

**PLANNING COMMISSION MEETING MINUTES**  
**March 19, 2009**

The regular meeting of the Planning Commission of the Township of Upper St. Clair, duly advertised and posted in accordance with law, was called to order by the Chairman at 7:30 P.M., Thursday, March 19, 2009, in the Board of Commissioners Meeting Room, 1820 McLaughlin Run Road.

PRESENT: Philip J. Tanner, Chairman  
Robert W. Stevenson, Vice Chairman  
Marvin Haddox  
James E. Sekela  
Scott Slagle  
David Wade  
Ruthann L. Omer, Township Engineer  
Christopher W. Cahillane, representing the Township Attorney  
Scott Brillhart, Director of Community Development  
Kathleen R. Oberle, Recording Secretary

ABSENT: Joel Helmrich, Secretary

PUBLIC: Six (6) persons.

**CONSIDERATION OF MINUTES OF THE REGULAR MEETING OF  
JANUARY 15, 2009**

On motion by Mr. Wade, seconded by Mr. Sekela, carried by voice vote 6-0, the minutes were approved for filing as written.

Chairman Tanner explained that the Commission would hear the preapplication conference first.

**PREAPPLICATION CONFERENCE**

**1406 LATTIDOME DRIVE PROPOSED SUBDIVISION – AJ LIBERATORE**

Mr. Liberatore was present to explain his desire to subdivide this property to create one new building lot. He previously extended the sewer line to serve the new dwelling on proposed Lot A and the improvement has been accepted by the Township. Ms. Omer explained that staff is willing to consider recommending that a modification be granted from the requirement of Section 114.41.3. that side lot lines be substantially at right angles or radial to streets so that proposed Lot B could access the sewer without crossing over proposed Lot A. Mr. Liberatore noted that he would request this modification.

**NEW BUSINESS**

**PLC09-0002 – FORT COUCH MIDDLE SCHOOL, ADDITIONS AND RENOVATIONS  
UNIFIED CONDITIONAL USE/PRELIMINARY AND FINAL LAND DEVELOPMENT**

David McLean of Graves and McLean Architects was present along with Landy Dowler, landscape architect, and Dr. John Bornyas, Director of Middle Level Education. Mr. McLean reviewed the plans and explained that the bus garage will be relocated off site. Dr. Bornyas noted that the School District has located a site in South Park to rent on a temporary basis.

The project will consist of three phases with a new academic wing and gymnasium additions at on the sides of the building and renovation of the center portion. Temporary classrooms will not be needed. The main entrance will be relocated to the rear of the building facing the ball fields. The middle curb cut along Fort Couch Road will be eliminated and the main entrance to the school will be from Miranda Drive. Parent pickup/drop off will be in the rear of the building near the new entrance. Buses will queue along the driveway adjacent to Fort Couch Road. The building will be two stories facing Fort Couch Road and three stories facing the ball field. There will be two-way circulation around the entire building.

Mr. McLean noted that the Township's request for a sidewalk along Miranda Drive to connect to the new Fort Couch Road sidewalk is reasonable but may be a budget concern. A modification will be requested from the maximum 15 feet height allowed for light poles to 20 feet. The extra height permits reduction in the number of poles.

Mr. McLean understood the staff's recommendation that the public hearing be scheduled and that they would file revised plans for consideration by the Planning Commission at the April 16, 2009 regular meeting.

**MOTION:** THAT the Planning Commission recommend that the Board of Commissioners schedule the public hearing for May 4, 2009 subject to submission of seventeen (17) sets of revised plans and related materials by Thursday, April 2, 2009 addressing the comments referenced in the Staff Report dated March 17, 2009 as well as those in the reviews referenced in the Staff Report dated March 18, 2009. The application will then be considered by the Planning Commission for recommendation at its April 16, 2009 regular meeting.

Motion by Mr. Sekela, seconded by Mr. Wade, carried by unanimous voice vote, 6-0.

