Creagh reported that KLH has reviewed the Meadows Landing Master Plan for the Planning Commission.

Secretary/Treasurer's Report

The following items have been received or issued between January 24, 2021 and February 19, 2021:

Minutes and Agendas:

- a) Zoning Hearing Board Meeting Minutes – December 7, 2021;
- b) Sanitary Authority Meeting Minutes – December 23, 2020;
- c) Planning Commission Reorg and Regular Meeting Minutes – January 7, 2021;
- d) Community Park Steering Committee Meeting Minutes – January 19, 2021;
- e) Green Team Meeting Minutes – January 21, 2021;
- f) Planning Commission Regular Meeting Agenda – February 4, 2021;
- g) Community Park Steering Committee Meeting Agenda – February 18, 2021;
- h) Green Team Meeting Agenda – February 19, 2021; and
- i) Zoning Hearing Board Meeting Agenda – March 9, 2021.

Reports and Publications:

- a) Finance Report – January 2021;
- b) Fire Department Report – January 2021;
- c) Public Safety Department Report – January 2021;
- d) Police Department Report – January 2021;
- e) Tax Collector’s Report & Interim Collection Only – January 2021;
- f) Animal Control Officer’s Report – December 2020;
- g) MS4 Report – February 2021;
- h) Township Engineer’s Report – February 23, 2021;
- i) PSATS News Bulletin – January 2021;
- j) OR Legal Notice, Meeting Notice – January 26 & Feb. 1, 2021;
- k) OR Public Notice, ADA Renovation Project Pre-Bid Meeting – January 29, 2021;
- l) OR Legal Notice, Public Hearings, Thomaston Land Co & – January 26 & Feb. 2, 2021; and
- m) PennDOT District 12, Progress Report – Volume 4 Issue 2.

Correspondence:

- a) Letter dated January 27, 2021 from United Steelworkers District Director Bobby McAuliffe advising Kelly Weaver has been assigned as Rep. to Local Union 272M-01;
- b) Letter (*w/o attachments*) dated February 2, 2021 from Rice Energy regarding its application to drill proposed Trinidad Scorpion Well in North Bethlehem Township;
- c) Letter dated February 9, 2021 from Washington County Board of Commissioners regarding the LSA Grant Award for the Manifold Road Streambank Project;
- d) Letter (*w/o attachments*) dated February 16, 2021 from EQT regarding its renewal request to drill proposed Cogar Well #593144 in Fallowfield Township; and
- e) Press Release dated February 18, 2021 from Chief Hilk regarding an arrest of suspect in a Commercial Armed Robbery.

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

8. UNFINISHED BUSINESS

There was no unfinished business.

9. NEW BUSINESS

9A: Motion Approving Final Township Welcome Sign Along E. Beau St.

Assistant to the Township Manager Conners reported that over the recent months, and in effort to complete an Eagle Scout Project, Mr. Aiden McCoy of Boy Scout Troop 1315 has worked with the Green Team and Staff to develop a project partnership for the development and installation of a welcome sign along E. Beau Street (on the property of CFS Bank – 730 E. Beau Street). He stated the project is anticipated to include associated beautification efforts (i.e. plantings, landscaping, etc.). He noted that with direction and guidance from the Green Team, Aiden acquired numerous renderings and quotes for potential signage. He reported that after careful consideration and recommendation from the Green Team he has selected a design of Pennsylvania Correctional Industries for the final product (attached). He noted that Staff intends to use the overall design and color palette associated with the sign for future sign installation and branding initiatives.

Additionally, he reported that Aiden has secured permission from CFS Bank for the installation of the proposed sign (attached). Aiden has also procured donations and discounted pricing from Township businesses for materials such as paint and lumber from Lowe’s and flowers from Stimmell’s Greenhouse. Lastly, he stated that Aiden has fundraised over \$400 in contributions for the project from his family and Local Troop. He highlighted that Staff anticipates Aiden will be requesting a donation not to exceed \$400 to fill any remaining funding gap. He concluded by noting that should the Board approve the final project, Aiden will coordinate with Staff and the Public Works Department to install the sign and complete the beautification of the property for an anticipated Spring/Summer completion.

