

MINUTES OF THE ADJOURNED MEETING AUGUST 22, 2023 OF THE MT. LEBANON COMMISSION

The Commission of Mt. Lebanon, Pennsylvania, held an Adjourned Meeting at 8 P.M., on Tuesday, August 22, 2023. Commission President Silverman called the meeting to order and led the Pledge of Allegiance to the Flag. Manager McGill called the roll. Present were Andrew Flynn, Craig Grella, Mindy Ranney, Anne Swager Wilson and Steve Silverman. Also present were Assistant Manager/Planner McMeans, Public Works Director Sukal, Recreation Director Donnellan, Chief of Police Haberman, Fire Chief Sohyda, Finance Director McCreery, Inspections Officer Sarver, Library Director Vittek, Information Technology Officer Nick Schalles and Public Information Officer Lilley. Also present were Phil Weis of the solicitor's office and Dan Deiseroth of the engineer's office.

COMMISSION/MANAGER'S ANNOUNCEMENTS

Manager McGill summarized the information that was reviewed during the discussion session, including the solid waste and recycling contract, the bid process, review of the parks and fields signage plan, review of the updated brick street policy, and heard from commission liaisons on activities with various boards and authorities.

Manager McGill stated that prior to this meeting, the Commission met in executive session to receive legal advice from the solicitor on a variety of issues. The next regular meeting of the Commission is Tuesday, September 12, 2023, at 8 p.m., to be held in Commission Chambers, with the discussion session meeting starting at approximately 6:30 p.m., to be held in Room C. These meetings are also available on Zoom. The executive session starts at approximately 6 p.m.

Ms. Swager Wilson said do you have law enforcement questions on your mind? The Mt. Lebanon Police Department's Coffee with a Cop program is coming back, in cooperation with the Community Relations Board. Stop in at Orbis Caffe, 675 Washington Road, between 8 and 10 a.m., Thursday, September 14, and chat with an officer. The topic of conversation is completely up to you.

The Mt. Lebanon Public Information Office is looking for fall interns. College juniors or seniors in journalism, communications or public relations majors can apply for the internship, which is unpaid, but offers the opportunity to write stories for Mt. Lebanon Magazine and get a better understanding of how local government communications works. Details at mtlebanon.org/humanresources.

And finally, a reminder that the municipality will pick up woody waste at your curb on Saturday, September 7. Make a reservation by August 31, by calling 412-343-3403 or going to mylebo.mtlebanon.org. Place the materials curbside before 7 a.m. on the day of pickup. A list of rules and requirements is on our website.

If you miss that pickup, you can always drop off your yard waste at the golf course maintenance facility on Pine Avenue on the first Saturday of the month, from 7 a.m. to 3 p.m. through October. They'll collect leaves and garden residues in recyclable paper bags, as well as small twigs, shrubs, brush and branches smaller than three feet. No grass, stones, soil, stumps, large limbs or plastic bags.

CITIZENS COMMENTS / ONLINE COMMENTS

Bill Hoon of 456 Coolidge Avenue spoke about the Uptown Unveiled event that took place recently, questioning why it was held since construction hasn't been completed yet. He didn't feel the motif of the sidewalks fit in with the building architecture. He also spoke about his experiences in crossing the street. He also spoke about lantern flies on the sidewalks.

Sally Lamond of 205 Mohawk Drive stated that her sister purchased a home on Old Gilkeson Road, and they have previously submitted their comments to the commissioners and planning board regarding the Black Oak Hill development. She said when they appeared before the planning board, they were moot on every point. She said despite what the gentleman told her at the planning board meeting that there will be a driveway to Old Gilkeson Road, it's really a street. She noted she was a controller for Turner Construction Real Estate Development, and she knows the difference between a street and a driveway. She said you're taking a quiet street where there is no traffic and turning it into a busy thoroughfare where the left turn is very dangerous. She also spoke against the type of trees proposed for the development. She said they are not against the development, but she'd like her points to be addressed.

Tyler and Laura Love of 361 Old Gilkeson Road stated that their property directly borders the proposed development. Mr. Love asked if he could make comments after hearing the presentation.

Mr. Silverman said that the solicitor agreed that it was acceptable for Mr. Love to make comments after the presentation.

