

PUBLIC HEARING  
CREEKSIDE TOWNHOUSE DEVELOPMENT CONDITIONAL USE  
SEPTEMBER 6, 2011  
6:00 p.m.

Harlan G. Shober, Jr.-Chairman called the public hearing to order at 6:00 p.m. Tuesday, September 6, 2011.

**ATTENDANCE:**

Attending this evenings meeting were Supervisors A. William Kiehl, Richard W. Metzler and Mr. Shober. Additionally in attendance were James Liekar-Solicitor; Samuel R. Stockton-Township Manager; Daniel Slagle-Township Engineer; (arriving later) Harold Ivery, Jr.-Planning/Zoning Officer and Wendy Williams-Recording Secretary. Also present was William Grazianni, Applicant.

The purpose of this evenings hearing is to take public comment to a request submitted, by William Graziani Jr., for the proposed townhouses none as Creekside Commons on Valley Road, Canonsburg, PA.

Mr. Shober: "What was the recommendation of the Planning Commission?"

Mr. Ivery: "The recommendation of the Planning Commission was a preliminary and final approval to the Supervisors for Creekside Commons Phase I."

Mr. Grazianni: "If I could clarify, Harold, I thought we were also asking for approval of an overall vision. Correct?"

Mr. Ivery: "This was the motion by the Planning Commission."

Mr. Metzler: "The motion by the Planning Commission was the approval of Phase I."

Mr. Ivery: "That's correct."

Mr. Shober: "If you don't have approval of the Master Plan – How do you approve Phase One? The Master Plan is usually the first thing you look at. Then you approve the phases as you go. You can't do a Phase One without the Master Plan."

Mr. Ivery: "I think the reason they went back to Phase I were the driveways in Phase II."

Mr. Shober: "The Master Plan is basically an improvement lay out in general of Phase I, Phase II, III. Dan – Are we approving the Master Plan and Phase I?"

Mr. Slagle: “That was discussed briefly at the Planning Commission and the Developer wanted a Master Plan the conception of doing it this way was the issue of the driveways and a safety hazard there. Obviously this is a Conditional Use and as the Solicitor pointed out there is nothing specific in the ordinance that talks about the spacing of driveways whatsoever. However, in our letter that submitted we referenced PADOT driveways.”

Mr. Liekar: “That may be true, but Conditional Use – the conditions are conditions that appear in the ordinance. Specific condition set forth in our ordinance – that is the definition in our ordinance. You can’t just make up a condition.”

Mr. Metzler: “I understood there was an issue in regard to the number of driveways Phase II, III, and IV that came out on Valley Road. I was under the opinion that there was way too many driveways that were going to enter onto that road and there was no off street parking for visitors. I have seen neighborhoods where there have been a lot of townhouses with small driveways and around the holidays when families visited there is nowhere for these folks to park but on the road. The question I had comes down to a legal one. If there isn’t an ordinance covering concern that I heard the Planning Commission had, which I had to agree with, that what decision do I have to make. There has to be an ordinance and I have to go with the decision of the ordinance. I don’t have the authority to indicate that I have a concern, therefore why is it coming before me to make a decision. My general opinion where there isn’t an ordinance I would fall back what Dan said and recommend the State Municipal Code to apply that as a requirement. If I don’t have the authority to do that – Why is it coming to me?”

Mr. Liekar: “Because conditional uses are special uses permitted in areas that are not normally permitted. You set the criteria that is set forth in our ordinance. Our ordinance does cover the amount of parking spaces per unit. There are two issues: the driveway and parking. Secondly we do have site requirements around bends. trees like that and that coves road openings for township roads. If you look at our Zoning Ordinance it says “Specific criteria s set forth in our ordinance.”

Mr. Shober: “By adopting the Master Plan, then specifically Phase I then this concept would be okay. Then go back and do an approval on each phase.”

Mr. Slagle: “Correct. There were actually three issues: 1) the status of the Storm Sewer right-of-way; driveway spacing, RW and landlocked property. Would you like to fill us in as to the Storm sewer?”

Mr. Graziani: “Yes, Its in the process. We are in negotiations with Edward Morascyzk, Attorney for Mr. Falconi.”

Mr. Shober: “That’s going across Valley down to the sewer line and the water?”

Mr. Graziani: "It's not going into the sewer, I'm guessing there is a headwall there."

Dan Grachen  
Tate Engineering

"Yes. This is storm water, it's not sanitary sewer. It does cross under Valley to discharge to Brush Run on the other side."

Mr. Graziani: "The property in question, we had to basically show them where it was. To show that it was not draining directly off the Falconi property. My Attorney is going to work with their Engineer as to the Right-of-Way. It's in process but I can't say at this point whether we have it. "

Mr. Shober: "Bill, where does the sewer line run?"

Mr. Graziani: "Actually there are two. One is across from Brush Run on Mr. Falconi's Property and we are going to extend the one on Veronica Drive."

Mr. Ivery: "I can speak to the parking and I believe it meets the parking issue – off street parking for garden apartments and townhouses is 1.5 spaces. This is a requirement of the ordinance."

Mr. Shober: "Do you know how long these driveways are?"

Mr. Grachen: "It's about 35-ft long that would accommodate approximately two vehicles and one in the garage. The ordinance requires 1.5 spaces. We have space for three cars per unit."

Mark Cummings  
504 Highfield Ave.  
Canonsburg, PA 15317

A resident in the area owns property third lot from the dead end. Had no objects to the request.

No further business the public hearing adjourned at 6:48 p.m.

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Richard W Metzler  
Secretary

Wendy Williams-Recording Secretary