

**MINUTES  
SCOTT TOWNSHIP  
PLANNING COMMISSION  
301 LINDSAY ROAD, MAIN MEETING ROOM  
SCOTT TOWNSHIP, PA 15106  
December 6, 2023**

The meeting was called to order by Chairman Mark Mox at 7:35 p.m.

**ROLL CALL**

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

Present – 6

Absent – 1

Also, Present: Mark Mox, Planning/Zoning/Code Enforcement Officer  
Ashley Puchalski, 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 November 1, 2023 Planning Commission Meeting

**Motion** by Burlett, second by Berner to approve the Minutes for the November 1, 2023 Planning Commission Meeting.

**All in favor**

**Motion Carries (6-0)**

12/06/2023

Review and Recommendation of the Variance Request for the property located at 127-129 Greenbriar Drive, Pittsburgh PA 15220, for relief from strict compliance with the minimum lot width requirement.

Applicant:

Catherine Hewlett - owner  
129 Greenbriar Drive  
Pittsburgh PA 15220

Mox explained that the next two applications are for a Variance for an existing parcel and then to subdivide that parcel that has a single building with a common wall and separate utilities. What the applicant would like to do is divide the property so that the two parcels can be sold off separately. The first application is the Variance request. He asked Palmer to go over her comments.

Palmer reviewed and explained the comment from the Engineer's review letter dated December 4, 2023. Her only comment is that the Zoning Ordinance requires a minimum lot width of sixty (60) feet in the R2 zoning district. The Variance request would allow one lot to be 29.06 feet wide and the other to be 29.28 feet wide.

Mox asked the applicant to come forward to answer any questions. He reminded the Planning Commission members that they received a map of the neighborhood that shows most of the properties have already been divided. Only nine remain double.

Kaminski asked what the lot width is of the properties already split.

Mox answered that they were similar to the applicant's property.

Hewlett introduced herself and said she bought the property with her daughter in 2007. They intended this to be a short-term arrangement but they both enjoy where they live so by splitting this property down the middle it will benefit them both.

Mox asked Hewlett if she's reviewed the conditions that the Zoning Hearing Board will be looking at in order to grant a variance.

Hewlett answered yes.

Mox asked if there were any further questions.

**Motion** by Tulowitzki, second by Kaminski to recommend to the Zoning Hearing Board approval of the Variance Request for the property located at 127-129 Greenbriar Drive, Pittsburgh PA 15220, for relief from strict compliance with the minimum lot width requirement.

**All in favor**  
**Motion Carries (6-0)**

Review and Recommendation of the Simple Subdivision of Lot No. 70 in the Greenbriar Plan No. 2 at 127-129 Greenbriar Drive.

Applicant:

Catherine Hewlett - owner  
129 Greenbriar Drive  
Pittsburgh PA 15220

Palmer reviewed and explained the comments from the Engineer's review letter dated December 4, 2023. The Zoning comment reiterates the need for a minimum lot width variance and if granted must be noted on the plan. She also stated that the zoning boundary (in the vicinity of Greentree Road) has not been provided on the plan and that Greentree Road should be identified by its state route number as well as a state highway note should be added to the plan.

Mox read the comments from the Allegheny County Economic Development Authority review. There were none.

Burlett asked about the driveway easement that will exist on the single property for access to a property in the rear.

Mox said that access has been there but there was no easement in place. They wanted to take advantage of the fact that lots would be separated in the subdivision plan and create the easement to clean things up. This was if the owner of that lot ever sells, the easement will be on record.

**Motion** by Berner, second by Sorcan to recommend to the Board of Commissioners the Simple Subdivision of Lot No. 70 in the Greenbriar Plan No. 2 at 127-129 Greenbriar Drive.

**All in favor**  
**Motion Carries (6-0)**

**Revised Motion** by Mox, second by Kaminski to recommend to the Board of Commissioners the Simple Subdivision of Lot No. 70 in the Greenbriar Plan No. 2 at 127-129 Greenbriar Drive subject to satisfying the comments of the Engineer's review letter dated December 4, 2023 and a Minimum Lot Width Variance granted by the Zoning Hearing Board at the December 21, 2023 meeting.

**All in favor**  
**Motion Carries (6-0)**

Review and Recommendation of the Conditional Use application to allow the operation of a Short Term Rental at 2307 Old Greentree Road, Carnegie PA 15106.

Mox explained that the Code Enforcement office has been working with the applicant for a while and had explained the process to obtain a Conditional Use approval including appearing before the Planning Commission and the Board of Commissioners. The Code Enforcement office has filed a criminal complaint because the applicant delayed applying for Conditional Use for several months. The applicant did not appear tonight but the PC will discuss the application regardless.

Palmer reviewed and explained the comments from the Engineer's review letter dated December 4, 2023. She stated that this is the first Conditional Use applicant since the Township adopted the Short Term Rental Ordinance in 2022. She went through the Short Term Rental regulations – parking, hours of operation, etc. – and the one item noted that did not appear to be addressed in the information provided was the requirement that the owner occupy the dwelling at least 180 days during the calendar year. Palmer wanted clarification from the applicant as to what she meant by using the unit as a short-term rental has “helped me to be able to keep my home and be able to pay for all my utilities in full.”

Mox said each member was given a copy of the portion of the new Zoning Ordinance section with Short-Term Rental regulations. He has concerns over parking given that the property is so narrow, neighbor complaints, quiet hours posted inside and outside the unit and advertisements should also mention these conditions.

