**BOROUGH OF JEFFERSON HILLS**

**REGULAR MEETING OF THE PLANNING COMMISSION**

**MINUTES OF SEPTEMBER 29, 2020**

Presiding Officer: David Montgomery, Chairman

Secretary: Christopher Hynes

The scheduled regular meeting of the Planning Commission was held on September 29, 2020. 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:**

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

**ABSENT:**

None

**ALSO IN ATTENDANCE:**

 Kerry Fraas, Solicitor

 Mark Reidenbach, Gateway Engineers

 Mike Glister, Borough Engineer

 John Stinner, Borough Manager

 Deron Gabriel, Borough Solicitor

**BOROUGH RESIDENT/TAXPAYERS COMMENTS:**

 Tom Poljak - 5005 Alta Vista Drive – spoke on his opposition of UPMC

**COMMUNICATIONS:**

1. Facts and Conclusions for Zoning Hearing Board Appeal No. ZN-14-2020 that was held on August 26, 2020 at 7:00 p.m., regarding a request by William S. and Dawn E. Escott III requesting three variances for their vacant property on State Route 885, Jefferson Hills, PA 15025, lot and block 658-E-15. The property is zoned R-2, Low Density Residential District. The appellants are requesting a variance to Zoning Ordinance 712, Section 902.11 – Detached Garages and Accessory Storage Sheds, maximum allowable size for a structure or garage is 750 sq. ft.; Section 202.2.J - Area & Building Regulations/Height of Building, maximum allowable height is 15 ft. and 1 story; and 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 appellant wishes to build an 80’x50’x22’ garage that is 4,000 sq. ft. with a height of 22 ft. on a vacant lot in which the detached garage would be an accessory use with no principal use on the lot. **VARIANCE WAS GRANTED**
2. Facts and Conclusions for Zoning Hearing Board Appeal No. ZN-15-2020 that was held on August 26, 2020 at 7:00 p.m., regarding a request by Patrick & Kelsey Burns, 407 Hindman Drive, Jefferson Hills, PA 15025, requesting a variance for their property, lot and block 769-S-55. The property is zoned R-2, Low Density Residential District. The appellants are 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 five-foot (5’) see-through fence, without a pool or hot tub, to be constructed in the rear and side yards on the property lines instead of at least one (1) foot off of the property lines. **VARIANCE WAS GRANTED**
3. Facts and Conclusions for Zoning Hearing Board Appeal No. ZN-16-2020 that was held on August 26, 2020 at 7:30 p.m., regarding a request by Donna Marie & David Oster, 6009 Walton Road, Finleyville PA 15332, requesting a variance for their property, lot and block 1134-F-80. The property is zoned R-2, Low Density Residential 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 the property line. Appellant is requesting a six-foot (6’) privacy fence, without a pool or hot tub, to be constructed in the front and one side and small part of the rear yard on the one side of the property at least one (1) foot off of the property lines not to enclose the property. **VARIANCE WAS GRANTED**
4. Facts and Conclusions for Zoning Hearing Board Appeal No. ZN-17-2020 that was held on August 26, 2020 at 8:00 p.m., regarding a request by Gregory Sylvester, 3336 Woodwind Drive, Jefferson Hills PA 15025, requesting a variance for their property, lot and block 662-D-133. The property is zoned R-2, Low Density Residential 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 the property line. Appellant is requesting a six-foot (6’) privacy fence, without a pool or hot tub, to be constructed on the left side of the property line, back 48 feet and across the back at least one (1) foot off of the property lines not to enclose the property. **VARIANCE WAS GRANTED**
5. Notice of Public Hearing for the Zoning Hearing Board Appeal No ZN-18-2020 that will be held on October 1, 2020 at 7:00 pm, regarding a request by Chandra Subedi and Bishnu Mainali, 6029 Independence Drive, Jefferson Hills PA 15025, requesting a variance for their property, lot and block 1006-E-114. The property is zoned R-2, Low Density Residential 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 privacy fences (less than fifty percent (50%) see-through) which are not in excess of six (6) feet in height may be constructed in the rear yard only if they are attached to the principal structure and do not project into the rear yard any farther than twenty (20) feet.   Appellants are requesting a six (6) foot privacy fence that would extend into both side yards and only being attached on one side of structure; would project into the rear yard to within one (1) foot of the rear property line; and, would also extend to within one (1) foot of both side property lines.
6. Notice of Public Hearing for the Zoning Hearing Board Appeal No ZN-19-2020 that will be held on October 1, 2020 at 7:30 pm, regarding a request by Andrew & Lisa Withum, 160 Coal Bluff Road, Finleyville, PA 15332, owners of vacant property located on Gill Hall Road, Jefferson Hills, PA 15025, lot & block 1005-N-25, requesting a Use Variance pursuant to Zoning Ordinance 712, Section 501.1. The property is zoned I-1, Industrial District. The appellants are requesting to be allowed to build a single-family dwelling on the property, when such a single-family dwelling is not a permitted principal use in an I-1 Zoning District.
7. Notice of a Public Hearing for the Zoning Hearing Board Appeal No. ZN-20-2020 to be held on October 20, 2020 at 7:00 p.m., regarding a request by John Ignaczak, 2301 State Street, Jefferson Hills, PA 15025, requesting a variance for his property, lot and block 1134-M-138. The property is zoned R-2, Low Density Residential 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 the property line. Appellant is requesting a six-foot (6’) privacy fence, without a pool or hot tub, to be constructed on the right side of the property line, back 60 feet, at least one (1) foot off the property lines not to enclose the property.
8. Resolution No. 13-2020, Council approval of a preliminary and final subdivision known as S-3-2020, Richard Plan of Lots Phase 4, approved on September 14, 2020.

