

**Minutes of the Regular Meeting**

**of the South Park Township**

**Board of Supervisors**

**December 8, 2025**

**Pledge of Allegiance**

**Roll Call**

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

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

Monday, November 10, 2025 – Prior to the regular meeting to discuss personnel issues.

Monday, November 10, 2025 – After the regular meeting to discuss personnel issues.

Monday, December 1, 2025 – Review potential police candidate videos.

Monday, December 1, 2025 – Executive session – litigation and personnel issues.

Monday, December 1, 2025 – Possibly during the Light Up Night event.

Wednesday, December 3, 2025 – 2026 Informational Budget Meeting.

Friday, December 5, 2025 – Boards and Commissions Night.

Monday, December 8, 2025 – Discussion of potential litigation and receipt of 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., MONDAY, DECEMBER 8, 2025.**

Mrs. Fosbaugh stated that a number of emails were received, related to Majestic Woods: Rosebud9664, Mary Amoroso, Emily Schramm, Gina Peifer, Erin White, Bonnie Gildea with exhibits, and Jason Sobek with extensive attachments.

Sharon Adams sent a document which she had asked to be distributed to the Board of Supervisors.

Kristen McNally had requested Stop Signs in the Bonnie Dell Plan.

Danielle Strimlan emailed stating she would be unable to attend tonight's meeting, but urged the Board of Supervisors to review the Township's Oil and Gas Ordinance.

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

**Justin Livingston, 3201 Southern Drive** – Mr. Livingston stated that he and his wife purchased property on Southern Drive in July of 2025, and they began working on the property without a permit. He states that Mr. Bonidie came to the worksite, entered the home without permission, without stating who he was, and began taking photos. Mr. Livingston states that Mr. Bonidie yelled at workers, insisting they needed to stop. A stop work order was issued, and they respected that order. Mr. Livingston states it was difficult to obtain the work permit, that Mr. Bonidie refused to accept their paperwork without a grading survey for the property. After 3 weeks and \$1,500 they obtained a grading survey, brought that and attempted to resubmit the paperwork for the work permit, and was told they needed a grading survey from before work had been started. Mr. Livingston had his architect review South Park Township's Code and determined that a grading survey was not necessary for the building permit they were applying for. The Township Manager was notified, they had made a few more changes, and the building permit was issued. As work was moving forward, they attempted to submit an as-built statement from the architect, stating that all of the conditions had been met and reviewed. A member of their team reached out to MDIA for a Quarter Inspection on a different part of the property, however they were informed that no inspection would be provided until the items in the Plan Review comments had been addressed. Mr. Livingston's team responded that they had provided an As-Built Statement for the work previously performed, and MDIA stated that they would not accept that document. Mr. Livingston questioned if the Borough had never accepted an As-Built Statement in the past, and if inspections had been denied due to other issues in other areas of the property before. He stated that all of the delay in paperwork and inability to progress on the project is adding additional cost that may need to be rectified in court. His intent tonight was to bring this to the attention of those in charge of running the Township.

**Marty George, 1922 Strawbridge Drive** – Mr. George congratulated Chief McDonough on an outstanding career. He also thanked everyone for the votes he received during the election, and extended his congratulations to the new Township Supervisors: Miss Gastmeyer, Mrs. Duncan, and Ms. Adams. Mr. George hoped that the Board would consider waiting for the new Supervisors to have the opportunity to assist in selecting the new Chief of Police for the Township.

**Debra Duncan, 2451 Stewart Road** – Mrs. Duncan expressed deep concerns regarding the retirement of the Township’s Chief of Police, and the process being used to recruit a new chief. She states that this role is one of the most crucial positions within the Township, and feels that the process was kept out of the public eye, and seems to be moving very quickly. She hopes that the three new Supervisors will have an opportunity to provide input, and respectfully requests that no final selection or contract be executed until the Supervisor elects can substantially participate in the hiring process. The Chief will be reporting to and held accountable by the Board of Supervisors, including the Supervisors elect, and therefore all parties should be involved in the hiring process. Mrs. Duncan also congratulated Mr. Lucot for his work and service for the Township.

**Joe Ferelli, 1107 Aurora Drive** - Mr. Ferelli, former Police Chief of South Park Township, extended his congratulations to Chief McDonough for his 52 years of service. He also thanked Mr. Snee for his 32 years of service in the Police Department.

**Action on Minutes**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the minutes of the Regular Meeting of the Board of Supervisors held on November 10, 2025. All members voted aye. Motion carried.

**Action on Invoices for November, 2025**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the payment of invoices for the month of November, 2025. All members voted aye. Motion carried.

**Action on Non-Exclusive License Agreement - Leah Morosetti and Scott Morosetti - 1704 Kings Court**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the Non-Exclusive License Agreement by and between the Township of South Park (Grantor), and Leah and Scott Morosetti (Grantees), to permit the construction of a 54" aluminum fence over a sanitary sewer easement located on Lot No. 220 of the Imperial Point Plan No. 2, Lot & Block No. 663-G-24, being 1704 Kings Court; as recommended by the Director of Public Works, and further authorizing the appropriate Township officials to execute said Agreement. The Grantees understand and acknowledge that by executing the Agreement, they agree that South Park Township has the right to access the easement for repair and/or maintenance purposes. The Grantees further understand and acknowledge that access to the easement by South Park Township may necessitate the removal of the encroachment by the Grantees at their cost, and that South Park Township will not be responsible for any and all repairs, damages or replacement of said encroachment. All members voted aye. Motion carried.

**Action on Release of Bond - Cox Grading Permit - 1283 Armstrong Drive**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve refunding Bond No. SB-004738 in the amount of \$125,544.96, posted by Disaster Restoration Services to guarantee completion of the grading activities required as a result of a slide located at 1283 Armstrong Drive; contingent upon the receipt of the required 2-year maintenance bond in the amount of \$37,663.49, which was received in November, as recommended by the Township Engineer. All members voted aye. Motion carried.

**Action on Snow Removal Agreement - Villas of South Park**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the Snow Removal Agreement by and between the Township of South Park and Villas of South Park HOA, the master HOA for the Villas of South Park Community, which provides for winter maintenance services to all streets within the subdivision identified as the Villas of South Park by Township Public Works forces at a specific cost to the Developer, and further authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.

**Action on Release of Cash Fire Bond - Barbara Mullaugh - 1032 Imperial Drive - Lot/Block 663-C-189**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the release of the cash fire bond in the amount of \$55,798.00 posted by Erie Insurance under the auspices of Act 98, as the demolition of the damaged structure has been completed in accordance with Township standards; as recommended by the Township Solicitor. All members voted aye. Motion carried.

**Action on Resolution No. 13-25**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Resolution No. 13-25 - A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, PENNSYLVANIA, SETTING MEMBER CONTRIBUTIONS INTO THE POLICE PENSION FUND FOR THE TOWNSHIP OF SOUTH PARK. All members voted aye. Motion carried.

**Action on Retirement - Police Chief Dennis M. McDonough - South Park Police Department**

Motion by Mr. Lucot, seconded by Mr. Vogel, to accept the retirement of Chief Dennis M. McDonough from his position as Chief of the South Park Police Department, with an effective date of retirement being Friday, January 2, 2026, at the close of the business day. All members voted aye. Motion carried.

**Action on Resignation - Recreation Board Member Dawn Kempton**

Motion by Mr. Lucot, seconded by Mr. Vogel, to accept the resignation of Dawn Kempton from her position on the South Park Township Recreation Board, with an effective date being Wednesday, December 31, 2025. All members voted aye. Motion carried.

**Action on Bids - Fall Commodities - South Hills Area Council of Governments (SHACOG) Purchasing Alliance**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the bids received by the South Hills Area Council of Governments (SHACOG) on October 30, 2025, for the purchase of Fall Commodities through the cooperative purchasing program; from the suppliers listed on Attachment A. All members voted aye. Motion carried.

**Action on Change Order No. 1 - 2025 Township-Wide Sanitary Sewer Rehabilitation Project - Insituform Technologies**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Change Order No. 1, which is a deduction in the contract of \$62,403.58, reflecting a final contract price of \$282,555.18, as submitted by Insituform Technologies, due to the actual field conditions and the quantities being less than the quoted bid; as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Payment Request No. 2 and Final - 2025 Township-Wide Sanitary Sewer Rehabilitation Project - Insituform Technologies**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Payment Request No. 2 and Final in the amount of \$14,127.76, as submitted by Insituform Technologies, for the work completed to date on the project identified as the 2025 Township-Wide Sanitary Sewer Program; as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Payment Request No. 3 and Final - Davis Garage Doors - Public Works Building Improvements and Addition**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Payment Request No. 3 and Final for the project identified as the Public Works Building Improvements and Addition, as submitted by Davis Garage Doors, Inc., the Contractor installing the new garage doors and openers, in the amount of \$11,436.00; as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on 2026 Insurance Proposal - American Public Risk, LLC - South Park Township**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the insurance proposal submitted by general managing agent, American Public Risk, LLC, to provide insurance coverage to South Park Township for the calendar year 2026, including but not limited to the following:

- |                                |                                   |
|--------------------------------|-----------------------------------|
| A. Property                    | G. Public Officials Liability     |
| B. Boiler and Machinery        | H. Employment Practices Liability |
| C. Inland Marine               | I. Law Enforcement Liability      |
| D. Crime                       | J. Automobile Liability           |
| E. General Liability           | K. Umbrella                       |
| F. Employee Benefits Liability | L. Terrorism/Cyber Liability      |

at a total premium of \$123,343.00. All members voted aye. Motion carried.

**Action on 2026 Insurance Proposal - National Union Fire Insurance Company of Pittsburgh, PA - Broughton Volunteer Fire Department and Library Volunteer Fire Company**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the insurance proposal submitted by National Union Fire Insurance Company of Pittsburgh, PA, to provide insurance coverage to South Park Township's two volunteer fire departments: Broughton Volunteer Fire Department and Library Volunteer Fire Company for the calendar year 2026, as follows:

Broughton Volunteer Fire Department	\$22,539.00
Library Volunteer Fire Company	<u>\$21,313.00</u>
Total	\$43,852.00

All members voted aye. Motion carried.

**Action on 2026 Worker's Compensation Insurance Proposal - AmTrust Financial**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the insurance proposal submitted by AmTrust Financial through Trucordia Insurance Services, LLC which outlines the terms and conditions for the provision of Workers' Compensation Insurance to South Park Township for the period January 1, 2026 - January 1, 2027, at a total premium cost of \$113,686.00. All members voted aye. Motion carried.

**Action to Ratify Purchase - License Plate Readers**

Motion by Mr. Lucot, seconded by Mr. Vogel, to ratify the purchase of license plate readers (LPRs) for placement of the devices at various intersections in South Park Township for increased safety, at the following costs:

- A. Plate Smart software \$7,640.00/2-year maintenance
- B. Broad Band Wireless hardware \$25,599.00/one-time purchase
- C. T-Mobile for Government - \$705.60/annually connectivity to server

All members voted aye. Motion carried.

**Action on Payment Application No. 5 and Final - General Contractor Fleeher Contracting - Public Works Building Improvements and Addition**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Payment Application No. 5 and Final for the project identified as the Public Works Building Improvements and Addition, as submitted by the General Contractor, Fleeher Contracting, in the amount of \$7,766.92 for the work completed to date; as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Payment Application No. 4 and Final - Plumbing Contractor Huckestein Mechanical Services - Public Works Building Improvements and Addition**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Payment Application No. 4 and Final for the project identified as the Public Works Building Improvements and Addition, as submitted by the Plumbing Contractor, Huckestein Mechanical Services, in the amount of \$8,860.65 for the work completed to date; as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Payment Application No. 4 and Final - Mechanical Contractor Air Systems Mechanical - Public Works Building Improvements and Addition**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Payment Application No. 4 and Final for the project identified as the Public Works Building Improvements and Addition, as submitted by the Mechanical Contractor, Air Systems Mechanical, in the amount of \$9,600.00 for the work completed to date; as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Payment Application No. 1 - Landscape Contractor - Rt. 88 and Brownsville Road Improvement Project - Vermont Stone**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Payment Application No. 1 for the project identified as Rt. 88 and Brownsville Road Improvement Project, as submitted by the landscaping firm, Vermont Stone, in the amount of \$110,743.96, for the work completed to date; as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Proposal - Engineering Services for the 2026 Roads Program - MS Consultants, Inc.**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the Proposal submitted by MS Consultants, Inc., in the amount of \$24,142.00, to provide engineering services for the project identified as the 2026 Roads Program. All members voted aye. Motion carried.

**Action to Authorize the Preparation and Advertisement of Bids - 2026 Roads Program**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve authorizing the preparation and advertisement of bids for the project identified as the 2026 Roads Program, scheduling the bid opening for Wednesday, February 4, 2026, at 10:00 a.m., with action on said bids anticipated to take place at the regular meeting of the board of Supervisors scheduled for February 9, 2026. All members voted aye. Motion carried.

**Action on Proposal - Engineering Services for the 2026 Township-Wide Sanitary Sewer Rehabilitation Project - MS Consultants, Inc.**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the Proposal submitted by MS Consultants, Inc., in the amount of \$26,102.00, to provide engineering services for the project identified as the 2026 Township-Wide Sanitary Sewer Project. All members voted aye. Motion carried.

**Action to Authorize the Preparation and Advertisement of Bids - 2026 Township-Wide Sanitary Sewer Rehabilitation Project**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve authorizing the preparation and advertisement of bids for the project identified as the 2026 Township-Wide Sanitary Sewer Rehabilitation Project, scheduling the bid opening for Wednesday, February 4, 2026, at 11:00 a.m., with action on said bids anticipated to take place at the regular meeting of the Board of Supervisors scheduled for February 9, 2026. All members voted aye. Motion carried.

