

**WEST DEER
TOWNSHIP
SUPERVISORS
PUBLIC HEARING**



July 15, 2020

6:30 p.m.

Conditional Use

LEO'S LANDSCAPING

PUBLIC HEARING – CONDITIONAL USE FOR LEO'S LANDSCAPING:

- OPEN PUBLIC HEARING
- PLEDGE OF ALLEGIANCE
- ROLL CALL
- PUBLIC HEARING ADVERTISED IN COMPLIANCE WITH THE LAW.
- PROPERTY POSTED
- ADJOINING PROPERTY OWNERS NOTIFIED VIA MAIL

THE PUBLIC HEARING IS FOR A CONDITIONAL USE IN A SPECIAL USE DEVELOPMENT (SU) ZONING DISTRICT FOR THE APPLICANT, LEO'S LANDSCAPING/JOSEPH LEO TO CONSTRUCT A NEW BUILDING AND CONTRACTOR STORAGE YARD FOR HIS LANDSCAPING BUSINESS ON .92 ACRES LOCATED AT GIBSONIA ROAD (STATE ROUTE 910), GIBSONIA, PA 15044.

NAME OF LAND DEVELOPMENT: LEO'S LANDSCAPING

LOT/BLOCK NUMBERS: 1507-N-288

ZONING DISTRICT: SU – SPECIAL USE

A CONDITIONAL USE / CONTRACTORS YARD IS A PERMITTED USE AS LISTED IN THE ZONING ORDINANCE IN THE SPECIAL USE DISTRICT, SECTION 5.4 AUTHORIZED LAND USES BY DISTRICT FOR LEOS LANDSCAPING.

THE APPLICANT IS APPLYING ONLY FOR CONDITIONAL USE APPROVAL AND WILL STILL NEED TO GO THROUGH THE FULL LAND DEVELOPMENT PROCESS IF THE CONDITIONAL USE IS APPROVED TONIGHT. THE LAND DEVELOPMENT PROCESS INCLUDES REVIEW OF SCREENING, STORMWATER, PARKING, BUILDING CONCEPT, ETC. THE LAND DEVELOPMENT APPLICATION WILL BE PRESENTED AT THE PLANNING COMMISSION FOR A RECOMMENDATION, TOWNSHIP ENGINEER REVIEW, AND REVIEWED BY THE BOARD OF SUPERVISORS FOR FINAL APPROVAL.

AFTER REVIEW AND RECOMMENDATION BY THE PLANNING COMMISSION, THE BOARD OF SUPERVISORS CAN PLACE ADDITIONAL REASONABLE CONDITIONS ON THIS PERMITTED USE THIS EVENING.

THE PLANNING COMMISSION RECOMMENDED APPROVAL FOR THE CONDITIONAL USE / LEO'S LANDSCAPING CONTRACTORS YARD AT THEIR JUNE 25 2020 MEETING.

ALSO ATTACHED IS THE REVIEW LETTER BY SHOUP ENGINEERING DATED APRIL JUNE 24 2020. A COPY OF THE CONDITIONAL USE NARRATIVE, LOCATION MAPS, CONCEPTUAL SITE PLAN AND RESPONSE LETTER DATED JUNE 25 2020 HAVE BEEN SUBMITTED BY HAMPTON TECHNICAL ASSOCIATES (ATTACHED).

AT THIS POINT, WE WILL OPEN THE FLOOR TO PUBLIC COMMENT.....ALL THOSE WHO ARE INTERESTED IN SPEAKING THIS EVENING, PLEASE RISE TO BE SWORN-IN.....

- IS THE APPLICANT OR A REPRESENTATIVE PRESENT FOR COMMENTS.....PLEASE COME FORWARD AND STATE YOUR NAME...
- PUBLIC COMMENTS.....

WHAT ACTION DOES THE BOARD WISH TO TAKE.

I MOVE TO APPROVE THE LEO'S LANDSCAPING CONDITIONAL USE FOR A CONTRACTOR YARD AS PER THE RECOMMENDATION BY THE PLANNING COMMISSION.

MOTION SECOND AYES NAYES

MR. FORBES	___	___	___	___
MRS. HOLLIBAUGH	___	___	___	___
MRS. JORDAN	___	___	___	___
MR. MAUDHUIT	___	___	___	___
MR. KARPUZI	___	___	___	___

ADJOURNMENT/PUBLIC HEARING:

I MOVE TO ADJOURN THE PUBLIC HEARING AT _____ P.M.

