

TOWN OF McCANDLESS
MINUTES – ZONING COMMITTEE MEETING
JUNE 13, 2016 TOWN HALL

The meeting was called to order at 7:30 p.m. by Committee Chairman McKim with the following in attendance: Council members Zachary, Aufman, Mertz, Powers, Walkauskas and LeDonne; Town Attorney Ries, Town Manager Cordek, Assistant Town Manager Ebner, Zoning Officer Betty, John Bojarski, Communications Assistant, Marie Haller, Administrative Assistant and citizens as per the sign-in sheet.

REVIEW
SIMPLE SUBDIVISION APPLICATION
HAGEN PLAN

The Committee reviewed an application for the simple subdivision of property, a portion of which is located along Pine Creek Road and the private segment of Harmony Drive and at the terminus of Highview and Brooks Roads, to be known as the Hagen Plan.

Zoning Officer Betty provided an overview of the proposed subdivision and illustrated its location on the Town map. There are a total of approximately thirteen acres with frontage on Pine Creek Road and additional frontage on Harmony Road and is adjacent to Potter Park. Plans include subdivision of the 1.7 acre lot for Mr. Hagen to build a house. The other lot is 11.4 acres. Mr. Hagen is planning to keep 10 acres clean and green for a ten-year tax break. It was also noted that Mr. Hagen is also in the process of selling small parcels of this property to neighbors to expand their properties. Zoning Officer Betty reported simple subdivisions typically require installation of hammerhead turnaround areas, but in this particular circumstance Public Works Supervisor Sabina has determined it is not necessary because there is adequate space for public works vehicles to maneuver and an easement will not be needed. Zoning Officer Betty reported the revised plans have been forwarded to the Town's engineer for their final approval.

Zoning Officer Betty discussed the Town's involvement in a lawsuit with the previous property owner pertaining to storm sewer and sanitary lines. He reported the lawsuit was dropped when the property was purchased by Dr. Brian Hagen who has expressed willingness to work with the Town to permit work to be done to remediate the public stormwater system. Town Manager Cordek further discussed the need for stormwater management on this property and confirmed Dr. Hagen's understanding of the work to be done by the Town. Dr. Hagen acknowledged Zoning Betty has discussed details regarding work to be done. Town Manager and Zoning Officer Betty expressed their appreciation to Dr. Hagen for his cooperation.

REVIEW
LAND DEVELOPMENT APPLICATION
VINCENTIAN ACADEMY

The Committee reviewed the land development application of Vincentian Academy, located at 8100 McKnight Road, for the construction of additional classroom space. Zoning Office Betty introduced Sara Thompson of Pashek Associates and Cassandra Renninger of VEBH Architects who were in attendance to review plans and address any questions in regards the proposed construction. Ms. Renninger provided an overview of the structural drawings for a two-story addition to be located in place of temporary classroom trailers. Zoning Officer Betty noted the Zoning Hearing Board granted a variance for temporary classroom trailers in 1998 and this proposed addition will replace the trailers. Ms. Renninger stated proposed plans include two classrooms on the bottom floor, three classrooms on the top floor along with the addition of a couple of small group instructional spaces. An elevator will be installed and various handicap improvements will be made to the existing building. She also stated the addition will not impact parking or the soccer fields. Ms. Thompson discussed the landscaping and repositioning of trees designed to increase visibility of the facility from McKnight Road. She stated there will be onsite stormwater management to address both stormwater detention and stormwater quality. A rain garden will be created in a small depression in the lawn. Planting will include canopy trees, though not required will be added to provide a buffer area.

Zoning Officer Betty discussed stormwater issues along Peebles Road and Vincentian's responsibility to investigate and address the source of any water problems to determine if it originates on their property. The Committee discussed the known drainage issues on Peebles Road which falls under the auspices of PennDOT. Ms. Thompson commented upon further review she attributes the Peebles Road water problem as being a direct result of road drainage vs. originating from the Vincentian property. Zoning Officer Betty reaffirmed the need for this source of the water to be identified during the construction phase of this project. He pointed out Vincentian will be responsible to remediate any drainage issues originating from their property.

NOTIFICATION OF A RESOLUTION
ALLEGHENY COUNTY CONSERVATION DISTRICT (ACCD)
MEMORANDUM OF UNDERSTANDING

The Committee was notified that a resolution is recommended to authorize the Town to enter into a Memorandum of Understanding (MOU) with the Allegheny County Conservation District (ACCD) to define roles and responsibilities as defined by the law for regulatory programs and to substantiate Pennsylvania Department of Environmental Protection (PADEP) Municipal Separate Storm Sewer (MS4) requirements.

The ACCD has distributed the MOU to all Pennsylvania municipalities to formalize their working relationship, interactions and responsibilities with Town. This document contains seven component parts including: 1) Erosion and Sediment Pollution Control/NPDES for Stormwater Discharges Associated with Construction Activities - Chapter 102 2) Water Obstructions and Encroachments - Chapter 105 3) NPDES Municipal Separate Storm Sewer Systems - MS4 4) Agricultural Related Activities 5) Watershed Program 6) Dirt and Gravel/Low Volume Roads Program 7) Data Collection and Information Systems 8) Execution.

Town Manager Cordek discussed his participation in a fifteen member panel that was formed by ACCD in 2015, which has reviewed many of the components contained within the MOU. This document has been reviewed by legal counsel. Town Manager Cordek noted formatting changes were made to enhance readability and referencing. He commented that the Town is already fulfilling most of the components listed, those which are applicable to the Town. For an example he noted that Council adopted an ordinance more than 20 years ago to address concerns with stormwater erosion and this was a proactive approach taken prior to any mandated regulations. The Committee asked questions pertaining to the purpose of this document, confirming this document was sent to all municipalities and discussed an overview of the ACCDs role to implement laws set forth by the government. Town Manager Cordek affirmed the Town has a strong relationship with the ACCD and much of this documents content has been addressed in an ongoing relationship with them. This MOU is based on state statutes and being implemented to formalize and define responsibilities of the ACCD and the Town.

A question was raised pertaining to the Nutrient Management Act. Zoning Officer/Land Use Administrator stated he would review this to determine if it applies to any properties in the Town.

Town Manager Cordek dispelled comments published on the “No Walmart in McCandless” Facebook page that has suggested this agreement is related to the Walmart development. He remarked that the MOU was sent to all municipalities to formalize the relationships between the ACCD and municipalities. He avowed that there is no counter or insidious motive involved as implied.

Barbara Richard, 305 Manor Court, asked for clarification regarding changes made to the original ACCD document. She discussed frustration about the items contained in the agreement and her inability to find information on the ACCD website. She asked questions about the ACCD’s timeline to implement the components of the MOU and expressed disbelief these items have or will be addressed within the Town. She also asked how long the Town has had this document, questioning whether it has been shared timely with the public. Town Attorney Ries acknowledged he received the MOU on May 20. Town Manager Cordek noted that the Town cannot establish the implementation of the MOU without Council’s approval. The ACCD has a Board of Directors that

will promulgate the components of the MOU and this body will also establish a timeline to implement any changes delineated.

ADJOURNMENT

The meeting adjourned at 9:01 p.m.

Respectfully submitted,



Marie A. Haller, Administrative Assistant

TMC/mah