

**SALEM TOWNSHIP PLANNING COMISSION
MEETING MINUTES
MUNICIPAL BUILDING
244 CONGRUITY RD GREENSBURG PA 15601
NOVEMBER 6, 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
Doug Regola, Township Engineer
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 October 2, 2024 (Mark Drive, LLC/Cherry Hills LP)**

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed by majority vote.

5. NEW BUSINESS

6. OLD BUSINESS

A. Review the request of John Randall Koenig

1. To create one new lot (lot 4) containing 8.4801 acres from the lands of John Randall Koenig bearing tax map no: 57-09-00-0-110.

**Present: John Randall Koenig, property owner
Art Kromel, Surveyor**

Discussion/Conditions follow:

1. The "Statement of Purpose" needs amended to read:

"The purpose of this Plan is to create one (1) new buildable Lot (Lot 4) containing 8.4801 acres from the lands of John Randall Koenig (Map No: 57-09-00-0-110) containing an existing building, septic system and cistern in the locations shown on the Plan."

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

Art Kromel explained that this plan has been to planning several times due to utility confusion and the property use. Last time they were here it was given approval by the supervisors with the condition to be used for storage only. The plan is here today due to concerns with that use. Solicitor Falatovich stated that "Storage" note was put on the plan for enforcement of the sanitary sewage facility.

Mr. Koenig explained the history of the property. He stated that originally there was a pole barn on the property to be used as an indoor riding arena. He had the pole barn dug up and ran a drilling company out of there. A septic tank was put in with a leach field in approximately 2000-2001. He feels that the note is limiting the use.

Solicitor Falatovich stated that Township SEO, Dave Jobe didn't have any record of installation of a septic system. Dave Jobe wasn't the SEO at that time. It is uncertain who the SEO was at that time and where the paperwork for a permit would be.

Connie Mattei stated that the confusion began when the first application came in as a septic holding tank. Mr. Koenig explained that was for the runoff from the roof. It was agreed that the tank would be pulled out. When they went down and found a septic system, you came in to withdraw the non-buildable waiver and wanted to make it a buildable lot. The note was put on there to clarify that the use would be used for storage and couldn't be expanded for what was already there. Dave Jobe's office has no record of malfunction of this system. If the use would change it would need to come back to planning as a land development and soil testing would need done.

Katherine Hoyman a resident of Falcom Lane asked who the purchaser of the property is. Connie Mattei responded by stating that we don't have knowledge of anyone buying the property. Connie assured her that Falcom Ln will remain private.

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 by majority vote.

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B. Review the request of Alquin Heinnickel

1. To subdivide tax parcel no. 57-16-00-0-013 into 2 lots for future development.

Present:

**Alquin Heinnickel, property owner
Ryan Jones, Surveyor**

Discussion/Conditions follow:

1. Amend the Notes on the Plan to read:
 - a. Front Building Line Setback is 30 feet;
 - b. Minimum Lot Size is 2.0 acres for commercial developments; and
 - c. Minimum Lot Size is 1.0 acres with minimum frontage of 125 feet for residential developments.
2. The minimum lot size for commercial developments is 2.0 acres, as per Section 601(B)(2).
 - a. A modification of the minimum lot size for the existing commercial development on Lot 1 and the proposed commercial development on Lot 2 must be submitted in writing to the Township.
 - b. If granted, the following Note must appear on the Plan:

“By approval of this Plan the Board of Supervisors of Salem Township approves the modification of the minimum lot size requirement of the Township’s Subdivision and Land Development Ordinance for Lot 1 to enable its subdivision and the continuation of its existing commercial use, and the modification of the minimum lot size requirement of the Township’s Subdivision and Land Development Ordinance for Lot 2 to enable its subdivision and use for future commercial putposes, subject to any required Land Development Plan approval by the Township.”
3. A Revision Number and Date must be shown on the Plan.

Connie stated that there is not a frontage requirement in our SALDO for commercial properties. The Set-back of 15 feet side and rear is in compliance for the Vet Clinic. Lot 2 is to be determined. If it’s going to be a residential lot it meets the minimum lot size and it complies. When a development comes in and they want it to be commercial, they will need to do a Land Development application and request a modification for the minimum lot size from 2 to 1. A copy of the time waiver will be sent to Mr. Heinnickel so we are not held to the 90 day requirement to take action. If it is sold as a residential property, they will not need to

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apply for a land development. Mr. Heinnickel would bring in a mylar for signature and then the subdivision can be recorded.