**PLC09-0003 – BOYCE MIDDLE SCHOOL, ADDITIONS AND ALTERATIONS  
UNIFIED CONDITIONAL USE/PRELIMINARY AND FINAL LAND DEVELOPMENT**

Also present for this application were David McLean of Graves and McLean Architects, Landy Dowler, landscape architect, and Dr. John Bornyas, Director of Middle Level Education. Mr. McLean explained that this school was originally well designed and basically the proposed additions will fill in the "rectangle" of the building. There are several bid alternates in this proposal: #1, a classroom at the right rear of the building; #2, the indoor theater; #3, the ball

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field parking area and #4, the rear roadway which will provide full circulation around the building. If the indoor theater is not built, that space will become a courtyard which can basically act as an outdoor theater. Ball field parking will be pervious gravel pavers. Sufficient parking exists to meet Township requirements without this ball field parking, however additional parking is always needed for school functions.

Three temporary trailers will be required each containing two classrooms. They will be located in front of the building and will be stationary throughout the duration of construction, which is expected to take two years.

Concerning installation of a sidewalk the length of the site along Boyce Road and Morton Road, Mr. McLean felt that this may not be feasible given the topography. He felt that enhancing the crosswalk near Fairgreen Drive with signage is a good idea. The suggested improvements to the emergency road which exits onto Morton Road may be a budget concern.

Mr. McLean noted that construction trailers are proposed to be located along the school district side of Boyce School Road. He added that this parking along Boyce School Road was granted many years ago and is solely at the discretion of the Township. The Township Code requires 117 parking spaces and they propose 310 spaces. Forty spaces are planned along the proposed rear roadway.

Given the number of children living in the Deerfield Manor Plan, Mr. Slagle suggested that the Township and the School District work together to make pedestrian access to the school, the ball fields and Boyce Mayview Park safe and viable. He suggested that consideration be given to flashing yellow lights similar to those along South Park Road at Ruthfred Shopping Center.

A modification will be requested from the maximum height of 15 feet allowed for light poles to 20 feet, similar to Fort Couch School.

Lucian Caste, 1616 Boyce Road, was present and read into the record a prepared statement addressed to both the Upper St. Clair School District and the Planning Commission dated March 16, 2009 and March 19, 2009 respectively. A copy of the statement is attachment 1 to these minutes. The Planning Commission thanked Mr. Caste for his comments.

Mr. McLean noted that he was prepared to submit revised plans for consideration by the Planning Commission at the April meeting.

**MOTION:** THAT the Planning Commission recommend that the Board of Commissioners schedule the public hearing for May 4, 2009 subject to submission of seventeen (17) sets of revised plans and related materials by Thursday, April 2, 2009 addressing the comments referenced in the Staff Report dated March 17, 2009 as well as those in the reviews referenced in the Staff Report dated March 18, 2009. The application will then be considered by the Planning Commission for recommendation at its April 16, 2009 regular meeting.

Motion by Mr. Wade, seconded by Mr. Slagle, carried by unanimous voice vote, 6-0.

**PLC08-1301 – AMENDMENT TO CHAPTER 130, “ZONING” RE. MASSAGE THERAPY ESTABLISHMENTS**

Mr. Brillhart explained that the Zoning Code does not provide for massage therapy establishments as a separate use. Currently, the Code permits massage therapy only in conjunction with a health club, and it specifically excludes this profession under the definition of Personal Services. This is a service that is typically performed in day spas and salons as well as in health clubs. On October 9, 2008, the State passed the Massage Therapy Law, Act 118, which establishes a Massage Therapy Board and licensing requirements for the profession. The law becomes effective in October 2010.

Mr. Brillhart noted that the draft amendment allows this use as a conditional use in certain districts and references the state licensing requirements when they become effective.

Discussion ensued concerning requiring compliance with regulations that have not yet been enacted by the State. Mr. Cahillane and Mr. Brillhart agreed that the amendment could be reworded to better address this issue. A revised draft will be prepared for consideration in April.

**MOTION:** THAT the Planning Commission table consideration of this Amendment to its next regular meeting on April 16, 2009.

Motion by Mr. Wade, seconded by Mr. Stevenson, carried by unanimous voice vote, 6-0.

**ADJOURNMENT**

There being no further business, it was moved, seconded and carried unanimously that the meeting be adjourned at approximately 9:00 PM.