Aiden McCoy came before the Board and provided a brief background of himself and the Eagle Scout Project. He echoed the summary provided by Assistant to the Township Manager Conners, adding that his Troop will assist in the installation of the sign and surrounding plantings.

Mr. Burns moved to approve the final Township Welcome Sign at 730 E. Beau Street (on the property of CFS Bank) with the commitment that the Township fund the outstanding costs of the project as presented by Mr. McCoy. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9B: Public Hearing for the Consideration of an Ordinance to Re-Zone a 55-Acre Parcel (Parcel ID 600-001-00-00-0048-00) from a C-2 General Designation to an R-4 Medium-Density Residential Designation at the Intersection of Rt. 19 and Burkett Lane (PA Financial II, LLC).

Township Manager Stanick reported the Township is in receipt of an application from PA Finance II, LLC (“Applicant”) to re-zone a 55.6-acre tract of land (parcel ID 600-001-00-00-0048-00) (“Property”) on Burkett Lane near the intersection with Rt. 19 from a C-2 General Commercial to R-4 Medium-Density Residential zoning designation. He stated the Applicant is also seeking final Master Plan approval for the proposed Burkett Manor Planned Residential Development (“PRD”) on the aforementioned site (refer to Agenda Item 9C). He noted the purpose of the proposed rezoning is to accommodate an age-targeted PRD comprised of 101 detached single-family dwellings and 43 townhome units (total of 144 units).

He highlighted that the Applicant participated in several meetings with the Planning Commission (12/3/20 & 1/7/21) and the Board of Supervisors 12/15/20) to present and receive feedback regarding the re-zoning and the proposed PRD. He reported that at its January 7, 2021 meeting, the Planning Commission recommended the Board approve the request to rezone the Property from C-2 Commercial to R-4 Residential. He noted the Planning Commission also recommended the Board conditionally approve the Master Plan for the proposed PRD (refer to Agenda Item 9C). He continued by stating that in a letter dated January 4, 2021 the Township Engineer recommended approval of both the re-zoning (based on completeness) and Master Plan (based on compliance).

He reported the request to re-zone the Property is deemed consistent and comparable with the guidance provided by the Township's Comprehensive Plan. He cited the Property is identified in a Mixed-Use area along the Rt. 19 Corridor per the Future Land Use Map. He reported that Mixed Use is defined as regulations that permit the use of both commercial and residential development. He noted that from a land use planning perspective, the proposed residential character of the development will seek to compliment adjacent and nearby commercial areas at a location that is topographically challenging to any future commercial development on the Property. He reported that the Applicant has addressed the following points deemed as priorities within the Comprehensive Plan:

- Providing diverse housing options that support different populations within the Township;
- Connectivity with both future and emergency access points and sidewalks outlined; and
- Continuity with the assigned mixed-use designation of the parcel (i.e. commercial/residential).

He concluded by citing a legal notice was published in the O-R on January 26th and February 2nd advising of the public hearing scheduled for February 23rd in addition to a letter dated January 18th mailed to the affected property owner (the Applicant).

Mr. Steven Victor, representing the Applicant, was sworn in by Court Reporter Ms. Sheila Rozanc.