**Action to Schedule Reorganization Meeting Date and Time**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve scheduling Monday, January 5, 2026, at 6:30 p.m., as the date and time for the Reorganization Meeting of the South Park Township Board of Supervisors. All members voted aye. Motion carried.

**Action on MS4 Report** Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the MS4 Report from the Informational Meeting regarding MS4 activities performed by the Township all year and for the month of November, 2025. All members voted aye. Motion carried.

**Action to Schedule 2026 Budget Meeting** Motion by Mr. Lucot, seconded by Mr. Vogel, to approve scheduling Monday, December 22, 2025, at 6:30 p.m., as the date and time to take action on the 2026 Budget. All members voted aye. Motion carried.

**Action on Police Chief's Report** The Police Chief's Report for November, 2025:

Calls for Service	578
Arrests	13
Traffic Citations	25
Warning Citations	64
Reportable Accidents	3
Non-Reportable Accidents	8
Fire Calls	15
Emergency Medical Assists to Tri-Community EMS	105
Deer Struck by Vehicles	2

Chief McDonough shared that South Park Township has won the Platinum 2025 AAA Community Traffic Safety Award, this is the 13<sup>th</sup> year in a row that the Township has earned the Platinum award. This is a combined effort of the entire Township. The Public Works Department keeps the roads clear and installs the appropriate signage. The Board of Supervisors ensure the resources are available. The residents of the Township alerting the appropriate departments of concerns, and the team taking action.

Motion by Mr. Lucot, seconded by Mr. Vogel, to accept the Police Chief's Report for the month of November, 2025. All members voted aye. Motion carried.

**Presentation by Developer - Proposed Majestic Woods Subdivision - Final Approval - Sleepy Hollow Road**

**Leslie Peters, Esq.** - Ms. Peters, on behalf of the applicant, introduced the project timeline, stating they had received Preliminary Approval by the Board of Supervisors on May 13, 2024, and received written Preliminary Approval on May 17, 2024. Since that time the Developers have been working with the Township and its consultants to provide a final plan that meets all of the Township's Ordinance requirements and which substantially complies with the approved Preliminary Plan. The Developer had agreed to all 9 of the conditions proposed by the Preliminary Plan approval. Ms. Peters did point out that there has been some comment about two sections of the Township's Subdivision and Land Development Ordinance; Section 118.16 and Section 118.16 B. Section 118.16 requires written acceptance of the Preliminary Plan Approval Conditions, Ms. Peters states that the Developer's consultants were in contact with the Township and its consultants following the approval, and that the Township accepted the correspondence as sufficient acceptance of those conditions. Section 118.16 B which requires the

application to be submitted to the Allegheny County Conservation District, Ms. Peters states that as of today that application has been submitted and accepted by the Conservation District. That section does not require any particular timeframe for the submission. The consultant did have two pre-application meetings with the Conservation District, June 6, 2024 and May 29, 2025. The Final Plan to be presented this evening substantially conforms to the approved Preliminary Plan pursuant to 508.41 of the municipality's Planning Code. The applicant is entitled to approval of a Final Plan that substantially conforms to the Preliminary Plan. The applicant has made one revision to the Final Plan, that is the addition of a Bridal Trail to the plan.

**Mike Wetzel, Victor-Wetzel Associates** – Mr. Wetzel introduced himself, and stated that they are here tonight to present on the Final Subdivision Plans of Majestic Woods. This is the same plan that was revised by the Supervisors in May 2024. This plan is a 108-single family development with two lots located in the R-1 Zoning District and 106 units located in the R-2 Zoning District. Mr. Wetzel displayed the Township Zoning Map, and identified Sleepy Hollow Road, Stoltz Road and the site location. He then reviewed the existing aerial view, displaying the site location as 63 acres in size, along with a gas line that would be relocated. Mr. Wetzel displayed an existing conditions map, which showed slopes, a drainage way and a small wetland area. He then discussed a more detailed review of the approved plan from May 2024. There would be two entrances going into the plan, a loop road and a cul-de-sac, and he compared the approved plan with the plan as presented to the Planning Commission a few weeks ago, there had been no changes regarding roads, lot locations or green spaces. Mr. Wetzel reminded that open space is not a requirement for a subdivision plan, but identified where the plan had included those areas; the plan includes a total of 12.3 acres of open space. He stated that all lot requirements for the lots in the R-1 and R-2 zoning areas had been met, reviewed and approved by EPD, the Township's consultant. Mr. Wetzel continued by stating this is a four-phase development plan, including improvements to Sleepy Hollow Road, stormwater detention facilities, and sidewalks on both sides of the street within a portion the R-2 portion of the plan. Phase 1 includes the improvements of Sleepy Hollow Road, all of the grading for the entire site will be completed in this phase, all stormwater collection systems will be installed, construction of roads including a temporary cul-de-sac, 28 lots and an area of open space in the R-2 area, and the 2 estate lots in the R-1 area. Phase 2 will be the continuation of the street meeting the width and curb requirements, and another 28 lots along with open space areas. Phase 3 will be the completion of the loop road, containing 47 lots. Phase 4 will be the 5 remaining lots closest to Sleepy Hollow Road. The new addition to the plan is an 8' Bridal Path easement along the property line, this is intended for horse use only, no ATVs, no electric bikes, no bicycles. This path will connect at Sleepy Hollow Road, follow the property line, and provide access to the County Park. Regarding the soil conditions, there are some mine areas that were identified on the map, the lots in those areas will all have mine grouting. Mr. Wetzel also reviewed the proposed Stormwater Improvements for Majestic Woods, firstly he showed the existing drainage area map as it is today, stating there are four drainage

areas as demonstrated by a color-coded map. Next he discussed the proposed stormwater plan, as demonstrated on a map featuring various drainage and inlet lines, allowing the pickup of stormwater from the streets, and from the proposed homes within the plan, and how water is diverted to one of the two Stormwater Management areas. Mr. Wetzel stated that the Stormwater Management Report was a 167 page document containing all of the graphs, reports and analysis that has been reviewed by the Township Engineer.

**Bernard Lamm, Professionally Registered Engineer, Wooster and Associates** – Mr. Lamm detailed the specifics regarding the Stormwater Management plan and grading for the development. He stated that the project started with four drainage areas, and they maintain four drainage areas with the plan. Area 2 was reduced by 75%, Area 3 was reduced by about 30% due to grading effects. Pond 1, which collects some of the water from the western site, that pond is then directed to the south pond, where the water is managed a second time. There will be Perimeter ENS measures, that happens after meeting with the Conservation District and after final approvals. There will not be any removal of trees until perimeter control is installed. There will be rock construction entrances into the site, to manage soil coming out of the site. The ponds will be installed fairly early, however there will be another pond down along Sleepy Hollow Road, done in Phase 4 of the project. During construction there will be temporary sediment basins that will either be removed or converted as construction nears completion.

**Mike Wetzel, Victor-Wetzel Associates** – Mr. Wetzel explained that by performing all of the grading work at once, rather than in phases this helps additionally with any existing off-site water issues. He then spoke of the improvements to Sleepy Hollow Road within the plan. On the map, he pointed out the existing conditions and varying widths of the road, the existing culvert and the utility pole at the existing intersection. With the new development, one of the additions will be a 2.5' - 3.5' wall of approximately 298' along Sleepy Hollow Road that was needed due to grading purposes. The existing culvert will remain, because the alignment with the intersection will be realigned. One area of concern had been the utility pole located in the intersection, with the new development they will relocate that utility pole. Mr. Wetzel continued to point to areas of road improvements on the map, stating new pavement to meet Township standards and guiderails will be placed where required along Sleepy Hollow Road. He then compared the existing aerial map to the plan's development aerial map and how that changes the road and intersection. Mr. Wetzel reviewed the concrete wall, driveway locations, grading of the site, tree removal and the existing roadways via multiple images and maps, stating that all work will be done within the road right-of-way. The landscape plan reviews the 108 units and how lots will be positioned. Mr. Wetzel detailed that there will be one tree and one light pole per lot, and he pointed out on the map where existing trees would remain. He also noted on the map where an entrance monument would be located.

Mr. Wetzel reviewed the 9 conditions the Supervisors had provided as conditions for approval, and how the Developer has met those requirements:

1. The Developer must submit final subdivision and construction plans in accordance with the South Park Township Subdivision and Land Development Ordinance. – Mr. Wetzel states that this has been completed and addressed with the submittal that had been reviewed by the Township consultants.

2. The Developer must provide a final detailed geotechnical design to address geotechnical comments in Gateway Engineer’s letter dated April 24, 2024. – Mr. Wetzel states that the geotechnical report has been completed, updated and addressed.

a. The Developer must agree to full-time inspection of the grading activities by the geotechnical engineer of record’s office.

b. The Developer must provide a certification, when completed, of all grading to develop roads and lots in accordance with the final geotechnical report as prepared by the geotechnical engineer of record.

Mr. Wetzel states that the Phase 1 grading has been presented, and states that everyday that there is site grading our Geotech Engineer will be on-site to evaluate the site grading and site soils. We will be following the recommendations of his Geotech report, and the Contractor will need to follow that. Currently there will be 28 boring locations as part of the Geotech Report, but again, with the Geotech Engineer on site, they will be able to monitor any soft soil or spring. He states that item 2b. cannot be completed until the site has been fully graded, but they agree that they will provide that.

3. The Developer must make the improvements to Sleepy Hollow Road as depicted in the Victor Wetzel Plan entitled, “Overall Preliminary Plan,” Sheet 200, with the revised date of April 30, 2024. This includes but is not limited to the following:

a. Onsite improvement on the development frontage to reconstruct the road to Township Standards from the eastern side of the development (Curtis Drive) to the eastern line of the Nickoloff property.

b. Offsite improvement to reconstruct the road to the Township paving thickness standards to a width of at least 24 feet for another 500 feet to the west.

c. Offsite improvement to widen to 24 feet and overlay the remaining portion of the road to the intersection of Stoltz Road with two inches (2”) of wearing course.

d. Offsite improvement to modify the culverts under Sleepy Hollow Road as necessary to allow for a 24-foot cartway to extend to Stoltz Road.

Mr. Wetzel states that items a, b and c were all met and demonstrated during their presentation this evening. Item d is for offsite improvements to modify the culvert, but the way that the intersection will be realigned, there is no need to modify the culvert.

4. The Developer is to obtain Planning Module approval for Sewage Facilities. – Mr. Wetzel states that this item has been completed and approved by the Township.

5. The Developer must obtain an NPDES Permit for the development. – Mr. Wetzel states that this is a third-party permit, the submittal has been sent to the Conversation District today, stating that this meets the requirement of the permit of the third-party permit review.

6. The Developer will delay timbering activities until a grading permit is issued and erosion and sedimentation controls are implemented. – Mr. Wetzel states that the ENS Requirements and how that will take place had been reviewed earlier in the presentation.

7. The Developer must obtain Township approval of fire hydrant locations. – Mr. Wetzel states that this has been completed and addressed by the Fire Chief.

8. The Developer must submit the HOA documents for review by the Township Solicitor. – Mr. Wetzel stated this had been submitted with both the Preliminary Plan and Final Plan, and is being reviewed by the Township Solicitor.

9. A fully executed Developer's Agreement and the posting of financial security for improvements to develop the site, including the bonding of conditions of the existing culverts under Sleepy Hollow Road must be submitted to the Township prior to the onset of construction activities. – Mr. Wetzel states that the applicant agrees to all of those requirements, and is pending Township preparation.

Mr. Wetzel reviews a slide of submittal dates and series of events of the Final Application:

July 1, 2025 – Initial submission of Final Application. Tabled application to address comments from the Township Engineer and Township Planner. Adjustments were made.

August 5, 2025 – Provided response letters. Submitted Final Application. Tabled application to address comments from Township consultants. This is a normal process with a project this large. Adjustments were made.

October 2, 2025 – Provided response letters to the Engineers comments and County comments. Submitted Final Application. Tabled application, because the Developer was unable to meet with the neighboring property owner, and they wanted to meet with the neighbor to discuss the wall design or other possible grading options.

November 5, 2025 – Submitted Final Application. Provided additional comments and correspondence regarding the neighbor and the wall.

Staff Meeting in November.

November 20, 2025 – Submitted Final Application. Provided all of the required documents for Planning Commission and Board of Supervisors to review.

November 25, 2025 – Attended Planning Commission Meeting.

Mr. Wetzel states that with any development like this, it will undergo a similar process. Lastly, he lists the documents that had been submitted: cover letters, applications, deed of the property, wetlands report of the property, traffic impact study, traffic crash data, project narrative, and land development plans. The Developer had updated the plans based on the comments in the timeline above, and had resubmitted the subdivision, the post-construction stormwater plans, the post-construction stormwater report, HOA documents, erosion sediment control plans, building footprint and easement plans, geotechnical report, response letter to Allegheny County Economic Development, mine grouting plan, response to contact to the neighboring property owner, response to EPD comment letters, response to Gateway comment letters and NPDES Permit Application that was submitted today.

**Dan Deiseroth, Township Engineer, Gateway Engineers** – Mr. Deiseroth stated that he had been in review of the Majestic Woods Plan of Lots that had been submitted in July, and was reviewed as outlined through five different submissions, culminating with a letter date of November 21, 2025 when the final documents were submitted. He commented that the plans did address the technical comments listed in his previous letters, and that all that remained were the third-party permits that related to the project. Mr. Deiseroth had prepared slides as well to address aspects as they come up from what he reviewed as the Township Engineer.

**Carolyn Yagle, Township Planner, Environmental Planning and Design** - Ms. Yagle stated that as part of the review process for this development, she was involved with both the Preliminary Plan review and the Final Plan review series. She discussed the how the characteristics of the R-1 and R-2 residential districts minimum requirements were met within the plan. She continues that there are components throughout the zoning ordinance, one area of concentration being Article 20, wherein elements within that article are going to come to fruition as the land is being built. Finally, comparing the Preliminary Plan, and what was approved, the Final Plan remains in general consistency.

Motion by Mr. Lucot, seconded by Mr. Vogel, to take a five minute recess, per the request of the court reporter. All members voted aye. Motion carried.

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

**Mr. Snee** – Mr. Snee informed the group that they had a brief executive session to obtain legal advice with the legal counselor.

**Tim Foster, 1046 Westchester Avenue** – Mr. Foster stated that he is not here to rely on emotion or speculate, that he is here with law, record, and procedure. And based on those facts, he's stating publicly that for the official record, this final plan should not be before this Board tonight. The Planning Commission's vote to advance it was procedurally flawed, legally unsupported, and in direct conflict with South Park Township's ordinances and Pennsylvania case law. What occurred at the Planning Commission meeting wasn't just disappointing, it included multiple reversible procedural and legal errors that this Board cannot ignore. The application was not properly received as complete. At the November 25th Planning Commission meeting, the Township Solicitor advised, following an unusual, questionable, and extremely concerning 30-minute executive session, not with the Board, but with the Planning Commission, that they were required to accept the application as complete simply because the Township Engineer said so. That advice was not correct. According to the SALDO, our ordinance 118.16a, is explicit. The Code Enforcement Officer, not the Township Engineer, has the authority to determine whether an application is complete. If it is not complete, the application and fee shall be returned to the applicant, and the plan is not considered at the next Planning Commission meeting. There is no provision in the SALDO that elevates the Engineer's letter above the ordinance. The Planning Commission had full authority to table the application. Both preliminary and final review provisions are authorized, and in cases like this, require the Commission to table incomplete submissions. That can be found for the preliminary under 118.13.C.1 and for the final 118.16.C.1. The ordinance is very clear in the language. The Commission may table the application if it feels it is not in total compliance with the ordinance. The ordinance clearly requires total compliance prior to review of any proposed development. So, the assertion that the Commission had no choice but to unilaterally accept the conflicted opinion of our Township's paid Engineer was both incorrect and contrary to the ordinance. The filing date was also misrepresented. Another error involved confusion over the official filing date. Our SALDO provides a clear answer. The filing date begins only when the Planning Commission begins official review, not when a letter is exchanged or when the applicants say it's ready. If the Commission tables the application because it is incomplete, the clock does not start. Deemed approval does not apply at the planning stage. In SALDO's section 118.13f and 118.16f aligned with the MPC section 508 apply only to the Board of Supervisors after the lawful filing date has begun. There is no mechanism for deemed approval based on an engineer's opinion or incomplete submission. MPC 508 supports not overrides local rules. Municipalities are permitted to establish their own completeness procedures. Since South Park has done so, those procedures must be followed. Mr. Foster continued with additional legal failures; further record review shows preliminary approval expired automatically because the developer never accepted approval of the conditions in writing as required. He stated we had a very interesting reading of our ordinances from counsel here. The applicant shall accept or reject conditions attached to Preliminary Approval by giving written notice to

the Township Manager within 30 days. It must be written notice that must be provided to you. That's a huge concern when we're trying to twist these. Clearly this developer never responded to the Township's May 17th, 2024, letter on that subject. Mr. Foster questioned the Township Manager and Township Engineer if there had been receipt of an acceptance letter from this developer, stating that they accept the nine conditions that were attached to the preliminary approval. Do we have that in writing? He states that the Developer is trying to change the rules by trying to say that our ordinances are not clear. Our ordinances could not be any clearer. It requires a writing. If there's no writing, that terminates the initial preliminary approval. Do we have a writing from them? Mr. Foster continued that the application has not been reviewed by the Allegheny County Conservation District for Environmental Clearance. He asked to submit an email exchange to the public record, that as of 8:27 a.m. this morning, an email exchange with Matt Gordon, states to date, they have not received any plan permit submission for this project. Mr. Foster stated that they're supposed to have a 30-day review of this document. We already have precedence in this same file, the preliminary approval during a Planning Commission meeting, where the Allegheny County Economic Development group did not have the 30 days yet to respond, they tabled that decision to give them the full 30 days. To move forward violates the ordinances. The developer dropped it off today. Mr. Foster continued with a different point, that more than 50 required SALDO items remain missing. Instead of them documenting that things have been received, things have been completed, they drop off the report. Instead of saying completed or finished or whatever explanation, they just drop off the report. The developer still lacks the NPDES permit, a condition explicitly stated as the basis for issuing that preliminary approval. We heard some explanation here tonight. It says obtain. It doesn't say file for or think about filing for. When you gave preliminary approval, very clearly it said obtain. Mr. Foster stated, he thinks everyone is sick of hearing that this has been a done deal for the last two years, and there is no option or no way to legally reject this development because the developer has met everything they need to do. He continued that clearly, we've heard time and time again that this developer has not complied with our Township ordinances. He then asked a direct question for the Township Engineer to answer after his comment was complete, if we have any written document to the acceptance of the conditions. Mr. Foster continued, having no written acceptance of the conditions, no NPDES report, no Allegheny County Conservation District approval or review, they must have 30 days to comment on that. Mr. Foster questioned, what if ACCD found major issues here that are problematic? How does it look on this Board that you've already approved this Final Plan 30 days ago? Mr. Foster then commented that before he closed, he wanted to speak directly to the future attorneys investigators and courts who may eventually review this record because what is about to happen here tonight will not disappear, it will not be forgotten, and it will not stand legal scrutiny, tonight a licensed Professional Engineer, Mr. Dan Deiseroth of Gateway Engineers, a licensed attorney, solicitor Irving Firman, and three elected supervisors, Ed Snee, Brian Lucot, and Lawrence Vogel appear prepared to recommend and approve a development of 108 homes with the only one single access point. Mr.

Foster submitted a photo into evidence. The photo contains one passenger truck sitting on that bridge, he stated that changing an angle to enter an 18-foot wide bridge does not change how wide an 18 foot wide bridge is. Is there any room for another vehicle on that? This is the only access point to this. This was supposed to be addressed. Now that's gone by the wayside. There's no wings. There's no widening. You know why? Because there's no way to widen that bridge other than tearing it down and building a new bridge. So we have an 18-foot wide bridge, as you can see there, a double culvert bridge already in the back half of its useful life, built in 1999. It has a 25 to 50-year life. This structure was never designed, engineered, or rated for the burden of logging trucks, excavation equipment, continuous construction traffic, moving trucks, delivery vehicles, school buses, fire trucks, ambulances, and other emergency rescue vehicles. This developer is offering no upgrades, no redesign, no enforcement, nothing, changing the angle to somehow make it a better entrance point. And somehow the Board appears ready to approve this. Incredibly, this would happen after two separate rejections by the Planning Commission, the only body that actually reviews the details. A formal advisory warning issued on August 5th, 2025 from Matt Schrapel, the director of the Allegheny County Economic Development Group that raised serious red flags about the road and the bridge. What are the legal ramifications of that? A Township road, and a Township-owned bridge. Anyone who wants to put a development there should have to redo the infrastructure first because to shut it down later, you're going to have to build a temporary bridge. It's going to be a nightmare. Mr. Foster stated, I want to be clear in the minutes in the public record: if this project is approved in its current form, it will not be because the law was met. It will be because people in positions of authority chose to ignore it. And when consequences follow, whether they are legal, financial, or tragic, responsibility will not be vague or collective. It will be traceable, documented, and accountable. And I can just say in closing... why does it appear that this Board is more concerned about the risk of legal action from a developer who has repeatedly ignored ordinance requirements, yet shown no hesitation risking litigation from its own residents who are simply asking that the law be followed? Why is a Township prepared to defend procedural shortcuts benefiting a Developer yet appear willing to force residents, taxpayers, businesses to pursue action just to ensure compliance with Township law, state environmental regulation, required agency review, Pennsylvania case law, and the MPC itself? Our ordinances are not suggestions. Compliance is not optional. Public safety is not secondary to development convenience. Residents should not have to fight their own government to ensure that the law is followed. The Township should be standing with its residents, not against them. Thank you.

**Mr. Firman** – In response to Mr. Foster's comments, Mr. Firman stated the first issue that he raised that was a legal issue was the issue of the completeness of the application, and that was done by the Code Enforcement Officer. It meant that the items were there, not whether all of the conditions were met. And he has to tell them if it's not present within those first two days. Your question on is there a formal letter required, issued by the developer that says we hereby accept. I believe your

question was is there a formal letter in writing from the developer to the Township Manager that states we hereby formally accept the nine conditions of Preliminary Approval. The answer is there's not a formal letter that says that is the answer to that question, there are emails, one dated in particular June 7, 2025 from the Applicant's Engineer discussing a final approval and moving forward, that is treated as that. I don't believe that the Township standard is strict. There's no question that they agree and have always agreed to the conditions. So that's the interpretation on that one. On the ordinance section that you read relative to submissions to the Allegheny Conservation District, it says... All applications deemed to be complete shall be forwarded for review to the Township Engineer, the Township Planning Consultant, the Allegheny County Department of Economic Development, the Allegheny County Conservation District, and others as appropriate. The interpretation of that by the Township Code Enforcement Officer was that the "Allegheny County Conservation District and others as appropriate" is not mandatory to send it there, so it was not. There's no question that the Township factually did not send a copy of it to the Allegheny Conservation District, but the interpretation was that it was not required. When you talk about the section of a written review of the application should be prepared by the Township Engineer and the Planning Consultant, it doesn't specifically say that those agencies are required to make that review. So that's the interpretation on that. The only other legal issue that you raised, and the other ones will probably be addressed by the Township Engineer, was the condition on the NPDES permit. When it's a third-party approval, technically it's not a condition under case law.

**Mr. Foster** – Mr. Foster asked a clarifying question, you believe all the ordinances have been met as written in our South Park Township SALDO ordinances? **Mr. Firman** – Mr. Firman stated, yes, I believe all the ordinances have been met procedurally as required by the ordinance. **Mr. Foster** – Mr. Foster continued, so you believe in a project this complex, I think we have to argue this is a pretty complex project. This is not on a perfectly square ground. We have major issues here. You believe it is in the best interest or somebody has made a decision that they don't need to submit this to the Allegheny County Conservation District, who that's what they basically specialize in. They're going to get that submission that goes to the DEP. They're going to work with the DEP. So you're saying it was discretionary by this Township to not submit on one of the most complex projects that we've probably seen to just decide randomly, that we don't have to submit that to that group. **Mr. Firman** – Mr. Firman stated, no, that's not entirely the correct characterization. The Allegheny Conservation District reviews those plans. The Township does not. That is not a Township permit that gets approved. The Township's position is to send it to the Allegheny County Conservation District and others as appropriate. And the determination was until that's done, it's not necessary. So that's what that stands for. **Mr. Foster** - Mr. Foster stated, I'm just questioning the Township's thought process here with one of the most complex projects ever. This is not like one or two houses going up at the end of the road. This is a very complex project, so somehow the Township determined they didn't really need to send this to the Allegheny County Conservation District, whose responsibility is to review all that.

**Mr. Firman** – Mr. Firman stated, that the reason being that before anything can happen, the developer has to approve, send it to the Allegheny County Conservation District. It's a redundancy that's not necessary. **Mr. Wetzel** – Mr. Wetzel stated, as previously shown in my presentation, Sleepy Hollow Road is going to be widened 24 feet the entire length and clarified there's not a bridge it's a culvert. But once again, we're showing that the road will be widened to 24 feet across the culvert. The guardrail's expanded along that area. That's where it's narrow just because of the guardrail. But the paving will be expanded all in that area, as shown in our presentation. **Mr. Foster** – Mr. Foster stated, can we just clarify the record? So are we saying the culvert is going to be widened to 24 foot? **Mr. Wetzel** – Mr. Wetzel stated, for the record, the culvert is 30 feet long. The thickness of the wing walls are 18 inches. So that means the distance between the insides of the wing walls is 27 feet. And yes, a 24-foot road can fit within the 27 feet.

**Mr. Deiseroth** – Mr. Deiseroth stated, members of the board, the question was brought up in terms of the alignment of the proposed roadway. What you have before you here tonight is a check by our office of their proposed design, as to how they're proposing to widen the road and cross the existing culvert. As you can see by this exhibit, this is a school bus turning into the development, being able to turn from Stoltz Road with a revised intersection as proposed to safely turn into the development. The slide on the left is the same except leaving the development. Again, with a school bus turning template. I have the same for fire trucks. So in my opinion, as designed, the culvert as functioned as it exists today and described by their engineer is wide enough and with the turn and the alignment and the realignment of this, they will be improving the ability to cross and get into Sleepy Hollow Road.

