

**CASTLE SHANNON BOROUGH
MINUTES OF REGULAR MEETING**

September 27, 2021

The following elected officials were present: M. Heckmann; R. Astor; M. Randazzo; J. Maloney; D. Swisher; D. Baumgarten; E. O'Malley. Council Members N. Kovach and W. Oates were absent. The following appointed officials were present: D. Biondo, Solicitor; P. Vietmeier, Codes Official; D. Lane, Police Lieutenant; L. Miller, Acting Manager. Junior Council Representative A. Lyda was absent. J. Manko, Court Reporter was present to take detailed minutes of the conditional use public hearings.

The minutes of the September 9, 2021 Council Meeting were presented. Ms. Randazzo motioned to approve the minutes; Mr. Astor seconded; all in favor; motion carried.

Public Comment – Agenda items: No comments were received.

Public Hearing: Mr. Heckmann opened the continued conditional use hearing for a Chase ATM installation at the Castle Shannon Volunteer Fire Department parking lot. Ms. Manko swore in Josh Most of Wesley Construction, Ken White from DLZ and David DiGioia of McMahon Associates Inc. Mr. Most stated this hearing was continued pending the outcome of the setback variance and a traffic impact study. Mr. Heckmann stated that council has received the traffic impact study today, and there were no issues flagged in the study. The study stated, “The traffic impact study indicated that efficient access to and from the proposed development can be provided, and furthermore, site generated traffic can be accommodated at the study are intersections.” The hearing was opened to the public. No comments were received. Mr. Vietmeier noted that the zoning hearing board approved a variance for placement of the machine. Mr. Swisher motioned to approve the conditional use request by Chase for installation of an ATM machine, subject to receipt of a final written decision on the variance. The date of the written decision will be the date in which any appeal period would run. Mr. Astor seconded the motion; all in favor; motion carried.

Mr. Heckmann opened the public hearing for a conditional use of a WetGo carwash on Library Road. Ms. Manko swore in the following: Bill Sittig – counsel for Giant Eagle, Mike Andrewsh – engineer for Giant Eagle, Sean McBride – Giant Eagle Inc., Chuck Stewart – Giant Eagle Inc., Anthony and David Calabria – 3107 Library Road. The following residents were sworn in: Adam Williams – Killarney Drive, Kimberly Steele – Home Avenue, Raeann Lindsey – Home Avenue, Amelia Kahl – Home Avenue. Mr. Sittig addressed council stating they are seeking a conditional use approval for installation of a WetGo in a C1 zoning district. The carwash is applicable under a C1 district as it is categorized as motor vehicle laundry. Mr. Stewart displayed a schematic for the proposed development and noted access points are only from Route 88. There will be no vehicle access from Sixth Street.

Mr. Sittig noted that most residents from Home Avenue were concerned about the vacated paper street and fencing in disrepair. Giant Eagle will replace the fencing with black vinyl chain link fence. A culvert in the area will be cleaned out and maintained. In addition, the retaining wall is in decent shape and will be analyzed, engineered, and brought up to current standards. Another concern was noise. The facility will use the quieter standard system for the blowers in the building

and plans to move vacuums away from the wall. Proposed operating hours are from 7:00 a.m. to 9:00 p.m. There will be employees onsite during operating hours.

Mr. Andrewsh submitted the Highway Occupancy Permit (HOP) to PennDOT with two driveway access points on Library Road along with a final storm water report. Mr. Sitting stated that Giant Eagle has acquired the property that is currently the employee parking lot and additional property to the right. There are no plans for these two parcels, and they are not part of the current application.

Mr. Astor asked if the carwash would be a pressure wash or soft cloth. Mr. Andrewsh answered it would not be touchless but have brushes and soft cloths. Mr. Heckmann noted that a development plan must be submitted before proceeding with construction; but step one is for review of the conditional use. Mr. Biondo questioned if the site would be owned by Giant Eagle or a Giant Eagle subsidiary. Mr. Sitting answered it would be a Giant Eagle entity. The sale of the property is currently under agreement with David Calabria, who attended this evening and is in support of the project. Mr. Calabria confirmed his support. Mr. Calabria is the record owner with Giant Eagle as the equitable owner under a purchase agreement.

Mr. Heckmann opened the public hearing for public comments. Mr. Biondo noted that the minutes and transcript from the planning commission meeting will be part of the hearing before council.

Amelia Kahl – asked who owns the property with the fence. Mr. Sitting stated that plans do not show the paper street as being part of the Giant Eagle property. Typically, with a paper street, each property owner would own 5 feet of the road. Giant Eagle would be willing to relinquish any rights to it. It is not being used as any buffer. Mr. Astor questioned if the work to the fence area and culvert were within the paper street. Mr. Sittig answered yes. Mr. Astor asked if Giant Eagle was willing to maintain the property, even though they do not own it. Mr. Sittig answered that Giant Eagle plans to make the existing culvert function better, but not by repairing or replacing it, along with replacing the fence with the neighbors' permission.