Mr. Luketich moved to enter the following Exhibits A-H into the Public Record. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Exhibits

- A. Application with list of property owners within area to be re-zoned and Project Narrative;
- B. Engineer Review Letter;
- C. Washington County Planning Commission Review Letter;
- D. Proof of Publication of Public Notice;
- E. Notice of Public Mailed to Property Owners;
- F. Minutes of 12/3/20 Planning Commission Pre-Application Meeting;
- G. Minutes of 1/7/21 Planning Commission Meeting Recommending Re-Zoning; and
- H. Proposed Ordinance with Legal Description of Property to be re-zoned

Mr. Victor provided an illustration of the area proposed to be re-zoned noting that the entirety of the Route 19 Corridor is zoned C-2 General Commercial. He highlighted the challenging topography associated with the lot, noting there are substantial areas of the parcel with slopes greater than 25%. He continued by citing the topography and market saturation as challenges to

any future commercial development(s) on the property. He then noted that the neighboring Park Place Development as an outlet for future commercial projects.

He continued by highlighting the proposed Burkett Manor PRD would be an active adult community with self-maintained homes and common area/facilities which would be owned and maintained by a combination of 2 Homeowners Associations (HOAs). He noted that the detached dwellings and townhomes would be Heartland Homes products with each having their own respective HOA. He then provided an outline for the recreational amenities including pickleball courts, a connected and paved trail system, two parklets, and a shelter area with an accompanying fire pit. He cited the amenities seek to entice the empty-nest, active adult buyer. He continued by reporting that sidewalks would adjoin both sides of the streets within the Development. He illustrated that after discussions with Staff and the Fire Chief, the trail system would be paved and could serve as emergency access routes should an emergency arise. He then discussed the future connectivity points off of Davis School Road and Meadowview Road. He noted that right-of-way access has been provided with two cul-de-sacs allowing for future connectivity.

Mr. Luketich inquired regarding the accessibility of open space within steep slope areas. A discussion regarding the site's topography and soils ensued. Mr. Luketich inquired regarding a replanting program for the site's buffer areas. Mr. Victor affirmed that a reforestation program would accompany the project. He highlighted it is not complete, but would be submitted with the PRD's Land Development Application. He noted that reforestation typically takes 7-8 years. Mr. Luketich encouraged the Developer to focus on the buffer yards and the Development's entry point as the site serves as a central entrance point into the Township. Mr. Victor acknowledged Mr. Luketich's comments noting that the PRD will be a high-quality development. Mr. Luketich noted a third parklet would be well placed at the end of Black Oak Lane citing the desirable vantage point. Mr. Victor stated that could be included within the Plan.

After hearing no further comments from the Public, Mr. Luketich moved to close the Public Hearing. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

Mr. Burns moved to re-zone a 55.6-Acre Parcel owned by PA Financial II, LLC at the Intersection of Rt. 19 and Burkett Lane (Parcel ID 600-001-00-00-0048-00) from C-2 General Commercial to R-4 Medium-Density. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9C: Consideration of a Master Plan of PA Financial II, LLC for the Burkett Manor Planned Residential Development at the Intersection of Rt. 19 and Burkett Lane

Township Manager Stanick reported that in addition to the re-zoning application previously considered by the Board, the Township is also in receipt of a request for Master Plan approval of the Burkett Manor Planned Residential Development ("PRD") from PA Finance II, LLC ("Applicant"). He stated the 55.6-acre tract of land (parcel ID 600-001-00-00-0048-00) ("Property") on Burkett Lane is being proposed for development to accommodate an age-targeted residential community comprised of 101 detached single-family dwellings and 43 townhome units (total of 144 units). He highlighted the purpose of the Master Plan is to establish general, high-level planning expectations between the developer and the Township. He noted that should the Board accept and approve the Master Plan, the developer will prepare the necessary documents

for subdivision, land development and conditional use approvals in the coming months. He highlighted that it is important to know that the proposed development, when going through the aforementioned approval processes, must comply with the Township Zoning and Subdivision/Land Development Codes (unless variances/modifications are granted) which may alter the approved Master Plan (de minimis changes are expected and would be reviewed by Staff for compliance and consistency with any approved Master Plan).

