

**BOROUGH OF GREEN TREE
COUNCIL MEETING
JULY 31, 2017**

Call to Order / Silence for Meditation / Pledge of Allegiance

Green Tree Borough Council met on Monday, July 31, 2017 at 7:30 p.m. in the Green Tree Municipal Center, 10 West Manilla Avenue, Pittsburgh, Pennsylvania.

ROLL CALL

Members Present:

Mayor Edward A. Schenck
Mark Sampogna, President
Rino Lindsey
David Lorenzini
John Novak
Ron Panza
David Rea
Arthur Tintori

Also Present:

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

HEARING OF THE CITIZENS

There was no one present who wished to be heard.

REPORT OF GREEN TREE BOROUGH COUNCIL COMMITTEES

A. PLANNING & ZONING - Mr. Lorenzini

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

Mr. Lorenzini said there were several items to be discussed regarding the minutes of the June 26th review meeting that had appeared on the draft presented to Council, but had not been discussed or mentioned during the meeting. He felt these items should be entered into the minutes to verify that Council had agreed to these changes. Mr. Sampogna said that a final draft incorporating the changes to the proposed zoning ordinance would be presented to Council at the end of these reviews. Mr. Montz said Mr. Lorenzini was referring to items that were not discussed at the meeting, but appeared as possible revisions to the ordinance in the printed version. Mr. Lorenzini wanted the consensus of Council to determine whether these revisions should be included or not. He said these items should appear in the minutes to clearly show that Council had agreed to these changes. Discussion continued regarding whether all the items indicated on the draft revision needed to be mentioned.

Mr. Montz said that the recorded meeting had been reviewed and what appears in those minutes is an accurate record of what was discussed at that meeting. Any item that was not mentioned at the June 26th meeting that a Council member feels needs to be discussed, should be brought up at this meeting or a future review meeting. After further discussion, Council agreed that Mr. Lorenzini should present those items that were not reviewed at the June 26th meeting and Council would discuss them at this time.

The following items from the Definitions and Signage sections that had not been discussed at the June 26th meeting were presented and decided upon as follows:

DEFINITIONS & TERMS**Consistency**

In the draft, it was suggested that the term "Consistency" and its definition be deleted. After Council's review they agreed that this term and its definition should be deleted.

Pagination Issue

Mr. Lorenzini said that after page II-13, all the remaining pages in this section are numbered "II-30." This needs to be corrected.

Land Development

The word "condominium" should be deleted from this definition in section (1)(b).

Wireless Support Structure

The word "support" in this definition is mistyped as "supp01t" and should be corrected.

Impervious Surface

Mr. Lorenzini suggested that there were other definitions for "Impervious Surface" that should be considered. Council agreed that additional review of this definition was needed.

SIGNAGE**General Regulations (A)(2) and (B)(1) and (B)(3)**

Mr. Lorenzini pointed out that these references in the General Regulations section referring to other sections in the draft are incorrect. Mr. Montz said these references would all be corrected when the final draft is prepared and items are properly numbered and lettered.

Neighborhood Commercial District (A)(e)

Mr. Lorenzini noted that this item refers to "Subsection (B)(2)" and it should be corrected to be "Subsection (B)(1)."

Neighborhood Commercial District (A)(2)

The phrase "excluding a freestanding sign" should be deleted from this item.

Sandwich Board Signs

Mr. Lorenzini said that the discussion regarding sandwich board signs had concentrated on Greentree Road and Noblestown Road. The main discussion had been about sandwich signs blocking sidewalks and driveways. However, there are other areas where sandwich board signs should be considered. Mr. Sampogna said there would be a problem with permitting them during a business' operating hours since it would be hard to enforce in the evenings when a Code Enforcement Officer is not available. He asked if a business would be permitted to leave a sandwich board sign up all the time if it was open 24/7. Mr. Montz felt that a business should only be permitted to have one sandwich board. He agreed that enforcement of a sandwich board sign would be difficult. After further discussion, Council felt that additional review was needed. Mr. Montz said he would check with other communities about their sandwich board sign regulations and would provide Council more information in the next several weeks.

ARTICLE IV - GENERAL REGULATIONS

Mr. Montz stated that there were a number of items in this Article that he and the Solicitor needed to review further.

Accessory Structures or Uses

Mr. Montz said a better definition was needed for Accessory Structures and he would work with the Solicitor on a definition. Discussion continued regarding what could be covered under Accessory Structures.