Raeann Lindsey – listed concerns about traffic and pedestrian safety with people walking to the transit stop and noted two vehicle accidents have occurred at the intersection of Killarney and 6th Street in the past month. Ms. Lindsey asked for clarification on the homeowners' responsibility regarding the hillside with regard to unstable trees and structural integrity of the cliff. Ms. Lindsey also noted sinkholes in the area. Ms. Lindsey addressed Mr. Calabria stating how much she enjoyed the live music in the summertime coming from the restaurant and added she will miss the music. Mr. Biondo advised in the case of a paper street that has been abandoned, adjacent property owners own half the street. The ownership issue is one in which the property owner may wish to have a survey done to determine boundaries or consult with an attorney as to your rights to a paper street adjacent to your property.

Mr. Sittig stated that Giant Eagle could mark their boundary lines for all the neighboring residents on Home Avenue and see the location for the fence and what trees can come down. Mr. Sittig stated they have no qualms about the stability of the slope. Although Giant Eagle is a very deep pocket owner, they would not be making this investment without being comfortable about the property stability. Mr. Calabria stated they have been in that location for 25 years, and engineers were hired to conduct a study that resulted in the fact that the hillside is all shale. Mr. Calabria

added that he installed a wall for easier cleanup of the shale, and he has never had a sinkhole on his property. Mr. Calabria has documentation he will present to Mr. Vietmeier that shows that Castle Shannon deeded the paper street with 5 feet going to each property owner.

Mr. Heckmann discussed the traffic accidents that Ms. Lindsey referred to this month and noted the accidents were due to poor intentions and bad decisions and not normal course of business traffic enforcement. Mr. Sittig added that PennDOT is satisfied the cuing and timing is adequate and does not require additional lanes for traffic.

Kimberly Steele – questioned that since Mr. Heckmann noted that tonight’s hearing was step one, and additional plans would be submitted, how do residents continue to follow this project as it progresses. Mr. Vietmeier answered that the planning commission meets the third Monday of each month, and agendas are posted on the website. This is a good venue for residents to voice their concerns and questions. Proposed building plans would be reviewed by the borough engineers. Residents are welcome to visit the planning and codes office to view plans. Ms. Steele asked that if any changes were proposed they would be discussed at the planning commission meetings. Mr. Vietmeier answered yes.

Adam Williams – discussed quality of life issues. Mr. Williams noted traffic delays in the left turning lane on Route 88 to turn onto Killarney Drive, and extra traffic may cause a gridlock at that intersection. Six lighting standards are proposed on the drawing, and Mr. Williams wondered about brightness and heights and suggested lights that don’t splash and are not intrusive into neighboring properties. Although noise would not impact his home on Killarney, it would affect residents on Home Avenue. Mr. Williams would like realistic sized signage proposed, not billboard size. Mr. Williams stated that he has no intention of depriving a man of his ability to sell his property and enjoy a great quality of life in his retirement. Mr. Williams also does not want to see the citizens and taxpayers of Castle Shannon sacrifice their quality of life in order to subsidize his. Mr. Williams encouraged council to be thoughtful and thorough in their review and decision.

Mr. Sittig stated that signage plans are not part of this hearing and would require a separate passage. Proposed lighting fixtures such as Mr. Williams discussed and lighting plans would be presented to the planning commission, and they will comply with borough requirements. The land development phase will identify some of these issues in more detail. As far as traffic, PennDOT uses studies based on traffic and peak hours, and a carwash is not a high peak hour generator. Since it is such a low peak hour generator, PennDOT is not requiring a traffic study. Peaks may be experienced on weekends.

Mr. Swisher questioned how far it is from entering the property to reach the attendant, i.e., how many cars could be waiting in line. Mr. Andrewsh answered with an average vehicle size of 20 feet, it could cue up to six or seven vehicles. Mr. Swisher referenced how traffic backs up on Mt. Lebanon Boulevard from vehicles waiting to enter Mr. Magic Carwash. Mr. Andrewsh discussed how the carwash is a low generator for traffic impact versus a restaurant. Anything less than 100 peak trips in an hour does not generate a traffic impact study. Mr. Swisher noted the exit lane would be a right turn onto Route 88. Mr. Andrewsh said it would be a right turn in and a right turn out and proper signage would be posted. Mr. Astor identified and discussed traffic lanes from reviewing the plan. Mr. Williams believes that police officers may be required at the intersection during intermittent peak usage times, and he added that Route 88 needs to be aesthetically pleasing.

Mr. Sittig responded stating that this hearing is for the use phase of the project. This is a basic concept plan. Site issues, landscaping, lighting, building elevations, and signage are all critical pieces of the design phase. Giant Eagle wants to make this the best carwash and site plan they can and will assimilate information from neighbors to take into consideration and provide the best responses.

