

The North Strabane Township Board of Supervisors held a Special Meeting – Public Hearing Tuesday, June 21, 2010, at 7:00 P.M., at the Township Municipal Building, Route 519 South, Canonsburg, Pennsylvania 15317.

ATTENDING THE MEETING

J. Gregory Sulc, Chairman
Stephen Motzer, Vice-Chairman
William Brooks, Supervisor
Robert Balogh, Supervisor
Jeff Stanley, Supervisor

ALSO ATTENDING THE MEETING

Frank R. Siffrinn, Manager-Secretary
Jim Jeffries, Solicitor
Joe Sites, Engineer
Paulette Moyar, Stenographer

Mr. Sulc called the meeting to order followed by the Pledge of Allegiance and Roll Call.

**Public Hearing to
Rezone 13.7 Acres
on Weavertown
Road**

As advertised, we will have a public hearing on an application of JND Properties, Inc., 3625 Washington Pike, Bridgeville, PA 15017 to rezone 13.7 acres located on Weavertown Road from R-3 (residential) to C-1 (commercial highway).

Mr. Jeffries

At this time, I would like to enter the following exhibits: Exhibit A is the application / notice of appeal with the supporting documents. Exhibit B is the legal notice to all the surrounding residents in the vicinity of the property. Exhibit C is the proof of publication of tonight's special public hearing in the Observer Reporter. Exhibit D is the North Strabane Township Planning Commission minutes of May 16, 2011, showing the approval of the rezoning of the property in question.
Anybody who is wishing to testify before the Board, please stand to be sworn in.

Mr. DeNardo

Joseph DeNardo, I am the gentleman who made the application for rezoning. The purpose of the request was to consider a 13.7 acre parcel to be rezoned from R-3 to C-1. This property is the former Salvanes property where there is currently a dilapidated building and an existing contemporary structure that is not connected to a public sewer system. We are considering a multi-family townhome development use, which is a permitted use under R-3, but there are some conditions required with that. It was suggested by the Planning Commission that it might be more appropriate to simply rezone the property to C-1 to allow the flexibility. I considered the surrounding land use, which is townhomes. The intent is not to build any commercial structures. The interest is to simply build more townhomes here. The purpose is to seek C-1 zoning to allow for more flexibility with regard to planning of the townhomes that would be constructed on the site. I can answer any questions you may have.

Mr. Sebetich

Michael Sebetich, 212 Queens Court Canonsburg, PA 15317.

My question is, if this is not an approval or a denial, why did they put a water vault in there? Did anyone do a traffic study, because the traffic on that road is terrible?

The Township takes care of the roads, but not ours, and I would like to know why?

Mr. Siffrinn

Let me respond to those two questions. First, the traffic study is something that will come later in the process. This hearing is only for the usage of the property. If it gets approved, the developer will proceed to a subdivision/land development plan review. Those traffic studies will be required at that time.