Until the use is known, the subdivision application can be approved by the supervisors but recording of the mylar will be on hold. The mylar for the subdivision and land development will be recorded at the same time.

Connie directed a question to Township Engineer Doug Regola concerning Storm water. Since we are subdividing this off is there any concern that storm water is not totally contained by the parcel and is not affected by the subdivision. Are any storm water facilities subdivided off? Doug responded by saying the storm water facility is right in front of the building.

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

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed by majority vote.

C. Review the request of Bushy Run Investments LP

1. To consolidate two lots for the Fusting Center Phase 2 Land Development for a proposed office, retail, and condominium building. The tax map parcel numbers to be consolidated are 57-12-00-0-27 and 57-12- 00-0-024.

Present: Ray Gusty, Fahringer, McCarty, & Grey, Architect

Discussion/Conditions follow:

1. Submit a revised **Lot Consolidation Plan** based on the following:
 - a. Add a reference to the area of the Township in which the development is located that includes a "Location Map" as per Sections 307(A)(2) and 307(C)(3).
 - b. Add a statement describing the purpose of the proposed land development as per Section 307(A)(8).
 - c. Identify the edge of the ROW and center line for State Route 22 as per Section 502(H)(8).
 - d. Label the existing entrance into the property from State Route 22 as per Section 502(H)(12).

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- e. Remove the Mortgage Certification language from Sheet 1.
- f. Amend the Recorder of Deeds Certification as per Section 502(H)(22) to read:

Commonwealth of Pennsylvania)
County of Westmoreland) SS:

Recorded in the Office for the Recording of Deeds, Plans, etc., in said County in
Plan Book, Volume _____, Page _____.

Given under my hand and seal this _____ day of _____, 2024.

Attest: _____
Recorder

- g. Add the following statement as per Section 309(F):

“No plan which will require access to a highway under the jurisdiction of the Department of Transportation shall be finally approved unless a highway occupancy permit has been issued pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the ‘State Highway Law.’”

- h. A Revision Number and Date must be added to the Plan.

Connie asked where we are as far as sewage and taps. Due to the DEP Consent Order and Agreement, you will need FTMSA approval of the number of taps that will be required. The amount of taps will be added to our Tap allocation request and sent to Dave Jobe. FTMSA will set aside the amount of taps required for 2025.

Solicitor Falatovich prefers that the land development and lot consolidation be approved and recorded at the same time. If you are doing a final approval on the lot consolidation and something falls through with the overall build out on the plan, you will have to come back to planning to pull the lots apart or you will have to find a different use that will work. We can do preliminary approvals now and then do finals at the same time.

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

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed by majority vote.

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2. Submit a revised Site Plan based on the following:

Present: Ray Gusty, Fahringer, McCartney & Grey, Architect

Discussion/Conditions follow:

Mr. Gusty began with a review of the layout of the proposed building. The 1st floor will consist of a fast food restaurant and a sit down restaurant with retail space. The 2nd floor will consist of condos and offices. Floor 3 and 4 will consist of additional condos. There will be a total of four floors with a total of 40, 1, 2, and 3 bedroom condominiums.

There was discussion concerning the size of the site plan submitted. Our ordinance asks for 36x48. Mr. Gusty said these are 30x42. Connie mentioned that this is the smallest that we would like to see in a site plan.

Also, there were concerns with the amount of detail on the plan which made it difficult to read and understand.

- a. Remove the Utility Plan information and contour lines for clarity, but retain the information on separate drawings.
- b. Identify on the Plan "Phase I" as existing, and identify what is designed to be constructed and occupied as part of "Phase II".
- c. Add a statement describing the purpose of the proposed land development as per Section 307(A)(8).
- d. Show a minimum forty (40) foot front building setback line from the edge of the ROW on State Route 22, and a minimum fifteen (15) foot side and rear setbacks as per Section 307(E)(5).
- e. As per Section 307(E)(8):
 - i. Show the location of all proposed buildings,
 - ii. the building dimensions, including the height and total area, and
 - iii. the distance between setbacks.
- f. As per Section 602:

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- i. Show the size and arrangement of the off-street parking spaces with the distances between rows,
- ii. all loading and unloading areas,
- iii. the interior circulation within the parking area; and
- iv. calculate the total number of spaces required based on the spaces required for both the existing development in Phase I and the proposed development for Phase II.

