
Minutes of the Borough Council Zelienople, PA

8/9/2021

6:30 PM Council-Public Hearing

MasterID:

701

The August 9, 2021 Public Hearing of the Zelienople Borough Council was called to order at 6:30 PM, as advertised, by Council President Allen Bayer in the Council Chambers located at 111 W New Castle St., Zelienople, PA 16063 and was handed over to Mr. Bill Sittig, Legal Counsel, to conduct the hearing. This meeting was held in a limited in-person environment as well as remotely through the WebEx technology due to the coronavirus pandemic situation and to comply with the Governors order to limit in person public meetings. It still complied with all rules of advertisement and the public had access to the meeting and was able to participate. The purpose of the hearing is to receive public comment on a proposed ordinance that will amend the Zoning Ordinance of Zelienople Borough, Ordinance No. 779, to establish a Village Residential District as advertised. In-person attendance were Council Members Allen Bayer, Andrew Mathew III, Mary Hess, Gregg Semel, Marietta Reeb, Doug Foyle, Ralph Geis, and Mayor Tom Oliverio.

Also, in attendance were Borough Manager Donald Pepe, Police Chief James Miller, Solicitor Bonnie Brimmeier, Solicitor Bill Sittig, and Borough Engineer Tom Thompson.

VISITORS

In Person were Steven Green, Maria Hutchison, Jim Holcomb, James Hulings, Michelle Gibbs, Jeff Gibbs, Toni Baldwin, Maxine Gant, Nick DeSanzo, Sylvia Benedum, Bill Springer, Cathy Baker, Frank Baker, Marilyn Evans, Joann Osele, Jerry Osele, Rich Yurocko, Cecilia Yurocko, Debbie Corridon, Tony Corridon, Donna Statzer, Lynn Mooney, Ross Watko, David Marchese, Terry Sabo, Tom Nesbitt, Bob Budny, Bob Mignanelli, Bob Francis, Dennis States, Clinton Snedeko, Dennis McCormick, Jim Kappcler, Emerson Frederick, Rick Eiler, Christine Patton, William White, Margaax Khosraviani, Nathan Lloyd, Tim Kenney, Jeff Peters, Erica Peters, Jerry Maharg, Jan Maharg, Brian Beighey, Jesse Hogan, Kristen Hogan, Steven Grabowski, Marsha Grabowski, Brad Hogan, Shirley Orth, Kimberley Boyd, Steve Schoppe, Eric Fabritius, Dan Fritz, John Motzl, Frank Baker, Dan Fritch, James McCall, Holly Inman, Dan Greson, Bruce Knocchel, Cindy Knocchel, Joe Rizzi, Shannon Mick, Stephen Mick, Chuck Hos, Paul Hanson, CK Schmidt, Philip Jandrokovic, and Charles Hallquist

Remotely were Bob Gazdeacko, Marilyn Evans, Joanne, M. Christian, Dan Karns, DL Marchese

The following pages are a transcript of this public hearing and are hereby incorporated as the official minutes of the proceeding.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BOROUGH OF ZELIENOPE
BUTLER COUNTY, PENNSYLVANIA

IN RE: :
:
PROPOSED ORDINANCE #878-21 :

PROCEEDINGS
(Public Hearing)

Held Before
Zelienople Borough Council:

Allen Bayer
Andrew Mathew, III
Douglas Foyle
Marietta Reeb
Gregg Semel
Ralph E. Geis
Mary Hess

Zelienople Municipal Building
111 W. New Castle Street
Zelienople, PA 16063

August 9, 2021
6:30 p.m.

* * *
Cheryl B. Eckstein
Official Court Reporter
* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

Zelienople Borough
Council Solicitor: William R. Sittig, Jr., Esq.

Solicitor: Bonnie Brimmeier, Esq.

Also Present:

(For Borough of Zelienople:)
Thomas Oliverio, Mayor
Donald C. Pepe, Manager
Tom Thompson, Engineer
Police Chief James Miller

* * *

P R O C E E D I N G S

August 9, 2021
Borough of Zelienople
Zelienople Municipal Building
Zelienople, Pennsylvania
6:30 p.m.

- - -

MR. PEPE: Welcome, everyone. As you know, council is here. Everybody's council name is on the table. Tom Thompson, our engineer on the end; Chief Miller; one of our attorneys, Bill Sittig; and, of course, our solicitor, Bonnie Brimmeier is here. And I'm Don Pepe.

Let me just give you a couple of points to tell you what this is and what it's not. Okay. What it's not is, it's not a consideration of a particular development or council having anything before them to approve or disapprove a development that's been presented to us because we do not have a development presented to us. There may have been some misunderstanding in terms of what this was this evening and there is no development proposal that is before us for consideration at this point.

What it is is a public hearing to review and get public comment on a proposed ordinance that would allow for development to replace the P.R.D. Ordinance, the Planned Residential Development Ordinance, that was

1 removed and revoked two or three, two and a half months
2 ago because the Borough, we felt that it was flawed and
3 that it would have created problems for the public
4 overall.

5 That being said, we replaced it with what we had
6 advertised and what's online. There was some copies out
7 there as well. I hope you had the opportunity to read
8 that proposed ordinance because that's really what is
9 under consideration for tonight for public comment.

10 Okay. I'm going to hand it over to Mr. Sittig to
11 be able to actually conduct the hearing itself. We are
12 going to go about an hour, but if we need to go longer
13 than that, we will go longer than that, but we will get
14 it to another date so this way we would all have enough
15 time to be able to do that. The reason for that is we
16 have council meeting at 7:30 and we would like to be
17 able to continue with that council meeting on time.

18 But thank you very much for coming. It's
19 appreciated that people are interested in what we're
20 doing. It's also necessary that we receive your
21 comments and get your opinions about what is on the
22 table. So, with that, I'm going to hand it over to
23 Bill.

24 MR. SITTIG: Good evening. I'm Bill Sittig.
25 I've been working with the Borough throughout the time

1 when the first Glade Run proposals came up and we looked
2 at the P.R.D. Ordinance and I think it was universally
3 decided that that ordinance wasn't really a good
4 ordinance for the Borough. So, since that time, the
5 Borough staff has been working internally getting
6 feedback from the developer, getting feedback from the
7 county planning agency, getting feedback from the
8 planning commission, and that's the draft ordinance
9 that's before you tonight. And, as Don mentioned, it's
10 a draft.

11 What this is all about is getting comments.
12 Counsel is not going to vote tonight. Nor is this going
13 to be approved or disapproved tonight. This is a
14 comment period, so we're going to start that. And, as
15 Don mentioned, the council has only allocated an hour
16 tonight. There are a lot of folks here that took time
17 out. We're going to try to get as many people as we
18 can.

19 If you could please limit your comments and if you
20 could, what we have found is when you start repeating
21 what somebody else with a similar position has said, you
22 can say, you know, I just want to adopt. You know. I
23 just want to say, I don't want to repeat it, but I agree
24 with and that will keep it shorter and we get
25 everybody's comments. So, we just want to get all the

1 comments. We just don't want a lot of repetition. We
2 understand there's a lot of people with the same
3 concerns.

4 So, with that, is there a list? We're getting it
5 now. Okay. Does anybody know who's first on the list?
6 All right. You can step up.

7 BRIAN BEIGHEY: I think I was first on the
8 list.

9 MR. SITTIG: Okay.

10 BRIAN BEIGHEY: If I'm wrong, you can tell me
11 to sit down.

12 MR. SITTIG: If everybody could please state
13 their name and their property address please.

14 BRIAN BEIGHEY: Sure.

15 MR. SITTIG: This is a legislative matter.
16 It's a public hearing under the code, but it's not
17 testimony. There's not cross-examination. It's a
18 legislative session, so it's a free-for-all. Basically,
19 it is democracy in action.

20 BRIAN BEIGHEY: So, I don't have to address
21 anybody as Your Honor or anything like that?

22 MR. SITTIG: No. All we have to do is be
23 civil.

24 BRIAN BEIGHEY: Okay. Brian Beighey and my
25 address is 2070 Route 68, Zelienople. I have spoken

1 here before and told you before I'm one of the people
2 that lives in Beaver County but have a Zelienople
3 address, so the back of my property abuts you against
4 the Glade Run property. And so that's one of the
5 reasons that I'm here with some interest as far as my
6 property line goes.

7 I'm also a business owner in the town. We employ
8 about 20 people in Zelienople and a property owner. We
9 have a couple of tenants on Main Street. So, several
10 different interests. And I'm the fourth generation
11 living in the Zelienople/Harmony area.

12 So, I want to start off by saying I was here
13 before at the meeting where you removed the P.R.D., the
14 previous one, and I want to applaud that because I agree
15 with you all that I think that that was insufficient and
16 that was good to remove that. And so with that, I think
17 that we all can say that we have a shared interest in
18 seeing something that is the best for the town, the best
19 possible outcome for the town as a whole in the Borough.
20 And with that, I do have a couple of questions that
21 reading through the ordinance come to mind.

22 First of all, you partially answered that and the
23 first question I have is overall process of this
24 ordinance and the adoption of it and specific to timing
25 and additional opportunities for public comment, how the

1 public, how the public comments are taken into
2 consideration, additional drafts, that sort of thing.
3 So, to the process of this ordinance would be my first
4 question.

5 MR. SITTIG: Yeah. So, hopefully through
6 hearing through the public, through the developer, and
7 then council deciding the matter of the ordinance, the
8 idea is to get that in as diligently as we can. You
9 have a land owner. Everybody needs some certainty, but
10 there's not a fixed time frame. I think council, we're
11 just going to try to move diligently and do the best job
12 we can.

13 One of the things that I wanted to impress upon
14 council is we may get to something that's not perfect at
15 all. We have don't have a development in front of us by
16 the way, so there's nothing to test it against. So,
17 when somebody comes in and it could be amended from
18 there, so it doesn't necessarily have to be perfect, but
19 we want to get as close as we can based on this input
20 that we can.

21 MR. PEPE: I would also like to add, if I
22 can, if there's any substantial change to the draft,
23 then it's going to go back to the Planning Commission
24 for additional review because they're an intricate part
25 of the whole process. At that particular point, then

1 they would come back with they have changes and advise
2 council accordingly.

3 BRIAN BEIGHEY: Okay. And so within that
4 process of back and forth and additional public comment,
5 in what way is the public notified that a draft is then
6 going to be finalized and sent for vote?

7 MR. PEPE: That would be, that would be
8 through our normal legislative process. All of our
9 agendas are online and everything is handled in that
10 particular regard. It will be locally. It will be
11 advertised appropriately.

12 BRIAN BEIGHEY: Okay. So, it would be
13 advertised that a vote would be occurring on this?

14 MR. PEPE: That's correct.

15 BRIAN BEIGHEY: Draft or final draft or
16 whatever you're going to call that?

17 MR. PEPE: That's correct.

18 BRIAN BEIGHEY: Okay. So, I have another
19 general question and then some more specific ones.
20 What, as far as the council is considered, what do you
21 believe is the overall goal in bringing benefit to
22 Zellenople Borough with this ordinance?

23 MR. SITTING: I just want to say this is a
24 comment period. Council is free to do whatever you
25 want, but the idea really is to get views from all

1 constituents as to this drafting comments.

2 BRIAN BEIGHEY: Okay. I'm not sure what --

3 MR. SITTING: It's up to council.

4 BRIAN BEIGHEY: Does that mean there's no
5 questions? Is that what you mean?

6 MR. SITTING: Yeah, we do. And council can do
7 however you want, but if it becomes, first of all,
8 you're asking individual council members their view on
9 it, so we almost have to do a poll.

10 BRIAN BEIGHEY: Forgive me then if I wasn't
11 clear. I guess not to the individual but to the overall
12 goal.

13 MR. PEPE: I'll be glad to answer that
14 question. 7

15 BRIAN BEIGHEY: Sure.

16 MR. PEPE: The Borough, any municipality is
17 responsible to have a legitimate zoning ordinance that
18 would allow for development, any development, that might
19 be coming before us. This ordinance is to replace the
20 one that, you know, that you mentioned was removed
21 because that was, we felt it was flawed. We have an
22 obligation to not only the public who lives here but to
23 the public who could live here with development to have
24 a legitimate ordinance that is going to be to the best
25 benefit of people that are here and people who may be

1 here later. So, that's really the goal is that we can't
2 not because if we don't, then we'll be open for legal
3 action if we don't have, you know, an appropriate
4 ordinance to allow for any development, any legitimate
5 development, to take placement. That's the reason why.

6 BRIAN BEIGHEY: Okay.

7 MR. SITTIG: The overall framework is that
8 there's a balancing. Glade Run as I've come to know by
9 getting to know the town and, you know, the various
10 people who are involved, is a very important valuable
11 member of the community. So, it's important to them and
12 their viability that there be a framework that is
13 feasibly developed that's reasonable in the market place
14 and staff went to great length to look at product that's
15 in the area, surrounding communities, and, you know, got
16 feedback from a potential developer of the site. So,
17 that's it.

18 And then we try to consider all the impacts, you
19 know, what's that going to do to the neighbors. So,
20 that was trying to be fair to all balance so that Glade
21 Run and the developer can feasibly do it and balance it
22 against the impacts to the community.

23 MR. PEPE: Bill is right about balance. We
24 have an obligation to people who own property, you
25 included, to do what your property was going to be the

1 best for you based upon whatever restrictions and
2 ordinances apply. So, if somebody owns property, they
3 have the obligation or they have the right to do with
4 that property as they can as long as it, first, within
5 the ordinance. We have the obligation to make that
6 ordinance.

7 BRIAN BEIGHEY: Okay. I appreciate that
8 answer. Okay. Just a couple specific comments and then
9 I'll be done. And this is to a very specific section
10 within the ordinance, the proposed ordinance. Section
11 8.C. listed it right 15,000 square feet or 0.37 acres
12 for a recreation area. I'm calling it a recreation
13 area. I don't know what the exact wording is, but a
14 very specific square footage amount which equates to
15 about a third of an acre.

16 My comment to that is, it seems extremely small
17 for 250 acre area potential development to one-third of
18 an acre being set aside for park or gazebo or something
19 like that. So, my comment to that would be, I would
20 urge the Planning Commission and the council to look to
21 increase that or to put some limitation on that to say
22 that it's, you know, that amount of area per a certain
23 number of acreage, 10 acres, 20 acres, something like
24 that because if you just compare the 2.3 acres to
25 250 acres, it seems miniscule. You know. It's

1 basically the size or just over the size of one of the
2 single family home development lots, so that would be a
3 specific comment.

