

**MINUTES  
SCOTT TOWNSHIP  
PLANNING COMMISSION  
301 LINDSAY ROAD, MAIN MEETING ROOM  
SCOTT TOWNSHIP, PA 15106  
July 5, 2023**

The meeting was called to order by Chairman Mark Mox at 7:33 p.m.

**ROLL CALL**

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

Present – 4

Absent – 3

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**

There were no public comments on items for review and consideration.

**ITEMS FOR REVIEW & CONSIDERATION**

Motion to approve the Minutes for the June 7, 2023 Planning Commission Meeting

**Motion** by Lee, second by Tulowitzki to approve the Minutes for the June 7, 2023 Planning Commission Meeting with one minor correction.

**All in favor  
Motion Carries (4-0)**

7/05/2023

Review and Recommendation of the Variance Application by James and Suzanne Guerry owners of 24 Orchard Spring, Pittsburgh PA 15220 who are requesting relief from strict compliance with the 30-foot front yard setback requirement

Applicant:

James Guerry – Owner  
24 Orchard Spring Road  
Pittsburgh PA 15220

Suzanne Guerry - Owner  
24 Orchard Spring Road  
Pittsburgh PA 15220

Mr. Guerry explained that he and his wife have lived in their house since 1997. The intent is to replace the sun porch that is existing with a four-season addition to their home.

Mox explained some of the history of the lot and how it became a corner lot.

Lee asked if the addition would have exposed concrete block or would be a metal building, and he also wanted to know if the ridgeline would remain the same.

Mrs. Guerry said the roof line would be the same. She's just looking for a bigger kitchen.

Mox asked Palmer for any comments.

Palmer said the only comment, as far as compliance goes, is that because it's a corner lot it technically has two fronts and that's the variance they're asking for. She added confirmation is needed that the proposed addition won't encroach into the clear sight triangle of the intersection.

**Motion** by Kaminski, second by Tulowitzki to recommend approval to the Zoning Hearing Board for the Variance Application by James and Suzanne Guerry, owners of 24 Orchard Spring Road, Pittsburgh PA 15220, who are requesting relief from strict compliance with the 30-foot front yard setback requirement.

**All in favor**  
**Motion Carries (4-0)**

Discuss the Zoning Ordinance Update.

Mox asked Vogel to provide an update as to where things stand.

Vogel went over the items that needed to be changed after the last meeting. He said that if noise regulations are taken out of the Zoning Ordinance and made into a standalone ordinance there would be a citation issued for a violation like any other code violation.

Mox asked who would be enforcing these noise regulations if they remained in the Zoning Ordinance.

Vogel said it should be the Zoning Officer who enforces it.

Mox agreed and added that most of the noise complaints come at night and should be enforced by the police. He also reminded Vogel that there was noise regulation language added to the Zoning Ordinance during the update and it's very important that those updates are kept regarding how the decibel levels are measured.

Lee said that he remembers that the ambient noise can sometimes exceed what's allowed.

Mox said the Planning Commission changed the language so that the measured noise level from the street in front of the source can be ten (10) decibels higher than the ambient noise level if the ambient level exceeds what's allowed. He asked Vogel to put together an example of a Noise Ordinance. Mox questioned the need for another county review.

Vogel said he would feel more comfortable drafting a response to the county saying that Scott Township has addressed some of the comments of the review letter. He said we should be able to schedule the public hearing before we hear anything back from the county.

Mox asked when we would be able to schedule the hearing if the Planning Commission recommends the update to the Board of Commissioners at the next meeting, August 2.

Vogel said it shouldn't be less than 45 days after sending the update to the county for review.

Mox again questioned that we're sending another application to the county for review but rather updating the county on the changes that were made.

Vogel will confirm the correct procedure but doesn't think we should schedule the hearing until 45 days after the Board of Commissioners put their seal of approval on it. He said he prefers to be conservative in this matter.

Discuss the Ordinance to regulate the keeping of domestic chickens (hens) and ducks as an accessory use.

Mox began by quickly reviewing the handouts including several ordinances and regulations from other townships for consideration regarding the Chicken Ordinance. He asked for comments from the board. He also asked for clarification from Vogel regarding Ordinance 258.

Vogel said if we passed a Chicken Ordinance it should clarify that other previous ordinances are hereby repealed.

Mox asked if there'll be a conflict between chicken regulations in the Zoning Ordinance and any new Chicken Ordinance.

Vogel suggested adding to the definition of Agricultural Use in the Zoning Ordinance, after poultry and poultry products, "except to the extent as governed by another ordinance of the Township."

Mox asked the commissioners for any additions to the Chicken Ordinance.

Lee said that the Wheeling, Illinois application should be added to the regulations.

Mox said the Ordinance does state that an application for a permit must be submitted.

Lee would like applicants to be required to take a course and receive a certificate of completion.

Mox agreed. He added that the course should be approved by the Zoning Officer.

Lee said that we should clarify the setback requirements and minimum lot size requirements in Section 4-B. He added that the PC had discussed that the coop should be required to be at least three (3) square feet for the first chicken and two (2) square feet for each additional chicken in Section 5-A. He also said Section 5-E should be changed slightly.

Vogel suggested changing the last sentence from "and not less than fifty (50) feet from any lot line" to "and closer to the property owner's dwelling than to any lot line."

Mox asked where the course completion should be added to the ordinance. Should it be under permitting?

Kaminski said yes.

Lee said applicants should also have to provide a waste removal plan that complies with the Clean Stream Law. It should also be included in the Permitting section. He asked about regulating the construction of the coop.

Kaminski added that there was a discussion about burying the fence to make the coop and run safer from burying animals.

Lee asked if that was over-regulating.

Tulowitzki said at some point the applicants must be responsible for the care of their chickens and that means constructing a coop where they'll be protected.

Vogel added again that they'll have to include in the ordinance that previous ordinances, Ordinance 258 in particular, are hereby repealed.

Kaminski expressed concern that the Board of Commissioners (BOC) would reject some of these regulations, mainly the minimum lot area of 10,000 square feet.

Vogel said technically the BOC asked the PC to come up with the ordinance. He mentioned that there was no mention of ducks and that was discussed by the BOC.

Mox said he hadn't been able to find specific ordinances for the keeping of ducks. He added that he wants to get a recommended ordinance in front of the BOC to see where it goes. The BOC could accept it or remove whatever they would like.

Kaminski said that there is a rationale behind the regulations that the PC has added.

Mox suggested modifying Section 4-B so that "front, rear and side setbacks" is removed and "chicken runs and coops are prohibited in the front yard" is added to the end.

Vogel suggested adding coops shall be situated only in the rear yard of a lot with a dwelling.

Mox agreed because it will limit someone who has multiple vacant lots or lots with just accessory structures. He added that it should be specifically a lot with a single-family home.

### **Public Comments**

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

### **Adjournment**

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

**All in Favor**

**Motion Carries (4-0)**

The meeting was adjourned at 9:54pm

Attest:



