

Minutes of the Special Meeting

of the South Park Township

Board of Supervisors

January 27, 2026

Pledge of Allegiance

Roll Call

Ed Snee presiding. Board members present: Lawrence Vogel, Sharon Adams, Debra Duncan, and Whitney Gastmeyer were present. Also in attendance were Karen Fosbaugh, Township Manager; Sergeant Banas; and Irv Firman, Solicitor. Absent: Aaron Laughlin, Director of Public Works.

Three or more members of the Board of Supervisors were together on the following occasions which were executive sessions, informational meetings, or Township-related events:

Tuesday, January 27, 2026 – Executive session – Litigation, and privileged legal advice.

PLEASE BE INFORMED THAT THE TOWNSHIP OF SOUTH PARK RECORDS ALL PUBLIC MEETINGS AS PART OF THE MEETING MINUTES PROCESS.

ANYONE SPEAKING THIS EVENING IS REQUESTED NOT TO REPEAT THE SAME POINTS ADDRESSED AT A PRIOR MEETING. RESIDENTS ARE REMINDED THAT THE BOARD OF SUPERVISORS IS REGULATED TO ADHERE TO EXISTING ORDINANCES.

THE AUDIENCE AGENDA WAS PLACED ONLINE FOR RESIDENTS WHO MAY WISH TO OFFER PUBLIC COMMENT OR ASK A QUESTION WHICH WILL BE ENTERED INTO THE RECORD AT THE MEETING THIS EVENING. COMMENTS/QUESTIONS WERE TO BE SUBMITTED NO LATER THAN 4:30 P.M., TUESDAY, JANUARY 27, 2026.

Mrs. Fosbaugh stated that there were several emails that were received.

The first was received on Sunday, January 25, 2026 at 5:08 p.m. from Paul Smith. He submitted comments opposing the Sleepy Hollow development and listed a number of reasons why he was opposed. These comments will be attached to the meeting minutes.

The second was received on Tuesday, January 27, 2026 at 11:36 a.m. from Virginia Repine. She is concerned about the exit egress of the Sleepy Hollow development and also the legal ramifications for the

Township if damage to the culvert would impede access to Sleepy Hollow Road.

The third was submitted by Jason Sobek, and this was originally submitted at the South Park Township Board of Supervisors meeting on January 12, 2026. He lists a number of issues why he is opposed to final plan approval. It will be attached to the minutes once they're entered into the meeting minute book.

The fourth was received on Tuesday, January 27, 2026 at 2:52 p.m. from Jason Sobek. He is concerned about the Township owned culvert at Stoltz Road and Sleepy Hollow Road with regard to no stamped structural engineer load rating, and load rating methodology. This is entered into the public record as well.

The fifth was received on Tuesday, January 27, 2026 at 2:53 p.m. from Bonnie Gildea. She asked that her letter and attachments be entered into the public record and make sure that the Board of Supervisors were aware of the email that was sent. She has significant concerns about Majestic Woods, which she outlines in her letter.

The sixth email was received Tuesday, January 27, 2026 at 4:11 p.m. from Ted Sobek. He asked that his letter be distributed to the Board of Supervisors and also be entered into the public record. His letter addresses a specific technical concern with regard to the geotechnical document, and specifically that it does not include subsidence modeling calculations despite a reported shallow mine void encounter in a test boring.

The seventh was received on Tuesday, January 27, 2026 at 4:34 p.m. from Jason Sobek. This email was with regard to an incomplete NPDES permit application. Attached is an email that was received from Matt Gordon, who is the regulatory director at ACCD. As quoted from this email, Mr. Gordon stated, "We issued an incompleteness review letter on 12/30/2025 for the project, meaning Majestic Woods, with 31 comments. The applicant has 60 days from that date to respond."

The final email was received Tuesday, January 27, 2026 at 4:23 p.m. from Julia Gunn. She addressed the bridle trail that was mentioned and her concerns about the way it was proposed. She stated it is in a depressed area, which will result in trapped water and unfavorable conditions for the ground underneath.

**CALL ON THE
PEOPLE – Issues Not
Related to Majestic
Woods**

There were no public comments.

**CALL ON THE
PEOPLE - Majestic
Woods Subdivision -
Final Approval -
Sleepy Hollow Road -
Comments**

Tim Foster, 1046 Westchester – Mr. Foster expressed serious safety concerns regarding the proposed Sleepy Hollow development’s only access road, a sharp bend leading into a narrow culvert that school buses, emergency vehicles, and large trucks would be forced to navigate every day. He stated this is not a hypothetical issue, it was discussed internally after an engineering study identified that it was a real foreseeable risk, and then it was buried. Rather than bringing these concerns forward for public discussion, independent review, or corrective action, the email record shows coordination between the developer, Frank Zokaites, his development team, the Township’s paid Engineer, Dan Deiseroth, and even employees of the Township, who were also included as recipients. Mr. Foster stated that it seems they conspired to withhold the information, exclude it from reports, and present a carefully crafted, unified narrative through a developer spokesman, Michael Wetzel. He continued, as stated in the email, “I’ll see to it that the engineering firms agree to whatever statement we make about the turning radius issues from Stoltz Road to Sleepy Hollow Road for school buses and fire trucks.” Mr. Foster stated that the public never heard about this risk, the decision makers were never informed, the record was never corrected and apparently the problematic study was destroyed. He continued to state this issue goes beyond a single project. It raises fundamental questions on how development decisions are made in South Park, whose voices matter and whether safety concerns are treated as obstacles to be managed rather than responsibilities to be honored. Mr. Foster summarized that an email had been sent from Josh Hadu, the senior traffic engineer of Wooster, he produced a full fire truck and school bus turning radius study and sent it to Dan Deiseroth at Gateway Engineers. Mr. Foster stated, four minutes later Frank Zokaites replied, “Not approved.” Wetzel wrote to Deiseroth, “Frank does not want to show the detail of all the truck movements at each intersection, but just show our original movement plan.” Mr. Foster quoted, “Wooster is prepared to agree with these statements if asked by the Township Supervisors.” Mr. Foster stated that withholding critical information violates our SALDO, that Township ordinances require the applicant to submit all engineering studies relevant to health, safety, and welfare prior to approval. Mr. Foster concluded that this email chain proves that the developer and Township Engineer intentionally withheld critical safety information from the Board of Supervisors prior to the May 2024 Preliminary Approval hearing.

Jason Sobek, 1750 Stoltz Road – Mr. Sobek stated that he received an email from Matt Gordon, Regulatory Director at Allegheny County Conservation District regarding the NPDES stormwater permit application, stating that it was under review, there were 31 comments and the applicant had 60 days to respond. Currently, the developer does not have the NPDES permit, which was a condition of preliminary approval. Mr. Sobek stated that tonight’s vote will approve 108 homes that depend entirely on a single Township-owned stream crossing access point. The record does not include a current inspection report or stamped load rating analysis demonstrating that this structure can safely carry foreseeable construction, timbering and emergency loads. He referred to Dan Deiseroth’s previous statement, that the culvert could hold 35 tons, but that statement is not the same as a load rating. A load rating is a

documented engineering deliverable based on as-built infrastructure. It's a condition in real vehicle configurations. It evaluates axle loads and axle spacing, not a single verbal gross weight number. Because this crossing is the sole access point, if it is overstressed, deteriorated or damaged, the consequences are loss of safe access, impaired emergency response, taxpayer liability, and major repair cost. Mr. Sobek detailed the variety of construction equipment and their approximate weights that would be needed for this development, citing Caterpillar 390F excavator – 95.1 tons, TigerCat 880E shovel logger – 47 tons, John Deere 909M tracked feller buncher – 40.4 tons and Hitachi excavator 77.1 tons. He stated that until a stamped load rating report exists, approving a plan that depends on this single access point is not responsible engineering nor responsible governance. Mr. Sobek summarized his previous comments, including stating that preliminary approval should have been rescinded by ordinance because the developer did not formally accept the conditions in writing within 30 days, that the developer has not produced written utility authorization to move the utility pole, geotechnical mining subsidence risks, and the NPDES permit remains outstanding. The developer proposed widening the cartway to 24 feet, however ACED states the drawings were not submitted as part of the road profiles, and no details were provided as to how the bridge will be improved. Mr. Sobek urged the Board to take the advice of the Planning Commission, which voted twice not to recommend the development. Mr. Sobek concluded by requesting the Board of Supervisors not approve the Majestic Woods development.