Fences

Item (B)(1) states, "Fences may be placed within the side or rear yard only, and may extend up to the midpoint of the principal structure." Mr. Montz said that there have been variance requests in the past for side yard fences for homes that have side doors leading to the access yard and he felt this issue should be addressed. In conjunction with this proposed change, Mr. Montz suggested that fences in the rear of the property could be up to six feet in height, but the fence height should be reduced to four feet if the it extends forward beyond the rear of the property. When asked, Mr. Montz said there are about two variance requests each year for side yard fencing. Mr. Rea felt that the ordinance should be kept as it is and those houses with side doors requesting an extension to their fences should apply for a variance. Mr. Molinaro said the ordinance could be written to allow side yard fences for those only those homes that have side doors, and allow the fence up to the point where the side door is located. Discussion continued regarding what should be permitted regarding rear fencing and the height of the fence. Mr. Montz said he would work with the Solicitor in rewriting this section and bring it back to Council for their review.

Porches

Mr. Montz said that the ordinance does not allow the construction of a porch on a house that is on the 25-foot building line. However, he felt that a projection distance into the front yard should be established so a porch could be added.

Mr. Montz said that, based on the way the ordinance is currently written, it would allow a back porch to be built in a backyard all the way to within 25 feet of the rear property line. Discussion continued regarding ways to word this requirement. Mr. Montz said that he and the Solicitor would work on a way to present porch requirements in the ordinance and bring it back to Council for review.

Landscaping, Buffering, and Screening - Buffer Yards

Mr. Montz said that the term "...or equestrian..." should be removed from item (B)(3). Council agreed.

He questioned how a trail could be created if "no plant material is eliminated," as stated in the proposed ordinance. After a discussion, Mr. Montz said he would review this item and provide Council with a revised (B)(3) item. Mr. Tintori said there was an issue with some residents who owned a property where they were using the rear of the property to dump garbage and debris. Mr. Montz said he would address this issue a little later in the meeting.

Item (C)(7) should be changed to read, "Required trees shall be planted with good landscaping practices, with adequate unpaved surface around each for water and air, and be property protected by curbs, curb stops, or other devices to prevent damage from vehicles."

Lighting

Mr. Montz said that today's light fixtures are made to avoid spillover from adjacent properties. Council agreed that item (I) should be changed to read, "For the lighting of predominantly horizontal surfaces such as parking areas and vehicles sales areas, lighting fixtures shall be aimed downward and shall include full cut-off measures as needed to provide no spillover of lighting onto the adjacent property or streets. The municipality may require that light fixtures for non-residential uses be placed along the street and be aimed away from the street in a manner that also minimizes lighting shining onto residential lots."

Council agreed that item (J) should have the term "residences" replaced with "properties." Mr. Montz said that the section referring to the U.S. flag needs to be cleaned up and he would do so and provide Council with a revised item to be reviewed.

Mr. Molinaro said item (J) stated that the lighting of a billboard should be attached to the top of the billboard. He asked how electronic billboards would be addressed based upon this statement. Mr. Montz said that electronic billboards are addressed in the billboard regulations, but he would check that this statement and what appears in the billboard regulations are consistent.

Lot and Yard Requirements

Item (B) should have the word "normal" removed.

Mr. Molinaro asked about item (B)'s reference to "Structures attached to the principal structure..." Mr. Montz agreed that once a structure is attached to a principal structure it changes things. After a discussion, it was decided that Mr. Montz would look at item (B) again and either improve the wording or possibly eliminate this item.

Off-Street Parking, Loading, and Unloading Regulations

Item (A)(3)(c) states that "Required parking areas shall be asphalt..." Mr. Montz said that other parking areas could be made of concrete, pavers, or other materials. Mr. Lindsey said he thought that parking areas had to be made of an approved surface and could not be a surface that would carry anything to the road. Discussion continued regarding appropriate surfacing.

Mr. Lindsey noted the item (A)(4) states: "Wheel stops are also required on the perimeter of parking lots which are adjacent to walls, fences, or pedestrian walkways." He said that it should say "perpendicular" instead of "adjacent."

Item (A)(5) should be deleted with only a reference to Section 420-38.

Item (A)(7)(a) discussed the maintenance of off-street parking and loading areas. Mr. Montz said the reference to keeping these areas free of "vehicle repair operations or

display, and advertising uses," should be deleted as it is covered in another section where it indicates that parking lots may only be used as parking lots.

Item (C)'s charts, the Hotel section should be revised. The terms "Motel / Lodge" should be removed from the title of the section so it only reads, "Hotel."

The Hotel requirement of 1.5 stalls for each dwelling unit should be reduced to 1.1 stalls per dwelling unit. Mr. Montz said that the Tucker Arensberg Law Firm brought this change to his attention. Today's hotel parking requirements tend to be around 1.0 to 1.1 per stall/dwelling unit. Green Tree's hotels all seem to have excess parking and this would allow better management of runoff. Mr. Gavin Robb from Tucker Arensberg was present at the meeting, representing the Crowne Plaza in Green Tree. Mr. Robb said that a reduced parking requirement was for limited service hotels that primarily provide hotel accommodations and not large banquet rooms for conferences and receptions. Hotel guests tend to bring fewer vehicles or utilize ride-sharing services with most of these types of hotels having one car or less per hotel room. The extra 0.1 requirement would cover hotel employees' vehicles. Discussion continued regarding the details of hotels and parking requirements. Council agreed that the change to 1.1 stalls per individual room should be made.

