

**BOROUGH OF GREEN TREE
COUNCIL MEETING
JUNE 7, 2010**

Call to Order / Pledge of Allegiance

Green Tree Borough Council met on Monday, June 7, 2010 at 7:34 p.m. at the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania. Mr. Sampogna noted that Council had met in Executive Session prior to this meeting to discuss personnel matters, primarily the police contract.

Roll Call

Members Present:

Mark Sampogna, President
Daniel Behanna
John Novak
Janine Palmer
Ron Panza
Edward Schenck
Arthur Tintori

Also Present:

W. David Montz, Borough Manager
Peter Molinaro, Jr., Borough Solicitor
Deborah N. Gawryla, Stenographer

Absent:

C. F. Hammer, Mayor

Resolution #1136 - Honoring Junior Council Person Brendan Helt

Mr. Sampogna said that Resolution #1136 had been read and adopted at the May meeting. However, Mr. Helt had been unable to attend the May meeting and receive the resolution. Mr. Sampogna read the resolution again, honoring Mr. Brendan Helt for his service as Green Tree's Junior Council Person and presented Mr. Helt, who was in attendance this evening, with the resolution. Mr. Helt said that it had been a pleasure working with Council. The audience applauded.

Mayor's Award for Community Service - Ms. Shelby Alward

Mr. Sampogna said that in the absence of Mayor Hammer, he would read the proclamation for this year's Green Tree Mayor's Award for Community Service honoring Ms. Shelby Alward. The award was originally given to Ms. Alward on May 12 at the Keystone Oaks Honor Students Dinner.

"Whereas, Shelby Alward of Green Tree Borough has been selected by a panel of Keystone Oaks School District administrators and teachers to receive the 17th annual Green Tree Mayor's Award for Community Service.

Whereas Shelby Alward has completed 250 hours of community service in a genuine effort of concern for others.

Whereas Shelby Alward, as a student, volunteered for the last three years by promoting awareness and raising funds supporting the Caring Place and the important work that they do in comforting young people grieving loss of a young one, and,

Whereas Shelby Alward volunteers at the Green Tree Summer Recreation Program interacting with our young citizens in the various activities of the program, and,

Whereas Shelby Alward has maintained a GPA of 3.8, while participating in three school varsity sports, the Student Senate, and the National Honor Society.

Witnesseth by virtue of the power vested in Mayor C. F. Hammer, Mayor of the Borough of Green Tree, he has proclaimed and declare Shelby Alward to be the 17th annual Green Tree Borough student awardee to receive the Mayor's Award for community service."

Mr. Sampogna said that Ms. Alward had received a \$200 savings bond for this award. The audience applauded. Mr. Sampogna noted that Mayor Hammer was currently in Harrisburg to attend tomorrow's State Legislature meeting where Green Tree will be honored for its 125th anniversary.

PUBLIC HEARING

CU-02-10

Applicant, Clearwire U.S., LLC, c/o American Tower Corporation, requesting conditional use approval for the placement of antennas on the roof of Parkway Center Building #7.

Mr. Shawn O'Rourke, representative for Clearwire U.S., stated that the conditional use application before Council meets all conditional use requirements and performance standards.

Mr. Schenck said that Council had received a memo from the Green Tree Planning Commission stating that they had reviewed and unanimously recommended to Council the approval of CU-02-10. Mr. Schenck asked for the total height of the antennas. Mr. O'Rourke replied that the antennas would be mounted on the face of the penthouse wall at a height of 131 feet. The height of the penthouse is 143 feet. There will be three antennas and two microwave dishes on three sides of the building. There are currently existing microwaves, UHF and VHF antennas on top of the building for other businesses. The microwaves to be installed are 18-24 inches in diameter and will be at a height of 141 feet.

Mr. Montz said that the following three documents should be noted in the record as part of the formal conditional use application:

- Planning Commission recommendation letter to Council, dated 5/26/10.
- Application of the applicant, Clearwire U.S., LLC.
- Proof of publication for the public hearing.

There being no further questions or comments, the public hearing was closed.

PUBLIC HEARING

SP-05-08

Applicant, SouthStar Development, requesting tentative approval of the revised site plan for the development known as City Vista, a Planned Residential District (PRD), in the area formerly known as the Parkway Center Driving Range.

