

**TOWNSHIP OF O'HARA PLANNING COMMISSION
REGULAR MEETING MINUTES
OCTOBER 16, 2017**

The Planning Commission met on October 16, 2017 in the Township Municipal Building, 325 Fox Chapel Road, at 7:30 p.m. for its regular meeting. The meeting was brought to order and preceded as outlined on the agenda.

Present: Edward Crates, Chair; Joseph Zgurzynski, Vice Chair; Bruce Gay, At-Large
Charles Bleil, At-Large; Joseph Kelly, At-Large; Richard Citrin, At-Large

Absent: John J. Claus, Secretary

Staff: Charles W. Steinert, Jr., P.E., Township Engineer; Julie A. Jakubec, CPA, CGMA,
Township Manager; Cathy Bubas, Recording Secretary

SUMMARY OF AGENDA ITEMS:

I. CALL TO ORDER

II. APPROVAL OF EXCUSED ABSENCES

III. NEW BUSINESS

A. Conceptual Review – Proposed St. Mary's Cemetery Mausoleum

IV. APPROVAL OF MINUTES

A. September 18, 2017

V. UPDATE ON PRIOR ACTIONS

A. Application for Minor Subdivision –Field Club Heights Plan of Lots

Approved by Council as recommended by Planning Commission.

VI. OTHER BUSINESS

VII. ADJOURNMENT

I. Call to Order

Chairman Crates called the meeting to order at 7:30 p.m.

II. Approval of Excused Absences

Mr. Claus was unable to attend the meeting due to a personal matter.

III. New Business

A. Conceptual Review – Proposed St. Mary’s Cemetery Mausoleum

Chairman Crates stated conceptual reviews do not require Planning Commission action and none would be taken. He noted meeting procedures. Mr. Steinert, Jr., P.E. clarified for the audience that a conceptual review is not a formal plan.

Mr. Dan Martone, of Martone Engineering and Surveying was in attendance on behalf of the applicant. He distributed plans to Planning Commission and staff. He noted the property is located along Kirkwood Drive and Spring Grove Road and is part of the existing St. Mary’s Cemetery. Mr. Martone recalled St. Mary’s Cemetery previously owned the entire parcel which includes what is now Sacco Park. In 2012 the parcel was subdivided and one parcel was sold to the Township for a park. The old ballfield remains on St. Mary’s Cemetery portion of the parcel. Mr. Martone stated St. Mary’s wants to build a mausoleum where the ballfield is. The proposed building measures 52’6” x 74’4” and the property includes associated parking.

At the request of Manager Jakubec, Mr. Martone presented the plan to the audience.

Mr. Martone stated the entry to the parking area would be jointly shared with the park, opposite the road from the cemetery, so not to create another driveway.

Manager Jakubec stated this was the first staff had heard about sharing the driveway and had not consented to sharing the driveway. She clarified only the parking area was agreed to be shared for overflow parking from the mausoleum.

Mr. Martone indicated stormwater management would be provided behind the mausoleum, and the wooded area would not be touched in any way. The edge of the parking area is at the top of a slope. He noted minimal grading would be needed and trees would be planted around the site. Lighting would be on the building; no lighting standards are proposed. He noted a mausoleum is a quiet, solemn use.

Mr. Citrin questioned the amount of land owned by the cemetery, and Mr. Scott Frankowski, a resident and Township Councilman in the audience, answered 76 acres, though a lot of the land is not buildable.

Mr. Gay noted he is a Parkview area resident and his children play at the park. His first concern is what the Spring Grove Road residents would see as they look up the street. He noted 17 parking spaces and two handicap parking spaces are proposed on the plan and typically more than 20 cars are in a funeral procession. He questioned how the additional cars would be instructed to park.

Mr. Gay, having observed funerals in the cemetery, stated typically a funeral procession winds through the cemetery. It was noted a funeral could occur at the same time a party is going on at the park. He also questioned if parking is proposed on the west side or just on the south side, which Mr. Martone stated just on the south side. Mr. Steinert, Jr., P.E. noted the Township agreed to allow the use of the Township's park parking lot. Mr. Joe Huber claimed there is a licensing agreement that was entered into in 2008 with the Township to use the existing lot that is used for parking for the playground.

