

Minutes of the Regular Meeting

of the South Park Township

Board of Supervisors

May 13, 2024

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; Aaron Laughlin, Director of Public Works; and Irv Firman, Solicitor; and Tom Bonidie, Code Enforcement Officer.

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, April 8, 2024 – After the regular meeting to discuss personnel issues;

Monday, April 8, 2024 – Personnel issues;

Monday, April 22, 2024 – Personnel issues and issues addressing safety;

Monday, May 6, 2024 – Personnel issues and litigation matters;

Monday, May 13, 2024 – Prior to the regular meeting to discuss safety concerns.

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. TODAY.

Mrs. Fosbaugh stated that she would like to enter into the record a 17 page email from Danielle Strimlan, addressing the testimony of Deputy Secretary Kurt Klappkowski of the Office of Oil and Gas Management (DEP), dated March 25, 2024, relative to oil and gas wells.

**Call on the People –
Issues not related to
Majestic Woods**

Walt Mager, 5710 Hilldale Dr. – Mr. Mager commented that he sent a letter to the supervisors on Friday, regarding the Zoning Hearing Board meeting held on March 20th relative to Life Builders. The letter states that the attorney representing the Township stopped the meeting because they wanted to amend their application. They were told that they would need to amend and refile their application. In April, the amended application was approved. Mr. Mager explained why he believes that Life Builders is a commercial organization, not a church. He remarked that Mr. Bonidie is an excellent guy who deserves a raise.

Danielle Strimlan, 620 Carothers Ave., Carnegie, PA – Ms. Strimlan addressed her concerns regarding EQT drilling in South Park Township. She read from a document which was entered into the record addressing abandoned oil and gas wells.

Action on Minutes

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the minutes of the Public Hearing continued from March 11, 2024, to April 8, 2024, to determine if the property located at 5916 Curry Road should be declared a public nuisance and possibly pursuing the demolition process, as the condition is a threat to the health, safety, and welfare of Township residents. All members voted aye. Motion carried.

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 April 8, 2024. All members voted aye. Motion carried.

Action on Invoices

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the payment of invoices for the month of April, 2024. All members voted aye. Motion carried.

**Action on Non-
Exclusive License
Agreement – John and
Kristy Ziegler – 2517
Bonnie Dell Drive**

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 John and Kristy Ziegler (Grantees), to permit the construction of a paver walkway and fire pit over a storm sewer easement located on Lot No. 1 of the Ziegler Lot Consolidation Plan, Lot & Block No. 769-P-25, being 2517 Bonnie Dell Drive, 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 to Authorize
the Preparation and
Advertisement of an
Ordinance**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve authorizing the preparation and advertisement of an Ordinance amending §107 of the Code of the Township of South Park entitled, “Sewers,” regarding dye tests and property transfers, with action on said Ordinance anticipated to take place at the regular meeting of the Board of Supervisors scheduled for June 17, 2024. All members voted aye. Motion carried.

Action to Schedule Public Hearing – Rezoning Request Submitted by Sheffler & Company, Inc. on Behalf of David and Jennifer Scandrol – Brownsville Road – Lot/Block No. 886-R-250

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve scheduling a Public Hearing on Monday, July 8, 2024, at 6:30 p.m., for the purpose of receiving public comment relative to the zoning amendment request submitted by Sheffler & Company, Inc. on behalf of property owners, David & Jennifer Scandrol, for the rezoning of property located on Brownsville Road, being Lot/Block No. 886-R-250, from the C-4 Heavy Commercial zoning designation to the R-2 Medium Density Single Family Residential zoning designation. All members voted aye. Motion carried.

Action on Payment Request No. 1 – South Park Township Library Wall Improvements Project – Piccolomini Development

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Payment Request No. 1 in the amount of \$41,276.01, as submitted by Piccolomini Development for work completed to date on the project identified as the South Park Township Library Wall Improvements Project, as recommended by the Township Engineer. All members voted aye. Motion carried.