4 MR. PEPE: Tom, is there any comment to that?

5 MR. THOMPSON: Yes. The actual requirement
6 for open space is 30 percent of the total area.

7 BRIAN BEIGHEY: Right.

8 MR. THOMPSON: So, that is the intent of the
9 ordinance. It was specific only to have this particular
10 parkland be 15 acres. But, again, the balance of that
11 requirement would be through other parts or other types
12 of facilities that would be open.

13 BRIAN BEIGHEY: Yeah. And I do see that. I
14 guess in my thought process, the way that that specific
15 section was being written says that it needs to be
16 centrally located with access from all the community
17 around. So, just thinking ahead to a development that
18 is that large, if the specific purpose of that is for
19 all the members of that surrounding community to have
20 access to it, just would seem to me, again, public
21 comment, it would seem to me to make it larger so that
22 it really is something that's usable for all the people
23 in that 250 acres.

24 MR. PEPE: Okay. Thank you.

25 BRIAN BEIGHEY: Another comment was to the

1 percentage of different types of housing that is written
2 within the ordinance. 30 percent here. 30 percent
3 there. I think the minimum said 65 percent of single
4 family detached homes. I think that was the minimum
5 that's written in there. So, my comment, so that is
6 just, and again, it's a question. So, we need to format
7 it differently. I'm not sure. But my question is,
8 what's the motivation behind those percentages and those
9 various, putting numbers to those various types of
10 housing within the ordinance?

11 MR. SITTING: It's really the same analysis
12 that it was, looking at what's worked in these, not just
13 traditional single family home neighborhoods, which is
14 more the normal now, while wanting to emphasize that, to
15 allow for the flexibility multi generational housing,
16 looking at neighbors in the area, talking to various
17 developers, not just Glade Run. Again, it's that
18 balancing where there's a little bit of a mixed housing.
19 And you have to consider that the expectation was coming
20 from that P.R.D. which is really heavily on to high
21 density, even apartment dwellings. So, again, it's part
22 of that balancing.

23 MR. PEPE: Tom.

24 MR. THOMPSON: I would agree with that.

25 Again, the intent was somebody could put a development

1 in that had a hundred percent single family homes or
2 village homes, but the maximum percentage would be
3 30 percent for other types of duplexes, townhouses, just
4 to restrict those numbers so that it wasn't a hundred
5 percent townhouses or something like that. It was moved
6 back to 30 percent.

7 MR. PEPE: So, that was actually to restrict
8 density; correct?

9 MR. THOMPSON: Correct.

10 MR. SITTIG: And to take into account there
11 is a 200 acre site, so there's some areas that are
12 easier to develop and some are more remote. So,
13 practically speaking, you don't want to leave a
14 developer where there is a large piece of that site that
15 is overly expensive to develop. That's kind of what we
16 got some feedback based on the topography and
17 infrastructure. There's going to be some need for some
18 concentration.

19 BRIAN BEIGHEY: As a citizen for public
20 comment to that, I would just, you know. The developer
21 has their comment on that and I hear what you are saying
22 as a balance. My comment to that, again, somebody who's
23 been in the town for four generations, do you have a
24 more transient population with townhouses or duplexes or
25 triplexes? And to me, I don't see the benefit to our

1 town, as much of a benefit if you have a more transient
2 population. So, that's my comment to that.

3 MR. SITTIG: You would like to see a hundred
4 percent.

5 BRIAN BEIGHEY: Ideally, yes, I would. And
6 the last is a question and I want to be very sensitive
7 with this and this is my final question and comment. I
8 want to be sensitive to this and so I'll just blurt the
9 question out and then make some qualifiers and that is,
10 is there anything within this ordinance that will
11 prevent a developer from putting in HUD housing or
12 government housing in the development?

13 MR. SITTIG: No. And we couldn't do that.
14 That's against the Fair Housing Act.

15 BRIAN BEIGHEY: Okay. All right. Thank you.

16 MR. PEPE: Thank you.

17 MR. SITTIG: Kim Boyd.

18 KIM BOYD: I'm Kim Boyd. I live in the
19 Timberbrook plan. I had a question, some questions, on
20 Exhibit A under permitted uses. What is the difference
21 between a single family detached dwelling and a village
22 single family detached dwelling?

23 MR. THOMPSON: So, the village detached is
24 just essentially a smaller style house on a smaller lot.
25 It still has the property which is identical to the

1 others, but it's a definition that's in there with what
2 that style of home looks like. It's more of what we
3 call a single family ranch style home.

4 KIM BOYD: And then on number I., it says
5 p-a-r-l-e and open space. Should that be park? I don't
6 know what a p-a-r-l-e is. On permitted use, it says
7 number I.

8 MR. THOMPSON: I believe that's a typo.

9 KIM BOYD: That should be park. Another
10 thing I wonder is, would this development connect some
11 of the streets into Timberbrook? Would that be allowed?

12 MR. THOMPSON: The property in question does
13 border on Timberbrook. Whether some of those existing
14 roads that were cut off as spurs would be connected I
15 guess would be determined with that development. We
16 certainly wouldn't expect all of them to be connected,
17 but we would anticipate that at least one or two could
18 be. There's no requirement for that to happen at this
19 point.

20 KIM BOYD: Why would you want to do that?

21 MR. THOMPSON: There would be a benefit to
22 the Borough to have access, alternate access, since
23 there's only one access point to Timberbrook through
24 potentially the rear lot spur that currently exists, so
25 that in the event of an emergency, personnel could

1 basically have access to the rear lots. So, that would
2 be the benefit of doing that. Other than that, there
3 will be environmental concerns that would be looked at
4 to see whether or not that would be feasible and if we
5 could fit within whatever development that comes forward
6 how they lay out their lots.

7 KIM BOYD: That Jeremiah Village, is that
8 going to have another outlet? Is it only going to have
9 one?

10 MS. HESS: It's a different plan. It's not
11 the same plan.

12 KIM BOYD: So, it doesn't come under this
13 zoning?

14 MS. HESS: No.

15 KIM BOYD: That's all I have to say.

16 MR. SITTIG: Jesse Hogan.

17 JESSE HOGAN: My name is Jesse Hogan. I live
18 at 160 Manor Drive. Much like Brian who spoke first, I
19 do not live inside the Borough but I do have a
20 Zelienople address. I grew up here, lived my entire
21 life here, except for a short period before I left --

22 MR. SITTIG: Sorry. Before you get too much,
23 how far is the property from the site?

24 JESSE HOGAN: Our family farm, which I live
25 on, borders right up against the Glade Run property.

1 MR. SITTIG: Oh, okay.

2 JESSE HOGAN: We share a property line there.

3 MR. SITTIG: It doesn't matter if you're
4 within the municipality. If you're impacted, that's who
5 we're really interested, people who are impacted. It
6 doesn't matter on the property line, municipal line.

7 JESSE HOGAN: Okay. So, like I said, I've
8 been privileged to live here in town. My sons will
9 actually be the sixth generation who's lived in this
10 town. Most of my questions kind of pertain particularly
11 to the ordinance allowing eventually a development to go
12 in and how that would increase the population of the
13 town overall.

14 I did a little research to try to figure out what
15 the current population of town is, and I believe the
16 last census, it was around 3600, a little over 3600. Is
17 there any -- have there been with the old proposed and
18 what that would allow, has there been any studies or
19 anything on what a development ordinance would allow
20 development, how much that would increase the overall
21 population of the town?

22 MR. PEPE: No, not at this time, but because
23 at this point, we don't have anything in development to
24 be able to consider.

25 JESSE HOGAN: Okay.

1 there's a maximum per acre, you know, I don't know what
2 that number is off the top of my head, but there
3 probably is that number. But what comes before us is
4 really what we need to be able to deal with and I don't
5 know what that number would be.

6 JESSE HOGAN: Okay.

7 MR. PEPE: The developer is going to have to
8 make sure that they've lived within that number.

9 JESSE HOGAN: Okay.

10 MR. SITTING: Just to give you an idea on the
11 proposed village residential ordinance, looking at
12 having, you know, 6.3 maximum single family per acre,
13 and under the P.R.D. would have been 9.1. So, and under
14 the standard, under the standard R-1, you had the P.R.D.
15 that was there anyway. But, you know, we're looking at,
16 you know, 6.3. So, it's somewhere between that four and
17 six, just a standard R-1. The six of a little bit mixed
18 density that we're looking at now and the nine under the
19 P.R.D. So, again, it's that balancing little more than
20 just the flat out R-1, but not anywhere near what the
21 P.R.D. allowed.

22 JESSE HOGAN: Okay. That was actually kind
23 of along one of my next questions and maybe some
24 clarification on this. Looking at the previous P.R.D.
25 and what the proposed ordinance is, it seems that the

1 units per acre for the different types of housing have
2 increased. Am I misreading that?

3 MR. PEPE: Yeah.

4 MR. SITTIG: Yeah.

5 JESSE HOGAN: Okay.

6 MR. PEPE: Tom, do you want to direct him?

7 MR. THOMPSON: They're actually decreasing
8 from the overall P.R.D. that was originally in place, so
9 there's a pretty significant decrease in the overall
10 density based on that.

11 JESSE HOGAN: Maybe I'll have to reread that,
12 go over it again. Couple other just kind of more of a
13 general question just with the ordinance. Has there
14 been any like sampling of the community, the residents
15 who live here currently, on specifically this ordinance
16 and what it would bring or is it just --

17 MR. PEPE: That's what tonight is.

18 JESSE HOGAN: Other than tonight, there's
19 been no other efforts to say, hey, could be changes, you
20 know, in conjunction with this ordinance? This is
21 pretty much it?

22 MR. PEPE: Yeah. The public hearing process
23 is what the law requires us to be able to do for that.
24 Sure.

25 JESSE HOGAN: Okay.

1 MR. PEPE: And that's why we were encouraging
2 people to be able to give us that input.

3 MR. SITTING: There have been no hearings
4 advertised, but there's been input at the Planning
5 Commission.

6 JESSE HOGAN: Okay.

7 MR. SITTING: But not on this level.

8 JESSE HOGAN: Just a comment kind of from my
9 perspective. It seemed kind of like the knowledge of
10 this ordinance wasn't -- I know it was put up on the
11 Borough website, but it seems like it maybe could have
12 been put out there more to the current citizens about
13 what changes this would bring because a lot of people I
14 talked to personally, not people that even know, just
15 people on the street didn't seem to even know about this
16 ordinance specifically.

17 MR. PEPE: What would you suggest?

18 JESSE HOGAN: I would think like in today's,
19 you know, today's age, information can be pushed out
20 very easily and very efficiently, so.

21 MR. PEPE: We put it on Facebook and in our
22 website, so I'm not sure. What else would you do?

23 JESSE HOGAN: Okay.

24 MR. PEPE: We did.

25 JESSE HOGAN: Is there any other method that

1 you could alert the people to that to get them to go
2 look for this? Or is it just kind of word of mouth? To
3 me, it just seemed like you had to have either talked to
4 somebody who knew about it or kind of stumble across it.
5 Just happen to be on the Borough page and see it.

6 MR. SITTIG: I just think there's a basic.
7 This is sort of the beginning of the process. It's not
8 the end.

9 JESSE HOGAN: Okay.

10 MR. SITTIG: So, there was all of this input
11 given for a draft and that's where we are now. Now we
12 get to say, hey, here's what we have. We have
13 collectively come up with. Let's see how everybody
14 feels about it.

15 So, you're making it sound like it was done and
16 then now it's just going to be approved or something.
17 But no. It had to sort of evolve to this point and now
18 you can say here's what we're thinking and here's why.
19 Like the questions you asked tonight. And so, it's not
20 anywhere near the end of the process. That's all.
21 That's how this process is set up that the public would
22 have a draft now.

23 JESSE HOGAN: Okay.

24 MR. PEPE: And I'm open to suggestions. I
25 mean, we do more than the bare minimum of legal

1 requirements. We do.

2 JESSE HOGAN: Okay.

3 MR. PEPE: Because that's just what we've
4 always done. But I'm open to suggestions.

5 JESSE HOGAN: Okay. One thing that we did
6 was a few of us actually were just asking people if they
7 were even aware, kind of getting some whether they would
8 be for a development or against didn't really matter,
9 but just to make people aware and just seemed, just as a
10 comment, seemed concerning to me that a lot of people
11 were very unaware of what was going on. So, I would
12 think, you know.

13 MR. PEPE: That's not unexpected. I'll be
14 very honest, but.

15 JESSE HOGAN: Okay. So, there's not really a
16 lot of concern necessarily to try to fix that and make
17 sure people --

18 MR. PEPE: No. I said I'm open to
19 suggestions. If there's some other suggestion how we
20 can do it, I'm certainly willing to consider that and
21 try to make it better. Sure.

22 JESSE HOGAN: Okay. Couple other questions.
23 I know this is a little bit more so the ordinance,
24 obviously, would allow, we'll be working towards the
25 development, as you mentioned. Excuse me. And one of

1 the reasons I've been told, I might be getting a little
2 ahead of the process here, but just kind of wanted to
3 hear your thoughts on this. The tax revenue from having
4 the ordinance and then allowing a development to go in,
5 that's something I've been hearing that was one of the
6 reasons to kind of work with Glade Run and the developer
7 to kind of make this happen.

8 MR. PEPE: I'm not sure I understand.

9 JESSE HOGAN: The additional tax revenue for
10 the town.

11 MR. PEPE: There's not been any concerted
12 conversation concerning tax revenue at this point. Not
13 that I'm aware of.

14 JESSE HOGAN: Okay.

15 MR. PEPE: There's always the thought you
16 have more people, there's more of a taxing issue, but
17 our property tax values, our property tax assessment is
18 relatively low here. So, I'm not sure exactly what
19 conversation you may be talking about.

20 MS. BRIMMEIER: Can I comment on that? Hi.
21 I'm the Borough solicitor. This is not a tax issue.
22 That is a land use issue and everybody is entitled to
23 develop their property within the confines of our
24 ordinance. This body's job is to make sure that we have
25 an ordinance in place that allows for land use, land

1 development and that it puts the parameters on what best
2 suits the Borough and all of its residents. So, it's
3 not a tax issue.

