

APPROVED

**MUNICIPALITY OF MT. LEBANON
PLANNING BOARD MINUTES**

DATE: Tuesday, October 28, 2014

TIME: 7 p.m.

PLACE: Mt. Lebanon Municipality – Commission Chambers

BOARD MEMBERS PRESENT: Rick Sabeh, Dennis Pittman, Suzanne Sieber, Coleen Vuono

STAFF MEMBERS PRESENT: Municipal Planner Keith McGill, Municipal Engineer Dan Deiseroth, Solicitor Phil Weiss

Agenda Items

Minutes of the August 26, 2014, Planning Board meeting. Ms. Sieber moved and Mr. Pittman seconded to approve the August 26, 2014, Planning Board minutes. The motion carried unanimously.

Other Business

Reorganization of the Planning Board to nominate a Secretary. Mr. Pittman moved and Ms. Vuono seconded to nominate Ms. Sieber as Secretary. The motion carried unanimously.

Old Business

None

New Business

Mr. McGill gave a brief overview of three ordinances, which would amend the zoning ordinance. There are currently several residents that are keeping chickens and/or bees, and there are no specific regulations in regard to keeping other types of animals. The Commission wanted to implement regulations for such activities. The municipal planner and municipal solicitor looked at ordinances in other communities, as well as input from the president of the Beekeepers in the Pittsburgh area. He provided a general overview of the regulations in the proposed ordinances.

- a. Request for a recommendation on an ordinance of Mt. Lebanon, Pennsylvania amending the Zoning Ordinance to Regulate Chickens

This ordinance adds a new Section 803.3.16 to permit the keeping of chickens within any residential district as an accessory use and establishes standards for the number of chickens, location, containment, restrictions on roosters, coop requirements, coop setbacks and other related requirements.

Ms. Sieber moved and Ms. Vuono seconded to recommend the ordinance as proposed. The motion carried unanimously.

- b. Request for a recommendation on an ordinance of Mt. Lebanon, Pennsylvania amending the Zoning Ordinance to Regulate the Keeping of Bees

This ordinance adds a new Section 803.3.17 to permit the keeping of bees within any residential district as an accessory use and establishes standards for the number of hives, location, registration, barrier requirements, water requirements, definitions and other related requirements.

Citizen Comments

Mr. Stephen Repasky, president of Burgh Bees and vice president of the state beekeepers association, thanked the planning board for taking on this item and keeping the regulations straightforward, simple and bee-friendly. He asked that the six-foot fly-way barrier not be required at all times if the bees are at head height once they reach the property line. Hives can be centered on a property in such a way that they would not need a barrier because the bees would be above head height before they reach the property line. Within 10 to 20 feet of leaving a hive entrance the honey bee is usually above head height. He would encourage a fly-way barrier only if the bees are not getting above head height before reaching a neighbor's property. He suggested the following language: "The fly-way barrier shall consist of a solid panel, dense vegetation or some combination thereof if the flight path of a honey bee does not allow them to gain the height of six feet or higher by the property line." If a neighbor already has a fence or hedgerows around their property then a fly-way barrier may not be needed. However if there are continuous backyards, with no fencing or vegetation, then a fly-way barrier would be suited to allow the bees to get up.

Mr. McGill said that from an enforcement standpoint there will be people in the field that are not familiar with bee patterns, and the municipality tries to remove any ambiguity, when considering an ordinance for enactment.

Mr. Pittman moved and Ms. Sieber seconded to recommend the ordinance as proposed. The motion carried unanimously.

- c. Request for a recommendation on an ordinance of Mt. Lebanon, Pennsylvania amending the Zoning Ordinance to Regulate the Keeping of Animals

This ordinance adds a new Section 803.3.18 to permit the keeping of animals within any residential district as an accessory use for non-commercial purposes and establishes for, bovine, sheep, goats, porcine, fowl, certain equine, and poultry animals, minimum lot size, containment requirements, location of structures, and other related requirements.

