

**MINUTES  
SCOTT TOWNSHIP  
PLANNING COMMISSION  
301 LINDSAY ROAD, MAIN MEETING ROOM  
SCOTT TOWNSHIP, PA 15106  
March 1, 2023**

The meeting was called to order by Chairman Mark Mox at 7:31 p.m.

**ROLL CALL**

Robert Berner	Present
Donald Kaminski	Present
Kenneth Lee, Vice Chairman	Present
Todd Tulowitzki	Present
Robert Burlett	Present
Jane Sorcan, Secretary	Present
Mark Mox, Chairman	Present

Present – 7

Absent – 0

Also, Present: Mark Mox, Planning/Zoning/Code Enforcement Officer  
John Vogel, Tucker Arensberg, PC; Township Solicitor  
Emily Palmer, Lennon, Smith, Souleret; Township Engineer  
Stephanie Wilshire, Planning/Zoning/Code Enforcement Administrative Assistant

**PUBLIC COMMENTS ON ITEMS LISTED ON THE AGENDA**

Eric Barr  
2001 Worchester Drive  
Pittsburgh PA 15243

Barr asked the Planning Commission to consider revising the regulations regarding parking pads. Currently the Zoning Ordinance (ZO) requires all parking pads to be constructed perpendicular to the road and parallel with the existing driveway. Barr lives at the intersection of Worchester Drive and Rockhill Road which is on a bend. He sees vehicles driving around the bend at a high rate of speed – much higher than the posted 25 mph limit. Barr said it would be safer to be able to park parallel with the street rather than backing up onto an already busy roadway. Not only would it be safer, but the parking pad would be less unsightly than if he had to remove a portion of a retaining wall, re-grade the hillside and add another two retaining walls. He guessed that sixty (60) percent of the houses in the neighborhood has parking pads that are parallel with the street.

**ITEMS FOR REVIEW & CONSIDERATION**

Motion to approve the Minutes for the January 4, 2023 Planning Commission Meeting

**Motion** by Berner, second by Tulowitzki to approve the Minutes for the January 4, 2023 Planning Commission Meeting.

**All in favor  
Motion Carries (7-0)**

Review and Recommendation of the Final Major Land Development Application to construct a new Chase Bank with drive-through at 1910 Cochran Road.

Applicant:

Josh Scanlon – Gateway Engineers  
100 McMorris Road  
Pittsburgh PA 15205

Dan Deiseroth – Gateway Engineers  
100 McMorris Road  
Pittsburgh PA 15205

Erin Gogolin – Bohler Engineering  
1 Allegheny Square  
Pittsburgh PA 15212

Mox explained that the Planning Commission had reviewed and recommended to the Board of Commissioners the Preliminary Application. The BOC approved the preliminary application and the conditions for which that preliminary approval was recommended. Tonight, the PC will discuss the Final Major Land Development Application

Palmer reviewed and explained the comments from the Engineer's review letter dated February 24, 2023. There are two comments under Zoning left. The first one relates to the parking analysis that was done. The existing analysis includes only Duke's but should also include Max & Erma's. This will show that the applicant is making a better situation even though there's not enough parking overall. The second comment relates to the certification statement required for Steep Slopes. Under subdivision, the first two comments relate to the developer's agreement that comes after the approval process. The third comment relates to the geotechnical report - it was revised but there will be a further geotechnical analysis once the Max & Erma's building is raised. Palmer is holding this comment in the letter because she wants to ensure those recommendations for further work, once the Max & Erma's gets raised, get in the developer's agreement. Comment three relates to the Chapter 105 permit to be issued by DEP. Comment four, there were several items relating to the construction details and still one outstanding item. Comment five, the Allegheny County Conservation District review of the EMS plan, pending their adequacy review. The shared parking agreement comment is a final plan comment that wasn't included in the Preliminary Application's Review Letter but is included in the Final Application Review Letter. There is still one comment relating to infiltration for the stormwater. The other

comments are developer agreement-type comments for stormwater. The final comment under general was an item that the Planning Commission brought up relating to handicapped spaces in the rest of the parking lot.

Mox commented that the plans show five handicap spaces – two for the retail area, one for Dukes and then two for the bank.

Scanlon commented on the parking and the existing conditions. He agrees and a statement will be provided. Comment #2, a statement will be pulled into the report.

Palmer said a slope analysis map was also submitted that identified areas of steep slope disturbance. Only about 80 square feet was to be disturbed, which is under the 100 square feet exception that is allowed by the ordinance. She said the statement can be included in the site conditions report.

Scanlon acknowledged that they need to address Subdivision Comment #1, #2 and #3 under geotechnical which he believes will be part of the developer's agreement and a condition of a building permit.

Mox said he would require this information to be included in the Building Permit package.

Scanlon addressed the Chapter 105 comment and acknowledged that will be provided once they receive that approval. The next comment relates to the details of the Allegheny Conservation District Adequacy Review. This will be provided upon receipt.

Gogolin said review has not been submitted. They were waiting for the comment letter to make sure there were no outstanding comments prior to submitting. They plan to ask for an expedited review.