Mr. Joe Huber was in attendance on behalf of St. Mary's Cemetery and St. Juan Diego Parish. He distributed pictures of the area from the ground breaking ceremony, noting the original backstop for the baseball field and the view from Spring Grove Road. He stated the natural vegetation would not be disturbed, and indicated a landscape plan would be presented in the future.

Vice Chair Zgurzynski confirmed a ground breaking ceremony had taken place. Mr. Huber explained it was a ceremonial ground breaking just because the people have been waiting on this mausoleum. He recalled starting to sell crypts after the property was sold in 2008 for the park, and recalled a condemnation proceeding with the Township. The purpose of obtaining the land was always to build a mausoleum. Mr. Huber stated there are 686 spaces in the building and 254 niches for cremation remains; 219 spaces have been sold and 108 niches have been sold. Most of the people that purchased spaces or niches live in O'Hara Township or surrounding communities.

Mr. Huber stated the average number of cars they have been tracking is between 15 and 20 for most funerals. It does not mean there won't be more than that. In terms of the number of services, most services are conducted between 11 a.m. and 1 p.m. The cemetery does about 100 interments a year. At the most, 30% of interments would be at the mausoleum. Mr. Huber noted the cemetery already has a chapel on Sharpshill Road which would continue to be used for ground interment.

Vice Chair Zgurzynski asked if staff was familiar with the easement that allows the cemetery to park at Sacco Park. Manager Jakubec stated it was part of the agreement for overflow parking. Mr. Huber stated the license agreement specifically mentions that it was for the mausoleum. There was also approval by Council for a temporary mausoleum on Kirkwood. There was an ordinance passed by Council to that affect. Mr. Huber also noted, though it hasn't been acted on yet, but was discussed with Township management, the Township wanted to get access to water and sewage to the park and at that point in time the Diocese did grant a right of easement provided that a change to the setback from 75 feet to 50 feet would be approved. It hasn't been acted on; there's no variance granted yet but there's an understanding there will be no opposition by Council, so the right-of-way was granted as part of that arrangement.

Manager Jakubec interjected, noting Mr. Huber's statement needs to be restated. She clarified when the Township put the water and sewer line in, taps were added for a potential mausoleum. In addition, staff informed the church and diocese that Council cannot guarantee any Zoning Hearing Board decision. They can certainly make a case to the Zoning Hearing Board, but staff or Council cannot guarantee any decision by Zoning Hearing Board. The plan for the mausoleum also has to go before Council for conditional use approval. Mausoleums are a conditional use in this zoning district. So they will need to appear before Council. They were before Council and received conditional use approval for one temporary mausoleum in the cemetery, but there are now two temporary mausoleums.

Chairman Crates verified though there is an agreement for a mausoleum, it still has to go before Council for conditional use approval. Manager Jakubec noted they also have to go to Zoning for a setback variance. Mr. Huber acknowledged they have to go through the process. Chairman Crates questioned the purpose of the agreement. Manager Jakubec stated when the land was sold the Township agreed they could use the parking lot as overflow parking if they built a mausoleum.

Chairman Crates questioned how the Township could enter into an agreement to allow a mausoleum without having conditional use approval. Manager Jakubec reiterated the Township agreed to allow the use of the park parking lot for overflow parking **if** they built a mausoleum.

Mr. Huber presented photographs of a mausoleum in Frazier Township and identical plans to which the St. Mary's mausoleum will be built in terms of size and space, though there may be minor design configurations that are different. He stated the building will be built by Matthews International, a Pittsburgh company that built the mausoleum in Frazier Township. A representative from Matthews Gibraltar was also in attendance.