He stated the proposed PRD will be constructed in two phases and consists of the following:

Zoning Lots: comprised of a total of 144 units (3/acre where the Code allows greater density up to 12/acre), the minimum standards for R-4 PRD are either met or are more favorable than Code requirements. Typical lot widths for single-family detached units range from 62' to 106' (60' minimum). *The width of a lot is measured from the front building line and not the front lot line.*

Infrastructure: served by public sanitary sewer system that will become part of WEWJA. Two stormwater detention pond facilities (hold water for a short time then releases) that will remain private and a conveyance system that will be dedicated to the Township. Also, two streets with minimum 50' rights-of-way will be dedicated to the Township (Black Oak Lane and Red Bud Lane) and a shared drive access named Yellowwood Ct. which will remain private. Currently, the Master Plan shows 28 on and off-street parking spaces (including spaces at the proposed park facility). Burkett Lane will also be dedicated to the Township as a public street.

Parks & Recreation: provided open space consists of ~40% of the entire Property, a shelter (approx. size not provided), two pickleball courts and a fire pit area. This recreational area is provided with a parking lot. Additionally, there are two parklets along each street that provide seating and two separate walking trails internal to the community, as well as sidewalks along both sides of all planned public streets. Buffer areas are provided around the perimeter of the proposed PRD as required by the Zoning Code and will differ depending on which zoning district they adjoin.

Connectivity: future street connections are established leading to Davis School Rd. and Meadowview Rd. in the event that neighboring parcels develop. Additionally, sidewalks are also provided along both sides of the streets that are planned for future connection; according to the Applicant the sidewalks will be privately owned. Emergency access is provided off of Burkett Lane to the Yellowwood Ct. cul-de-sac, as well as an access road to the Red Bud Lane cul-de-sac (also able to be used as recreation trail).

Mr. Victor briefly recapped the proposed Burkett Manor PRD, including its dwelling types, recreational amenities, and connectivity. He highlighted that per the comments of Mr. Luketich during the re-zoning hearing, a third parklet would be added along Black Oak Lane. He cited that 40% of the site is designated as open space. Mr. Weber inquired regarding the proposed shelter on the Master Plan. He noted his desire to see a clubhouse type of facility that could serve as a meeting space for the HOA, among other things. Mr. Victor noted the shelter is part of an overall outdoor meeting space with an accompanying firepit and outdoor seating. He stated that his client did not identify an indoor meeting space as a desirable amenity for buyers. He stated that he would relay the concerns of the Board regarding this matter to his client.

After fielding a question from Mr. Murphy regarding the PRD's HOA(s), Mr. Victor stated that each dwelling type would be served by a respective HOA but all open space and amenities would be under the jurisdiction of the "parent" HOA. Mr. Murphy then inquired regarding the width of the walking trails, citing his concern for emergency access. Mr. Victor stated the trails would be paved at a width of 6 feet. He highlighted the area on both sides of the trail would include crushed stone to allow for larger vehicles to access the path during an emergency event. He stated the proposal was reviewed by Fire Chief Reese. Mr. Murphy asked who was to maintain the trails during the winter months. Mr. Victor stated the HOA would be responsible year-round. Fire Chief Reese stated the proposed trail/emergency access meets his standards. He highlighted that during the discussions with Mr. Victor, his major concerns were addressed. He cited that large equipment would not likely use the emergency access, but rather the path would be used for conventional cars/trucks to exit the site.

Mr. Murphy inquired regarding the status of Burkett Lane. Mr. Victor stated the Developer intends to connect Burkett Lane to Black Oak Lane and bring Burkett Lane up to Township standards in anticipation of having it adopted as a Township Road. Township Solicitor Makel inquired regarding the excess capacity of the Washington East Washington Joint Authority (WEWJA) to serve the PRD. Citing the existence of an 8-inch sanitary sewer line, Mr. Victor stated the addition of 150 homes should not be an issue for the Authority's capacity. Mr. Weber asked the Developer to engage WEWJA to ensure they can serve the PRD. He then emphasized his desire to see a clubhouse that could provide an indoor meeting space. A discussion ensued. Mr. Victor stated he would lobby his client for the amenity. Township Solicitor Makel noted that any required amenities not included on the Master Plan would be required within the final Development Agreement.