**Mr. Foster** – Mr. Foster asked, can we just get one clarification? When we look at the photo, how wide is the culvert roadway going to be? Not the road leading up to the culvert. We're avoiding this topic. If I'm on the culvert after this is completed, how wide is that culvert road? **Mr. Deiseroth** - Right now, the guide rail is on the inside of the wing walls that are used to cross the culverts. The proposal is to reinstall the guide rail on top of the wing walls and utilize the full width of the road, which as previously described, is 27 feet. So we're going to fit a 24-foot cartway, which was agreed upon, within the 27 feet by realigning where the guardrail is. Members of the board, within your packet, I myself did an inspection of the culverts that were installed. They were installed, as said, in 1999 or thereabouts. There are two aluminumized culvert pipes. They're in very good condition at this point. That type of pipe is designed for normal loading, which includes H72 live loading, which would be trucks and everything that pass over this. In normal circumstances, when you have such a structure like this, I've said that we need to do as a part of this is we will bond and document the condition of this culvert as it goes through construction. If there's any damages to it, the Developer will be held accountable for it. And that's typically what's done on roads and bridges that are underway.

**Diane Foster, 1046 Westchester Road** – Mrs. Foster stated, tonight I'm asking you to protect something that has existed in South Park for more than a century, long before subdivisions, zoning codes, or even automobiles. Sleepy Hollow Road is and always has been the only safe access horses and riders have to the county park trail system. This is not an opinion. It is a documented lawful preexisting nonconforming use. A constitutionally protected property right under Pennsylvania law. And tonight that right is in jeopardy. And I know the developer said there's some type of path now. There wasn't one 10 days ago. It can easily appear and go away as it appeared now. I am reading into record what the requirements are for this pre-existing non-conforming use. Pennsylvania courts have been very clear, a law of non-conforming use is a vested right that cannot be removed or made impossible by new development. It runs with the land, it survives ownership changes and modern upgrades. Municipalities have an affirmative duty to recognize and accommodate the use when reviewing development. In 2024, the Commonwealth Appellate Court reaffirmed this. Zoning bodies must make factual findings and require accommodations when a protected use exists. Ignoring it is not allowed, legally or procedurally. This equestrian use is not a hobby, is a protected use of land, and the Township is legally required to safeguard it. Sleepy Hollow Road is narrow and physically constrained. Everyone seems to acknowledge it cannot be widened enough to support both the heavy subdivision traffic and the historic horse traffic. But those physical limitations do not erase the protected use. They do the opposite. They make accommodations mandatory. If a developer selects land with steep slopes, stream banks, and a century-old protected use, that does not excuse them from compliance. It means they must design around the constraints, not eliminate what already exists. Required accommodations may include a separate bridle path or shoulder, a dedicated horse lane built into the upgrade, a safe engineered equestrian route over the bridge. These are legally required when a protected use would be otherwise extinguished. Saying there's no space or it's too expensive is not legal justification to eliminate a non-conforming use. If this plan as designed cannot preserve the protected equestrian access, then the issue is with the plan, not with the riders, not with the Township, and not with history. Approving a plan that knowingly wipes out a protected use exposes the Township to legal challenges, zoning appeals, acre claims, and lawsuits from the Pennsylvania Attorney General. This is all avoidable, but only if the Board requires compliance now before final approval. Horses have used this road for more than 100 years. Families in this Township have watched this for generations. It's part of our identity. It's part of our history and our community character. These riders are not newcomers or trespassers. They are the original users of this corridor and they have never abandoned it. Eliminating this use is not only unlawful, it erases a living piece of South Park's heritage. Tonight, I'm asking you to do what the law and basic fairness requires. Do not grant final approval to any plan that eliminates or endangers the protected equestrian use of Sleepy Hollow Road. Require, as a condition of your approval, a safe engineered accommodation for equestrian passage, a dedicated lane or bridle path, including safe bridge access, a clear written finding of fact acknowledging the protected non-conforming use. If the developer cannot design a plan that protects the existing right, then the density, layout, or

concept must change. Please do not approve a plan that violates state law, erases historic rights, and exposes this municipality to avoidable liability and certain litigation. Require a plan that protects what has existed for generations and must continue to exist under the law. Mr. Snee, after so many years of public service as a policeman and as an elected official, how can you approve a plan with so many known and foreseeable risks to public and first responders? Mr. Lucot, as an attorney, how can you approve a plan that does not comply with our Township's ordinances, state laws, and case law? Mr. Vogel, as a firefighter, how can you approve a plan with so many known and foreseeable risks that no doubt endanger both our residents of these homes, their visitors, and first responders. Will these dire and clearly foreseeable issues and consequences that you will be responsible for become your legacy for this and future generations to remember you by? Thank you for your time.

**Jason Sobek, 1750 Stoltz Road** – Mr. Sobek stated, I live about four tenths of a mile from this site. I use Stoltz Road and Sleepy Hollow Road every day. What you decide on this subdivision directly affects the safety, traffic, stormwater, and long-term stability in my neighborhood. Tonight you are being asked whether to grant final approval to a plan that is procedurally defective, substantively unsafe, and out of compliance with South Park's own SALDO and the Pennsylvania Municipality's planning code. If you approve it anyway, this record is what the judge will see in a land use appeal. Your own Planning Commission has now voted twice not to recommend this plan. Once on the Preliminary Approval in April 2024 and again on November 25, 2025, on Final Approval. They did that after hearing extensive testimony about SALDO noncompliance, unresolved safety risks, and missing required steps. When you overrode their 2024 recommendation and granted preliminary approval, residents were told that many concerns would be addressed at final approval. Instead, major questions remained unanswered. Conditions have not been met, and we know that mandatory outside review never occurred and that preliminary approval was automatically rescinded by your own ordinance. Public response to that preliminary approval vote was clear. Voters passed a referendum in all 13 districts to expand this board from three to five members. And the only incumbent whose name appeared on the ballot did not win renomination and will be leaving office in a few weeks. Yet tonight, this outgoing three-member board is being asked to lock in a decision that a newly expanded board in this community will have to live with for decades. Under South Park SALDO, conditional preliminary approval is not optional for the developer. SALDO Section 118.13e requires that when the Board grants approval to conditions, the applicant shall accept or reject such conditions in writing within 30 days. Failure to accept all conditions shall automatically rescind the approval without written notice. On May 13th, the board granted a conditional preliminary approval and on May 17th, 2024, the Township issued a letter listing the nine conditions. Multiple right to know requests submitted by myself and in-person file reviews have confirmed that no written acceptance of those conditions was ever submitted to the Township Manager within that 30-day window. By operation of your own SALDO, preliminary approval was automatically rescinded. There is no valid preliminary approval underneath this so-called final plan. The developer and Township staff

have tried to treat scattered email correspondence, as acceptance of the conditions. I reviewed all of those emails and there has not been any acceptance of those conditions. These emails clearly do not accept the nine conditions. The conditional approval framework in SALDO section 118.13e and modeled on MPC section 5039. The whole point is to prevent exactly what happened here. A developer cherry picking conditions while acting as if conditional approval is permanent. When no timely formal written acceptance is filed, the law rescinds approval automatically. No additional Board vote is needed. A rescinded preliminary approval cannot be used as a legal foundation for final approval. Proceeding tonight as if the preliminary approval is still valid would be contrary to the SALDO and the MPC and will be a core issue in any land use appeal. Procedural defect number two. As Tim Foster mentioned, SALDO section 116B requires that the final plans be forwarded to Allegheny County Conservation District for erosion, sedimentation control, and NPDES coordination. That is not a suggestion, it's a mandatory step. It lists ACED, ACCD, and then other agencies as necessary. Other agencies would be submitting the plan to the County Parks as they did with preliminary approval when they wanted road access from Sesqui Drive. That would be what Irv is talking about, your discretionary reviews. ACCD and ACED are not discretionary reviews. I've been in contact with Matt Gordon, Regulatory Director at ACCD. As of this morning, he had not received anything. I won't rehash everything that Tim had to say, but this should be denied based on that alone. ACCD's Regulatory Director confirmed that ACCD did not receive the NPDES permit application as of this morning. On top of that, the NPDES approval itself was a condition of preliminary approval. As of today, ACCD confirmed the developer has not even submitted the application, let alone obtained a permit. For a project of this size, given the disturbed acreage undermining shallow groundwater and proximity to Sleepy Hollow Road, an individual permit, not the general permit that they had planned to apply for, will almost certainly be required, and those permits routinely force major design changes to grading, basins, outlets, and discharge locations. This site is wholly unqualified for a general NPDES permit. It's going to require an individual permit, which may change this substantially. If you grant final approval, then you have no say in the changes. You will be approving a moving target, plans that are not actually final, and you will be delegating stormwater and erosion design decisions to DEP and ACCD after approval with no chance for the Township to revisit them under the SALDO. This is backwards. The SALDO requires a complete coordinated stormwater and NPDES package before final approval, not after. Condition number three of your May 17th, 2024 preliminary approval letter requires the developer to make specific defined improvements to Sleepy Hollow Road as depicted on the Victor Wetzel plan of lots entitled overall preliminary plan. With a revised date of April 30th, 2024, including but not limited to: On-site improvement to the development frontage to reconstruct the road to Township standards on the eastern side of the development, Curtis Drive to the eastern side of the Nikoloff property. Off-site improvements to reconstruct the road to the Township paving thickness standards to a width of at least 24 feet for another 500 feet to the west. Offsite improvements to widen the 24 feet overlay and overlay the remaining portion of the road to the intersection of Stoltz

Road with two inches of wearing course. And most importantly, offsite improvements to modify the culverts under Sleepy Hollow Road as necessary for the 24-foot cartway to extend to Stoltz. Despite this clear condition, the current final submission does not present a sealed structural design or construction details for modifying or replacing the culvert at Stoltz and Sleepy Hollow Road to truly carry a 24-foot cartway. It does not provide profile sections or right-of-way easement plans showing how a full 24-foot cartway is achieved on the way to Stoltz Road in compliance with Township standards or address specific concerns raised by Allegheny County Economic Development about the substandard bridge, constrained right-of-way, which the Township's requirement is 50 feet, and the functional integration of the bridge and intersection geometry. Additionally, one of the adjoining landowners who we'll hear from soon is directly affected by these improvements. Ms. Bonnie Gildea has received a letter from the developer, Frank Zokaite, regarding the frontage of her home. In that letter, he stated this development is going to proceed either way and your cooperation is not mandatory. Ms. Gildea will speak to this letter more herself this evening, but from a land use and engineering standpoint, the key point is the developer has not demonstrated how, on the plans or in the record, that this proposal to widen Sleepy Hollow Road to a 24-foot cartway can be constructed without encroaching beyond the Township's existing right-of-way onto Ms. Gildea's property and potentially other neighboring properties. Given the narrow road, the right-of-way calculations need to be presented. Condition number three assumes that the required widening of and the culvert bridge modifications are actually feasible within Township right of way and could be engineered in compliance with Township standards. At this point, we have a design on paper that appears to depend on impacts to at least one adjoining landowner who has not granted necessary rights in a culvert crossing that has no structural design tied to a 24-foot roadway. In other words, condition number three is not satisfied, particularly subsection D, which goes directly to public safety at the single point of access for more than 100 homes and depends on additional right-of-way from adjoining landowners like Ms. Gildea. Condition number three cannot be fully engineered and guaranteed on paper now, and if the developer cannot demonstrate that the required improvements can be made without taking or trespassing on neighboring property beyond the Township's right-of-way, then preliminary approval conditions remain unmet and final approval is premature and unlawful under our own SALDO. Majestic Woods remains a one-way-in, one-way-out subdivision serving more than 100 homes over a narrow, substandard culvert at Sleepy Hollow Road intersection. Your own record in Allegheny County Economic Development's review shows that this single access is substandard in width, grade, and shoulder. Fails minimum turning radius and site distance requirements, has an obstructing utility pole and unsafe intersection geometry, lacks a PennDOT inspection report or load rating. In all these emails that I've reviewed, there are multiple emails back and forth. Tom's aware, asking for PennDOT review or evaluation of the bridge, what is the weight limit on the bridge? There's no inspection report on this culvert. Yet we're going to allow all these construction vehicles and timbering vehicles to go back and forth at the Township's expense. Where is the report on the bridge? What is the

weight limit on the culvert? Also, the culvert is nearing end of life. ACED's August 5th, 2025 findings make it clear that Sleepy Hollow's right-of-way is only about 33 feet where 50 feet is required. The plan to extend to 24-feet lacks detailed profiles and would require major excavation. The narrow bridge is functionally a part of the intersection and cannot simply be widened without full replacement and because this is the sole access any blockage, flooding, falling tree, a crash, a sinkhole could cut off emergency access to the entire subdivision. All this is written by Matt Trepal at ACED who acts as the Planning Commission for over 30 municipalities in Allegheny County. The Developer has not adequately addressed that. Every Planning Commissioner who voted not to recommend in April 2024 cited single access deficient culvert as a central safety defect. It is still uncorrected and nothing in the final submission cures that problem. Approving a permanent one-way in one-way out subdivision over a substandard bridge in a flood prone valley for more than 100 homes is exactly the kind of decision SALDO section 118.4 was designed to prevent because it risks loss of health, life or property from fire, panic or other dangers. The bridle path that goes alongside of their development is all well and good, but that does not solve for the problem of crossing the narrow culvert and the narrow road. I live in the area, drive it all the time, I see the horses all the time going up and down it. What they're proposing, to go up into the park, does not solve the problem with the culvert. I want this question answered after. Where's the PennDOT inspection report for the bridge? Any inspection report for the bridge? What is the weight limit on the bridge? Where is that data coming from? Who's inspected it and approved it for all this heavy construction traffic, timbering, so on and so forth? Geotechnical risks. The ACA geotechnical reports in your record acknowledge that this site is not typical. They document medium to high plasticity clays with potential for expansive behavior. Carbonaceous shale and coal seams capable of generating acidic runoff. Mine subsidence risk, including an eight-foot mine void at Boring B28 under proposed lots 119 through 123, and all the developer proposes is putting the recommendation that those homeowners should obtain mine subsidence insurance into their deeds. Shallow groundwater was encountered at approximately 17 feet below grade in borings B26 and B29. Despite this, ACA's report and follow-up materials do not provide quantitative subsidence modeling, a sealed grouting design with depths, volumes, pressures, and sequencing, settlement and consolidation predictions for thick fill areas, shrink swell evaluation for expansive soils, global stability analysis for steep fills and slopes, or any integrated analysis of groundwater and mine void interactions affecting stormwater basins, utilities, and roads. The October 2025 ACA update softens some language about acid producing rock, but still offers only generic recommendations. No site-specific testing, no quantities, no sealed management plan tied into final grading and PCSM design. The risk hasn't disappeared. It's just been left unquantified and unmanaged. Under SALDO section 118.3, 118.4, 118.12, you cannot approve a subdivision where deep mining, landslide prone soils, and other geologic hazards have been identified, but the applicant has not provided quantitative sealed engineering needed to ensure safe streets, foundations, utilities, and stormwater facilities over the life of the development. Because stormwater and geotechnical issues are so tightly linked here, the