Mr. Huber noted the normal hours of operation for the cemetery is 8 a.m. to 5 p.m. The building will have a security system in the sense of an entry. Codes will be given to people that own into the mausoleum. The mausoleum will be locked at all times except when there is a service. The lighting in the building will be on motion sensor, so when people enter the building the lights will come on and when people leave the building the lights will turn off. The mausoleum door entry will be limited for visitation only during the winter, from approximately 8 a.m. to 5 p.m., and extended hours in the summer, approximately 8 a.m. to 8 p.m. Most of the services are held between 11 a.m. and 1 p.m., with no Sunday services. The average funerals are 15-20 cars. He noted excess parking is also available across the street in the existing cemetery and referenced a photo. The plan is to come through the cemetery off of Sharpshill Road and enter into the mausoleum area for the immediate family; any parking that can't be accommodated into the spaces that are already there and/or the lot which we are sharing through the licensing agreement for the mausoleum, will park along that street in the cemetery, not on a public street.

Mr. Frankowski questioned why cars would enter the cemetery from Sharpshill Road if they are going to the mausoleum on the opposite side of the cemetery. Mr. Huber clarified the cars could also come via Kirkwood Drive. The ceremony for entombments in the mausoleum will be conducted in the mausoleum. The only services that will be held in the existing chapel along Sharpshill Road will be for people that are ground entombed.

Mr. Frankowski questioned how the average number of cars in a funeral procession was determined. Mr. Huber stated the average was based on discussion with the cemetery superintendent. Mr. Martone explained if there are 100 cars in a funeral procession, the route will be to drive through the cemetery and park the excess vehicles in the cemetery. Mr. Huber estimated 30 services would be held in the mausoleum a year.

Vice Chair Zgurzynski questioned the number of spaces for caskets and niches for urns/ashes. Mr. Huber stated the total building has 686 casket spaces of which 219 are presold; there are 254 niches, with 108 presold. Vice Chair Zgurzynski questioned the number of spaces in the temporary mausoleums. Mr. Huber stated there are two small temporary mausoleums with each having 8 crypts, and they are filled.

Vice Chair Zgurzynski questioned the reason for the location of the utility easement. Mr. Steinert, Jr., P.E. recalled the initial conversations included two mausoleums and the easement was split between the two.

Mr. Gay questioned which side of the mausoleum would face the road. Mr. Huber stated the front view of the mausoleum would be on Kirkwood. Mr. Gay confirmed the sunrise would be at the back and the sunset would be in front of the mausoleum. He asked if there is a rear door. Mr. Huber confirmed, noting two means of egress/ingress are required.

Vice Chair Zgurzynski questioned if a second mausoleum is built if a separate entrance and parking would be needed. Mr. Steinert, Jr., P.E. stated we do not know the details about a second mausoleum. They could put a driveway and parking lot on the easement. Mr. Huber stated there are no immediate plans to build a second mausoleum. Presale of spaces began in 2008 or 2009.

Mr. Frankowski noted it has taken seven years to presell 219 spaces in the mausoleum.

Vice Chair Zgurzynski noted his concern is adequate screening between the mausoleum and park, to maintain the integrity of the park. Mr. Martone stated landscaping is proposed but details are not yet finalized. Vice Chair Zgurzynski indicated this might not be a usable plan, noting traffic going through Sacco Park is not consistent with the use of a park. Mr. Huber stated most of the services would be from 11:00 a.m. to 1:00 p.m. during the weekday. Vice Chair Zgurzynski noted concerns of commercial traffic going through a park where children play and have parties.

Manager Jakubec asked if there would be extra buffer between the mausoleum and Spring Grove Road. Mr. Martone indicated a line of trees are proposed at the edge of the parking area.

Chairman Crates noted a conditional use must meet the conditional use criteria, items A – J in the zoning ordinance. If they meet the criteria, the Commission would submit a recommendation to Council. He stated a conditional use is a permitted use with reasonable conditions. The Manager noted the zoning ordinance is available on the Township website.