After some discussion, Mr. Burns moved to grant Master Plan approval for PA Financial II, LLC's application for the Burkett Manor Planned Residential Development at the Intersection of Rt. 19 and Burkett Lane with the following conditions:

1. Burkett Lane is brought up to the Township's standards for road construction prior to the Township's acceptance of the roadway (i.e. deeds of dedication, etc.);
2. The Developer must comply with all Township ordinances, rules and regulations to further develop the property (i.e. applicable SALDO and zoning processes and permit issuance from grading to occupancy); and
3. The Developer shall reimburse the Township for any costs incurred as a result of the development process.

Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9D: Public Hearing for the Consideration of an Ordinance to Re-zone a Portion of the Pancake Neighborhood from a C-2 General Designation to an R-4 Medium-Density Residential Designation (South Strabane Township)

Township Manager Stanick reported that during the proceedings of the August 6, 2020 Regular Meeting of the Planning Commission, Attorney Tom Lonich, representing a group of residents in the Pancake neighborhood, requested the Commission consider asking the Board of Supervisors to authorize it to review the zoning designation for a portion of the Pancake neighborhood that is

currently zoned C-2 General Commercial. He stated that it is believed this request emanated from the approval of a Conditional Use to operate a boutique winery at 10 McCoy Lane (recommended for approval by PC on 7-2-20 and approved by the BOS on 7-28-20). He noted that following a discussion regarding the matter, the Planning Commission voted 5-2 to request the Board of Supervisors authorize it to review the C-2 zoning designation of the neighborhood.

He reported that during its September 22nd Regular Meeting, the Board of Supervisors unanimously recommended the Planning Commission review the designation of the Pancake neighborhood. He cited that during the scheduled October 1st Planning Commission Meeting, members in attendance recommended reviewing an R-4 zoning designation for a portion of the Pancake neighborhood while cleaning up a multi-zoned lot (600-006-00-00-0032-01) which is home to Sam Cohen and Son's and the Nickels Bakery.

He continued by noting during its November 5th Planning Commission Meeting, members in attendance reviewed the Township's zoning map with the assistance of a GIS tool which illustrated a re-zoned portion of the Pancake neighborhood under an R-4 zoning designation. After some discussion concerning the potential impact of density in Pancake, the Commission requested Staff include metrics for an R-3 zoning designation for consideration during the next meeting.

He then highlighted discussion points from the December 3, 2020 Planning Commission Regular Meeting:

- Concerns were highlighted regarding the existing commercial businesses that would be impacted;
 - o Armen's Barrels – 10 McCoy Lane
 - o Jerry's Auto Repair – 1533 E. Maiden Street
- Re-zoning to the highest density would allow for immediate residential development of the area with the least likelihood for needing zoning variance(s);
- The Commission noted that all three Planned Residential Development's on the Township's radar are proposing an R-4 zoning designation; and
- The Commission noted the prior 50-year history of the C-2 zoning designation citing the lack of recent commercial development.

He then continued by citing the re-zoning proposal addresses the following points deemed as priorities within the Comprehensive Plan:

- Ensuring the community is proactive in minimizing any potential domino effects of blight in Pancake, Patton, Manifold/Panaorama;
- Providing diverse housing options that support different populations within the Township;
- Continuity with the assigned mixed-use designation of the parcel (i.e. commercial/residential).

Court Reporter Rozanc swore in all testifying parties.