- Mr. Sebetich Why was that water vault put in a few months ago?
- Mr. DeNardo That water vault you are referencing is not specifically for this property. You can contact PA American Water. They approached us. They were seeking location in the Township to upgrade their water facilities. After that, they did full disclosure on what they wanted to do and why. We opted to give them a right-of-way.
- Mr. Sebetich I talked to PA American Water in Elizabeth. They won't do anything for us. Anything we need done, we have to pay for from Weavertown Road into our community. There are only 33 residents. I do not understand why we pay taxes. We receive nothing from this Township. I just would like to know why roads in other communities are being plowed and fixed, and ours are not.
- Mr. Siffrinn The answer to that question is your road is a private drive. It was never dedicated to the Township, nor was it accepted. Mr. DeNardo will have to make a decision whether the road remains private.
- Mr. Sebetich How do we make it not private? There are other roads in the Township that were private that are not now.
- Mr. Castriota Pete Castriota 254 Greenwood Drive Canonsburg, PA 15317.
- Mr. Jeffries Sir, have you been sworn in? Do you swear to tell the truth, the whole truth and nothing but the truth to this honorable Board?
- Mr. Castriota Yes. I just want to ask a couple questions. My number one question is when you start procedure, what are you going to do with the large embankment behind Victoria Court? The land is sliding continuously.
- Mr. DeNardo Can you show me where that is located?
- Mr. Castriota It is behind the two large units. This embankment is close to Route 79, and every year it moves. Greenwood Drive coming into the Township, the bank in front of my house, it keeps moving every year. My question is if you intend to build behind me, what are going to do to prevent the bank from moving the condos?
- Mr. DeNardo I am glad you pointed that out to me. I appreciate that.
- Mr. Castriota If you get this passed by the Township, my concern is these three buildings are going to collapse when you move those trees out of the way.
- Mr. DeNardo I am certainly not interested in collapsing any buildings. First thing I want to do is have the soil engineer check that.
- Mr. Castriota There has to be provisions made for this. Because if we don't have provisions, we are going to be in big trouble. These banks still move. The Township road above me - the vibration moves the bank in front of me because we paid quite a bit of money to straighten that bank out in front of my house. That's in front. I am talking about all this land behind that connects to Route 79. That is a major problem.
- Mr. DeNardo If you don't mind, I will come over and take a look.
- Mr. Castriota I don't mind. Somebody better make provisions to handle that land.
- Mr. Balogh The purpose of this meeting is not to discuss houses or plans. This meeting is for us to decide the zoning.
- Mr. DeNardo Yes.

Mr. Balogh So can you specifically tell me what type of zoning you are looking for? What restrictions are there that are going to be eased in changing from what it is now to what you would like it to be?

Mr. DeNardo Sure, I can be very specific on those. In the R-3, current zoning permits multi-family use, but there is a stipulation for 30 acres of continuous property. So if you want to develop multi-family in a multi-family zone, and you want to introduce a residential development, you need 30 acres. I don't believe there is 30 acres in the Township that is zoned R-3 right now. The point is it is very difficult to assemble 30 acres of R-3 property in North Strabane Township. Without having relief on the 30 acre requirement, all the uses that are permitted in an R-3 zone are essentially trumped as result of that one condition. The Planning Commission suggested rather than me come to the Board and ask for a modification on the 30 acre requirement, the C-1 district is written to allow for multi-family use. I thought that was good justification for going through the exercise of trying to have a public hearing and have this rezoned. That's it in a nut shell.

Ms. Moyar I need to clarify something, because that was the second time you said that. The Planning Commission did not suggest that you rezone the property to commercial. The Planning Commission told you that the only other place that multi-family dwellings were permitted was in a C-1 district. We never suggested you change the zoning. We said if you want to do multi-family, you had to request a rezone for Commercial.

Mr. Kness Robert Kness, 110 Victoria Drive Canonsburg, PA 15317.

I might add by starting out saying that I know Joe. He is very reputable. His operation is great and you should be proud of what he has done. We have a concern as far as our units and the inconvenience that will occur down the road. I don't think the Board is familiar with the fact that Victoria Drive has had two major land shifts. We are experiencing land shifts on a continual basis. It's very expensive. So we have to think who will pay for this. We had found out the person who did all the ground work went bankrupt. He did do it wrong and it needed to be redone. It had to be redone at the expense of the insurance carriers, as well as the builder at the time. We had to move people out of units. They had to move tons of dirt, debris and rebuild. We had a second fall. The second fall was above the Queens Way property. The whole end of the section, once the construction started, shifted the hill and took a part of the service road away. Once again, they had to rebuild the hillside. We have experienced on a month-to-month basis areas where the dirt is shifting again. Behind my unit, we lose about a foot of dirt a year.

The other problem is the road. There is a lot of traffic on that State road. Another issue is the sound. When you take the buffer away, that is what separates us from Route 79. The State, as you know, is putting in a new road that will cross over Canonsburg Lake. The building of that road will be right below us. They did not pursue that due to the noise factor. These are just a few of the issues.

