

**SALEM TOWNSHIP BOARD OF SUPERVISORS
HEARING MINUTES
CONGRUITY PRESBYTERIAN CHURCH
136 FENNELTOWN RD. GREENSBURG, PA 15601
March 20, 2025
7:00pm**

23608

- ⌘ Call the meeting to order
- ☉ Pledge of Allegiance
- ☉ Prayer
- ☉ Introduction Bob Zundel, Kenneth Trumbetta and Kerry Jobe
Atty. Falatovich and Secy. Otto
- ☉ Public discussion from residents and taxpayers taken during the course of the meeting, as each item is brought up for motion
- ☉ Announcements: No smoking during the meeting;
: Residents please give your name when addressing Supervisors
: Please turn off all cell phones

1. ADMINISTRATION

- 1A. Motion made by Kerry Jobe and seconded by Ken Trumbetta to begin the public hearing on the Subdivision and Land Development Ordinance proposed amendments.

Vote on the motion: Bob Zundel, Ken Trumbetta, Kerry Jobe voted for the motion.
Motion passed unanimously.

The hearing began with Solicitor Falatovich listing a few household matters to make a part of the public record.

1. Consistent with the MPC (Municipalities Planning Code) copies of a proposed ordinance were sent to the Westmoreland County Planning Department for comment in November 2024. Comments were made by the Westmoreland County Planning Department and will be marked as Salem Township Exhibit #1.
2. This matter was reviewed by the Salem Township Planning Commission. The Planning Commission had a couple public meetings and reviewed adjustments to the proposed ordinance at their meeting on February 5, 2025. Some slightly revised amendments came out of their meeting to the ordinance that had been presented. That ordinance was sent to the Westmoreland County Planning department for supplemental review and additional comments were received dated March 6, 2025. Reference was made to prior comments that were made, and they asked about simplifying language to make the ordinance more comprehensible. This will be marked as Salem Township Exhibit #2.

**SALEM TOWNSHIP BOARD OF SUPERVISORS
HEARING MINUTES
CONGRUITY PRESBYTERIAN CHURCH
136 FENNELTOWN RD. GREENSBURG, PA 15601
March 20, 2025
7:00pm**

3. Public notice of tonight's hearing was advertised consistent with the terms of the MPC. The advertising occurred on March 3 and March 10, 2025. The notice will be marked as Salem Township exhibit #3.
4. Consistent with the terms of the MPC, a copy of the last version of the proposed amendments that came from the planning commission were sent to the Westmoreland County Law Library on March 5, 2025 and remained there for review by the general public. Along with that was a copy of the public notice for tonight's hearing. That letter will be marked as Salem Township exhibit #4.
5. A Copy of the proposed amendments approved by the Planning Commission that will be subject for review this evening will be marked as Salem Township exhibit #5.
6. Proof of publication for the advertisement for tonight's meeting will be marked as Salem Township exhibit #6.

Solicitor Falatovich summarized the recommended amendments.

- A. Proposed amendment number 1 – Has to do with Revisions to section 208 of the Subdivision and Land Development Ordinance. It is designed to alter how the Township charges for Subdivisions and Land Developments. It allows for filing fees to be broken into a couple different categories. There is a base application filing fee and an application review fee. There are provisions that allow the township to collect these fees for the Township Engineer, Township Solicitor, and other professionals that may be consulting with the Planning Commission and the Board of Supervisors when plans come in. There are provisions for those charges to be charged back to the applicant. This allows us to set an escrow for those charges. This also allows the fees and escrow deposits to be modified and set by the Board of Supervisors by resolution. There are provisions for the fees to be challenged by the applicant.

Solicitor Falatovich asked for comment on the first proposed amendment.

1. James Daniel's – 243 Evergreen Drive Greensburg resides in Salem Township. He expressed concerns about how the costs can grow when recommendations from Township professionals such as the Solicitor and Engineer that go to the planning commission do not go through. He

**SALEM TOWNSHIP BOARD OF SUPERVISORS
HEARING MINUTES
CONGRUITY PRESBYTERIAN CHURCH
136 FENNELTOWN RD. GREENSBURG, PA 15601**

March 20, 2025

7:00pm

23608

stated that he sat through numerous meetings where the planning commission keeps fighting pushing it through against the recommendations of the professionals. He asked who absorbs that cost. Solicitor Falatovich responded by saying that his charges for going to Planning Commission meetings are not reimbursed from escrow funds. This fee is covered by the initial application fee that is paid. Connie Mattei explained that there is an application fee for each type of development or subdivision. Only when you get to a major subdivision or land development would you incur the escrow fees that have to do with additional consultant fees.