Diane Foster, 1046 Westchester Road – Mrs. Foster stated for more than 100 years Sleepy Hollow Road has been providing safe and lawful access for horses and riders to the County Park trail system. She stated that this is a Non-Conforming Use under Pennsylvania law, it is a vested constitutional property right that runs with the land and cannot be eliminated, obstructed or rendered unsafe by later development. Municipalities have the responsibility to protect lawful Non-Conforming Uses during land development review. When a developer chooses to build on constrained land, burdened by steep slopes, bridges and a century year old protected use, the law requires the design to adapt to those constraints. She stated that the Board should not grant final approval to any plan that endangers or eliminates the protected equestrian use of Sleepy Hollow Road. Approval must be conditioned upon safe engineered equestrian accommodations, such as a dedicated lane or bridal path with safe bridge access, not something penciled onto a map at the last minute along a drainage swale. Mrs. Foster stated, the developer must provide a written finding of fact acknowledging the lawful Non-Conforming Use. If the developer cannot meet these requirements, then the project's density, layout or concept must change. She stated to also keep in mind the buffalo in South Park, the buffalo have been here for almost 100 years, and this development is 560 feet away.

Thomas Priano, 1020 Old Post Road – Mr. Priano stated that meeting attendees recognize Stoltz Road as a landmark of the community, when the developer mispronounces the road name, it causes outrage among those in attendance, and shows disrespect to the community, lending to

the notion that this development is only seen as a money making project to the developer. He referenced the conditions that were set during the preliminary approval in May 2024, noting the offsite improvements to modify the culverts under Sleepy Hollow Road as necessary to allow for a 24-foot cartway to extend to Stoltz Road. Mr. Priano referenced an email from Matt Trepal of ACED, wherein Mr. Trepal stated the bridge from aerial and other photography does not appear to be capable of being widened to a 24-foot cartway without completely replacing the bridge. It's immediately at the intersection of Stoltz Road and Sleepy Hollow Road which creates an additional potential point of congestion. It's the sole access point for all traffic to the lots on Sleepy Hollow Road, and while there are two entrances to the proposed development from Sleepy Hollow Road, any damage to the Sleepy Hollow Bridge or blockage of Sleepy Hollow Road west of the proposed development renders the site inaccessible to emergency vehicles. Mr. Priano referenced a letter from David E. Wooster and Associates to Mr. Bonidie, in response to the County's review of the proposed Majestic Woods subdivision plan, where he states, the bridge width is 27-feet from end wall to end wall, and the developer proposed a 24-foot cartway between end walls. The developer plans on keeping the end walls as-is and aligning the road so that the lanes stay within the end walls. The culvert is 51-feet from the intersection, which will allow for vehicles to be on Sleepy Hollow Road in both lanes with unobstructed queuing length. This is the case for all dwellings already on the road, no improvements are proposed. Mr. Priano stated that it seemed that the developer and ACED were reviewing two separate locations. He then asked, has the developer submitted detailed, up close drawings, to the Township for the plan for Sleepy Hollow Road to cross the culvert? The only drawings he had seen were far zoomed out overview pictures of the entire road from Stoltz Road to the end of the Nickoloff property. Included in one of the drawings was a statement that said revise 1 or both culverts if needed to allow for 24-foot wide pavement width in between guide rails, no curbing. Mr. Priano questioned, shouldn't the developer know what's needed, to prove what needs done and how it will be accomplished. Mr. Priano then handed out copies of culvert drawings that Jim Converse, who lives at the end of the culvert, had completed. He spoke and highlighted various details within the document, and detailed the difficulty of vehicles traveling over the culvert. Mr. Priano referenced the developer stating that the culvert was functioning for the existing residents, but Mr. Priano pointed out that is 4 residences and 1 small office, not 108 homes. He stated the developer has not submitted any new design to the culvert, and questioned if the Township is being set up to bear full responsibility of widening the culvert area. If there is no formal agreement to the preliminary conditions, and the plan is approved despite conditions not being fully met, can the developer claim that he never actually accepted those conditions? He stated that this is the only access to Sleepy Hollow Road, and the only way in or out for an increase of 108 homes if this is approved. Mr. Priano concluded that it is irresponsible and unacceptable to permit this development to move forward without this important condition being satisfied, with unsatisfied conditions existing, there is no other option for the Township but to reject this final approval request.

