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# *Minutes of the Borough Council Zelienople, PA*

9/20/2022

7:00 PM Council-Public Hearing

MasterID:

730

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The September 20, 2022 Public Hearing of the Zelienople Borough Council was called to order at 7:00 PM, as advertised, by Council President Mary Hess in the Council Chambers located at 111 W New Castle St., Zelienople, PA 16063 and was handed over to Mrs. Bonnie Brimmeier, Legal Counsel, to conduct the hearing. This meeting was held in a limited in-person environment as well as remotely through the WebEx technology to comply with the safety of all concerned and to allow for offsite participation. 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 consider future adoption of proposed Ordinance #883-22, a proposed ordinance that will amend the Zoning Ordinance of Zelienople Borough, Ordinance No. 779, as amended, by repealing Part 12 "Planned Residential Development" as advertised. In-person attendance were council members, Mary Hess, Andrew Mathew III, Doug Foyle, Ralph Geis, and Marietta Reeb. Council Members Gregg Semel, Allen Bayer and Mayor Thomas Oliverio were not present.

Also attending in person were Borough Manager Don Pepe, Zoning and Codes Officer Jason Sarver, Solicitor Bonnie Brimmeier, Solicitor Bill Sittig, Chief James Miller, and Borough Engineer Tom Thompson.

#### VISITORS:

In Person: Amanda Toal, Dan Fritch, Marsha Grabowski, Cathy Baker, Jan Maharg, Jerry Maharg, Doug Hilf, Christine Pattan, Jeff Peters, Steven Green, Krisly Green, Jeff Gibs, Michelle Gibbs, Kris Hogan,

Remotely: Mike Sosak, Brian Thompson, Bruce Kramer, Motyl, Chrissy Stelz, and Donna Statzer

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

BOROUGH OF ZELIENOPLE  
BUTLER COUNTY, PENNSYLVANIA

IN RE: :  
:  
PROPOSED ORDINANCE #883-22 :

PROCEEDINGS

(Public Hearing)

Held Before  
Zelienople Borough Council:

Mary Hess  
Andrew Mathew, III  
Douglas Foyle  
Marietta Reeb  
Ralph E. Geis

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

September 20, 2022  
7:00 p.m.

\* \* \*  
Cheryl B. Eckstein  
Official Court Reporter  
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APPEARANCES:

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

Solicitor: Bonnie Brimmeier, Esq.

Also Present:

(For Borough of Zelienople:)  
Donald C. Pepe, Manager  
Tom Thompson, Engineer  
Police Chief James Miller  
Jason Sarver, Zoning/Code Officer

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## P R O C E E D I N G S

September 20, 2022  
Borough of Zelienople  
Zelienople Municipal Building  
Zelienople, Pennsylvania  
7:00 p.m.

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MS. HESS: This hearing will be called to order. Don, would you lead us in the Pledge of Allegiance.

(Pledge of Allegiance.)

MS. HESS: Thank you, everyone, for attending tonight. We are asking that everyone that is going to speak please speak clearly, enunciate your words, and make sure you give your full name and address for our court stenographer. And I'm going to ask Don to do roll call for council.

MR. PEPE: Thank you. Mayor Oliverio.

(No response.)

MR. PEPE: Mrs. Hess.

MS. HESS: Here.

MR. PEPE: Mr. Semel.

(No response.)

MR. PEPE: Mr. Geis.

MR. GEIS: Here.

MR. PEPE: Mr. Foyle.

MR. FOYLE: Here.

1 MR. PEPE: Mrs. Reeb.

2 MS. REEB: Here.

3 MR. PEPE: Mr. Mathew.

4 MR. MATHEW: Here.

5 MR. PEPE: Mr. Bayer.

6 (No response.)

7 MR. PEPE: Okay. I believe Mr. Semel is  
8 suppose to be reaching us on the phone. I'm not sure.  
9 That's it.

10 MS. HESS: All right. And I am asking all of  
11 council and all of our audience to please silence your  
12 phones as well during this hearing. All right. We will  
13 hand the meeting over to Don Pepe.

14 MR. PEPE: I just want to take a couple  
15 minutes to kind of put us in a position to understand  
16 where we've been over the last year and thank and  
17 welcome everybody who is here in person and anybody on  
18 line.

