

**Pledge of Allegiance**

**Present:**

Present at the meeting: Council Liaison Carl Stepanovich, Jayne Hoy, Bob Mitall, Edward Patrick, James Olszewski, Chris Kerns, and Chief Administrator Jim Morrison.

**Absent:**

Ryan Lemke & Anthony Livecchi

**Approval of Minutes:** Mr. Olszewski made a motion to approve the May 10, 2022, minutes. Mr. Patrick seconded. All voted aye. Motion approved.

**Old Business:** None

**PUBLIC HEARING**

**A Public Hearing was held concerning the re-zoning of approximately 21.76 acres of land, tax parcels 49-10-13-0-011, 49-10-13-0-012, 49-13-0-013 and 49-10-13-0-014, Logan Ferry Road, from R-1 Residential to R-3 Residential.**

The public hearing began at 7:00 p.m. Chairman Mitall instructed everyone on the procedure for the hearing. A stenographer was present to record the meeting. Mr. Morrison gave a brief description of the matter stating that Greenspace LLC submitted an application for an advisory meeting before the planning commission to present a plan to re-zone 19.3 acres, originally, from R-3 to R-1. On April 12, 2022, the applicant appeared before the planning commission as an advisory session. At that point, the planning commission advised that if he'd wish to proceed, that he submit an application. An application was submitted on May 10<sup>th</sup>. The application was reviewed by the planning commission, and, as part of that review process, incorporated 3 additional lots in the re-zoning review, as to not create an island of R-1 amongst the R-3. At the May 10<sup>th</sup> meeting, the planning commission reviewed the application, authorized the public hearing, which brings us to the meeting this evening.

Mr. Morrison further advised that the planning commission is a recommending body. They can choose to recommend re-zoning to all the properties, none of the properties or any portion of the properties. This is the first step of the process, the planning commission recommendation then goes onto council, at which another public hearing will be held, and council has the same option to re-zone all, some or none of the properties.

The municipality followed the act 247 guidelines, posted the property, send notices to property owners within 300 feet and forwarded the application to Westmoreland County for comment and there was no comment by Westmoreland County.

Mr. Morrison stated that there was an error in the posting of the properties which indicated that those 3 property owners requested re-zoning and that is not accurate. Mr. Morrison stated that he did forward the inaccurate information to legal counsel, and they advised that it was not substantive and to go ahead and proceed with the public hearing.

Charles Hergenroeder, Esquire is the representative speaking on behalf of the applicant, Greenspace LLC. Mr. Hergenroeder concurred with Mr. Morrison that the application was only for the 2 properties to be re-zoned. Mr. Hergenroeder further stated that his clients are looking to build 12 single story senior community townhouses and some single-family homes, with this possible location being near and possibly walkable to Ferri's, Mainline Pharmacy, Bob's Inn, Banks, etc. Mr. Hergenroeder advised that the re-zoning will not change the uses of anyone's property.

Mr. Morrison reiterated that this is for the re-zoning and not for the development of the property.

Sushil Shinde of Greenspace LLC stated that the plans he brought tonight were the latest drawings from his engineer. The original plans that he submitted with his application was a worst-case scenario of how many townhomes they could build on the property but since they've been working with an engineering firm and looking at topography and setbacks, he stated that they are looking to possibly build 12 townhomes and three single family homes. Mr. Shinde further stated that the townhomes will be 2000 square feet with the master bedroom, bathroom, and laundry all on the main floor.

Ms. Hoy asked if the townhomes will have a basement? Mr. Shinde advised that some of the townhomes will have a basement, depending on the topography.

The court reporter then swore in all the people who wish to make public comment regarding this matter.

**PUBLIC COMMENT:**

Anthony Tantalo of 3315 Logan Ferry Road wanted to state his concerns and issues because if the development would go through, he feels that it will make things worse. His first concern is a stream that runs under Logan Ferry and runs into Haymaker and that stream has been eroding his yard for years. He stated he lost 6 feet of yard and he had to construct a railroad tie wall with 200 railroad ties over two years to stabilize his yard. His second concern is the sewage which he stated is a major concern. He stated raw sewage backed up from the sewage lid into his yard twice last year. He also mentioned that raw sewage was running down the stream for two days by his house. Mr. Tantalo called and talked to someone from DEP about the sewage running down the stream and he was told there was a leak somewhere in Heather Highlands. Mr. Tantalo's third concern is the bridge and the traffic that back up on Logan Ferry Road. Mr. Tantalo closed by saying he has nothing against development, as long as everything is done properly, and these issues are addressed prior to any work going in.