Solicitor Falatovich -The board of supervisors have 90 days from the day a plan is submitted to act on a plan. Sometimes there is a dispute or discrepancy between what the members of the planning commission want done with the plan and what professional consultants think is accurate. The planning commission at some point needs to make a recommendation to move the plan along. If it is a professional disagreement the option is with the developer to say they want to do what the planning commission is recommending, or they aren't going to do that. At that time, it will get moved onto the supervisors to decide. There is an appeal process if the developer doesn't agree with what the supervisors decide. Once you get into the appeal process, the charges that are charged back to the developer by statute stop.

2. Jack Dunaway – 284 Oak Hill Rd resides in Salem Township. When is it appropriate for the planning commission to table a plan? Solicitor Falatovich said they can table a plan, but they can only table it for so long to meet the 90-day requirement. If they don't act within 90 days, the plan is deemed approved.
3. Connie Mattie – 161 Carasea Dr. Greensburg resides in Salem Township. The role of the Planning Commission is to gather information to present to the Board of Supervisors. It is gathered from the County, the public, professional consultants. That information is compared to our Ordinance. Many times, there is an absence of information on the plan due to the Engineers not consulting our Subdivision and Land Development Ordinance. It is the obligation of the Planning Commission to point out that those conditions have not been met. That does delay a plan and may involve tabling the plan. It is possible that if a developer came in for an informal conference, there would not be costs associated.

The county made a comment that we should consolidate our language. This is one case where the planning commission rejected the county comments because we wanted to divide out the definitions of a lot line revision or a side lot addition from a minor subdivision so the fees can be lower. That is the only recommendation from the County that we will not follow.

**SALEM TOWNSHIP BOARD OF SUPERVISORS
HEARING MINUTES
CONGRUITY PRESBYTERIAN CHURCH
136 FENNELTOWN RD. GREENSBURG, PA 15601
March 20, 2025
7:00pm**

- B. Proposed amendment #2 – Has to do with changes to section 302 and 308F of the Subdivision and Land Development Ordinance. The changes allow the planning commission to make recommendations to the Supervisors on submission procedures. This has to do with when an application is complete and finally accepted and the 90 days begin. Supervisors would approve by Resolution.**
- C. Proposed amendment #3 – Has to do with definitional changes for Professional Consultants Land Developments, Subdivisions, Lot Line Revision, Side-Lot addition, and Major and Minor Subdivision. Definitions were taken from the MPC.**
- D. Proposed amendment #4 – Has to do with provisions that affected the surface developments for oil & gas well operations. That entire section of the ordinance was found to be invalid under the provisions of the oil & gas act so we could no longer enforce it. That is all contained in appendix B of the Ordinance. There are also provisions in the body of the main portion of the subdivision and land development ordinance that refer to sections of appendix B. These revisions would remove these from the existing ordinance.**

Jack Dunaway – the requirement that the Planning Commission reviews all applications is not being removed? Solicitor Falatovich said no and there is a reason for that. Under the MPC and the county, the county requires copies of the plan before initial review. Jack also asked if all abutting property owners need to be given notice of subdivisions and land developments. Connie said all plans coming before the planning commission need to go to the abutters. These revisions did not address the abutters. Solicitor Falatovich said that the changes to all plans coming before the Planning Commission and abutters getting notice on all plans is not being proposed at this time.

Theresa Daniels – 243 Evergreen Dr, resident of Salem Township. Questioned why all the provisions for the oil & gas wells were removed. They don't have to adhere to the Township Ordinances? Can they do whatever they want? Solicitor Falatovich said they are regulated by the DEP and there is language in the oil & gas act that precludes any local regulation of their operations other than through ordinances that are passed under the provisions of the MPC.

The next step will be to advertise the amendment to the Ordinance one more time, no less than 7 days before the Supervisors' meeting when they take action on it. You have to act on it within 60 days of the last hearing or your time period to do that expires.

**SALEM TOWNSHIP BOARD OF SUPERVISORS
HEARING MINUTES
CONGRUITY PRESBYTERIAN CHURCH
136 FENNELTOWN RD. GREENSBURG, PA 15601
March 20, 2025
7:00pm**

23608

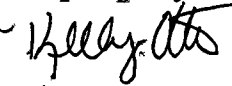
2. ADJOURNMENT

- 2A. Motion made by Ken Trumbetta and seconded by Kerry Jobe to adjourn meeting with the next meeting being a special meeting to open bids on April 14, 2025, at 9:00AM followed by a regular meeting to be held on April 16, 2025, at 7:00 P.M. at the Salem Township Municipal Building.

Vote on the motion: Bob Zundel, Ken Trumbetta, Kerry Jobe voted for the motion.
Motion passed unanimously.

Time of adjournment: 7:56pm

Respectfully submitted,



Kelly Otto