absence of quantitative subsidence modeling and NPDES review means your stormwater design is not defensible. PCSM basins and storm sewers depend on stable subgrades and predictable settlement if it fills unevenly over mine voids or in expansive clays basins that can tilt, pipes can lose slope and outlets can fail, pushing water towards existing homes. Downhill neighbors have raised specific concerns about clear cutting to property lines. New storm sewers that accelerate flow downhill and construction phase impacts such as grouting, vibration, and heavy equipment with no defined monitoring or protection standards. You have unresolved issues with the proposed Sleepy Hollow widening and retaining wall in front of the Gildea's at 1971 Sleepy Hollow. The road is only about 22 feet wide. A retaining wall typically requires additional right-of-way and a drainage bench of four to six feet in front of the wall. Trees and roots would have to be removed. In practical terms, this work in front of the Gildea's house cannot be done as shown without acquiring additional right-of-way from adjoining landowners. Another indicator the plan is not final or buildable as drawn, my father is a mining engineer, will speak more to the geotechnical risks, but I find it outrageous that we don't have a geotechnical engineer here tonight. Dan is not a geotechnical engineer. He can't speak to any of this. He's a civil engineer. There's a geotechnical engineer at Gateway. They should be here tonight. Also, transparency withheld studies and developer credibility. There's also a serious transparency problem that goes to the integrity of this record. An email thread obtained through a Right-to-know request from May 13th, 2024, the day that you granted preliminary approval, now in your record as exhibit A, shows a full fire truck and school bus turning movement plans were prepared for the Stoltz and Sleepy Hollow intersection and sent to Gateway at 11:40 a.m. for that evening's meeting and four minutes later Frank Zokaites responded, "Not approved." His representative, Mike Wetzel, told the Township Engineer that Mr. Zokaites did not want the detailed movement shown. Instead, the plan was to give verbal assurances to you that the widening was adequate and DeWooster was "prepared to agree" if asked by you, the Supervisors. In plain terms, safety critical turning studies existed. The developer directed that they not be shown and the team agreed to rely on scripted assurances rather than underlying engineering. It's a shame that Dan Deiseroth was on that email. They withheld information from you, May 13th of last year when you granted preliminary approval. If that doesn't piss you off, there's something wrong. This email indicates your own engineer and the developer withheld this critical safety information for a one-way in, one-way out subdivision with a substandard bridge that is not a minor issue. It goes to the heart of public safety in the completeness of the record on which your preliminary approval was based. You also have in your record a federal judge's description of Mr. Zokaites' conduct in another case where the court characterized his behavior as egregious and described him as a financially capable bully who believed he was above the law. I am providing a copy of that opinion tonight as Exhibit B. Taken together, these are not just opinions about the developer. They are documented instances of withholding information from Township decision makers and a federal judge's written assessment of Mr. Zokaites' credibility and willingness to play by the rules. SALDO section 118.4 states that subdivision regulations are intended to promote, protect, and facilitate the

public health, safety, general welfare, transportation, police protection, disaster evacuation, and to prevent danger and congestion in travel and transportation, loss of health, life, or property from fire, panic, or other dangers. The MPC grants you the authority and the duty to deny these plans that do not meet those standards or that fail to comply with your own ordinances. You are not obligated to approve a plan simply because 90 days have passed or because the applicant wants to claim deemed approval. Where a plan is procedurally incomplete, no valid preliminary approval, no ACCD, NPDES coordination, substantively unsafe single deficient access, unresolved geotechnical hazards, unstable stormwater design, SALDO and the MPC expect you to say no. Based on the records before you, I respectfully request that the Board of Supervisors find the application incomplete under the SALDO due to automatic rescission of preliminary approval for failure to accept the conditions in writing within 30 days, failure to forward the plans to ACCD and coordinate NPDES as required by SALDO Section 118.16, failure to satisfy the conditions of preliminary approval, including condition number three, requiring full reconstruction and widening of Sleepy Hollow Road to a 24-foot cartway and modification of the culvert bridge at Stoltz and Sleepy Hollow to safely carry that 24-foot cartway in accordance with the Victor Wetzel overall preliminary plan. Condition number five, obtaining NPDES approval. We don't even know if they in fact dropped an application off today, but again, it hasn't been reviewed. I also ask that you deny final approval for Majestic Woods, Sleepy Hollow based on the grounds that the plan is both procedurally invalid, substantively unsafe with unresolved roadway, emergency access, geotechnical, stormwater, and neighbor impact issues. At minimum, if you are unwilling to deny, table any final approval vote until the developer submits a new valid preliminary application. A complete NPDES application is filed, reviewed, and integrated into the plans. A sealed geotechnical design with subsidence modeling and grouting plan is provided. Safe compliant access, including bridge replacement if necessary, is fully engineered, permitted, and guaranteed. An inspection is done on the bridge. For the record, if the Board grants final approval under these conditions, I fully intend to work with the adjoining landowners and other affected residents to exercise our rights under the municipality's planning code and file a land use appeal with the Allegheny County Court of Common Pleas. I want that intent clearly reflected in tonight's transcript. I want to close by speaking directly to the three of you who sit on the board tonight. In November 2024, the residents of South Park voted to expand this board from three to five directly in response to your preliminary approval vote on this development. They want more oversight, they want more voices at the table, and they want a different approach to major land use decisions. Since then, the only incumbent supervisor whose name is on the ballot did not win renomination and will be leaving office in a few weeks. Yet, the outgoing supervisor will be one of the only three votes to decide final approval for Majestic Woods tonight. In just a few weeks, a new five-member board will be seated, but tonight there is this outgoing three-member board as being asked to lock in a decision that the new board and the public will have to live with. Your own Planning Commission again has now voted twice not to recommend this plan, ignoring their repeated recommendations. Approving an incomplete, unsafe plan at the end of

this Board's term would not only disregard the work your Planning Commission has done, but it would also send a clear message to residents that their time, expertise, and participation in this process does not matter. So I want to leave you with the same question a judge will see in this transcript later. Who do you want to stand across from in a courtroom? Do you want to spend Township time and money standing with Frank Zokaites and against your own residents, arguing in court that his incomplete high-risk plan matters more than protecting existing homes, roads, and families? Or do you want to stand with your residents now and require this developer whose past activities have already resulted in multi-million dollar jury verdict in another Pennsylvania community to fix this plan and comply with every letter of your ordinances before this deficient plan is approved? This referendum, the election results, and your own Planning Commission have already told you what South Park residents expect. Tonight, you can either respect that by refusing to grant final approval to an incomplete and unsafe plan at the end of this board's term, or you can push it through and meet your own citizens in court. I am asking you to choose your residence, follow your own laws, respect the work of your Planning Commission, do not grant final approval for Majestic Woods. Now I have a question for Dan. That exhibit and that email that you withheld from the Board of Supervisors on May 13th, 2024, have you ever produced it? Dan, what was in that email that Frank Zokaites said was not approved that you withheld from these three gentlemen last year on May 13th, 2024? You should be reported to the Department of State. Also, the culvert and bridge, do you believe that condition number three is fully satisfied, including the requirement to modify the culvert and bridge under Sleepy Hollow Road to allow a full 24-foot cartway without encroaching onto Ms. Gildea's property beyond the right-of-way? Do each of you personally believe that a one-way in, one-way out subdivision of more than 100 homes over a narrow substandard bridge in a flood-prone valley is consistent with your duty under SALDO section 118.4 to protect public health, safety, and welfare? And where is an inspection report on the bridge? How much weight can it handle? Will it handle the weight of all these construction vehicles and timbering vehicles? The bond may be given back by the time it gives way, but it will, and we will be stuck paying for it. Thank you.

**Mr. Wetzel** – Mr. Wetzel stated that the road widening, the culvert adjustments and the new road improvements within the existing road right-of-ways have already been discussed and demonstrated during the slide presentation. He continued to state, we show all the necessary mine grouting plans. Our geotech report is a sealed report, so that provides all the sealed requirements. And we have provided a response letter to ACED's letter from October 1st. **Mr. Lucot** – Mr. Lucot questioned Mr. Wetzel, about the weight-bearing capacity for the culvert. **Mr. Wetzel** – Mr. Wetzel responded that this is not a state road. This is only a local road. There are no standards or requirements for a local road that he is aware of. The Township Engineer did, as shown on the slides, an inspection of the existing double culvert, through there and the way it's designed. It's well within design standards to meet all the road and weight requirements of the trucks that will enter the site.

**Thaddeus Sobek, 1619 Annette Avenue** – Mr. Sobek stated that he and his extended family have been long time residents of the Township. He referred to a previous comment about the weight of heavy equipment, a fire truck being 53,000 pounds, and heavy equipment such as dump trucks, excavators, will be well over 100 tons, and that nobody has determined the weight limits of the culvert / bridge. He continued to state, I'm here tonight to raise serious safety and cost concerns about the proposed Majestic Woods Sleepy Hollow development and explain why, from a technical standpoint, this application should not be treated as complete and should not receive final approval at this time. I want to be clear, I support development when it's done properly and within the laws and standards of our community. Unfortunately, from a technical perspective, the documents submitted for this plan contain major flaws and shortcuts, such as this culvert. My comments will focus on two critical issues: the so-called geotechnical report, which is neither completed nor, in my opinion, a professional opinion by a geotechnical engineer, and number two, the access and transportation logistics, including the bridge / culvert, turning geometry, and weight requirements, and how they impose serious safety and cost risks. Mr. Sobek addressed the Board, as an elected governing body, you represent the residents and taxpayers of the Township and have a duty to protect both public safety and the long-term financial interest of this community. So keep that in mind when you rule tonight. Mr. Sobek stated, my background, which is important here, I hold a degree in civil engineering from the University of Pittsburgh, and I was a Registered Professional Mining Engineer for over 40 years before my retirement. I work for a world-renowned mining and geological engineering firm and supervise many projects involving mine design, geotechnical issues relating to lateral support and slope stability. I design waste dumps and backfill slopes. I also design benching requirements for large mining equipment such as 100 cubic yard drag lines. My degree was, my expertise is surface mining. I speak from that professional experience. I'm not a hired gun here tonight, obviously. I'm here free, representing my son and my neighborhood. Socrates was credited with saying, "You don't know, what you don't know." My concern tonight is that the Township is being asked to rely on reports that do not show what the engineers do and what they do not know. First, the deficiencies in the Geotechnical Report. The document labeled geotechnical report should not be treated as a completed geotechnical analysis for the project for three main reasons. First, it was not prepared or sealed by an experienced geotechnical engineer. As was stated in the report's closing remarks, the report itself recommends that all construction operations dealing with earthworks and foundation construction be reviewed by an experienced geotechnical engineer. They themselves admit that this report was not done by a geotechnical engineer. It's invalid. In other words, the author is acknowledging that the experienced geotechnical engineer still needs to evaluate the conditions. That raises a basic question: Why is this being presented to the Township as a completed geotechnical study, if an experienced geotechnical engineer still needs to review the work? I question whether a report that is neither authored nor sealed by a geotechnical engineer should even be treated as a geotechnical report for approval purposes. Second, there is no proper subsidence modeling or slope stability calculations. Item 4.4 of the ACA

report states, "Based on 30 years experience and typical PA DEP indications, ACA has determined geotech and potential subsidence issues." That is not a substitute for engineering work or should be done on a major land development. Your Township Technical Representative Gateway Engineering should be aware that there are specific engineering calculations and modeling that must be used to evaluate subsidence and lateral support above underground mine workings. A true geotechnical analysis for this site should, at minimum, be taken into consideration. What should be taken into consideration are the types of rock structures above the mine voids, for example, whether overlying materials are sandstone. What type of sandstone? There are many types of sandstone. Shells. What types of shells? There are many types of shells. And other specific properties of the overlying materials. Also, they should take into account the height of the mine voids. There is a Pittsburgh seam, as Jason in one journal mentioned, eight feet. It could be greater than that. There's an overlying seam that curves above the Pittsburgh seam that could be taken at times with the seam itself, making that 11 - 12 feet high. Whether retreat mining has taken place or other extraction methods during the process, retreat mining is when they're finished mining, they come back and pull pillars. When they pull pillars, you create more potential for subsidence. That hasn't been taken into account as far as I can see in that report. How are all these inputs effect factors for the safety and subsidence of the slope stability, both vertical and lateral? None of that modeling is shown. There's no documented mathematical calculations for the subsidence, no lateral support calculations, no slope stability factors for safety derived from a site-specific rock and mining data. In my professional opinion, the subsidence analysis is less than rudimentary in the absence of these calculations, but yet you've accepted it as a final report. Without that engineering design for the geotech report, the application should be, as any application for anything simpler, this is complex, should not be considered as complete. Thirdly, key hazards that have been downplayed, the ACA report on page 20, ACA should review the final building and design and grading plans. This is in the ACA report. Which means the ACA report did not review the final plans. How can they do a geotech report and comment without reviewing what was final? This is theoretical. It is difficult to understand how a complete geotechnical analysis, including some science modeling and stability evaluations, could be performed without final grading and final building plans. Given these issues, I believe the Board should ask the Township Engineer Gateway very direct questions. Was the report written or sealed by a geotechnical engineer by ACA? According to their report, it was not. Did Gateway's own geotechnical engineer perform any confirming subsidence and slope stability calculations using site-specific geology and mining data? If so, what specific work was done and where is it documented? I haven't seen any documentation. On what basis did Gateway determine that the geotechnical portion of this application is complete? In absence of documented subsidence modeling and lateral support calculations, there is none that I know of. If there is, it should have been released by now. So in my professional opinion, this document should not be treated as a completed geotech report. It's mislabeled, incomplete, and inadequate to protect the public's safety and the Township from long-term risk. Second, which has been discussed by Tim