Mr. Kelly stated it would make sense to have the entry directly at the parking lot. He questioned why they would have people drive through the ballfield. Mr. Martone explained the entry is directly across from the cemetery entry. Another entry would be offset and inhibit traffic flow. Mr. Kelly noted someone stops traffic for funeral processions. If he were representing the cemetery, he would not want his distressed, saddened parishioners, mourners going through a ball park where kids are loud and having fun. As for blocking the view or sound, it would be more important to not view kids playing and having fun; it doesn't seem appropriate.

Mr. Kelly asked if the property sale was a result of the hub bub when the cemetery said they wanted to build a mausoleum and the kids could not play there anymore. Manager Jakubec recalled a condemnation proceeding that predates her employment with the Township. She and the Township Engineer approached Father Almada about buying a piece of the property, which did away with the condemnation.

Mr. Huber stated his recollection of the history, noting the property was always owned by the cemetery, before Kirkwood Drive was there and even Sharpshill Road. For years the cemetery allowed the use of that land for baseball and kids to play there. With the tendency of liability the

diocese became concerned about potential liability and at that point they said you can't use the property because we won't assume liability if someone gets hurt on our property. He believed that precipitated condemnation proceedings. After a lot of litigation the agreement was entered into that a portion of the parcel would be for a Township playground and the cemetery would retain the other portion with the understanding the plan is to build a mausoleum. He stated the license agreement was entered as part of the condemnation agreement. Manager Jakubec clarified in the end it was an outright purchase and the condemnation was dropped. Mr. Kelly recalled it was quite contentious up to that point. Mr. Huber stated there was a settlement on the condemnation proceeding.

Chairman Crates verified the property is in the Conservation District and mausoleums were previously a permitted use in that district, and was later changed to a conditional use.

Mr. Citrin asked if the mausoleum would have an address. The Manager indicated it would have to have an address for 9-1-1- emergency. Mr. Citrin explained by having an address the odds of people driving through the cemetery are less. People would enter the address into a GPS and drive via Kirkwood and not through the cemetery. Having an entrance by the parking area makes much more sense.

Manager Jakubec noted the way of coming in the drive, and the parking lot full of cars, and questioned how a hearse would turn around. Mr. Martone indicated they could do a hammerhead.

Vice Chair Zgurzynski questioned how 17 parking spaces were determined. Mr. Martone stated the Township ordinance states one parking stall for every four visitors. Chairman Crates indicated it should be determined based on square footage of the building. Mr. Martone was not sure how Mr. Huber determined the average number of cars in a funeral procession. Mr. Kelly recommended using the higher average and providing more parking stalls with space between a little larger to allow people to back up. Mr. Citrin noted the concern is in the case of a large service and people parking along Kirkwood Drive. Mr. Martone indicated cemetery personnel would direct traffic. Mr. Huber stated the plan is to put them in the row that parallels Kirkwood. Most funeral directors know the funeral route depending on whether they are going to the chapel for ground burial or the mausoleum. Currently processions for ground burial come off Sharpshill Road, into the cemetery and cross Sharpshill Road to the chapel. There is not a lot of parking by the chapel. There will be a route for the mausoleum as well and it would depend on where they are coming from.

Vice Chair Zgurzynski noted some of the concerns expressed are the screening between Sacco Park and the mausoleum, a separate entrance and adequate parking for the event.

Mr. Gay suggested adequate screening from the residences on Spring Grove Road, as the existing forest thins in the fall and winter.

Mr. Frankowski requested to speak as a resident of Spring Grove Road, as he is also a member of Township Council and employee of Senator Randy Vulakovich. He noted his concern is once the mausoleum is built it will never return to our Township of parks. The Township has been notorious for the parks and are proud of the parks. Mr. Frankowski recalled the cemetery requested one conditional use approval to place a temporary mausoleum in the cemetery, and then placed a second temporary mausoleum in the cemetery without Township approval. The tree line has never

been touched by the cemetery and has vines woven through the trees. He was not sure the trees could be saved. Mr. Frankowski recalled watching veterans' funerals with way more than 15-20 cars, and some funeral processions have 5 or 10 cars. He noted the mausoleum is required to have rest rooms and questioned if the building would be heated to prevent a water line break, which the water would flow toward his house. Mr. Huber stated there will be men's and women's rest rooms and the building will be heated. Mr. Frankowski noted a ground breaking ceremony prior to any approvals, and none of the residents that live close by were notified. He questioned the location of the parking lot being on the other side of the existing parking lot for the park. The park parking lot will be used for excess parking. He also noted a six-acre parcel next to the cemetery and they could build a little driveway and build the mausoleum in a wooded area away from the park and the residents. It would abut the new edible trail at Woodland Park. The parcel is next to the cemetery and the entrance is on Sharpshill Road. Mr. Frankowski was hoping the Township could buy the property and trade for the proposed mausoleum property. Chairman Crates asked the representatives for the mausoleum if that idea had ever come into play. Mr. Huber stated the site has always been the plan to build the mausoleum; it is the most suitable; flat; minimal grading required; it makes sense to put it there.

Chairman Crates questioned the purpose of having the ground breaking ceremony prior to receiving any approvals to build the mausoleum. Mr. Huber stated the Bishop wanted to break ground for the project since we had sold a substantial amount of property. Chairman Crates questioned what would happen if the project does not go through since there are so many pre-sold.

Mr. Steinert, Jr., P.E. stated the parcel along Sharpshill Road is not zoned for a mausoleum. Mr. Frankowski asked if it could be re-zoned. The Manager indicated it would need to go before the Zoning Hearing Board.

Mr. Kelly recalled these plans have been the whole cause of the contentious baseball field deal. Manager Jakubec stated it began prior to 2003. Mr. Kelly stated they are in the business of burying people. It is their property and they should be able to develop their property, but at the same time be agreeable to reasonable conditions that are given. Mr. Huber stated they did not have a problem with that.

Chairman Crates noted the mausoleum would have to be built in that district, as spot-zoning is against the Pennsylvania Municipalities Planning Code.

Mr. Steinert, Jr., P.E. inquired about the stormwater management plan. Mr. Martone anticipated an area directly behind the building that is flat and open for a combination of storage within chambers, on top of a gravel bed with soil on top. It would be an infiltration system. Mr. Steinert, Jr., P.E. questioned where the overflow would go, which Mr. Martone had not yet determined.

Vice Chair Zgurzynski questioned if the infiltration system would be on the other side of the utilities easement, which Mr. Martone confirmed.

Chairman Crates noted comments have been provided by Planning Commission for consideration. He also noted the option of requesting another conceptual review.

IV. Approval of Minutes

A. September 18, 2017

Chairman Crates inquired about the gap of land between the two developments. Mr. Steinert, Jr., P.E. recalled asking Mark Schmidt of Hampton Technical during the Council meeting and it is a difference in surveys. He indicated it would be a lot of work trying to go back and survey the whole area to figure out where the gap belongs. It is nobody's land right now. Chairman Crates asked if they were going to survey the area. Mr. Steinert, Jr., P.E. stated no and Manager Jakubec stated if the neighbors are using the land, after 21 years they would have prescriptive easement.

Motion by Mr. Kelly to approve the minutes as presented was seconded by Mr. Bleil and carried unanimously.

V. Update on Prior Actions

Chairman Crates noted the following update.

A. Application for Minor Subdivision – Field Club Heights Plan of Lots

Approved by Council as recommended by Planning Commission.

VI. Other Business

Manager Jakubec noted concrete corn-hole games had been ordered for Township parks. Mr. Citrin inquired about the new playground. Manager Jakubec stated the adaptive playground is very well used and other places will be installing similar playgrounds.

Discussion about the Township's identity ensued, noting businesses in the Township often identify themselves as being located in Fox Chapel.

VII. Adjournment

Motion by Vice Chair Zgurzynski to adjourn the meeting was seconded by Mr. Citrin and carried unanimously. The meeting adjourned at 8:30 p.m.

Bruce Gay, Assistant Secretary

Attachment(s): Sign-In Sheet(s)