4 JESSE HOGAN: Okay. I guess that's pretty
5 much all I had. I appreciate the time to speak and ask
6 some questions.

7 MR. PEPE: Sure. Thank you.

8 MR. SITTING: Jeff Peters.

9 JEFF PETERS: Hi. Good evening, everybody.
10 I appreciate you letting me speak in front of you this
11 evening. My name is Jeff Peters. I live at 105 Oakdale
12 Avenue -- Oakdale Drive. I'm sorry. I'm going to start
13 my questions basically off around traffic and resources.

14 As part of this proposed ordinance and I'm going
15 to dive right into Exhibit A, Section 7.A.(2), which
16 states, street and intersections design should
17 incorporate traffic calming measures, et cetera, et
18 cetera, seemingly within the confines of any proposed
19 residence development. However, there is no mention of
20 similar traffic calming measures in the proposed
21 ordinance beyond the confines of that particular
22 development if one were to happen.

23 So, my first question to the council is, will any
24 residential development plan that does not include
25 traffic calming measures outside the residence

1 development itself be accepted, meaning we talked about
2 potential outlets, plug-ins from a new development to
3 those access roads that were cut off on the back side of
4 Timberbrook? That's all well and good. It would have
5 those extra access points to the neighborhood. But what
6 about additional access and extract points from a new
7 development that wouldn't impose themselves and add
8 traffic to our neighborhood?

9 MR. SITTING: All we can say is that
10 provision, you read it. That's what it requires. The
11 developer when it comes in, that would have to be
12 assessed on the development, but that standard is that
13 it's going to incorporate it and that doesn't say, you
14 know, outside of their property.

15 JEFF PETERS: Right. So, my follow-up
16 question to that is, could we change the proposal to
17 require that to be incorporated?

18 MR. SITTING: One of the problems --

19 JEFF PETERS: If I could finish please. More
20 specifically, would a plan be accepted that does not
21 include direct access to and from Route 19 to alleviate
22 inevitable traffic concerns?

23 MR. SITTING: That remains to be seen on the
24 plan. Certainly something in the planning that
25 everybody would like to see happen and you have to see a

1 plan and what the real challenges are or opportunities
2 are. But that would certainly be a goal.

3 With respect to off-site improvements, which I
4 started to answer, I think the first part of that
5 question, can you do it in the neighborhood or beyond
6 that? The law is very limited on being able to do
7 off-site improvements. So, mostly what you'll see are
8 improvements that are on site or abutting the site. So,
9 the Borough's going to be kind of limited to those, but
10 certainly getting to 19 is one of the goals.

11 JEFF PETERS: And has there been any thought
12 put in to how that might be achieved? Do we have a
13 route in mind that might accommodate such a path out
14 directly to 19?

15 MR. SITTING: There's no plan in front of us.

16 JEFF PETERS: Right. I understand that
17 there's no plan. But you said that, I think what I
18 heard you say is that somebody has been thinking about
19 that. I don't know if it's been a discussion in the
20 room among the council members, so I'm wondering if you
21 have something in mind. Are there opinions on how that
22 might happen?

23 MR. PEPE: I just want to say I'm not going
24 to speak for the council, but that discussion has
25 happened in terms of trying to figure what would be an

1 additional access. But there hasn't been any answer to
2 that at this particular point.

3 JEFF PETERS: So, again, not to beat a dead
4 horse here, sound like a broken record. Would it be
5 reasonable to consider putting such a provision into the
6 proposed ordinance that would force that to happen?

7 MR. PEPE: You would like to see this in this
8 proposal?

9 JEFF PETERS: Yes, sir.

10 MR. PEPE: We'll take that testimony and that
11 will be part of what we're talking about.

12 JEFF PETERS: Sorry. We took the long way
13 there.

14 MR. PEPE: That's okay.

15 JEFF PETERS: I can't help it but to feel
16 like the current traffic restrictions on Route 68 offer
17 us a glance into our crystal ball or our proverbial
18 crystal ball kind of showing us what the future holds if
19 those appropriate measures are not considered ahead of
20 time. And I think I heard you say that a population
21 study will be considered ahead of any potential land
22 development. Will the same occur with traffic patterns
23 and such? And I assume the answer is yes.

24 MR. PEPE: Absolutely, yes, yes.

25 JEFF PETERS: Very well. And as part of

1 consideration to my last question, could that also be
2 drawn up into the proposed ordinance change?

3 MR. PEPE: I think.

4 JEFF PETERS: To force a traffic study to be
5 conducted by an independent third party.

6 MR. PEPE: I don't mean to, that's already
7 part of our zoning ordinance; right?

8 JEFF PETERS: Is it?

9 MR. PEPE: It doesn't have to be part of this
10 section because it's already part of our zoning
11 ordinance that that's required.

12 JEFF PETERS: Okay. Very well. Thank you,
13 sir.

14 MR. PEPE: That's another thing. It's a
15 state highway, so PennDOT, that's an additional layer
16 that has to be considered and it has to go through the
17 PennDOT approval as well.

18 JEFF PETERS: You bring up a point that
19 prompts another question for me then. Instead of
20 connecting into the current Timberbrook plan for access
21 to a proposed development, would you be allowed to push
22 out somewhere else onto Route 68 without PennDOT's
23 approval?

24 MR. PEPE: No. If it's on 68, PennDOT has to
25 be approved.

1 MS. HESS: Can I have clarification? Are you
2 saying that this development would have to go through
3 Timberbrook to get? Is that what you're asking?

4 JEFF PETERS: I have a feeling that's what's
5 happening or could potentially happen.

6 MS. HESS: So, I think Tom should answer.
7 We're talking about all developments.

8 MR. THOMPSON: Yeah. I mean, this particular
9 zoning ordinance does affect that property. The
10 Subdivision Land Development Ordinance addresses a lot
11 of traffic study requirements irregardless of any
12 development coming into the Borough. They would have to
13 follow those. We would anticipate that there would be
14 specific roads created onto Route 68 that don't tie in
15 together with the Timberbrook plan, but we would also
16 like to see, you know, provisions so that there are some
17 roads that are connected to provide a secondary access.

18 So, we will not expect to have a primary access on
19 Timberbrook, for example, that would extend into the
20 plan. We would expect that to be a secondary access
21 point. We haven't seen a development, but that's what
22 we would expect.

23 JEFF PETERS: Right. So, let's imagine you
24 were a developer. Where would you propose primary
25 access be?

1 MR. THOMPSON: Probably not through the
2 Timberbrook plan but probably on 68 just because you
3 would want a brand new opening into a new development,
4 so.

5 JEFF PETERS: And as a council, how would we
6 address the impending traffic issues coming into town
7 off of 68 which already exist?

8 MR. THOMPSON: That would be part of a
9 traffic study that they would perform to meet the
10 requirements of PennDOT. So, PennDOT has criteria that
11 they would have to follow to generate the number of
12 trips and whether or not there's any issues with those
13 number of trips in Zelienople.

14 JEFF PETERS: So, as a man who's more of a
15 resident expert in that area than I am, would that
16 consist of traffic lights to control flow or would there
17 be more roads and bridges and avenues into town other
18 than Route 68?

19 MR. THOMPSON: That would be up to PennDOT to
20 make that determination.

21 JEFF PETERS: But you work in that space on a
22 day-to-day. I'm just asking.

23 MR. THOMPSON: It's hard to predict what
24 PennDOT would do.

25 JEFF PETERS: Fair enough. Thank you, sir.

1 Okay. On the topic of being traffic, we didn't notice
2 anything in the proposed ordinance that would require
3 sidewalks connecting the Timberbrook plan to Main Street
4 and downtown Zelienople to accommodate foot traffic to,
5 once again, alleviate some of the congestion caused by
6 more cars, more population, so on and so forth. Would
7 that potentially be a consideration for the proposal?

8 MR. SITTIG: Talking about sidewalks off
9 site?

10 JEFF PETERS: Sidewalks to connect the
11 Timberbrook plan to Main Street.

12 MR. SITTIG: No.

13 MR. PEPE: But I will tell you what we've
14 done. The new bridge that was put over, well a few
15 years ago now, that was put over that connects over to
16 Timberbrook, that bridge, that sidewalk that's on that
17 bridge was at our request from PennDOT because your
18 council's intent was to try to have Timberbrook
19 connected to Main Street through a series of sidewalks
20 on that side of the road. That's been our intent.
21 That's why that was put on the bridge. So, I'm not
22 sure. We haven't gotten as far as we would like to get
23 with that, but that's the intention.

24 JEFF PETERS: Sure. Okay. Fair enough.
25 Thank you. Of course, trickle down effect here. I'm

1 thinking about parking and wondering if we have any
2 insight into how we're going to alleviate parking
3 issues? You know. And my mind automatically goes to, I
4 mean, Thursday night open air market is a wonderful
5 thing. It's outstanding for the community and the
6 business owners. But we're kind of wondering if every
7 day and night becomes Thursday night once we have, if a
8 potential development happens behind Timberbrook. So,
9 what is the outlet to accommodate parking?

10 MR. PEPE: I don't have an answer for that
11 right this minute. We were working on trying to see
12 what we can do. My guess would become similar to a
13 victim of the success, I suppose. We're doing the best
14 we can. That's why we built the parking lot across the
15 street for three and a half million dollars. A lot of
16 it has to do with what funding is available what we can
17 and can't do.

18 JEFF PETERS: Sure.

19 MR. BAYER: We're doing the best we can. How
20 much additional parking on Main Street this development
21 would cause, I have no idea how to answer your question
22 because I don't know the answer to that. But we're
23 doing the best we can trying to be able to beef up
24 parking, not only this public but also some private
25 parking for us to allow to be able to make it a little

1 bit better. It is a problem. There's no question.
2 But, again, how this development would affect that, I
3 don't know if I can answer that.

4 JEFF PETERS: But as a group, I think we all
5 recognize it's currently a problem and inevitably going
6 to be a greater problem if we have a new housing
7 development, correct, logically speaking?

8 MR. PEPE: We recognize there's a problem.

9 JEFF PETERS: Sure.

10 MR. PEPE: And because of the success we've
11 had and we're doing the best we can.

12 JEFF PETERS: Very well. Thank you, sir.
13 Okay. The last topic I want to touch on is some of our
14 resources in the environment. And somebody on behind me
15 touched on environment just a little bit. I feel like
16 we have an obligation to ensure the town and the
17 structural needs are met, support the basic livelihood
18 of our community, the citizens, the business owners.
19 And I'm hearing you say that studies are going to be
20 conducted to affect the outcomes of some of our
21 resources.

22 So, I'm going to leave you with just a couple of
23 what were questions, but I'll try and form them as
24 comments. So, in terms of clean water supply. I'm
25 wondering if the Borough's clean water services are

1 capable of handling potential growth in a new
2 residential development.

3 MR. PEPE: The answer to that is yes. We've
4 already done that.

5 JEFF PETERS: You've already done that study.
6 Excellent. Thank you. Logically we flow right into
7 sewage. So, I guess I can answer this -- ask this in
8 the form of a question since you seem to have answers
9 prepared for these. Is the sewer treatment plants,
10 sewage pumping stations, collector sewers and conveyance
11 sewer capable of handling potential growth in the
12 surrounding area because it goes beyond our Borough? I
13 know this ties into Jackson Township and so on and so
14 forth.

15 MR. PEPE: Sure. Good question.

16 JEFF PETERS: Are we able to accommodate
17 that? And the reason I ask that question is because
18 this is just scuttlebutt I'm hearing through the rumor
19 mill, but we're already having some challenges in that
20 area.

21 MR. PEPE: No. WBCA has already indicated to
22 us they have the capacity for this development.

23 JEFF PETERS: And when they say that they
24 have the capacity, what capacity are we speaking of?

25 MR. PEPE: Ability to treat the sewage that

1 would come from the number of possible homes that could
2 be there, yeah.

3 JEFF PETERS: Do we have an idea what the
4 number of possible homes would be?

5 MR. PEPE: I don't know that off the top of
6 my head. That is a WBCA question I can't possibly
7 answer right now.

8 JEFF PETERS: Who poses the question to them?

9 MR. PEPE: When the development comes in, the
10 developer has to be able to get the approval from WBCA
11 in order to make that development happen.

12 JEFF PETERS: Before they can provide you
13 with a plan?

14 MS. HESS: You have to get tap-in fees.

15 JEFF PETERS: So, that happens before you
16 ever see a plan?

17 MR. PEPE: Is that how it works, Tom?

18 MR. THOMPSON: As a part of their plan, they
19 need to provide a letter indicating the service is
20 available.

21 JEFF PETERS: Right. So, I guess coming full
22 circle then. How does WBCA know what they're
23 accommodating if council doesn't know?

24 MR. PEPE: Because the developer has to
25 submit their plan to the WBCA.

1 JEFF PETERS: Not through our council though?

2 MR. PEPE: The property is done at the same
3 time. Pretty much at the same time.

4 JEFF PETERS: Okay. Fair enough. Okay. And
5 environmental. Specifically, you know residential
6 developments have long been linked to a variety of
7 issues. You know some of the things that I did
8 throughout my research were find a pollution due to
9 heavy equipment, additional cars, increased population,
10 runoff in general, as well as water pollution due to
11 runoff containing contaminants resulting from
12 construction. Of course, there's also an abundance of
13 risk due to flooding due to the water drainage pattern
14 changes.

15 And, of course, near and dear to me is loss of
16 wildlife and their habitats. Not looking for a response
17 to a question. I don't think there was even a question
18 in there. Just trying to raise some awareness around
19 that. Get that on the record and hope that it's taken
20 into consideration.

21 Emergency services. That's another thing that I
22 think about when I think about resources and how we're
23 going to accommodate a resident, you know, for an
24 additional residential development or potential
25 development. How do we accommodate community growth and

1 how much does emergency services accommodate community
2 growth? How do we beef up our police force, our fire
3 stations, our emergency services? Are we prepared to up
4 the ante on those resource needs? And who's going to
5 pay for those resource needs when and if a development
6 goes in?

7 MR. MATHEW: I can answer on fire. I used to
8 be fire chief here. About five years ago, we merged the
9 fire departments together, so the fire department now
10 takes care of Lancaster, Harmony, Zelig and Jackson.
11 And we've been able to accommodate all of Jackson's
12 development, all of Lancaster's development and we are
13 going to be building a brand new fire station on Main
14 Street, Zelig, at the Hockenberg property. It will be
15 state of the art, so it will actually be close for
16 Zelig, you know, the surrounding. We'll be able to get
17 there by 19, 79, wherever we go. So, that there's no
18 problem with that.

19 JEFF PETERS: So, we won't be spread thin;
20 right?

21 MR. MATHEW: No.

22 JEFF PETERS: How does the upkeep and the
23 resources, who funds that? Is that a taxpayer funding?

24 MR. MATHEW: Yeah. It hits on taxes. Right
25 now you're paying two mill tax. The fire department

1 always asks for another millage where they're by law,
2 they're allowed to have three mills from all of you, all
3 municipality. Everybody pays the same.

4 JEFF PETERS: So, are we anticipating an
5 increase ahead of any potential development?

6 MR. MATHEW: We already were. One time we
7 were at three mills. When we merged, we dropped back to
8 two mills.

9 JEFF PETERS: It dropped to two.

10 MR. MATHEW: So, now the fire department is
11 asking for three. All the surrounding, us and all the
12 surrounding.

13 JEFF PETERS: Very well. Thank you, sir.
14 All right. My last comment. Schools. Over population
15 inevitably leads to over population in school which
16 decreases the quality of education, results in the need
17 for larger schools, additional teachers and support
18 staff, funding and so on. How do we accommodate our
19 school system?

20 MR. PEPE: I really don't know how to answer
21 that question because, I mean, we're not the school
22 district. I'm not trying to pass the buck, but I can't
23 answer that question. What they do in the planning in
24 terms of what currently exists and what potentially can
25 exist, they're going to have to answer that question.

1 MR. SITTIG: As part of this process, too,
2 they're getting notice and if they want to weigh in, and
3 it does happen in communities with larger scale
4 developments, so.

5 JEFF PETERS: Right.

6 MR. SITTIG: Hopefully we'll hear from them.

7 MR. MATHEW: Something I can tell you there.
8 I think our little piece of property, it's little
9 compared to what Cranberry is building out there and all
10 those kids go in Cranberry go to Seneca Valley School
11 District. So, our little piece of the pie is small
12 compared to what their developments are. Just look at
13 the Meeter Plan.

14 JEFF PETERS: Right, right. I hear what
15 you're saying, sir. And that's my concern is that we
16 turn into Cranberry and then we've got a bigger problem
17 on our hands.

18 MS. BRIMMEIER: I feel the need to remind
19 everybody this Board can not prohibit any piece of
20 property from being developed, so I just want --

21 JEFF PETERS: You can influence.

22 MS. BRIMMEIER: I just want to make sure and
23 they are absolutely dedicated to making sure that we get
24 the best quality development that we can get without the
25 ability to prohibit development.

1 JEFF PETERS: Yes, ma'am. And I think all of
2 us here are probably in agreement that we're not going
3 to prohibit anything from being built. We're just
4 trying to have a positive impact as a community any way
5 we can.

6 MR. PEPE: Sure.

7 JEFF PETERS: If I can piggyback off
8 something you said. You said you're hoping they come to
9 the table. Is there any way the council can use its
10 influence to bring them to the table?

11 MR. SITTING: That's not usually how. I'm
12 just, it was a surprise to me whenever I got involved in
13 the area of land development. Believe it or not, that's
14 not how it really works. I think the constituents
15 actually have a better chance of having some influence
16 on the school board.

17 JEFF PETERS: Okay. Very well. I think
18 that's all I have. Thank you, everybody. I appreciate
19 your time.

20 MR. SITTING: Jan Maharg.

21 UNIDENTIFIED SPEAKER: She went to the
22 restroom, I think.

23 MR. SITTING: Jan. How about Jerry?

24 JERRY MAHARG: Okay. I'm Jerry Maharg. 143
25 Oakdale Drive, Zelienople. A lot my questions got

1 answered early on. But the one thing that keeps coming
2 up is how many? What's the maximum possible homes can
3 they build on this property giving what the proposed
4 ordinance is? There has to be a magic number there how
5 many they can put on there based on how many foot per
6 acre, the percentage of them.

7 Has anybody figured it out yet that know what the
8 possible growth and population could be? I know it's
9 only an estimate. I think we need to know that number
10 because we're guessing because there's -- I know the
11 other thing, question was, has the developer, have they
12 been part of these proposed zoning changes at all? You
13 kind of eluded to that they are part of these changes.

14 MR. SITTIG: So, part of the folks talking
15 about the public hearing part of this, there have been
16 numbers of public hearings on the P.R.D. and the repeal
17 of the P.R.D. and the other Glade Run development,
18 Jeremiah Village. So, there have been a series of
19 public meetings and hearings all very proximate to a lot
20 of these neighbors. So, you would have seen that
21 there's been ongoing dialogue with Glade Run on
22 everything.

23 So, there haven't been, you know, back and forth
24 with developers or specifics. It's generically how
25 would the land flow, how it would be laid out, kind of

1 gives us comments. We've got their comments on a draft.
2 We may hear from the developer. I think, you know,
3 you'll hear some things that they're not pleased with.

4 JERRY MAHARG: I'm sure.

5 MR. SITTING: So, but it hasn't been in the
6 sense of we've seen a plan, we've given comments to a
7 plan. It's just very sort of generic.

8 JERRY MAHARG: Yeah. And from the last time
9 I was here when you took out the Section 12 from the
10 planned housing development, which I think it's still on
11 the website in the zoning, it hasn't been taken out yet.

12 MR. PEPE: I'll have to check that. Thank
13 you.

14 JERRY MAHARG: Because that's kind of
15 confusing.

16 MR. PEPE: Yeah.

17 JERRY MAHARG: Once this zoning, and I'm not
18 saying it's going to be the way it is, but once it's in
19 place, you can't stop the builder from building anything
20 within what that zoning is, what's stated in that
21 zoning; is that correct?

22 MR. SITTING: Yeah. It basically sets the
23 framework. Sure.

24 JERRY MAHARG: So, they can put the maximum
25 amount of houses in that they want to, nothing to stop

1 them. There's no control on that; right?

2 MR. SITTIG: Yeah. I think that's how
3 collectively everybody's looked at it as ceilings. What
4 are the ceilings of density. We have maximum units per
5 acre. We know how many acres, how much lot area, so it
6 was all considered within that context.

7 JERRY MAHARG: So, no idea? Nobody has an
8 idea of potential growth given? Nobody figured that
9 out?

10 MR. SITTIG: No, we do.

11 JERRY MAHARG: How many?

12 MR. PEPE: It says what the maximum is.

13 JERRY MAHARG: How many houses? How many
14 houses?

15 MR. SITTIG: So, there's various unit types,
16 but depending on 7,000, 10,000 square foot lot areas,
17 there's either four point in a single family, and
18 there's flexibility. So, it could be a hundred percent
19 of those or two could be.

20 JERRY MAHARG: If they choose the maximum, if
21 they choose the maximum, given what they can build with
22 free space and everything, is there a number there that
23 anybody come up with?

24 MR. SITTIG: Yeah. Basic, the highest
25 density would be 6.3 units per acre. So, times that by

1 what the acreage is.

2 JERRY MAHARG: But what acreage? What are
3 you talking about because there has to be free space,
4 there has to be places they can't build roads?

5 MR. SITTIG: That takes into account all of
6 those factors. That's the maximum density.

7 MS. HESS: Keep in mind that there is some
8 very steep hillside, considerable amount of hillside in
9 there that would be difficult to build on.

10 JERRY MAHARG: But there's no guessing
11 because I think that's what a lot of people are
12 concerned about how many people. I mean, is that going
13 to increase the population by two thousand or, you know?
14 Is that an estimate based on how many children they
15 have? We don't know that; right?

16 MR. SITTIG: No. I just gave you those
17 density requirements.

18 JERRY MAHARG: Numbers.

19 MR. SITTIG: Numbers of?

20 JERRY MAHARG: How many maximum units can be
21 put on the property?

22 MR. PEPE: He just told you the maximum
23 units. I don't know how many people would live there,
24 but that's the maximum units.

25 JERRY MAHARG: Per acre he did.

1 MR. PEPE: Yeah.

2 JERRY MAHARG: So, how many acres to develop?
3 We don't know that; right?

4 MR. PEPE: Well, it's a 250 acre development,
5 but taking out all the other green spaces, what Bill
6 told you, they can put in, what is it? 6.3?

7 MR. SITTIG: 6.3 maximum.

8 MR. PEPE: 6.3 maximum per units, so I don't
9 know how many people will live in them.

10 JERRY MAHARG: So, what's the number? What is
11 the total?

12 MR. SITTIG: It's roughly like 1500.

13 JERRY MAHARG: 1500. Potential 1500 homes if
14 they max. That's a lot of. I think people need to
15 understand that.

16 UNIDENTIFIED SPEAKER: Could you repeat the
17 answer? We couldn't hear back here.

18 MR. FOYLE: That's not including roads.
19 Roads are going to take up space; correct?

20 MR. PEPE: Sure.

21 JERRY MAHARG: So, that's what I'm trying to
22 find out, I guess.

23 MR. FOYLE: We don't know.

24 JERRY MAHARG: Okay.

25 MR. SITTIG: But if you just take the maximum

1 density of the maximum type and put it over every square
2 inch of the site as developable, you can get in the
3 neighborhood of 1500 homes.

4 JERRY MAHARG: So, I'll drop that because I
5 understand it's a difficult number. I was hoping to get
6 a number because that came up several times during the
7 conversation and nobody knows that number.

8 JEFF PETERS: Double our population. Best
9 case, we're doubling our population.

10 JERRY MAHARG: Yes, it would double the
11 population in Zelienople. The same thing. So, if you
12 go to the sewer authority and say can you handle this
13 development, they say, yeah, you'll know a number to
14 give them. How would that not answer that question?

15 MR. PEPE: They did do it by E.D.U.s. by the
16 household. That's how.

17 JERRY MAHARG: So, 1500 households is what
18 they use for an estimate?

19 MR. PEPE: I don't know what they used
20 because I didn't compute that number, so I don't know
21 the answer to that.

22 JERRY MAHARG: Does anybody know what they
23 used, about what they used?

24 MR. SITTING: It was based on this analysis.
25 I don't know what you're specifically asking, but this

1 development can be --

2 MR. PEPE: I'm not trying to evade the
3 question, but until there's a plan in front of us that
4 we can see what it is they're proposing, I don't know
5 that I can answer your question, to be honest, but.

6 JERRY MAHARG: I was just hoping for a guess.

7 MR. PEPE: I'm not going to give you one.

8 JERRY MAHARG: If you look at when you talk
9 about traffic, if you look at the traffic in Zelienople,
10 it's terrible. And I don't know how. I don't know how
11 we'll fix that to make traffic better. You battle on
12 68. You battle on 19. It seems like this might be
13 getting a little bit ahead of what the town is able to
14 manage in the way of people, residents. I think that's
15 my concern and many other people's concern. We aren't
16 ready for it.

17 MR. PEPE: Well, that's a legitimate
18 question, but I can't answer it yet because I don't have
19 anything in front of us.

20 JERRY MAHARG: So, change the subject. When
21 we took the -- and I'm about done. We took that Section
22 12 out for planned housing development.

23 MR. PEPE: Yes.

24 JERRY MAHARG: Originally you said it was
25 going to be eliminated. It wasn't going to be replaced

1 with anything.

2 MR. PEPE: No, we didn't say that.

3 JERRY MAHARG: It was actually said at that
4 meeting later on, it said we were going to have
5 something to replace it.

6 MR. PEPE: I'm not sure about that.

7 JERRY MAHARG: Well, that was the way it come
8 across. So, why didn't you, because they made specific
9 they would fall back on R-1 or R-2, R-3 zoning and go
10 with that. So, because that statement was made that's
11 what they would do, why didn't we just go with that?

12 MR. PEPE: Because the comparison. I can
13 have Tom be more specific, but the comparison to what's
14 currently there, what can be built currently, there is a
15 lot more than what this particular ordinance allows.
16 And I have the statistics. I have it here. It's just
17 that's what it is. Tom?

18 MR. THOMPSON: That's correct. I mean,
19 unfortunately, if you decided not to do anything with
20 the ordinance, their density would increase up to eight
21 units per acre currently under the existing ordinance.
22 So, we're trying to restrict that to make it less. On
23 top of that, you're adding essentially the recreational
24 area, so you're taking 30 percent of the property off of
25 that, so it's probably dropping the number of units in

1 half of what could be proposed if you just left things
2 alone and said we don't want to change the ordinance.
3 So, this is a pretty big restriction on what is
4 currently in place.

5 JERRY MAHARG: And do you think it's enough
6 restriction because I think we should have more
7 restriction on it? I think I personally feel there's
8 way too many homes are going to be built on small lots
9 and I don't think that's the best thing for the
10 residents of Zelienople. I think that needs to be
11 relooked at what's best for the community. You know. I
12 know we want houses and tax revenue, but what's best for
13 the community? And I think that's what everybody's
14 questioning here. Are we doing what's best for the
15 community or are we just putting in houses so somebody
16 can develop a piece of land and get what they want out
17 of it for their construction?

18 MR. SEMEL: Sorry, Bill. Greg Semel.
19 Anybody could build houses out there right now.

20 MR. SITTIG: Absolutely.

21 MR. SEMEL: We can't stop it. Are you asking
22 us to stop it?

23 JERRY MAHARG: Not stop it but making a
24 zoning change, making it so a bunch of houses won't be
25 compact in there.

1 MR. SEMEL: That's what we're proposing.

2 JERRY MAHARG: 1500 is a lot if you look at
3 that six houses per acre. I mean, that's a lot of --
4 that's a lot of houses compared.

5 MR. SEMEL: So, comparisons right now, Tom.

6 MR. THOMPSON: I mean, if you look at what
7 the Planning Commission tried to do, look at some of the
8 developments. The Rosewood Plan and the Timberbrook
9 Plan. The lot sizes and the general shape of those
10 mimicks those plans. So, that was the intent of the
11 ordinance is to try to restrict it, not to make it more
12 of a Hazel Street where you have 40 foot lots, to make
13 it an 80 foot wide lot, to give a buffer on the number
14 of homes that you could put in. So, again, it's a
15 restriction as opposed to what is currently in place in
16 the zoning now.

17 JERRY MAHARG: So, Timberbrook is like four
18 homes per acre I understand is the maximum.

19 MR. THOMPSON: Correct. And when you look at
20 250 acres, you have to incorporate the road system,
21 storm water system, the environmental system areas. All
22 of those get reduced off of that total. And, again, we
23 don't have a plan that we can determine what those
24 values are. But when you start factoring those items
25 in, you lose a lot of the available space for

1 development, so the number of units drops rather
2 significantly.