Respectfully submitted,  
Kathleen R. Oberle, Recording Secretary

Attachment: Statement submitted by Lucian Caste on March 19, 2009

**PRESENTATION**

**Regarding**

**THE BOYCE MIDDLE SCHOOL**

**ADDITION**

**By**

**LUCIAN CASTE  
1616 Boyce Road  
Upper St. Clair**

**For the**

**UPPER ST. CLAIR SCHOOL DISTRICT**

**and the**

**UPPER ST. CLAIR PLANNING COMMISSION**

**March 16, 2009**

**March 19, 2009**

*Received March 19, 2009*

**MY NAME IS LUCIAN CASTE, 1616 BOYCE ROAD.**

**MY WIFE RITA AND I HAVE THE PRIVILEGE AND THE JOY OF LIVING BETWEEN TWO SCHOOLS – THE STREAMS ELEMENTARY SCHOOL AND THE BOYCE MIDDLE SCHOOL. WE LIVE ON THE PROPERTY ON THE HILL BEHIND THE BOYCE MIDDLE SCHOOL AND ADJACENT TO THE PLAYGROUND OF THE STREAMS ELEMENTARY SCHOOL. WE HAVE LIVED HERE SINCE 1958, SOME 51 YEARS. THESE TWO SCHOOLS ARE VERY GOOD NEIGHBORS, WE ARE VERY APPRECIATIVE OF OUR NEIGHBORLY RELATIONSHIP. WE ARE ALSO DELIGHTED WITH THE JOY OF BEING ADJACENT TO THESE SCHOOLS AND PLAYGROUNDS AND WATCHING THE COMINGS AND GOINGS OF THE YOUNG STUDENTS AND THEIR HAPPY PLAYGROUND ACTIVITIES. WE FIND THIS VERY REFRESHING AND PATERNAL.**

**THANK YOU FOR THIS OPPORTUNITY TO MAKE THIS PRESENTATION TO THE PLANNING COMMISSION AND EXPRESS MY CONCERNS.**

**THE ADDITION TO BOYCE MIDDLE SCHOOL IS WELL PLANNED AND SEEMS TO FULFILL AN EDUCATIONAL NEED. I HOPE, SPEAKING AS AN ARCHITECT, THAT ITS EXTERIOR APPEARANCE WILL BE AESTHETICALLY PLEASING AND IN UNITY WITH ITS COMMUNITY SETTING. THE EARLY RENDERING OF THE BUILDING SEEMS TO**

**FULFILL THIS HOPE. I ENDORSE THE DESIGN AND WELCOME ITS COMPLETION.**

**I FULLY REALIZE THIS IS A FORMAL MEETING, AND, I WISH TO DESCRIBE TWO MATTERS THAT ARE VERY SERIOUS TO MY CASTE FAMILY, THE SCHOOL DISTRICT AND THE COMMUNITY.**

**THE PURPOSE OF MY PRESENTATION TO THE BOARD RELATES ONLY TO BOYCE SCHOOL ROAD AND ITS CONTIGUOUS PARKING AREAS WHICH ARE ADJACENT THE MIDDLE SCHOOL AS IT EXTENDS ALONG THE EASTERLY PART OF THE SCHOOL PROPERTY TO MY PROPERTY AT THE NORTH END OF THE ROAD ... AND THE EXISTING CONDITIONS OF THE ROAD AND PARKING AREAS. MAY I FIRST STATE THAT THE BOYCE SCHOOL ROAD IS A TOWNSHIP ROAD AND THE ONLY ROAD THAT ACCESSES OUR RESIDENCE AND PROPERTY.**

**THE BOYCE SCHOOL ROAD IS AN ANOMALY, AN EXCEPTION TO THE OTHER ROADS OF THE TOWNSHIP. THE STANDARD TOWNSHIP ROAD HAS A 50' WIDE RIGHT OF WAY WITH A 24' WIDE ASPHALT PAVED CARTWAY WITH INTEGRAL CURBS.**

**THE BOYCE SCHOOL ROAD, AS IT HAS ALWAYS EXISTED, HAS A LEGAL 50' RIGHT OF WAY, THE 24' CARTWAY IN THE CENTER OF THE 50' RIGHT OF WAY, BUT IT HAS TWO 18' WIDE INTEGRAL, ATTACHED**

