

WEST DEER TOWNSHIP PLANNING COMMISSION MINUTES
May 26, 2022

The Meeting was called to order with the following members in attendance:

Alan Banks, Kathy Rojik, Robert Bechtold, Rich Hollibaugh, and Mark Schmidt (via Zoom).

Absent Members: Suzanne Garlena, Patrick Stark

Other Attendees: William Payne (Code Enforcement Officer)

Scott Shoup (Shoup Engineering)

Dorothy Moyta (Zoning & Planning)

Harmit Bedi (Zoning and Planning)

Gavin Robb (Township Solicitor)

Carolyn Yagle (EPD, LLC)

Outline and Order of Meeting

1. Approval of April 2022 Minutes
2. Introduction of new Planning and Zoning Administrator – Harmit Bedi
3. Zoning Ordinance Time Line Review
4. Zoning Map Update and Discussion – Bill Payne
5. Draft Zoning Ordinance Update/ Discussion - Staff and Chairman
6. Comments/ Discussion by Planning Commission Members/ Staff
7. Comments/ Questions from Public

Approval of Meeting Minutes

Mr. Banks made the motion to approve the April Planning Commission Meeting Minutes. Mr. Bechtold seconded the motion. All were in favor and the motion carried to approve minutes.

Introduction of New Planning and Zoning Administrator – Hermit Bedi

Hermit Bedi introduced himself and spoke briefly.

Zoning Ordinance Time Line Review

Ms. Yagle went over the timeline and status of the current status of several items to include:

1. Ms. Yagle has been coordinating the Zoning Ordinance updates over the last several months. There are now several opportunities for next steps.

2. There is still one subdivision to be recorded at the County.
3. A copy of the agenda for the Zoning Ordinance Update moving forward was presented.

Zoning Map Update and Discussion

Mr. Robb wanted to acknowledge the work of the Planning Commission on the Zoning ordinance and added the following:

1. The gas well hearings took up a lot of time while the Zoning ordinance was being worked on.
2. The outside consultants (EPD) were added during all the changes.
3. This will not be a perfect document. It's a living breathing document that will continuously change over time.

Ms. Yagle made the following comments:

1. Parts of this content is in Land development and Subdivision.
2. Terms as assigned to different districts are at the forefront of the Ordinance.
3. Lands uses have been changed and specified to a larger degree.
4. The Solicitor's concerns were considered at a higher level.
5. Work sessions were conducted.
6. We worked through many drafts.
7. Township and staff comments need to be incorporated.

Mr. Payne said that the ordinance was looked at page by page. He stated that landscaping was looked at and was inquiring whether anyone saw anything monumental that was missed. The following comments were made regarding landscaping:

1. Ms. Yagle said that Patrick Starks's comments were received and will be incorporated. Different ratios for trees that are workable for different situations will be look at.
2. Mr. Payne said that the trade-off regarding trees comes up in the Russellton area. For instance, perhaps 3 decorative bushes 1 could be traded for one street tree.
3. Mr. Schmidt said that perhaps a fund that could be used for something else could be set up for a project where street trees are not applicable.
4. Ms. Yagle said that this is in reference to Ordinance 210-51-E.

5. Mr. Payne said that this is mostly in reference to the Bairdford and Russellton areas.
6. Ms. Yagle said that those areas will be looked at for the street tree issue.
7. Mr. Schmidt said that we also ran into a street tree issue at the new Flex space building on Gibsonia Rd.
8. Mr. Robb said that this is why this belongs in the Subdivision and not the Zoning Ordinance. Each property is an individual exercise.
9. Ms. Yagle said that this could migrate to Subdivision and land Development.
10. Mr. Bechtold said that when someone is forced to place landscaping, the success of the vegetation is limited.
11. Mr. Banks doesn't like the idea of forcing a property owner to put a tree in a particular location, but perhaps a better location for that tree could be determined.
12. Mr. Schmidt said that he didn't want street trees to Land Development and Subdivisions as too many will ask for waivers.
13. Mr. Payne said that we have parks that could use trees. There are parks that could use upgrades.
14. Mr. Robb said that requiring a property owner to agree to off site improvements may be a challenge. There must be an objective alternative if this remains in the Zoning Code.