Township Manager Stanick then provided a brief presentation regarding the proposed area to be re-zoned. He outlined the current conditions within the area highlighting the following:

- 10 Lots are proposed to go from C-2 General Commercial to either R-3/R-4 Residential Zoning District

- 1 “multi-zoned lot” is proposed from R-3 Medium-Low Density Residential District to C-2 General Commercial
- 14.4802 Acres is under the re-zoning proposal

He then read aloud the purpose and permitted uses for both the R-3 & R-4 zoning districts noting the density risk associated with each proposal. Mr. Weber inquired as to how the proposal would impact existing businesses within the Pancake neighborhood. Township Manager Stanick highlighted that should the re-zoning take place the businesses would be designated as existing non-conformities. He noted existing businesses would be protected under their original designation, but their status would be tied to the continuation of their use and/or continued commercial marketing of the property. Township Solicitor Makel noted that should the businesses close, the property would be subject to the regulations outlined in Section 245-194 of the Township’s Code. A discussion ensued. Mr. Luketich noted his apprehension to re-zone the area to a residential designation noting the existence of the two businesses. Mr. Murphy inquired regarding the zoning designation of the western side of E. Maiden Street. Township Manager Stanick highlighted the Planning Commission cited an existing railroad right-of-way when recommending to keep the western portion of Pancake C-2.

After some discussion, 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.

Exhibits

- A. Minutes of Sept. 22 BOS meeting recommending P.C. Review Pancake re-zoning;
- B. Minutes of Nov. 5 P.C. Meeting discussing re-zoning pancake;
- C. Minutes of Dec. 3 P.C. Meeting recommending re-zoning;
- D. Legal Notice and Proof of Publication of Public Notice;
- E. List of Property Owners within area to be re-zoned and Notice of Public Mailed to Property Owners;
- F. Correspondence received from residents;
- G. PowerPoint with proposed Zoning Map Change;
- H. Proposed Ordinance with legal description of property to be re-zoned; and
- I. Correspondences received from Mr. Charlie Bockstoce and Mr. Armen Geronian.

Mr. Richard Bowen of Pierce Avenue sought clarification on the proposed Zoning Map change, specifically regarding any proposed development of the Pancake neighborhood. Township Manager Stanick highlighted that no future development within Pancake is anticipated. Mr. Armen Geronian, owner of Armen’s Barrel’s, voiced his opposition to the proposed re-zoning. He cited the hardship re-zoning would pose to his business. He highlighted the required 50’ right-of-way on the property for the utility noting it would hinder any future commercial expansion or residential development on his property as well as those properties that border McCoy Lane. Mr. Charlie Bockstoce, Manager of Armen’s Barrel’s, also voiced his opposition to the re-zoning proposal. He noted his personal discussions with neighboring property owners who have also expressed their opposition to the re-zoning proposal. He continued by citing the Township’s Comprehensive Plan which seeks to bridge residential and commercial uses within the designated Mixed-Use area(s) which encompasses the Pancake neighborhood. He acknowledged the complaints levied on the

prior tenant, Wired Roller Skating, stating that some residents seem to be seeking to punish Armen's Barrel's in their stead.

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

Township Solicitor Makel noted the Township has 45 days from the opening of the Public Hearing to make a final decision. Mr. Luketich inquired if any other residents, including the party which asked for the re-zoning forwarded any comments. Township Manager Stanick reported that no further comments were received on the matter. Mr. Murphy noted the Planning Commission's recommendation.

Mr. Burns moved to table the matter. Mr. Murphy seconded the motion. After some discussion the motion failed on the following roll call vote:

Ayes: None

Nays (4): Burns, Luketich, Murphy and Chair Weber

Mr. Luketich moved to reject the proposal to re-zone a portion of the Pancake neighborhood from a C-2 General Commercial to an R-4 Medium-Density Residential. Mr. Murphy seconded the motion. The Ordinance was rejected on a unanimous voice vote.

9E: Motion Approving a Letter to the Washington County Planning Commission Supporting an Effort to update the County Greenways Plan.