**PARKING AREAS CONTIGUOUS TO AND ON EACH SIDE OF THE  
CARTWAY. THUS, THE CARTWAY AND THE PARKING AREAS ARE  
INTEGRAL ONE TO THE OTHER – THEY HAVE THE SAME PAVEMENT  
SURFACE, GRADE AND ARE NOT SEPARATED FROM EACH OTHER. THE  
TOTAL WIDTH OF THE CARTWAY AND TWO PARKING AREAS IS ABOUT  
66 FEET. WHEN AUTOMOBILES PARK IN THESE AREAS THERE REAR  
PORTIONS EXTEND UNOBSTRUCTED TOWARDS THE CART WAY. TO MY  
KNOWLEDGE NO OTHER TOWNSHIP ROAD HAS SUCH A ROAD/PARKING  
CONFIGURATION.**

**AGAIN, THERE ARE TWO SUCH PARKING AREAS – THE PARKING AREA  
TO THE WEST (NEAREST THE SCHOOL) BELONGS TO THE SCHOOL  
DISTRICT, IT HAS 25 PARKING SPACES; AND THE PARKING AREA TO  
THE EAST, WHICH BELONGS TO THE TOWNSHIP, HAS 26 PARKING  
SPACES. BOTH PARKING AREAS SERVE THE SCHOOL AND THE  
TOWNSHIP PLAYGROUND TO THE EAST AND AT A LOWER GRADE.  
PRESENTLY WE HAVE NO PROBLEM OR DIFFICULTY WITH THE  
TRAFFIC AND PARKING PATTERN OF THE ROAD AS IT EXISTS AND ITS  
TWO ADJACENT PARKING AREAS EVEN THROUGH THE SCHOOL YEAR,  
SINCE WE AND OUR INVITEES ARE THE ONLY PERSONS USING BOYCE  
SCHOOL ROAD OTHER THAN FOR SCHOOL OR PLAYGROUND  
PURPOSES. WE ARE VERY CAREFUL AND PROTECTIVE OF CHILDREN  
WHEN DRIVING THROUGH BOYCE SCHOOL ROAD.**

**MY CONCERNS ARE, AND HAVE BEEN FOR SOME YEARS, BASED ON TWO FACTORS - THE PHYSICAL CONDITION OF THE ROAD/PARKING AREAS AND THE PRESENT AND FUTURE IMPACT OF PARKING ADJACENT A TOWNSHIP STREET.**

**FIRST FACTOR, MY CONCERNS RELATE TO THE DETERIORATING CONDITION OF THE ASPHALT PAVEMENTS, BOTH OF THE ROAD AND THE TWO PARKING AREAS. THESE PAVEMENTS ARE, AND HAVE BEEN FOR SOME YEARS, CRACKING, SETTLING AND SPALLING.**

**THIS DETERIORATION POSES VERY UNSAFE CONDITIONS FOR THOSE ENTERING OR LEAVING THEIR AUTOMOBILES AND FOR CHILDREN WALKING OR RUNNING OVER THESE DECAYING SURFACE CONDITIONS. THESE CONDITIONS ARE NOT ONLY UNSAFE AND DANGEROUS, BUT ARE MOST UNSIGHTLY AND NOT INDICATIVE OF THE HIGH STANDARDS OF PROPERTY MAINTENANCE OF THE SCHOOL DISTRICT AND THE STREET MAINTENANCE OF THE TOWNSHIP.**

**AS YOU KNOW DEFFERRED MAINTENANCE HAS AN EXPOTENTIAL EFFECT ON THE COSTS OF REPAIRS AND SHOULD BE REMEDIED, AS SOON AS POSSIBLE, IN ORDER TO CONTAIN ACCELERATING COSTS AND CREATE SAFE CONDITIONS.**

