

**MINUTES
SCOTT TOWNSHIP
PLANNING COMMISSION
301 LINDSAY ROAD, MAIN MEETING ROOM
SCOTT TOWNSHIP, PA 15106
October 4, 2023**

The meeting was called to order by Chairman Mark Mox at 7:30 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

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

ITEMS FOR REVIEW & CONSIDERATION

Motion to approve the Minutes for the September 6, 2023 Planning Commission Meeting

Motion by Sorcan, second by Burlett to approve the Minutes for the September 6, 2023 Planning Commission Meeting.

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

10/04/2023

Discuss Zoning Ordinance Update – the next steps

Vogel went over a memo regarding the timeline leading up to the adoption of the new Zoning Ordinance (ZO). The second county review came back with minimal comments and the public hearing is set for Tuesday, October 24, 2023 at 7:00PM. He worked with the Township Manager's Assistant to place the legal ad. He asked that we verify what is needed if anyone requests the zoning amendments. There's not technically a Zoning Map change. The legal ad contains a summary of the changes and they've also been sent to the county council. The legal advertisement will be published on September 28 and October 5. He asked that we arrange for a court reporter and that Mox lead the presentation of the updated ZO at the hearing.

Mox asked if the ZO summary is up to date.

Vogel said the Noise Ordinance should be included in the hearing on the 24th because both the new ZO and the Noise Ordinance should be approved at the same time.

Mox asked if we need to post the hearing anywhere or do anything else. He stated that we would have a copy of the ZO on site if anyone wanted to read it. He asked for verification that the Board of Commissioners (BOC) could vote to adopt the ZO the evening of the hearing or put it off for up to 90 days.

Vogel answered that is correct.

Mox further read from Vogel's memo that if there's amendments made before the adoption, re-advertising must occur. Thirty days after enactment, a copy must be forwarded to the county. Mox asked if the hearing occurs on the 24th and the BOC approved the new ZO that evening, when would it take effect?

Vogel answered that it's effective immediately. Vogel asked Palmer if she could email the ordinance with the index.

Palmer said she would send it Thursday or Friday.

Mox referred to an email sent to the Township Manager, Denise Fitzgerald, regarding the signature page.

Vogel said an attested copy must be sent to the county law library and the county council therefore she will need to sign the last page and email it back to him.

Review and Recommendation of the new Noise Ordinance

Mox said he had two additional comments. Under Section C3 on page two he asked if "and" can be added between "from 9:00 pm to 7:00 am" and "for more than one (1) hour per twenty-four (24)..." He also wants "and" added in Section C4 after "...in which different noise levels are prescribed" for the sentence to make sense.

Vogel agreed to add "and" after "...in which different noise levels are prescribed."

Lee asked why the ordinance title "Noise Control Ordinance of Scott Township" isn't in the top description section rather than what's currently there.

Vogel said it's customary to have that top description section be a short, basic description or overview of what is included in the ordinance.

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Mox asked that in Section 1A "Scott Township" be changed to "Township of Scott" for continuity.

Motion by Berner, second by Kaminski to recommend approval of the Noise Control Ordinance to the Board of Commissioners as presented and further amended by the Planning Commission.

Review and Recommendation of the new Invasive Vegetation Species Ordinance.

Mox asked if anyone had any comments regarding the revised ordinance.

Lee asked if ten (10) inches should replace eight (8) inches on page two in the definition of nuisance weeds.

Mox said it should read ten (10) inches.

Motion by Burlett, second by Lee to recommend approval of advertising and eventual passage of the Nuisance and Noxious Weed Ordinance to the Board of Commissioners.

Review and Recommendation of the Simple Subdivision Plan for the Bower Hill Civic League at 1600 Bower Hill Road to revise the lot configuration for parcels 194-E-246 and 194-E-276.

Applicant:

Mark Hummel - Professional Land Surveyor
Arpenteur Surveying
1316 Terrace Drive
Pittsburgh PA 15228

Mark Scott
Bower Hill Civic League
446 Serpentine Drive
Pittsburgh PA 15243

Mox asked Palmer to go over the Engineer comments prior to reviewing the Allegheny County comments.

Palmer reviewed and explained the comments from the Engineer's review letter dated September 28, 2023. She referred to Subdivision Comment 2 first because it's unclear the intent of the subdivision and the line that bisects the church parking lot is confusing. These items need to be clarified.

Mox said the county uses a different Lot & Block number and two different deed book references. He wondered if the two lots had been consolidated before but not picked up on.

Palmer said she believes she understands the intent but it's not clear enough on the plan.

Zoning comments:

1. The Ordinance requires the plan to indicate that the site is also in the Airport Overlay District.

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2. The plan indicates that a variance was approved for the property but it needs to be clarified as to which property and the specific variance granted identified.
3. The plan must identify the maximum lot coverage for the proposed lots.
4. Pending the response to Subdivision Comment 2, the plan must provide discussion, documentation and/or calculations to document that the proposed subdivision meets parking requirements.

Subdivision comments:

1. Must provide written confirmation of Zoning Hearing Board approval of all variances.
2. Clarify the purpose of the property boundary bisecting Lot 3 as to whether this is a previously eradicated line or a proposed subdivision line. Based on a review of County Tax Mapping and the lot areas provided, the scope of the subdivision plan is unclear.
3. The ordinance requires the location of existing and proposed lot markers and monuments.
4. The space allocated for the various seals/signatures on the plan is not adequate.
5. The ordinance requires the final building lines to be shown on the plans. Setback lines have not been shown on the plans.

Mox said that some of the Allegheny County comments are similar to Palmer's. The second paragraph states the plan preparer confirm that only two lots should be created by this project but the drawing shows three lots – Lot 1, Lot 2 and an unnamed lot created by the new lot line that divides parcel 194-E-276 in two. Is it possible that this new lot line is a mistake? This needs to be corrected. The next comment has to do with areas being dedicated to the municipality. There is very small printing that reads "Area Dedicated for Bower Hill Road" and "Area Dedicated for Kane Road" that needs to be reworded to "already dedicated." Areas being dedicated to the municipality must be fully described with bearings and distances of its boundaries and the area in both square feet and acres. Currently the drawing only shows some of the bearings and distances and the Area Table only shows the area in square feet. This needs to be corrected. Also, the Area Table shows the two existing parcels and the changes proposed for them but does not use the new Lot names shown in the drawing. The table should show the area in both square feet and acres for the two existing parcels, the two proposed lots and the two areas being dedicated.

Palmer agreed that "already dedicated" should be added because that would identify the actual property boundary then.

Mox asked how they came up with the name of the plan.

Scott said that they found the deed from when the original property was purchased and it was in the name of the Mt. Lebanon Swim Club.

Vogel said the owner of record is listed on the county website as the Bower Hill Civic League.

Hummel agreed that the map shows the Bower Hill Civic League as being the owner of record but it was his understanding that they wanted the name of the plan to be the Mt. Lebanon Swim Club Plan.

Mox said he thought that would be confusing because the property is not in Mt. Lebanon, but rather in Scott Township, and he believes the Board of Commissioners wouldn't want to see that.

Lee said it's confusing because it's a public document and the Mt. Lebanon Swim Club doesn't seem to exist.

Vogel said the name can be whatever they want but it can lead to unnecessary questions from the Board Of Commissioners.

Scott agreed and asked Hummel if he would change the name to the Bower Hill Plan.

Mox asked Hummel to explain what he knows about the St. John's Lutheran Church property.

Hummel explained that the Allegheny County website shows that the parcel has two different deed book records and the two parcels were never combined even though they essentially have the same lot and block.

Mox asked how it should be labeled for clarification to answer the county comments.

Hummel said he would still have to show the line separating the two church parcels but also add language for clarification.

Palmer said usually a subdivision will have a statement of what is the purpose of the subdivision. And where you add the line to be extinguished you could also identify the limits of that line to be extinguished. She said there needs to be some sort of clarification as to what the intent is.

Mark asked if this should be the opportunity to eliminate the line.

Hummel said it will be eliminated because it will now be called lot one – the whole thing. And a new deed will be created for both parcels – lot one and lot two. He can show that the line on 194-E-276 is to be extinguished upon recordation of the plan.

Mox agreed that would fix it.

Berner asked if the Bower Hill Swim Club bought the church or a portion of that eastern part of the lot.

Scott answered that the church, which is up for sale, has let the Bower Hill Swim Club use that portion of their property for as long as they've been in business. The church asked the club if they wanted to purchase that portion of their land - just that little portion.

Mox asked Vogel, since the club doesn't own the property, can the PC review and approve the plan. And does the subdivision plan get signed before the club owns it?

Vogel guessed there was an option agreement for the purchase.

Hummel said that what the township is doing is agreeing that the plan is correct.

Mox asked when the plan is recorded – before the purchase or after.

Hummel answered before the sale.

Scott said that the listing agent for the church has been very open with all interested parties and shows the portion of the property that is being purchased.

Mox thinks the church property should be resolved first and the plan cleaned up a bit before it goes to the BOC.

Vogel asked the applicant to sign a document to approve an extension to consider the application at the November meeting.

Motion by Tulowitzki, second by Berner to table the Review and Recommendation of the Simple Subdivision Plan for the Bower Hill Civic League at 1600 Bower Hill Road to revise the lot configuration for parcels 194-E-246 and 194-E-276 until the November 1, 2023 Planning Commission meeting.

Public Comments

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

Adjournment

Motion by Sorcan, second by Lee to adjourn the meeting.

All in Favor
Motion Carries (7-0)

The meeting was adjourned at 8:27pm

Attest:  _____