and Jason, access and transportation logistics. The other critical deficiency analysis includes access logistics, including the narrow bridge or culvert and turning geometry at Stoltz Road. This is not just design detail, it's a matter of public safety and future taxpayer costs. What I see is incomplete, is insufficient, and I don't see any calculations supporting weight distribution, width, etc. Basically, there is no PennDOT review. I think that was mentioned also. Jason also mentioned about the email correspondence. I think you need to clarify that. I want to remind the Township Engineering representative that the Board of National Society of Professional Engineers, NSPE Code of Ethics, which governs professional licensure, engineers shall hold paramount the safety, health, and welfare of the public. If the engineer's judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client of such other authority as may be appropriate. If there's an email out there that is documented in the right to know and that information was withheld from you, the Board of Supervisors, there is a serious licensure issue with the NSPE because that should not have happened. So key information about access, bridge capacity, transportation logistics were withheld. The omission endangers public safety, exposes the Township to large future costs for replacement and widening, and it raised serious ethical and legal concerns. He summarized, the document labeled geotech report is not a complete geotechnical analysis and was not prepared by a sealed geotechnical engineer. It lacks subsidence modeling and slope stability calculations that are standard practice and downplays or omits serious hazards such as acid-burying materials and steep cut slopes above existing homes. The access and transportation logistics are incomplete. That was prior to seeing some stuff tonight on slides. With no documented PennDOT review of the bridge or culvert, critical transportation information has been withheld from the Township. The Township's own SALDO requirements for written acceptance conditions have not been satisfied, which calls into question the validity of prior approvals. Because of these issues, I respectively ask the Board of Supervisors not to treat this application as complete and not to grant final approval until an independent Pennsylvania licensed geotechnical engineer prepares and seals a full subsidence and slope stability analysis based on the final grading including plans, the full transportation and access for the culvert logistics is submitted reviewed and made part of public record including any PennDOT review of the bridge or culvert, the Township confirms SALDO procedure requirements and timely written acceptance of conditions have been satisfied, this includes a full legal interpretation, in writing, by our legal counsel. Mr. Sobek thanked everyone for their time and attention, and stated that hopefully you vote for safety and long-term financial well-being of the Township.

**Bonnie Gildea, 1971 Sleepy Hollow Road** – Ms. Gildea stated that she has significant concerns over Majestic Woods and for the record, I have submitted them via email to the Board and Township today, and I feel they should be addressed before this plan is approved. If any one of you lived where I live, this development wouldn't be on the table tonight. I'm sure you're tired of listening to all of us voicing our concerns and maybe you're thinking what a waste of time this all is. But keep in mind these

couple of hours tonight of your life will turn into a lifetime of hell for my life, if you approve this development. I live directly downhill from the proposed Majestic Woods grading area where I have a small horse farm. I have attended and provided public comment at all the Planning Commission and Board of Supervisor meetings regarding Majestic Woods. Every failure in storm water or erosion control will reach my property first. With that being said, what we have here is a very unique situation because this site sits directly above an occupied resident and working horse property. The plan requires extra caution, clear drainage design, and enforceable protections. Again, I am the only resident directly below the grading area. Runoff, sediment, spills will reach me first. All this draining into my horse pastures, my barn, and my house. I have expressed my concerns over soil types, municipal ordinances, and SALDO numerous times. Yet nowhere in these plans do you require this developer to take any measures to protect my horses from noise contaminants, soil erosion, the overwhelming flow of water heavy with chemicals and contaminants running straight into my pastures. No buffer strips, no diversion ditches, no retention bases, no soil testing. Nothing except for tonight they are saying there will be swells which is what, a dirt embankment? What happens if the homeowner above me removes this? Is this also where this bridle path is going to be located? What is the bridle trail going to be made out of? Who's going to maintain the bridle trail? What happens when the new homeowners complain about the horses cutting through their backyard? My horses are not just the animals, they're family, vital to my life. Now Majestic Woods is threatening our peaceful existence. This is a very emotional weight to carry, knowing that my home, my life are at risk. It is very real, very painful potential future that keeps me up at night. Progress may be necessary, but it must not come at the cost of health and well-being of my farm. If the Board approves the current plan without addressing any of my concerns that I placed on the record, you are effectively choosing the more harmful option for my property. I want to be clear that I am not asking the Township for a favor. I am asking you to follow your own ordinances and to avoid approving a plan that is incomplete. If this project proceeds without the protections I am requesting and my property is damaged, the record will show that I raised these issues and the Township chose to approve the plan anyway. I have been agonizing over this development impacting my property from above and now I have a major nightmare potentially occurring in my front yard. In the letter that I received from Mr. Frank Zokaites on October 29th, he states the following: In designing these improvements, our engineers identified a small slope along the roadway in front of your property. To address this, an 8-foot-high retaining wall is currently designed within the public road right-of-way and a chain link fence would be required on top of this wall. But after reviewing the plans with Township staff, they requested we contact you to see if you might prefer an alternative option. A small amount of grading work within a portion of your front yard instead of the wall and fence. This approach will achieve the same result but with a much more attractive finished appearance. Are you kidding me? Who in the Township staff thinks that an eight-foot-high wall and fence is the same as a small amount of grading? I'm not an engineer, but it doesn't take one to know there's a huge difference in this comparison. And for the record, I didn't feel comfortable talking to the

developer, and you'll hear why. I sent an email to Karen Fosbaugh the next day voicing my concerns. I received a response on November 5th from Dan Deiseroth in which he said the Township made the widening of the road a condition for approval. The widening is in its final design and requires a wall to stay off my property. The final design of the wall has only been a recent change to the plans and is still under review of the Township. It is not approved. We anticipate this being discussed and reviewed at the November Planning Commission meeting. Then when I came to the meeting, the whole wall concept had changed. So apparently my email to Karen was conveyed to the Wetzel team by Dan Deiseroth because now the plan has been altered to require nothing more than a minimum wall. Now there's barely a wall. This sudden change raises serious concerns for me. The original engineering assessment appeared to recognize the need for substantial structural protection. Without it, I am deeply worried that my property could be at risk of erosion or even collapse onto the roadway over time, especially during heavy rain or adverse weather. What transpired between the Wetzel team and Dan Deiseroth to make such a drastic change? I need to know how this major change took place and how it was completed at the last meeting when there was no mention of how the wall changed. I need to fully understand the implications of this change and, if necessary, seek independent engineering advice. My priority is to ensure that the safety integrity of my home is not compromised by the revised plan. As the property owner at 1971 Sleepy Hollow Road, I need to put on the record that the final plan before you rely on widening Sleepy Hollow Road. Final approval should not be granted on an unresolved off-site property conflict or an assumption that the right-of-way issue will be worked out later. Until the applicant produces clear recorded right-of-way documentation and/or obtains the necessary proper rights and revises the plan accordingly, the submission is incomplete and approval would be premature and could expose the Township and residents to an unlawful taking and future liability. I respectfully request that you table or recommend denial of final approval unless and until these right-of-way and encroachment issues are fully resolved in writing and shown on the final plan. In the letter, Frank Zokaites also claims he has approval and that the project is a sure thing, even though it has not been officially voted and approved by the Township governing bodies. This is beyond disturbing to me and should be to everyone in this room. Also, in the letter he says, "I would also like to point out the development will proceed either way and your cooperation is not mandatory." I can't even imagine why he would write that unless he is implying, he has significant leverage and intends to push this project through, seeing me as a nuisance and nothing more. How awful when you were talking about making drastic changes to my beloved home. This just goes to show you how Frank Zokaites is going to proceed with this whole development. He doesn't care about the people of South Park or this community. He cares about making a profit and doesn't care whose property gets destroyed in the process. I will become one of his victims unless you reaffirm that no work occurs beyond the road without my written easement and that all alternatives must be presented publicly not privately. Everything I love, my home, my horses, and my land sits directly below this site. Every risk you allow here flows downhill to me. This plan is incomplete, unstable, and unsafe. The drainage, the slopes,

the missing safeguards, they all point to the same conclusion. This development is not ready for approval. When Mr. Zokaites finishes his project and moves on, the damage stays behind. The flooding, the landslides, the destroyed properties. They become the Township's problem, our community's problem, my problem. He'll be gone and we'll be the ones left living in the aftermath. Once the soil is cut and the hillside gives way, there's no fixing it. No amount of blame or paperwork will keep the water from running downhill. I'm asking you to do what's in your ordinances and your conscience. Stop this plan before it creates another disaster. Because when the water starts pouring through my pastures and into my home, it won't be Mr. Zokaites standing here asking for help, it'll be me. And by then it'll be far too late. This Board has my future in your hands; you'll dictate what happens to me for the rest of my life. If I get flooded, it will be a financial disaster, losing my home and my horses. Please listen and understand what your vote yes tonight means and think about this proposed development and the issues that I've brought up and the potential negative impact it will have on my life. If this Board decides to grant final approval despite my objections and concerns, then I'm requesting that you adopt written findings of facts and conclusions that explain how you determine this application is complete and compliant with all ordinance requirements, particularly with respect to stormwater, steep slopes, and right-of-way impacts to 1971 Sleepy Hollow, my home. I'm asking that my comments tonight and the exhibits I have sent in earlier today be emailed, be treated as substantial evidence that this plan is incomplete and unsafe as it relates to my property.

**Mr. Wetzel** – Mr. Wetzel responded by stating, we showed tonight in our presentation how we're handling storm water management within the site not only through storm lines, as well as drainage swales, we also showed the post and pre storm water conditions within the site. We've shown how we're going to be able to pick up all the storm water. We also talked about the bridal trail that was added. This will not be made of any material. This is only a 10-foot easement that will be located along the property line, so the easement is allowed for just equestrian use only, and none of these easements are located in any of the drainage swales. There will be a stormwater management requirement regarding maintenance within the plan, the question was brought up, what if some of the neighbors fill in the swale? Part of the requirement is that there will be yearly maintenance reviews. We've adjusted the location of the 24-foot road improvements and were able to slide the anticipated wall a few feet in some locations to lower the height of the wall. All of Ms. Gildea's property is above our wall so there's no storm water coming in from the wall area. We wanted to work with her to show her the two options regarding whether doing a wall or doing a graded easement on her property. She chose the solution not to want to talk, so we moved forward with the wall design. But we could have kept the eight-foot wall sections in through there and kind of made it, yeah, a very unsightly wall along Sleepy Hollow Road. We adjusted our road location and wall location to help reduce the impact of that wall within Sleepy Hollow Road.