Mr. Pittman asked if the above listing was all inclusive of animals, or could other animals be included.

Mr. Weiss said this should include all animals.

Mr. Pittman asked about Vietnamese pot-bellied pigs.

Mr. Weiss said the approach was not to define anything as a pet. He and Mr. McGill looked at other ordinances that named specific animals, and the Commission was not interested in that type of regulation.

Ms. Vuono moved and Ms. Sieber seconded to recommend the ordinance as proposed. The motion carried unanimously.

Mr. McGill said the ordinances would not go to the Commission to introduce them on November 7 at a public meeting, then a public hearing will take place on November 24, and the ordinances could be enacted at the December 9 meeting.

- d. Request for preliminary approval for a land development application for a property located at 512 Castle Shannon Boulevard. Empire Terminal, Inc. is requesting preliminary approval for a land development plan to construct nine Single-Family Attached dwelling units and a 35-unit Multi-Family building on vacant property located at 512 Castle Shannon Boulevard.

Ray Sutherland, CEC Inc., said there are 1.6 acres currently zoned as C-2 Community Commercial at 512 Castle Shannon Boulevard. Empire Terminal Inc. received a use variance to allow for townhouses. They are proposing nine townhouses facing Castle Shannon Boulevard and in the back an apartment building with 35 units. There will be parking in between as well as under the apartment building, and garages in the townhouses, for a total of 65 parking spaces. They've met the sideyard setbacks, and the townhouses will be on the front setback line at 10 feet. They have the required landscape plan, but will be adding more as part of the final design. They have other approvals pending, including a highway occupancy permit from PennDOT, which has been submitted. He does have an e-mail from PennDOT confirming an agreement, and he expects to get the permit in the near future. There will also be an NPDES permit and a stormwater management plan submitted to Allegheny County, which is currently under review. They feel the development is a good use of the property and is keeping with the character of Mt. Lebanon as well as the neighborhood. He is asking the board to grant preliminary approval pending the requirements of the engineer's letter are met.

Mr. Deiseroth read into the record a letter dated October 22, 2014, from Gateway Engineers.

Mr. McGill said he will provide to the applicant a copy of a letter he received from Allegheny County. He added a comment regarding Section 817.5.2 relating to bicycle parking where they are required to provide bike parking at 10% of the vehicle parking requirements, but not less than a minimum of two bicycles for multi-family dwellings. The municipality did receive drawings to review the design guidelines and standards, and that will be done as part of the final submission.

Ms. Vuono asked if universal design elements are proposed for the elderly, or people with disabilities.

Doug Devlin, architect, stated the townhouses are not compatible, because of their nature, and they have stairs, and are not handicap accessible. They will be looking at universal design features for the apartment building, although they are not done with the design of the building and are still studying the unit types. The site will have full accessibility with an elevator from the parking garage to all levels of the building.

Ms. Vuono asked about the universal design for doorways.

Mr. Devlin said they are looking at minimum of three feet doorways for all room access. The townhouse plans are open plans regardless of the universal design elements. They are taking into account universal design and ADA requirements as they are designing the units.

Mr. Pittman asked if the cartways would be adequate for all emergency vehicles.

Mr. Sutherland said they have run truck movements through the site and this is the reason why there are two access points to the site, so trucks won't have to back out. They may enter from one direction and proceed out another.

Mr. McGill said the fire department has a set of the land development plans and is currently reviewing them for any emergency response issues.

Ed Bogнар, owner, said he and Mr. Devlin met with EMS and police to look at the size of their vehicles and the site design.

Mr. Sutherland showed renderings of the proposed buildings to demonstrate the character of the townhouses.

Mr. Sabeh asked if the townhouses would be street pick up or would they be using the dumpster for trash collection.

Mr. Sutherland said he was unsure at this time whether the townhouses would use the dumpster or would be street pick up.

Mr. McGill said the maple trees on the landscaping plan are not on the municipality's approved list of trees. If they wish to use maples they would need to submit a letter formally requesting a modification.