Bonnie Gildea, 1971 Sleepy Hollow Road – Ms. Gildea stated she has attended every meeting regarding the Majestic Woods development and has expressed great concern over the development and the fact that there is no buffer between these new homes and her horses and property. She cited other developments from these same developers and engineers that have resulted in litigation, land slide and substandard construction standards. Ms. Gildea stated she has been reassured numerous times that her horses and farm would not be affected by this development, but she stated that is hard to believe. She quoted a letter from Frank Zokaites that the development will proceed either way, and that her cooperation is not mandatory. She expressed great concern regarding the widening of Sleepy Hollow Road and how it would alter her property. Initially the design included an 8-foot wall, the new plan uses slopes and gradation. The original engineering assessment appeared to recognize the need for a substantial structural protection, without it she is deeply worried that her property could be at risk of erosion or collapse onto the roadway over time. She questioned what transpired between the Wetzell team and Dan Deiseroth to make such a drastic change. Ms. Gildea stated this new development lacks safe access: narrow roads, the culvert, a steep dropoff, children, pets and horses that walk the street. A development of this proportion is too large for Sleepy Hollow. She stated this development can and will cause significant harm and disruption to this community over unresolved access rights, traffic concerns and inconsistent zoning standards. Ms. Gildea stated that currently she uses a safe flat, half dirt road to access the park, and what the developer is proposing is a no access bridge, a narrow road on a steep embankment and a steeper trail with no footing. She read a letter from Gary Carmen, where he stated, that his father, Fred Carmen, had given permission for the horses to pass through the property, and he would respect his father's wishes, adding that he would not be responsible should any injury occur while passing through his property. Ms. Gildea concluded by stating the Board holds her future in their hands, if her land gets flooded, it will be a disaster.

Julia Gunn, 1840 Stoltz Road – Ms. Gunn discussed detail regarding the proposed bridal trail, stating that initially it sounded good, until you read further into the stormwater management plan. The bridal trail will be in the swale, the swale collects the water, so riders would be going through mud and muck. She stated, in addition, you would need a switch back to go up that steep hill, otherwise the horses will just slide down the hill, causing a very dangerous situation. She stated that horses are very sensitive to noise, and change in their environment. Every day there would be a change, or a different noise. There is no guarantee that the construction water would not seep into Sleepy Hollow Run, which the horses drink from. Ms. Gunn stated her concerns about water drainage from the cleared land, and about potential water main breaks. She then discussed the new traffic to anticipate from the new school on Kings School Road, the traffic study from Bethel Park cited over 1,100 new vehicles travelling through the area. She also remarked on the Sunset Golf development, and how many cars that could add, on top of the additional 108 homes for this development, Stoltz Road will be a gridlock. Ms. Gunn then asked if anyone in the community has said they wanted this development, the audience members yelled no in response.

Mary Amoroso, 1875 Stoltz Road – Ms. Amoroso stated she has been an instructor for many years, taking children on their first horse ride down to the trail in the park. She expressed concern for the safety of the horses and riders when traveling from the stable to the trail, with all of the added traffic that will be present from the development. Ms. Amoroso shared a photo of her truck on the road, and she pointed out dents in the existing guard rail from where cars attempt to pass each other. She stated the Planning Commission, the Township appointed Planning Commission, voted twice to deny this proposed development. She concluded by stating to please vote no.

Sheila Petruska, 3110 Shelley Drive – Ms. Petruska stated the traffic study that was completed for the development, did not include the new Bethel Park Elementary Center, which will be a large traffic generator. Under PennDOT's own framework, this is the kind of planned and permitted development that should be evaluated and added to the future traffic scenarios. Because the traffic study did not incorporate this known approved project, the Board does not have the defensible basis to rely on it, as proof of safe, acceptable traffic conditions. At minimum, the traffic analysis should be corrected and re-run with the elementary center traffic included, otherwise you are voting on a future conditions analysis that omits a major traffic generator. She provided the PennDOT traffic study guidelines. She stated that everyone simply wants a safe community, and to please vote no on this development.

Raymond Steinhauser, 1555 Berryman Avenue – Mr. Steinhauser presented information of a similar situation, he cited Grim vs Maxatawny Township Board of Supervisors, where a community's Board voted to approve of a development. This case was addressed by the Commonwealth Court of PA, reviewing if the Board of Supervisors acted appropriately when conflicted members voted to approve a plan. He stated that we know the developer did not submit written approval of the preliminary conditions, that they did not meet the minimum specifications. In the trial of Grim vs Maxatawny the court vacated and remanded the Board's decision. Mr. Steinhauser stated that this is proof that the courts are on our side, and while he does not want to go to court over this, there were 15,000 people who signed the petition against the Sleepy Hollow Development.

Ricky Turner, 1928 Stoltz Road – Mr. Turner stated he and his wife chose to move to their home on Stoltz 31 years ago, as they liked the area. He expressed confusion over how the plan was able to be brought before the Board of Supervisors, after the Planning Commission had voted no, twice. He then stated that with 15,000 people signing the petition against the development, no one has ever been in favor of the proposed development besides the developer, it should be voted down.