19 What you have here in front of us is a public  
20 hearing as a result of a cooperative effort of almost a  
21 year of all the parties involved that began last  
22 October. At the public hearing last October, we  
23 received 152 comments and questions and we were able to  
24 review those and consolidate those into some primary  
25 sections and parts that I want to go over with you real

1 quick.

2 One of the primary items was density and also the  
3 housing, the housing types. Another was infrastructure.  
4 Another was which included water, electric, sewer, and  
5 stormwater.

6 By the way, during this period of time, we've had  
7 a separate effort going on in terms of stormwater and  
8 sewer mitigation with our regional stormwaters committee  
9 and we, because of that, all the municipalities that  
10 have been involved in that have much higher standards  
11 than what we had before. This has nothing to do with  
12 necessarily this subdivision, this ordinance, but it is  
13 something separate that we've been working on.

14 Another topic was buffers. Another topic that was  
15 important to the folks was trails. All of those items  
16 were addressed by a joint committee that we formed with  
17 the citizens group, the developer, the potential  
18 developer, the property owner, and the Borough staff.  
19 In that group, we had a dialogue which was really very  
20 educational. It also addressed all the concerns that  
21 came up.

22 Often we came to an agreement on a topic and  
23 sometimes we had to compromise, but it was a great,  
24 great process and a great opportunity for all parties  
25 involved to be part of the process to come up with the

1 ordinance drafted we currently have. All of the items  
2 that I mentioned above were also addressed by that  
3 committee.

4 Please note that there are some items that the  
5 citizens groups have talked about that wanted to be in  
6 the ordinance that could not be in that ordinance  
7 because it wasn't the place for them. And they're  
8 addressed and accommodated in other places and other  
9 pieces of legislation, such as subdivision and land  
10 development, flood plain ordinance, stormwater  
11 management, and Private and Public Improvements Code.  
12 The zoning ordinance provides what you can do. Another  
13 ordinance described how you can do those, so that's how  
14 they work hand-in-hand.

15 So, what you are going to see tonight isn't the  
16 how you can do that portion. That's in another place.  
17 But it's the ordinance that allows for what can happen.  
18 After that, after the group finished their efforts and,  
19 by the way, it was a great effort by all parties  
20 involved and I commend everything that participated. It  
21 was sent to the Planning Commission for their input.  
22 Planning Commission did an outstanding job in clearly  
23 addressing every point in the ordinance and I'm very,  
24 very proud of what they did.

25 As a result of that, the Planning Commission gave

1           it back to the council. The council then subscribed to  
2           have this public hearing and that's why we're here  
3           today. Those are the final comments on the draft of the  
4           ordinance. It's an effort to receive any final  
5           comments, to ask questions, and to be able to endeavor  
6           us to be able to give some answers at one point. This  
7           is not a place for debate or that type of discussion.  
8           That is not the intent. We're simply here to receive  
9           your input. It's also being recorded by the court  
10          stenographer.

11                 Thank you, Ms. President. I appreciate that and  
12                 that's really all I need to say. And I hand it over to  
13                 Mr. Sittig.

14                         MR. SITTIG: Thank you, Don. And before we  
15                         get started in the hearing, Jason, if you could identify  
16                         yourself and, just for the record, could you just go  
17                         through the documents that are related to the public  
18                         notice of this hearing and the council's consideration  
19                         of the proposed zoning minutes?

20                                 MR. SARVER: Yeah. My name is Jason Sarver.  
21                                 I'm the zoning and code officer for Zelienople Borough.  
22                                 I'm just going to go over a couple documents that I have  
23                                 for the court stenographer and for the record.

24   The Notice of Public Hearing was advertised in the  
25   Butler Eagle on August 30th and September 6th. She has



1 the proof of the notice here and a copy of it. The  
2 Notice of Public Hearing was posted on August 24th, two  
3 different parcels, and September 9th at five different  
4 parcels. It was also at the Borough of Zelienople  
5 Municipal Building and letters were sent to all property  
6 owners of record within 200 feet of the parcels of Glade  
7 Run. Each of that.

8 I also got a copy of the ordinance that we've  
9 developed, the letter, and it actually went, the letter  
10 went out to, the notification went out to 140 different  
11 units surrounding Glade Run community. So, that's all I  
12 have.

