

**BOROUGH OF FRANKLIN PARK
PLANNING COMMISSION REGULAR MEETING
FEBRUARY 17, 2009**

The February meeting of the Planning Commission was held in the Municipal Building located at 2344 West Ingomar Road, Pittsburgh, PA 15237.

Mr. Quatchak opened the meeting at 8:07 p.m.

Roll call:

PLANNING COMMISSION MEMBERS:

Laura Coombs present
Janet Demma present
Stephen Donaldsonabsent
Sam Liberto present
Robert Schupansky present
Robert Salvatora..... present
David J. Quatchak, Chairman present

ENGINEER:

Bob Nedzesky, W.E.C. Engineers present

SOLICITOR:

Alan Lubelski, Law Offices of Ira Weiss present

STAFF:

Tim Phillips, Building/Zoning Official present
Janine Kulbacki, Building/Zoning Secretaryabsent

APPROVAL OF MINUTES

Mr. Quatchak asked for a motion to approve the January minutes. Ms. Demma moved to accept the minutes as read with revisions. Mr. Liberto seconded the motion. The motion carried unanimously.

OLD BUSINESS

LPF 08-09-04 – Franklin Park Self-Storage – Preliminary & Final Land Development

Mr. Scott Pilston of Pilston Surveying came forward to address comments from the Commission.

Mr. Quatchak asked Mr. Pilston what changes have been made from last month. Mr. Pilston stated that the only changes were the ones requested by the Planning Commission, the EAC and the few issues left on the engineers report. Mr. Pilston stated that all the comments have been addressed.

Mr. Pilston stated that Mr. Nedzesky had asked about the final design plan for the sewage disposal system.

Since the meeting last month they were granted a waiver because the bathroom will only have a sink and toilet with no shower so it will fall under the 800 gallons per day.

Mr. Quatchak asked Mr. Phillips and Mr. Nedzesky if they had any additional comments. Both said no.

Mr. Quatchak asked Mrs. Kipp of the EAC if she had any comments. Mrs. Kipp complained that once again an artist's rendition was used on the landscape plan for the sign and because of that, nothing is done to scale. She stated that some of the proposed plantings are tall and some are wide.

Mr. Pilston stated that he is relying on the landscape architect and isn't sure what the EAC is looking for. Mrs. Kipp stated that she is looking for the architect to do the same thing she did on the retention pond and the rest of the plans. Mr. Pilston looked at what Mrs. Kipp was referring to and stated that he thought she was looking at some thing different and would have it changed.

Mr. Quatchak stated that the amendment to the landscape plan should be stated in the motion.

At this time Mr. Quatchak explained to the audience about the zoning and the specific requirements for a storage facility. He also explained that there was a difference of opinion on the meaning of "direct access" stated on requirement # 3 and # 4 and read the ordinance.

Mr. Quatchak referred to the minutes from last month which stated that both attorneys should send any correspondence to the solicitor by February 11, 2009 and asked Mr. Junker if he had received any. Mr. Junker stated that he did not. Mr. Quatchak asked both attorneys if they had any comments.

Mr. Szefi, attorney for Mr. Gary Sipple, stated that Nicholson Road is the road that cannot be mostly residential homes. The argument is that the M-1 zoning district on Nicholson Road may not always be majority residential. But that time is not now.

Mr. McKeegan stated that the Planning Commission should give consideration to the zoning officer. He also stated that if you interpret this ordinance the way that Mr. Sippel's attorney would have you do, there's no where in the municipality you could have a self storage facility.

Mr. McKeegan requested that the Planning Commission voice their feelings on the technical requirements of the ordinance for Borough Council and perhaps the courts as well.

Mr. Quatchak stated that commission members might voice their opinion if they wished to when they vote.

Mr. Quatchak stated that he does not agree with the statement that self-storage facilities would not work anywhere in the borough based on Mr. Sippel's representative's interpretation of the ordinance. He stated he believes that it is an opportunity to allow the facility in this zoning district if the zoning district has developed in a commercial way; which it could in 5 or 20 years. He views it as a protection for people who live in the area that this use would not be permitted unless the district had already gone predominantly commercial.

Ms. Demma moved to approve LPF 08-09-04 – Franklin Park Self-Storage – Preliminary & Final Land Development subject to the Staff Report dated February 13, 2009 with the correction of the time limit date changed to March 20, 2009 and subject to the WEC Engineers Report dated February 11, 2009 and to include the amendment to the detailed landscape area around the proposed sign on sheet #11 as requested by the EAC. Mr. Liberto seconded the motion.

Mr. Quatchak asked for a roll call vote (some statements included):

Laura Coombs, No

“No, not at this time.”

Janet Demma, Yes

“I don’t think it is my job to interpret the zoning laws. I have mixed feelings about it but they complied with the ordinances”.

Stephen Donaldson, Absent

Robert Schupansky, No

Sam Liberto, No

Robert Salvatora, Yes

“Technically I think it’s fine. Additionally, I don’t believe that the current use of the majority of the lots affronting the property are single-family. But the key word being not currently single-family.