Bill Emert, 1910 Riggs Road – Mr. Emert stated that while he lives a bit away from the proposed development, but he has attended meetings. He stated that in the previous meeting, the audience members have brought up disputes, information and questions, but rather than answer questions or give a response, the developer said nothing. Mr. Emert stated that while

the developer gave presentations, they lacked information. He stated that this piece of property that was purchased has been land for horses and squirrels for a century, it's not capable of being more than that, just because the developer wants to turn this property into a 108-home development, doesn't mean it's possible. Initially there were two developers planning on building up this property, one walked away, why is one hanging on, hoping to push this development through? He concluded by requesting the Board, please vote this thing down.

Virginia Repine, 1048 Old Post Road – Ms. Repine stated that small details like fire hydrants, an electrical box and gas pipes along Sleepy Hollow Road have never been addressed. Should a fire truck have to access the fire hydrant, Sleepy Hollow Road will be completely blocked. She then read a paragraph from James Converse, resident of 1901 Sleepy Hollow Road, his quote that was stated during the Planning Commission meeting on April 24, 2024. He stated his home is on the corner of Stoltz Road and Sleepy Hollow Road, and as everyone knows, there was a fire. His neighbors had requested that he speak about how difficult it was for the fire department to get in because of that culvert. He stated, it was bad, they had to swing way out and then back to make the turn. Something needs to be done with this bridge, it is not just the width of it, it is how it sits and the adjoining telephone pole and guard rail, which are always banged up. Any time the Township has fixed the pole or guard rail, they end up damaged again right away. Ms. Repine stated that she went herself to measure the street to see it all herself, and to take pictures. She compared looking at the development of Sunset Golf, seeing the machinery there, and questioned how is it possible for that machinery to get to this development on Sleepy Hollow Road. If the construction vehicles are in place on the lot, and something happens to the culvert, and those vehicles are stuck there, isn't that the Township's responsibility? Ms. Repine concluded by stating that approving this is not right, and please don't do this.

Joan Carmen, Property Owner – Ms. Carmen asked the Board, did the developers do everything that you asked them to according to the code? She then questioned if the horses truly had permission to go through the property for 100 years. She stated the Carmen family owned the property since 1979. Originally her husband had planned with Veca Land Development in 2006 to develop a housing plan, this was the final piece of land to develop. However, that fell through. Ms. Carmen stated that they never allowed people to ride their horses through their property. This property is private property, owned by Veca Land Development, it is not community property, it is not South Park's property. She stated that residents have expressed concerns about the buffalo, but originally 200 acres was purchased for the buffalo, but the buffalo are sitting on 11 acres, if you care so much about the buffalo where is that 200 acres. She stated the community has so much concern over buffalo, but no regard for Gary Carmen's son, who suffered from PTSD and brain injury from a car bombing, who took solace on this property, and would call every time the horses rode through the property. Ms. Carmen then asked, if this goes to court, and the development gets approved, will they still put in that bridal path, or any of the other extras they added in, or only do what's necessary

for that development. She asked if anyone had previously stated their opinion on the development prior to January 2026. Ms. Carmen stated for the record, do not trespass on my property, do not take your horses on my property. She stated she's asked the officers to warn trespassers, and the next step will be to fine them.

Leslie Peters, Bowles Rice LLP – Ms. Peters stated she is here on behalf of the applicant. She stated that the use proposed as a Use-By-Right in both the R1 and R2 zoning districts, all of the Township staff and consultants have acknowledged that the final plan before the Board meets all ordinance requirements. Ms. Peters stated that the Pennsylvania courts have determined that a municipality may not deny a plan based on a failure to have third party permits and approvals. She stated that was all she wanted to add to the record and that if anyone has questions, they will be happy to answer them. An unidentified speaker from the audience asked if they had received permission to move the utility pole, Ms. Peters then responded that she was not here to answer questions, stating that involved a third party.

**Action on Final
Approval - Majestic
Woods Subdivision -
Sleepy Hollow Road**

Motion by Mr. Vogel, seconded by Ms. Adams, to deny granting final approval to the project identified as Majestic Woods Subdivision, to be located on Sleepy Hollow Road, being Lot/Block 771-F-75, as proposed by the Developer, Majestic Woods, LP. All members voted aye. Motion carried.

Adjournment

Motion by Mrs. Duncan, seconded by Miss Gastmeyer, to adjourn the meeting. All members voted aye. Motion carried.

Time: 8:41 p.m.