

**SALEM TOWNSHIP PLANNING COMISSION
MEETING MINUTES
MUNICIPAL BUILDING
244 CONGRUITY RD GREENSBURG PA 15601
September 4, 2024 - 6:00 P.M.**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

John Durco PC Vice-Chair (Absent)

Paul Holleran, PC member

Connie Mattei, PC Chair

Gary Falatovich, Township Solicitor (Remote)

Kelly Otto, Township and PC Secretary

4. ADMINISRATIVE

- A. Motion made by Paul Holleran and seconded by Connie Mattei to approve the Minutes of the previous Planning Commission meeting of August 7, 2024 (Shaw, Artman-Starrett, Gettysburg Land & Cattle Co, D'Aurora, Domke, Koenig, Mark Drive, LLC)**

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed unanimously.

5. NEW BUSINESS

- A. Review the request of: Penn Home & Farm LLC**

- 1. To add Lot 1 to the property of John & Patricia Kilpatrick as an additional side yard. Tax map# 57 12 00 0 021**

Discussion/Conditions follow:

Present:

Tom Spears, property owner and sole owner of Penn Home & Farm LLC (Remote)

Ken Brozack, resident at 24 Mark Dr questioned the right of way to access the rear parcel. Solicitor Falatovich explained that whenever the old plan was recorded it was part of the Garden Courts Plan of Lots laid out in the 1960's. There is a reference in the plan to the two proposed 50' streets. But they weren't dedicated to the township or opened on the ground. There was no reservation of any easement to get to the back parcels. Penn Home & Farm also owns parcel 57-12-00-0-032 and will access the back parcel -021 from that property.

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1. A Non-Buildable Waiver for Lot 1 was signed by the Owners and submitted with the Application. SEO, Township and DEP approvals are required.
2. The front “Building Setback Line” should be shown on the Plan as thirty (30) feet off Mark Drive for the Kilpatrick Property (Tax Map Parcel No. 57-12-08-0-006) as per Sections 412.A and 502.H.11;
3. The Side and Rear Setback Line should be shown on the Plan as ten (10) feet for the Kilpatrick Property (Tax Map Parcel No. 57-12-08-0-006) and Lot 1 as per Sections 412.D and 502.H.11;
4. Label the “driveway” to the dwelling on the Kilpatrick Property (Tax Map Parcel No. 57-12-08-0-006) as per Section 502.H.12;
5. The Right-of-Way width and Identification Number for Mark Drive needs added to the Plan as per Sections 502.H.15 and 307.D.6;
6. The Pre- and Post-Subdivision Acreage of both the Penn Home and Farm LLC Property and the Kilpatrick Property must appear on the Plan as per Section 307.D.1;
7. The location of any sanitary sewer easement affecting the property must be identified and shown on the plan as per Sections 307.D.5 and 502.H.7;
8. The following Note must appear on the Plan:

“Penn Home and Farm owns 54 Mark Drive, Tax Map Parcel No. 57-12-00-0-032, access to Tax Map Parcel No. 57-12-00-0-021 from Mark Drive is available through that property.”
9. Documentation must be provided to confirm the current registered address of Penn Home and Farm LLC with the PA Department of State Corporation Bureau.
10. Provide copies of all documents filed with the Pa Department of State Corporation Bureau identifying the “members” of Penn Home and Farm LLC;
11. The Owner’s Certification must include the name of the representative for Penn Home & Farm LLC and identify same as the “Sole Member” as per Section 502.H.22;
12. John J. Kilpatrick and Patricia G. Kilpatrick must sign off on the Plan as per Section 502.H.22;
13. A Revision Number and Date must be shown on the Plan.

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Motion made by Paul Holleran and seconded by Connie Mattei to recommend approval subject to the conditions mentioned above.

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed unanimously.

6. OLD BUSINESS

A. Review the tabled request of: Florence Jean Artman and Sara Starrett
Tabled April 3, 2024, time waiver not signed, plan rejected May 15, 2024. Plan reinstated June 14, 2024, PC reviewed on August 7, 2024 and recommended approval subject to conditions. Did not appear on August 21, 2024, Supervisor agenda due to issues with the plan submitted, Plan returned to PC for review at 9/4/2024 meeting

1. To subdivide using existing Township boundaries in order to alleviate the hardship of compliance of Township and Municipality ordinances. The request is to have Lot #1 bearing tax map No. 49-16-00-0-099 located in the Municipality of Murrys ville and tax map No. 57-07-00-0-035 and -36 located in Salem Township to be moved into one Municipality.