Mr. Irving Firman, attorney, Ms. Lynn DiLorenzo from SouthStar Development, Mr. Aaron Richardson from Gateway Engineers, and Mr. Bill Brown from Oxford Properties were present to discuss the application and answer questions. Planning Commission had reviewed the plan at their April 14 and April 28, 2010 meetings and voted unanimously to recommend the plan to Council for tentative approval.

Mr. Firman said the main changes from the original plan were:

- The current plan has four shorter buildings (the original plan had three taller buildings).
- Access to Hamburg Street has been removed from the plan.
- The access road in the development has been changed to a loop.
- The total number of units in Green Tree has been increased from 240 to 272.

Mr. Richardson said the revised plan has grading modifications to allow for ADA accessibility throughout the site. The site's access road will remain the same. With the access to Hamburg Street removed from the design, the road in the development has been changed to a loop to allow for better accessibility for emergency vehicles and traffic flow in the event of an area of the road being closed because of an emergency. Vehicles will be able to travel in either direction in the loop to exit the development creating better alternative access.

The revised plan now has four buildings. Two are 4-story buildings and two are 4/5-story buildings instead of the original three 9-story buildings. The community center will remain the same. The plan exceeds Borough requirements for natural open space, usable common open space, and overall landscaping. All stormwater requirements have also been met.

Mr. Firman said that the applicant has responded to the Borough Engineer's 4/26/10 review letter with each comment individually addressed. Mr. Richardson felt that all of the Borough Engineer's comments have been adequately addressed.

Mr. Sampogna asked about the grade at the entrance to the development. Mr. Richardson replied that the 5% grade has been maintained in that area by raising the area in the development itself.

Mr. Schenck asked the applicants to describe the parking. Mr. Richardson said there would be 452 parking spaces. Only 408 parking spaces are required. There will be two 2-story parking decks that will accommodate about 96 parking spaces in each deck. Additional spaces have been added at the community center.

Mr. George Nagle, 7 Terrace Drive

Mr. Nagle asked if there were plans to expand the development into the city section of the property. Mr. Firman replied that the developers are only submitting the Green Tree plan at this time. They hope to eventually develop on the city side of the property, but at this time a plan has not been submitted to the City of Pittsburgh and it would be premature to discuss it. The city development will be a lower density than what was previously presented.

Mr. Nagle said that Green Tree should take into consideration that the development would be larger than what is currently being presented when the city side is developed. This will have a larger impact on Green Tree than what is being presented this evening. Mr. Nagle expressed concern over the statistics he had read regarding the volume of vehicles that make weekday trips on Greentree Road and the impact that additional vehicles from the new development would have on the traffic situation. Mr. Nagle asked Council to consider the safety of the residents and the quality of life in Green Tree. He asked if there had been a revised traffic estimate with the revised plan.

Mr. Firman said that the applicant had submitted a traffic study with the application, although a traffic study was not a requirement until the final approval process. The traffic study had taken into consideration both the Green Tree and city units. There are recommendations from the traffic study and the Borough's traffic engineer will be reviewing those recommendations during the final approval process. The applicant will address those comments when they progress to that point.

Mr. Schenck asked about the buffer details. Mr. Richardson replied that there is a significant elevation difference between the existing Pittsburgh homes and streets and the lower proposed Green Tree development. Additionally, there will be a 15-20' wide planted buffer running the entire length of the property line. It will be made up of a mixture of deciduous

and evergreen trees. When asked, Mr. Richardson said that there would be approximately 100 feet between the property line and the closest building in the proposed development.

Mr. Nagle asked who will be targeted to live in this development and what the units will cost. Mr. Firman replied that the project is designed with the market in mind and is not being geared to one particular age group or type. It will be open to whoever would like to live there. It is initially being designed as an apartment project.

Mr. Brown from Oxford Properties said that the development would be a mix of one, two and three bedroom units with approximately 32% one-bedroom units, 60% two-bedroom units, and 8% three-bedroom units. Rent will range from \$975 to \$1900 a month. The average rent will be approximately \$1400 a month.