David Quatchak, No

“The applicant did a good job of complying with the site development portion of the ordinance, but I don’t believe our ordinances permit this type of use in this area at this time.”

The motion failed.

Mr. Quatchak asked what they intended to do. Mr. McKeegan stated that they would go before council in March.

Slade Site Plan Revised

Mr. Scott Pilston explained that the original design for Adam Slade was to just renovate the existing structure by enclosing the porch for an office and using the existing parking lot. Barbara Slade is moving in and wants to expand the parking lot. Mr. Pilston stated that increasing the parking lot will increase the stormwater management. No other revisions will be made but Council wanted the Planning Commission to make a recommendation.

Mr. Pilston stated that they are proposing a new entrance to the edge of the property where there is an existing gravel drive that services the garage in the rear. They plan to re-circulate the traffic one way around the building into the front parking lot, and one way back out the main entrance. Doing this will allow them to increase the parking in the front and add an additional handicap space. Because of the stormwater they propose to install underground storage tanks. All the landscaping will remain the same.

Mr. Quatchak asked if they were expecting a vote this evening. Mr. Pilston stated no.

Mr. Quatchak stated that he sees no problem with the circulation but because of the driveway on the northern end of the property you get a greater misalignment. Planning Commission would like to see a perfect alignment.

Mr. Pilston stated that he believes it would be too steep according to the ordinance.

Mr. Phillips stated that it is UCC regulations and cannot be circumvented.

Mr. Quatchak stated that he would rather see them get a modification for a change in slopes because of the benefit of getting a better alignment with Carmody Court. Curb cuts and alignments on Nicholson Road will become increasingly important issue as that area develops.

Mr. Salvatora asked Mr. Pilston if he thought PennDOT would approve it. Mr. Pilston stated that he does.

Mr. Salvatora stated that he thinks it's a disaster waiting to happen under the current plans.

Mr. Quatchak asked other members if they would consider a modification for slopes. They agreed.

Mr. Nedzesky asked Mr. Pilston when looking into realignment to consider berm contours. Mr. Pilston agreed.

Mr. Quatchak summarized what was discussed: An opinion from the solicitor regarding the stormwater, The Planning commission would like the driveway in alignment with Carmody Court with a modification of the slopes for that alignment, a few request from the engineer and additional feedback from the EAC.

Mr. Liberto moved to table Slade Site Plan Revised subject to the Engineer's Report dated February 12, 2009. Ms. Demma seconded the motion. The motion passed unanimously.

NEW BUSINESS

CU 09-01-01 – Hilderbrand Conditional Use Application

Mr. Pilston was present to represent Marlene Hilderbrand of 2314 McDevitt Road. Ms. Hilderbrand would like to construct a pole building over an existing horse riding arena and enclose it to allow for riding in inclement weather. The new stormwater ordinance will have to be met on this project but no other changes will be made.

Mr. Phillips explained that the Conditional Use is needed because the structure is more than 600 sq. ft. as an accessory use on a residential property.

Mr. Pilston stated that the proposed structure would be in the rear of the property, approximately 500 feet from McDevitt Road. The property to the north is Blueberry Hill Park and to the east are woods. The property to the west also has horses. The closest resident to Hilderbrand's is 400 feet away.

Mr. Quatchak reminded commission members that the adjacent property is Laura Gravitt property that came before the board several months ago for an electric fence.

Ms. Demma asked if any of the neighbors object. Mr. Pilston stated that he has not heard any objections.

Mr. Quatchak asked Ms. Hilderbrand about the color for the structure. She stated that it would be slate with burgundy roof and trim. Mr. Quatchak asked that that be noted on the plan. Mr. Quatchak also asked if there would be any exterior lighting. Ms. Hilderbrand stated no.

Ms. Coombs asked if there would be electric or water installed. Ms. Hilerbrand stated only electric.

Ms. Demma moved to approve CU 09-01-01, Hilderbrand Conditional Use Application Subject to the Staff Report dated February 19, 2009. And the drawing plans dated January 9, 2009 with the condition if any exterior lights are installed they conform to the ordinances. Ms. Coombs seconded the motion. The motion carried unanimously.

Mr. Schupansky recused himself from the vote.

GOOD & WELFARE

Discussion was held concerning the process of introducing the ordinances to the public and dates were set for Planning Commission to meet March 5, 2009 in conference room. A public meeting will be held March 11, 2009 at fire hall at 7:00 pm. This meeting will be advertised in the paper, on the web site and the electric signboard.

Allen Cohen of Pashek Associates reviewed the highlights of each new section of the proposed zoning ordinance.

Motion to Adjourn

Mr. Liberto moved to adjourn at 9:35 p.m. Ms. Demma seconded the motion. All approved.

Respectfully submitted,

Janine Kulbacki
Building Inspector/Zoning Secretary

Audience present: