

**SALEM TOWNSHIP PLANNING COMISSION**  
**MEETING MINUTES**  
**MUNICIPAL BUILDING**  
**6:00 P.M.**  
**June 4, 2025**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

John Durco PC member  
Paul Holleran, PC Vice-chair  
Connie Mattei, PC Chair  
Gary Falatovich(REMOTE), Township Solicitor  
Kelly Otto, Township and PC Secretary

**4. ADMINISRATIVE**

**A. Motion made by Paul Holleran and seconded by John Durco to approve the Minutes of the previous Planning Commission meeting of May 7, 2025 (Koontz, Dunaway, Penn Home & Farm, Zundel, ITEAM Forward, Tuttle, Cherry Hills LP)**

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

**5. NEW BUSINESS**

**6. OLD BUSINESS**

**A. Athena Drive Consolidation,**

1. To Consolidate Tax Map Parcel #57-04-00-0-088 and #57-04-00-0-089 into one lot.

**This Plan was tabled by the Planning Commission at the May 7, 2025 meeting making informal comments to the applicant.**

**Discussion/Conditions follow: June 4, 2025**

**Present: Brian Almeter, Fahringer, McCarty, & Grey**  
**JT Hodil – ITEAM Forward**  
**Eric Hageder – abutting property owner**

**Connie began by running through the list of conditions on the PC's comment letter dated May 12, 2025, to verify if the conditions have been met. Updates are noted in bold below.**

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1. A revised Plan must be submitted showing accurate locations of at least 2 functioning test pits on the property.

**Not Satisfied:** The Plan does not show two test pits located within the boundaries of the consolidated lot. The Applicant's engineer stated that it is the opinion of Andrasko & Brant that a second test pit is not required and that the data from Test Pit 2A located on the abutting property can be used to determine if the soils in between will provide an adequate absorption area. Solicitor Falatovich stated that the position of the Township would be that approval of this Plan with a test pit located on an abutting property without written permission would appear to condone trespassing.

Brian Almeter explained the test pit can't be removed because that is where the soil test was done to determine an absorption area. DEP and the Sewage Enforcement Officer would need to see where the two tests were. The soils engineer was able to show the absorption rate on the ITEAM forward only.

Connie debated that soil on the property has to have a test pit that you can determine the absorption area. Brian said it does on test pit A as shown on the plan. John Durco agreed with Connie. Another pit should be dug. They shouldn't be on someone else's property.

Connie expressed concerns with the absorption area shown on the plan not being accurate. On the soil report the bracketed absorption area is between test pit 1A and 2A – the soil between those two pits appear to be satisfactory for what Andrasko & Brant is proposing. Test pit 2A is 10-12 feet across the property line. If you back it up 10 ft, you are 20 ft over to the edge of the absorption area. 12 feet from the property line to the edge of the absorption area is needed. Doing math, you are 24 feet away. On Andrasco's report the distance between the pits is 90 ft. If you subtract the two, the absorption area is showing 76 feet. The absorption area doesn't go from test pit to test pit. It exceeds the test pit area. Brian said 10 feet beyond the test areas is acceptable per Andrasko and Brant. Connie doesn't believe the absorption area is large enough, however, that is up to DEP.

2. The location of Test Pit 1A should be adjusted on the Plan to show its accurate location;

**Satisfied:** Note 2 on the plan was amended to state that the location of the test pit locations on the plan are based on a survey done by the engineering office and not based on the previous inaccurate coordinates submitted by Andrasko & Brant.

3. Test Pit 2A located on the abutting property identified as Tax Map Parcel #57-04-00-0-087 should be removed from the Plan;

**Not Satisfied:** Test Pit 2A is still shown as located on the abutting parcel 57-04-00-0-087. The owner of the abutting parcel, Eric Hageder, was present at the meeting and verified that no verbal or written permission was given to the Applicant, surveyor, excavator or soil scientist to enter his property, and he has requested that the reference to TP-2A on his property be removed from the plan, as if it does not exist.

4. The location of the proposed 'absorption area' should be accurately located on the Plan;

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**Partially Satisfied:** The Proposed Absorption Area is shown on the plan but appears to be inaccurate with insufficient area for the proposed sewage facilities. The design of the sewage facilities is beyond the scope of the planning commission. However, the accuracy of the information shown on the plan falls within the scope of a review. Therefore, numerous questions were raised by the inconsistencies between the Soil Analysis Report and what is shown on the plan. Note 3 on the plan states that the absorption area was not surveyed but provided by Andrasko & Brant. The Soil Analysis Report identifies the bracketed absorption area between TP-1A and TP-2A as being 90' apart. The revised plan shows an absorption area of 76' x 30'. It is questionable that the distance in between the test pits which is used to determine the soils suitable for an adequate absorption area contains 76' after adjusting TP-1A to its accurate location. TP-2A is approximately 12' beyond the property line into parcel 87 according to Mr. Hageder. Adjusting the absorption area back 24' to the 12' DEP required setback point on the consolidated parcel would leave approximately 66'. The engineer stated that a 10' allowance by the DEP beyond TP-1A is being used to achieve the 76'. The criteria for a drip irrigation system recommended in the Soil Analysis Report is designed using 90' x 27 runs of tubing to be spaced 2' apart making the required width of the absorption area over 50'. The plan shows a 30' width for the absorption area.

5. A Planning Module must be signed by the Owner and submitted to the Township for SEO and Township approval;

Brian – this is a consolidation and not a subdivision, therefore, a planning module isn't needed. It is two tax parcels being consolidated into one. Connie explained that all newly proposed on-lot systems require a planning module. A subdivision is a land development under the MPC as well as under our SALDO. All land developments that propose new on-lot systems require DEP approval through a planning module. Brian said Mr. Brant has never done one for a lot consolidation. Connie argued that Mr. Brant isn't an official of this Township and asked for documentation from our Sewage Enforcement Officer. Connie asked for something in writing from the Township's SEO stating that a planning module isn't necessary. Brian said documentation will be provided that one is not necessary.

**Not Satisfied:** A Planning Module has not been submitted to the Township. No documentation has been received from the SEO. The SEO nor the DEP were present during the soil analysis according to the Applicant. All Subdivisions are considered land developments by definition in the SALDO and MPC. All land developments needing new on-lot sewage facilities require a planning module by the DEP. Planning modules are signed by the SEO and approved by the Township then sent to the DEP for approval. According to the DEP's website, in all cases local municipality involvement is required. Applicants are not to submit planning modules directly to the DEP.

6. As per Sections 307(A)(2) and 307(C)(1, 2, and 3), a Location Map must be shown on the Plan;

**Satisfied.**

7. As per Section 502(H)(6), each parcel should be identified separately by tract boundaries showing the bearings and distances;

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**Satisfied.**

8. As per Section 307(A)(6) and 502(H)(21), the current Owners Name, Tax Map Parcel No. and Pre-Subdivision acreage should be located within the boundary area of each existing parcel;

**Satisfied.**

9. As per Solicitor, the reference to Parcel "A" should be removed from the Plan, leaving the combined Post-Subdivision acreage for the consolidated parcels shown on the Plan (Section 502(H)(21));

**Satisfied: Shown in a chart.**

10. As per Section 307(D)(5), the location of the existing private water well and septic should be shown on the Plan for Tax Map Parcel #57-04-00-0-088 and #57-04-00-0-089;

**Not Satisfied: The current private well and septic locations are not identified on the plan. The existing trailer is occupied, and city water has not been connected according to the Applicant.**

11. If the properties are serviced by public water, a confirmation letter from MAWC needs submitted verifying the taps, and the location of the water line extending to the residence(s) need to be shown on the Plan;

**Satisfied: A letter from MAWC was submitted with the revised plan verifying that public water is available but not connected. Note 3 on the plan states that public water is available with the final location of the water line extension to be determined upon connecting to the system.**

12. As per Section 502(H)(11), the building set back lines must be shown on the Plan for the consolidated parcel as follows:

**Satisfied.**

- a. A thirty (30) foot front building setback line (Section 412(A));
- b. Ten (10) foot side and rear yard setback lines (Section 412(D));

13. As per Section 502(H)(12), the location of the existing driveways for Tax Map Parcel No. 57-04-00-0-088 and 57-04-00-0-089 should be shown on the Plan;

**Satisfied.**

14. As per Section 502(H)(15), the right-of-way width for Athena Drive should be shown on the Plan;

**Satisfied.**

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15. As per Section 502(H)(22), the Township's Certification should be amended as follows:

**Satisfied.**

"Having satisfied the requirements of the Salem Township Subdivision and Land Development Ordinance, final plan approval is granted by the Township of Salem, Westmoreland County, PA, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_. Approval of this plan by Salem Township Board of Supervisors is for recording purposes only and does not constitute acceptance of any dedicated roads in to the Township road system."

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

16. The Owner's Certification must include the Name of the Managing Member for ITEAM + Forward LLC as per Section 502.H.22;

**Not Satisfied:** The individual name of the Managing Member is not shown on the plan.

17. A Revision Number and Date must be shown on the Plan.

**Satisfied.**

JT Hodil asked for clarification on what the proper order of events for the planning module process. Connie said we are a little out of order. The planning module needed to be submitted to the Township and before the Supervisors can give final approval of a plan the SEO would need to sign it. The Township would approve it at their meeting and then it goes to the DEP for approval. The plan will then be signed by the Township once the DEP approval goes through and then it can be recorded. If DEP doesn't approve it, the plan will not move forward.

Eric stated that according to The Commonwealth of PA Department of Environmental Recourses vs Carl Metzgar 1975, DEP ruled that test pits have to be on the existing property, not the neighboring property.

Solicitor Falatovich asked if there is a mandatory distance between test pits? Is there a DEP requirement that test pits have to be so many feet apart? Brian said it depends on the absorption needed and the distance between them for the type of system to be permitted. Solicitor Falatovicch stated that The law in PA states that you can't go on someone else's property without their permission. It looks like the Township is condoning drilling a test pit being drilled on someone else's property without their permission. This is more of a legal issue than a design issue. JT apologized and said he spoke to Eric and he will have another pit dug on the corner of the field and he will work on the module and get it submitted. Eric asked

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if it can be dug in the setback or before the setback. Connie said they have to be 12 feet from the property line not 10 which is what the setback is.

Connie said that the plan that is in front of us is not a plan that can be recommended for approval. You can make your case to the Supervisors for their July meeting and still meet the 90-day requirement.

**Motion made by Paul Holleran and seconded by John Durco to recommend NOT approving the plan based on information presented and documented above.**

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

**B. Tuttle-Duncan Side-Lot addition**

**This plan was reviewed by the Planning Commission on May 7, 2025. Recommendation was given to approve. At the May 21, 2025 Supervisor meeting, Supervisors voted to return to the Planning Commission for further review of condition number 9.**

**Discussion/Conditions follow: June 4, 2025**

**Present: Dave Lentz, surveyor**

1. As per Section 307(D)(8), the Statement of Purpose should be modified to read:

“The purpose of this plan is to subdivide a parcel of land from Tax Map Parcel No. 57-09-00-0-091 (Labeled Lot 2) and add it to Tax Map Parcel No. 57-09-00-0-033 to correct a shed encroachment issue.”

**SATISFIED.**

2. As per Section 502(H)(12), the location of the existing driveway for Tax Map Parcel No. 57-09-00-0-033 should be labelled on the Plan;

**SATISFIED.**

3. As per Section 502(H)(22), the Owners Certification for Darlene Duncan should be modified to read:  
“Darlene Duncan, formerly Darlene Hohn”

**SATISFIED.**

4. As per Section 502(H)(22), the Township’s Certification should be amended as follows:

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“Having satisfied the requirements of the Salem Township Subdivision and Land Development Ordinance, final plan approval is granted by the Township of Salem, Westmoreland County, PA, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_. Approval of this plan by Salem Township Board of Supervisors is for recording purposes only and does not constitute acceptance of any dedicated roads in to the Township road system.”

ATTEST:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

**SATISFIED.**

5. As per Section 502(H)(7), the following Note must be added to the Plan:

“By submitting this plan the parties hereto agree that the existing 20-foot private right-of-way running through the front of the Duncan property (Tax Map Parcel #57-09-00-0-033) is being extended an additional 112 feet to reach the corner of the Tuttle property (Tax Map Parcel #57-09-00-0-091) in the area depicted on the Plan.”

**SATISFIED.**

6. A request for a modification from the minimum setback requirements of the SALDO must be submitted to the Township for approval (Sections 412(B) and 502(H)(11), and the following Notes must appear on the Plan:

“By approval of this Plan, the Board of Supervisors of Salem Township hereby approves a modification of the minimum front building setback requirement of the Township’s Subdivision and Land Development Ordinance for Tax Map Parcel #57-09-00-033.”

“By approval of this Plan the Board of Supervisors of Salem Township hereby acknowledges that the Garage located on Tax Map Parcel #57-09-00-033 is legally nonconforming in the location shown on the Plan.”