Mr. Sampogna said that tonight's public hearing and comments were for Green Tree residents only. Ms. Palmer asked for clarification of the traffic numbers that Mr. Nagle had referred to earlier. Mr. Firman replied that he did not have the figures with him and was not certain if there would be an increase in the anticipated number of vehicles. However, a new traffic study would be submitted, but it is not required for tentative approval and should not be an issue for tonight's proceeding. Some of the issues to be addressed in the traffic study will be synchronization of traffic lights and other items of that nature. Mr. Firman said there will be an increase in traffic as a result of the development, but the traffic issues should be mitigated easily as part of the study.

Mr. Sampogna closed the public hearing at 8:25 p.m.

APPROVAL OF THE MINUTES

May 3, 2010

Motion:

Mr. Tintori made a motion, seconded by Mr. Behanna, to approve the minutes of the May 3, 2010 Council meeting as presented.

Motion carried, with Mr. Panza and Ms. Palmer abstaining because they had not attended this meeting.

HEARING OF THE CITIZENS

William Korey, 147 Parkedge Road

Mr. Korey stated that he has been a Green Tree resident for 50 years. He was opposed to the SouthStar development and felt that the Borough would not benefit from it as much as they would lose. He felt it would add to the traffic and reduce the quality of life.

Mr. Korey said Green Tree has a noise problem that has worsened over the years. There is an ongoing problem with trucks jake-braking when traveling down the Parkway. He had addressed Council several years ago about the same issue and requested that a sign be posted on the Parkway prohibiting jake-braking along the Green Tree stretch of the Parkway. He asked Council to establish an ordinance preventing jake-braking and have the police enforce it. Mr. Korey said that he had previously been told that the Parkway is a state road and the Borough cannot do anything about it. He felt that since the road runs through Green Tree Borough and impacts its residents that the Borough should be able to do something about it. He said that there had been a newspaper article about the town of Northampton that had recently cracked down on a similar issue. He asked that Green Tree do the same. When asked, Mr. Korey gave Mr. Sampogna a copy of the newspaper article. Mr. Panza asked that a copy of the article be given to the Mayor in his absence.

George Nagle, 7 Terrace Drive

Mr. Nagle said he has been a resident of Green Tree for 59 years and feels that the quality of life in Green Tree has diminished as a result of overdevelopment and the traffic on Greentree Road. He was opposed to the City Vista development because of the traffic and safety issues that it would bring to Green Tree and hoped that Council would take these problems into consideration. Mr. Nagle felt that the Borough should try to keep the remaining green areas in the Borough green instead of continuing to develop. He felt that if this development were approved, the Borough would not only be looking at problems from the Green Tree part of the development, but from the city side as well.

Mr. Nagle said he would like to see that area developed as a living area for seniors and retirees who want to downsize and remain in Green Tree, but felt that the proposed development is not being developed for these needs. Mr. Nagle felt that rental units would attract a transient population that would be a problem.

Cheryl Bakin, 884 Greentree Road

Mrs. Bakin said that if Mr. Nagle had attended the past two Planning Commission meetings when this development had been discussed in detail, he would have had an opportunity to provide input on the plans. Mrs. Bakin said that if Mr. Nagle had attended any of the comprehensive plan meetings over the past year he would have learned what was being proposed regarding traffic and other issues that could impact the Borough over the next few decades and make comments. Mrs. Bakin said that the City Vista plan had been changed from condos to apartments because of changes that have taken place in the financial markets in the past two years that the developer has had no control over.

Mrs. Bakin commended Ms. DiLorenzo and SouthStar Development for determination in moving this plan forward. She urged Council to follow the recommendation of the Planning Commission and approve the tentative plan.

Ms. Jane Smith, 260 Parkedge Road

Mrs. Smith said she has lived at 260 Parkedge since 1992 and she regretted not attending the McLean Farms development meetings. She said there has been a lot of hard rain over the past week and the sewers did not help her and several of her neighbors. The runoff from the development overtook the sewers, ran across the street and down her driveway and sidewalk. Parts of her front and back yards have become a pond from the runoff and the water continued down the hillside behind her house. The concrete in her driveway, sidewalk and front porch has shifted and cracked. She presented Council with photos of the water problem. Mr. Montz said that he would get back to her about this issue.

