

**BOROUGH OF JEFFERSON HILLS  
REGULAR MEETING OF THE PLANNING COMMISSION**

**MINUTES OF June 28, 2022**

Presiding Officer: David Montgomery, Chairman

Secretary: Christopher Hynes

The scheduled regular meeting of the Planning Commission was held on June 28, 2022. Chairman David Montgomery called the meeting to order at 7:00 p.m., in Council Chambers of the Municipal Center, 925 Old Clairton Road, Jefferson Hills, PA 15025. Following the Pledge of Allegiance, roll call was taken.

**PRESENT:**

Nine members of the Planning Commission were in attendance at the meeting and included: Messrs. Alvi, Dean, Donohue, Hynes, Montgomery, Polick, Reckard, Ripley and Ruscitto.

**ABSENT:**

None

**ALSO IN ATTENDANCE:**

Kerry Fraas, Solicitor  
Mike Glister, Borough Engineer  
Mark Reidenbach, Gateway Engineer  
John Stinner, Borough Manager - Via Zoom  
Jenni Easton, Planning Consultant

**BOROUGH RESIDENT/TAXPAYERS COMMENTS:**

None

**MINUTES APPROVED:**

- A. The minutes of the regular meeting of April 26, 2022 were approved on a motion by Mr. Dean seconded by Mr. Ripley and carried unanimously.

**COMMUNICATIONS:**

- A. Resolution No. 18-2022, Council approval of a preliminary plan known as SP-1-2022, Solar Farm Development Plan, approved on May 9, 2022.
- B. Facts and Conclusions for Zoning Hearing Board Appeal No. ZN-2-2022, that was held on April 28, 2022 at 7:00PM, regarding a request by Amy Paczan, 5005 Blue Ridge Drive, Jefferson Hills, PA 15025, lot & block 768-D-34, requesting two variances to Zoning Ordinance 712, Section 902.9.c – Fences on Single Family Lots (Other than Swimming Pool Enclosures). The ordinance states that fences, which are at least fifty percent (50%) see-through, and which are not in excess of four (4) feet in height may be constructed in the rear and side yards if located at least one (1) foot off the property line. Appellant is requesting a variance for a five (5) foot fence in height, without a pool or hot tub, to be constructed in the rear yard of the property at least one (1) foot off of the property lines and Section 202.2.h-

Special Yard Requirements. The appellant wishes to build a shed that would expand into the required ten (10) foot setback by five (5) feet, therefore they are requesting a five (5) foot variance. **VARIANCE WAS GRANTED**