Township Manager Stanick reported that the Township is in receipt of a request from the Washington County Planning Commission (WCPC) to relay a letter of support encouraging the County Planning Commission to move forward with an initiative to update the existing County Greenways Plan (the current plan was adopted on January 18, 2007). He noted that according to the current Greenway Plan, "Washington County's role in greenways planning is to implement the Pennsylvania Greenways Action Plan and to encourage and enable municipalities to plan for and implement greenways." He highlighted that according to the Pennsylvania Greenways Action Plan, "a greenway is a corridor of open space."

He continued by stating that in order to begin the update process, the County is seeking financial assistance through the DCNR. Per the DCNR's requirements, the County must provide support letters from municipalities and other "partners" that the plan covers. He cited that the WCPC is seeking a letter that, "supports a plan that focuses on providing recreation for all; preserving and protecting important open space and agricultural land; and addressing environmental concerns."

Mr. Murphy moved to approve a letter to the Washington County Planning Commission in support of their effort to update the County Greenways Plan. Mr. Luketich seconded the motion. The Motion passed on a unanimous voice vote.

9F: Motion to Appoint Planning Commission (1), Zoning Hearing Board (2) and Vacancy Board (1) Members

Mr. Murphy moved to re-appoint the following Board and Commission members:

- Mr. Thomas Steele - Planning Commission term expiring 12/31/2024
- Mr. Andrew Rembert - Zoning Hearing Board term expiring 12/31/2023
- Mr. James Stewart - Zoning Hearing Board term expiring 12/31/2023
- Mr. Robert Jones - Vacancy Board term expiring 12/31/2021

Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9G: Motion Renewing a Mutual Aid Compact with the Washington Regional SWAT Team

Chief Hilk presented for the Board's consideration an Agreement renewing the Mutual Aid Compact for the Washington County SWAT Team. He reported that the current SWAT Team Commander and Cecil Township Police Lt. Guy Kuzak is requesting a renewal of the existing mutual aid agreement across the region, with the primary purpose to keep the team up to date with changes in personnel.

He stated the document is an official recognition by the participating agencies of the Pennsylvania Statewide Municipal Police Jurisdiction Act, Title 42, Section 8953. He continued by noting this Act empowers law enforcement officers to exercise their powers outside of their normal jurisdictions when a request for assistance is made, or where an officer has cause to believe that such assistance is necessary.

Mr. Burns moved to renew a mutual aid compact with the Washington Regional SWAT Team.

Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9H: Motion Approving Agreement with Fire Grants Help for the Completion and Processing of a SAFER Grant Application

Township Manager Stanick reported that as an ongoing goal of the Board this year the Township continues to focus on improving fire and emergency medical services for the community. He stated that currently, the Fire Department is comprised of nine career firefighters that work together with the Volunteer Fire Department to provide these services. He highlighted the Township provides on-duty coverage 16 hours per day Monday through Friday. He cited that it is the desire of the Board, in working with the Volunteer Department, to begin to provide coverage on the weekends and work toward a 24/7 staffing model.

He noted that each year FEMA provides grant opportunities to assist career and career/volunteer departments to meet goals of increased staffing/retention through the Staffing For Adequate Fire And Emergency Response (SAFER) grant program. He reported the SAFER program was created to provide funding directly to fire departments and volunteer firefighter interest organizations to help them increase or maintain the number of trained, "front line" firefighters available in their communities. He continued by stating that the goal of SAFER is to enhance the local fire departments' abilities to comply with staffing, response and operational standards established by the National Fire Protection Association (or NFPA). He noted that typically, the program provides financial assistance over a three-year period and requires a match from the municipality. He

highlighted the 2021 cycle waives the match requirement and is providing 100% financial assistance for the three-year period. He cited one requirement for the program is for municipalities to continue to retain the increased staffing of the department after the initial three years.

He concluded by reporting that after polling the Board, an agreement with Fire Grants Help was executed earlier this month to not only begin the grant writing process, but also to capture a 30% discount (early bird savings) for this service in the amount of \$3,500 noting that grant applications are due to FEMA by March 12, 2021.