**Julia Gunn, 1840 Stoltz Road** – Ms. Gunn stated, I own a 10-acre horse boarding business, my business and my property has been impacted by the lack of stormwater management in our County Park, in the Maripat plan, and the Saddlebrook plan with their ineffective detention pond. Without addressing the existing problems that exist in this floodplain, which Mr. Deiseroth was at my property, he informed me that I am in a floodplain and also Sleepy Hollow is in a floodplain. I'm asking you to table this new development until current additions are addressed with the heavy rains in 2018. The small Sleepy Hollow stream becomes a raging flood behind my property and all through Sleepy Hollow into the County Park. We all live in the area, we witness it, we see it, we feel it, we see the damage. It was accentuated by the addition of storm water from the Saddlebrook plan when it finished around 2018, or it was finishing. The change, just to give you an example, the change in elevation from Sesqui Drive to Stoltz Road to my property is 220 feet. The change in elevation from the Breckenridge Road at the top to Sleepy Hollow Road is over 300 feet. Stormwater velocity, unimpeded stormwater velocity would be 80 miles per hour from 200 feet, 90 miles per hour from 300 feet. Now that is depending upon no obstructions, which will happen once the trees are all removed. Okay, with the intersection of the Maripat stormwater and the Saddlebrook stormwater occurring on my property, there becomes a super eddy that increases the velocity exponentially. In 2018 this resulted in the water blowing off the sewer lid in the Sleepy Hollow stream, which is behind my farm, which then allowed all the storm water to go into the sanitary sewer and blew out the sewer system down Sleepy Hollow Road. I believe that cost the Township over \$200,000. Because you had to build a road back to it, you had to rebuild the sewer system. The other result of this unchecked stormwater flow is the downing of many trees, which then flow down the stream, block the culverts at Stoltz Road and block the culverts on Sleepy Hollow Road, as evidenced in these pictures I'm going to hand out to you. Ms. Gunn described the contents of the pictures as follows: the first picture is a picture of the sanitary sewer with the lid blown off. That is out of compliance. So, as you can see in the one picture, do you see all the trees, they went through the culvert on Stoltz to block the culvert on Sleepy Hollow. I don't know how you're going to manage that because there still is no control over that. The issue is above the Maripat plan is a bowl in the park that all leads downhill which floods the homes at the Maripat plan at the top. There are people who have told me how their homes get flooded, their pools get flooded. This is a regular occurrence. So, when you remove all the trees that sit the knoll at the top of that hill, I don't understand how God could control that water, let alone Mr. Zokaites. I believe my property is in further jeopardy. If you stand in the stream behind my property, the water will flow above my head, 50 feet before that, before the Maripat and Saddlebrook stormwater intersection, you can step through the creek. I have a gorge behind my property that gets worse with every storm. The other question I have is about the wetlands. In 2021, we got together with the Allegheny Land Trust and had an appraisal done on the property. The developer's wetland report conflicts with the independent appraisal that the Allegheny Land Trust had planned on the same property. Taken together, they show this site is much wetter and more constrained than the developer admits. An independent MAI appraiser says the whole smaller parcel is designated

wetland and non-developable. So, everything they're showing on that R-1 is considered a wetland. That's a fundamental conflict that needs an independent review. Their own soil data shows hydric and frequently flooded soils, but they still only map one little wetland patch. That underplays how much of this site is wet, flood prone, and environmentally sensitive. What they did was a single November snapshot on a huge site. That's exactly when small or seasonal wetlands are easiest to miss. We should not be relying on a one-day late-season look to sign off on permanent grading and fill. Also, they mapped the stream, but they never grappled with the real-world flooding and erosion risk to homes, roads, and downstream properties. That's a big omission for public safety. The developer's report never explains why it ignored a previously documented designated wetland area, that the independent appraiser says cannot be developed. The Board should not sign off until the independent reviewer reconciles those two completely different pictures. When you combine independent appraisal with the developer's own soil and floodplain data, you see a much wetter, riskier site than the maps suggest. This goes straight to your duty under the MPC and SALDO to protect the health, safety, and welfare of South Park residents. PA DEP strongly discourages direct excavation of wetlands. So, the wetland is going to be the storm retention pond, my horses drink out of that creek down in Sleepy Hollow. Are they still going to be able to drink out of that creek when I ride down there? Is it going to be all chemicals and oils from the construction site? How are they going to filter that all out? What about all the other animals that drink out of that stream? For these reasons, I'm asking you not to rely on the developer's narrow wetland report. At a minimum, this Board should require a truly independent delineation and full geotechnical and stormwater review before even considering final approval for Majestic Woods. My other safety concern is traffic. The 25 mile per hour speed limit is largely disregarded by most vehicles. There has been very little effort so far to monitor speeding on the road. The traffic study done initially by this developer was done in the summer and does not address the upcoming traffic that will be generated by Bethel Park's new elementary school. 1,800 students. Teachers. 60 to 70 buses every day come around there. Sunset golf, their route to Giant Eagle, to Walmart, is going to be down Stoltz Road. Summit Station, their route, down Stoltz Road. Where are they going? Giant Eagle, Walmart, that's where everybody drives anymore. I have requested a traffic study from Bethel Park, and they do have one, but it was not available to me at the time of this meeting. With Stoltz Road encircling our County Park, there are many pedestrians, bikers, and mounted riders that use this road. There has been a steady increase in e-bikes that I personally witness using Stoltz Road. It is a safety hazard because there is no pedestrian walkway for people to safely access the park. Stoltz Road is a state-maintained road, and I have been in contact with the state many times asking them what we can do about the safety of the traffic on Stoltz Road and basically, they've told me until somebody gets hurt or somebody gets killed nothing will happen. The bridge over Stoltz, 23 inches is how you can walk across that culvert. That's the only width there is. I must walk my horses to the pasture. I used to be able to walk over the stream on the other side and go up the hill the other way to get into my eight acres on the back. I can't do that anymore because of the erosion of the stormwater. Has PennDOT

been advised and consulted? Because a developer needs an HOA permit, or a Highway Occupancy Permit, have they been consulted? Mr. Deiseroth and Karen came to my property to see these objections I have for the new development. And while looking at the culverts, Mr. Deiseroth pointed out the bridge on Stoltz is more of a concern with the scour. There are no storm drains from Maripat the whole way to Sleepy Hollow. What the drainage on that road depends upon is going around the side of that bridge. And when the water travels around the side, it wears it away. It's wearing away the road. If you look at the road, you'll see marks before the culvert, after the culvert. The road is giving way. Can that handle the traffic from the new development, the new construction? It takes me approximately one minute to ride from my farm to Sleepy Hollow Road to safety. In that time, there's usually seven to eight vehicles that pass me, most of the neighbors that live there are very kind. Will the new neighbors know about the equestrian community? My last point is that every time I'm at these meetings, I hear a lot about South Park residents complaining that there's not enough businesses in South Park. Our horse farms are businesses, they're boarding businesses. Yet the Township fails to encourage or support these businesses. This area is home to many famous horsemen. Dwight Sanders, who owned my farm previously, is now in the International Hall of Fame as a farrier. Butch Gardill was a national reigning champion who owned the Saddlebrook Farms. I was fortunate to have his right-hand man Bob Curry at my farm for years. There are many famous Hollywood celebrities who brought their horses to Butch Gardille to be trained. Robert Mitchum was one who appeared in many, many old westerns. This development will be a huge threat to the horse community with the increased traffic. The lack of access to the park on Sleepy Hollow, which I know he's calling a bridle trail of eight feet. How steep is that section? How steep is that section to get up? How slippery is it to get up? Can you get up on that bridle trail while you're cutting down trees while there's large excavation equipment? I would challenge any of you to get on a horse and try it. I am asking the Supervisors to table this development until the developer comes up with a solution to allow our horses to saddle safely on Sleepy Hollow Road. to access the park and to preserve our 100-year legacy as equestrians. Thank you for your time.

Motion by Mr. Lucot, seconded by Mr. Vogel, to take a five-minute recess, at the request of the court reporter. All members voted aye. Motion carried.

**Thomas Priano, 1020 Old Post Road** – Mr. Priano stated, I have lived there for over 10 years. My property abuts the Sleepy Hollow property in question this evening along the southwestern border. I, along with my neighbors, have a steep backyard hillside that slopes down to the proposed development. I have done research on the developer making this request and have found publicly available information that has caused me not to trust this developer. From frivolous lawsuits filed on his behalf, to a court verdict against this developer for several million dollars due to severe negligence, there are plenty of reasons not to trust this developer. Many of the neighbors around this property have the same trust issues that I have. At the Planning Commission meeting in March of 2024, I was told

that there are rules and regulations in place to protect me and my property, though those same rules and regulations didn't protect residents on Snowden Road from property damage from this developer. In April of 2024, your Planning Commission voted 6-1 to not recommend preliminary approval of this development. The citizens of this Township provided proof after proof of reasons why this development by this developer is an irresponsible decision. It is my understanding that we, the citizens, changed the collective minds of the Planning Commission with all our concerns that could not be explained away. Yet in May of 2024, this Board voted contrary to the recommendation of the Planning Commission and instead chose to vote against the citizens that you represent and granted preliminary approval with nine contingencies. In November of 2024, the Planning Commission meeting agenda was advertised to consider final approval for the Majestic Woods development, but it was removed from the agenda because the developer was not adequately prepared for the meeting. Three additional times, in July, August, and October, the lack of preparedness on behalf of the developer canceled meetings. Some of the early filings for this application for final approval included plans that stated the development was in White Oak and Bethel Park. It appears this developer doesn't even know where he's developing. According to the South Park Township SALDO, without evidence of a written acceptance letter to the Township Manager, preliminary approval has been rescinded. Yet here we are, facing a vote on something that doesn't even qualify to be voted on according to our own ordinances. The Planning Commission was advised by the Township Solicitor that they could not table the vote because the 90-day review period started sometime in the past. That is in direct opposition to the SALDO that states the 90-day review period was to begin at that very meeting. These are the ordinances, the rules and regulations that are supposed to be in place to protect the citizens and property owners of the Township. I was told that by our Township Engineer back in 2024 when I expressed concerns about negligence on the part of this developer and how that potential negligence could affect my personal property, specifically the slope stability behind my home. These ordinances are being brushed off as though they do not matter. Citizens in the audience were pointing out these ordinances that are as plain as day. They are being ignored by our Township officials, and we are only here at the paper phase of this project. Failure to enforce the rules and regulations in the construction phase could prove catastrophic. I have trust issues. Our Township advisors, Code Enforcement Officer, Planning Consultant, and Township Engineer have stated that everything in this plan and the application is complete, even though the preliminary approval contingency of having to obtain the NPDES permit remains applied for. It should not have been accepted because they only did that today, not two weeks ago. The citizens of the Township brought up at the Planning Commission meeting several points that demonstrate, and they have done this again tonight, that the application and plans are indeed not complete. Yet the application was accepted despite these unaddressed concerns. Now we are at the point where you, the South Park Township Board of Supervisors, will decide on this development. There are so many reasons to say no to this. I recognize that there may be bad blood between this Board and the citizens that you represent. Please know that is only the

case because you have betrayed our trust. You can begin the process of gaining back our trust. You can take the recommendation of your Planning Commission and vote down this development. That will be a huge step forward in gaining back the trust of your citizens who are the ones who put you here in the first place. I stand here this evening placing on public record my opposition to this development as incomplete and unsafe. Should you go against your Planning Commission's recommendation and betray the trust of the Township citizens, yet again, and grant final approval. I fully intend to join with other adjoining landowners and other affected residents to exercise our rights under the Municipality's Planning Code and file a land use appeal in the Allegheny County Court of Common Pleas. Therefore, I respectfully request that you gentlemen vote to reject the final approval for the Majestic Woods development. I appreciate your attention to the concern of the citizens. Thank you.

**Dylan Altemara, 305 High Street, Elizabeth** – Mr. Altemara stated, I am a candidate for state representative here in the 39th District. I wanted to come and address you today because, like the people behind me, I think it's shocking and frankly appalling that we find ourselves on the precipice of you voting yes for a project that clearly these folks have demonstrated there are a variety of issues concerning. Everything from wastewater to misuse of land, to endangering the animals and the wildlife of the community, to affecting homeowners, to affecting adjoining property owners, to not observing your Township's own ordinances, to violating State laws, to possibly violating Federal laws. Possibly voting yes to a developer that has a stated record of misusing bankruptcy filings to sidestep legal liability when their work causes people around them in the community to be affected. My question to you, frankly, in light of everything that's been demonstrated tonight between the appalling, shoddy work of not just the developer and not just the people that this Township employs, but frankly the half-hearted and absent leadership of the people sitting on this Board. And I'll address this to the developers, because when Jason went ahead and put in a request for ethics records to see if any of you have vested interests with this developer, that request was denied. Subsequently, when I took it upon myself to check the campaign finance records in Allegheny County as elected officials, which you have to file with the county, I found that Mr. Snee has not filed one on record since 2013 when he was running for magistrate. Brian, I see you have filed one to date so far, three actually for 2025. I'm curious to see what your last one will be towards the end of your tenure on this board for your year-end report. **Mr. Lucot** – Mr. Lucot stated, I filed three campaign finance reports with the county as required. I consulted the attorneys at my law firm who know the law, and I went over and even talked to the County Elections Board. There is nothing else that we need to file outside of the final report for federal taxes. **Mr. Altemara** – Mr. Altemara continued, and then finally for Mr. Vogel, I've not found one on you in all the years that I've looked back since you've sat on this board. So in closing, I want to go ahead and submit into the record right now and ask these three: Have any of you, have any of your designees, any of your employees, any of your paid or unpaid representatives in any way donated, lobbied, influenced, contributed, or in any way influenced the

decisions of the three gentlemen sitting before you today? Is that perhaps why we're in a rushed process in a lame duck session even though there are three new board members coming to this panel within two weeks that we both know, or excuse me, all three of us would know, that would vote in a completely different way? My question to you is, have any three of you, any of your designees, any of your paid or unpaid lobbyists, designees, have any of you contributed to these gentlemen since two of the three have no campaign finance reports on file with the county and since none of them are allowing the Township residents through the Township to engage in a process to obtain their ethics filings, which would show whether or not they have any vested interest in your developer or any subsidiaries that your developer might have fingers in. Mr. Altomara then asked each of the Board of Supervisors if they ever received any campaign finance reports or undue lobbying from the developers. Each Supervisor responded that they had not. Mr. Altomara continued to state, in closing, I would just want to go ahead and really preference this for the new Board that comes on in a few weeks. I really do hope that upon you taking this office, you really do consider the legal representation this Township has because to me, it seems like it's in bed with the developer and the elites and not those residents behind me. Thank you so much, and I hope you vote no.

**Gina Peifer, 5709 Library Road** – Ms. Peifer stated, I'm one of Millie Montoro's granddaughters. To the Supervisors of South Park Township, there are some of you that may have known her and maybe some that have heard of her and unfortunately, some that hadn't had the pleasure. Millie Montoro was the South Park Planning Commissioner for 12 years. She was Supervisor for six years and she was the first woman to do those. She was the first woman to be Deputy Jury Commissioner of Allegheny County for 12 years, Democratic Chairman for 25 years, member of South Park Chamber of Commerce, and she was the first to receive the J.F. Kennedy award in Allegheny County for civil and political activities. She was also the Vice President of Allegheny County retirees and a member of Saint Joan of Arc church, establishing the school library, as well as the librarian for three years. I feel the need to address the Sleepy Hollow development issue and speak up on her behalf as she's now been gone for 25 years. I understand you want your community to grow and thrive, but this is not the way. You need to realize that South Park will start to lose everything special about it if you take every wooded area out. I've watched the entire area grow and change a lot over the years including the development of Evans Field, which has a street named after her there. If my grandmother were alive today there's no doubt in my mind that she would be against this Majestic Wood / Sleepy Hollow development. The fact that it even got any kind of approval to make it this far is a disgrace and dishonor. At this point, I ask you now to look at the facts and listen to your citizens. And above all else, please do not let this development happen. It may be too late for the Sunset Gulf area, but it's not too late for Sleepy Hollow. Ultimately, the decision is in your hands. Thank you for your time and consideration.