13 MR. SITTIG: Thanks, Jason. My name is Bill,  
14 Sittig and I've served as counsel for the Borough with  
15 respect to this legislation and I thought I would give a  
16 little bit more background. Most of you I see, I've  
17 gotten to know you. Some of you pretty well. And it's  
18 been, as Don has mentioned, a rewarding experience  
19 because I think we've accomplished a lot.

20 I wanted to give some background so that everybody  
21 is aware because it goes back well beyond even where Don  
22 started ten months ago or so with this ordinance. It  
23 really began back in early 2019 when Glade Run was  
24 looking to develop with Trek Development the Jeremiah  
25 Village property. And that was the Borough's first

1 application of the P.R.D. ordinance, which it was  
2 applicable to all parties in the Borough, but it was the  
3 first development where that ordinance was applied. And  
4 it quickly became apparent and unanimously agreed on all  
5 sides that the ordinance was seriously flawed. At least  
6 in terms of how it would be applied.

7 So, what we did, and it was very much with the  
8 cooperation of the landowner, Glade Run, you know,  
9 worked on amending the ordinance, or not the ordinance,  
10 amending the plan through the land development process  
11 to come up with what you see today. But at the same  
12 time realizing that that P.R.D. ordinance really wasn't  
13 workable going forward.

14 And that not only applied to the acreage, the 250  
15 or so acres we're talking about tonight, but it also  
16 applies to the remainder of the Jeremiah Village  
17 property. And that was a very productive process.  
18 There wasn't nearly as much community involvement, but  
19 we all got to work with each other.

20 I worked for many years with Bonnie and already,  
21 you know, it's a great relationship. I really respect  
22 her and it's, you know. It's always seamless to be able  
23 to work with her. It's the first time I worked with Tom  
24 and right away I got to appreciate the depth of his  
25 experience and commitment.

1           And Shelly Kaltenbaugh was the planner at that  
2 time and Shelly is a very talented and devoted planner.  
3 And that's really the time it started, not only on the  
4 Jeremiah Village plan but, okay, what are we going to do  
5 to either replace or repeal the P.R.D. and how are we  
6 going to handle acreage in the town and specifically  
7 250 acres. So, that was all the way back. And that  
8 extended into, you know September, you know, late 2019.

9           And then what the recommendation was, and it was  
10 really from me legally, is I recommended that council  
11 move to repeal the P.R.D. ordinance, period. That it  
12 wasn't an ordinance that should be amended; it should be  
13 repealed.

14           And we had a hearing on January 13th of 2019 -- or  
15 I'm sorry -- 2020 and Glade Run had counsel there. You  
16 know. And they really took issue with the fact that the  
17 underlying zoning would then apply. It's R-1 and R-2.  
18 I would say it's roughly, you know, three-quarters R-1  
19 and about a quarter R-2 property in that underlying  
20 zoning, so they would no longer have the benefit. And  
21 they brought legal counsel and made a challenge and  
22 preserved their legal rights to proceed on that P.R.D.  
23 even though we were repealing it. So, that was the  
24 legal framework.

25           We had a land owner. We had a repeal of an

1 ordinance. And it was basically a gaping hole where we  
2 had a legal challenge. So, at that point, we were  
3 looking and Shelly, you know, led it off with trying to  
4 develop and create, you know, a new zoning framework for  
5 the 250 acres. And it's very clear that it's a big  
6 enough property where you can do that. You can zone it  
7 individually. You know.

8 That process resulted then in, we ultimately had  
9 the meeting at the Strand in October of last year, of  
10 '21. Those of you that participated, you know that was  
11 a difficult meeting. There was a lot of emotion. But  
12 it was also very organized in terms of the issues that  
13 were presented by the neighbors. It was, you know, very  
14 thoughtful and concerns were put out on the table at  
15 that time. But, there was a very, very high level.

16 And the reason I'm pointing that out is where we  
17 really went from starting with Jeremiah Village and the  
18 legal challenge back at the end of the 2019, beginning  
19 of 2020, then to the Strand and all the contention, and  
20 now we're here with really, you know, what is largely a  
21 consensus. And Don's point, that's the evolution of how  
22 much progress is made and that's the context.

23 Most of you didn't have any of the context of the  
24 repeal of the ordinance in the beginning. Most of you  
25 had the context of the Strand. All of that to get here

1 today is a credit to everybody. It's really a credit  
2 overall to this town and to each of you that happened.

