The regular meeting of the Planning Commission of the Township of Upper St. Clair, duly advertised and posted in accordance with the law, was called to order by the Chairwoman at 7:34 PM, Thursday, December 19, 2019, in the Township Municipal Building Board of Commissioners’ Meeting Room, located at 1820 McLaughlin Run Road, Upper St. Clair, PA 15241.

PRESENT: Kimberly Smith
David Wade
Todd Burlingame
Rachelle Vopal
Jake Polochak
Adam Benigni, Director of Planning and Community Development
Michael Galet, on behalf of the Township Engineer
Chris Cahillane, on behalf of the Township Attorney
Christina Phlegar, Planning and Zoning Assistant

ABSENT: Joel Helmrich
Robert Stevenson

PUBLIC: Twenty-one (21)

CONSIDERATION OF THE MINUTES OF THE INFORMATIONAL AND REGULAR MEETINGS OF NOVEMBER 21, 2019

On motion by Mr. Wade, seconded by Mr. Burlingame, carried by a voice vote, 5-0, the minutes were approved for filing as written.

OLD BUSINESS

PLC19-0010 – TUSCANY POINTE – PLANNED RESIDENTIAL DEVELOPMENT – AMENDED TENTATIVE APPROVAL

Ms. Kim Gales, J.R. Gales & Associates, Inc. presented on behalf of the applicants, Jeffrey and Patricia Thomas. She gave a history of the proposed project and explained that this proposal is seeking all of the same modifications as were previously approved in 2016. She further stated that the development would decrease in impervious area and add a rain garden to the site. Ms. Gales also briefly discussed details regarding the bridge that will connect Tuscany Pointe to McLaughlin Run Road. The presentation was then turned over to Mr. Jesse Thomas.

Mr. Thomas described the differences between the 2016 approved plan and the currently proposed development. He explained the updates to the interior features of each building, the elimination of a majority of the detached garages, proposed landscaping, and the relocation of the HVAC units from the roof to the side of each building.

Mr. Wade questioned the status of the approval for the proposed bridge. Ms. Gales stated that the applicant had to withdraw that application with the DEP per the agency’s requirement of zoning approval from the Township and a stormwater consistency letter prior to receiving said approval.

Mr. Burlingame questioned the number of stories that would be visible from McLaughlin Run Road. Ms. Gales stated that three (3) stories would be visible.
Mr. Polochak questioned the elevation of the three (3) story buildings compared to the four (4) Story buildings. Ms. Gales stated that the only difference between the buildings is the parking garages below grade.

Ms. Smith asked if there were any further questions from the Planning Commission. There being none, she then opened the floor to questions and/or comments from the audience.

Ms. Teresa Rowles, 1417 Deep Wood Drive, questioned whether the dumpsters have been relocated since the plan was last presented. Mr. Seth Mendelson, Silver Hills Development, on behalf of the applicant, explained that the plan is to use a valet trash service two (2) times a week in addition to the proposed dumpster.

Mr. Benigni clarified that the residents are concerned with the physical location of the dumpsters, rather than the speed of garbage pickup. Mr. Mendelson stated that the issue can be addressed.

Ms. Kathy Schwaba, 1305 Wellington Drive, recounted the history of development proposals on this property as well as water issues along McLaughlin Run Road and further described water issues within Pittsburgh in general. Ms. Schwaba further expressed her concern about the proposed project and potential safety hazards.

Ms. Ann Shiry, 1309 Wellington Drive, questioned the location of the maintenance shed on the proposed plan, the breakdown of one, two and three-bedroom units, range of rental charge per unit, targeted market, date of the geotechnical study, and the number of walk-up units. Mr. Mendelson responded to each question, discussion ensued.

Mr. Jeffrey Wilhelm, Reed Smith LLP, on behalf of Ann and Dmitri Shiry, stated that he and his client are objecting to the application and objecting to the Township’s approval process as they have gone beyond the authority provided by the Pennsylvania Municipalities Planning Code (MPC). He stated that the Township has already enacted an ordinance for the approval of this property as a 144-unit PRD, in which the community has a vested interest in. Mr. Wilhelm further explained the negative impact that he and his clients find this project would have on the community and the need for better stewardship of the land. He also expressed his frustration with the amount of iterations and lack of clarity that has been present with each proposed plan. Mr. Wilhelm thanked the Planning Commission for their time.

Mr. David Rowles, 1417 Deep Wood Drive, questioned why the Township would approve a project that is a “catch-22”. Ms. Rowles followed up by expressing her concerns with the applicant’s presentation.

Ms. Gales expressed to both the audience and the Planning Commission that the application is currently in the tentative approval stage and that minor changes to the floor plans could occur between now and the final approval.

Ms. Smith asked if there were any further questions and/or comments from the audience. There being none, a motion was made.

MOTION: THAT the Planning Commission recommend the Board of Commissioners deny approval for PLC19-0010 – Tuscany Pointe – Planned Residential Development – Amended Tentative Approval.

Motion by Mr. Burlingame seconded by Mr. Wade, carried by unanimous voice vote, 5-0.
NEW BUSINESS

NONE

ADJOURNMENT

There being no further business, it was moved, seconded and carried unanimously that the meeting be adjourned at approximately 8:19 PM.

Respectfully submitted,

Christina Phlegar
Planning and Zoning Assistant