**BOROUGH RESIDENT/TAXPAYERS COMMENTS Cont’d:**

1. Catherine Lesko – 5036 Alta Vista Drive – stated her concern opposing UPMC
2. Mark D’Angelo – 5023 Alta Vista Drive - stated his concern opposing UPMC
3. Mary Richard - 602 Old Clairton Road – stated her concern opposing UPMC
4. Triscia McCann - 427 Elliot Road – stated her concern opposing UPMC
5. Tracy Szemanski – stated her concern opposing UPMC
6. Leonard Mesina – stated his concern opposing UPMC
7. Michelle Cheplic – 801 Old Clairton Road - stated her concern opposing UPMC
8. Stephanie Martinis – 5024 Alta Vista Drive – stated her concern opposing UPMC
9. Marcus & Shapira – represents several borough residents regarding opposing UPMC

**PRE-APPLICATION ADVISORY PRESENTATIONS:**

 None

**OLD BUSINESS:**

1. Mrs. Ruscitto made a motion to deny the application, there was not a second, motion dies

Mrs. Ruscitto made another motion after discussion, there was not a second, motion dies

Mr. Alvi made a motion to table, there was not a second, he withdrew his motion

Mr. Alvi made a motion to table for two months, seconded by Mr. Donohue, with a 2-3-2 roll call vote with Messrs. Alvi and Donohue voting yes, Mrs. Ruscitto, Mr. Montgomery and Mr. Polick voting no, Mr. Hynes and Mr. Reckard abstaining, motion dies

On a motion by Mr. Polick, seconded by Mr. Donohue carried with a 3-2-2 roll call vote with Messrs. Alvi, Donohue and Polick voting yes, Montgomery and Ruscitto voting no, Hynes and Reckard abstaining for removal from the agenda, the preliminary land development known as SP-9-2018 – UPMC South, located at Elliott Road and State Route 51, lot and blocks 660-S-40, 767-D-375, 767-G-200, 767-H-14 and 660-L-67, owned by AUUE, Inc. was passed upon the condition of the applicants deemed approvals being waived and upon the condition of the ruling of the Commonwealth Court on the zoning issue.

**MINUTES APPROVED:**

The minutes of the regular meeting of August 25, 2020 were approved on a motion by Mr. Polick ­­­seconded by Mr. Donohue and carried unanimously.

**OLD BUSINESS Cont’d:**

1. On a motion by Mr. Reckard, seconded by Mr. Polick and carried with a 6-1-0 roll call vote with Messrs. Alvi, Donohue, Hynes, Montgomery, Polick and Reckard voting yes and Mrs. Ruscitto voting no, approval was tabled until the October Planning Commission meeting for a preliminary subdivision plan known as PS-2-2019 – Blackwood Plan of Lots, located at the end of Arnoni Drive, Dale Street, Antler Drive and Arch Street, lot and blocks 662-S-32, 769-C-100 and 769-D-290, owned by Blackwood Acres Associates, LP and Community Bank was tabled.
2. On a motion by Mr.Polick, seconded by Mr. Donohue and carried unanimously, approval was tabled until the October Planning Commission meeting for a preliminary subdivision known as PS-1-2020 - Millstone Village, located on Gill Hall Road, lot & blocks 1137-S-120, 1137-H-25, 1137-S-110, 1137-M-85, 1137-M-60 and 1137-M-48, owned by Millstone Development LLC. Property is zoned R-1 and C-2. Applicant wishes to develop into 139 Single Family lots and 26 town home lots.
3. The Committee met to discuss the International Property Maintenance Code and will be considered for recommendation of adoption by the Borough of Jefferson Hills Council after more discussion takes place from the committee.

**NEW BUSINESS:**

None

**REPORTS:**

1. Environmental Advisory Council – Thomas J. Donohue reported that the Beam Run Valley Tour is posted on the website and is scheduled for Sunday November 8th at Noon. He has been in contact with Tri-Community Anglers Association about placing the disability fishing platform on Peters Creek. He contacted Stephan Slater Funeral Home and Clark Testing about placing sidewalks in front of their place for the continuation of the trail.

**GENERAL BUSINESS:**

 None

**ADJOURNMENT:**

The meeting was adjourned on a motion by Mrs. Ruscitto, seconded by Mr. Polick at 9:28 p.m.

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 Christopher Hynes, Secretary