**I HAVE HAD MEETINGS WITH BOTH SCHOOL DISTRICT AND TOWNSHIP REPRESENTATIVES OVER AT LEAST A 5 YEAR PERIOD. I HAVE**

**RECEIVED GOOD INTENTIONS, REMOTE PROMISES AND APOLOGIES RELATED TO CORRECTIVE MEASURES. NO IMPROVEMENTS HAVE EVER BEEN MADE TO ANY OF THE CONDITIONS I HAVE DESCRIBED.**

**UNKNOWN TO ME IS THE QUESTION -- AS PART OF THE CONSTRUCTION OF THE ADDITION, WILL THE EXISTING 2 PARKING AREAS AND THE CARTWAY, TO THEIR FULL EXTENT, BE REPAVED OR WILL ONLY THE SCHOOL'S PARKING LOT BE REPAVED? THE SCHOOL SITE PLAN SEEMS TO INDICATE THE LATER.**

**I REALIZE, YOU MAY SAY THIS IS A MATTER FOR THE ROAD MAINTENANCE DEPARTMENT -- I FULLY AGREE, BUT TO ACCOMPLISH THE GOALS OF SAFETY AND THE IMMINENT CONSTRUCTION OF THE SCHOOL ADDITION, WE NEED TO ADDRESS A PRACTICAL SOLUTION BY STARTING WITH THE PLANNING COMMISSION. HOWEVER, AS YOU WILL SEE FACTOR 2 COMES INTO THE PURVUE OF THE PLANNING COMMISSION.**

**SECOND FACTOR, EVEN THOUGH THE COMBINED ROAD AND PARKING AREA SITUATION IS PRESENTLY DANGEROUS, IN THE FUTURE WHEN OUR LAND IS DEVELOPED, SOME 30 TO 40 RESIDENCES WITH 2 OR 3 CARS EACH WILL ADD AT LEAST 80 CARS TO THE TRAFFIC VOLUME EACH WAY, EACH DAY. THIS TRAFFIC WILL OCCUR (UNLESS CORRECTED) THROUGH A STREET WITH UNCONTROLLED**

**PERPINDICULAR PARKING EXTENDING INTO THE CARTWAY AND WITH CHILDREN HAVING FREE ACCESS THROUGH THE STREET AND PARKING AREAS, ESPECIALLY AT THE TIMES WHEN CHILDREN ARRIVE AND LEAVE THE SCHOOL OR USE THE PLAYGROUND. AND IN ADDITION, I TRULY HOPE THAT SCHOOL BUSES WILL NOT BE PERMITTED TO USE THE CARTWAY OF THIS PART OF BOYCE SCHOOL ROAD WHICH I HAVE BEEN DISCUSSING.**

**I FORESEE 3 POSSIBLE SOLUTIONS TO THIS PROBLEM BASED ON A SIMPLE PARKING STUDY --**

**(1) TO CONSTRUCT ONE CONTROLLED, SEPARATED PARKING LOT IN THE AREA OF THE EAST TOWNSHIP PARKING LOT BY EITHER ADDING FILL TO THE TOWNSHIP PLAYGROUND HILL-SIDE SITE TO CREATE THE REQUIRED PARKING, OR**

**(2) BECAUSE OF THE GRADE CONDITION, BUILD A COMBINATION ONGRADE PARKING AREA AND INCLUDE A SIMPLE OVERHANG STRUCTURE IN THE SAME AREA, OR**

**(3) BUILD A NEW VEHICULAR RAMP FROM BOYCE SCHOOL ROAD DOWN TO THE TOWNSHIP PLAYGROUND AND CONSTRUCT A PARKING LOT TO THE EAST OF THE PLAYGROUND OUTFIELD, WHICH IS ON NATURAL GRADE. THIS NEW ROADWAY COULD BE CONNECTED TO GRAYMILL DRIVE (VIA A PRESENT RIGHT OF WAY), OR SIMPLY UTILIZE THE GRAYMILL DRIVE CONNECTON AS THE ONLY ACCESS**

