

# PUBLIC NUISANCE HEARING MINUTES

MONDAY, SEPTEMBER 9, 2024

6:30 P.M.

**Roll Call** Edward Snee presiding. Board members Brian Lucot and Lawrence Vogel were present. Also in attendance were: Karen Fosbaugh, Township Manager; Dennis McDonough, Chief of Police; Tom Bonidie, Code Enforcement Officer; Aaron Laughlin, Public Works Director; and Irv Firman, Esq., Township Solicitor.

**Purpose of Hearing** The purpose of the Public Hearing is to take oral or written testimony on the condition of the following property to determine if the property should be declared a Public Nuisance by the Board of Supervisors, and possibly authorizing the demolition of the structure as it is a threat to the health, safety and welfare of Township residents:

**Owner(s):**

David Johnson (Deceased) &  
Mary Alice Johnson

**Location:**

3127 Southern Drive  
South Park, PA 15129  
Lot/Block No. 1108-J-212

**Testimony** **Mr. Bonidie** – Mr. Bonidie read into the record the following:

Nuisance Timeline- 3127 Southern Drive (1008-J-212)

05/19/2005 Notice of Enforcement for overgrown grass and weeds on the property.

05/24/2005 Notice of Enforcement for overgrown trees, shrubs and vegetation into the public road.

10/12/2005 Letter from a neighbor on Shortlee Dr. complaining about the overall condition of the property along with an unused vehicle having multiple broken windows that sits in the driveway and never moves. Further complaints about the amount of vehicle traffic coming and going at this location all hours of the day and night.

08/13/2008 Notice of Enforcement for overgrown trees, shrubs and vegetation into the public road.

06/10/2010 Notice of Enforcement for litter and debris scattered throughout the property.

- 07/21/2011 Notice of Enforcement for overgrown trees, shrubs and vegetation into the public road that was creating a safety hazard at the intersection of Shortlee Dr and Southern Dr.
- 01/23/2015 Office received a photo complaint. Onsite inspection was performed, Notice of Enforcement sent same day for brush, logs and other miscellaneous debris.
- 02/09/2015 Debris remains, Notice of Enforcement was sent certified mail for the same.
- 03/18/2015 Debris remains, citation was issued for the same violation.
- 09/14/2015 Notice of Enforcement for another unused vehicle with broken windows.
- 09/14/2015 Another Notice of Enforcement was sent certified mail for the same unused vehicle with broken windows.
- 09/14/2021 Notice of Enforcement sent for high grass and weeds.
- 04/24/2023 Notice of Enforcement sent certified for open unsecured and unsafe structure.
- 11/30/2023 Notice of Enforcement sent for high grass and weeds, debris and open unsecured structure.
- 01/31/2024 Had a meeting with Carol and Shawn Reaves regarding her sister, Mary Alice's, home on 3127 Southern Dr. They informed us that the interior of the house is in disrepair from lack of any type of maintenance and vandalism over the years. We were informed that the following interior conditions remain.

\*Basement foundation wall is bowed with a potential of collapse.

\*All copper plumbing lines have been removed from the house

\*HVAC system and hot water tank has been removed.

\*Most copper electric lines have been removed from the property.

After further discussion with the family members, we were told that they were in the process of applying for power of attorney on their sister's behalf due to her health.

**\*\*AFTER MANY ATEMPS TO CONTACT FAMILY MEMBERS AS TO THE STATUS OF EVERYTHING WITH NO SUCCESS, OUR OFFICE DECIDED TO MOVE FORWARD WITH THE POTENTIAL OF A NUICENCE HEARING\*\***

- 08/02/2024 A Potential Nuisance Property letter was sent to the Board of Supervisors from our office.
- 8/12/2024 Board of Supervisors scheduled public hearing for September 9, 2024 at 6:30 p.m. to determine if property should be declared a public nuisance subject to abatement procedures.
- 8/15/2024 Certified and First-Class mail sent as follows:
- Certified #7022 2410 0000 9572 8580  
Carol Smith Reaves & Shawn Reaves  
1604 Soles Street  
McKeesport, PA 15132  
*Signed Green Card Received on 8/19/2024*
- Certified #7022 2410 0000 9572 8559  
Carol Smith & Mary Alice Johnson  
2512 Grove Road  
South Park, PA 15129  
*Signed Green Card Received on 8/19/2024*
- 8/22/2024 Advertising sent to Post-Gazette for the 8/29/24 South edition.
- 8/28/2024 Neighbor letters (39) sent to those within a 300 ft radius.  
Visual Inspection and Pictures taken of the property.
- 8/30/2024 Property and Lobby Posted. Inspection from the road was performed. Both side porch roofs are separating from the structure along with tall grass/weeds and debris was noticed at time of inspection.
- 9/9/2024 Hearing at 6:30 p.m.

