

*New Stanton Borough Planning Commission Meeting
December 13, 2006*

Chairman James Evans called to order the December 13, 2006 Planning Commission at 7:01 p.m. The meeting was held at the Municipal Building, 451 North Center Avenue, New Stanton, Pennsylvania.

Members present: James Evans, Graydon Long, Frank Balistreri, Scott Sitek, and Todd Bartlow. Also present Code Enforcement Officer Melvin Steele, Councilman Jerry Ilgenfritz, Councilman James Mack, Councilman Rob Quinn, Councilman Tom Theis, Mayor Joe Kazan & Solicitor John Campfield.

Report from Planning Committee: There was no report

Audience Comments: None

Old Business

There was some discussion on signs

Scott Sitek made a motion second by Todd Bartlow that for seasonal signs, there shall be no more than six (6) signs, two (2) sided, no bigger than six (6) square feet, and up no longer than three months with a fee of \$40.00 added to fee schedule along with description. The motion carried

New Business

Advisory for Consolidated Construction Products (Walter Guidas property)

Kevin Keller representing C.B. Speicher Engineering L.L.C. spoke about the site plan for the Walter Guidas property located at 740 S. Center Ave. The current owner is selling to Consolidated Construction Products who is currently located on Arona Road across from the greenhouse. The company sells drainage pipe, construction products basically in the drainage line. They do sell some catch basins; they sell to contractors & to the public. They are looking to move their operation to increase their space; it's a bigger site with a bigger building. The old ice cream/dairy queen building is going to be removed and there's one proposed addition to the building. The 20' x 60' area that's toward the front will be office space and a sales counter. Outside they will be storing construction pipe, corrugated plastic, plastic PVC pipe, catch basins, manholes and such, also pre-cast concrete. Zoning officer Mel Steele said comments from Engineer Tim Fyock showed a definition of supply yard in the B district is not permitted. A variance request would be needed. Borough Solicitor John Campfield stated that a portion of the proposed storage area is in the setback line. The parking spaces are too small as well, and a loading space is not near any building and normally the loading space is beside the building, why isn't this near the building? Mr. Keller said it's his understanding that these long lengths of pipe come in on a truck and they unload with a forklift and then move them to the applicable storage area. No dye test has been done for sewage and there is public water. Other comments from the Engineer and Solicitor were discussed and Chairman Jim Evans advised Mr. Keller that he review said comments and proceed accordingly. He also suggested they consider beautifying the property and try to keep the

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storage items toward the back. One step would be to make application the Zoning Hearing Board first, copies of the comments will be forwarded to the engineering firm.

Advisory for James Usher Site Plan (former Tharp Motel)

Jim Usher, new owner of the former Tharp Motel located on Wentsler Ave. spoke to Planning about his plans for that site. He said the plans are to upgrade said site, have kind of a boarding house, working in conjunction with P.I.T.T. today. They had spoken with *Mel* in the past about this project, he went on to say the maximum capacity will be twenty three (23), they've repaired the roofs. Basically they gutted all the units of the three (3) cottages and the main house. *Jeff Dean* is the Engineer, he said the property was in poor condition and no construction has begun. They had been cleaning up some landscaping, removing some trees, some stuff left in the buildings, and trying to find out what needs to be done to the units. *Mel Steele*, Zoning Officer asked about the Turnpike property that shows on the plans. *Mr. Usher* said from his understanding that was part of a right-of-way from several years ago they took when they done the Turnpike. *Solicitor John Campfield* said there is also a question about the sewage right-of-way which appears to cut through that first cabin. *Mr. Dean* said from the placement of the manholes, they're actually back here, I'm assuming that's the easement they had to construct that sewer through there or access it. *Mr. Campfield* said that the plans says 20 foot easement, that's typically the permitted on 30 is normally like construction easements. *Mel* said *Don Lowell* from the Turnpike Commission is investigating this as well; he's researching old plans and files to see what it means. He's also going to find out about the area condemned for Turnpike purposes which looks like it's going to affect two of the cabins.

