

APPROVED

**MUNICIPALITY OF MT. LEBANON
PLANNING BOARD MINUTES**

DATE: Tuesday, September 25, 2018

TIME: 7 p.m.

PLACE: Mt. Lebanon Municipality – Commission Chambers

BOARD MEMBERS PRESENT: Suzanne Sieber, James Cannon, Dennis Pittman, Andrew George

STAFF MEMBERS PRESENT: Municipal Planner Ian McMeans, Municipal Engineer Dan Deiseroth

Ms Seiber, chairman, called the meeting to order, and explained policies and procedures of public commenting, and planning board procedures.

1. Minutes

- a. August 28, 2018, meeting. Mr. Cannon moved and Mr. Pittman seconded to approve the minutes of the August 28, 2018, Planning Board Meeting. The motion carried unanimously.

2. Old Business

Ms Seiber stated there were two agenda items for the Residences at Poplar Plan she would read them together, then asked for public comments on both the consolidation plan and the land development plan.

- a. Request for a recommendation for final approval for the Residences at Poplar Consolidation Plan. G&B Consulting Partners, LLC has equitable interest in a property located on an unopened section of Pennsylvania Boulevard. The developer is requesting approval to consolidate four parcels currently identified as lot and block 192-C-23, 192-C-24, 192-C-30 and 192-C-32 in the Avondale Plan of Lots.
- b. Request for recommendation for final approval of a land development plan. G&B Consulting Partners, LLC has an equitable interest in a number of undeveloped parcels on Pennsylvania Boulevard. The developer is requesting approval for a land development plan to construct 13 townhouse units on Pennsylvania Boulevard. The developer would also be responsible for construction of a road improved to municipal standards including sidewalks and utilities to serve the proposed units.

Chris Peters, MDM, representing the developer, said they submitted plans a few weeks ago, and they are unchanged from plans that were recommended to go to final approval.

Ms Seiber asked if any accommodations were made based on conversations from neighbors.

Bill Stolze, G& B Consulting, said that no major changes were made to their plans.

Mr. Peters said they did add some items to the plan such as site cross sections and sanitary lines, and cleaned up other engineering items.

Mr. Deiseroth read into the record a letter from Gateway Engineers dated September 20, 2018.

Ms Seiber said a number of letters from concerned citizens were received and distributed to all of the planning board members.

Mr. Peters addressed several of the general comments from Mr. Deiseroth's letter. Item No. 1: The presentation of limits of disturbance is offset so the work at the line is visible. The limits of disturbance stops at the developer's property. They will not do work on anyone else's property. Item No. 3: there was a mistake in-house when an older set of plans were submitted. The plans submitted June 3 are the intended subdivision plans. Approvals from NPDES, Planning Module and Port Authority are under review and letters will be provided to the planning board.

Citizen Comments

Nancy Elbaum, 201 Pennsylvania Boulevard, objects to more buildings being built in Mt. Lebanon, and the loss of open, natural habitat space in the community.

Donald Mosshart, 349 Ashland Avenue, said the engineer's letter made references to approvals and considerations from 10 years ago for a different project. He said according to the municipal code any approvals not acted on, expire. He feels the engineer should not rely on prior reviews when giving approval to changes and modifications. Variances that are being requested now should be reviewed and not grandfathered to previous reviews.

Mr. Deiseroth said approvals and considerations were reviewed and approved. He said the same items were re-submitted for waivers and modifications, and justifications were given for them. He makes recommendations, and it is up to the Commission to accept or reject those recommendations.

Mr. Mosshart voiced his concerns regarding the cul-de-sac, and does not think it meets code requirements. He is concerned that while the cul-de-sac allows for trucks to turn around at this time, but questioned if it will allow future trucks that may become larger than current ones, to turn around without reversing. He is concerned about whether this is a true cul-de-sac, or a dead-end street.

Mr. Deiseroth explained the engineer's review process, and once items are addressed they are taken off the list of items needing to be reviewed.

Mr. Mosshart asked about the plan for the retaining walls.

Mr. Deiseroth said retaining walls will be given additional scrutiny, if the plan is approved. They will also need to obtain a grading permit, and they will need to provide further information regarding the retaining walls.

Mr. Mosshart voiced concerns of the developer going onto others' property, and feels the footers are very close to the property line. He urged the board to protect the safety of the adjacent properties.