Sue Marshall, 239 Sheldon Avenue

Mrs. Marshall said she lives across the street from Mrs. Smith and this past week her back porch had 6-7 inches of water. She has never had this type of water problem before and she blamed the problem on the McLean Farms development.

Mr. Sampogna said there have been reports throughout the Borough of a number of people who have had water problems due to the unusually heavy rains this past week. Mrs. Marshall said that since the trees were removed behind her house for the development, there have been swampy areas in her backyard that were never there before. During the construction, the developer put down black plastic to prevent the water from coming into her backyard, but this has been taken down.

MAYOR'S REPORT - Mayor Hammer

In the absence of Mayor Hammer there was no report this evening.

REPORT OF BOROUGH COUNCIL COMMITTEES

A. STREETS & PUBLIC HEALTH - Mr. Novak

1. Authorize Borough Manager to bid the 2010 Road Paving Program.

Motion:

Mr. Novak made a motion, seconded by Mr. Behanna, to authorize the Borough Manager to bid the 2010 road paving program.

Mr. Sampogna outlined the areas the Borough Engineer had recommended for paving in 2010, including areas of Sheldon, Andersen Drive, Iron City Drive, and Holiday Drive. Mr. Novak said that Sheldon residents have been notified of the upcoming paving project on their street.

Motion carried unanimously.

B. FINANCE - Mr. Behanna

1. Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to ratify the actions of the Borough Manager in paying the May 2010 General Fund EFT payments totaling \$18,233.89, Capital Projects Fund totaling \$13,150.42, Health Care Fund totaling \$963.97, Payroll Account totaling \$172,430.80, Educational Service Agency totaling \$5,664.95, and other bills on the bill sheet totaling \$79,128.00.

Motion carried unanimously.

2. Motion:

Mr. Behanna made a motion, seconded by Mr. Tintori, to approve payment of the June 2010 invoices from the General Fund totaling \$533,926.11 and Capital Projects Fund totaling \$67,980.11.

Motion carried unanimously.

C. PLANNING & ZONING - Ms. Palmer

1. SP-05-08

Applicant, SouthStar Development, requesting tentative approval of the City Vista at Parkway Planned Residential Development application for the area formerly known as the Parkway Center Driving Range.

Ms. Palmer said that due to some issues raised earlier at the public hearing, she would like to table this item until next Monday night's meeting.

Motion:

Ms. Palmer made a motion, seconded by Mr. Behanna, to table SP-05-08, applicant, SouthStar Development, regarding tentative approval of the City Vista at Parkway Planned Resident Development application.

Roll Call Vote

Ms. Palmer	Yes
Mr. Panza	No

Mr. Tintori	Yes
Mr. Behanna	Yes
Mr. Novak	Yes
Mr. Schenck	No
Mr. Sampogna	Yes

Motion carried, 5-2-0, with Mr. Panza and Mr. Schenck voting against tabling this item.

2. **CU-02-10**

Applicant, Clearwire U.S., LLC, c/o American Tower Corporation, requesting conditional use approval from Council regarding the placement of antennas on the roof of Parkway Center Building #7.

Motion:

Ms. Palmer made a motion, seconded by Mr. Behanna, to approve the conditional use application of CU-02-10, applicant, Clearwire, U.S., LLC, c/o American Tower Corporation, regarding the placement of antennas on the roof of Parkway Center Building #7.

Motion carried unanimously.

3. Ms. Palmer reported that there are currently two vacancies on Planning Commission. She would like the Planning & Zoning Committee to meet and review the applications of several applicants.

D. PUBLIC PROPERTY & EQUIPMENT - Mr. Tintori

1. **CDBG - ADA Automatic Door Opener - Fire Hall - Bid Award**

Mr. Tintori said that the Char West COG has helped the Borough apply for a Community Development Block Grant (CDBG) to cover the cost of the installation of an ADA automatic door opener at the Fire Hall.

Motion:

Mr. Tintori made a motion, seconded by Ms. Palmer, to accept the low bid for the ADA automatic door opener for the Green Tree Fire Hall to Custom Door Systems at a cost of \$4,595.00, with the CDBG covering the cost of the opener.