Mr. Dean said from looking at the Zoning book we received here from the office the only thing that I could find that would meet what we're doing here is a boarding house or rooming house. *Mel* said when he looked at the zoning there is no definition for what you're doing, you're not only having people stay here you're providing a service. At that point *Dan Funk* a former board member spoke to Planning about the P.I.T.T. today program. He said P.I.T.T. today is nothing more than a faith based organization that's been around since 1990. It caters to anyone in the community so there's no discrimination as to who meets with us. They meet once a week, it's similar to the AA program, it's a program where they try to help each other out with problems etc. *Resident Sharon Theis* said she was under the impression that convicts would be living in the buildings. *Mr. Funk* said it is not alternative housing, no one that would have to have supervision will be staying their. He said it's not a halfway house, no one with ankle bracelets will be staying their. *John Sartori* is the founder of the group and is a State Patrol agent; he may be contacted at anytime with questions or concerns. If any problems or troubles arise the procedure would be to contact the State Police like you would if you were at a Motel here in town.

Councilman Ilgenfritz, owner of Leah's Personal Care Home spoke to the P.I.T.T. group about *Mr. Sartori* leasing a section of his facility on Wentsler Avenue. He said John "snuck" people in there and had them stay and a lot of them are registered felons that was done without his knowledge how do we know that isn't going to be down there? *Mr. Funk* said he can't speak for John but again the meetings are open to the public, he went on to say you got 6 Hotels in the area, do you know who stays at your six (6) Hotels? *Councilman Ilgenfritz* said he (John) jeopardized his business and didn't

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appreciate what was going on. *Mr. Usher* said, as the landlord I would guarantee that didn't happen. When asked by *Councilman Ilgenfritz* if they were going to have registered felons there *Mr. Dean* said "It depends on what your definition of registered felons is" *Councilman Ilgenfritz* said somebody that has to register with the State with their address. *Mr. Funk* said "let me clear that up, I have a letter here from *Mr. Sartori* that states no sex offenders would be allowed to stay there. No one that is a violent offender would be allowed to stay there." We are registered with the Department of the State. *Mel Steele* said "I live in the neighborhood and my concern is, granted with the motels & hotels we have, there is no way to know who is staying there. But you're asking New Stanton Borough to permit you to bring people in there like registered felons. I don't want a registered felon in my neighborhood; I want to be able to sleep calmly at night. But the difference is you're asking New Stanton to allow you to bring this type of people to the town. If there's nobody there to deal with this twenty four seven, who is going to know weather or not that person is a good guy or bad guy?" *Mr. Funk* said we have that in writing a State Patrol agent, *John Sartori* said that would never be the case.

Solicitor Campfield said the term boarding home has been used here, boarding home is not a listed use in our ordinance. So the use of that term has no connection or relevancy to the requirements. No application has been made to the Borough so there isn't anything for the Borough to act on. *Councilman Ilgenfritz* stated there is no such thing as boarding homes in this state; anything over 3 people has to go through the Pa. Dept of Public Welfare. *Mr. Dean* said he's having a hard time getting an answer from the Borough as to how they want to define this project. *Mel* said if I go to a motel I'm not sleeping with another guy, you know what I mean? If I don't know who my bunk buddy is we're not going to room together. So motel is clearly out of the question as far as I'm concerned as the zoning officer, and *Jerry* knows what he's talking about because he's in that business. The thing is, you guys have to apply and tell us what you're applying for; we can't tell you what to apply for. We're not allowed to do that by law, you come in to apply for this permit, you have to tell us what you're calling it and then we'll go from there, that's the bottom line. *Mr. Dean* said that's one of the problems we have, I was looking through the zoning and for a definition that we could change it to. It certainly doesn't fall under the category of a half-way house; it's not alternative jail-housing. *Mrs. Balistreri* asked who decides who sleeps where? If I'm going to look for a place to stay and all those units have people in them I'm certainly not going to stay with someone else in that room. *Mr. Dean* said that would certainly be your option, P.I.T.T. today would be supervising people that are staying there. *Mrs. Balistreri* went on to say, I have a beautiful young daughter and there are beautiful girls who work in our Borough and I certainly don't want someone who is a felon staying in our neighborhood. *Mr. Dean* said the letter I've passed around addresses those matters. *Mr. Sartori* assures that no sexual offenders, no violent offenders no one of that nature will be allowed to stay there. *Mr. Usher* said it's well supervised, no drugs, no alcohol and people that are there are subject for the areas. It's going to be posted; it's going to be more closely monitored then your motels. *Solicitor Campfield* said, as I said before Planning Commission can't resolve the zoning issue. There's a provision in the zoning ordinance, and I don't believe anything I've heard tonight, fits it into some category listed in the zoning ordinance. I agree with *Mr. Steele* that I don't think it's a motel from what I've heard, and that's just based on what I've heard. But there's a provision in the zoning ordinance, section 107e that says whenever in any District established under this Chapter a use is neither specifically permitted nor denied and an application is made to the Zoning Officer for such use, the