Scanlon said they would provide a shared parking agreement, if one exists. If not, he'll have one drafted.

Mox asked if a shared parking agreement doesn't exist, will it be required.

Deiseroth spoke on behalf of the owner, Manor Oak Associates, and said they would provide a copy of the lease agreement with Chase that outlines the parking available.

Scanlon addressed the comment relating to Stormwater Management and volume control. There's a minor update for the narrative to explain how that volume control is being met in addition to a minor detail on the plans. He doesn't anticipate there is an issue as far as calculations or sizing of the proposed BMP. It's a detail that needs to be adjusted and it will show the volumes are met per the ordinance. Infiltration testing has not been provided because the existing building is over it. The system has been designed without infiltration so that if infiltration does exist, it's going to enhance it. Calculations will be provided.

Mox asked Palmer if she was comfortable that the current plans would be able to meet the volume controls.

Palmer said she believes so.

Scanlon said that they will update the front end of the narrative to show that it's around 500 cubic feet that's required, and about 600 is provided. The next comment related to the Operation and Maintenance Plan (O&M).

Palmer said that would be initiated on her end and acknowledged that Stormwater Facility Maintenance Fund would be part of that agreement.

Scanlon pointed out the handicap spaces that were added to the site plan.

Mox stated that the modification request for the sidewalk requirement on Roessler Road. must be acknowledged from section 4-403 of the Subdivision and Land Development Ordinance (SALDO). He noted that at the corner of Cochran Road and Roessler the sidewalk doesn't extend all the way to Roessler. It stops short and he had concerns that pedestrians will have to walk through landscaping to get to the sidewalk. He said the sidewalk should extend to the limits of Roessler Road – would likely be a ramp at that point. Mox also said he was part of a “scoping” meeting with PennDot and asked if there was a summary of the meeting.

Scanlon said an executed copy of the agreement with PennDot was emailed. He said he would add that agreement to the submission.

Mox added he had grading comments regarding inlet number one elevation compared to the curb elevation directly adjacent to it. It's about six inches lower than the grade itself. It needs to be addressed on the plans. Similar to that area at the driveway running in front of Chase Bank is a flat area that needs to be looked at again. The building will need to accommodate the fact that the ground level will be higher than the finished floor elevation in that back corner – the building plan needs to reflect that.

Lee said that the elevation of the Chase Bank is only six inches higher than the road out in front. During a large storm it might be possible for stormwater to infiltrate the bank. Is six inches enough?

Mox agreed and pointed out that because of handicap entrance there's no curb to further protect the interior of the bank.

Berner asked how demolition of the Max & Erma's is handled regarding vermin that might be in the building.

Mox answered that the Demolition Ordinance requires the contractor to “bait” the building prior to demolition.

Palmer said she wanted to make sure the Geotechnical Investigation isn't forgotten about and added the applicant will need to address any items that come up in the supplemental review.

**Motion** by Lee, second by Kaminski to recommend approval to the Board of Commissioners the Final Major Land Development Application to construct a new Chase Bank with drive-through at 1910 Cochran Road subject to satisfying the comments of the Engineer review letter dated February 24, 2023 and subject to the execution of a satisfactory Developer's Agreement and subject to the applicant extending the sidewalk on Cochran Road all the way to the curb line at Roessler Road.

**All in favor**  
**Motion Carries (7-0)**

**Motion** by Burrett, second by Sorcan to recommend to the Board of Commissioners to waive the sidewalk requirement along Roessler Road.

**All in favor**  
**Motion Carries (7-0)**

Public Meeting to Review and Recommend the Zoning Ordinance update to the Board of Commissioners.

Mox began by speaking about building signs. On page 104, it is specified that the maximum allowable sign area is 60 square feet. This is total aggregate area of the signs on the site in accordance with the provisions of this ordinance. The ordinance allows that corner lots that front more than one street are permitted a sign on more than one side. Would we allow 60 square feet per side?

Palmer changed 3-104.2 (B) (2) for building signs to "maximum allowable sign area is 60 square feet per public street frontage" and struck the second sentence.

Lee argued that maybe this would be too many signs.

Mox used the example of Dennys because it's on a street corner but if you're driving from Swallow Hill up Greentree it's difficult to see a sign on Greentree. He added that having a sign on each street-facing side of a building has always been allowed but that the language in the ordinance needs to be cleaned up so that the intent is clear. Mox continued with flag poles on residential properties. The ZO says that flags and flag poles shall not be placed in the street right of way. Mox asked if the ZO should also state that the flagpole shall comply with the freestanding sign setback requirements so that a flagpole isn't closer to the right of way than a sign would be allowed to be. This will help because most people don't know that the ROW line sits back about thirteen (13) feet from the curb.

Kaminski commented on 3.104.3 (C) which states that signs over three (3) feet in height, located in clear sight triangles of road intersections or driveways are prohibited. Then 3.104.4 (D) says a freestanding sign and flags shall not be placed in a required clear sight triangle at a street intersection or driveway intersection. One seems to say as long as the sign is less than three feet and the other one seems to say it's not permitted at all.