- C. Facts and Conclusions for Zoning Hearing Board Appeal No. ZN-3-2022, that was held on April 28, 2022 at 7:30PM, regarding a request by Mark Raymond for a variance at his property 2200 State Route 51, Jefferson Hills, PA 15025. The property is zoned C-1 – Highway Commercial District. The appellant is asking for a variance to the 200ft residential limit to repair automobiles, and therefore is subject to: Zoning Ordinance 712, sections 401.1.c.1.(a) and 1004.32. **VARIANCE WAS GRANTED**
- D. Notice of a Public Hearing and Facts and Conclusions for Zoning Hearing Board Appeal No. ZN-4-2022, that was held on May 26, 2022 at 7:00PM, regarding two requests by Ned Trbovich Sr., 2018 Oak Street, Jefferson Hills, PA 15025, for his vacant property located at 2001 Cherry Street, Jefferson Hills, PA 15025, lot and block 881-P-121. The property is zoned I-1, Planned Industrial District. The appellant is requesting a variance to Zoning Ordinance 712, Section 501.2.a.5 – Side yard setback, minimum allowable setback is 35 ft., and Section 501.2.a.4 – Building Setback, minimum allowable setback is 35 ft. Appellant is requesting a 25’ building line setback on both the front and left side yard. **VARIANCE WAS GRANTED**
- E. Notice of a Public Hearing and Facts and Conclusions for Zoning Hearing Board Appeal ZN-5-2022, that was held on May 26, 2022 at 7:30PM, regarding a request by Daryl Nath, for a variance for his property located at 4063 Bedel Road, Finleyville PA 15332, lot and block 1137-S-310. The property is zoned R-2, Low Density Residential District. The appellant is requesting a variance to Zoning Ordinance 712, Section 202.1.a.2.a, - Accessory Uses, Customary residential accessory uses including, but not limited to, private garages, sheds, shelters for domestic pets, fences, air conditioners, swimming pools and the like. The property is to be subdivided creating a standalone lot with a storage building. Therefore, a variance is needed for the accessory use with no principal use on the lot.
- F. Notice of a Public Hearing for Zoning Hearing Appeal No. ZN-6-2022, that will be held on June 29, 2022 at 7:00PM, regarding a request by Greg & Kristen Vanscoy for their property located at 350 Vine Street, lot and block 881-G-60. The property is zoned R-1, Residential-Agricultural District. The appellants are requesting a variance to Zoning Ordinance 712, Section, 902.9.c – Fences on Single Family Lots (Other than Swimming Pool Enclosures). The ordinance states that fences (which are at least fifty percent (50% see-through) and which are not in excess of four (4) feet in height may be constructed in the rear and side yards if located at least one (1) foot off property line. Appellant is requesting a six-foot (6’) fence in their right-side yard, without a pool, that would also extend past the front of the house into the front yard.
- G. Notice of a Public Hearing for Zoning Hearing Appeal No. ZN -7-2022 that will be held on June 29, 2022 at 7:30PM, regarding a request by Chalimar Dy Buco, 433 Spaniel Lane, Jefferson Hills, PA 15025, lot & block 562-J-18, is requesting a variance to Zoning Ordinance 712, Section 902.9.c – Fences on Single Family Lots (Other than Swimming Pool Enclosures). The ordinance states that fences, which are at least fifty percent (50%) see-through, and which are not in excess of four (4) feet in height may be constructed in the rear and side yards if located at least one (1) foot off the property line. Appellant is requesting a variance for a five (5) foot fence in height, to be constructed on both sides of the property and a four and a half (4.5) foot fence in height to be constructed along the back side of the property, without a pool or hot tub, at least one (1) foot off of the property lines. The property is zoned R-2, Low Density Residential District.

**PRE-APPLICATION ADVISORY PRESENTATIONS:**

None

## OLD BUSINESS:

- A. On a motion by Mr. Alvi, seconded by Mrs. Ruscitto, a recommendation to Council for a preliminary & final minor subdivision known as S-6-2021 – Nath Subdivision Plan of Lots, located at Bedell Road with a small part located in Union Township, lot and block 1137-S-310, owned by Daryl R. Nath was tabled until the July Planning Commission meeting.

## NEW BUSINESS:

- A. On a motion by Mr. Donohue, seconded by Mr. Hynes, and carried unanimously, a recommendation to Council was approved for a final subdivision known as S-5-2022 - Millstone Village Phase Two, located on Gill Hall Road, lot & blocks 1137-H-25, 1137-S-120, 1137-S-110, 1137-M-48 and 1137-M-60 and 1137-M-85, owned by Millstone Development LLC, subject to the following conditions:
1. §22-610.2 Applicant shall revise sanitary sewer pipes to meet the minimum requirement of 1% slope and in accordance with the recommended modification requests.  

Applicant requested Modifications:  
MH-0.4 to MH-0.3 - 0.5 %  
MH-0.3 to MH-0.2 - 0.59%  
MH-0.2 to MH-0.1 - 0.60%
  2. The final recorded plan shall include a fifteen-foot easement from the public right-of-way along Lots 241 and 242, restricting plantings and other obstructions to no more than six inches in height for sight line safety.
- B. On a motion by Mrs. Ruscitto, seconded by Mr. Dean, and carried unanimously, a recommendation to Council was approved for a final land development known as SP-2-2022 – Solar Farm Development, located at 195 Wall Road, Jefferson Hills PA 15025, lot & block 658-M-50, owned by Port Vue Plumbing, subject to applicant providing a Stormwater Maintenance Agreement between the owner and the municipality for the proposed stormwater controls.
- C. On a motion by Mr. Alvi, seconded by Mr. Reckard, approval for a preliminary and final consolidation plan known as S-4-2022 – John J. Scott Consolidation Plan No. 1, located in Floreffe, lot & blocks 1421-C-58 and 1421-C-90, owned by John J. Scott, was tabled until the July Planning Commission meeting.
- D. On a motion by Mr. Dean, seconded by Mrs. Ruscitto, and carried unanimously, a recommendation to Council was approved for the adoption of the 2021 International Property Maintenance Code subject to the following amendments:
- A. Section 101.1, "Title," is hereby amended to read as follows: These regulations shall be known as the International Property Maintenance Code of the Borough of Jefferson Hills, hereinafter referred to as "this code."
  - B. Section 102.3, "Application of Other Codes," is hereby amended to read as follows: Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building, residential, plumbing and fire codes adopted and in effect in Jefferson Hills Borough. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Jefferson Hills Borough Zoning Ordinance.