Jerry Turk, 334 Ashland Ave, said he would like the developer to submit drawings with the limits of disturbance shown inside instead of outside the property line, and around the entire site.

Mr. Deiseroth indicated this was a comment he made in his letter, and the developer agreed to make the revision.

Mr. Turk said he is concerned with the overlay of sewers near the property lines and the retaining walls. He feels the amount of cut on the project is excessive.

Mr. Desieroth said constructability issues are not in the purview of the ordinance. It is up to the developer to figure out how to fix any constructability issues they may have. He is most concerned with the municipal infrastructure that is to be accepted. He must make sure they provide elements required by ordinance and that they make good sense from an engineering perspective.

Brigitt Watts, 275 Ashland Avenue, said their family has lived in this house for generations and is sorry to see the lot on Pennsylvania Boulevard sold. It provided a great opportunity for kids to play in the woods. She has been in contact with the DEP, DCNR, and the Army Corps of Engineers, asking about the marsh lands in this area that will be destroyed, and if they will be replaced. She was informed that the area is under the acreage requirement; she feels it should be replaced. She is concerned about the volume of cars on Ashland Avenue that will be added because of this project, and the number of children that live in the neighborhood.

Ryan Watts (child), 275 Ashland, voiced his concerns regarding the impact this will have on his friends and him, and their ability to freely play.

Jess Murphy, 343 Ashland, voiced concerns with the size of the building, with limited side yards. She is not against development, but feels the structure should be smaller.

Lisa Barnes, 274 Pennsylvania Boulevard, expressed concerns with the slope stability; heavy rains similar to recent months and the problems this could cause during the construction phase; the increase of traffic in an already heavily traveled and dangerous

intersection at the T stop. She is also concerned with other developments in the community that have stalled and the properties are in poor conditions.

Cindy Janay, 317 Ashland Avenue, has lived all over the country and moved to Mt. Lebanon about a year ago. She read from the Mt. Lebanon zoning ordinance Section 204, low-density, must be scaled and designed with compatibility with the neighborhood. She feels this building is too large for the neighborhood, and would prefer to see two-story homes or duplexes.

Jesse Janay, 317 Ashland Avenue, does not feel this project upholds the standards of the neighborhood, and asks that the planning board not grant waivers. He is also concerned about the amount of recent rain and possible landslides.

Dan Earley, 322 Pennsylvania Avenue, adjacent to the property, talked about the size of the proposed building. He researched other townhouses in the region but did not find any other developments with 13 contiguous units. He feels this building is too big for the site, and fears that other developments might be proposed farther along the paper street to Mt. Lebanon Boulevard. He is also concerned about the lines of disturbance being on his property. He asked the board to support the neighborhood, and then showed a video presentation.

Mr. Cannon said the board can only make recommendations to the Commission, and suggested the residents come to the Commission meeting when this project is on the agenda.

Mr. Pittman clarified the board will take two different actions tonight, the lot consolidation and the land development.

Mr. George thanked the community for their comments. He is also concerned about green space and asked if the driveways could be reconfigured to one-car curb cuts with a swing into the garage to enable room for trees.

Ms. Seiber said this property is privately owned and they have the right to build on it, however she will be voting to not recommend granting any waivers or modifications to the Commission.

Motion

Mr. Pittman moved to recommend final approval for the Residences at Poplar Consolidation Plan conditioned on the comments in the engineer's review letter dated September 20, 2018, and any additional comments from the Planning Board.

Mr. McMeans explained this motion is for the lot consolidation plan, which does not have any waivers or modifications.

Ms. Seiber said there is nothing wrong with the lot consolidation plan, and there is no reason not to approve it.

Mr. Canon seconded the motion. The motion carried 3-to-1. Mr. George voted no.

Motion

Mr. George moved and Mr. Cannon second to recommend against final approval for the Residences at Poplar Land Development Plan based on the number of waivers and modifications.

Mr. Pittman suggested the waivers and modifications be discussed before the board votes on the motion.

Mr. Deiseroth explained that modifications are deviations from the subdivision and land development ordinance which the Commission has the power to approve or deny. He explained that it appears the planning board does not want to approve the plans because it requires modifications.

Mr. Pittman asked if the motion could be approved without modifications.

Mr. Deiseroth explained if the modifications are not approved the development cannot occur. The plans presented to the board are based on those modifications being approved.