3 As the overall thing I want to say and, you know,  
4 Bonnie and I have talked about this repeatedly. This is  
5 a special town. The people love this town. And this  
6 process could break apart towns. Bonnie and I -- and I  
7 have been representing -- I'm usually on the developer's  
8 side. My developers have through projects that didn't  
9 go well broken towns apart for decades and generations  
10 and it could have happened here. But by everybody's  
11 work, that didn't happen.

12 And it really started, and some might be  
13 surprised, but a large part of it was the organization  
14 and coordination I had with Jim Hulings. We were able  
15 to communicate. We were able to organize and have a lot  
16 of direct communications where the miscommunication was  
17 kept to a minimum. The transparency was kept as open as  
18 we could be and where there was some hard earned trust  
19 on my part. I think I had to earn Jim's trust over  
20 time. And that's good. It should be. You know. There  
21 shouldn't just be trust.

22 But I also knew when Jim said something, it didn't  
23 matter if I liked it, appreciated it, he meant it and he  
24 would carry it through and that would happen. So, we  
25 knew throughout the process there was trust and

1 breakability and that was important because we set the  
2 framework in the committee. I guess we call it the VRD  
3 committee.

4 And we had some overriding guidelines and those  
5 are what we heard when we met at the Strand and density  
6 housing types, you know, overriding preservation of  
7 trails, overriding concern about access, protection of  
8 Timberbrook, buffers, overriding concern of the  
9 agricultural community abutting neighbors. So, all of  
10 that drove the first probably four or five meetings and  
11 much progress was made. And then it went to the  
12 Planning Commission.

13 As you can see, the Planning Commission was not a  
14 rubber stamp in this case. It was very thoughtful.  
15 Further amendments. So, that's why we're here today  
16 with, you know, something that has been, you know,  
17 thoroughly vetted through an arduous process.

18 What I wanted to mention is, you know, my  
19 appreciation and I don't want to lecture. I'm actually  
20 reluctant to do it, but I think maybe from an outsider,  
21 it's important to hear it. Maybe you don't know how  
22 special this town is. But, you know, it started with  
23 the neighbors, you know, Citizen in the Know folks  
24 chaired by Brian Beighey.

25 They're talented, dedicated. They were prepared.

1 They were diligent. They were dogged. They were tough,  
2 always respectful, always cordial. I mean, these were  
3 long meetings with a lot of difficult issues. Really, a  
4 great group of people. And, you know, somewhere we were  
5 able to, again, that is with Jim Hulings' help, the  
6 phoning us, was always trying to get to a solution, not  
7 to look for problems, to focus on progress and we did.  
8 And we did focus on progress and resulting tonight.

9 Then there's Glade Run. Steve Green, he's here.  
10 You know. Always professional, courteous, patient to a  
11 fault maybe. What's most impressive is Steve and his  
12 organization realizes he has his organization front and  
13 center, but what what's never left is that an important  
14 part of that organization's success is this Borough.  
15 That they're a central part of it and that they're key  
16 to the success and vitality of the Borough. And that's  
17 manifested in a lot of ways.

18 It has to do with the people that not only Steve  
19 and who represents the organization but who Steve and  
20 his organization selected to represent them. And, you  
21 know, Don Graham, their legal counsel, Trek Development  
22 and Millcraft, you know, top notch professionals. And  
23 Jim Holcomb and Millcraft. The expertise to identify  
24 solutions with our neighbors was a key.

25 Some things he could do, some things he could meet

1 half way, some things were just being creative. And  
2 then just the doggedness. It's a success of any  
3 successful developer is just the absolute persistence.  
4 And Jim and Millcraft stuck with it. It's an usual  
5 process. It is something unusual. It was something  
6 like more developing the 28 acres in the lower hill type  
7 of project than, you know, sort of a more suburban  
8 project. But, you know, they persisted and stayed in  
9 the project, again, in a very productive way.

10 And that gets to the Borough. I'm a hired gun.  
11 They pay me. I'm biased. I get it. But the thing I  
12 would say to you is, you won't see me on the government  
13 side unless the government that I'm representing is  
14 going to do the right thing that they believe benefits  
15 their constituencies and this Borough has always done  
16 that.