3 JERRY MAHARG: But it could be made -- so, it
4 could be more less houses per acre; is that correct?
5 There's nothing requiring the Borough to put in six
6 houses per acre.

7 MR. THOMPSON: No. The Borough decided to
8 mimic, again, the plans that were in place and the
9 zoning that we currently have in place to provide a
10 buffer to allow those types of units. That's why you
11 see four and a half units per acre. The village were
12 proposed 6.3 units per acre, but, again, we wouldn't
13 expect somebody to come in and say we're going to all
14 village style homes because there's a market and that
15 market may not support that, so.

16 JERRY MAHARG: And one last question. I
17 believe somebody said that they couldn't stop subsidized
18 housing being built.

19 MR. SITTIG: Yeah.

20 JERRY MAHARG: The ordinance can't. Why is
21 that?

22 MR. SITTIG: Because you can't pick on --
23 under the Fair Housing Act Amendment of 1986, you can't
24 focus any of your restrictions on subsidized or the
25 ability to pay.

1 JERRY MAHARG: So, that's a law? That's a
2 law that you can not do it?

3 MR. SITTIG: Oh, yeah. Yeah. I've litigated
4 a lot of it.

5 JERRY MAHARG: But there are, I think there's
6 legislation out now that passed that there's incentives
7 to put subsidized housing in. They're encouraging
8 developments to put subsidized housing in because
9 there's a shortage of it. Is there any way to kind of
10 minimize that so we don't end up with subsidized
11 housing? Can we control that at all?

12 MR. SITTIG: Yeah. I don't know. Unlike the
13 City of Pittsburgh, for example, they have tax abatement
14 incentives. They have actual statutory requirements,
15 but there's nothing that I'm aware of in Butler County
16 or within the Borough that has any incentives to do
17 that.

18 JERRY MAHARG: Okay. And there's no way to
19 control the, control or prevent it from happening?

20 MR. SITTIG: That's right.

21 JERRY MAHARG: Okay.

22 MR. BAYER: We have to end the session. We
23 scheduled the public hearing for one hour, 6:30 to 7:30.
24 Our schedule it fairly light this evening. With no
25 objection to council, I would like to recommend we

1 extend this session one additional hour and defer the
2 beginning of our council meeting until 8:30.

3 (Council agreed.)

4 MR. BAYER: We'll go until 8:30. Then we'll
5 have to go to our council meeting. Thank you.

6 JERRY MAHARG: One quick follow-up question.
7 Is there a percentage for subsidized housing by law that
8 controls that?

9 MR. SITTIG: No.

10 JERRY MAHARG: No control at all. Okay.

11 MR. SITTIG: Jan Maharg.

12 JAN MAHARG: My name is Jan Maharg. I live
13 at 143 Oakdale with the man over there. I am
14 speaking -- is there something else that you need to
15 know? I am speaking for the love of the people because
16 I am an educator and I'm speaking for these people that
17 are here for the concern for the community.

18 MS. REEB: You're going to have to speak up.
19 Speak up.

20 JAN MAHARG: It happened to me. It started
21 to me in 2014 when Don and I met and he had a love for
22 this community and I did, too, to preserve the
23 authenticity and the traditions and the character of
24 this town. And so it happened because of an 1854 house
25 that was torn down. That was the beginning house of the

1 orphans home from Passavant. And it broke my heart and
2 it caused us to write the Preservation Plan, the
3 Historical Preservation Plan that you adopted on this
4 council on November 30th, 2020.

5 That report states that this town, 82 percent of
6 these people, and they're not here right now. But 82
7 percent of these Zelianople people want the physical and
8 character charm in town, of this historical town, this
9 quaint, walkable town, to stay.

10 63 percent of that survey done by the T & B
11 Planning that cost \$25,000 to acquire this information,
12 12,500 came from the people, the people behind me, the
13 children that came in for tours, a person that gave a
14 large amount of money from the sale of a historical book
15 in our town. And then you have, you took the other side
16 of 12,500.

17 53 percent of the people voted that are behind me
18 and that are in the homes behind me said that the parks
19 and the open spaces are important to this town. All
20 right. And there was a ten point part of that
21 Historical Preservation Plan that said, 9.1 said that
22 the community character and charm want to remain
23 authentically of the past.

24 That plan also warned you, warned you, warned you
25 that you will be falling to the pressure of

1 modernization, that you as a Borough are going to be
2 falling underneath that pressure. We are right now. We
3 are here right now. We have a choice that's a turn of
4 history. This is history in the raw.

5 My question is, in this ordinance, are you going
6 to listen to the people? We have nothing against, we're
7 not against you. If anything, we passed out the last
8 two Thursdays over 200 surveys. 188 people had no idea
9 what was going on tonight. None. None. I know you say
10 that you did advertise, but the people didn't hear. And
11 they have a notification system for floods. That this
12 is important. This is important to the people. All
13 right. And that it's done right, that it's done with
14 the local people. Thank you. Thank you.

15 That the local people are part of this. This is
16 not a big boys club against the people. This is about
17 we want the people that I surveyed, construction workers
18 that had no chance to even work on the surrounding
19 community housing plans because they weren't -- they
20 were hired from Mexico or from outside of the community.
21 They couldn't even get jobs on it. So, this is a lie
22 that it says that you're going to get jobs from building
23 this because the jobs are from outside the community.
24 Not with the people.

25 I talked to -- out of that 188 people, I talked to

1 a person that would like to write up this plan. They
2 would make it a Zelianople plan. People from Zelianople
3 designing the Zelianople homes for the Zelianople people
4 that have been here for four generations, for the older
5 people that want to stay in the community because they
6 believe in this community. All right.

7 I'm concerned that we aren't putting it to the
8 people. We live in 2020, whatever this year is, and it
9 seems like government doesn't listen to the people. All
10 right. And so there's a shyness with people with the
11 Borough.

12 One person came up to me when they were talking to
13 me about my husband wanted to get a job and he couldn't
14 because they were giving it to other people outside of
15 the community. I said don't worry about it. I said --
16 she goes why? Because Cranberry Borough, the people,
17 the Cranberry Borough group, your group wouldn't listen
18 to the people and say we've got to stop some of these
19 plans because it's just not right. It's too many
20 people, too many crowds. The Borough goes too late.

21 I said our Borough will stand for the community.
22 I know Don Pepe. I know most of you. All right. And
23 you know I know you. All right. I've seen you in
24 face-to-face except for a few. These people will stand
25 for us. We will be different than the rest of the

1 United States where we have no say so. But these people
2 have a say so and we do care.

3 My question is to you is, are you going to get all
4 this legalization, are you going to protect that love
5 for history, for built right homes with the right space
6 and done right? That's my question to you. Is there
7 hope for that? Or is it just going to be the way it's
8 going to be because our hands are tied? And I don't
9 know. I don't want to hear that. I don't. People
10 don't want to hear that. They really don't. People are
11 scared. People are scared.

12 MR. PEPE: Jan, if I can respond at least in
13 part to you. This Borough, this council, me and others
14 have always tried to be as transparent as we possibly
15 can.

16 JAN MAHARG: I understand that, Don Pepe. I
17 understand it from the bottom of my heart.

18 MR. PEPE: And we're going to continue to be
19 that way. The reason that we have to develop ordinances
20 to control growth are just specifically for that
21 purpose. What we're asking for tonight is simply what's
22 in this ordinance, what would you like to see in it, out
23 of it, whatever. That's the reason for tonight.

24 JAN MAHARG: That's why I was saying for the
25 people.

1 MR. PEPE: I understand that and that's why
2 we're trying to get to that. I don't have all the
3 answers in terms of what this will finally look like. I
4 don't. But I do know it's going to be the best possible
5 ordinance that we can put in there to make sure that
6 this community stays a good community that people like
7 to live in. And I think this council is committed to
8 that.

9 JAN MAHARG: They're tired of Ryan homes
10 built side by side, Don.

11 MR. PEPE: I'm not going to talk about who
12 the developer is. I'm not going to.

13 JAN MAHARG: Neither am I.

14 MR. PEPE: I will tell, we're committed to
15 making this the best possible ordinance to maintain this
16 community to a high level. I'm sure of that.

17 JAN MAHARG: I want to stand behind all of
18 you. I appreciate what you do. But I don't want people
19 saying it's a big boys club. I said stop. These people
20 stand for us. They stand for us. Because this is it
21 and I want to stand behind you. I do. You know I do,
22 Don.

23 MR. PEPE: I know you do. That's why I'm
24 telling you what I'm telling you.

25 JAN MAHARG: Okay. I rest my case.

1 MR. SITTIG: Marsha Grabowski.

2 MARSHA GRABOWSKI: Marsha Grabowski at 137
3 Oakdale Drive. And pretty much I'm going to just make
4 this short because others have kind of hit the key
5 points of my concerns. As far as getting the news out,
6 as Jan said, Zelmanople Borough system notification
7 system. I get phone calls, I get e-mails, you know,
8 when there is just a little street closing. Can we not
9 utilize that? I don't know. So --

10 MR. PEPE: Historically we've used it for
11 emergency issues. Can we use that? We probably could.
12 Maybe we will. But as I told the gentleman right at the
13 beginning, I'm open to any suggestions to how we can
14 make it better. My problem is, and I'll be very frank,
15 but is that we do more than what the law allows or
16 requires us to do and even then people just don't seem
17 to listen or read it and I don't know what else to do
18 with it unless I go to their houses and have coffee with
19 them. Okay.

20 MARSHA GRABOWSKI: My door's open.

21 MR. PEPE: I appreciate that. Let me know
22 when it is. But the point is, I'm open to suggestions.
23 I really am.

24 MARSHA GRABOWSKI: All right. Well, that was
25 my. And then as far as, you know, I'm so bad at

1 conceptualizing. You know. Like somebody says, well,
2 you know, what is 20 square feet. I have no idea how
3 big this room is. I don't know how big 10,000 square
4 feet is. But, you know, it seems like putting 6.3 units
5 seems to be a lot in one acre.

6 And, you know, could it be my suggestion would be
7 to increase those numbers. Instead of 4.4, you know,
8 make it four acres. Even just taking that almost half
9 an acre and giving more space per building will reduce
10 the number overall that any developer will be able to
11 put on, whether it's the Glade Run development or any
12 other because you're right. We're talking about other
13 areas. Somebody else could sell another property in
14 Zelienople and, you know, it's going to be the same
15 thing. So, if we increase the size of the lot, then
16 it's going to be, it will kind of take care of a couple
17 of the problems that have been raised.

18 MR. PEPE: So, your comment is that you would
19 like to see the ordinance with an increased size of lots
20 and a decreased number of homes on that lot?

21 MARSHA GRABOWSKI: Correct.

22 AUDIENCE: Yes. Yes.

23 MARSHA GRABOWSKI: That's it.

24 MR. SITTING: Don't want to butcher the name.
25 I believe it's Eric Fabritius.

1 ERIC FABRITIUS: Fabritius. Close.

2 Fabritius.

3 MR. SITTIG: Sorry.

4 ERIC FABRITIUS: Sorry. Everybody messes it
5 up. My name is Eric Fabritius and I live at 37
6 Fieldstone Place. I would like to start off by saying
7 I'm not against an ordinance. I think it's a good thing
8 to do. But I don't think that the ordinance that you
9 wrote up does a good enough job.

10 My wife and I moved here almost 15 years ago.
11 Actually my wife never left. She's always been a
12 Zelienople resident. But I moved here 15 years ago.
13 And we moved to Zelienople for the character. There
14 aren't a bunch of cookie cutter houses lined up in a
15 row. It's not Cranberry. It's not Seven Fields. It's
16 unique. And this proposal does nothing for that.

17 I believe the number was 1500 homes that could
18 possibly go in there; is that correct?

19 MR. SITTIG: I don't know if it's feasible.

20 ERIC FABRITIUS: Maximum, it could be that;
21 right?

22 MR. SITTIG: Yeah. If you just take that
23 number.

24 ERIC FABRITIUS: If you take the number, it
25 could be. And the current population is 3,000 --

1 MR. PEPE: -- 800.

2 ERIC FABRITIUS: Okay. So, we're going to
3 increase that by potentially a third; right? Right?

4 AUDIENCE: More than that. More than that.
5 Almost double.

6 UNIDENTIFIED SPEAKER: Three in a house.

7 ERIC FABRITIUS: Okay. That's not the
8 Zelianople that we moved to. That's not what's going to
9 bring people here. That's not what's going to make
10 people stay here. Again, you know, somebody's going to
11 develop that land. It's a great piece of land.
12 Somebody is going to do it. But please make an
13 ordinance that protects Zelianople. If you can't make
14 more homes per lot, a maximum of homes. Something
15 realistic.

16 And I know everybody said, you know, we haven't
17 done the studies, we don't know what the roads can
18 support. We don't know why. Why haven't we done those
19 studies? It's coming. Why shouldn't we be prepared?
20 We know everybody in this room knows some sort of
21 development is going in there. Is it 50 homes? 150?
22 500? That part remains to be seen. But what can the
23 town support so that we don't end up like Cranberry?

24 Traffic jams, you know. Does anybody want to go
25 to Cranberry at five o'clock on a Friday? No. Nobody

1 wants to put up with that traffic. And I would venture
2 to say that most of the people in this room are in
3 Zelienople, bought their houses, rent their houses,
4 whatever, buy the Borough's electric, water, pay the
5 taxes because they're proud to be a resident of
6 Zelienople. Please do something in this ordinance.
7 Beef it up.

8 MR. PEPE: Let me ask you this. And I
9 appreciate your comments. I truly do. Specifically,
10 what would you rather see in the ordinance to be able to
11 improve it? That's what I'm asking. That's what we
12 want.

13 ERIC FABRITIUS: Okay. I would like to see a
14 maximum number of homes that can go into that, however
15 you get that. Whether it's how many houses per acre,
16 green space, something.

17 MR. PEPE: Well, those are already in there.
18 So, the question is, how do you tweak it?

19 ERIC FABRITIUS: They're not enough.

20 MR. PEPE: They're already there. I'll be
21 honest. But all those things that you want are in the
22 ordinance.

23 ERIC FABRITIUS: Okay.

24 MR. PEPE: What do you want changed?

25 ERIC FABRITIUS: I want the numbers higher.

1 I want there to be more green space. Somebody said, you
2 know, you were going to lose some of the houses per acre
3 because you're going to have roads. You are going to
4 have retention ponds. I totally get it. You're right.
5 You are going to lose some of that.

