

Ross Township Commissioners Meeting
1000 Ross Municipal Drive
Pittsburgh, PA 15237
June 20, 2016
7:30 p.m.

COMMISSIONERS PRESENT: Jeremy Shaffer, Daniel L. DeMarco, David J. Mikec, Lana Mazur, Patrick Mullin, Grace Stanko and Jack Betkowski

ABSENT: Stephen Korbel and Richard Avon

SOLICITOR: Bonnie Brimmeier, Esq.

TOWNSHIP MANAGER: Douglas Sample

DIRECTOR OF COMMUNITY DEVELOPMENT/ZONING ADMINISTRATOR: Dominic J. Rickert

RECORDING SECRETARY: Deborah Ann Betzler

Pledge of Allegiance/Invocation

PUBLIC COMMENT ON AGENDA ITEMS -- None

PETITIONS AND COMPLAINTS:

Ms. Carla Witherel, 152 Mayer Drive, Pittsburgh, PA 15237, stated she and her husband John have lived in Ross Township for 26 years, and she came to speak about chickens. She stated their current neighbor has 15 chickens. The current ordinance does not regulate the number of chickens a resident can own, and there is nothing about not owning a rooster. She stated these chickens are classified as a nuisance under the current ordinance. They constantly get out onto her property, they're noisy, and they create an offensive odor. She stated that the chickens' containment quarters are too small for their health. She also stated that the chickens fly, which is why they keep getting into her yard, and chickens also carry lice and mites.



Ms. Witherel stated the current ordinance needs amended and that residents who want to own chickens should be required to obtain a yearly permit. She believes there should be a limit to the number of chickens a resident can own and that there should be stricter laws on unsanitary conditions, storage of feed and confinement of the chickens. She stated violations of the ordinance need to be followed with strict penalties and that grandfathering should not apply to the animal ownership.

Commissioner DeMarco stated he recently had a complaint in his ward and that he was told the township is working on amending the ordinances relative to that. Mr. Rickert stated he already drafted it and it will be sent to Ms. Brimmeier tomorrow or Wednesday. Commissioner DeMarco advised Ms. Witherel that when the ordinance is introduced she should be at that meeting.

Ms. Witherel again stated her concern about grandfathering, and Ms. Brimmeier responded as follows:

MS. BRIMMEIER: “I can address that. There would not be grandfathering for something like that. We could not cite them under the terms of the new ordinance for past behavior, but they would have to comply going forward.”

Ms. Witherel stated that she just wants to make sure the chickens stay confined, that something needs to be over the fencing. Mr. Rickert stated that it’s all addressed in the ordinance. The way the ordinance is drafted, it is going to be essentially a maximum of three per parcel of land. He stated from everything he’s read, a chicken run and chicken coop should be 10 square feet per chicken. It will also be restricted further in R-1, R-2 and potentially in R-3 districts. He also stated it is very specific about the chicken run, that it has to be covered from predators, and roosters are prohibited.

RESOLUTIONS TO BE ADOPTED:

Resolution No. 2207 – Approving the request for an Inter-Municipal transfer of restaurant Liquor License No. R-18340 into the Township of Ross.



Commissioner Shaffer stated that this is for the Red Orchid Thai restaurant on Babcock Boulevard.

Motion to adopt made by Commissioner Mazur and seconded by Commissioner DeMarco.

Resolution adopted – 7 to 0

Resolution No. 2208 – Designating Joe Wadlow as Veteran of the Year.

COMMISSIONER SHAFFER: “This is a resolution from the Board of Commissioners of the Township of Ross. Whereas Joseph Wadlow is a resident of Ross Township and owner of a Ross Township business, Monte Cello's Restaurant, and whereas Joseph Wadlow has been named as Veteran of the Year by the Veterans Leadership Program of Western Pennsylvania, now, therefore, the Board of Commissioners for the Township of Ross hereby resolve as follows: The Board of Commissioners of the Township of Ross hereby recognizes Joseph Wadlow as Veteran of the Year, an award presented to a veteran whose military record is marked with exemplary performance and who has continued to support the United States military and veterans.