Mr. Burns moved to approve an Agreement with Fire Grants Help for the completion and processing of a SAFER Grant application. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9I: Report from the Planning Commission Concerning Standards for Drive Through Facilities

Assistant to the Township Manager Conners reported that after citing concerns regarding popular drive-throughs in the Township, the Board unanimously directed the Planning Commission review Section 245-175 of the Township Code concerning standards for Drive-Through Facilities during their September 22nd Regular Meeting.

He stated that during its November 5th meeting, the Planning Commission reviewed the existing standards for Drive-Through Facilities as well as photographs of the existing Starbucks Drive-Through Facility (110 Trinity Point Drive). He cited the main takeaways from the discussion were as follows:

- Drive-Throughs are use-driven (i.e. Starbucks, Chick-fil-a, etc.);
- Often, during the initial Land Development process the actual tenants are unknown for the units with the proposed Drive-Through Facilities;
- The current pandemic is placing a greater amount of pressure on Drive-Through and take out ordering for many restaurants; and
- Members of the Commission expressed their concerns regarding the current onerous parking lot standards trickling down to Drive-Throughs (i.e. the Code was written to prepare commercial parking lots for one or two shopping days, leaving large areas of asphalt unutilized for most of the year).

He continued by noting that due to the length of recent Planning Commission agendas this specific item was tabled at both the December 3, 2020 and January 7, 2021 Regular Meetings. He highlighted that during their February 4th Regular Meeting, the Planning Commission came to a consensus not to recommend any changes to the existing zoning standards concerning drive-throughs because of the following:

- PennDOT traffic guidelines do not specifically regulate or advise standards for drive-throughs;
- Drive-throughs should be a point of focus during all future Land Development reviews;
- Traffic safety is crucial. When drive-throughs frequently demonstrate back-ups into thoroughfares, routine patrols and traffic enforcement from the Police Department should occur; and

- The Township's past communications with Mosites to re-configure the Starbuck's drive-through (110 Trinity Point Drive) provides an excellent case study in how to remedy existing facilities moving forward.

Mr. Burns moved to accept the Planning Commission's report concerning Drive-Through facilities. Mr. Luketich seconded the motion. The motion passed on a unanimous voice vote.

9J: Resolution Amending the Police Department Policy and Procedures Manual by Establishing a Policy Regarding Body Worn Cameras

Chief Hilk presented for the Board's consideration updates to the Township Police Department Policy and Procedures Manual regarding - General Order 3.12 – Body Worn Cameras. Township Manager Stanick recognized the successful efforts of Chief Hilk in procuring a grant through the Department of Justice in the amount of \$17,187 for the purchase of body worn cameras.

Mr. Burns moved to approve a Resolution amending the Police Department's Policy and Procedures Manual by establishing a policy regarding body worn cameras. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote.

9K: Resolution for the Disposition of Specific Public Records

Township Manager Stanick reported that pursuant to Resolution #11-18, a Resolution Declaring the Township's Intent to Follow the Schedules and Procedures for the Disposition of Records, establishes the Township's Disposal of Records Policy (Policy) where acts of disposition are approved by resolution. He noted that resolutions are not necessarily required for disposing of records that meet the criteria outlined in the Policy. He highlighted that because of the significant number of records accumulated over time, it is in the Township's best interest to document the disposition by resolution. He cited the records proposed for destruction are listed in the proposed resolution per the categories of the Policy.

Mr. Murphy moved to approve a Resolution for the disposition of specific Public Records. Mr. Burns seconded the motion. The motion passed on a unanimous voice vote.

ADJOURNMENT

Mr. Burns moved to adjourn the meeting. Mr. Murphy seconded the motion. The motion passed on a unanimous voice vote and the meeting adjourned at 8:59 p.m.

Respectfully submitted,

Brandon J. Stanick
Township Manager