**ROAD TO AND FROM THE PLAYGROUND AND NOT USE THE VEHICULAR RAMP OFF BOYCE SCHOOL ROAD.**

**I AM CERTAIN THERE ARE OTHER VARIATIONS TO THESE POSSIBLE SOLUTIONS. HOWEVER, A PARKING STUDY SHOULD FIRST BE CONDUCTED AND EVALUATED TO DETERMINE THE ACTUAL NUMBER OF PARKING STALLS REQUIRED FOR BOTH PURPOSES – SCHOOL AND PLAYGROUND. AS I VIEW THE SITE PLAN, 40 NEW PARKING STALLS WILL BE ADDED TO THE REAR OF THE SCHOOL BUILDING AND 75 NEW PARKING STALLS ADDED ON THE LOWER PLAYGROUND AREA. THIS IS A TOTAL OF 115 PARKING STALLS – THIS IS MORE THAN THE TWO TIMES THE 56 EXISTING IN THE TWO PERPENDICULAR STALLS OF BOYCE SCHOOL ROAD. OTHER THAN FOR THE SHORT DISTANCE CONVENIENCE OF THE SCHOOL AND THE TOWNSHIP PLAYGROUND, ARE THE 51 BOYCE SCHOOL ROAD PARKING STALLS REALLY NEEDED? SOME WILL SAY – THERE ARE WELL ATTENDED PARENT EVENTS THAT OCCUR TWO OR THREE TIMES A YEAR AND AT THOSE TIMES THIS PARKING IS NEEDED. THIS THEORY IS ANALAGOUS TO DESIGNING A CHURCH PARKING LOT TO ACCOMMODATE THE PARKING NEEDS FOR CHRISTMAS – THIS IS SELDOM AFFORDABLE.**

**IN SUMMARY, THE BOYCE SCHOOL ROAD AND CONTIGUOUS PARKING IS A SERIOUS PROBLEM OF SAFETY THAT SHOULD BE AND CAN BE**

**SOLVED WITH THE BENEFICIAL COOPERATION OF THE SCHOOL DISTRICT AND THE TOWNSHIP.**

**THIS IS THE MOST APPROPRIATE TIME TO CORRECT THIS CONDITION - DURING THE CONSTRUCTION OF THE SCHOOL ADDITION, NOW, RATHER THAN IN THE FUTURE.**

**I ALSO TRUST, THAT DURING THE ENTIRE CONSTRUCTION PERIOD OF THE ADDITION, MY FAMILY WILL BE AFFORDED, AT ALL TIMES, SAFE AND UNOBSTRUCTED ACCESS TO OUR PROPERTY. CONSTRUCTION IS SCHEDULED TO BEGIN IN SEPTEMBER AND THAT NO CONSTRUCTION VEHICLES OR STORAGE BE PERMITTED IN THE BOYCE SCHOOL ROAD OR ITS CONTIGUOUS PARKING AREAS. SAFETY, DURING CONSTRUCTION SHOULD BE THE PARAMOUNT CONCERN.**

**REALIZING THE SCHOOL DISTRICT HAS JURISDICTION OF THE WEST PARKING AREA AND IS THE KEY INSTITUTION IN THIS PLAN, I DID, ON MONDAY, MARCH 16, 2009, MADE A SIMILAR PRESENTATION TO THE SCHOOL DISTRICT AND ENCOURAGED THE SCHOOL DISTRICT TO COOPERATE WITH THE TOWNSHIP IN SOLVING THIS PROBLEM. IF I MAY PROVIDE THE PLANNING COMMISSION OR THE TOWNSHIP WITH ANY ADDITIONAL INFORMATION, PLEASE COMMUNICATE WITH ME.**

**THANK YOU AGAIN FOR ALLOWING ME THIS TIME TO EXPRESS MY CONCERNS. I CONGRATULATE THE SCHOOL DISTRICT AND TOWNSHIP FOR ITS EXCELLENCE AND SUCCESS IN BOTH EDUCATION, FACILITIES AND INFRA STRUCTURE. WE ENJOY LIVING IN UPPER ST CLAIR, WE ARE PROUD OF UPPER ST. CLAIR AND WE ARE SORRY WE NO LONGER HAVE CHILDREN TO SEND TO THE UPPER ST. CLAIR SCHOOLS.**

**THANK YOU.**

**LUCIAN CASTE**

**Presentation for the:**

**Upper St. Clair School District – 3.16.09**

**Upper St. Clair Planning Commission – 3.19.09**