“Joseph volunteered to serve with the United States Marine Corps as a staff sergeant during the Vietnam War. In addition to his many contributions to our community, Joseph Wadlow founded the Fallen Marine Memorial Motorcycle Run to raise money for scholarships to assist families of marines killed or disabled in action. He donates food, time and serves on the Board of Directors for the Wounded Heroes Hunting Camp, and he was personally involved in erecting the North Shore Vietnam Veterans Memorial.

“The Board of Commissioners recognizes and appreciates Joseph Wadlow's sacrifice for our community and his contributions to the township as a resident and business owner and, in recognition thereof, hereby appoints him to serve as the grand marshal of the Ross Township Independence Day parade.”

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Motion to adopt made by Commissioner DeMarco and seconded by Commissioner Mazur.

Motion passes – 7 to 0

ORDINANCES TO BE INTRODUCED -- None

ORDINANCES TO BE ENACTED:

Ordinance No. 2373 – “Permit Parking Only” on the northern side of Winter Avenue between Perry Highway and Perrysville Road. The southern side will remain no parking.

Ordinance No. 2374 – “No Parking” on both sides of Richmond Circle from the Ross Elementary gate to Twin Oaks.

Ordinance No. 2375 – “No Parking” on the east side of Oak Street from the intersection of Grant Avenue and 30 feet onto Oak.

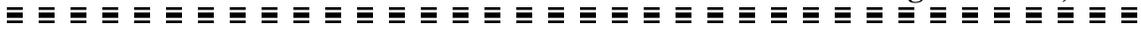
Ordinance No. 2376 – Amending Ordinance No. 2237 of May 2007 to amend the “No Parking” on the northern side of Grant Avenue. “No Parking” from Trion Road to 30 feet back on the northern side of Grant Avenue. Parking would be permitted from 30 feet and back on the northern side of Grant Avenue.

Motion to approve made by Commissioner Mazur and seconded by Commissioner DeMarco.

Motion passes – 7 to 0

Ordinance No. 2377 – Installing a Stop Sign on Peony Avenue traveling west at Timberlane Drive.

Ordinance No. 2378 – Installing a Stop Sign on Timberlane Drive easterly direction at the intersection with Peony Avenue.



Motion to approve made by Commissioner Mazur and seconded by Commissioner DeMarco.

**Motion passes -- 6 to 1
Commissioner Mikec voting in the negative**

CONSENT AGENDA:

Approval of Minutes – May 16, 2016

Motion to approve made by Commissioner Mazur and seconded by Commissioner Mikec.

Motion passes – 7 to 0

Payment of Bills and Financial Report

Motion to approve made by Commissioner Mazur and seconded by Commissioner Mikec.

Motion passes – 7 to 0

PLANNING COMMISSION:

Z-16-1 – Hamister Hospitality Fund, L.P., requesting Conditional Use approval to operate an assisted living facility in a former LaQuinta Inn on property located at 4859 McKnight Road in a C-1 Zoning District of the 8th Ward.

MR. RICKERT: "The Planning Commission, having reviewed this application, is of the opinion that it meets the terms as set forth in the Subdivision and Land Development Ordinance and/or the Zoning Ordinance and hereby recommends conditional approval of the above Conditional Use application, which is to operate an assisted living facility at the former LaQuinta Inn."

Mr. Josh Klotzbach and Mr. Kevin Budin were present on behalf of the Hamister Group. Mr. Klotzbach stated their proposal for the property is to do a complete renovation of the LaQuinta Inn, interior



and exterior, to transform it into an assisted living facility. It would change from 145 rooms currently to approximately 125 units. He stated they are still working on the floor plans to decide what kind of mix there will be between one-bedroom and studio-type units. The interior renovation would include a dining space, activity space and likely amenities like a hair salon and ice cream parlor.