6 But, I mean, a developer is going to be savvy.
7 They know how they can make their most money per square
8 foot per acre. They're going to develop things that I
9 would look at and say there's no way that can ever be
10 developed because I'm not a developer. So, you know,
11 figure out what that magic number is.

12 What can our roads support? If you ask me, 68
13 can't support one more home. That needs to be beefed
14 up. Main Street. You know. As much as I said I'm not
15 a fan of Cranberry five o'clock on Friday evening,
16 sometimes Main Street, Zellenople, isn't a picnic
17 either. You know.

18 And I know it's a small town. You can't flip a
19 switch and change everything. But look at the
20 ordinance. See what you can do. See what you can look
21 at and come back with something better.

22 I'm not a developer. I'm not a civil engineer. I
23 don't know what the answers are. But I know that 1500
24 additional homes is not the answer. Especially cookie
25 cutter homes. You know. That why I don't live in a

1 Ryan development. They're nice houses. Don't get me
2 wrong. But I don't want something that looks like my
3 neighbor's house in just a different color.

4 MR. PEPE: I appreciate that.

5 MR. SEMEL: So, I have a question.

6 ERIC FABRITIUS: Yes.

7 MR. SEMEL: We get feedback from folks that
8 say they love to come to Zelienople. Maybe they're
9 retired and would love to live in a patio home.

10 ERIC FABRITIUS: Sure.

11 MR. SEMEL: We really don't have any patio
12 homes. How do you feel about patio homes?

13 ERIC FABRITIUS: I'm fine with patio homes as
14 long as you give them a little bit of character. You
15 know. Don't make it stamp. One, two, three, four.
16 Make mine somewhat different than my neighbor's. You
17 know. And you're absolutely -- I mean, baby boomers.

18 MR. SEMEL: We've also heard when kids are
19 just starting out, they need apartments to live in and
20 young families may not want to take on a 40 or 50 year
21 old house for their first house.

22 ERIC FABRITIUS: Okay.

23 MR. SEMEL: And it's interesting. I think
24 back when Timberbrook was being developed and there was
25 a similar conversation by the way. And those are young

1 homes, but they were built in the eighties.

2 ERIC FABRITIUS: Mid eighties, yeah.

3 MR. SEMEL: So, they're 40 year old homes
4 now. So, a young family coming in may say, gosh, I can
5 barely afford the home and then updating it and this and
6 that. So, there is probably a market that we're not
7 serving, who is not represented here. They're the
8 people who aren't here.

9 ERIC FABRITIUS: Sure.

10 MR. SEMEL: I don't know the fact of building
11 patio homes that each one looks individually, but I
12 think that's a good suggestion.

13 ERIC FABRITIUS: It is.

14 MS. BRIMMEIER: If I could interrupt. I'm
15 sorry.

16 ERIC FABRITIUS: Go for it.

17 MS. BRIMMEIER: We don't have the ability to
18 legislate that. We cannot legislate aesthetics. We
19 can't say you have to have three trees or you can't have
20 the same color as your neighbor. I mean, we can't
21 legislate that.

22 ERIC FABRITIUS: But you do have to approve a
23 developer; correct?

24 MS. BRIMMEIER: If the developer comes in and
25 meets our ordinance, we cannot stop them. We can't say

1 we don't want your Ryan home here. We cannot do that.

2 ERIC FABRITIUS: Okay. Then isn't that what
3 the ordinance is for?

4 MS. BRIMMEIER: We are not by law permitted
5 to do that. That would be discrimination.

6 ERIC FABRITIUS: Okay.

7 MR. SITTING: No, sir. So, you can do on the
8 density, right, how many. But when it comes to what you
9 can do with the materials or the colors, that's when you
10 start crossing that line. So, what this ordinance
11 covers, things you were talking about, the density,
12 housing types, frontages, that's really what this is.

13 Now, there's another ordinance, which is the
14 Subdivision and Land Development Ordinance, and that
15 covers additional things on landscaping and green space.
16 But then when you get to just materials like siding or
17 non-brick or that's when you say cookie cutter, that's
18 when you get into the dangerous where you really can't
19 legislate that.

20 ERIC FABRITIUS: Okay.

21 MR. SITTING: But let me say, when they come
22 to the Planning Commission, then while there's not a
23 forceful, you can't compel them to do it, that process
24 though can encourage. And that happened with Jeremiah
25 Village. That changed drastically with community input

1 as it went along.

2 ERIC FABRITIUS: Okay.

3 MR. SITTING: So, hopefully it's a process,
4 but just legislating it, they're boundless.

5 ERIC FABRITIUS: Then here's a question for
6 you. Can you make the zoning so that it's not something
7 that a Ryan Homes would be interested in because of the
8 larger land requirements or maximum number of homes so
9 that they would, you know, let's leave that to a
10 specialized builder, I'm going to go somewhere where I
11 can just put as many houses per acre as I can get?

12 MR. SITTING: That's kind of along the lines
13 of, you know, we heard subsidized and there's workforce
14 housing. And then you were talking about certain, you
15 know, quality of housing. However, what's usually
16 legislated is lot size, the lot cost, right, because
17 it's kind of a way for, how much you're going to pay for
18 your lot, that kind of dictates how much the house
19 costs.

20 The problem you get into is, is it feasible?
21 That's the other part of this that it's hard to take
22 into account because there's one set of them, but
23 there's that whole other thing on the landowner and
24 their right to develop where you tip that balance and
25 they say that's so restrictive, you're taking my land

1 from me. And when you do that, when you do that, you
2 get into a very dangerous category because then what our
3 courts say, if you push them too far and you effectively
4 keep it green space or estate homes that can't be built,
5 then they come in with a validity challenge is the term
6 and they get a lot of latitude. They basically then
7 design the plan. So, when I say balancing, that's the
8 hard thing.

9 Everybody says, you know, you want to have these
10 types of homes, you want to protect the town. But the
11 other thing is, if you overprotect, then you don't
12 protect at all and you really subject yourself. And
13 they came out, you know. Glade Run came out barrels
14 loaded. And you know that they came out with those
15 lawyers and saying what you're doing is
16 unconstitutional.

17 ERIC FABRITIUS: Okay.

18 MR. SITTING: So, we have, you know, a
19 prominent land owner, a very significant community
20 stakeholder that is sitting down saying, look, we
21 understand this has been green space for a long time.
22 Now it is developable. It has to be developed within a
23 feasible market place. So, they're very tough
24 questions. Very tough questions. These folks have a
25 very hard job.

1 ERIC FABRITIUS: I mean, I understand that.
2 I don't envy any of you trying to figure it all out.
3 But all I'm asking is give it a second look, fresh set
4 of eyes, consultant, whatever, to, you know, see if
5 there's anything that we can do to preserve the
6 Zelienople that everybody loves. Thank you.

7 MR. PEPE: Thank you.

8 MR. SITTIG: Sylvia Benedum.

9 SYLVIA BENEDUM: Benedum.

10 MR. SITTIG: I didn't know if that was an M
11 or an N.

12 SYLVIA BENEDUM: I live at 2 Brookview Court.

13 MR. PEPE: Can you put that mic any closer?

14 SYLVIA BENEDUM: Sylvia Benedum from
15 Timberbrook. Can you hear me now? All of my questions
16 really have been asked tonight by my fellow neighbors
17 and my concerns as well. I know one particular question
18 that I had was originally, the original ordinance I
19 understand allowed for higher density, but the new
20 ordinance that, the draft right now, is lower density,
21 correct, so that it would be more in line with
22 Timberbrook and Rosebud developments?

23 MR. PEPE: That's correct.

24 SYLVIA BENEDUM: So, I think that's a good
25 start. I think my fellow neighbors though have brought

1 forth some other concerns and some proposals that I
2 would like to see the council take into consideration
3 for the new draft of the proposal and I know that you
4 will. And I want to thank you for listening to us this
5 evening. I know some of us got pretty emotional. This
6 is our home town. But I know that you'll do a good job
7 in listening to us and I want to thank you for allowing
8 us to speak this evening. That's all.

9 MR. SITTING: Bob Budny.

10 BOB BUDNY: I'm Bob Budny, 419 South Oliver,
11 an 18 year resident of the Borough. I know almost
12 everyone on the council here, I believe. And I'm going
13 to apologize in advance if I offend anyone. I really
14 don't have any more questions for you guys. I think
15 this crowd has done an excellent job addressing
16 questions. Speaker number one, Mr. Beighey, I don't
17 know the guy. He did a great job. Gentleman in the
18 striped shirt did a great job. And Jan and Mr. Maharg
19 did a great job along with everybody else.

20 Just a couple little things. So, right now, if I
21 understand it, Glade Run owns the property.

22 MS. BRIMMEIER: Um-hum.

23 BOB BUDNY: If, in fact, you guys would
24 change the zoning, they have a right to sell it
25 tomorrow; correct?

1 MR. SITTIG: Yes. Just so you know, we don't
2 know. Like, it could have been changed this afternoon.
3 But they could also have transferred equitable title.
4 It could be under agreement with somebody.

5 BOB BUDNY: Okay.

6 MR. SITTIG: But we don't know. But, yeah,
7 we assume that the last that we knew, Glade Run was
8 still the record owner, if not the equitable owner.

9 BOB BUDNY: So, it could be developed as
10 Brian brought up.

11 MR. SITTIG: It could be under contract. It
12 could be under contract right now. We don't know.

13 BOB BUDNY: Could be anybody. So, basically,
14 I guess this is the part where I apologize. I'm taken
15 back by your unpreparedness for a lot of these
16 questions. This is a major thing on our plates here,
17 guys. You know. Everyone is here because they love
18 this town. And you guys are just -- you guys are
19 running in circles. I've been hearing it for an hour
20 and a half now. You're dishing out some boilerplate
21 answer. You guys really don't have any good -- you are
22 not prepared to know what's going to happen here. And
23 I'm just very disappointed in that. And I apologize for
24 that.

25 But, and, you know, like someone said, you know,

1 you leave us an e-mail or a voice mail if you're going
2 to close Clay Street and you put out your newsletter
3 every quarter or whatever. Everyone knew that was
4 coming down the pike. You could have thrown that in
5 there, make people aware of what's going to go on in the
6 Borough.

7 Other than that, my request is you guys table this
8 vote until everyone has a say in it. Perhaps even
9 petitions are going to probably go around, legal or not.
10 But my request is you guys table this thing until all
11 the information is on the board. Thank you.

12 MR. SITTIG: Donna Statzer.

13 DONNA STATZER: Good evening. I'm Donna
14 Statzer and I live at 200 Terrace Avenue on the other
15 side of town. And I'm sorry. I forget who you are,
16 sir. What was your name?

17 MR. SITTIG: Bill. Bill Sittig.

18 DONNA STATZER: And you're an advisor to this
19 group, you're on the council or do you live here?

20 MR. SITTIG: No. I do land use work and I
21 was brought in because there were legal challenges.

22 DONNA STATZER: You are here to protect us?

23 MR. SITTIG: Yes.

24 DONNA STATZER: Good. As you've heard, we're
25 all very compassionate about this town. And this

1 council I think has done a very good job in creating a
2 place that people desire to live. And, Don, you have
3 made it a great place to live and now you've got to
4 protect it. So, now it gets hard on all of you. So,
5 who's going to make the decision for the zoning and the
6 ordinance? That is the only thing we really have to
7 protect us from overdevelopment. Is that pretty much in
8 your hands?

9 MR. MATHEW: Yes.

10 DONNA STATZER: And to execute whatever tools
11 you have. So, I think that's what we're asking. And I
12 think there's a little bit of distrust right now because
13 so many of us weren't aware this was happening. I
14 didn't know until I walked down on Main Street. And
15 this lady, she's dynamite. Definitely. And I
16 participated in a lot of things that you sponsored that
17 I didn't even know. And I know almost everybody in
18 here. And I think almost everybody lives in this town.

19 Three things that are key to quality of life and
20 you can control it with zoning and ordinance. Access to
21 green space and reaction. Low traffic. I wrote the
22 third one down. Low crime. So, if you control
23 development, these other things fall into place. And
24 that's pretty much all.

25 And I do care. You said you wanted to talk to the

1 folks that lived on the line. I live on the other side.
2 I care about them. What happens to them, it affects me
3 and vice versa.

4 So, we're a tight community. We're behind you.
5 Your decision is going to be your legacy. So, I know
6 it's a hard job, but I hope when you go to bed tonight,
7 you're thinking. I hope it's hard to sleep for you
8 because this is a big decision. Thank you.

9 MR. SITTING: Bob Mignanelli.

10 BOB MIGNANELLI: Wow, you said that one
11 right. Bob Mignanelli. Life long resident of
12 Zelienople. I'm here for multiple reasons. One being a
13 life long resident. Another being a member, life long
14 member of Zelienople Sportsman's Club, which has been a
15 big part of this community for 80 something odd years.
16 Okay. And this development puts us in the direct path
17 of that development.

18 So, there's Muntz Run which comes out of Muntz
19 Road. The 68 entrance to this not proposed plan, that
20 obviously is, so we're going to have to handle all that
21 water to run through our lake to get to Glade Run before
22 it goes into the Connoquenessing Creek. So, you know,
23 we have great concern what this is going to do to our
24 trout. Our trout club. You know. The waters are
25 clean. The environmental concerns.

1 Have there been, you know, is there going to be
2 big environmental studies, what that's going -- how it's
3 going to affect us? Is it going to destroy us and put
4 an end to something that's been a part of this community
5 for 80 something years? Not having trout sustainable
6 waters. And our memberships have grown incredibly due
7 to the lack of, you know, the loss of Hereford Manor,
8 which, you know, in my opinion, which further develops
9 the airport. And that's not my issue.

10 How are we going to be protected from this? I'm
11 hearing we can't stop development, but where does that
12 leave us as far as the ordinances and the council?
13 Like, you know, because all the runoff water is either
14 going to go out to 19 and hit Glade Run which runs past
15 the front of our club at Front Street or it's going to
16 go in Muntz Run and actually pass under 68 and run
17 through both of our lakes into Glade Run to the
18 Connoquenessing Creek. So, all the, you know.

19 Everyone's big with the landscaping and the
20 fertilizer and the tree sprays and, you know, and the
21 salting of the roads. And just the car pollution on the
22 roads and we're going to have to, you know, allow that
23 to pass through our club if this goes through. So, what
24 protections will we have as being an 80 something year
25 member of Zelienople, you know, when it all comes to

1 fruition? So, that's one of our concerns.