17 Started with Bonnie and Shelly, you know, had a  
18 relationship for years and they consistently exhibited  
19 that. Don I've worked with for many years. You know.  
20 You know. As fair a guy as you could meet. Never a  
21 question of his dedication of the Borough and he can  
22 have fun doing it, so we're able to laugh. You know.  
23 And, you know, always a positive framework.

24 I mentioned Tom. I hadn't worked with him before,  
25 but as easy a guy, professional, turned things around.



1 I know it took forever, but Tom and I were able to,  
2 because of his ability, to turn over a great product,  
3 get things back to everybody, you know, quickly.

4 Jason, I just got to know him. He jumped into  
5 this in a new job. Talk about, you know, a tough  
6 situation to get into. And he never, you know, put  
7 himself in front. Never inserted himself. Was worried  
8 about that. He's just been productive and an asset  
9 going forward.

10 Planning Commission. You saw it. They did the  
11 work. They drilled into it. Members of the committee,  
12 they were on. The same as council. And then it's  
13 overall council. They do set the tone. There's a  
14 culture. There are cultures in towns and we've seen it.  
15 I've been doing this for four decades now. It stays.  
16 And this town has had that culture. And they never  
17 deviated. Again, people love the town. They want to do  
18 what's best for the town. May not agree on what that  
19 approach is, but I haven't seen self-serving.

20 So, what I wanted, that's a long way to say  
21 something. I'm going to be cutting out here. And I  
22 want to celebrate and just acknowledge all of you folks  
23 and how you've gotten this. It's really difficult to  
24 get to this point. But also going forward. And this is  
25 the beginning of the process.

1           There's going to be development plans. This  
2 property is actually going to be developed. And one of  
3 the things that I just want to raise as a note of  
4 caution while we're celebrating getting here and, again,  
5 we're celebrating although it's not perfect for  
6 everybody but it was a work where we got from the Strand  
7 to here, which is, you know, collaboration.

8           I do not believe, and this is based, again, on  
9 experience in many, many towns and really I'm not saying  
10 this, it's not even close. There's nobody that's done  
11 more of this in western Pennsylvania over the last 40  
12 years, not close, than me. So, I've been in all these  
13 towns and at a level that you wouldn't meet anybody that  
14 has.

15           This can still get off the rails and I'm hoping  
16 that the impression is that since we held these folks to  
17 the fire and since, you know, we made them do this, that  
18 we made them accountable, that somehow that was  
19 effective in getting to this result. It wasn't. These  
20 folks rose above that. There were personal attacks.  
21 They weren't made in person, but I saw them. There's  
22 insinuations. And they did rise above it.

23           And all I would say is I hope there's that level.  
24 You should never trust government. That's not what  
25 we're built on in America. You should ask for it. But,

1 you know, doing things by right to know instead of, and  
2 I'm not saying not also doing, but the first level and I  
3 did this with Jim Hulings. He's a very big fan of right  
4 to know and I'm okay with getting the documents. But  
5 getting via right to know without context is very  
6 damaging. And I'll give you an example.

7 We had a thing that I call, this sketch plan. I  
8 called it the crayon plan. And somehow, oh, through a  
9 right to know magic, we have the silver bullet. See,  
10 they were doing something behind our backs. I'm sure it  
11 had to get everybody on the community side all wound up  
12 that there's all this subterfuge. Pick up the phone and  
13 call me and get the plan and get the background. Talk  
14 and understand.

15 That was my recommendation. I was begging for  
16 this for a year or more. To give some kind of an idea  
17 what is the concept for the property, how can it be  
18 developed, how can it be developed with the least impact  
19 on the environment, taking down trees and maximizing  
20 grading. Give us the benefit of your engineering and  
21 your developer to give us a framework on how to do that.

22 And it came back that, oh, there were members of  
23 council that met with a developer. Yeah. That's what  
24 you should do. That's responsible. If you have members  
25 of a legislative body and staff meeting with a land

1 owner and their representatives for 250 acres and saying  
2 what are you thinking of doing, especially when they  
3 have lawyers there ready to sue you because you repealed  
4 an ordinance, they would be abdicating their  
5 responsibility.