Mr. Klotzbach stated they would also renovate the complete exterior, create some gardens as well as redo the paving. He stated the number of parking spaces would be reduced from 288 to about 110, and that area would be returned to green space. He said they will leave the ring road for access for fire vehicles, et cetera.

Commissioner DeMarco suggested they consider leaving the pathway between the property and St. Sebastian Church. He stated that people who park in the upper lot for the festival use that path and that residents might have an interest in using it to go to church. Commissioner DeMarco stated he doesn't know who owns the property. Mr. Klotzbach stated they are not certain who owns it and that they've noticed a gate with a lock on the parish's side. He also stated that the thin brown line on their drawing is a walking path.

Commissioner Mazur asked if the Hamister Group owns the strip of asphalt when you come up the hill, the section behind McDonald's. Mr. Klotzbach stated no, that it's an easement they have the rights to use but that they don't own it. Commissioner Mazur questioned who maintains it. Discussion ensued as follows:

MS. BRIMMEIER: "We researched that a couple years ago, and I know I have something in my office. We found who the owner was. So I'd have to go back and look.

COMMISSIONER MAZUR: "So it wouldn't be the owner of this?"

COMMISSIONER DeMARCO: "No, not of this building. I think you probably did, because they fixed it.

MS. BRIMMEIER: "Because we got it fixed, yes. I can't remember off the top of my head who it was, but I know that I would have a file on it, you know, if it becomes an issue again.

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COMMISSIONER DeMARCO: “There's just a serious drainage or some problem down there. Every couple years that road just starts to fall apart. And there's a lot of traffic on that road.

COMMISSIONER SHAFFER: “Sometimes big trucks park there, too.

MS. BRIMMEIER: “It's not built to handle the traffic.”

Commissioner Stanko questioned if the hotel is closed, and Mr. Klotzbach stated it is not. Commissioner Stanko asked when they expect to start construction and when they expect to open if everything goes through. Mr. Klotzbach stated this is part of the process to get ownership of the property and to make sure they can do the assisted living. He stated the timing of when they would be able to close depends on a number of factors, but if they get approval here, they could close in 90 to 120 days. Mr. Budin stated the contract stipulates they have to close on the property by August 30.

Commissioner Mazur asked Mr. Rickert if this is the format that is normally followed for a conditional use. Discussion ensued as follows:

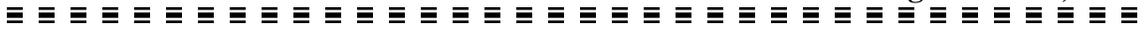
MR. RICKERT: “For a conditional use, yeah. Again, the contract is contingent upon you granting the conditional use. Then they can close, and then --

COMMISSIONER MAZUR: “Then they would go to Planning and come back through the process?”

MR. RICKERT: “Potentially. They may or may not need to go to Planning. It depends on the amount of work to do on the outside. This primarily would probably be just a building permit for the interior, and the facade is just the facade of it. They're not changing any footprint, not making anything larger. They're actually increasing the impervious surface back.

COMMISSIONER MAZUR: “I got all that. But what about safety?”

MS. BRIMMEIER: “So we're clear, this is for granting them the ability to have this use there, and that would be what their sales agreement is contingent upon. Then, assuming everything goes through and the sale goes through, then they would come back with site plans and --



COMMISSIONER MAZUR: “That's what I mean. They would have to go through the process of site plans?”

MS. BRIMMEIER: “Yes. Depending upon what they're doing, they may have to come back with site plans to get site plan approvals. But it would go through Nick's office. And then they would be regulated -- in terms of safety, they have to follow all the requirements of the state.

COMMISSIONER MAZUR: “That's where I'm going.

MS. BRIMMEIER: “We don't regulate that.

COMMISSIONER MAZUR: “For like fire and all that stuff, even though they have all of this in there --

MR. RICKERT: “Yep.

COMMISSIONER MAZUR: “Now you're changing it to a different use. They would have to get those codes up to -- correct?”