2 And I don't know if that can be answered to us
3 right here. If somebody wants to make a comment on
4 that, I'll stop for a few minutes. But we're deeply
5 concerned about that.

6 MR. SITTIG: Yeah. One of the comments that
7 was made and it's well taken because we're trying to
8 portray what the limits are. And I'm not speaking for
9 individual council members on the amount or the density,
10 but it's a very narrow issue and has to do with housing
11 types and the density.

12 And whenever you get on those ancillary issues,
13 Mr. Budny was saying you're not prepared to answer what
14 it could be. That's because we're taking a model, which
15 is basically a model in town, and you know how it has
16 worked and you're transferring that to this land.
17 That's basically what's happened. Nothing more.
18 Nothing less.

19 And when you get into all of those impacts with
20 traffic, water, sewage, those are all handled by outside
21 of the zoning ordinance. There are controls on them and
22 environmental is a big one, whether it's erosion,
23 sedimentation plan when they actually construct, whether
24 it's a storm water plan that they have finally done,
25 whether it's some kind of stream crossing or stream

1 locations, there's water on this property.

2 There's probably, you know, wetlands that have to
3 be surveyed and, you know, questions remain. Well, you
4 should know all that. You can do wetlands surveys. You
5 can do all those things. Those are not done when you're
6 just doing the basic framework and that's what this is.
7 But all of those comments are looked at and under
8 different ordinances and under different regulations
9 when plans come in. Again, this is one piece.
10 Basically we're looking at how dense, what housing
11 types.

12 BOB MIGNANELLI: Okay. I get it. So, we
13 basically have to rely on the D.E.R. or something to
14 protect our club through this?

15 MR. SITTIG: The DEP is primary.

16 BOB MIGNANELLI: DEP. I'm sorry.

17 MR. SITTIG: It really is.

18 BOB MIGNANELLI: I am a county pressure
19 washing business, so I understand water discharge and
20 stuff like that because that's what I do. There's a
21 really big concern here for us because even those houses
22 out there, you know, that water is coming through our
23 club. It's not going to go to 19 and down Glade Run.
24 It's going to come through Muntz Run and, you know,
25 there aren't too many places to go where you can go and

1 catch some trout around here.

2 And to be honest with you, for me, I've sat down
3 there for countless hours as a kid, as an adult, just
4 peace of mind thinking, peacefulness of it. And it's
5 about to be destroyed with 1500 homes, so I'm going to
6 revert back to that. You know.

7 I guess there's nothing that you can do to protect
8 us from this because you can't stop the housing. But,
9 you know, obviously, there's been a lot of talks. We
10 know Glade Run owns this. So, you know, all of a sudden
11 we're accommodating or trying to amend.

12 And I'm not familiar with all this terminology and
13 what you guys do, so forgive me for not saying things
14 accurately. But obviously there are plans, you know,
15 with Glade Run, you know, because this is at the
16 forefront now to construct an amendment to the zoning to
17 permit this.

18 And I've stood over there again since 6:30, like
19 everyone else, and I've listened, too, and it's a --
20 there's been a repeated, well, the developers, the
21 developers. But there aren't any. So, I'm assuming
22 that there isn't an actual plan of this many houses,
23 this many stop signs, this many sewage drains, but
24 there's plan to develop this property. That's the
25 intention. That's the goal. And is that not why we're

1 here amending this ordinance?

2 And the reason I'm asking is, I looked at it, and
3 I didn't read it thoroughly, and then I probably
4 wouldn't even understand all of it, but how many tracts
5 of land are there available in Zelienople Borough that
6 can be designated as a -- how did you call it? A
7 residential village? How many are there?

8 MR. PEPE: Two.

9 BOB MIGNANELLI: Two. So, Glade Run is one.
10 What's the other one?

11 MR. BAYER: Allen's Hill.

12 BOB MIGNANELLI: Allen's Hill, which is cliff
13 land, I guess. I guess on the top of Allen's Hill but
14 overlooking Zelig, that would be impossible. So, we're
15 basically doing this to figure out what we're going to
16 do with what's going to happen out at Glade Run; right?

17 MR. SITTING: It is.

18 MR. PEPE: It is.

19 BOB MIGNANELLI: Basically, it is we're
20 amending this because so this can happen. So we can
21 maybe have a little bit -- please I don't understand.
22 So, I'm not trying to offend anybody, but it seems that
23 there is a lot of knowledge about this. That's why
24 we're here. But there isn't. There's no plan. But
25 obviously there is. You know. And I grew up on Hazel

1 Street. I live there currently in my parents' home.

2 And then the Jeremiah Village. Like, my personal
3 understanding, and I didn't read about it so, was that
4 it was going to be a little area for autistic people to
5 live and be able to flourish throughout the community,
6 integrate. And I have an autistic nephew and I started
7 reading about it and there's 14 units out of 48
8 designated for the autistic people is what I read. So,
9 how do you propose something that's going to be for that
10 when it's not? And it's only 14. It's like saying
11 there's three percent or whatever it was for green
12 space, which is about a half a lot. You know.

13 And all these people, again, they get all the
14 abatements and everything and tax deferments. And here
15 we're dealing with another Maple Court over there
16 basically with a few autistic people there. And I'm not
17 opposed to it. I thought that was a wonderful idea.
18 But the knowledge I think it's true we are unaware and
19 we need to be more aware.

20 I get the same things. I get a phone call, hey,
21 Clay Street is going to be closed. Hey, you know, your
22 lights are going to be off for an hour. And so there
23 are a lot of ways. Maybe we need to figure out a way to
24 communicate better. But, obviously, you know, I think
25 everybody in this room can agree that this is happening

1 out there and that's why we're here.

2 So, the transparency. I mean, I think you could
3 be a little more transparent because we're doing this
4 and maybe the purpose is not the best possible situation
5 format for us, but we're already changing this because
6 it's coming and everybody up here knows that's going
7 down with Glade Run.

8 And I've sat here and listened to everyone say,
9 you know, we've had conversations with a developer, and
10 so this is already there. And none of us are, you know,
11 disbelieving that it's not. And so we just need to come
12 out and say, listen, this is happening. What are we
13 going to do about it? And I understand maybe you can't
14 stop it. But, you know, we know it's happening.

15 So, and I would like to take one minute here and I
16 came in and because I'm a resident of Zellenople and we
17 didn't know if anyone else could speak, that I chose to
18 speak for the Club and I would like if maybe you had
19 anything you would like me to ask or if I covered it for
20 you, so?

21 UNIDENTIFIED SPEAKER: No. Thank you.

22 BOB MIGNANELLI: You know, I've lived here my
23 whole life and I'll be brief here. You know. When I
24 went up and made the turn up there at Culvert or
25 whatever it is at the top of McKim and saw that one of

1 those big trucks that nobody's been watching come
2 through town and knocked that two hundred and something
3 year old wall down, you know, that's a disgrace. You
4 know. The signs are up but everybody comes, 52 footers
5 running up and down Green Lane all day long, you know,
6 and nothing happens. You know. We cut the streets off.

7 Even the infrastructure out there. The D & M
8 Contracting put the gas lines in for people and one of
9 them guys told me they put in a 12-inch gas line. And
10 I'm not sure they did or not, so I'm just speaking
11 without the true facts. But he said normally it's a six
12 inch gas line. And they put in a 12. So, there's
13 something going on out that road. And here we are
14 tonight talking about Glade Run and 250 acres and the
15 12-inch gas lines in there and nobody here knew that we
16 were going to be beefing that up. What's the purpose of
17 beefing that up if that's not happening and we're not
18 prepared for it to happen?

19 MR. PEPE: Can I respond to you?

20 BOB MIGNANELLI: Please, Don.

21 MR. PEPE: Because I think it's important to
22 respond. I'm not offended. Please don't be offended.

23 BOB MIGNANELLI: I'm not.

24 MR. PEPE: But you're leaving the impression
25 that there's a lot of stuff going behind the scenes and

1 we're dealing, that we're not being transparent, and I
2 have got to tell you that is not the case.

3 BOB MIGNANELLI: Okay, Don. I respect you.
4 You know that.

5 MR. PEPE: That is not the case and I do --

6 BOB MIGNANELLI: When you come to us --

7 MR. PEPE: Let me finish.

8 BOB MIGNANELLI: Okay.

9 MR. PEPE: Because I think you've made your
10 point and it's a good one.

11 BOB MIGNANELLI: Okay.

12 MR. PEPE: Have we had talks with the owner
13 of the property? Absolutely. The owner has the
14 opportunity and the obligation and the right to be able
15 to develop that property according to the law.

16 BOB MIGNANELLI: I understand.

17 MR. PEPE: That's nothing unusual because I
18 can't tell you how to develop your property. It's
19 yours.

20 BOB MIGNANELLI: Well --

21 MR. PEPE: I can't.

22 BOB MIGNANELLI: Well, stop there because you
23 sure can.

24 MR. PEPE: If you own the property, you would
25 be in the same situation.

1 BOB MIGNANELLI: Yeah. I get it.

2 MR. PEPE: But let me just say this. You
3 know. You were saying that we don't have a plan. We do
4 not. The developer, the owner and the developer,
5 whoever that may be, came up with we would like to do
6 this and it was very, very generic. Okay. This council
7 and this staff knew that the ordinance that we had in
8 place wasn't going to work to be able to protect
9 everybody in this room.

10 BOB MIGNANELLI: Okay.

11 MR. PEPE: Okay.

12 BOB MIGNANELLI: Understood.

13 MR. PEPE: So, we needed to repeal that
14 P.R.D. for that purpose because it would have been very
15 difficult.

16 BOB MIGNANELLI: Okay.

17 MR. PEPE: Did that make the owner of the
18 property happy? Probably not. Okay. So, we came up
19 with another alternative, which is what we are now
20 trying to discuss to put in place.

21 BOB MIGNANELLI: Okay.

22 MR. PEPE: It is not because anything is set
23 in stone because, Bob, it's not.

24 BOB MIGNANELLI: Don, I understand that. But
25 the other side of my business is, you know, I work with

1 all these construction companies and I worked for Ryan
2 Homes washing the brick, cleaning homes. We performed
3 concrete in this town for 50 years. Okay. My family.
4 And I wouldn't work for them for anything. Because I'm
5 just telling you. These country homes and all the
6 little, beautiful things up here that are being built by
7 the Log Cabin and all this, 400 something houses. You
8 know. The young couples, unless they're making tons of
9 money, can't afford those and the young couples can't
10 afford to buy the 50-year-old house in Zelig or the
11 hundred-year-old house in Zelig that's now 250,000 that
12 was 80,000 ten years ago.

13 MR. PEPE: I understand.

14 BOB MIGNANELLI: So, you know. That argument
15 is kind of -- I don't know. I mean, they're all -- it
16 is just the environment and we can't control that.

17 MR. PEPE: We can't control that.

18 BOB MIGNANELLI: We have a beautiful town and
19 I'm a lifelong member. I love it here. You know. But
20 the getting around also. I mean, it's just the
21 traffic's backed up to Freeway Lanes at night. And you
22 know. Streets are closed on Thursdays and it's for the
23 good, but where's it going to be? It's going to be
24 every night. You know. Us local guys can dip down
25 Oliver. Well, you go to Oliver, you get below Bob

1 Budny's house and there's nine cars at that stop sign.

2 MR. PEPE: I just wanted to address that
3 other question.

4 BOB MIGNANELLI: I got you.

5 MR. PEPE: Because you needed to know. I
6 didn't want this public to know that something that just
7 wasn't right.

8 BOB MIGNANELLI: Right. And, again, I was
9 here as a citizen. Main concern is our Sportsman Club.
10 And, again, Glade Run's been there, you know, since
11 before my mother was born on McKim Street, but that
12 club's been there and somebody has to look out for us.
13 We're just a small club. And this thing is going to, if
14 it goes through and we have to process all the water
15 from this, it's going to decimate our club and destroy a
16 beautiful part of Zelienople. It's been here forever.

17 So, I don't know what you can do about that, but
18 somebody has to look out for us, too, as we look out for
19 all the business on Main Street with the events and the
20 tents and everything else. You know. So.

21 MR. PEPE: I appreciate that.

22 BOB MIGNANELLI: Thanks, guys. I appreciate
23 what you do. I know most of you as well. You know. I
24 appreciate it. And I don't usually complain when I'm
25 not involved because you just leave it to the people

1 that take the time to do it. But this is, you know, a
2 big concern with everybody I have talked to also.

3 MR. PEPE: I appreciate that.

4 BOB MIGNANELLI: Thank you.

5 MR. SITTIG: Jim Holcomb.

6 JIM HOLCOMB: Hello, everyone. I'm Jim
7 Holcomb. So, I work for a company called Millcraft
8 Investments. We're real estate developers and I'm
9 working with the Glade Run folks to understand what the
10 proposed ordinance says and does and what it might mean
11 to the development of their property.

12 I can confirm that there is no plan. We were
13 waiting to have an ordinance to which to draw a plan to
14 meet. Right. So, but we do understand implications on
15 these things.

16 I would like to say that Glade Run has indicated
17 that they want to do what is right by the community and
18 not just go with the biggest, highest density and the
19 largest unit counts. My company's history and my
20 personal history are the same, to come into a community
21 and work with the residents and the community and the
22 stakeholders who are affected by it and try to and make
23 sure we can address their concerns as best as possible.
24 And the direction we've gotten in the limited
25 discussions we've had with the Borough have been that's

1 what we expect of you.

2 Hopefully we can get to a point where everybody's
3 satisfied and concerns are addressed, but it's really on
4 the Board more than it is on me. I need to be able to
5 see what I can, what the rules are so I can find a way
6 to follow.

7 That being said, having reviewed the ordinance and
8 applied my expertise, as well as other folks in my
9 company, I do have certain comments and concerns that I
10 would like to get on the record. First, let me say that
11 certain portions of the proposed ordinance are unclear
12 as they're drafted and it's difficult to assess exactly
13 what the meaning of them is. I'm going to make an
14 example.

15 Where it says one unit type be 15 percent, I don't
16 know what that means as an example. And there's several
17 and I would be glad to sit down or provide these in
18 writing to the Board.