Janet Higgins of 3375 Logan Ferry Road stated her first concern is about the traffic and speeding on Logan Ferry Road. Her second concern is about the bridge. She stated that two times last year, she was able to look down through the hole in the bridge and see the water of the creek underneath. Ms. Higgins also stated that there are big trucks going over that bridge and she is concerned that if this new development would go in, how much more traffic will that bring along Logan Ferry Road. She also agrees with Mr. Tantalo about the issues with the creek.

Lee Kincaid of 3352 Logan Ferry Road stated that he never requested his property to be re-zoned and he wants a printed public retraction of that error. Mr. Kincaid further stated that he is adamantly against any re-zoning from R-1 to R-3. Mr. Kincaid advised that Murrysville does not have the infrastructure to handle more traffic on Logan Ferry Road. His first concern was about the amount of traffic that backs up on Logan Ferry Road now. His second concern was the issues and concerns about the bridge and the bad shape that it's in. His third concern was about the water tributary and how the water goes up onto the roadway when there is severe rains and flooding and there is severe erosion along the sides of the creek. Mr. Kincaid stated that he is probably one of the few residents that has private well water. He feels that his private well water is better quality than Murrysville's public water and he doesn't want to have anything done that will jeopardize his well water.

Cynthia Kincaid of 3352 Logan Ferry Road stated that she wanted to add something that she heard that was very disturbing to her. She turned to Mr. Shinde and said, "I would like you to be the first person from the new townhouses over the age of 55 to walk to Ferri's and survive". Mrs. Kincaid stated to the planning commission do not let this be done because someone is going to get killed! She advised that she's a nurse and her friend is a nurse and they'd be the one's running to help the people, if they wouldn't get killed themselves by the traffic.

Sissel Breen of 3326 Logan Ferry Road stated that she agrees with everyone else's comments about the sewage, traffic, and the stream water.

Kristen Aiken of 3343 Logan Ferry Road stated that ever since they moved into their home in 2002, they noticed there was a water issue. After a hard rain, they couldn't use their bathroom or take a shower because it would back up into our bathrooms. The municipality put a grinder pump in her back yard (at the municipalities expense) however the main line runs right through her back yard and when there is a harsh weather matter, it affects her and her neighbors. Ms. Aiken advised that she has since put two additional grinder pumps in because they don't last forever. She further stated that there is a manhole and there is sewage that spurts out of the manhole when there is harsh weather events and nothing has been done about it. She is appalled because if they put more houses, more people, and more sewer lines, it will only cause her more problems. She also stated about the traffic concerns on Logan Ferry Road to the point where it is difficult to get out of her driveway at times.

Lisa LaMarca of 131 Crosswinds Lane stated that Franklinton has 176 units and another 49 units at Brookside condos, and they all use a two-lane road to get in and out of their homes and have access to Ferri's or Route 22 and Route 286. She advised that in all those years, nothing has been done to Logan Ferry Road to handle all the traffic that it takes on, on a daily basis. She also stated about the deterioration of the bridge, the increase of the sewage bills, the additional sewage when Clifton Estates was built that has taken a toll on the wildlife, the stream that feeds the tributary to Haymaker Creek, the steep hillside is eroding because of Clifton Estates, greenspace that is not being protected any longer, and the noise pollution from the Rutter Excavation Company and now from the construction of Clifton Estates. Lastly Ms. LaMarca stated that there is no peace, no ease to get in and out of your homes, nothing safe to travel on because the roads aren't safe, and these new townhomes won't be affordable to the senior community.

Mr. Patrick made a motion to close the public hearing. Ms. Hoy seconded. The public hearing was concluded at 7:47 p.m.

Mr. Mitall said that no decision will be made on this tonight. Members of the planning commission have taken notes and this matter will be brought back in July as a recommendation to council.

**New Business:**

**Consider authorization to schedule a public hearing for a conditional use application, CU-4-22, Hermes Gas Well Development, Tax Parcel 49-02-00-0-001, 5476 Logan Ferry Road, Oil and Gas Overlay District for July 12, 2022.**

Ms. Hoy made a motion to schedule the public hearing for July 12, 2022. Mr. Patrick seconded. All members voted aye. Motion approved 5-0.

**Consider the acceptance of an application for a major land development, SP-3-22, and a conditional use application, CU-4-22, Hermes Gas Well Development, Tax Parcel 49-02-00-0-001, 5476 Logan Ferry Road, Oil and Gas Overlay District.**

Attorney Blaine Lucas from Babst Calland for Olympus Energy has submitted a land development and conditional use application for the Hermes Well Pad. He stated that speaking tonight will be the project engineer, Ryan Dailey, give a brief overview of the project and what it all entails.

Ryan Dailey, Project Manager, with Civil and Environmental Consultants. Tonight's goal is to familiarize you with the site, the site layout and some of the information that was provided in the application packets.

The plan was presented. Mr. Dailey stated that this site is located along Logan Ferry Road. It's zoned R-R and is located within the Oil & Gas Overlay District.