Mox suggested eliminating the paragraph at 3.104.3 (C). He noted an error in the section identifier 3-104.13.

Kaminski said the word "to" is missing from H under Electronic Message Signs.

Palmer asked to go to Floor Area definitions. Should the Zoning Ordinance have the outside seating areas count in the floor area calculation?

Mox asked if the calculation should include all retail areas rather than outdoor seating.

Palmer said that currently things like storage, utility, mechanical equipment and some other purposes are included in the floor area calculation but that will be corrected in the new ZO to only include retail areas.

Mox added that this came to light with a recent Land Development application and the applicant was afraid they would have to secure a variance because of the square footage of the building that relates to the number of parking spaces required, even though they have an abundance of parking.

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Mox wanted to speak about the "Use Table" specifically "Institutional. There are schools K through 12. There are alternative schools K through 12. What is the difference between the two?

Vogel explained that a regular school is for instruction, academic subjects and fundamentals. An alternative school might be for wayward youths that need additional programs.

Palmer added that the PA definition for alternative education is a separate education program where students are placed by school districts or charter schools for disciplinary reasons.

Mox wanted to discuss "Adult Daily Living Centers." Providence Point is located in an R-3 Zoning District but Adult Daily Living Centers are not permitted in R-3. Should that be changed to Conditional Use (CU)? Nursing homes and assisted living are CU but not Adult Daily Living Centers.

Burlett asked if this wouldn't be a question of primary use.

Mox didn't think so. This would be an Adult Day Care situation inside of the building, not expanding the building, just changing the use slightly.

Mox asked if Commercial Recreation Facility should be CU in R-3.

Kaminski compared a Commercial Recreation Facility to what the Cool Springs complex has turned into. It's massive and right in the middle of a residential district.

Mox agreed that maybe it's not a good fit for R-3. He continued with parking pads and addressing the comments made earlier. There are two sections of the ZO that refer to parking pads – 3-105.4 (C)(5) and (C)(16). (C)(5) states that all driveways and parking pads shall be positioned at right angles, that is, 90 degrees to the street or as near there as the site conditions permit except as authorized by the Township Zoning Officer upon recommendation of the engineer. Then (C)(16) states that parking pads shall be nine (9) feet in width and twenty (20) feet in length and shall abut and shall be parallel with the existing driveway. No parking pad shall be constructed in the right of way (ROW) – this is contradictory because every parking pad is already in the ROW. For properties that are on the high side of the street, meaning there's a hillside in the front yard that goes up to the front door, residents would have to remove retaining walls and rebuild in a zig zag in order to make the parking pad work with current regulations. On the other hand, the parking pad could be turned sideways and parallel with the street and wouldn't impact any retaining walls at all.

Burlett said that the resident who spoke earlier could construct the parking pad fully ninety (90) degrees with his current driveway.

Berner said he sees very few parking pads in his neighborhood that are perpendicular to the street.

Tulowitzki believes the commissioners may have wanted the parking pad perpendicular to the roadway to eliminate the gravel from so many of the pads going into the roadway. By requiring the parking pads be constructed with concrete or asphalt that issue is eliminated. It will be different for each property though. Mox said that constructing a parking pad in the ROW must be allowed because every driveway and parking is essentially in the ROW. That sentence in (C)(16) regarding the ROW should be eliminated.

Vogel recommended that the sentence now read "All parking pads shall be right angles and shall be nine feet in width and 20 feet in length except as authorized by the township zoning officer upon recommendation of the engineer.

Lee asked if a resident could widen their driveway without undo issues, shouldn't they be required to do so rather than adding a parallel-to-the-road parking pad?

Vogel answered that keeping the exception language in the regulation should alleviate that situation.

Mox suggested the exception "as authorized by the Township Zoning Office upon recommendation of the Township Engineer" be added to (C)(5). That sentence will be in both (C)(5) and (C)(16). If an application for an exception is denied based on the recommendation from the township engineer, the resident can go to the Zoning Hearing Board and challenge the Zoning Officer's decision.

Tulowitzki asked if a utility company came through and had to tear up a driveway and parking pad, are they liable to return them to their previous conditions.

Berner, who works for a utility company, said yes.

Mox said the 30-foot rule would still apply. If a driveway is ten (10) feet wide, the maximum allowable parking pad would be 20 feet.

Tulowitzki said the parallel parking pads are safer for drivers who would normally back in or back out of a driveway, particularly on a main road.

**Motion** by Berner, second by Kaminski to present the proposed Zoning Ordinance to the Board of Commissioners at a time they see fit.

**All in favor**  
**Motion Carries (7-0)**

**Public Comments**

There were no public comments on items not on the Agenda.

**Adjournment**

**Motion** by Mox, second by Burlett to adjourn the meeting.

**All in Favor**  
**Motion Carries (7-0)**

The meeting was adjourned at 9:14pm

Attest:



3/01/2023