- C. Section 103.1, "Creation of Agency," is hereby amended to read as follows: Responsible Agent. The enforcement of this Part shall be the responsibility of the code official as herein defined, including, but not limited to, the Building Inspector, Zoning Office and/or the Borough Manager or his designee(s).
- D. Section 104.1, "Fees," is hereby amended to read as follows: The fees for activities and services performed by the department in carrying out its responsibilities under this Code shall be in such amounts as established by resolution of Borough Council.
- E. Section 107, "Means of Appeal," is hereby struck in its entirety.
- F. Section 108, "Board of Appeals," is hereby struck in its entirety.
- G. Section 109.4, "Violation penalties," is hereby amended to read as follows: Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof shall, upon conviction thereof, be sentenced to pay a fine not more than \$1,000 plus the costs of prosecution and, in default of payment of such fine and costs, to undergo imprisonment for a term not to exceed 30 days. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- H. Section 110.4, "Failure to Comply," is hereby amended to read as follows: Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$1,000.
- I. Section 111.1.5, "Dangerous structure or premises," is hereby amended to add:
  - 12. Any hole, cistern, open cesspool, open or unsanitary septic tanks, excavation or open foundation which may endanger neighboring property or the health or safety of the public or occupants of the property.
- J. Section 302.3, "Sidewalks and driveways," is hereby amended to read as follows: All sidewalks, walkways, stairs, driveways, parking spaces and similar areas open to the public and in regular use shall be kept in a proper state of repair and maintained free from hazardous conditions, including snow, ice, mud and debris. If any sidewalks or driveway, or portion thereof, by virtue of its state of repair, shall constitute a hazard to public health and safety, the sidewalk or driveway or a portion thereof shall be replaced in accord with Borough of Jefferson Hills regulations.
- K. Section 302.4, "Weeds," is hereby amended to read as follows: Premises and exterior property shall be maintained free from overgrown, uncultivated, unkempt, or potentially hazardous vegetation of any type. The owner of any premises, as to vacant premises or premises occupied by the owner, and the occupant thereof, in case of premises occupied by other than the owner thereof, shall remove, trim or cut grass, weeds or other vegetation remaining upon such premises in violation of the provisions of this code. In case any person shall neglect, fail or refuse to comply with such notice, barring appeal, the Borough of Jefferson Hills or its agents may, after 20 days, remove, trim or cut such grass, weeds or vegetation, and the cost thereof, together with a penalty of 10% thereof, may be collected by the Borough of Jefferson Hills from such person in the manner provided by law.
- L. Section 304.14, "Insect Screens," is hereby amended to read as follows: During the period from May 1 to October 31, every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, processed or stored, shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working

condition. Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

M. Section 305.3, "Interior Surfaces," is hereby struck.

N. Section 602.3, "Heat Supply," is hereby amended to read as follows: Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from October 1 to May 31 to maintain a minimum temperature of 68° F. (20° C.) in all habitable rooms, bathrooms and toilet rooms.

O. Section 602.4, "Occupiable Workspaces," is hereby amended to read as follows: Indoor occupiable workspaces shall be supplied with heat during the period from October 1 to May 31 to maintain a minimum temperature of 65° F. (18° C.) during the period the spaces are occupied.

### **REPORTS:**

A. Environmental Advisory Council – Thomas J. Donohue reported that on June 15<sup>th</sup> a presentation was held for the public on the impacts of Marcellus well drilling. Discussion took place on the wetlands throughout the Borough and how we could use them for educational purposes.

### **GENERAL BUSINESS:**

Mr. Montgomery thanked the members of the IPMC Committee and Jenni Easton for their time spent.

### **ADJOURNMENT:**

The meeting was adjourned on a motion by Mrs. Ruscitto, seconded by Mr. Dean at 8:40 p.m.



Christopher Hynes, Secretary