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Zoning Officer shall refer the application to the Zoning Hearing Board which shall have the authority to permit or deny the use if it is similar to and compatible with permitted uses in the district, meets the standards and criteria set forth in this Chapter for special exceptions, and in no way is in conflict with the general purpose and intent of this Chapter. It seems to me that the way it should be considered by you folks the approach to this. If you think you can apply for and prove that you're something that's permitted and listed in the ordinance that's your decision. But I honestly don't think you fit under anything that's listed. *Councilman Mack* said I couldn't agree more with what *Mel* said that you have to make up your mind what you are. You've come in here with a very vague description what we should do, I'm not really sure are the rules of the house going to be set by the patrol officer, are they going to be set by some Church organization? *Mr. Dean* said we have community volunteers and someone will be there 24-7. I was told we need a change of use for this facility; I was trying to find something to fit for what we were. I was told we're not a motel, well if we're not a motel what are we? We're providing a room and housing for people on a set week to week, month to month basis. *Chairman Evans* said your first step is to make application to the Borough with a title of what they are going to be putting there.

Mr. Usher said I'm a business person, I have businesses in Pittsburgh and obviously I'm not in it to lose money, I'm not in it to make a huge profit either. These are people who have had bad luck we're trying to help and get involved in faith based. The people coming from P.I.T.T. today are interviewed, these are not slackers, and they are trying to get their life turned around. With my name attached to this I'd be happy to provide references and answer questions. There was more discussion about the preliminary plans and suggestions were made as how to proceed. The *Mayor* had a question; he wanted to know if it would be considered alternative housing? *Mr. Dean* said "No not at all" *Mr. Steele* said the next step would be for you to come in and apply for a permit stating what you're going to put there. *Mr. Dean* said a permit for a zoning change? *Solicitor Campfield* said "we're not trying to be smart but you have to decide that" We can't tell you what to classify it as. You need to submit an application to the Borough with your classification; if the Zoning Officer denies the app then you can request it be turned over to the Zoning Hearing Board. They in turn will hold a hearing and determine if you can do what you're proposing.

Special Meeting with Borough Council & Planning

Review the sign ordinance for the proposed zoning ordinance

Council President Sistik opened the Special meeting with a prayer and pledge of allegiance; he welcomed the planning commission members. *Solicitor Campfield* said he attempted to put together the current signage along with the "Rostraver sign ordinance" they then proceeded to go through the entire sign ordinance section by section focusing on the changes that were made. Some additional changes were made while others omitted. *Solicitor Campfield* will make all changes and present to Council & Planning Commission.

Planning member Todd Bartlow made a motion second by planning member Graydon Long to approve the sign section that was amended today. The motion carried

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Graydon Long made a motion second by Todd Bartlow to adjourn the Planning Commission meeting at 11:00 p.m.

Councilman Todd Bartlow made a motion seconded by Councilman Jim Mack to accept the recommendations from the Planning Commission. The motion carried

Councilman Jim Mack made a motion seconded by Councilman Todd Bartlow to adjourn the Council meeting. The motion carried

Respectfully Submitted,

Anita Hoffman

Anita Hoffman
Recording Secretary