Action on Bids – Spring commodities – SHACOG Cooperative Purchasing

Motion by Mr. Lucot, seconded by Mr. Vogel, to accept the bids received by the South Hills Area Council of Governments (SHACOG) on March 7, 2024, for the purchase of Spring Commodities through the cooperative purchasing program, and authorizing the purchase of said commodities from the suppliers listed on Attachment A, a copy of which is attached to each audience agenda. All members voted aye. Motion carried.

Action on Separation of Employment – Officer Shannon Henrich – South Park Township Police Department

Motion by Mr. Lucot, seconded by Mr. Vogel, to accept the separation of employment by Officer Shannon Henrich from the South Park Township Police Department, with an effective date being Saturday, May 11, 2024, at the close of the business day. All members voted aye. Motion carried.

Action on Training Request – Medical Marijuana – Officer Joseph Zimmerman

Motion by Mr. Lucot, seconded by Mr. Vogel, to authorize the attendance of Officer Joseph Zimmerman to a training session sponsored by Team DUI entitled, “Medical Marijuana,” which will be held at Washington Hospital in Washington, PA, on June 10, 2024, at a total cost to the Township of \$6.00. All members voted aye. Motion carried.

Action on Assessment Change Reimbursements – Lawrence P. Arrigo, Tax Collector

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve assessment change reimbursements for the calendar years 2022 and 2023, due to successful appeals at the County level, as requested by Lawrence P. Arrigo, Tax Collector, in correspondence dated April 18, 2024. All members voted aye. Motion carried.

Action to Reschedule June 2024 Board of Supervisors Meeting

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve rescheduling the regular meeting of the Board of Supervisors from June 10, 2024, at 7:00 p.m., to Monday, June 17, 2024, at 7:00 p.m. All members voted aye. Motion carried.

**Action on Resolution
No. 5-24**

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve Resolution No. 5-24: A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING THROUGH THE FLOOD MITIGATION PROGRAM (FMP) GRANT FROM THE COMMONWEALTH FINANCING AUTHORITY FOR THE PURPOSE OF THE CONSTRUCTION OF SOUTH PARK FLOOD ALLEVIATION FACILITIES. All members voted aye. Motion carried.

**Action on MS4 Report
–April, 2024**

Mrs. Fosbaugh explained that following is the MS4 report for April dated May 13, 2024. MS4 is the acronym for Municipal Separate Storm Sewer System. Every month this report is entered into the record as one of the benchmarks the Township must reach with regard to public education. MS4 is how we are managing and trying to preserve the freshwater system in Pennsylvania, as required by DEP.

1. The part-time litter collection employee continued on with litter collection activities on Township streets to prevent trash from impacting the function of the stormwater inlets. The Township's semi-annual clean-up day was held in April and was a great success. The collection of electronics, medications and the destruction of documents all contribute to South Park Township's efforts to protect fresh water supply.
2. The Public Works Department rebuilt two inlets in April.
3. The Public Works Department's inspection of the outfalls is completed.
4. The point repair component of the 2024 Township Wide Sanitary Sewer project was completed. The relining component is now underway.
5. Notification was received that the PennVEST loan application was approved for the new headworks project at the Piney Fork Sewage Treatment Plant in the amount of \$15,000,000. A favorable interest rate of 1% for the first 5 years and 1.75% for years 6-20 was secured for the project which is a joint endeavor between South Park Township and the municipality of Bethel Park.
6. Curb work and inlet evaluation and repair associated with the 2024 Paving Program is underway. The paving program is anticipated to begin within the next month.
7. The Administrative Assistant is approximately 50% completed with the annual storm water inlet inspection as part of the MS4 requirements. This aspect of MS4 is extremely important as the rating system determines the inlet repair and maintenance schedule.
8. The Township is applying for a Flood Mitigation grant with DCED, for the Broughton area, in the amount of \$500,000. The Board took action on the resolution that is required as part of the submittal process.

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve the MS4 Report for the month of April, 2024. All members voted aye. Motion carried.

Police Chief's Report

The Police Chief's Report for April, 2024:

Calls for Service	686
Arrests	2
Traffic Citations	18
Parking Citation	1
Warnings Issued	46
Reportable Accidents	1
Non-Reportable Accidents	4
Fire Calls	30
Emergency Medical Assists to Tri-Community EMS	89
Deer Struck by Vehicles	6

Chief McDonough commented that he received a call from the Chief of Police of Mon City who are responsible for police services in Union Township. He expressed his appreciation to the Township Police Department and the two Township Fire Departments for responding and assisting Union Township during the tornado incidents on Saturday. Mr. Snee thanked the police department for helping during the tornado situation.

Motion by Mr. Lucot, seconded by Mr. Vogel, to accept the Police Chief's report for the month of April, 2024. All members voted aye. Motion carried.

Presentation by Developer – Proposed Majestic Woods Subdivision – Sleepy Hollow Road

Mike Wetzel, Victor-Wetzel Associates – Mr. Wetzel stated that he is present to represent Majestic Woods, LP, for preliminary approval of the Majestic Woods subdivision plan. He explained that Majestic Woods 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. The application was submitted for preliminary approval in March with all required documents as per the Township Code. Mr. Wetzel referred to a screen showing the Township Zoning Map and where the subdivision, which is approximately 63 acres in size, is proposed to be built. He mentioned that the area is designated in the Township Comprehensive Plan for future development as low density residential. Mr. Wetzel then referred to the screen showing a neighborhood aerial plan displaying the lines designating the locations of the Allegheny County Park and Bethel Park, as well as the Township neighborhoods in the area. He stated that within the proposed plan, the density will be 1.7 dwelling units per acre, which is well under the existing neighborhood. Mr. Wetzel continued to explain that the site is mostly covered with young woodlands, which have been established for approximately 40-44 years. There is an existing, abandoned gas line that traverses the site which will be relocated as part of the development within the plan. There are some elevation changes within the sections of the plan, and there is one small wetland located in the plan. There will be two accesses to Sleepy Hollow Road, and an oversized cul-de-sac that leads to the County Park line. There is an open space, which is not required. Road improvements will be made on Sleepy Hollow Road. The development will be done in three phases, with 33 lots in Phase 1, 28 lots in Phase 2, and 47 lots in Phase 3. Sidewalks will be located on both sides of the streets. The R-2 Zoning District is approximately 52 acres in size, and the R-1 area is approximately 10 acres.

The minimum lot size required in the R-2 district is 12,000 square feet, and three lots are proposed at 12,000 square feet. Within the plan, they are averaging 14,400 square feet in lot size in the R-2 district. Within the R-2 district, density averages 2 dwelling units per acre. The overall site density will be 1.7 dwelling units per acre. Minimum lot widths are 8 feet, front yard setbacks are 35 feet, side yard setbacks are 10 feet, rear yard setbacks are 30 feet, building heights are 2-1/2 stories or 45 feet, the maximum lot coverage will be 35%, and they will provide open space of 11.2 acres or 18% of the site. The R-1 area is 10.5 acres, with single family dwellings. The minimum lot width is 90 feet wide, and their minimum lot width is 435 feet. There will be a 35 foot front yard setback, 12 foot side yard setback, 35 foot rear yard setback, 30% maximum lot coverage, and sidewalks on both sides of the street. There are no variances or modifications required with the proposed plan. Majestic Woods has been designed to meet all the requirements of the Zoning and SALDO ordinances for the R-1 and R-2 districts. Mr. Wetzel referred to the screen showing the preliminary grading and utility plans showing existing trees that will remain in various pockets of the site. Stormwater management will take place in two locations. He mentioned that the existing neighboring developments do not have stormwater management. Mr. Wetzel explained that they will be making some off-site road improvements on Sleepy Hollow Road, which are not required. They will revise both culverts to allow for a 24 foot wide pavement width between the guiderails. They will also provide a two-inch overlay on the existing pavement surface. By widening the road to 24 feet, it will meet Township specifications. Within the portion of the development, they will do a full-road improvement off-site by installing new base, asphalt, binder, and wearing course, per the Township specifications. There will be a 24 foot pavement width, and 24 foot cartway; but there will not be curbing associated with this portion of the site. Everything within the site on Sleepy Hollow Road, as well as within the development, will be built to the Township specifications and reverberate a 24 foot cartway, and 18 inch asphalt wedge curbs on both sides. In the culvert area, the existing wing walls will be modified, providing a 24 foot cartway width for access into the site. It will provide ample room for firetrucks and school buses. They will be meeting all requirements for pavement specifications. Mr. Wetzel commented that the following activities have taken place or were built in the vicinity of where the Buffalo preserve has existed: the existing townhome facility; the middle school, the wave pool; public works and the dog park area; a newly constructed playground and parking lot; the high school and high school field; the amphitheater with night concerts; the model airplane field; and the existing residential units on Edward Drive. The proposed plan is very consistent as to what has been built within the neighborhood. The buffalo have been here for several decades, and all the surrounding area was built while the buffalo existed in the Park.

