

## **PUBLIC HEARING**

**MONDAY, JULY 14, 2014**

**6:30 P.M.**

**Roll Call** Dave Buchewicz presiding. Board members Walt Sackinsky and Ed Snee were present. Also in attendance were: Karen Fosbaugh, Township Manager; and Paul J. Gitnik, Esq., Township Solicitor. Chief Dennis McDonough was absent.

**Purpose of Hearing** The purpose of the Public Hearing is to take oral and written testimony on the following Ordinance:

AN ORDINANCE OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING AND RESTATING IN ITS ENTIRETY CHAPTER 70 OF THE CODE OF THE TOWNSHIP OF SOUTH PARK WHICH ADDRESSES FLOODPLAINS, AS REQUIRED BY THE COMMONWEALTH OF PENNSYLVANIA.

**Testimony** **Mr. Gitnik** – Mr. Gitnik stated that both the Township Engineer and Planning Consultant, as well as the reviewer, being Ms. Rhoads, reviewed the ordinance. All parties, including the Township engineer and Ms. Rhoads, have approved the final draft of the ordinance, and he stated that we are in compliance with the floodplain requirements. This will insure that we would not jeopardize any of our residents in their ability to obtain flood insurance.

**Scott Swansinger** – Mr. Swansinger explained that a guide from FEMA was used which made the ordinance a little more strict than the previous ordinance, which FEMA requires for all municipalities. He further explained that the ordinance states that if you are planning on developing in a floodplain area, you will have to provide a detailed analysis proving that there will be no increase in the flood elevations for any special flood hazard areas in the Township.

**Mr. Buchewicz** – Mr. Buchewicz asked if our Floodplain Ordinance is now in compliance with FEMA and the state. Mr. Swansinger answered that the Township is in compliance.

**Mrs. Fosbaugh** - Mrs. Fosbaugh asked Mr. Gitnik if he could identify for the record Ms. Rhoads. Mr. Gitnik identified Ms. Leslie Rhoads as an independent contractor engaged to review on behalf of FEMA all the ordinances that have been drafted to make sure that they are in compliance with the model ordinance and the act itself.

**Mr. Gitnik** - Mr. Gitnik explained that South Park Township has the ability to make its ordinance more restrictive than the model ordinance. Based upon some of Ms. Rhoads comments as well as Mr. Swansinger, he stated that we are insuring that people cannot develop in floodplain areas unless there is a real reason to develop in that area. Mr. Gitnik stated the Township decided not to elect the special permit process, since we feel that development should not occur in a floodplain area.

**Mr. Sackinsky** – Mr. Sackinsky referred to the area next to CoGo's, which is a sizeable floodplain area. He questioned whether this plot of land can be developed. Mr. Swansinger responded that the developer would have to submit a detailed analysis, approved by a registered professional engineer, stating that the floodplain elevation will not be increased. If the elevation would increase, development would not be permitted in that area.

**Mr. Gitnik** – Mr. Gitnik explained that a developer would be allowed to improve an existing structure, if the structure did not increase by more than 50% of the value. This would not be an accumulative percentage; therefore, you could improve the existing structure in increments, which could possibly exceed 50% of the value.

**Mrs. Fosbaugh** – Mrs. Fosbaugh commented that it would be possible to build on a floodplain area; however, rather than excavate you would build up, such as on stilts.

**Mr. Buchewicz** – Mr. Buchewicz asked if a developer would be able to put fill in the low spot at the area next to CoGo's. Mr. Wargo responded that you would have to do an evaluation with a detailed hydraulic analysis. He explained that in most cases, the developer would be denied. Mr. Swansinger stated that you cannot raise the water elevation in any case. Mr. Sackinsky commented that anyone who wants to build on the site next to CoGo's will have to basically install caissons and build the buildings on top. Mr. Buchewicz commented that the process would make it harder

or impossible to develop the site next to CoGo's. Mr. Swansinger replied that it will make it difficult, but it can be done.

**Mr. Gitnik:** Mr. Gitnik inquired about the Flood maps. Scott responded that updated flood maps come out in September, and that is when we will know if there is going to be any changes in flood elevations.

**Mr. Wargo –** Mr. Wargo had no further comment.

**Adjournment**

Motion by Mr. Sackinsky and seconded by Mr. Snee to adjourn the Public Hearing. All members voted aye. Motion carried.

**Time: 6:43 p.m.**

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