

**TOWNSHIP OF O'HARA
COUNCIL SPECIAL WORKSHOP MINUTES
JUNE 18, 2019**

I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:05 p.m.
- B. Pledge of Allegiance led by President Smith.
- C. Roll Call

Council Members Present: Robert John Smith, President of Council; Charles A. Vogel, Vice-President of Council; George H. Stewart, Second Ward; Allison Berger, Fourth Ward; Cassandra Eccles, Fifth Ward; John R. Denny, Jr., At-Large

Absent: Scott Frankowski, Third Ward

Also Present: Julie A. Jakubec, CPA, CGMA, Township Manager;
Charles W. Steinert, Jr., P.E., Township Engineer;
Cathy Bubas, Manager's Secretary

It was noted that Mr. Frankowski was unable to attend the meeting due to a work scheduling conflict.

II. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Mr. Richard Heath, Fox Pointe, stated he was disappointed that a draft of the proposed ordinance was not available on the website prior to the meeting. President Smith explained policy is proposed ordinances are not made available until introduced. He stated the public will have ample opportunity to review and comment. Manager Jakubec noted the process includes a public hearing. President Smith and Vice President Vogel recalled a property maintenance code had multiple drafts, which were available on the website, and when it came time for people to vote, they were given misinformation in the form of an old draft. Mr. Heath acknowledged the risk, but thought it worthwhile to get others' perspectives.

III. REVIEW AND DISCUSSION

- A. Review of Proposed Restated Zoning Ordinance

Manager Jakubec suggested reviewing the proposed ordinance section by section. It was noted the Table of Contents needs to be updated.

Ms. Berger explained her review of the ordinance included consideration of how easy/user friendly the document is. She recalled each zone had a traffic study requirement which was subsequently removed and referred to 'Supplemental Regulations'. She stated several things could be included in the zones and suggested each zone state "Refer to Section XIV, Supplemental Regulations, to review if anything pertains to that zoning district." President Smith stated Supplemental Regulations apply to all zoning districts unless it doesn't.

Definitions

It was noted the difference between a 'hotel' and 'motel' is a hotel has interior doors to access rooms and offers other services; a motel has exterior doors to access rooms.

Air BNB is considered a short-term rental and must be inspected and permitted.

Ms. Berger noted unadopted roads are to be built to Township standards. Manager Jakubec explained current private roads must be built to Township standards; older private roads may not be up to standard.

Since 'Carriage House' is not referred to anywhere else in the document, it was deleted.

Page 171

Section 72.13.7.B.2.a. and e. Delete 'including, but not limited to....'

Ms. Berger referenced page 172, where a boat launch is prohibited but a marina is allowed. Mr. Steinert, Jr., P.E. explained the differences between a boat launch and a marina.

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Section 72-14.6 Certain Vehicles Prohibited in Residential District

Manager Jakubec stated staff has not been enforcing this provision of the ordinance. She noted three options:

- 1) Allow recreational vehicles, 25' or less in length, that are registered/licensed and in good working condition, to be parked on a residential lot from Memorial Day to Labor Day
- OR
- 2) Allow recreational vehicles, 25' or less in length, that are registered/licensed and in good working condition, to be parked on a residential lot 5' behind the front building line, with a permit from Memorial Day to Labor Day
- OR
- 3) Not regulate

Manager Jakubec informed Council that issuing daily or weekly permits would be too burdensome on staff.

President Smith recalled the Planning Commission reviewed the document for more than a year during many meetings and is recommending one of the two options.

Ms. Berger requested clarification of the two options, which the Manager explained a recreational vehicle could be parked in the front driveway or front yard, or 5' back from the front of the building line, such as on the side of a garage. Ms. Berger confirmed if a recreational vehicle is parked in the front driveway it could not block sight distance.

Mr. Denny, Jr. recommended allowing recreational vehicles to be parked in a driveway or on the buildable area of the property with a permit. It was noted the permit would not include a fee and would be issued internally.

Manager Jakubec informed Council about calls concerning play structures, and the question being at what point does it become a structure versus a swing set. She noted someone put a play structure close to the property line.

The consensus of Council was to consider a play structure the same as a shed.

It was noted that Solar Shingles need to be updated in the document.

Ms. Berger suggested changing Item E, Pages 300-301 to read “The Zoning Officer shall render a decision either approving or disapproving the application for a zoning/building permit within ninety (90) days after the application is filed **in accordance with State requirements**, provided that any disapproval of the application shall be issued within said ninety (90) day period containing a **written** explanation setting forth the reason for said disapproval and the manner in which the application can be corrected and/or modified to obtain the required approval.”

President Smith suggested on page 248, item 3, abbreviating ‘Pennsylvania Wireless Broadband Collocation Act’ with (“PWBCA”) and throughout the document.

Mr. Denny, Jr. questioned when Council and staff anticipate the proposed ordinance will be available to the public. The Manager anticipated first reading/introduction of the ordinance in September, and explained the process. She recalled the process began with a subcommittee, appointed by Planning Commission, to review the document, then reviewed by Planning Commission, the Township Solicitor, Allegheny County Redevelopment Authority, and Council. Changes were made based on Council’s comments and the document was again reviewed by Council. Following introduction of the proposed ordinance, a Public Hearing will be conducted to receive public comments, prior to adoption.

Mr. Denny, Jr. asked how the proposed ordinance ties in with the Long Range Comprehensive Plan, which Manager Jakubec explained. She noted the Zoning Ordinance, once restated and adopted, will be included with the Codified Ordinances and will be searchable on the web.

President Smith requested the next version provided to Council to eliminate anything that has been stricken.

IV. CONCERNS OF COUNCIL

Ms. Eccles noted another landslide occurred on Powers Run Road today and asked if residents should call Penn D.O.T. again. She intended to write to Penn D.O.T. again. The Manager indicated staff would call Penn D.O.T.

V. CONCERNS OF STAFF

Manager Jakubec noted the dedication of the Brownhill Bridge is scheduled for July 27 at 8:00 a.m., which will be followed with a reception at the municipal building.

The Manager stated Pizza with Police is Thursday from Noon to 2:00 p.m. at the community center.

Manager Jakubec informed Council that she will be on a family vacation the first week of July. She suggested canceling the workshop and conducting a combined regular meeting and workshop on July 9th. The consensus of Council was to cancel the July 2, 2019 Council Workshop.

Manager Jakubec requested Council to remain after the workshop for an Executive Session to discuss a labor and legal matter.

VI. ADJOURNMENT

Motion by Ms. Eccles to adjourn the special workshop was seconded by Mr. Denny, Jr. and carried unanimously. The special workshop adjourned at 8:33 p.m. and following a short break Council entered into Executive Session.

Cathy Bubas, Manager's Secretary

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