**CALL ON THE
PEOPLE – Majestic
Woods Subdivision –
Sleepy Hollow Road**

A. Public Comment.

Diane Foster, 1046 Westchester Rd. – Ms. Foster commented that the on-line petition against the development has 13,654 signatures. She mentioned the results of the elections for each Board of Supervisor. She read aloud a letter from Francis Hill addressed to South Park Township, dated April 23, 2024, regarding property developed by Frank Zokaites, which caused erosion damage to her property located in Wexford, PA. The letter mentioned that the court awarded compensatory and punitive damages to the property owner. Ms. Foster

remarked that the Township has had flooding issues with the Villas of South Park since 2021. She read aloud a study on the Bison regarding their sensitivity to stress and how it affects their health.

Paul Smith, 1009 Old Post Rd. – Mr. Smith interrupted Ms. Foster’s comments by saying that the Planning Commission did a terrible job when they caved in by just “kicking” the vote up to the Board of Supervisors.

Tim Foster, 1046 Westchester Rd. – Mr. Foster commented on the conflicting distance reported from the proposed development to the Buffalo. Mr. Foster questioned the credibility of the Wooster Traffic Study and added that ACED’s report differed considerably. He expressed his concern for inadequate roads, the bridge, and mine subsidence. He mentioned the increase in water main breaks. Mr. Foster discussed access to horse trails on the road and bridge. He expressed dissatisfaction toward the developer, asked that the Board deny approval, and provided documents for the Township officials.

Jason Sobek, 1750 Stoltz Rd. – Mr. Sobek provided an ACED Notice of Violation regarding Frank Zokaites and the Wexford property previously discussed. He mentioned the opportunity for the Allegheny Land Trust to purchase the Sleepy Hollow property. Mr. Sobek discussed the traffic study and that it did not take into consideration the new Bethel Park Elementary School on Kings School Road. He expressed his concern for the condition of Sleepy Hollow Road and the bridge. He commented on possible stormwater runoff and flooding when the trees/vegetation are removed. Mr. Sobek does not believe that the wetland will be protected. He added his concern for acid mine drainage and commented that the Township should do a Hydrological Study. He asked the Board to deny approval.

Mary Amoroso, 1875 Stoltz Rd. – Ms. Amoroso stated that she is a certified ARIA Ride Instructor and the former Allegheny County Director of the PA Equine Council. She expressed her concern for the safety of her horses with the increased traffic and suggested a separate dedicated horse trail along Sleepy Hollow Road. She added that the horses and stables are what make the Township unique and asked that the Board keep it that way.

Tom Priano, 1020 Old Post Rd. – Mr. Priano commented on the developer’s reputation relative to the Wexford property and property in Canonsburg. He is concerned about his property as it is adjacent to the proposed development. He mentioned water runoff at the Villas of South Park site during development. Mr. Priano asks that the Board reject the proposed development.

Peggy Eisel, 3401 Maple Dr. – Ms. Eisel stated that she moved to the Township in 1980, and she feels that the Township has been overdeveloped. She asked that all development be stopped.

Whitney Gastmeyer, 962 Westchester Rd. – Ms. Gastmeyer feels that the proposed development constitutes a nuisance under the Township Code. She reiterated previous comments relative to the traffic study and the developer’s previous developments and Ms. Hill’s letter. She expressed her concern for Peters Creek and the stocking of the fish.