MOTION SECOND AYES NAYES

MRS. HOLLIBAUGH	___	___	___	___
MRS. JORDAN	___	___	___	___
MR. MAUDHUIT	___	___	___	___
MR. FORBES	___	___	___	___
MR. KARPUI	___	___	___	___



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www.hampton-technical.com

CONDITIONAL USE REQUEST

LEO'S LANDSCAPING

Owner / Applicant / Developer

Joseph Leo
3229 Laurel Drive
Glenshaw, PA 15116

Project Narrative

Joseph Leo is proposing to construct a new Building and Contractor Storage Yard for his landscaping business. The building will include an office and garage. The yard will be used for equipment and material storage used in the operation of the business.

The project is located on Gibsonia Road (State Route 910). The site is located approximately 1/4 mile east of the West Deer Township Volunteer Fire Company # 3 near the Fawn Haven Plan. The existing property is undeveloped.

The entire property consists of approximately 4.7 acres and project construction area will have an earth disturbance of approximately 0.9 acres.

The property is located in two zoning districts. SU - Special Use (Front of Property) and R-3 - Suburban Residential (Rear of Property) as shown on the included site development plan.

The public water service is provided by the Hampton Shaler Water Authority and the public sanitary sewer service is provided by the Deer Creek Drainage Basin Authority.

WEST DEER TOWNSHIP
109 East Union Rd. • Cheswick, PA 15024
724-265-2780 (Code Enforcement Office)

SUBDIVISION AND LAND DEVELOPMENT APPLICATION

APPLICATION NO. _____

Application For:
 Preliminary Subdivision
 Final Subdivision
 Land Development
 PRD
 Lot Line Revision

CONDITIONAL USE REQUEST

Location of Property: Gibsonia Road (State Route 910), Gibsonia, PA 15044

Parcel Lot and Block No.: 1507-N-288

Name of Subdivision/Land Development: Leo's Landscaping

Name of Applicant: Joseph Leo

E-Mail Address: joeleo97@gmail.com

Address: 3229 Laurel Drive

Glenshaw, PA 15116

Telephone No.: 412-443-2640 cell

Name of Property Owner(s): Purchase Agreement

E-Mail Address: _____

Address: _____

Telephone No.: _____

Surveyor/Engineer: Hampton Technical Associates

Address: 35 Wilson Street - Suite 201

Pittsburgh, PA 15223

Telephone No.: 412-781-9660 E-Mail: dauids@hampton-tech.net

Purpose of Development: Landscaping Business

Proposed Building (Office/Garage), Equipment Storage, Material Storage

Proposed Use: Single Family Two Family Multi Family
 Townhouse Commercial Industrial
Other _____

Total Acreage of Tract: 4.7

No. of Acres to be Developed: 0.92 Acres

Number of Lots: 1

Percentage of Lot Coverage: 25%

Min. Lot Size: _____

Estimated Start of Construction: Fall 2020

Zoning District: SU - Special Use

Use Permitted by: right special exception conditional use
Requesting - Contractor's Yard - Conditional Use

Waivers requested (list section & hardship) and/or special situations or circumstances:
N/A

Water Supply: Public Other (specify _____)

Sewage Disposal: Public Other (specify _____)

Off-street Parking: Garage Driveways Other None

Streets: Lineal feet of new streets N/A

Proposed for Dedication: Yes No

Existing Use: Undeveloped Lot

Number of Existing Lots: 1 Existing Acreage: 4.7

Location of Existing Buildings: N/A

Current Parking Spaces: _____

Existing Parking Surface Area: _____

Access Driveway Location: _____ Width: _____

Proposed Use: Landscaping Business

Description of Building(s): Proposed Building (Office/Garage), Equipment Storage, Material Storage, etc.

Additional Parking Spaces: 14

Access Driveway Location: State Route 910 Width: 24

Current Employees: _____ New Employees: 6

Percentage of Lot Coverage: 25%

Phase:

Total Number of Phases: N/A

Phase Number of this Application: _____

Total Acres: _____

Acres this Phase: _____

Total Lots: _____

Lots this Phase: _____

Total Lineal Feet of Storm Sewer: _____

Total Storm Sewer this Phase: _____

Environmental Standards:

Will the proposed use generate any of the following conditions?

- | | | | |
|------------------|--------------------------|-------------------------|--------------------------|
| Smoke | <input type="checkbox"/> | Electrical Interference | <input type="checkbox"/> |
| Air Pollutants | <input type="checkbox"/> | Vibrations | <input type="checkbox"/> |
| Odors | <input type="checkbox"/> | Noise | <input type="checkbox"/> |
| Water Pollutants | <input type="checkbox"/> | Radioactive Emissions | <input type="checkbox"/> |

Material stored on site: Landscaping Materials (stone, wood mulch, etc.)

Applications:

Percolation Test _____ (date)
DER Planning Module Waiver _____
Water Authority _____
Sewer Authority _____
Allegheny Co. Conservation District _____
Allegheny Co. Dept. of Economic Development _____

Right-of-Way:

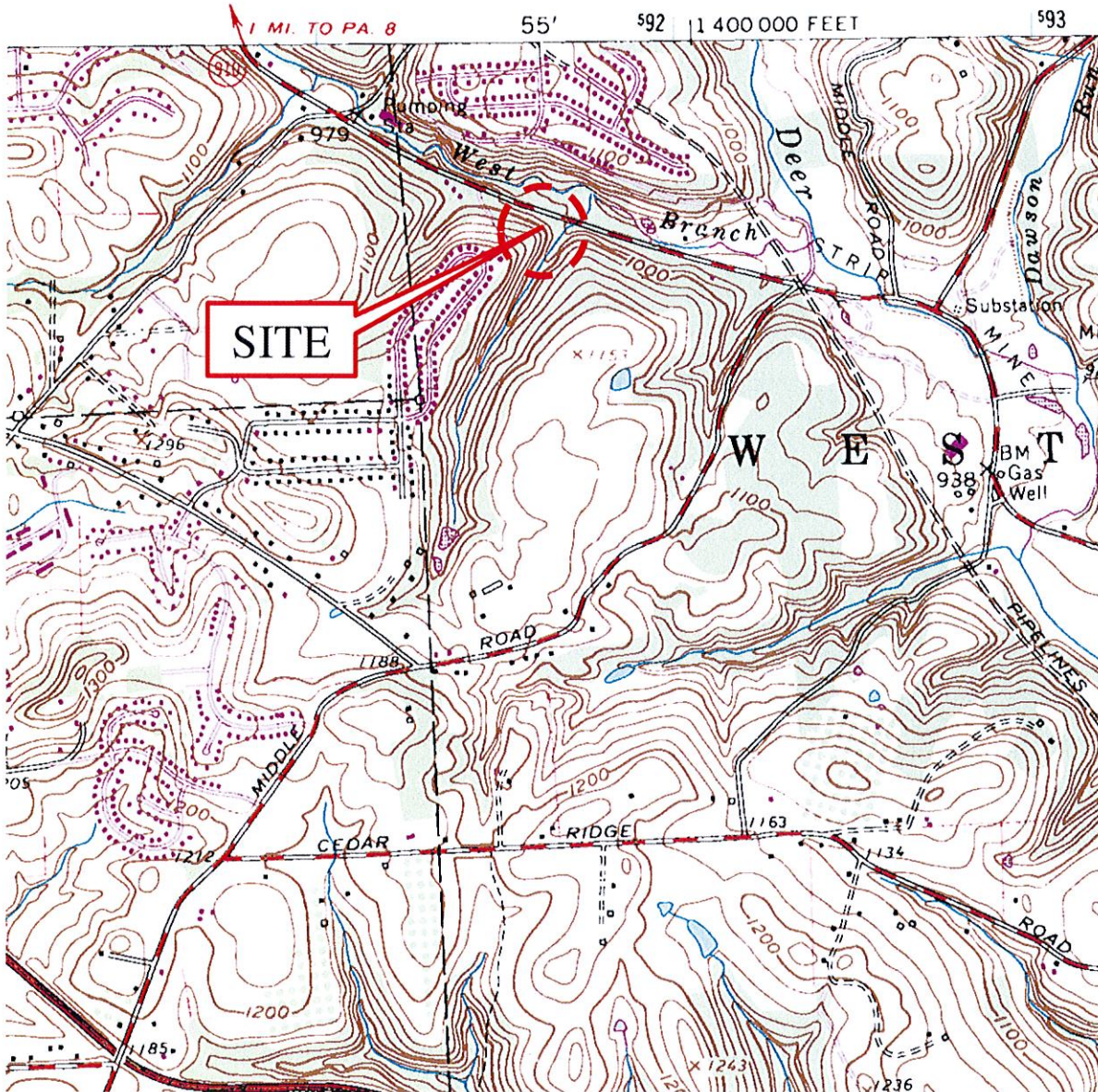
Agreements of adjacent properties: Yes No N/A

Describe: _____

Easements:

Agreements with adjacent properties: Yes No N/A

Describe: _____



Scale - 1" = 2000'

Exhibit #1
USGS - Site Location Map



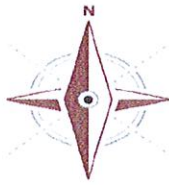
No Scale

Exhibit #2
Site Location Map



No Scale

Exhibit #3
Aerial Map



SHOUP ENGINEERING

CELEBRATING 50 YEARS

329 Summerfield Drive, Baden PA 15005

Tele: 724-869-9560 Fax 724-869-7434

Email: info@shoupengineering.com

June 24, 2020

Mr. Bill Payne
West Deer Township
109 East Union Road
Cheswick, PA 15024

Via Email Only

Re: Leo's Landscaping
Land Development Plan (Plans not dated)

Dear Mr. Payne,

I have reviewed the above-referenced Land Development Plan located in the SU Zoning District and the following comments should be considered:

1. The use of a Contractor's Yard is a Conditional Use in the SU Zoning District. The applicant should provide a written response to each of the Conditional Use Criteria for a Contractor's Yard found in Code Section 210-120.A(12).
 2. A Highway Occupancy Permit will need to be obtained from PennDOT for the site driveway.
 3. Stormwater Management for the site must be addressed in some manner. The applicant's consultant can contact me to further discuss this matter.
 4. Code Section 210-54.H regulates exterior building materials in the SU Zoning District. Sketches of the elevation views of the building should be provided.
 5. Proposed landscaping for the site should be identified. See Code Section 210-62.
 6. If there is any proposed exterior lighting it will need to be identified on the plan. A catalog cut of each fixture type should be provided. Lighting must comply with Code Section 210-110.D.
 7. The floor elevation for the proposed building should be identified. Also, proposed grading for the site driveway should be shown on the plan.
 8. The Zoning Code Standards for required parking spaces for the use of Contractor's Yard appears to be in error. The Code requires 1 space per 200 square feet of gross floor area, plus 1 space per employee, which is excessive. For example, a retail use requires 1 space per 200 square feet of gross floor area. The Planning Commission should review with the applicant what reasonable number of parking spaces are required for the use.
-

Mr. Bill Payne
West Deer Township
Leo's Landscaping
June 24, 2020
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9. The Planning Commission should also review with the applicant whether or not a loading area is needed for the site.

A written response should be provided with revised plans, as to how each of the above comments has been addressed.

If you should have any questions, please do not hesitate to contact me at your convenience.

Sincerely,

SHOUP ENGINEERING INC.



Scott A. Shoup, P.E.

cc: Daniel Mator, via email
Dorothy Moyta, via email
Gavin Robb, via email
Chris Schmidt, Hampton Technical Associates, via email



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June 25, 2020

Mr. Bill Payne
West Deer Township
109 East Union Road
Cheswick, PA 15024

**Re: CONDITIONAL USE REQUEST
Leo's Landscaping
Gibsonia Road (State Route 910)**

Mr. Payne:

We are in receipt of the Shoup Engineering comment letter, prepared by Scott Shoup, P.E., dated June 24, 2020, for the above referenced project, and offer the following responses.

Per the email from Mr. Shoup, he asked that we only address Comment No. 1 of his letter for the June 25 Planning Commission meeting. The other comments were related to the future site planning process.

COMMENT & RESPONSES

Comment 1. The use of a Contractor's Yard is a Conditional Use in the SU Zoning District. The applicant should provide a written response to each of the Conditional Use Criteria for a Contractor's Yard found in Code Section 210-120.A(12).

§ 210-120 Conditional use standards and criteria.

A. (12) Contractor's yard.

- (a) A contractor's yard shall have a minimum lot area of 20,000 square feet and a maximum lot area of two acres.

*The extents of the contractor yard will be approximately 40,000 sq. ft.
The entire lot area 4.7 acres but the remaining lot area is unusable due to the existing topography.*

- (b) A contractor's yard shall have direct access to an arterial road as identified by the Township;

The development has direct access to Gibsonia Road (State Route 910)

- (c) All equipment supplies, materials and other apparatus shall be properly screened. Screens shall be constructed with an earth berm, landscaped buffer yard, fence or wall with a minimum height of eight feet in height and with a minimum opacity of 80%.

The equipment and materials shall be screen by a combination of an 8-foot-high fence, earth berm, and tree & shrub plantings.

- (d) All property boundaries adjoining an existing residence shall provide a landscaped buffer yard of a minimum of 15 feet in width. The buffer yard shall be landscaped with a combination of deciduous and evergreen trees, shrubs, ornamental grasses and groundcovers.

A 15-foot landscape buffer shall be installed on the western side of the property if deemed required but there are no existing residences visible from the development due to the existing tree line above.

- (e) Grass, sod, lawn or turf shall not be considered an acceptable plant for use within landscaped buffer yards.

The owner agrees to this condition.

- (f) A contractor's yard that adjoins an existing residence shall not begin mechanical operations until 7:00 a.m., and shall cease all mechanical operations by 9:00 p.m.

The owner agrees to this condition.

- (g) The Township may attach additional conditions pursuant to this section, in order to protect the public's health, safety, and welfare. These conditions may include, but are not limited to, increased setbacks.

The owner is willing to discuss any additional conditions.

Should you have any questions or require any additional information as part of our response, please feel free to contact our office.

Thank You

Hampton Technical Associates, Inc.

David Swab

David Swab
Project Manager

cc: HTA File #13368