Mr. Sutherland said they would change the landscaping plans.

Citizen Comments

There were no citizen comments.

Ms. Sieber moved and Ms. Vuono seconded to grant preliminary approval for the Empire Terminal, Inc. Phoenix II Multi Family land development application conditioned on the engineer's review comments in a letter dated October 22, 2014, and the Commission granting any requested waivers or modifications. Motion carried unanimously.

- e. Request for a recommendation for Conditional Use approval for 794 Washington Road. – The Mount Lebanon Historical Society is requesting conditional use approval for a property located at 794 Washington Road. The property is zoned R-4 Single-family Residential District with an OB-Office Boutique Overlay. Chapter XX of the Mt. Lebanon Code, Zoning, Section 205.4.8 identifies Public and Semi-Public Uses as a conditional use in the R-4 District. The Historical Society has a lease/purchase agreement with the municipality for the property.

Mr. Pittman moved and Ms. Sieber seconded to recommend conditional use approval for the 794 Washington Road Site Plan application conditioned on the engineer's review comments in a letter dated October 22, 2014. The motion carried unanimously.

- f. Request for preliminary approval and a recommendation for final approval for Site Plan approval for 794 Washington Road for use as a Museum. Chapter XX of the Mt. Lebanon Code, Zoning, Section 205.4.8 identifies Public and Semi-Public Uses as a conditional use in the R-4 District.

Joel Clusky, RSH Architects, said the Mt. Lebanon Historical Society is in the lower level of this building. Their intent is to occupy the entire building. There is a shortage of space in the lower level, and using the whole building will provide a permanent home for educational programming, research and storage. Mt. Lebanon is one of only a few communities in the South Hills region that doesn't have its own permanent history center. There is approximately 1,000 square feet of exhibit space on the first floor; additional space would provide for traveling exhibits; the upper floor would be used for archival and storage space.

Mr. Redding, 453 Sage Drive, vice president of the Mt. Lebanon Historical Society said most of the archives are in the basement, which is damp and is not optimal storage for the exhibits.

Mr. Clusky said the main floor would have small library, which would be open to the public, and office space for staff and volunteers, and research rooms on the main level and in the basement. The intent of the historical society is to restore much of building as it exists. The building was originally used in the 1940s and 1950s as offices of Dr. McMillan and the architectural components of the building would be showcased. Handicap accessibility will be provided on the main floor and the lower floor. Only minor adjustments will be made to the exterior of the building.

Ms. Vuono asked about possible signage.

Mr. Redding said they intend to keep a single arm sign post similar to the current sign on Lebanon Avenue.

Mr. McGill said the sign permit is a separate application done through the inspections department.

Mr. Deiseroth read into the record a letter dated October 22, 2014, from Gateway Engineers.

Mr. McGill said the landscaping shrubs are not on the approved plant listing, and the board would need a request in writing if they wish to use those plants. A cost-estimate needs to be submitted, but since the municipality is a co-applicant the municipality will not require a development agreement.

Mr. Sabeh asked how the parking regulations were being observed.

Mr. McGill said six parking spaces are required per the code. There are three designated spaces on Lebanon Avenue, two on site and they're taking the 20% credit for on-street metered parking.

Citizen Comments

There were no citizen comments.

Ms. Vuono moved and Ms. Sieber seconded to grant preliminary approval and recommend final approval for the 794 Washington Road Site Plan application conditioned on the engineer's review comments in a letter dated October 22, 2014, and the Commission granting any requested waivers or modifications. The motion carried unanimously.

Next Meeting - The next regularly scheduled meeting of the Mt. Lebanon Planning Board is **Tuesday, November 25, 2014**, at 7:00 p.m.

Mr. Pittman asked for an update on the hotel project.

Mr. McGill said Mr. Berkley, the chief building inspector, was at the hotel earlier this week, and the project continues to progress.

Adjournment

The meeting was adjourned at 8:00 p.m.