Mr. McMeans suggested adding a clause to the motion indicating that if the Commission votes to approve this plan they approve it with the contingencies recommended by the solicitor, provided to the board, which he then read into the record.

Amended Motion

Mr. George moved and Mr. Cannon seconded to recommend against approval based on waivers and modifications A, C, D, E, F, and G of Gateway Engineer's letter dated September 20, 2018. If the Commission does vote to approve they should approve based on the solicitor's contingencies. The motion carried unanimously.

Mr. Peters wanted to clarify they have presented this plan from the beginning with these modifications, received preliminary approval with these modifications, but are now not being recommended for final approval based on these modifications.

Ms Seiber said that was correct.

- c. Request for preliminary approval and recommendation for final approval of the Murovich-Camillo subdivision plan. The property owner of 555 Briarwood Avenue is seeking to acquire property from the adjoining parcel at 559 Briarwood Avenue. The plan would move the internal property line of 555 Briarwood Avenue by three feet, creating an addition of 332 square feet to be acquired and consolidated with the property at 555 Briarwood Avenue. The owner of 559 Briarwood Avenue was granted a variance by the zoning

hearing board for two existing air conditioning units that will become nonconforming due to an application for subdivision submitted by the adjacent property.

Citizen Comments

There were no citizen comments.

Mr. Cannon moved and Mr. Gerge seconded to grant preliminary approval and recommend final approval for the Murovich-Camillo Subdivision Plan conditioned on the comments in the engineer's review letter dated September 20, 2018, and any additional comments from the Planning Board. The motion carried unanimously.

3. New Business

- a. Request for preliminary approval of the Ruth-Bower consolidation plan. The owner of 905 Ruth Street recently purchased the property at 850 Bower Hill Road which adjoins his property. The owner is seeking to consolidate the two parcels into one lot and to partially raze the structure at 850 Bower Hill Road to use as a detached garage.

Mr. Deiseroth read into the record a letter from Gateway Engineers dated September 20, 2018. He said he received a response letter from Liadis Engineering responding to all of the comments except for the comment regarding the garage.

Mr. McMeans communicated with John Kugler, Liadis Engineering, and informed him the option to request a modifications from the garage is available, and a letter of waiver should be submitted. He read into the record a letter submitted on September 24, 2018 requesting a waiver and modification.

Mr. Pittman asked who adjudicates waivers and modifications.

Mr. McMeans said the Commission.

Mr. George asked about the long-term intent.

Citizen Comments

Chuck Blumenshein, 905 Ruth Street, bought his house in 1976. He would like to consolidate the properties, tear down the house from the Bower Hill property, keep the existing garage, and leave the rest for green space.

Mr. George asked if he would abandon the driveway from Bower Hill Road.

Mr. Blumenshein said he will be using the driveway to access the garage, but will do it infrequently. He has no plans to subdivide.

Mr. Canon moved and Mr. Pittman seconded to grant preliminary approval and final approval for the Ruth-Bower Consolidation Plan conditioned on the comments in the engineer's review letter dated September 20, 2018, any additional comments from the

Planning Board, and any waivers regarding section 808.3. The motion carried unanimously.

- b. Request for preliminary approval and recommendation for final approval of the Rolling Lambert subdivision plan. Rolling Lambert Building Company owns the property at 770 Washington Road and has an approved land development plan to construct five townhouse units. The owner is seeking to subdivide the existing lot into five parcels along the party wall lines of the townhouse units.

Mr. Deiseroth read into the record a letter from Gateway Engineers dated September 20, 2018.

Mr. Pittman asked if a sixth lot would include the driveway.

Mr. Deiseroth said no, these are fee simple lots that would run from the front to the back of the property. Each unit will own a piece of the driveway, but it will be maintained by a homeowners association.

Citizen Comments

There were no citizen comments.

Mr. Pittman moved and Mr. Cannon seconded to grant preliminary approval and recommend final approval for the Rolling Lambert Subdivision Plan conditioned on the comments in the engineer's review letter dated September 20, 2018, and any additional comments from the Planning Board. The motion carried unanimously.

4. Citizen Comments

There were no citizen comments.

5. **Next Meeting** — The next regularly scheduled meeting of the Mt. Lebanon Planning Board is **Tuesday, October 23, 2018**, at 7:00 p.m. Please note that beginning in December of 2018, the Planning Board meetings will be on the *third Tuesday* of each month.

6. Adjournment

The meeting was adjourned at 8:47 p.m.