Motion carried unanimously.

E. PUBLIC SAFETY - Mr. Schenck

1. **Traffic Advisory Board**

Mr. Schenck reported that the Traffic Advisory Board had made two recommendations requiring the preparation of ordinances. The first recommendation would allow two-hour parking on Leon Drive, currently marked as a no parking zone, near the 7-Eleven. This would create a few additional parking spaces.

Motion:

Mr. Schenck made a motion, seconded by Mr. Novak, to authorize the Borough Solicitor to prepare an ordinance permitting two-hour parking on Leon Drive near the convenience store.

Mr. Behanna asked how TAB had made this decision. Mr. Schenck said that although there had not been a study, the members had reviewed the area in

question. Mr. Sampogna said that the Borough had recently lost a business in that area due to insufficient parking.

Motion carried unanimously.

TAB's other recommendation would allow parking on Rothesay after the park. Currently no parking is allowed along the side of Rothesay nearer the park. With this ordinance, parking will be permitted on the park side, but only past the park, creating 2-3 additional parking spaces.

Motion:

Mr. Schenck made a motion, seconded by Mr. Behanna, to authorize the Borough Solicitor to prepare an ordinance permitting parking on Rothesay past the park.

Motion carried unanimously.

Mr. Schenck said that TAB had recommended that the no turn prohibition signs on Orchard Drive need to be better clarified and made bigger without as much information on them. Mr. Schenck asked Mr. Montz to look at the signs to see if they could be improved.

F. RECREATION & COMMUNITY AFFAIRS - Mr. Panza

1. Mr. Panza referenced the many activities available to residents that are mentioned in the most recent newsletter.

LIAISON REPORTS

1. MRTSA - Mr. Montz

Mr. Montz had nothing to report at this time.

2. Char West COG - Mr. Novak

Mr. Novak said the past month's COG meeting had been held at the North Fayette Fire Hall. Congressman Tim Murphy spoke about the cooperation of the communities in completing their paperwork to FEMA for the winter snowstorm. There had been a total of \$600,000 in expenses submitted to FEMA from Char West COG communities. The state budget for 2010-11 was distributed at the meeting and members were told that grant money would be more difficult to obtain in the coming year.

3. Library - Mr. Sampogna

Mr. Sampogna reported that the library would be holding a free concert this coming weekend with Splash the Water Dude.

PRESIDENT'S REPORT - Mr. Sampogna

1. Mr. Sampogna said that last Thursday he, Mr. Montz, and Mr. Schenck had met in Rook with Congressman Tim Murphy, State Representative Matt Smith, representatives from Wayne Fontana's and Dan Onorato's offices, and representatives from the railroad, Modern Transportation Trucking Company, and Aerominerals regarding the loading operations for the Frac Sand. Truck loading of the sand was demonstrated and discussion of several Rook resident issues regarding noise, dust, etc., took place.

SOLICITOR'S REPORT - Mr. Molinaro

Mr. Molinaro had nothing to report at this time.

MANAGER'S REPORT - Mr. Montz

1. Mr. Montz said the Borough now has a new type of paper recycling that will not only accept newspaper, but also regular paper and other paper products. The Borough will get a small monetary gain from this recycling program.
2. Mr. Montz reported that several fire fighters from the Borough had attended an emergency training seminar at the railyard. A tanker car specially designed to train personnel on handling tanker leaks was brought in. Attendees said it was a very educational and interesting seminar.
3. Mr. Montz had attended a recent CONNECT meeting where procurement of electricity had been discussed. He said he would get more information on it to see if Green Tree would be able to save money as part of this program.
4. Mr. Montz said that the public meeting for the comprehensive plan is scheduled for next Monday, June 14, 2010 at 7:30 p.m.
5. Mr. Montz said the Borough has been inundated with calls from residents who have had numerous water problems as a result of the heavy storms last week.
6. Work is continuing on the Greentree Cemetery issue and more information is expected.

ADJOURNMENT

Motion:

Mr. Panza made a motion, seconded by Mr. Behanna, to adjourn the meeting at 9:00 p.m.

Motion carried unanimously.

Mark Sampogna, President

W. David Montz, Manager

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