

**BOROUGH OF GREEN TREE
COUNCIL MEETING
APRIL 16, 2018**

Call to Order / Silence for Meditation / Pledge of Allegiance

Green Tree Borough Council met on Monday, April 16, 2018 at 7:30 p.m. in the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania.

ROLL CALL

Members Present:

Edward Schenck, Mayor
Mark Sampogna, President
David Lorenzini
John Novak
Ron Panza
Arthur Tintori

Also Present:

W. David Montz, Borough Manager
Deborah Gawryla, Stenographer

Absent:

Rino Lindsey
David Rea

HEARING OF THE CITIZENS

There was no one present who wished to be heard.

MAYOR'S REPORT - Mayor Schenck

Mayor Schenck said he had attended the Friends of the Library's Celebration of Friends event on Saturday that honored those who volunteer for the Green Tree Public Library. It was a very nice event.

REPORT OF GREEN TREE BOROUGH COUNCIL COMMITTEES

A. PLANNING & ZONING - Mr. Lorenzini

1. ExteNet Signs

Mr. Montz said that on the social media site, NextDoor, someone has posted a photo of the new ExteNet signs on telephone poles on Greentree Road that state, "Radio frequency fields beyond this point may exceed the FCC general public exposure limit." People were expressing concern. Mr. Montz said that ExteNet had installed a number of Wi-Fi booster systems several years ago on the tops of telephone poles on Greentree Road. Mr. Montz said he would look into the posting of these new signs.

2. Review - Proposed Comprehensive Rezoning Ordinance as submitted by the Green Tree Planning Commission in March 2016.

Mr. Lorenzini said he had found three additional typos in the sections they had previously reviewed:

Office Commercial District - Personal Business Services were moved to Accessory, but should be crossed off as a Permitted Use.

Light Industrial District - Kennel/Animal Day Care should be separated as two different uses. Mr. Montz said that change had been made, but he had neglected to draw a line separating the two uses.

Mr. Lorenzini said that the hours of operation for Animal Day Care are from 6:00 a.m. to 8:00 p.m., but there are no hours regulating Kennel. Mr. Montz replied that if no operating hours were listed the business would not be limited in the hours of operation and could be open 24 hours if needed. No changes were needed for Kennel.

Heavy Industrial - Transit Shelter should be removed from a Permitted Use. It should be an Accessory Use instead.

Mr. Lorenzini said that Boat Storage should have the word "Indoor" added to the title.

Definitions - the definition of Pervious Surface would be added to the Definitions section. Pervious surfaces include grass, mulch, ground cover, planted areas, etc. With that addition, Mr. Montz said that the Definitions section appears to be completed.

SUPPLEMENTAL REGULATIONS

Mr. Montz said he had gone through the zoning ordinance and pulled out those uses that needed supplemental regulations. Many of the supplemental regulations will remain the same as in the current zoning ordinance. He reviewed the changes that were made, or still needed to be made, to the proposed Supplemental Regulations, as follows:

Bus/Transit Facilities still needs to have supplemental regulations added.

Commercial Laundry still needs to have supplemental regulations added.

Mr. Montz said that **Industrial Park** is listed as a conditional use in both the Light Industrial District and the Heavy Industrial District. He read the definition of Industrial Park and stated that a group of businesses, such as the businesses on Trumbull Drive or on South Bee Street, were Industrial Park areas. After a discussion, Mr. Montz said an Industrial Park is considered a cluster of office or warehouse buildings and is not a use. After further discussion, Council agreed that Industrial Park should be eliminated from these districts and there would be no need for a supplemental regulation for this item.

Personal Care Facility needs a supplemental regulation and Mr. Montz said he would add it after reviewing other communities' regulations.

Mr. Montz said that after the changes just discussed were made, the zoning ordinance appears to be in order. He would be meeting with the Finance Committee to discuss bringing in an intern to pull all of these changes together, set up the formatting, etc. Mr. Montz hoped that the final draft of the proposed zoning ordinance could be completed and advertised by June for formal presentation.

Mr. Lorenzini asked what the next steps were once the proposed ordinance was completed. Mr. Montz suggested that the ordinance be forwarded to the Planning Commission and Allegheny County for comment. After Council reviews their comments, a Public Hearing would be held on the proposed ordinance. Mr. Lorenzini said he would like to work with the intern to review the document before it is sent to Planning Commission or Allegheny County. Should other issues arise during the formatting and final drafting of the ordinance, Mr. Lorenzini said he would bring these issues to Council to discuss at a regular meeting for discussion since they would not be extensive changes or time-consuming. Discussion continued regarding the details of the structure and formatting of the proposed ordinance.

Mr. Lorenzini said he had a number of items to be reviewed in the Supplemental Regulations and he presented them as follows:

Bar/Tavern/Drinking Establishment - Section 420-54 - Item (B): Mr. Lorenzini asked why the square footage had been reduced from 10,000 to 5,000 square feet. Council reviewed the difference in the size of these areas and agreed that it should be 5,000 square feet.

Bed & Breakfast Inn - Section 420-55 - Item (M) - The parenthetical note on this item should be removed.

Farmers Market - Section 420-73 - Item (E): Mr. Lorenzini asked why the supplemental regulation, "No outdoor amplified speakers or sound systems are permitted," had been removed from the regulations. Mr. Sampogna said that the Farmers Market occasionally has presentations and uses speakers during these presentations. Mr. Montz said that the Farmers Market is also controlled by other regulations. After further discussion, Council agreed that this item should be removed as indicated in the draft.

Funeral Home - Section 420-75: Mr. Lorenzini said there had been earlier discussion about prohibiting retail sales, such as food, flowers, etc., in the funeral home. Retail sales pertaining to the death of a person, such as the purchase of a casket, would be permitted, but other sales should not be permitted. After a discussion, Mr. Montz said he would add a supplemental regulation prohibiting extraneous sales at a funeral home, but not those directly applying to the death of a person, such as caskets, crematory services, etc. It would have to be worded properly.

Gasoline Station - Section 420-79: Mr. Lorenzini asked if a supplemental regulation should be added instructing the removal of certain items from the premises if the business closes, such as gas tanks, canopies, etc. Mr. Sampogna believed that the DEP had regulations governing such items. Mr. Montz said he would look into it to see if the municipality needed to regulate it or if it was covered by other governmental agencies. He said it could be added to the supplemental regulations if it is not covered elsewhere.

Hotel/Motel - Section 420-84: Mr. Lorenzini said that at a previous meeting, Council had decided that additional specific regulations were needed from the Borough Solicitor because of financing issues. After a discussion, Mr. Montz said he would work on fixing this item.

Nursery/Greenhouse - Section 420-94: Mr. Lorenzini stated that it had previously been discussed that the storage of manure, odorous materials, or dusty items should be stored a minimum of 200 feet from the property line. Mr. Montz felt that would be a good addition to the supplemental regulations for Nursery/Greenhouse and he would do so.

Private Club or Lodge - Section 420-98: Mr. Lorenzini said that the following items had previously been discussed and should be added as supplemental regulations:

- No outdoor activities.
- No sexually-oriented entertainment.
- Larger setbacks.

After a discussion, Council agreed to these additional supplemental regulations.

Restaurant - Section 420-103 - Item (A): Correct the times in this section so it reads, "The hours of operation, for indoor facilities, shall be limited to between 5:30 a.m. and 2:00 *a.m.* of the next day, prevailing time. In all districts except the Neighborhood Commercial District, the hours of operation shall be limited to between 5:30 a.m. and 1:00 *a.m.*"

Self-Storage Facility - Section 420-105: Mr. Lorenzini said that the previously discussed regulation permitting one caretaker (and family, if applicable) on the premises, needed to be added.

Vehicle Sales, Repair and Service - Section 420-110: Mr. Lorenzini said that it should be added that the owner of a Vehicle Sales, Repair and Service business should be licensed by the state. Mr. Panza said it was very easy to get such a license. After a discussion, Mr. Montz said he would check to see what other communities require for vehicle sales.

Warehouse and Storage, Commercial - Section 420-111 and **Wholesale Establishments** - Section 412-112: Mr. Lorenzini said that both of these uses should have an established size limit and should only be permitted where they have ingress and egress on state-maintained roads. Mr. Montz said he would check on a possible size limit and he would add the requirement that ingress and egress must be on state-maintained roads.

Independent Living / Institutional Homes / Assisted Living / Personal Care Facilities: Mr. Montz said he is still working on the requirements for these uses. Mr. Lorenzini requested that these uses also be required to have ingress and egress on state-maintained roads.

Church / Place of Worship - Section 420-60: Mr. Lorenzini pointed out there was a typo in the last condition. It is listed as Item (B) and it should be Item (D). When asked, Mr. Montz said that an arterial road was the same as a state-maintained road and collector streets were streets that feed directly onto arterial roads. Discussion continued which streets would be considered collector streets in the borough. Mr. Lorenzini suggested that churches should only be permitted on arterial roads. Mr. Montz said that would make all churches currently in Green Tree non-conforming except for St. Margaret's. The borough enforces non-expansion of a non-conforming use, which would prohibit the existing churches from expanding, and require any church expansion to go before the Zoning Hearing Board. He felt it was an unnecessary regulation.

Mr. Montz said that Council should not make too many existing businesses non-conforming in the proposed zoning ordinance. He suggested that churches over a certain square footage could be required to exit only onto arterial streets. After further discussion, Council decided to continue to permit churches on both arterial and collector streets, with an added requirement for churches over a certain square footage to be required to only enter or exit on arterial streets.

Mr. Lorenzini asked about supplemental regulations for **Solar Installations**. Mr. Montz said that he could have a revised solar ordinance presented to Council for review and passage sooner than the inclusion in the proposed zoning ordinance if they desired. Mr. Sampogna asked if a permit was currently required for solar installations. Mr. Montz said a permit is currently required and solar installations can only be placed on the rear side of a roof. Discussion continued regarding solar installation and the evolution of energy.

Council decided that any additional zoning ordinance discussion would most likely be minor items that could be done during a regular Council meeting. Mr. Lorenzini thanked Council members and Mr. Montz for their work in reviewing the proposed zoning ordinance over the past two years and he anticipated getting the ordinance totally revised and passed later in 2018. Mr. Montz said that the review of the proposed zoning ordinance provided a lot of great dialogue that addressed a lot of issues and ideas.

ADJOURNMENT

Motion:

Mr. Panza made a motion, seconded by Mr. Lorenzini, to adjourn the meeting.

Motion carried unanimously.

Mark Sampogna, President

W. David Montz, Manager

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