Draft Zoning Ordinance Update/ Discussion

Other areas of concern and comments were as follows:

1. 210 101A Purpose Statement that has certain provisions as to whether Subdivisions or the Zoning Code apply to PRD's. Scott Shoup would be the best person to look at these areas to include roads, paving , and sidewalks.
2. Mr. Payne felt that 210-153A.5 (P. 148) takes in a wide variety of developments and is too vague.
3. Mr. Schmidt wants to keep flexibility in the Zoning Ordinance.
4. Mr. Robb said that flexibility within the Zoning Variance is provided with variances.
5. Mr. Schmidt asked about the final decision being made by the Supervisors.
6. Mr. Robb said that it's too subjective to be in Zoning. Zoning is black and white and has to fit in with the MPC.
7. Mr. Schmidt asked whether existing trees within the buffer zone can be counted.

8. Mr. Payne said that yes but that the existing trees should be catalogued and called out on the site plan.
9. Mr. Schmidt said that they should make exceptions for topography.
10. Mr. Payne said that they could document topography.
11. Ms. Yagle said that she will look at substitutes, existing trees, and topography. She will incorporate formatting, and best planning practices.

Zoning Map Update/ Discussion

Areas of concern and comments were as follows:

1. Oakwood Heights needs to be incorporated and placed on map.
2. Mr. Schmidt said that he couldn't see RE – Residential Estate.
3. Mr. Payne said that the colors are too close.
4. Mr. Banks said that the colors will vary by printer and this is mostly a graphic issue. The Allegheny County lines don't read well.
5. Mr. Payne said that the issue was at Blanchard park.
6. Mr. Banks said that it's a photoshop exercise.
7. Ms. Yagle said they will take the discussion items and look at the June meeting.
8. Mr. Payne asked if we could expand the size of the map along with the color changes.
9. If the Board is signing, the map needs to include a signature block.

Comments/ Discussion by Planning Commission Members/ Staff

Areas of concern and comments were as follows:

1. Mr. Robb thought that the Board of Supervisors wanted to incorporate short-term rentals. (Need to get Supervisor's notes)
2. Mr. Robb said that Mobile food trucks were in one version and not another.
3. Mr. Robb wants to do Cell Towers separately as they need to be on a faster track and will be on the agenda in June.
4. Ms. Yagle said Cell towers cannot be in the Ordinance if it conflicts with other ordinances in the Township.

5. Ms. Yagle said that they will include Mr. Stark's comments.
6. Mr. Payne said that when sewage becomes available, R Zoning goes to RE Zoning.
7. Ms. Yagle will be looking over the updated Zoning Ordinance and the rest of the comments and the Zoning Ordinance will be ready in several weeks in time for the June meeting.
8. Mr. Robb said that all comments should be forwarded to Mr. Payne at West Deer Township.

Workshop Meeting: Public Comments

Comments are as follows:

1. Tim Resciniti of 1006 York Way would like to review the oil and gas section of the updated Zoning ordinance. *Mr. Robb said that there have been no changes in the oil and gas sections since they were updated.*
2. Marcia Brissett 37 Corbri-wood Lane asked what is the setback for gas wells in the updated Zoning Ordinance. Ms. Brissett is looking for a 1250' distance. *Mr. Payne said that it's 750' to occupied buildings and 1000' to a residence. Gavin said that this is very much like threading a needle. If this is too exclusionary, it will be challenged by the gas and oil industry. Also, the Supervisors will be looking at this for comment before it is approved.*
3. Victoria Austin of 19 Hemlock St. spoke about the report on findings on the Oil and Gas Industry and she passed out a copy of the report. She feels that this needs to be taken into consideration.

Mr. Banks made a motion to adjourn the meeting. It was seconded by Mr. Bechtold. All were in favor and the motion carried. The June Planning Commission meeting will be on June 23, 2022. The meeting time and agenda will be posted on the web site.