**CONDITION REMOVED. The second garage does not encroach into the side setback once the setback distance was accurately shown on the plan.**

7. A Non-Buildable Waiver for Lot 2 must be signed by the Owner and submitted to the Township for SEO and Township approval;

**SATISFIED.**

8. A Revision Number and Date must be shown on the Plan.

**SATISFIED.**

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9. The Solicitor also points out that the 30' front yard setback appears in 2 locations on the plan and requests clarification on whether the 30' front yard set back is being run from SR 819, the edge of the private easement or the common boundary line with the Gray property. Only one (1) front yard setback line should appear on the plan. The solicitor believes it should be run from the common boundary line with the Gray property and, depending on its location, the second note in No. 6 above may not be necessary.

**A. The Planning Commission members agreed that the front yard boundary is to be limited to approximately 155' shown on the plan as irregular angles abutting State Route 819, and that the continuation of the 158' boundary facing State Route 819 and running along the Gray property is to be considered a side yard, as is the 112' boundary facing SR 819 on Lot 2. The following setbacks, therefore, need to be shown on the Plan:**

- 1) As per Section 412(B), a 40' front building setback distance from the edge of the R/W along State Route 819, and**
- 2) As per Section 412(D), a 10' side yard building setback measured from the edge of the 20' private R/W running along the 158' of the Gray property and 112' of Lot 2.**

**B. The newly created parcel does not meet the minimum road frontage of 200' as per Section 414(A)(i), and the following Note must be added to the Plan:**

**"By approval of this Plan the Board of Supervisors of Salem Township hereby acknowledges that the parcel shown on the plan is legally nonconforming and does not comply with the minimum frontage required by the Township's Subdivision and Land Development Ordinance."**

**Motion made by John Durco and seconded by Paul Holleran to recommend Final approval subject to the conditions mentioned above.**

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

**C. Penn Home & Farm**

1. To add Lot 1 (0.1617 acres) to the property of John and Patricia Kilpatrick (57-12-08-0-006) and to add Lot 2 (0.09127) to the property of Penn Home and Farm (57-12-00-0-021) as side lot additions.

**This Plan was tabled by the Planning Commission at the May 7, 2025 meeting making the following informal comments:**

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1. The Applicant will need to petition the Township to vacate the 50' right of way, as advised by Solicitor Falatovich.
2. The process above may be time consuming and the Applicant should consider submitting a time waiver.

**Discussion/Conditions follow: June 4, 2025**

1. No one was present to represent the plan.
2. No revised plans were submitted

**Motion made by Paul Holleran and seconded by John Durco to recommend denial since no one was present to represent the plan, and no revised plans were submitted for review.**

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

**7. SALDO DISCUSION**

**Motion made by John Durco and seconded by Paul Holleran to discuss review procedures for the new revisions to the Subdivision and Land Development Ordinance.**

**Connie – the Planning Commission had a workshop on May 27, 2025. The revisions to the new SALDO allowed the PC to make recommendations to the Board of Supervisors on how we are going to review plans. Instead of writing those details into the SALDO, we are going to do it by Resolution. With the new procedure, instead of tabling a plan we can return it without further review. The 90-day clock doesn't start because it is declared as incomplete. Solicitor Falatovich said that you don't need to call it administratively incomplete – just incomplete. A copy of the draft procedure was distributed by the Planning Commission today to Solicitor Falatovich and the Township.**

**Solicitor Falatovich doesn't review the plans until the weekend before the meeting and provides his comments before the PC meeting. The draft can be reviewed at the staff meeting next week.**

**Eric Hageder asked if the staff meetings are private. Solicitor Falatovich said people have come in by invitation, especially if it is a legal matter. Eric would like to be in attendance at the staff meeting prior to the Athena Dr. matter coming before the Supervisors.**

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

**Motion made by Paul Holleran and seconded by John Durco to recommend a DRAFT review procedure for the new revisions to the Subdivision and Land Development Ordinance.**

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

**Eric Hageder expressed concerns with Baily's Road that ends at Shepherds. Maps show that it continues through to Story Road. The Supervisors and Solicitor Falatovich told him a couple of years ago that they had no intention of ever opening the road. Since it looks like a road on maps, his concern is that contractors will be using the road to put the pipeline in without permission. Solicitor Falatovich stated that this is the first he has heard of this. It is a complicated set of legal issues. He suggested that he talk to the Supervisors about it if he comes to the meeting next week.**

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**8. Adjournment**

Motion made by Paul Holleran and seconded by John Durco to adjourn this meeting with the next regular meeting to be held on July 2, 2025 at 6:00pm if there is an agenda.

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

**Meeting adjourned 7:30pm**

**Respectfully submitted,**

**Kelly Otto** 