Discussion/Conditions follow:

Present: Eugene Heald, Surveyor
Sarah Starrett, Property owner

1. All areas on the plan identified as "Remaining Lot B" should be **changed** to "Residual Lot 2".
2. Note 5 of the Plan must be **amended** to read as follows:

"STATEMENT OF PURPOSE. The property to be subdivided consists of a single parcel of land conveyed to the Owners by deed dated June 5, 2015 and recorded with the Recorder of Deeds of Westmoreland County at Instrument No. 201506050017863. The property is located partially in Salem Township and partially in the Municipality of Murrys ville. The property currently has three (3) separate tax map parcel nos. namely Tax Map Nos. 57-07-00-0-035 & 57-07-00-0-036 in Salem Township and Map No. 49-16-00-0-099 in Murrys ville. The purpose of the plan is to create a 2-Lot subdivision with Lot 1 being a new buildable lot for the construction of a new single-family home,

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and a Residual Lot 2 containing an existing single-family home with existing sewage facilities. Portions of Lot 1 and Residual Lot 2 are located in both the Township of Salem and the Municipality of Murrys ville.”

3. The following sentence must be **removed** from the “Owners’ Certificate”:

All Streets And Alleys Not Heretofore Dedicated, Which Are
Specified On The Final Plat To Be Dedicated Are Hereby Dedicated To The Public.

4. Note 7 on the Plan should be amended to **remove** the following language:

“NO DEDICATION OF ANY ROAD, ACCESS WAY, SANITARY SEWAGE OR STORM WATER DISPOSAL SYSTEM FOR PUBLIC ALL BE MADE UNLESS AND UNTIL SAME ARE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWNSHIP FOR PUBLIC FACILITIES IN EFFECT AT THE TIME THE DEDICATION IS MADE. ANY SUBSEQUENT DEDICATION OF A PRIVATE ROAD, ACCESS WAY, SANITARY SEWAGE OR STORM WATER DISPOSAL SYSTEM FOR PUBLIC PURPOSES MAY ONLY BE ACCEPTED BY THE BOARD OF SUPERVISORS BY RESOLUTION AND BE SUBJECT TO ANY CONDITIONS IMPOSED BY THE BOARD OF SUPERVISORS AT THAT TIME. NOTHING IN THIS PARAGRAPH SHALL BE DEEMED OR CONSTRUED TO REQUIRE THE TOWNSHIP TO ACCEPT THE DEDICATION OF ANY PRIVATE ROAD, SCESS WAY, SANITARY SEWAGE OR STORM WATER DISPOSAL SYSTEM FOR PUBLIC PURPOSES REGARDLESS OF THE MANNER IN WHICH IT IS CONSTRUCTED.”

5. Note 9 on the plan must be **amended** to read as follows:

OWNERS HEREBY CREATE AND RESERVE PRIVATE PERMANENT EASEMENTS OVER AND THROUGH LOT NO. 1 AND RESIDUAL LOT "2 " TO PROVIDE INGRESS, EGRESS AND REGRESS TO LOT 1 AND RESIDUAL LOT "2" TO STATE ROUTE 66 AND THE EXISTING HOME LOCATED ON RESIDUAL LOT “2” IN THE AREAS SHOWN ON THE PLAN. SUCH EASEMENTS SHALL BOTH BURDEN AND BENEFIT LOT 1 AND RESIDUAL LOT "2".

6. All references to Tax Map Parcel Numbers as “PID” must be removed and replaced with “Tax Map Parcel No.”
7. The Pre- and Post-subdivision acreage of the existing property and each lot must be clearly shown on the Plan (Section 307.D.1) and the existing references on the Plan should be amended to read as follows:

Area of Existing Property Before Subdivision - 12.93 acres
Post-Subdivision Area of Lot 1 – 4.83 acres
Post-Subdivision Area of Residual Lot 2 - 8.10 acres

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8. A Sewage Planning Module for Lot 1 must be submitted to the Township. Township, SEO and DEP approvals are also required.
9. Approval by the Municipality of Murrysville is required.
10. A Revision Number and Date must be shown on the Plan.

Motion made by Paul Holleran and seconded by Connie Mattei to recommend approval subject to the conditions mentioned above.

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed unanimously.

7. SALDO DISCUSSION

1. **Motion made by Paul Holleran and seconded by Connie Mattei to approve advertising a special meeting of the Planning Commission during the 1st 2 weeks of October on a date agreed on by the Planning members to discuss proposed amendments to the townships Subdivision and Land Development Ordinance.**

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed unanimously.

Resident John Write asked if any materials of the revised SALDO will be distributed to the public for review prior to the meeting. The advertisement for the special meeting will be placed 7-10 days prior to the meeting. The revision will be available at that time.

8. Adjournment

Motion made by Paul Holleran and seconded by Connie Mattei to adjourn this meeting with the next regular meeting to be held on October 2, 2024 at 6:00pm if there is an agenda.

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed unanimously.

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Meeting adjourned 6:58

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kelly Otto", written over the printed name.

Kelly Otto