6 So, what I would say is you have a relationship.  
7 Now build on it. Call people. Talk with people. Get  
8 them, you know, you can have this product. Get your  
9 right to know and get all the documents. But it's a  
10 mistake to get things secondhand and try to interpret  
11 them with suspicion. And I think we overcame all that.  
12 But I don't think it's a healthy way of going forward.  
13 And I think it would be counterproductive. It's the  
14 thing that could take this victory, you know, and turn  
15 it in as this goes on for the next several years. And  
16 actually, throw away all that's been gained here.

17 So, this has been a healthy process. It's been  
18 transparent. I have not seen any individual, you know,  
19 agendas. There were a lot of insinuations, allegations  
20 and that's fine. But I just suggest to you, this town  
21 and the people in it, I told council, I said, look,  
22 Bonnie knows this. We're around a lot of objectors.  
23 We're around a lot of people that are concerned about  
24 development.

25 The folks here and how they have handled it and

1           how civil they've been and how productive they've been  
2           and how they've put their energy in it is really  
3           unprecedented. Even the objectors are really good here.  
4           Even the people that have concerns. Even the people  
5           that challenge government are really good. It's a  
6           special place. And just protecting it. It can go away  
7           when there's these divisive issues when there's a big  
8           development. There's big milestone. I'm going to be  
9           gone, but please just try to build on it and move  
10          productively from here.

11                       MS. BRIMMEIER: Good evening, everybody. My  
12          name is Bonnie Brimmeier. I'm the Borough solicitor.  
13          For those of you who don't know what that terms means,  
14          I'm the Borough's lawyer. I would just like to have a  
15          few opening comments for the public hearing.

16                       The hearing is being recorded. There is a  
17          transcript being made, so I would ask that everybody  
18          speak one at a time. Do not speak over each other.  
19          Please don't talk out. If you want to speak, we'll hear  
20          whoever wants to speak. Come up, identify yourself, say  
21          your name, your address. And we are giving everybody  
22          who wants to speak three minutes.

23                       We would also ask if what you have to say has  
24          already been said ten times, please just say, hey, I  
25          agree with what's already been said. We don't want you

1 to not be recognized, but everybody has things that they  
2 want to do tonight.

3 I would also like to just let you know that this  
4 is a public hearing for council, you're elected  
5 officials, to hear what you have to say. They will not  
6 necessarily be commenting. In fact, I advised them not  
7 to. If they have questions, we'll certainly entertain  
8 that, but this is not their forum to debate.

9 Their forum to debate will be when the ordinance  
10 is put onto their agenda for a vote. So, don't be  
11 dismayed or think that they're not hearing you because  
12 they're not asking questions or not commenting.

13 With that, I will ask for our first speaker. I  
14 apologize. I forgot. If everybody who wants to speak  
15 would please stand, the court reporter will swear you  
16 in. I apologize I forgot about that.

17 (The witnesses were sworn.)

18 MS. BRIMMEIER: Let the record reflect all  
19 the potential speakers have been sworn in.

20 AMANDA TOAL: I am the daughter of a member,  
21 Anthony Cordoni. My name -- I'm also a member -- is  
22 Amanda Toal and we're both members of the Zelig/Harmony  
23 Sportsman Club located on Front Street in Zelienople.

24 I'm also raising three small members in the community.

25 I'm coming to this meeting with concerns of our

1 club's future, specifically regarding the Ordinance  
2 833-22 and the warm water fisheries off of Muntz Road --  
3 Muntz Run Creek -- I'm sorry -- and Glade Run Creek and  
4 Section 6.D. Stormwater.

5 Our club was established in 1944 as a fishing,  
6 boating, camping, rifle and archery range. We have many  
7 members from local counties including Butler, Beaver,  
8 Lawrence, and others. We annually stock our 26 acres of  
9 fishing lakes with trout, bass, and catfish and the lake  
10 also sustains blue gill, panfish, and crappie bass.

11 Among these fish, the lakes also offer homage and  
12 support to much other local wildlife. The trout lake  
13 gets fresh water from Muntz Creek Road, a designated  
14 warm water fishery. We know that some of our fish swim  
15 up Muntz Creek.

16 In addition, our lakes feed the Connoquenessing  
17 and other valuable streams. It's our fear that the  
18 stormwater from the Glade Run housing development will  
19 be directed into our retention ponds near the club's  
20 lake. With that, we are concerned that our lakes and  
21 the wildlife inhabiting these areas may be negatively  
22 affected. This drainage can bring silt, pesticides,  
23 fertilizers, and other pollutants.