Mr. Sulc If I could state on thing. The residents mentioned something about traffic. The Township, Borough of Canonsburg, and the State have already met to look at that intersection at Weavertown, Morganza, and Pike Street. People who live there know the traffic backs up. I can tell you that if they do a traffic study, it will fail. If it fails, there is a time frame in which they would have to repair that section of the intersection. Like I said in the beginning, this is for rezoning, not for approval of this complex.

Mr. Frye David Frye, 114 Queens Way Canonsburg, PA 15317.

I would just like to make a couple points. You want the Salvanes property rezoned to C-1. So that gives the right to fit any kind of business allowed under C-1. Is that correct?

- Mr. DeNardo Right.
- Mr. Frye That is an issue that we are very concerned about.
- Mr. DeNardo I appreciate that. That is why we try to illustrate what we are trying to accomplish. All things considered, particularly the surrounding land uses, we just felt this was a better land use.
- Mr. Frye I have a question for the Board. Do the 30 acres, did that change under the code? Our property, Heathrow Condominium Association, is less than 30 acres, and we have multi-family dwellings in an R-3. Why is this an issue now, the 30 acres?
- Ms. Moyar That was under our old zoning ordinance. We redid our comprehensive plan. You were under the old ordinance of the 90's where you could do multi-family on less than that. When we redid the comprehensive plan and the zoning ordinance, those were the new stipulations. We felt we had our share of townhomes. We wanted to see lower density with single families. So, that's why we put the 30 acre restriction.
- Mr. Frye If it remains zoned R-3. What can you do with the property?
- Mr. DeNardo We would have to go back to the drawing board on that.
- Mr. Frye Do you have a ballpark idea?
- Mr. DeNardo What we would probably do is change the design so they would not be row townhouses. We might go senior condominiums.
- Mr. Frye We would really appreciate if you would do that. People where I live are deeply opposed to it. We already mentioned the egress, the traffic issue, and the land slide issue. Are you telling me that you were not aware of the landside issues?
- Mr. DeNardo I had some record of that issue. I heard there was a landslide in this area a long time ago.
- Mr. Frye It is a major problem. We are looking at it every day, because we are looking at retaining walls. Any construction on the Salvanes property is a concern.
- Mr. DeNardo Something is going to happen there eventually. It is somewhat of an eyesore. Don't you agree?
- Mr. Frye I agree that the two properties need improvement. We understand someone bought the property and wants to develop it. We just really would appreciate it if it would remain R-3. We do not want C-1 because you are telling us this is what you are going to do, and indeed you may do exactly what you say. If you sell the property, and whoever owns it, now it's commercial and they can do whatever they want.
- Mr. O'Hare Shawn O'Hare 210 Weavertown Road Canonsburg, PA 15317.
- I agree with what you are saying, what are you going to put there? I had an idea of placing a little kid's racetrack there. I knew that would get shot down. The house will probably make a buffer for the sound. There are not a lot of trees there. It has nothing to do with the landslides. The landslides are from whomever built your houses. It has nothing to do with this property. It might help it. The traffic is bad. I like the idea of having something done with the property.
- Mr. Kness I would like to make a comment to the Board to have the road supervisor watch how many cars turn around in our circle.
- Ms. Moyar When everybody in Heathrow went to purchase their units, did your real estate agent not inform you this is a condominium association with private roads?

- Mr. Kness The real estate agent did not give me full disclosure. There was a mud slide that came through my kitchen. If I would have known that, I would not have purchased a home.
- Mr. Jeffries This Board recognizes this is just one step in the process. This is just for the approval by the Planning Commission.
- Mr. Siffrinn Mr. Siffrinn explained that after tonight's meeting, the Board will vote next Tuesday whether to direct the solicitor to prepare and advertise the ordinance to rezone the property. No vote will be taken this evening. If the ordinance is drafted and advertised, the vote to rezone the property would occur on July 26, 2011.
- Mr. Jeffries Public comment is over. I would be happy to address any questions after the hearing.
- Adjournment** All business being concluded, the special meeting adjourned at 8:05 PM.

J. Gregory Sulc, Chairman

Frank R. Siffrinn, Manager-Secretary

dmk