Mr. Montz said that all of the other parking ratios in this section seem to be acceptable.

Mr. Molinaro did not feel that the parking requirements for Driving Range (Golf)/Miniature Golf did not adequately address parking for Miniature Golf. It was agreed that additional review and revision should be done for Driving Range (Golf)/Miniature Golf.

Mr. Molinaro said that the ordinance indicated that parking for All Other Recreational Uses were "To be determined by the Zoning Hearing Board (ZHB) or Council." Mr. Molinaro said that this needed to be determined by either the Zoning Hearing Board or Council, but not both. After a discussion, Council decided that this should be changed to read "To be determined by Council."

Mr. Molinaro stated that there are parking requirements that differ between "Movie Theater" and "Theater or Auditorium." There is an attempt to distinguish between a movie theater versus a theater, but it creates ambiguity, and should be reviewed again.

Outdoor Storage

Mr. Montz said he did not like the language in this section and felt that it would not be needed. Council agreed that the Outdoor Storage section should be deleted.

Mr. Lindsey asked if the temporary storage PODS would be included in this section. Mr. Montz replied that they would fall under Storage Sheds. Mr. Molinaro felt there needed to be additional regulations for PODS regarding how long they could remain in one place.

Residential Storage Shed

Mr. Montz said that consideration should be given for businesses to put outdoor storage sheds on their properties. Businesses need them for various supplies that they cannot keep inside their businesses, such as lawn mowers, rock salt, etc. He felt it would not be

a problem to allow them if they are properly regulated. Council agreed that Mr. Montz and the Solicitor should work on creating regulations for storage sheds in commercial districts.

Mr. Rea said that Mr. Lorenzini had brought up the issue of businesses placing wares outside of their businesses and asked if it could be regulated or prohibited. Mr. Montz said he would take a look at this issue.

Item (C)(1) set the size of a residential storage shed at 120 square feet. The current ordinance allows a shed to be 160 square feet. Mr. Montz recommended that the size be kept at 160 square feet. Council agreed.

Mr. Molinaro asked if storage sheds were permitted to have utilities. Mr. Montz said it is not addressed in the ordinance, but he felt that utilities would be permitted. Mr. Molinaro said that a storage shed cannot be habitable, but could have the ability to have electricity for a woodshop or other uses.

Residential Driveways and Parking Pads

Mr. Montz said that the proposed ordinance would require residents to obtain a permit for the installation of a driveway or parking pad (Item (B)). Currently the borough does not require a permit for the installation of a driveway or parking pad. Mr. Sampogna said the word "reconstruction" should be removed from the ordinance since that seemed to imply that a permit would be required for repaving of a driveway or parking pad with the same dimensions. He felt that if the dimensions were not being changed, a permit should not be required. Mr. Montz said a permit would only be required for initial construction or expansion. "Modification" should also be removed from the description since a permit would not be required if a driveway or pad was being reduced in size. Discussion took place regarding what verbiage should be used to indicate that a permit would be required only if there was a change in the dimensions. Mr. Montz said he would work on wording to clarify what would require a permit.

Mr. Montz said that item (F) required that shared driveway or parking pads would require a written agreement. There are not many of those in the borough and it would only be required for new construction.

Item (Q) was an addition that states: "Parking pads must be adjacent to the primary access to the structure." Mr. Montz said this item would address several situations in the borough where there is a through-lot that runs between two streets. This would prevent the property owner from building a driveway or parking pad at the farthest end from the house that would abut another street. This type of distant parking area tends to become a storage area or an area for unlicensed vehicles. Mr. Montz said additional work needed to be done on this item with possible distances established. Discussion continued on ways to word this regulation. It was agreed that Mr. Montz and the Solicitor would discuss how to word this item to add it to the regulations.

Keeping of Animals

Item (B) regarding the keeping of chickens should be deleted entirely. Any farm animals, including chickens, would have to follow the provisions listed in item (A). Discussion

took place regarding putting these regulations in the agricultural area of the ordinance and eliminating them in this section.

Mr. Rea asked about adding something to the ordinance regarding the keeping of bees. Mr. Montz said that the keeping of bees is less intrusive to a neighborhood than the other animals mentioned in the ordinance. Chickens can be more of a health hazard than bees. Mr. Molinaro said the Department of Agriculture has regulations regarding the keeping of bees. Discussion continued regarding some of the possible requirements of beekeeping.

Mr. Montz said there would further review of the Keeping of Animals section and whether it should be removed from this Article. He said he would get information on beekeeping regulations to be added to the proposed ordinance.

ADJOURNMENT

Motion:

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

Motion carried unanimously.

Mark Sampogna, President

W. David Montz, Manager

dng