It's approximately 147 acres. Part of the property extends into Allegheny County and Plum Borough; however, the entire well pad and access road is located in Murrysville and Olympus has coordinated with Plum. They agreed that since the entire well pad is in Murrysville that Murrysville's Ordinance would control development at this site. Mr. Dailey stated that there are 2 properties that are located within the 750-foot setback area and Olympus obtained waivers from those property owners, which were submitted with the application, and based on the staff review, those were sufficient for the site, so the 750-foot setback would not apply to those properties.

The next plan present was the traffic study plan showing the access routes to get into the sites. There are two proposed routes to get into the site. The first route is coming in from Route 380, make the right to stay onto Route 380, and then make a right onto Logan Ferry to access the site. The second route would be coming from Route 22 and follow route 286 up through Plum and make a left onto Route 380 and make a right onto Logan Ferry to the site.

The next plan that was presented was the grading plan and Mr. Dailey stated that the first 50 feet of the entry site will be paved asphalt and the remaining access road will be gravel. This road is 1300 feet long and 24 feet wide. There will be a section in the middle of that road which will be widened 10 extra feet to allow trucks to pass.

Mr. Daily stated that the well pad is 300 feet wide by 520 feet long and it will have a 2-foot-high earthen berms around the parameter for safety purposes. There will also be 6-foot-high chain link fence around the well pad and stormwater ponds for security purposes. There will be a gate near the entrance that will be locked. Any first responders will have access to that gate if they would need to get in there. Lighting will be the typical telescope lighting with the lights pointing down and away from any neighboring properties.

The site is looking to start construction in spring 2023. First trip for drilling would be December 2023 through February 2024. Completions would be February 2024 through April 2024. Production will start in August 2024. There is a second trip to start drilling additional wells at this site and this would start in March 2025 and drilling and completions would go through December 2025.

Mr. Patrick made a motion to accept the application for major land development. Ms. Hoy seconded. All members voted aye. Motion approved 5-0.

**Consider a recommendation for approval of an application for a major land development, SP-2-22 Dollar General, Rt. 66, tax parcels 49-16-00-0-062 & 57-08-00-0-195, B Business zoning.**

Bob Gage from GBT Realty, a real estate company out of Nashville Tennessee is speaking on behalf of Dollar General. Mr. Gage stated that they are proposing a 10,640 square foot retail store, access drive, parking lot, utilities, and associated stormwater management facility. 2/3 of the site is in the Municipality of Murrysville. 1/3 of the site is located in Salem Township. Dollar General is asking for a waiver for the landscaping requirement for the screening along the frontage of the site. The ordinance requires a 4-foot-tall screen wall across the front of the site. Dollar General is requesting 123, 24-inch-tall shrubs that will provide screening across the front of the parking lot. The TIA study will be forthcoming. Dollar General stated that they are working with the county for easements for the bike path.

Mr. Morrison stated that the design on the building does not meet the architectural requirements. Mr. Gate stated that he is aware of this, and they are willing to upgrade and change the design of the building.

**An advisory discussion concerning a major land development application by GetGo Operating, LLC. For a WetGo car wash, tax parcel 49-14-08-0-018, 4785 Old William Penn Highway, B, Business zoning.**

Lee May, Site Development Manager, with GetGo is speaking on behalf of the applicant. The exiting plan was present and Mr. May stated that the exiting site is a bank with 3,800 square feet. The size of the parcel is 56,000 square feet and that includes area in the right of way, but once you subtract the right of way, the entire site is about 42,000 square feet, so just about an acre.

The plan was presented, and the proposed site is a tunnel wash system where you enter from Route 22, bear to the right, and come around to the back of the site where you would have 2 lines of queuing; one line for paying customers and the other line would be for customers with the car wash subscriptions. With the car wash subscription, you have a transponder and you come through the kiosk gate and proceed to the queue for the car wash. When you enter, you circle to the left and come through the wash and come out the other side. When you exit, you can leave either Old William Penn or Route 22, or you can circle into the vacuum spaces. There are 9 vacuum sites close to the building and 4 additional vacuum spaces along with William Penn Highway. WetGo car wash is also proposing a connection into the GetGo site, so you don't have to go out onto the highway if you want to use both facilities. Mr. Morrison suggested taking a look at eliminating both of the accesses from Old William Penn since there would have access through the GetGo.

Mr. Mitall asked if there's been any thought of a lot consolidation between the two parcels. Mr. Lee stated there was a lot of internal discussion with the accountants and the attorneys and they would like to keep the uses as separate as possible.

Mr. Lee stated that it will be a few months before they submit their full application.

**Other Business:** None

**Adjournment:** Ms. Hoy moved to adjourn at 8:50 p.m. Mr. Patrick seconded. All members voted aye. Motion Approved: 5 - 0 .