**CONSIDERATION OF THE MINUTES FROM
THE REGULAR MEETING HELD AUGUST 8, 2023**

Mr. Flynn moved and Ms. Ranney seconded to approve the minutes. The vote was called. The motion carried unanimously.

CONSIDERATION OF SIDEWALK EXPANSION POLICY REVISIONS

Ms. Ranney said in August 2013 the Commission adopted a Sidewalk Expansion Policy. The Environmental Sustainability Board and municipal staff have recommended amendments to the current policy to make it easier for residents to request sidewalk installations in their neighborhoods. The Commission reviewed the policy changes in their Discussion Sessions on June 13 and August 8.

Ms. Ranney moved and Mr. Flynn seconded to adopt the revised Sidewalk Expansion Policy. The vote was called. Mr. Flynn, Ms. Ranney, Ms. Swager Wilson and Mr. Silverman voted in support of the motion. Mr. Grella voted against the motion. The motion passed four to one.

REQUEST FOR FINAL APPROVAL OF A SUBDIVISION

**AND LAND DEVELOPMENT PLAN FOR THE BLACK
OAK HILL PROJECT ON OLD GILKESON ROAD**

Disyga, LLC owns the property located at 397 Old Gilkeson Road and is requesting to subdivide the 2.7-acre lot into 12 parcels. This would accommodate the Black Oak Hill land development plan submitted by Disyga, LLC to construct 10 single-family attached homes on the property. Two of the three existing structures on the property would be razed. The 10 single-family attached homes would each have their own lot, one lot would contain the remaining existing structure, and the final lot would be open space on the opposite side of Old Gilkeson Road. The property is located in the R-3 zoning district. Single-Family Attached Dwellings are a use-by-right in the R-3 Zoning District.

The Planning Board recommended final approval of the subdivision and land development plans at its July 18, 2023 meeting.

Tonight, the Commission will hear a presentation on the project from the project developer. The Commission will take separate actions on final approvals of the subdivision plan, requested modifications, and land development plan at the September 12, 2023 meeting.

Chris Peters of MDM Engineers stated that he was here on behalf of Disyga, LLC, regarding the Black Oak Hill development at 397 Old Gilkeson Road. He stated the development would involve 10 single-family attached homes. He stated that the property in question has two residences and one garage on it, and the intent is to take down one of the residences and the garage, leaving just one residence on site. He stated that the property does have frontage on Old Gilkeson Road and is bisected by the newer Gilkeson Road that was put in during the 60s with a residual, unbuildable area that remains along the stream that is cut off from the rest of the property by Gilkeson. He stated that the development would be accessible by turning right from Gilkeson Road onto a driveway abutting each unit, and at the end of the driveway is another right turn back onto Gilkeson Road. He noted that it's their intent to widen the driveway of the remaining residential structure, thereby, creating better access for two-way traffic so that vehicles can come in and out of the development. He stated at peak hour, there could be an additional 62 trips, which is 31 cars in and out. He noted that they had extensive conversations with Mike Haberman of Gateway Engineers. He said that approval from PennDOT would be required for the right in, right out, as well as the additional sidewalk on Gilkeson Road from Cedar to the end of the development's property line.

Mr. Flynn had concerns with vehicles and the sidewalk from a pedestrian's standpoint. Mr. Peters said that the expected number of trips per day through this driveway would be 31.

Ms. Swager Wilson inquired about a buffer between the sidewalk and Gilkeson. Mr. Peters stated that there will be a buffer of about five feet of grass between the sidewalk and Gilkeson.

Mr. Peters stated that the proposed trees being provided along Old Gilkeson Road have been changed to Sugar Maple.

Mr. Peters explained the SALDO modification for sidewalks along Old Gilkeson Road due to the steep drop off and lack of right-of-way space. He said the second modification was for the shade trees along the frontage. Because of the steep slope and how close the street is to the property,

there is not a lot of right-of-way space; therefore, several trees are within the individual lots. Trees will also be placed in areas where there is room in the right-of-way.

Mr. Grella stated that a wall could be built in keeping with SALDO regarding the sidewalks. Mr. Peters stated we're providing an extra sidewalk on Gilkeson since it would be too physically challenging to put one on Old Gilkeson due to the steep drop off.

Ms. Swager Wilson asked what materials will be used for the construction of these units. Matt Diersen of Midland Architecture stated that they did present materials to the planning board at the last meeting. He said the material palate is within the described materials in the zoning code.