Dave Buchewicz, 1819 Edward Dr. – Mr. Buchewicz asked that the Board not overturn the Planning Commission’s recommendation. However, if the Board votes to approve the proposed development, he suggests that they have a sufficient bond in place.

Bonnie Gildea, 1971 Sleepy Hollow Rd. – Ms. Gildea commented that the Geotechnical report states that the property is unsuitable to build on due to the soft nature of the material. She reiterated previous comments relative to the horses’ access to the roads, traffic, and stormwater runoff. She stated that her small horse farm on Sleepy Hollow Road has been in existence for over 70 years and sits directly below the proposed development. She expressed her concern for possible flooding on her property.

Julia Gunn, 1840 Stoltz Rd. – Ms. Gunn mentioned that Mrs. Fosbaugh, Mr. Laughlin, and Mr. Bondie met with her at her farm today to discuss stormwater management, which does not exist on the Maripat Plan. As a result, the water flows straight down to her farm. She explained that her farm has a retention pond which is Sleepy Hollow Run, and there is no more room for water in the creek. She mentioned that she spoke to Scott Dunn of Bethel Park Municipal Authority and was told that Bethel Park’s sewer runs 2’ to 8’ underneath Sleepy Hollow Road. Ms. Gunn is concerned about additional runoff from the new development and how it will be managed. She thanked Mrs. Fosbaugh for meeting with her.

Paul Smith, 1009 Old Post Rd. – Mr. Smith believes that everyone feels the decision is a “done deal.” He is concerned about the developer’s credibility. Mr. Smith restated comments previously made regarding stormwater management. He repeated Mr. Buchewicz comment relative to sufficient bonds.

Jamie Christian, 3008 Amy Dr. – Ms. Christian stated that she has lived in the Township for most of her life. She addressed sustainability, natural ecosystems, and heavy metal content in the soil. She would like to change the Township into a sustainable community. Ms. Christian commented that every resident will be affected by the proposed development.

B. Township Officials’ Comments / Developer’s Response

Denise Bartman – Ms. Bartman read aloud a letter from Joan Carmen and Veca Landowners who own the Sleepy Hollow property. The letter was sent to the Board of Supervisors. The content of the letter stated that over the years trespassers on their property have ignored and removed “No Trespassing” signs posted. It mentioned that the Board of Supervisors are responsible for doing what is legally required, not by what certain people feel is morally incorrect; that is why we have zoning laws. She requested the Supervisors vote “yes” to Majestic Woods and do it swiftly to end all turmoil. Ms. Bartman added that this is a preliminary plan to the extent that the plan meets the ordinance requirements under the MPC and requires either to approve the plan or identify the sections of the ordinance with which the plan does not comply.

Mike Wetzel, Victor-Wetzel Associates – Mr. Wetzel explained that they are present for preliminary subdivision approval, which is to get the basic design done and to be able to move into the final approval phase. They have provided

all requirements and documents needed for approval. They have sent response letters to Gateway Engineers, EPD Group, and ACED. Mr. Wetzel commented that the petition mentioned previously was on the internet allowing people from all over, not just South Park Township, to sign. He stated that anything outside the site is technically not the responsibility of the developer. However, they are making adjustments to the plan to provide a 24 foot cartway. Mr. Wetzel commented that they have identified the wetland within the site, and the stormwater management will not disturb the wetland.

Mr. Firman asked if Mr. Wetzel would like to make his presentation as part of the record. Mr. Wetzel replied that he has provided two copies to both stenographers and one to the Township, as well. **Ms. Bartman** stated that she would like Ms. Carmen's letter to also be entered into the record.

Ms. Yagle stated that as part of the review process she has submitted letters in terms of the Zoning Ordinance for both the requirements of the R-1 District and the R-2 District as it relates to single-family dwellings are a permitted use by right in both districts. The comparison tables presented earlier this evening relating to both R-1 and R-2 had a 2-set column of what is required and what is being illustrated as part of the preliminary subdivision plan. All of those items and dimensions as is required has either met or exceeded in the "provided for" column.