Burlett asked what the applicant needs to provide to prove they're living at the residence 180 days.

Mox said we should require that the applicant tell or show us how to prove they're living in the residence 180 days out of the year.

Puchalski said it needs to be made clear that if she receives Conditional Use (CU) approval and doesn't hold the property as a residence for half of the year she's not going to be able to maintain the CU approval.

Mox said that a neighbor suggested that the applicant should only use platforms that allow non-rental reviews, like from a neighbor. The applicant was told by the District Magistrate to cease advertising with Airbnb. However, the same neighbor found that she was advertising with VRBO and was able to make a reservation on that website. She blocked off dates on Airbnb but not VRBO.

Puchalski asked if we knew of any platforms that allowed reviews from neighbors. She has concerns about that being a condition because it may not be a function of any of these sites.

Mox said that he'd want to verify that prior to the hearing and the meeting so it would be known if this was even a possibility on any of the sites.

Kaminski said the statement the applicant provided “when guests leave, I personally go back to my home and do all the cleaning, maintenance and laundry” makes him believe the applicant doesn't actually live there.

Berner asked if the applicant is granted CU approval and decides to sell her house would the CU transfer to the new owner?

Mox said that there are conditions in the ZO like a licensing fee and inspection fee. If not paid the CU approval would expire within a certain period. But he didn't see anything in the regulations that the CU wouldn't transfer with a sale.

Puchalski believes that the CU would be transferable, assuming the new owner meets the requirements for a Short Term Rental license.

Mox asked if we could add to the condition that the CU approval will terminate upon the transfer of ownership.

Puchalski said she thinks that is reasonable. The PC could make that recommendation to the board and the BOC would ultimately include that or not with their conditions. She said our options tonight are to table the application if the PC wants to hear from the applicant before making a recommendation. Or the PC can make

an unfavorable recommendation to the board and add if the board should grant approval of the CU the PC recommends the following conditions. The last choice is the PC can make a favorable recommendation with or without conditions.

Berner said he doesn't feel comfortable recommending the application. He has doubts that the applicant lives at the residence 180 days out of the year and questioned if there are more complaints out there that just haven't come forward.

Kaminski agrees, particularly since the applicant did not appear at the PC meeting.

Tulowitzki said there's a history of issues with possibly another unit near this applicant's on Old Greentree Road. He recommends we look at police records. The units are so close together and because of that it would be difficult to have a short term rental there.

Burlett said the best option in his opinion is to table the application and he's definitely not in favor approving.

Sorcan said she didn't think the PC should recommend the CU without the applicant coming in to speak. She also thinks it will be difficult to enforce all the conditions the PC would recommend. The PC worked very hard to write the Short Term Rental Ordinance so that the residents of the township are protected. It doesn't seem right to approve this particular application.

Mox said that the PC isn't comfortable recommending approval on this application because we cannot determine that the applicant complies with the Zoning Ordinance.

Puchalski said the PC can either make a motion to table or make an unfavorable recommendation for the board to consider this at the CU hearing on December 12, 2023. If tabled the applicant would be required to pay for the additional advertising, posting, court reporter, etc.

Burlett asked what the difference is between tabling and making an unfavorable recommendation.

Puchalski said, if tabled, the applicant would be given the opportunity to come to the next PC meeting and the members would hear her presentation and hopefully identify whether or not she meets the criteria in the ZO. Then based upon what she says the PC would make a recommendation to approve or not to approve. If the motion is an unfavorable recommendation tonight, then that will go the BOC for the hearing on Dec. 12.

Mox thinks the PC should proceed with the recommendation of denial based on the fact that the applicant did not appear to go over the engineer's comments or to address the criteria that's required and that we don't feel comfortable with the fact that she may not live at the residence for 180 days out of the year

**Motion** by Mox, second by Kaminski to recommend denial of the Conditional Use application for the operation of a Short Term Rental at the property located at 2307 Old Greentree Road, Carnegie PA 15106. Should the Board of Commissioners decide to approve the Conditional Use application, the Planning Commission recommends that the following conditions be considered:

1. The applicant shall demonstrate compliance with the 180-day minimum residency requirement of the Township of Scott Zoning Ordinance.
2. The use shall comply with the short term rental criteria as specified in the Township of Scott Zoning Ordinance.

3. The use shall limit the maximum number of vehicles to two (2) and vehicle parking is only permitted to be located within the driveway. No on-street parking is permitted.
4. Quiet hours for the use shall be enforced between the hours of 9:00pm and 7:00am. No outdoor entertaining is permitted during the quiet hours.
5. The parking limitations and quiet hours must be posted inside the residence and on the rear patio. The posting shall note that any violation of the quiet hours is subject to civil enforcement and a \$600.00 fine.
6. All advertisements for the short term rental shall include the parking limitations, quiet hours, a maximum occupancy of four (4) people and note that any violation of these requirements is subject to civil action and a \$600.00 fine.
7. If possible, the short term rental must only be advertised through a rental platform that permits online reviews by non-rental individuals such as neighbors.
8. Any Conditional Use approval will terminate upon the transfer of ownership of the property.

**All in favor**  
**Motion Carries (6-0)**

**Public Comments**

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

**Adjournment**

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

**All in Favor**  
**Motion Carries (6-0)**

The meeting was adjourned at 8:33pm

Attest:

