

Public Hearing on Z-4-06 - Request by Manor Development Group II, owner of property formerly owned by the Buncher Company and the Buncher Family Foundation, for an amendment to the Zoning Map to rezone an approximate 50 acre portion of property located at Route 22 and Berlin Farm Road, designated by instrument numbers 200607120033638 and 639, from R-2 Residential to B, General Business.

Present for the Public Hearing were Council members Nancy Kacin, Larry Nicolette, Dennis Pavlik, Joan Kearns, Jeff Franke, Bob Brooks and Theo van de Venne. Also present were Mayor Joyce K. Somers, Chief Administrator John M. Barrett and Solicitor George A. Kotjarapoglus.

Mr. van de Venne began by questioning the relevancy of the presentation by Manor Development Group at this time. He stated that the rezoning of this property should be an independent issue and whatever may or may not be built at this property has nothing to do with the rezoning of said property.

Dave Trueman, Partner with Manor Development began the Public Hearing with an introduction pertaining to the reasons his group feels it is prudent for the Murrysville Community to have the designated portion of the "Buncher Property" rezoned from R-2 Residential to B, General Business.

Steven Victor, Landscape Architect and Partner with Victor-Wetzel Associates, presented a Power Point program detailing the proposed development and the reasons for this rezoning request.

Dan Santoro, with Delta Development Group was hired by Manor Development Group as an independent developer to render a professional opinion as to the rezoning of the property in question. The conclusion of Delta Development is that it is both appropriate and advantageous to Murrysville that this property be rezoned to B, General Business.

#### Public Input

Ray Meehan -5389 West Pike Street – Spoke against the rezoning of the Buncher Property stating that local politicians have not supported this zoning change.

Linda Marts – 3210 Brison Court – Spoke against the rezoning of this property saying it would lead to over development in Murrysville.

Paulette Betts – 1231 Twelve Oaks Court – Spoke in favor of this development saying that Murrysville could use more "cluster shopping centers" like Monroeville.

Jerome Wolff – 2380 Flagstaff Drive – Stated that the enormity of this property will lead to a shopping center that is equally as large and not something that is desired by the residents of Murrysville. Mr. Wolff also spoke concerning the increased water runoff this development would create.

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Jan Muran – 5331 West Pike Street – Stated concerns regarding water runoff from this proposed shopping center to the residents, including herself, who live below the property.

Bob Stemler – 2383 Flagstaff Drive – Spoke against the proposed rezoning stating that Murrysville would incur increased traffic and crime. Mr. Stemler cited a current Wall Street Journal article which spoke to the decline of the big box stores.

Amy Hieber – 6954 Berkshire Drive – Representing the Manordale Farms Civic Association, Ms. Hieber urged Council to keep the suburban nature of Murrysville and vote against the rezoning of the Buncher property.

Kathleen Loeffert – 5909 Oakhill Court – Also a resident of Manordale Farms and is opposed to the rezoning. Ms. Loeffert stated her concerns that if approved, the proposed shopping center would illustrate to the community that Murrysville is more concerned with “short-term gains and long-term loses.”

Lillian Blazeovich – 2647 Berlin Farm Road - Spoke against the rezoning saying that Murrysville does not need a shopping center of this size when there are many shopping areas in neighboring communities.

Ray Giacomel – 107 Duncan Street, Jeannette (owns property on Berlin Farm Road) - Spoke in favor of this rezoning and the subsequent development saying that it would benefit the tax base in Murrysville. However, Mr. Giacomel urged the Municipality to repair Berlin Farm Road.

Andy Salo – 5390 West Pike Street – Spoke against the proposed development of the Buncher property. Mr. Salo said there are already too many lights and intersections on Route 22 and this plan will only increase the problems.

David Scherb – 1003 General Forbes Court – Mr. Scherb spoke to the high character and work ethic of Mr. Trueman and fully supports the developer’s plans. He further stated that residents of Murrysville would appreciate shopping locally.

Dominic Gigliotti – President of Gigliotti Development – Spoke regarding the nature of the Buncher property, saying that this would not be property well suited for residential purposes, but rather needs to be rezoned to B, Business.

Tracy Barnes – 2529 Harrison City Road – Very strongly opposes the rezoning of the Buncher property.

Jim Kress – 3514 Hills Church Road – Mr. Kress represents the Turtle Creek Watershed Association and expressed this group’s concerns about how a large development such as the one proposed will affect the ongoing water drainage problems that already exist in Export and Murrysville.

John Frydrych – National Survey & Engineering – Mr. Frydrych supports the Manor Development proposal. He answered residents who were concerned regarding the potential problems of storm water drainage and said that water will be “held back” if this shopping center

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is built. He stated that the amount of water leaving the site after the stores are built will actually be less than the amount of water runoff which exists now.

Joseph Gulli – 5398 West Pike Street – Mr. Gulli urged Council not to vote for this rezoning. He said he moved to Murrysville because it was not over developed and is very much against this type of shopping area.

Dave Trueman – Manor Development – Mr. Trueman read a letter from Sue Balcer, 2727 Berlin Farm Road, stating that Ms. Balcer is a resident who lives in the area which will be affected by this proposed development and is very much in favor of it.

Council Comments

Mr. Nicolette asked Manor Development to make copies of their proposal for rezoning the Buncher property and subsequent development available to the public at the Municipal building.

Mr. Brooks reiterated his concerns about the problems of excessive water runoff if this site is developed and also the issue of permeability. He would like more evidence from the planners that this will not be a problem for the citizens who live nearby. Mr. Brooks also stated that he continues to have concerns about the increased traffic on Berlin Farm Road if a shopping center is built here.

Mr. Trueman finished his presentation by saying that if this plan goes forth, Manor Development will hire its own Security staff for the proposed shopping center rather than to further tax the Murrysville Police Department.

Mr. van de Venne informed the public that there is a meeting on October 25, 2007 at the Garden City Fire Hall in Monroeville of the Turtle Creek Watershed Association, which may address many of the water run off issues discussed at this Council meeting.

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Council of the Municipality of Murrysville held a Regular Voting Meeting on Wednesday, October 3, 2007 at 9:05 p.m. in the Municipal Building. Present at the meeting were Council members Nancy Kacin, Larry Nicolette, Dennis Pavlik, Joan Kearns, Jeff Franke, Bob Brooks and Theo van de Venne. Also present were Mayor Joyce K. Somers, Chief Administrator John M. Barrett and Solicitor George A. Kotjarapoglus.

**CALL TO ORDER:** Mrs. Kacin called to order the Regular Voting Meeting of Wednesday, October 3, 2007.

**DETERMINATION OF VOTING ORDER – ROLL CALL:** Kim Blauvelt determined the voting order and called the roll: Mr. Pavlik, Mr. van de Venne, Mr. Franke, Mrs. Kacin, Mrs. Kearns, Mr. Nicolette, and Mr. Brooks.

**PLEDGE OF ALLEGIANCE:** Mrs. Kacin led the audience in the Pledge of Allegiance.

**ANNOUNCEMENT OF UNLISTED AMENDMENTS:**

Under Administration: Mr. Pavlik requested that Council add a discussion of water runoff problems that exist in Murrysville which have significantly been brought to light by the recent August 9, 2007 storms.

Under Executive Session – Add Contractual Issue.

Mr. Nicolette moved to approve the amended agenda. Mrs. Kearns seconded. All present voted aye. Motion approved.

**CONSENT CALENDAR ITEM:**

4A. SEPTEMBER 5, 2007 MEETING MINUTES.

Mr. Franke moved to approve the Consent Calendar Item. Mrs. Kearns seconded. All present voted aye. Motion approved.

**COMMUNITY INPUT:**

Evelyn Horton – 6041 Apache Drive – Asked if snow removal was feasible for her road. Staff responded that since Apache Drive is a private drive, the Municipality of Murrysville is not responsible for snow removal services.

Frank Larimer – 4025 Saltsburg Road – Interested in obtaining detailed information about Agenda Items for Council meetings before the actual meeting. Staff informed Mr. Larimer that the agenda is available, in advance of all meetings, in all local papers, and is also posted outside the Municipal Building. If a citizen is interested, he may obtain a copy of an agenda item for a minimal cost.

Erin Chandler – 5018 Harvest Drive – Has concerns about the dumping of silt which is being removed from the retention pond in the Heritage Estates Plan, and subsequent erosion. Mr. Pavlik offered his opinion that the Municipal Ordinances should be strong enough that residents don't have to worry about their property "staying in place." He asked if the Municipality needs to tighten up the Ordinances in order to have better storm water management. This topic will be discussed further under Administrative business. Staff is already involved in this matter, and will continue to work with the Chandlers and the developer to remedy the problem.

**COMMENTS BY MAYOR SOMERS:**

Mayor Somers reported that 12 deer have been culled in the Municipal Archery Program thus far.

Mayor Somers reported that the fall Recreation programs are underway and registration has been very successful. Also, the Recreation department's after school program, F.U.N., has doubled its enrollment this year.

Mayor Somers said that the police held a drug seminar on September 24, 2007 which was both very well attended and informative.

The Mayor said that Murrysville Alliance Church is holding an alternative to traditional trick or treating, call Trunk or Treat on October 31, 2007, 6:00 p.m. to 8:00 p.m.

**COMMENTS BY THE CHIEF ADMINISTRATOR:**

Mr. Barrett announced to the community that the collapsed pipe on Mamont Road will be fixed during the week of October 22, 2007. The road will be closed during this construction and detours will be posted.

Mr. Barrett also clarified that the scheduled budget workshop on October 17, 2007 will not include a comprehensive budget document but rather will consist of any adjustments or amendments from prior years.

Mr. Barrett reported that he, Mr. van de Venne and Mr. Cypher, 3691 Weistertown Road, met to discuss Mr. Cypher's offer to assist in the extension of water lines to Murrysville Community Park. Rich Connors, Director of Engineering, Public Works, and Parks has agreed to compile information for Council regarding costs and other details of Mr. Cypher's offer.

Mr. Barrett also reported an update regarding the lighting for the proposed Streetscape project. There will be future discussions with Allegheny Power and PennDOT to possibly consolidate new lighting on the street in an attractive manner.

**LIAISON AND COMMITTEE REPORTS:**

Mr. van de Venne attended the Medic One meeting and reported there was a discussion concerning late payments and extensive paperwork involved in collection of funds. A consistent policy is being developed which will be evaluated in-house.

Mrs. Kacin attended the Planning Commission workshop and reported that there were several site plans being reviewed which will come to Council at a future date. Mrs. Kacin also attended a dinner which recognized the work of the many park volunteers in our community who keep the parks in wonderful condition.

**COMMUNITY DEVELOPMENT:**

None

**ENGINEERING:**

10A. CONSIDER APPROVAL OF CONTRACT WITH OVERHEAD DOOR COMPANY FOR THE INSTALLATION OF DOOR ON MECHANIC'S BAY AT THE PUBLIC WORKS

FACILITY. Mr. Nicolette moved to approve the contract in the amount of \$7,530. Mr. Franke seconded. All present voted aye. Motion approved.

**ADMINISTRATION:**

11A. DISCUSSION OF COUNCIL DIRECTIVES FROM THE CIP WORKSHOP. The issue of police cars and mileage limits will be further discussed at the October 17, 2007 Council meeting.

11B. CONSIDER APPROVAL OF HDH INSURANCE COMPANY TO BE THE INSURANCE CARRIER FOR THE MUNICIPALITY FOR 2007-2008 FOR ALL COMMERCIAL INSURANCES. Mr. Brooks moved to approve. Mrs. Kearns seconded. All present voted aye. Motion approved.

11C. DISCUSSION OF MEDIC ONE'S REQUEST TO RECEIVE DEDICATED FUNDING FROM THE MUNICIPALITY OF MURRYSVILLE FOR CAPITAL EXPENSES. Council directed staff to look into the \$55,000 yearly allocation that Medic One is requesting and verify that it is a feasible amount. Council requested that Larry Nicolette be part of this discussion.

11D. CONSIDER RENEWAL OF FRANCHISE AGREEMENT WITH COMCAST. Council tabled renewal of franchise agreement with Comcast. Council requested staff to obtain information regarding neighboring communities and their contracts with Comcast, and then to meet with Mr. Nicolette to discuss the Municipality's pending agreement renewal with Comcast.

11E. CONSIDER RECOMMENDATION FROM THE PARKS AND RECREATION COMMISSION ON THE ADOPTION OF CLEAN UP OF PLEASANT VALLEY PARK THROUGH PA CLEANWAYS. Mr. Nicolette moved to approve. Mrs. Kearns seconded. All present voted aye. Motion approved.

11F. CONSIDER ADOPTION OF POLICY AND PROCEDURES IN ACCORDANCE WITH ORDINANCE NO. 742-07, AN ORDINANCE REQUIRING KEY BOXES ON COMMERCIAL OR MULTI-RESIDENTIAL STRUCTURES. Mr. Franke moved to approve. Mrs. Kearns seconded. All present voted aye. Motion approved.

11G. Discussion regarding the ongoing problems that some residents of Murrysville have had with storm water management. Council requested staff meet with the Westmoreland Conservation District and possibly include a grading plan on new homes, and regulations regarding "piping out" of storm water to low lying neighbors in Municipal Ordinances.

**NEW BUSINESS:**

Mr. Brooks inquired if staff was aware of the extensive tree cutting on North Hills Road. Mr. Connors, Director of Engineering, Public Works, and Parks responded that the proper permit was issued for this operation.

**OLD BUSINESS:**

None

**OTHER BUSINESS:**

None

**EXECUTIVE SESSION:**

Council convened to an Executive session at 11:25 p.m. to discuss a contractual and a personnel issue. Council returned from Executive session at 11:40 p.m. There was no vote as a result of this Executive session.

**ACTION ITEMS:**

- ✓ Council requested staff to obtain contracts with Comcast from neighboring communities, specifically Monroeville and Salem Township. Staff is then requested to meet with Mr. Nicolette to discuss the Municipality's pending agreement with Comcast.
- ✓ Council requested staff to meet with the Westmoreland Conservation District concerning discharge of storm water onto adjacent properties and related Ordinance amendments.
- ✓ Council requested that staff develop a Policy on grading plans with building permits.

**ADJOURNMENT:**

Mr. Nicolette moved to adjourn. Mr. Franke seconded. All present voted aye. Motion approved.

Time: 11:50 p.m.

JOHN M. BARRETT  
CHIEF ADMINISTRATOR

kjb 10/18/07

cc: Mayor  
Police  
Council  
Community Development  
Finance  
Engineering

Public Works  
Solicitor  
Front Office/Library  
Recreation

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