Bernard Lamm, P.E., Wooster and Assoc. explained the stormwater management process using the site map provided at the meeting. He commented that there is a main stormwater management facility where the pond is located. The entire property was developed prior to the 1930's. There is some water that drains towards Patricia Drive and Edward Drive, and there is water that drains towards the 1971 property. Some of the hillside will be taken down a bit, and a lot of what was directed toward Edward Drive and Patricia Drive will be diminished in that direction, because it is going to be piped through the stormwater system. The stormwater from all of the houses and elsewhere will be collected and directed to that system, as well. There will be a series of drainage channels with inlets within the channels that are going to be collecting and directing the stormwater over to the first then second basin; likewise, for the 1971 property. There is very little potential for backup of water. The pond is not backed up to the stream, and it is not meant to create a reservoir that is directly connected with the stream. The retention associated with the development will not cause back water through the pond or the culvert. According to the Act 167 Plan, we will be reducing not only the peak flow but also the overall volume. Mr. Deiseroth asked if there will be less area flowing to the residents that have expressed concern this evening. Mr. Lamm replied that there will absolutely be less area flowing directly to them because it is largely going to be carried over to the pond. There will be a channel for the collection of water. Mr. Deiseroth added that according to the plan there will be rear yard storm sewers that will be constructed according to the Wetzel plans. Mr. Lamm confirmed that none of the runoff from any of the houses will be directed over the hillside towards the existing residences. Mr. Deiseroth inquired about the two "flag" lots on Old Post Road and how far the grading activity is from the property line as depicted on the plans, and Mr. Lamm replied approximately 80 or 90 feet from the last part of the grading to the property line.

Mr. Deiseroth asked about the subsurface condition of the property. He asked that the Geotechnical Engineer speak to the mitigation that is proposed for the development. **Mike Suchar, P.E., President-ACH Engineering**, explained that they drilled 30 borings across the site in all the critical areas, and there are no issues in any of their analysis. All of the slopes came back as meeting the required factor of safety of 1.5. They did a number of lab tests on the material that confirmed the properties they were using in the analysis. From a geologic perspective, there is no risk of landslides on the property. The one issue that was found is an area of the site that is close to the Pittsburgh Coal scene. Normally, the DEP recognizes a risk or high risk where you are within 50 feet of the top of the coal scene. They have gone above and beyond any areas where there is less than 100 feet of cover. We are recommending that mine grouting be performed. In this development it only affects five lots, #119 to #123, at the very south end of the site that are within 100 feet of the mine. The entrance roadway to the development in that same area will be grouted, as well. They will be on site during earthwork to make sure that their recommendations are being followed. Mr. Deiseroth asked if the roads themselves, any area that is less than 100 feet of cover, are going to be grounded in terms of roads whether existing or proposed, and he asked if any of their drilling indicated any subsidence in that area. Mr. Suchar replied that per the test boring that they drilled through the mine in the vicinity of the lot that he mentioned, there were some indications in the rock of fractures and there were some voids. There is an indication that some subsidence has occurred. The grouting in that area of those lots in the roadway should prevent any future subsidence on the property. He is the geotechnical engineer of record, registered in the state of Pennsylvania, and in order for him to make sure his report is followed, his firm is required to do all inspections. Mr. Suchar mentioned that there were some near surface soils that were soft, which is an indication that those soils may have to be removed and replaced, generally within the upper two feet.

Jared Crosby, Wooster and Assoc., commented that the roadway from the property line all the way down to Stoltz Road widened to a 24 foot cartway, including the culvert widening it to 24 feet, and modifying the culvert walls. The widening will provide for buses and firetrucks. The final design will be analyzed in further detail.