**Sharon Adams, 6528 Ventura Drive** – Ms. Adams stated, don't approve this. We're going to be stuck with this. What happens if the developers

walk away? We're going to be stuck with this. I'm going to be taking an oath on January 5th to support and protect these residents. And I can't do that knowing that that culvert might fail. She stated that there is going to be an emergency, and no way to cross the culvert. Ms. Adams compared this plan to one in North Strabane. She stated that future generations will ask where the green space went, stating everyone is trying to hold on to the green space that's left. She concluded by requesting, I just wish you would not approve this till we can get onto this Board. Thank you very much.

**Debbie Duncan, 2451 Stewart Road** – Mrs. Duncan stated, I'd like to go on record with an observation from the meeting, which was the Planning – the Zoning Commission meeting. If I had not already known that the individuals seated on the right side of the Board: the Township Engineer, the Township Engineer Consultants, and the Solicitor, are paid to represent South Park Township, I would have assumed that they were representing the developer, not South Park Township. Both the Township Engineer and the Township Solicitor implied that the speakers and the residents in attendance did not understand engineering or legal issues being raised. As a Township paid advisor, I believe it is their responsibility to clarify those issues for residents, not to be dismissive or just say the concerns being brought up are ridiculous. They should address the concerns of the residents and not double talk and keep talking over the same thing. We're not hearing the direct answers to the questions that are being asked. As a resident and taxpayer, that perception is extremely concerning and frankly disheartening. Taxpayers are their clients, and they're paying their fees, and I think we deserve better.

**Jim Converse, 1901 Sleepy Hollow Road** – Mr. Converse asked if there will be a gas line going into the Sleepy Hollow Road development when this project is done. He then asked what kind of speed controls are going to be put on this road, questioning if there would be speed bumps or a 15-mile per hour speed limit enforced. He expressed concern about children and horses walking along the road. Mr. Converse continued, by questioning the division of the previously mentioned 41 1/2-foot right-of-way. He stated, I assume that's 16 1/2 on my side of the road and 25 feet on the other side of the road. Because I'm a land surveyor, and that's what I understand it to be. **Mr. Lamm** replied yes to his question about the right-of-way. He then responded to Mr. Converse's earlier questions by stating, no, there will not be a new gas line. **Chief McDonough** answered the questions about speed control, stating that speed limits are regulated by PennDOT, being 25 miles per hour in commercial and residential areas. He continued by stating that usually speed bumps are not necessarily a good thing for the residents who live there, or for snowplows. The answer to that question is enforcement.

**Sheila Petruska, 3110 Shelley Drive** – Ms. Petruska stated she has been a resident of South Park for 25 years. She continued, my children and I use Stoltz Road regularly, to get to Giant Eagle and Bethel Park and the mall. This development will affect us and the entire community. At the end of Sleepy Hollow Road, which abuts Stoltz Road, there is a narrow bridge with an unknown load limit, as the only access for school buses

and emergency vehicles. Building more than 100 homes in an area with one narrow culvert in and out would seem to be a disaster waiting to happen. Your own planning commission, who you appointed, voted against this development twice. These are the people you appointed to study these applications in detail. Ignoring their repeated no vote sends a troubling message regarding how seriously their advice and the community's concerns are being taken. After the first time this board voted in favor of this project, our community came together to add two more supervisors to the board. Ms. Petruska stated that the Township's requirement is that the developer needs to obtain an NPDES permit, not apply for it the day of this hearing. Mr. Wetzel stated this evening that the application was submitted today. They certainly have not received the permit. I'm respectfully asking that this Board of Supervisors table this issue tonight and allow the newly elected board to take action on this item as would seem to align with the wishes of the community.

**Virginia Repine, 1048 Old Post Road** – Ms. Repine asked, what is the procedure for the Planning Commission to report your findings and the recommendations to the Township of Supervisors. Mrs. Fosbaugh answered, the Code Enforcement Officer prepares a memo, the memo is then given to me, and I distribute that to the Board of Supervisors. The memo regarding the November 26<sup>th</sup> meeting was distributed to the Board. Mr. Vogel added that the Planning Commission is not a legally binding body. They make a recommendation. They do not prepare a finding of facts and conclusions of law like you would see in certain other cases, other areas of agency law, we get the notice that basically the issue was off, there was a recommendation one way or another, and what the vote was. Ms. Repine stated, my son and I measured the culvert, and it is not 24 feet, it's 18 feet. And there's abutments and a creek. She asked for further explanation of where and how the culvert will be widened. The Developer stated that the culvert from the back of the embankment to the other back of the embankment is 27 feet, we will build a 24-foot road between that 27-foot spanned area with guide rails.

**Whitney Gastmeyer, 2989 Amy Drive** – Miss Gastmeyer asked if the Township had ever received donations or financial contributions from Gateway, or other contributors for any project. Mrs. Fosbaugh answered that the Township received donations for the Township Halloween party from a variety of sponsors, including Gateway Engineers, the Teamsters and the local area businesses. Miss Gastmeyer then stated that from reviewing various Township correspondences, this development didn't seem to be held to the same standards as others and questioned why that was. Other developments had required the NPDES permit before they could be approved. The developer has not made the proper searches with One Call. However, for this development, our Township Engineer and Solicitor appear to be assisting the developer in ways they haven't assisted Township residents or businesses with their own development and legal reviews. She continued that this development caused a lot of residents to take action, getting signatures to add two new Supervisors to the Board, and bringing people to gather for these meetings. Miss Gastmeyer stated that while the Developer may sue the Township if the project gets denied, these involved residents who have already acted, will

continue to take legal action against the Township if it is approved. She stated, I just think there's a lot of questions that people have asked tonight that haven't been answered by the developer. And I think that's concerning too, because we shouldn't have these many questions this late in the game.

**Calney Conley, 4500 Piney Fork Road** – Ms. Conley stated, as a recommendation, for all projects where the equestrian community may be involved, having signs for horse crossings are always great from a safety standpoint. Secondly, the analysis for the runoff that looks at the current runoff with the undeveloped land versus the developed land, has that been done after this enters the retention basins and what capacity do those have? She further inquired about the impact on Peters Creek, the Montour Trail campground area, and Greenman Tunnel. Ms. Conley asked the Board, regarding the process and next steps, if you choose to accept this or not, how can citizens continue to be involved? **Mr. Firman** replied that this is the meeting where final approval is determined. If that's decided, there would not be more action in front of the Board. Unless there were some minor plans that had to come back for public comment. If someone would appeal this development, either way, there would be a court of common pleas proceeding potentially.

**Mr. Lamm** – Mr. Lamm stated, if you recall from the beginning of our conversation, there were four general points of interest. The site generally drains in those four different areas. There's two ridges that are, running on either side and everything drains into that center one, and then the other areas: area two, three, and four, drain off the site in different directions. We're seeing reductions of about 75% in terms of the flow rates that are going in those directions. In the main area, where we have the detention system, we're reducing the flows by about 25%. We're also reducing the volumes because there's a certain amount that's going to be infiltrated in the basin and will no longer be going directly to the stream. Area 3, which is a small area to the east that drains to South Park and drains to Sleepy Hollow, we're seeing reductions of about 25%. And when I say we're seeing reductions of about 25%, we look at not just the one-year storm, we look at the two-year storm, we look at the five-year storm, the ten-year storm, 25, 50, and the 100-year storm. They must be less than the pre-development values. So yes, we are looking at the pre-development values and we're comparing them to the post-development values. That's why we need detention in some areas to help deal with the increased water with roads, roofs and things like that. Finally, in the fourth area, that was draining towards the park directly, we're seeing reductions of about 10%. We have the grading that's happening over in that area and I want to speak to this because there there's some drainage now that goes to the part of the park which does feed that impoundment, the woman with the 10-acre... the water can't even get in that direction now because those properties up in that corner are in a cut slope. So, the people behind those lots are going to have a 10 or 12-foot hillside behind their lot and the water can't get in that direction. We're reducing the water to all those different points of interest and points of analysis. Bonnie's house is in that category where the peak rates are going to be reduced by about 75%. There's not as much area draining to her. During construction there'll be

what are called interceptor channels that will channel everything to that sediment basin that's going to be down along lots 401 to 405.

**Peggy Eisel, 3401 Maple Drive** – Ms. Eisel asked if the developer had received approval from the Utility company to move the pole. **Mr. Lamm** replied, we're working on that. **Ms. Eisel** reiterated, so you don't have the approval, you're working on it. She asked, where was the pole moving to? **Mr. Lamm** replied, if you're standing on Stoltz Road, looking in towards Sleepy Hollow Road, it's going to be moving to the right. The whole road is going to be realigned. That's how we're able to get the 24-foot road between the 27-foot headwall and endwall. And then there are going to be slightly more generous turning radius to accommodate the turning radiuses.

There was group discussion and debate regarding the existing length and width of the culvert, with residents stating the culvert is 18-feet wide and the developer stating it is 27-feet wide.

**Ms. Repine** – Ms. Repine asked for clarification on the turning model that was displayed, what was the width of the culvert used in that model?

**Mr. Deiseroth** – Mr. Deiseroth replied that the plan that was submitted scales to be a 27-foot width between the wing walls. He used photos he took from a previous inspection. The turning templates that were modeled tonight were modeled based upon that plan that modifies through the intersection. The bridge is on a skew, and what happens is the guiderail comes inside the pavement, so when the Developer straightens the road, they'll take full advantage of the distance between the wing walls. Mr. Deiseroth then stated that the culvert was inspected by him. That is corrugated metal pipe. I found the drawings from the original plan. The culvert was designed for normal loading, which is H-20 live loading, which would be the maximum permissible vehicle weight on the road, which is approximately 36 tons.

Unidentified person stated that's the discrepancy, the fire trucks can navigate the bend, but it would not be safe for it to cross.

**Ms. Peters** – Ms. Peters stated that she had 3 final comments for the Board. One, at the preliminary plan meeting before the Planning Commission, each of the Township staff and consultants identified for the Planning Commission that the final plan meets all ordinance requirements. Two, the final plan substantially conforms to the approved preliminary plan. Three, the approvals that are the subject of most of the comments this evening are third-party approvals that can't form the basis for a denial by the Board. She stated we have an obligation to go and get those approvals.

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

Mr. Snee, prior to making a motion, stated that the developer has followed much of what we had asked you to do. He continued, my problem is I really think that we should get a Geotech report. If you can do that, and the weight bearing of the bridge is my concern too. If we can guarantee

that – we’ve got a lot of streets up there that are one way in and one way out in our Township, but I think we need to know exactly what the weight bearing is with the heavy equipment going in and out of there. I would suggest we table it and get back to us as soon as possible.

Mr. Lamm stated I guess we’re confused about the Geotech report that has been submitted. It’s been reviewed by professionals, and it’s been accepted.

There was debate from the audience that the Geotech report hadn’t been approved by a Geotechnical Engineer. Mr. Lamm stated that in the state of Pennsylvania, there is no such thing as a Geotechnical Engineer. There are Professional Geologists, and there are Professional Engineers – sometimes both of them or either of them act as geotechnical engineers. There is no professional registration for something called a Geotechnical Engineer. Mr. Wetzel then asked Mr. Deiseroth, if a Geotech in Gateway Engineers reviewed the report. Mr. Deiseroth confirmed that the report had been reviewed by their Geotech, and that it met the standards for a geotechnical report submitted for a single-family residential development.

Motion by Mr. Lucot, seconded by Mr. Vogel, to table this to the next regular Supervisors meeting on January 12, 2026, thereby table granting final approval to the project identified as the Majestic Woods Subdivision, to be located on Sleepy Hollow Road, being Lot/Block 771-F-75, as proposed by the Developer, Majestic Woods, LP; with the following conditions:

A. The Developer must sign and record the Operations and Maintenance Agreement as per the Township Stormwater Management Ordinance Appendix A and must enter into an agreement for ownership and escrow for storm sewers and/or storm water management systems or facilities per Section 1903.50 J, prior to the onset of construction activities;

B. A cost estimate for site amenities bonding, both for public and private improvements, must be submitted for review and approval by the Township Engineer, and the Developer must execute a developer's agreement and post financial security for improvements to develop the site, including the offsite improvements to Sleepy Hollow Road in addition to, and bonding of, conditions of the existing culverts under Sleepy Hollow Road;

C. The proposed 8' wide bridal path easement will be added to the final plan and the recorded plan which allows horses and their riders ingress and egress from Sleepy Hollow Road to South Park, as per the attached Exhibit 1;

All members voted aye. Motion carried.

#### **Supervisors’ Comments**

**Mr. Vogel** – Mr. Vogel reminded everyone that we are coming up to the holidays, please continue to be safe.

**Mr. Lucot** – Mr. Lucot thanked everyone for attending tonight’s meeting.

**Mr. Snee** – Mr. Snee wished everyone a Merry Christmas.

**Adjournment**

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

**Time: 12:04 a.m.**