The Supervisors granted a waiver to reduce the number of spaces from 60+ to 56 for phase I which is the existing building. Our SALDO doesn't specifically say anything about condos as far as parking requirements, but it does indicate 2 spaces per unit for apartment/multi-family homes. In order to determine how many spaces will be required, we will need a breakdown of how many units are 1, 2, and 3 bedrooms. Connie pointed out that 25 cars from the existing DNA building are overflowing into the gravel lot. We want to make sure there is sufficient parking for Phase I and II, so people aren't parking in surrounding businesses. We will need to see parking calculations for both phases.

We will need some proof of access easements going across private properties.

- g. A traffic circulation plan must be provided to show how traffic and emergency vehicles will have access to the property and circulate through the development.

There was discussion concerning what is required for a four-story building. Is a ladder truck required? Can we use Murrysville's ladder truck. We need dimensions on the building so we know how to proceed.

3. Add to the Plan labelled circles 2 ½ inches in diameter with centers not more than two (2) inches from the edge of the paper, for locating the seals of:
 - a. The Salem Township Board of Supervisors;
 - b. The Westmoreland County Planning Commission; and
 - c. The Recorder of Deeds.
4. Add to the Plan the appropriate Owner's Certification with a Notary Certification.
5. Add to the Plan an Engineer's Certification.
6. Add the following Township Certifications:

PRELIMINARY PLAN APPROVAL

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“Having satisfied the applicable requirements of the Salem Township Subdivision and Land Development Ordinance, preliminary plan approval is granted by the Township of Salem, Westmoreland County this _____ day of _____, 2024.”

ATTEST: THE TOWNSHIP OF SALEM:

Secretary, Salem Township Board of Supervisors

Chairman, Salem Township Board of Supervisors

FINAL PLAN APPROVAL

“Having satisfied the applicable requirements of the Salem Township Subdivision and Land Development Ordinance, final plan approval is granted by the Township of Salem, Westmoreland County this _____ day of _____, 2024.”

ATTEST: THE TOWNSHIP OF SALEM:

Secretary, Salem Township Board of Supervisors

Chairman, Salem Township Board of Supervisors

7. Add the following County Certification:

PRELIMINARY PLAN APPROVAL

“This plan was reviewed by the Westmoreland County Planning Department this _____ day of _____, 2024.”

ATTEST: _____
Director, Westmoreland County Planning Department

FINAL PLAN APPROVAL

“This plan was reviewed by the Westmoreland County Planning Department this _____ day of _____, 2024.”

ATTEST: _____
Director, Westmoreland County Planning Department

8. Add the following Recorder’s Certification:

Commonwealth of Pennsylvania)
County of Westmoreland) SS:

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Recorded in the Office for the Recording of Deeds, Plans, etc., in said County in Plan Book, Volume _____, Page _____. Given under my hand and seal this _____ day of _____, 2024.

ATTEST: _____
Recorder

9. Provide drawings showing the layout of the land development with design details for the proposed buildings.
10. Provide a breakdown of the number of condominiums being proposed with respect to the number of bedrooms proposed. That is, how many 1-bedroom, 2-bedroom & 3-bedroom condos are to be provided. This is necessary to determine off-street parking requirement.
11. Erosion and Sedimentation Control/NPDES Plan approval is required.
12. Township Engineer approval of the Stormwater Management Plan is required.
13. FTMSA/DEP approval of sanitary sewer connections is required.
14. A PennDOT Highway Occupancy Permit is required.
15. A Revision Number and Date must be shown on the Plan.
16. Proof of cross easements over the property of "Delmont X Corp" and "Salem 22 Associates" to access the redlight at the intersection of the Salem 22 Associates Property and SR 0022 from the development site is required;

Motion made by Paul Holleran and seconded by Connie Mattei to recommend tabling this plan due to the amount of information needed to bring the plan in compliance with our ordinance.

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed by majority vote.