19 MR. PEPE: Please do. Please do.

20 JIM HOLCOMB: To Don. But it says one unit
21 type shall be at least 15 percent in order to qualify as
22 a development. Does that mean each of the unit types
23 must be 15 percent or what exactly does it mean, right?
24 And there's a few examples of that where it's just not
25 quite clear as to what the intent was. So, I would

1 recommend that you try and reread it and just clarify
2 some of those items.

3 Then, secondly, let me just address the density.
4 I understand why everybody is concerned about doing the
5 math problem of applying 6.3 times 200 acres. In
6 reality, I don't think any developer would ever propose
7 to approach those numbers. By the time we take out open
8 space and steep slopes and ponds and roads and buffer
9 zones and then tried and make a liveable, acceptable
10 community, those things will not be approached. Right.

11 I'm not going to give away a number because I'm
12 not going to place any restrictions on anything other
13 than what the Board is, but I would say that it's not
14 going to come anywhere close to that overall density no
15 matter who develops it. But and I have no objection to
16 the density limits as they're written. And I would just
17 ask you to maybe you would reconsider some of the
18 dimensional requirements that are on Table 610-1.

19 So, I want to take a step back. So, in the
20 minutes from the revocation, the property was referenced
21 as being both R-1 and R-2 and I think we heard the same
22 thing from Mr. Sittig tonight. In actuality, I believe
23 the property has always been R-2 and R-3. So, if
24 applying and making a comparison to what would be done
25 today versus tomorrow, I would ask you to, you know, to

1 point you back to look at those two sections of the
2 ordinance and not the R-1 section.

3 Both R-2 and R-3 require 60 feet minimum lot
4 widths. We are certainly happy with 60 feet lot widths.
5 We intend, if I was the developer, would intend to do
6 more than just 60-foot wide lots, but also to do 70-foot
7 wide lots or slightly wider, but it is certainly a
8 reduction from what was there.

9 So, I would encourage you to study this and
10 perhaps allow for something in between 60 and 80. Maybe
11 it's 70 or 75 I think would be more fitting and
12 appropriate. That, of course, is up to you. If such a
13 change is made, it may have some impact also on the
14 minimum lot size, which is now currently written as
15 10,000 square feet and perhaps that might have go to
16 9500 square feet or 9,000 square feet if you made an
17 adjustment in the lot width.

18 I would also propose that you adopted larger side
19 yard setbacks in the proposed ordinance. Not adopted
20 but proposed. And I think they're very impactful to go
21 with the larger lot space. That increases disturbance.
22 It increases lengths of roads. And there are more
23 effective ways to create open space than to spread the
24 houses out. So, I would ask you to consider returning
25 to what the prior side yard requirements were.

1 In addition, town home lot widths are increased
2 from what they previously were and it's fine, but
3 there's an unusual provision I didn't quite understand
4 the intent of. And that would be that the end units of
5 the town homes have an extra, significant extra width.
6 But at the same time in the table, you're also proposing
7 a certain side yard, so it's implying to me that you're
8 looking to have a different unit type on those end
9 buildings or, you know, basically you're covering the
10 same concern with two different rules and I'm not quite
11 sure how you would apply them, so I would ask you to
12 restudy that. We certainly would prefer to have the
13 unit width be consistent. That's what the market is for
14 any modern builder to have a consistent town home unit
15 at the end and deal with the open space as side yard.

16 Perhaps the most significant thing I would object
17 to is the requirement for garages that face the front of
18 the home to be set back a minimum of 20 feet in one case
19 and 10 feet in another case from the front plane of the
20 home. So, I'm not aware of any modern builder who has
21 house plans that comply with that. So, what we would be
22 talking about is every home having to be custom design
23 and not being able to use what would normally be any
24 production builder's model. So, I think that's a very
25 big concern.

1 I'm also going to point out that if we take a
2 standard driveway width of 20 feet, we add 20 extra feet
3 of length to it, that's 400 square feet of impervious
4 surface that now needs to run off. With the additional
5 front yard setback, which is grown from I think 20 feet
6 or 25 in the old zoning up to 30, we're now talking
7 about an increase of between 25 and 30 percent
8 impervious surface on any single lot. And I think given
9 the light of environmental conditions, some of the
10 things I have heard, I don't think it's advisable and
11 it's difficult for a developer or a builder to make
12 work. I would like you to really look at that.

13 And then one other thing relative to house design
14 is the requirement in the village lots for single family
15 village homes to all have porches. I believe that we
16 love porches. Porches are fantastic. I think they do
17 add character. Requiring every single home to have a
18 porch creates a lack of variety of the housing styles
19 that are available. I think that you will be better off
20 requiring a certain percentage of them to have front
21 porches and allow others to not and just to provide a
22 different street scape and a different view as you're in
23 the neighborhood.

24 And, finally, relative to the open space. I
25 believe that it is very achievable to meet what's

1 written. But given that it's really for a single
2 property here, I would suggest you study a little bit
3 further. You know. Certainly open space on wood on
4 hill sides with steep slopes, et cetera, is still open
5 space. The way the ordinance is drafted is very
6 challenging to assess where anything lands in terms of
7 percentage without doing a lot of advance studies. So,
8 I think if you have a goal in mind, and we're not
9 talking about writing legislation that applies to 200
10 properties across a large borough. We're talking about
11 one place. That you should simplify that portion of the
12 ordinance to address what you really are trying to
13 achieve. Thank you all for your time.

14 MR. PEPE: Thank you, Jim.

15 MR. SITTIG: Okay. Apologies. I'm sorry I
16 skipped over somebody earlier. Kris Hogan. And you'll
17 be our last speaker. Oh, sorry.

18 KRIS HOGAN: That's okay. I'll be quick.

19 MR. SITTIG: You'll be our last speaker
20 tonight.

21 KRIS HOGAN: I'm Kristen Hogan. I'm the
22 owner of the Benvenue Manor Stable out on Route 68. So,
23 I'm not in the Borough, but my property line, I actually
24 have 2,000 feet of shared property with Glade Run. My
25 neighbor across the hill, Scott Bonzo, who couldn't be

1 here tonight, has an additional thousand acres --
2 thousand feet. We are agriculturally zoned and I'm
3 concerned about 5.D.

4 It says a 50 foot buffer strip shall be maintained
5 abutting any residential zoned districts. There's
6 nothing in here that attends to abutting an agriculture
7 zone. I sent a letter to all of you in February there
8 describing my concerns. We are a working farm, as Scott
9 is also. He has cattle. We have cattle. We have
10 horses. This property, 50 feet is not that much space
11 to be between a residential development and animals that
12 can kill you.

13 MR. PEPE: Kris, what would you recommend?

14 KRIS HOGAN: I would recommend a little
15 larger than 50 and not to have it be maintained. I
16 would like to have it grow up into a like thick, let the
17 foliage go so that kids aren't riding their bikes along
18 a maintained path and say, oh, a horsey. Let me go over
19 there and pet him.

20 The other thing I would really love would be a
21 fence on the residential side. Yes, we have a fence,
22 but it keeps animals in. It doesn't keep people out.
23 And I'm really concerned about the liability of a
24 residential, you know. People move into these
25 residential developments aren't necessarily all that

1 keen on what can happen on a farm. We have machinery.
2 We spread manure. We have animals that make a lot of
3 noise and they're dangerous and we keep them as safe as
4 we can. So, I'm just asking specifically for that.

5 I was hoping when I sent the letter that there
6 would be something in the zoning that would attend to
7 that, but I don't see it there and I'm concerned. We're
8 talking about 3,000 feet of shared property line with
9 residential and it's not a hillside.

10 I've had the pleasure to actually keep some of my
11 horses on Glade Run's property for a number of years.
12 We've maintained that ground. It's beautiful I'll say.
13 I don't want to see the housing development in there,
14 but I'm a farmer. I mean, that's just me.

15 But one other thing I wanted to just ask a
16 question. 8.A. talks about the 30 percent of open
17 space, but if you go back to the P.R.D. that you got rid
18 of, it actually was 40 percent. Why did that get
19 lowered from 40 percent open to 30 percent open?

20 MR. PEPE: Tom, can you answer that? I
21 really can't.

22 MR. THOMPSON: Offhand I don't recall the
23 specifics on that particular reduction.

24 MR. SITTIG: I think it relates to
25 Mr. Holcomb's comments that the definition of open space

1 is now much narrower, where in the P.R.D. you could use
2 just hillsides and say that's open, which is a common
3 tactic, but then it's really not usable. That's what
4 Mr. Holcomb was objecting to.

5 The actual 30 percent because of how it's
6 calculated is much more impactful because it's more
7 developable land. How much depends on steep slopes and
8 wetlands and, you know, whatever those conditions are.
9 But comparatively, it's going to end up being higher
10 than that amount.

11 KRIS HOGAN: It will be even though it says
12 30? You think it will be higher?

13 MR. SITTIG: Yeah. Assuming what we know of
14 the site and the slopes on the site, yes, we think the
15 idea of and I'm just, I didn't develop the ordinance,
16 but that was the thinking. It's much narrower of open
17 spaces.

18 KRIS HOGAN: That was one of my questions.
19 I'm very familiar with the hillsides. I've ridden my
20 horses over there through the years. What can they
21 build on slope side? What's the percentage? I've seen
22 20 here. The old one says 40. The existing says
23 between 20 and 40. There are certain regulations. I
24 mean, what are they able to go in and do?

25 MR. SITTIG: Tom, do you know offhand?

1 MR. THOMPSON: Yeah. I don't know what the
2 requirements are. The Subdivision and Land Development
3 Ordinance does describe what those are and that would
4 apply to any development occurring within the Borough.

5 KRIS HOGAN: So, you don't have any idea on
6 what that?

7 MR. THOMPSON: I don't know what those
8 requirements are without looking into that ordinance.

9 MR. SITTIG: Again, this is a narrow piece of
10 just a zoning ordinance. Those are landscaping.

11 KRIS HOGAN: Right. I tried to read through
12 that.

13 MR. SITTIG: It's another ordinance.

14 KRIS HOGAN: I agree. It's to what the last
15 gentleman said about being really vague. I would agree
16 with him. There are some things here that seem to be
17 subject to interpretation and that concerns me that a
18 developer could come in and say, well, it doesn't say we
19 can't do that. And the one in specific to me was 7(1),
20 mixed residential neighborhoods, goes on. It says,
21 planned regarding the topography and natural features on
22 site and to reduce any negative impact upon the
23 environment.

24 What does that mean? It just seems a little
25 vague. Who decides what is the impact on the

1 environment? Is that the DEP or is that, did you write
2 something?

3 MR. PEPE: Whatever the regulations are, we
4 have to abide by DEP for sure. But are you saying we
5 need to be more specific?

6 KRIS HOGAN: That's what I'm thinking. Some
7 of them should be just a little more specific.

8 MR. PEPE: All right. That's fair.

9 KRIS HOGAN: And 8.C., that 15,000 square
10 feet dedicated to primary parkland. That sounds like a
11 lot, but it's nothing. In a 250 acre development,
12 that's like a dot. I would like to see more, either
13 more of those or a bigger parkland area because you name
14 all those wonderful things that can go on there, gazebo,
15 pavilion, seating areas, play areas, sport or game
16 activities or recreation building. It seems like for
17 one-third of an acre, that's what we're going to pick.
18 A bench. You know.

19 It's happy talk and I understand you got to
20 encourage people that this is going to be a great thing.
21 And I think a number of these types of parklands would
22 be great throughout.

23 So, the only other thing was when you took out the
24 P.R.D., there was on 280-1206 C., it says, there was a
25 mention there that basically says public hearings after

1 the development was actually applied for, that public
2 hearings would commence after that. But I don't see
3 that in the new one. And I looked through your existing
4 zoning, the ordinary one that wasn't taken out. I
5 didn't see anything. Just need to know that once a
6 development has been applied for and you guys are saying
7 okay, here it is, there's the plan, can we all come in
8 and see it?

9 MR. PEPE: Yeah. The answer to that question
10 is yes.

11 KRIS HOGAN: And talk about it?

12 MR. PEPE: Absolutely. It has to go, it will
13 go to the Planning Commission, which then that's an
14 opportunity for one thing. Then it would have to come
15 back to council for a final approval for sure.

16 KRIS HOGAN: Right. But out to the public,
17 did you say the public will actually be able to see the
18 plan?

19 MR. PEPE: Sure, absolutely.

20 KRIS HOGAN: Okay. Because I didn't see it
21 written in here.

22 MR. PEPE: It is not necessarily governed by
23 this. It's just governed by our practice. But sure.

24 KRIS HOGAN: Okay.

25 MR. SITTING: Just P.R.D.s are covered by a

1 different section of the Municipality Planning Code, so
2 that's where everything else is. So, those are their
3 own process.

4 KRIS HOGAN: Okay.

5 MR. PEPE: It certainly won't be ignored,
6 Kristen.

7 KRIS HOGAN: And if any of you didn't get my
8 letter in February, I have copies.

9 MR. PEPE: I would like it again.

10 KRIS HOGAN: It's very specific to what we do
11 on the farm and how that might impact a residential
12 development right there.

13 MR. PEPE: I would like that. I can even
14 make it part of the record, if you would like.

15 KRIS HOGAN: That would be wonderful. I'll
16 give it to you.

17 MR. SITTIG: Would counsel consider a motion
18 to adjourn the public hearing to be reconvened on
19 Monday, August 30 at 6:30 p.m.?

20 MR. MATHEW: I'll make that a motion.

21 MR. SITTIG: Second?

22 MR. SEMEL: I'll second.

23 MR. BAYER: All in favor.

24 THE BOARD: Aye.

25 MR. BAYER: Opposed.

1 (No response.)

2 MR. SITTING: Council meeting will begin again
3 in ten minutes.

4

5 (At 8:37 p.m., the proceedings were
6 concluded.)

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

* * *

C E R T I F I C A T E

I, Cheryl B. Eckstein, do hereby certify that I took the foregoing proceedings in stenotype at the time and place hereinbefore set forth and thereafter reduced the same to typewritten form, and that the foregoing is a true, full, and correct transcript of my said stenotype notes.

Cheryl B. Eckstein

Cheryl B. Eckstein
Official Court Reporter

Minutes of the Borough Council Zelienople, PA

8/9/2021

6:30 PM Council-Public Hearing

MasterID:

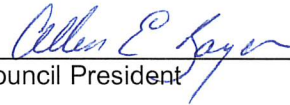
701

Being no further business Mrs. Brimmeier closed the public hearing at 8:30 PM

ATTEST:



Borough Manager



Council President

Approved by me this 13th day of December, 2021.



Mayor