24 Spillover from the stormwater retention ponds  
25 could adversely affect our lake, especially in the event

1 of a flood as the lake is already located on a flood  
2 plain. In an event like this, our lakes could be  
3 diluted by this runoff creating and endangering valuable  
4 recreational aspects.

5 Ordinance 833-22 mentions warm water fisheries,  
6 Muntz Run Creek and Glade Run Creek in Section 6.D.  
7 Stormwater, but currently there are no performance  
8 guarantees protecting the creeks or the downstream  
9 lakes. We would greatly appreciate having stricter  
10 guarantees out of the ordinance to protect our club and  
11 the wildlife than inhabits it. Thank you for your time  
12 and consideration.

13 MR. SARVER: Thank you.

14 MS. BRIMMEIER: Thank you.

15 AMANDA TOAL: Thank you.

16 MS. BRIMMEIER: We'll just starting in the  
17 front back. Whoever is next and wants to speak.

18 JEFF GIBBS: Jeff Gibbs. 713 West Beaver  
19 Street. My concern, obviously, would be the roundabout  
20 that was discussed in the ordinance within 500 feet of  
21 the, I guess it would be the eastern property line. So,  
22 obviously, I'm concerned about trying to get out of my  
23 driveway because we're right there. We're right across  
24 the street from that.

25 MR. SITTING: I just want to mention we're not



1 really going back and forth.

2 JEFF GIBBS: Yeah.

3 MR. SITTIG: But it's not going to be on the  
4 PennDOT right-of-way, not the roadway. It's going to be  
5 internal. That's how the ordinance is set up.

6 JEFF GIBBS: Perfect.

7 MR. SITTIG: Yeah.

8 JEFF GIBBS: Thanks.

9 MS. BRIMMEIER: Next.

10 JEFF PETERS: Good evening, everyone. My  
11 name is Jeff Peters. I live at 105 Oakdale Drive right  
12 here in Zelienople and I represent the Zelienople  
13 Residents in the Know Citizens Group.

14 I want to start off by saying that every time I  
15 attend a Zelienople Borough meeting and the meetings  
16 begin with the Pledge of Allegiance to our flag, I can't  
17 help but think to myself that our Borough meetings are  
18 an excellent example of patriotic government working  
19 with its citizens to achieve common goals. Now,  
20 wouldn't it be amazing if our federal government  
21 followed suit and governed in the same manner. Ha-ha.

22 Keeping that patriotic example in mind, we, the  
23 people of Zelienople, would like to take this time to  
24 thank the Zelienople Borough Council, our Mayor, the  
25 Planning Commission, and, of course, everyone else

1 involved in this endeavor for allowing the Zelienople  
2 Residents in the Know Citizens Group to participate with  
3 the Borough on the Proposed Ordinance 83-22 for the past  
4 several months. We understand you didn't have to allow  
5 us to participate, but in doing so, you did demonstrate  
6 your desire to put the people of Zelienople, first, to  
7 hear us out, find common ground, and develop an  
8 ordinance that we can all be proud of and live with.

9 I would also like to take a moment to thank my  
10 fellow Zelienople residents, Citizens in the Know  
11 members, for your tireless dedication to this  
12 initiative. We poured a lot of blood, sweat, and tears  
13 into fighting for what we felt was right and what was  
14 best for our community. We fought hard. We won some,  
15 we lost some, and progress was made.

16 And while we wholeheartedly appreciate the  
17 opportunity to have played a part in shaping a new  
18 ordinance, we think it's important to point out that  
19 contrary to public statements made outside our citizens  
20 group, mutual agreement, unfortunately, was not reached  
21 on all topics discussed and the voting process that we  
22 thought was promised was not invoked to help determine  
23 the outcome of some of the more complex discretions  
24 where census was not reached.

25 Nevertheless, it's been quite a journey. One well

1       worth everyone's time and effort. And we sincerely  
2       appreciate everyone's commitment to the task at hand and  
3       for all the hard work that went into developing the  
4       Ordinance 83-22. We believe the resolution of 83-22 is  
5       extremely important to all citizens of our great Borough  
6       as each and every one of us continues to put our town  
7       above all else and preserve Zelienople's motto, which is  
8       a modern place with old-fashioned grace. Thank you.