Mr. Heckmann stated that this project is located at the gateway to our community and hopes that Giant Eagle takes this into consideration during planning as it reflects on our community. The proximity to Killarney Station has a lot of foot traffic with pedestrian crossings, and perhaps additional lighting for the intersection would be beneficial. Mr. Heckmann also discussed recent PennDOT enhancements to the Route 88 corridor with traffic signals that are on a demand based generated system and adaptive to new uses.

Ms. O'Malley questioned if this was a project that has been completed many times. Mr. Sittig answered that the stand alone WetGo is relatively new. Most of the carwashes were part of the GetGo. Ms. O'Malley also questioned the time frame for opening. Mr. Stewart said from final approval, he would estimate opening in 6-9 months contingent upon weather, probably not this season.

Mr. Williams noted that Giant Eagle will be purchasing the piece of land on Sixth Street that would be used for a dumpster and asked about assurances that the property would not be used for traffic flow. Mr. Sittig responded that they could commit that it would only be used for access to trash from the rear.

With no further comments, the public hearing was closed. Mr. Maloney motioned to continue the hearing until the October 25th council meeting in order to receive the approved planning commission minutes. Mr. Swisher seconded; all in favor; motion carried.

Civil Service Commission: Mr. Astor motioned to accept the certified Civil Service List for 2021 for any potential hiring. Ms. Randazzo seconded; all in favor; motion carried.

Council Committee Reports:

Public Relations/Communications – Mr. Heckmann noted that the streetscape improvement bid was awarded to Michael Facchiano Contracting Inc. Preconstruction meeting and a construction calendar is expected the first week of October.

A public meeting is scheduled for October 20th at 6:00 p.m. at the Community Library of Castle Shannon for sharing information on the Six Parks Master Plan, reviewing wayfinding sketches for a signage program, and to provide information on the streetscape project. Ms. O'Malley questioned if the meeting will be available on ZOOM for residents to submit questions. Mr. Heckmann responded that registration will be required for attendance in person in order to maintain social distancing, and neighbors can also participate via ZOOM. More details will be available on the borough social media sites.

Building & Grounds/Public Works – Mr. Maloney reported that a sanitary sewage issue has been discovered on Orr Drive. Robinson Pipe has been contracted to televiser the sanitary sewer

and manholes on Sleepy Hollow Road to determine required repairs from the Hurricane Ida rain event.

Public Safety/Fire: Mr. Astor recognized CSVFD President Bob Sutton in the audience.

Finance: Mr. Swisher reviewed the check registers for September 17th and 24th and had no further questions. Ms. Randazzo motioned to approve the expenditures for September. Mr. Astor seconded; all in favor; motion carried.

Community Activities/Planning & Codes: The Fall Saw Mill Run Stream Clean-up is scheduled for October 23rd.

Mr. Vietmeier reported that demolition of the home with fire damage at 1260 Havelock is in progress. In addition, the parsonage at 3750 Myrtle Avenue will be demolished for installation of additional parking.

Library – Ms. Randazzo reported that fall programming continues.

Ms. Randazzo encouraged patrons to donate during the Love Your Library campaign which ends September 30th as a portion of the donations will be matched through the Buncher Foundation. The library will continue to accept donations throughout the year.

Police Pension/Non-Uniformed Pension – The agenda contained the Minimum Municipal Obligation funding worksheets for 2022. Mr. Astor motioned to approve the 2022 MMO's for the borough's pension plans. Mr. Swisher seconded; all in favor; motion carried.

Manager's Report: Mr. Heckmann was thrilled to announce that an offer of employment was extended to a candidate for the manager's position. The offer was accepted. Ms. Katie Stringent has worked in a broad array in the municipal field in Sewickley Heights, Upper St. Clair, and Dormont. She has a very deep and broad set of knowledge and will make a great addition to the borough's team. Ms. Randazzo motioned to appoint Katie Stringent to the manager's position contingent upon the successful execution of a contract and completion of background check. Mr. Maloney seconded; all in favor; motion carried.

Mr. Heckmann presented Resolution #701 establishing permit fees for the urban agriculture ordinance. Mr. Swisher questioned if the ordinance permits our code official access to private property. Mr. Vietmeier responded he will have access for permit renewals or residential complaints. Mr. Astor motioned to adopt Resolution #701. Mr. Maloney seconded; all in favor; motion carried.

Planning Commission – The agenda contained the meeting minutes of the August 16th meeting.

Public Comment Period – No comments were received.

Other Business – Following the council meeting, the personnel committee will meet to discuss employment matters.

Ms. Randazzo motioned to adjourn; Mr. Swisher seconded; all in favor, motion carried

Approved as presented this 11th day of October 2021.

Loretta J. Miller
Acting Manager

Mark J. Heckmann
President