MR. RICKERT: “Right. That comes into play when they do the building -- like when they do the renovations, that's when the building code officials work through all that stuff and make sure whatever changes they need to make from that use to this use, that's when that comes into play.”

Commissioner Mikec questioned if the permit process also involves the amount of parking spaces they need to have. Mr. Rickert stated they exceed what is required for a nursing home.

Commissioner Shaffer stated he strongly urges them to add a sidewalk coming up the driveway for the residents and workers to get to the buses on McKnight Road and the shopping plaza.

Motion to approve made by Commissioner Mazur and seconded by Commissioner DeMarco.

Motion passes – 7 to 0



PLANNING/ZONING REDEVELOPMENT COMMITTEE REPORT:

Mr. Rickert stated there are no new applications. He also stated he has a request from a resident at 209 Hillendale Road to combine two parcels into one. He stated this would be done by a parcel combination rather than a plan.



Commissioner Mazur wanted to remind the Board that The Ridge in Highland Pines is in front of the Planning Commission this coming Thursday at 7:00. Commissioner Shaffer questioned when that would come before the Board. Mr. Rickert stated he will know more on Thursday.

SOLICITOR’S REPORT – None

RECREATION COMMITTEE REPORT:

Commissioner Shaffer announced that Ross Township was awarded a \$33,000 grant for establishing a pedestrian master plan for the township. He thanked Eloise Peet for all her help in getting the application turned in on time, and he thanked the Board for their flexibility in getting it approved. He stated the township needs to competitively bid this, and it is looking to connect the parks, residential area, shopping areas, school and churches with either sidewalks or trails to keep residents safe. The end result would be a map with recommendations on how the township can utilize existing paths, create new paths and establish a priority so the township doesn’t end up with sidewalks that don’t connect to anything.

Commissioner Mazur stated the Independence Day celebration is July 3. The parade starts in Perrysville at 2:00. After the parade, residents can go to Perrysville Volunteer Fire Department for something to eat and then go to the Municipal Building for 4:00. There will be fireworks, Joe Grushecky, Touch a Truck and things for the kids. There is no rain date.

ADMINISTRATION/LEGISLATIVE COMMITTEE REPORT:

Board motion to authorize the Township manager to advertise and hire the position of receptionist.

Motion to adopt made by Commissioner Stanko and seconded by Commissioner Mazur.

Motion passes – 7 to 0

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PUBLIC WORKS COMMITTEE REPORT:

Requesting Board permission to hire Brice Stewart, Philip Bauer, Stephen Hillenbrand and Jason Cooney for Public Works positions, contingent upon them passing their physicals and background checks.

Motion made by Commissioner Mikec and seconded by Commissioner Stanko.

Motion passes – 7 to 0

PUBLIC SAFETY/POLICE COMMITTEE REPORT:

Commissioner Mazur stated that Ross police and West View police will be conducting a joint DUI roving patrol on Friday, June 24, from 9:00 p.m. to 2:00 a.m.

PUBLIC SAFETY/FIRE/FIRE POLICE/EMS COMMITTEE REPORT -- None

MANAGER’S REPORT -- None

COMMISSIONERS’ COMMENTS:

Commissioner Stanko extended her sympathy to the Jones family on the loss of their father, William.

Commissioner Mikec directed everyone’s attention to the boxes in the front of the room and explained that it is a fundraiser for the Food Bank, and it ends on July 3. Check donations should be made out to the Food Bank.

Commissioner Mazur also extended her sympathy to the Jones family and explained that Mrs. Jones works for the township. She also stated she hopes to see everyone at the Independence Day celebration.

CITIZENS’ COMMENTS -- None

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Motion to adjourn made by Commissioner DeMarco and seconded by Commissioner Mullin.

Motion passes – 7 to 0

MEETING ADJOURNED AT 8:09 P.M.

Douglas Sample
Manager/Secretary

By: _____
Jeremy Shaffer, President
Ross Township Board of
Commissioners

Minutes transcribed by *Deborah Ann Betzler, Court Reporter*