9               MS. BRIMMEIER: Thank you. Is there anyone  
10       else that would like to speak?

11              JIM HOLCOMB: May name is Jim Holcomb. I'm  
12       with Piatt Companies, formerly Millcraft, located at 260  
13       Forbes Avenue, Suite 1550, Pittsburgh, Pennsylvania.  
14       And I can never remember the ZIP code.

15              I had planned to have a little discussion about  
16       the process that we went through and it's already been  
17       done, so I won't rehash that. I will thank all the  
18       committee members, including the Zelienople Residents in  
19       the Know, all the staff and the Planning Commission  
20       members and council members who attended.

21              And I will echo what Jeff just said, which is I  
22       didn't get everything I want. Right. It was difficult.  
23       It was painful. We were patient. They were patient.  
24       We worked together to get a solution that I think  
25       everyone can accept and we would ask that you move

1 everything forward.

2 And I would also like to say when we come forward  
3 with the plan and do begin development, we will continue  
4 to be cooperative and work with the residents to make  
5 sure that we help improve Zelianople to the extent it  
6 can be improved. Thank you.

7 MS. BRIMMEIER: Thank you, Jeff. Anyone  
8 else?

9 (No response.)

10 MS. BRIMMEIER: Any questions from council?

11 (No response.)

12 MS. BRIMMEIER: Is there anyone who is  
13 participating remotely that would like to comment?

14 (No response.)

15 MS. BRIMMEIER: Okay. Let the record reflect  
16 that there are none. Council?

17 MR. MATHEW: All I would like to say is I was  
18 on the committee and we were here, I was hoping somebody  
19 would have brought us supper some of those nights.  
20 Started at six and we didn't get home until ten. But it  
21 was a long process and I think we came out with the best  
22 thing that we could do. And, I mean, with our staff,  
23 with, you know, with everybody, it was great. Thanks.

24 MS. BRIMMEIER: Anyone else?

25 MS. HESS: Could I ask Tom Thompson just to

1 clarify what this ordinance pertains to and maybe for  
2 clarification on some of the issues concerning  
3 stormwater and other things that may be still a concern  
4 for the citizens so that they understand that those are  
5 addressed in other ordinances and they are not part of  
6 this ordinance, could you clarify that?

7 MR. THOMPSON: Yes. From the original  
8 hearing that was done, there were a lot of questions  
9 regarding the aspects of stormwater, roadways,  
10 sidewalks. All of those items are incorporated in  
11 existing ordinances. Essentially the developer would  
12 need to follow those requirements throughout the  
13 process. But they are not specifically in the zoning  
14 ordinance because the zoning ordinance just details the  
15 sizes and standards that the overall property has to  
16 deal with. But they are in existence and they need to  
17 be followed through the process.

18 MS. HESS: Thank you.

19 MS. BRIMMEIER: Anyone else?

20 (No response.)

21 MS. BRIMMEIER: No. Do you have anything?  
22 Okay. Let the record reflect that there's no one else  
23 that wishes to speak at this point. We will close the  
24 public hearing. Thank you all for attending. The  
25 ordinance will be presented at council on a future

1 agenda. I think it might be next Monday.

2 MR. PEPE: It's Monday.

3 MS. BRIMMEIER: Monday. And there will be  
4 whatever debate council wishes to have at that time and  
5 it will be voted on at that time. The hearing is  
6 closed. Thank you.

7 (At 7:40 p.m., the proceedings were  
8 concluded.)

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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  
Official Court Reporter

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# *Minutes of the Borough Council Zelienople, PA*

9/20/2022

7:00 PM Council-Public Hearing

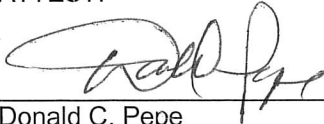
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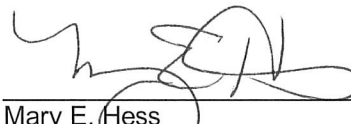
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Being no further business, President Hess closed the meeting at 7:40 PM.

ATTEST:



Donald C. Pepe  
Borough Manager



Mary E. Hess  
Council President

Approved by me this 14<sup>th</sup> day of November 2022.



Thomas M. Oliverio  
Mayor