Mr. Bonidie concluded that after many years of dispute regarding this property, he would suggest that the board declare the property a nuisance, and notify the family to bring the property up to compliance standards.

**Carol and Shawn Reaves, 1604 Soles Street** – Ms. Reaves identified herself as the owner’s sister. She was unaware of the issues with the property until 6 months – 1 year ago, and has been focused on her sister’s health. Mr. Reaves expressed difficulties with acquiring the sister-in-law’s identifications, and that has caused delays. Mr. Reaves admits that he has never been inside the house recently, due to safety concerns. Any attempt to proceed with the property has been stopped, because they lack the Power of Attorney. Ms. Fosbaugh questioned if they knew when they would have the Power of Attorney, Mr. and Ms. Reaves confirmed within a week or two. Mr. Lucot’s asked if anyone was currently living on the property, and what their next steps would be, once they had the Power of Attorney. Mr. Reaves answered that no one is currently living on the property, and without knowing the status of the property, he was uncertain on how they planned on proceeding. He was aware of damage in the foundation years ago, but was unsure of the next steps.

**Ms. Fosbaugh** – Ms. Fosbaugh stated that she and Mr. Bonidie met with Carol Smith Reaves and Shawn Reaves on January 31, 2024, to discuss the issues related to the home at 3127 Southern Drive. Ms. Reaves was to give an update to the Township as to the status of the property within 30 days, and did not do so. Ms. Reaves spoke with Mr. Bonidie on Friday, September 6, 2024 to provide updates, which Mr. Bonidie provided. Ms. Fosbaugh conducted inspections of the property on 2/22/2024, 8/8/2024, 9/9/2024 in accordance with the code of the Township of South Park. During the inspections the following concerns were observed: garage door had been removed and was replaced with plywood, weeds are overgrown in the driveway, walls are collapsing on either side of the driveway, the front porch is leaning and detaching from the main structure, the railing around the front porch is deteriorating and is missing in certain areas, two interior window panels appear to be broken, the rear screened in porch is severely deteriorated, and some of the gutters are missing.

**Chief McDonough** – Chief McDonough stated that he inspected the property three times from the street side on the following dates/times: Friday, August 30, 2024 at 1:00 PM, Thursday, September 5, 2024 at 3:00 PM, and Monday, September 9, 2024 at 12:00 PM. He concurred with Ms. Fosbaugh and Mr. Bonidie’s observations. There are a few salvageable windows, however there are complete gutters missing, walls are falling in, and forced entry to access the house, the garage is boarded up.

**Scott McCurdy** – Mr. McCurdy has lived near this property for 25 years, and confirms that it is probably the last blighted house in the neighborhood. He felt that it would probably be best to demolish the house and sell the land.

**Mr. Snee** - Mr. Snee stated that as required, he inspected the property on September 6, 2024. Grass and weeds are overgrown on the property, the porch has completely separated, the gutters are falling off, it looks like the walls are buckled, and the garage is boarded up with what looks like garbage inside.

**Mr. Lucot** – Mr. Lucot confirmed that he has driven past the property on numerous occasions, most recently on September 7, 2024, and concurs with the previous visual assessments as seen from the roadway.

**Mr. Vogel** – Mr. Vogel concurred that he has driven by the house quite a few times, most recent was towards the end of August. He agreed with the findings from the others, and stated that the biggest issue is most likely the foundation, and that unfortunately the structure has just started to give way.

**Mr. Firman** – Mr. Firman had nothing more to add, but requested one more time to check in with residents in case anyone else had something to add. Mr. Snee agreed and checked one more time for resident input, no further comments were made.

**Close Public  
Hearing**

Motion by Mr. Lucot, and seconded by Mr. Vogel, to close the public hearing. All members voted aye. Motion carried.

**Adjournment**

Motion by Mr. Lucot, and seconded by Mr. Vogel, to adjourn the public hearing. All members voted aye. Motion carried.

**Time: 6: 53 p.m.**