Mr. Deiseroth stated that his role as Township Engineer is to make sure that the rules and regulations of the Township are followed to protect and respect other people's property. He understands people's concerns and has made four different reviews of the plans. In his opinion, based upon South Park Township's ordinances and what we can require, the plan as submitted meets the requirements for preliminary approval. The final approval stage of development is where all of the details are presented and final engineering is done. Permits from not only the Township but other regulatory bodies are required to be submitted. Before any piece of land can be touched on the property, the plan would have to be approved by all those agencies, permits issued, and there would also have to be in place a developer's agreement and full bonding for 110% of the activities that are supposed to take place on the plan. Good engineering, good inspections, and good responsible development can prevent other people's property from being affected by the development. It is his job to make sure that that happens. He has to follow what is in the book

that he has to review. He cannot subjectively look at things differently; he looks at them based on the context of what has been submitted and the requirements. He always takes into concern what happens to the adjoining property. In his opinion, they have met the standard that is required to meet preliminary approval.

Leslie Peters, Esq. remarked that they are use by right in each of the R-1 and R-2 districts. They are requesting no modifications and no waivers with any of the applicable ordinance provisions.

Mr. Foster – Mr. Foster commented on the safety of the road and restated his previous comments relative to water main breaks and the risk of mine subsidence. He asked the engineer to guarantee that there would be no mine subsidence on the road.

Jason Sobek asked if a 50 foot right-of-way is required by the Subdivision and Land Development Ordinance. Ms. Peters replied that it is an off-site road improvement and not on their property.

Jim Converse, 1901 Sleepy Hollow Rd – Mr. Converse asked about private easements.

Mary Serafini, 1032 Old Post Rd. – Mrs. Serafini asked how the dirt will be stopped from falling down on the subdivision's R-1 properties and taking her house with it.

Julia Gunn, 1840 Stoltz Rd. – Ms. Gunn inquired about the traffic study that did not include the new Bethel Park school.

Tom Priano, 1020 Old Post Rd. – Mr. Priano discussed the reputation of the developer.

Karen Kennedy, 1034 Westchester Rd. – Ms. Kennedy is concerned about traffic cutting through her plan after the proposed plan is built. She also commented on the poor condition of Barnhill Drive. Ms. Fosbaugh replied that she received Ms. Kennedy's email and has responded that Barnhill Road is on the 2024 Road Repaving Schedule.

Mr. Suchar commented that they have identified an area of the property that is within 100 feet of the line. There are five residential lots along with the entrance roadway into the plan that will be mine grouted. There may be things going on with Sleepy Hollow Road that will certainly be on their scope of work where they can do borings and, if need be, grout the area to prevent future subsidence. It is not the developer's responsibility. Mr. Deiseroth commented that anywhere Sleepy Hollow Road is less than 100 feet, it will need to be grouted. Not only does the entrance road to the plan need to be grouted but also portions of Sleepy Hollow Road. That is the way it has to be. Mr. Suchar added that anywhere Sleepy Hollow Road is being improved, if it is within 100 feet of the mine, it will be grouted as well. We will have to look at the topographic information in the area of the site to determine how many mine grout holes are needed. Mr. Deiseroth stated that it will be the whole length between those two connection points because you do not get to 100 feet of

cover to get up to the second entrance. Mr. Suchar agreed. Mr. Deiseroth added that it is all in the report.

Josh Haydo, Wooster and Assoc. Traffic Engineer, commented that regarding the Traffic Impact Study, he is fully aware of the new Bethel Park school, and it was discussed when they scoped the traffic study with the Township Engineering Consultant. They were given a study that was performed for that school by another consultant. It was the Township Engineer's feeling, and ours as well, that because it was a Bethel Park school and that study was not showing traffic coming through our study area, at least not a significant number, we agreed not to include that graphic in our background. It was not a lack of awareness with the development. It was contemplated and discussed, and ultimately decided.

Unidentified Person – One of the jurisdictions is going to be reviewing the permitting for the erosion control. We will have to get a National Pollution Discharge Permit and that is where we will be looking at the grading and also making sure erosion and sedimentation control gets managed. All of that information and detailed stormwater management plan will be part of the next phase for final approval.

Jim Converse discussed the easements and questioned who is responsible if something goes wrong. **Unidentified Person** answered that it is something we can talk to the Township about and whether or not they want to be involved. Mr. Wetzel discussed who would provide the storm line in the rear yards. They are all within the plan and show a 10' private storm easement. It is just allowing those to go in and do work when clean up needs to be done. If the Township would like to be able to make that public for them to maintain, we would be glad to make it public use for the Township.