Tyler Love of 361 Old Gilkeson Road stated that his house is directly next to the development, with the buildings being 10 feet from his property. He said the front deck of the units will be facing directly in his front door. He said that there will be a sliver of property being used as a pseudo driveway for 31 cars a day, which is 12 feet away from his house. He said there is a curb cut coming off of Gilkeson Road, where there is a fully developed forest, and that driveway is within six feet from his fence where his child plays. He said he's not against the development; he's against how it was designed. He asked that the developer consider cutting off the end unit or sliding the setback to make it fair for both sides of that dwelling. He also stated that the proposed sidewalk would push more people through his yard because they have nowhere else to go, which is what's currently happening.

Mr. Diersen said regarding the size of the setback against Mr. Love's property, which is the same as Mr. Love's setback, we could not move the row away from his house without seeking a variance.

Ms. Ranney asked how many bedrooms would be in each unit. Mr. Diersen said there are three bedrooms, but there will be a bonus room that can be utilized as an additional bedroom.

Mr. Grella inquired about the roadway being created, which looks like the rear yards. Mr. McMeans stated that the planning board was fine with the egress onto Old Gilkeson. The comments about the right in, right out on Gilkeson were deferred to PennDOT, and if they are fine with it, then the planning board is as well. He also said that the planning board discussed at length the connection of new sidewalk to the existing sidewalk by Cedar, and they agreed that the best solution is what is being proposed, thereby, giving the people on Old Gilkeson an avenue to Robb Hollow Park, Cedar Boulevard, etc.

Mr. Grella inquired about the huge impervious area for each lot. Mr. McMeans stated that the rear lots have a large impervious area, and the front lots are defined with trees, grass, covered area, etc., so there isn't really any impervious area in the front of the property.

Ms. Swager Wilson asked in order to address Mr. Love's concerns, is there any way to pull the ingress from Gilkeson Road down closer to Cedar Boulevard. Mr. McMeans stated that he is not a traffic engineer nor a developer, but from a planning perspective, it's legal according to the code, but he would defer the matter to the traffic engineer. He added that the five-foot setback is the minimum setback.

Mr. Grella inquired as to why there aren't individual driveways. Mr. McMeans stated that the driveways are coming off of Gilkeson Road, which is a state road, and in his experience with PennDOT, they do not like to grant more curb cuts than what already exists. He said they are keeping the same two curb cuts that already exist with the ingress and egress, but just moving them.

Mr. Flynn inquired as to there being grass between the sidewalk and Gilkeson Road. Mr. McMeans stated there is six feet of grass between the sidewalk and Gilkeson Road.

Mr. Flynn also inquired about stormwater runoff. Mr. Peters stated that we are putting an infiltration system in under the common drive, which will run the length of the property, reducing the water coming off the property. Because this is a private street, the system would be maintained by the HOA.

Mr. McMeans stated that the planning board did discuss modifying the trees on Old Gilkeson Road, which would be maintained by the property owners since the trees would be on the actual properties, due to there not being enough right-of-way space to place them on.

Ms. Swager Wilson asked if the property owner would be permitted to cut down the trees on their property if they so desired too. Mr. Weis deferred to the development agreement with the HOA.

**CONSIDERATION TO AWARD A CHANGE ORDER TO
THE EXISTING STREET RECONSTRUCTION CONTRACT**

Ms. Swager Wilson said the Commission approved the expenditure of \$64,700 to replace deteriorated sidewalks at the municipal library during the discussion session on July 11, 2023. Approval is requested to have Niando Construction complete the work under the existing street reconstruction contract. The cost of the work will not exceed \$64,700.

Ms. Swager Wilson moved and Mr. Grella seconded to approve a change order to the current street reconstruction contract held by Niando Construction authorizing the replacement of deteriorated sidewalks at the municipal library at a cost not to exceed \$64,700. The vote was called. The motion carried unanimously.

**CONSIDERATION OF THE EXPENDITURE
LIST FOR JULY TOTALING \$7,887,346.28**

Mr. Flynn moved and Ms. Ranney seconded to approve the expenditure list for July totaling \$7,887,346.28. The vote was called. The motion carried unanimously.

DEPARTMENTAL REPORTS

Ms. Ranney asked that the reports be received and filed.

ADJOURNMENT

The meeting was adjourned at 9:10 p.m.