D. Review the request of Westmoreland County Food Bank

1. To construct a building addition with parking on tax map parcel number 57-12-00-0-087

Present: Dan Irvin, Surveyor

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Discussion/Conditions follow:

1. A Revised Site Plan be submitted showing the following:
 - a. A fifteen-foot (15') rear and side yard setback as per Section 307(E)(5) and 412(D);
 - b. A thirty-foot (30') front building setback off Devonshire Road and Cloverleaf Drive as per Section 412(A);
 - c. Topographic contour lines removed for clarity;
 - d. The dimensions and area of the existing building and proposed addition as per Section 307(E)(8);
 - e. Identify the access off Cloverleaf Drive into the facility as per Sections 307(D)(6) and 502(H)(12);
2. The Site Plan contains insufficient information to determine the "Off-Street Parking" and "Loading" requirements as per Section 602, specifically:
 - a. Number and size of spaces provided for the facility must be identified. Parking spaces shall be at least nine (9) feet in width and twenty (20) feet in length;
 - b. Distance between the rows must be identified. Rows are not to be less than twenty-four (24) feet in width;
 - c. Label the three (3) proposed loading docks and the size of each loading space;
 - d. Internal traffic circulation patterns be shown on the Plan;
3. A Note must be added to the Plan to address the encroachment of a "shed" onto the Rimco property. The Note should read as follows:

"Nothing in the Township's approval of this Plan shall be deemed or construed to condone, permit, license or authorize the encroachment of the "shed" onto the subject property in the location shown on the Plan, such encroachment being a private matter to be resolved between the property owners."

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4. The Owner's Adoption language on the Title Sheet (Sheet C000) must be modified to remove the last sentence referencing roads being dedicated to the Township;
5. Labelled circles 2 ½ inches in diameter with centers not more than two (2) inches from the edge of the paper, for locating the seals of:
 - a. The Salem Township Board of Supervisors;
 - b. The Westmoreland County Planning Commission; and
 - c. The Recorder of Deeds.
6. Add the following Township Certifications:

PRELIMINARY PLAN APPROVAL

"Having satisfied the applicable requirements of the Salem Township Subdivision and Land Development Ordinance, preliminary plan approval is granted by the Township of Salem, Westmoreland County this _____ day of _____, 2024."

ATTEST:

THE TOWNSHIP OF SALEM:

Secretary, Salem Township Board of Supervisors

Chairman, Salem Township Board of Supervisors

FINAL PLAN APPROVAL

"Having satisfied the applicable requirements of the Salem Township Subdivision and Land Development Ordinance, final plan approval is granted by the Township of Salem, Westmoreland County this _____ day of _____, 2024."

ATTEST:

THE TOWNSHIP OF SALEM:

Secretary, Salem Township Board of Supervisors

Chairman, Salem Township Board of Supervisors

7. Add the following County Certification:

PRELIMINARY PLAN APPROVAL

"This plan was reviewed by the Westmoreland County Planning Department this _____ day of _____, 2024."

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ATTEST: _____
Director, Westmoreland County Planning Department

FINAL PLAN APPROVAL

“This plan was reviewed by the Westmoreland County Planning Department this _____ day of _____, 2024.”

ATTEST: _____
Director, Westmoreland County Planning Department

8. Add the following Recorder’s Certification:

Commonwealth of Pennsylvania)
County of Westmoreland) SS:

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ATTEST: _____
Recorder

9. Stormwater Management Plan approval is required;

10. Erosion and Sedimentation Control Plan approval is required; and

11. A Revision number and Date must be added to the Plan.

Motion made by Paul Holleran and seconded by Connie Mattei to recommend tabling the plan due to the amount of information needed to bring the plan in compliance with our ordinance.

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed by majority vote.

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1. SALDO DISCUSSION –

Special Meeting November 19, 2024 6:00PM @ Congruity Presbyterial Church 136 Fenneltown Rd New Alexandria to take public comment and make recommendations on proposed amendments to the Township's Subdivision and Land Development Ordinance (SALDO).

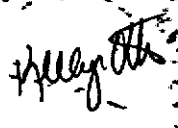
ADJOURNMENT

Motion made by Paul Holleran and seconded by Connie Mattei to adjourn this meeting with the next meeting being a special meeting on November 19, 2024 at 6:00pm followed by a regular meeting to be held on December 4, 2024 at 6:00pm if there is an agenda.

Vote on the motion: Paul Holleran and Connie Mattei voted for the motion. Motion passed by majority vote.

Meeting adjourned 7:42pm

Respectfully submitted,


Kelly Otto