Mary Amoroso asked if the study took into account children walking their horses down Sleepy Hollow Road.

Tim Foster inquired about ACA Engineering, and Mr. Firman replied that according to Mr. Deiseroth, the entire road between the two entrances into the plan will be paved. That is all required.

Mr. Bonidie reminded the audience that this is the preliminary stage.

Ted Sobek commented that you cannot use a rule of thumb 50 feet or double it to 100 feet. There are actually physical calculations that you need to do with mine voids and the strata above the mine voids that makes a precise calculation. He recommended that those calculations be performed. He mentioned that in the report they talk about pyretic conditions and seamed horizons that have to be removed if they are in close proximity to the foundations of the homes, which has not been addressed. Mr. Sobek mentioned that his son Jason had briefly talked about potential acidic conditions and how that will affect when moisture intersects with these seams and mine voids.

Julia Gunn stated that she has talked to Mark Wisinski at Bethel Park Elementary Center who told her he had not done any traffic studies yet but estimated 50 to 60 buses coming out of there. She is concerned about the

increase in traffic and commented that there should be traffic mitigation at Rt. 88 and Stoltz Road. She inquired as to who will pay for the traffic mitigation. She expressed her concern as to no walkway on Stoltz Road and across the bridge. She added that PennDOT needs to be brought into the discussion.

Bonnie Gildea inquired about the storm drain behind her house, when the storm drains are going in and who is going to protect her. She asked if the Township is responsible for Act 167. She expressed her concern for possible flooding on her property due to the development.

Virginia Repine, 1048 Old Post Rd. commented that she does not understand what is going on with the bridge and questioned the weight restriction. Mr. Deiseroth replied that there is no weight restriction on the bridge. The bridge is actually a twin culvert which was constructed approximately in 1980 as part of another development. It was put in when another development occurred in the area that the Township was able to impel the developer to install a new twin culvert at that location. It has no weight restrictions on it. He inspected the culvert, and it is in good condition. The culvert can be lengthened, and the developer has agreed to lengthen the culvert as necessary to reach the required minimum width of the road. There is nothing in the Township requirements that requires the development to bring the road up to any condition beyond the limit of their property line. Whatever the developer is proposing, he is not doing it out of the goodness of his heart. He is doing it because he wants to make a nice entrance to his plan. He is going to widen the road and open up the culvert and make it wider so that people can get back to the lots. That is not a Township requirement. Mr. Deiseroth stated that he has reviewed the plan. They are putting in sidewalks and widening the road to Township standards. That is what he is required to do under the ordinance and state law. He added that he does not know anything about the bridge on Stoltz Road.

Unidentified Person asked if the horses were part of the traffic study. **Wooster and Assoc. Representative** replied that when they did their count, there were no horses, bicycles, or pedestrians observed, or they would have been included in the study.

Action on Preliminary Approval – Majestic Woods Subdivision – Sleepy Hollow Road

Motion by Mr. Lucot, seconded by Mr. Vogel, to approve granting preliminary approval to the project identified as the Majestic Woods Subdivision, to be located on Sleepy Hollow Road, as proposed by the Developer, Majestic Woods LP, with the following contingencies:

1. The Developer must submit final subdivision and construction plans in accordance with the South Park Township Subdivision and Land Development Ordinance.
2. The Developer must provide a final detailed geotechnical design to address geotechnical comments in Gateway Engineer's letter dated April 24, 2024.
 - 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.

3. The Developer must make the improvements to Sleepy Hollow Road as depicted on 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.

4. The Developer is to obtain Planning Module approval for Sewage Facilities.

5. The Developer must obtain an NPDES Permit for the development.

6. The Developer will delay timbering activities until a grading permit is issued and erosion and sedimentation controls are implemented.

7. The Developer must obtain Township approval of fire hydrant locations.

8. The Developer must submit the HOA documents for review 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.

All members voted aye. Motion carried.

Adjournment

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

Time: 10:41 p.m.