

MUNICIPALITY OF MONROEVILLE

PLANNING COMMISSION

AUGUST 17, 2022

MINUTES

The meeting was called to order at 7:40 p.m. by Chairman Anthony Pokusa.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Pledge of Allegiance was recited and a moment of silence was observed.

ROLL CALL

The Recording Secretary, Sharon McIndoe, called roll and the following were: Anthony Pokusa, Kim Krivda, Bruce Walker, Leonard Bertoni and Paul Whealdon. Ms. Montgomery, Mrs. Lawrence and Mr. Massung were absent.

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of the July 20, 2022 meeting, a motion was duly made by Mrs. Krivda to approve them, as submitted, and Mr. Walker seconded it. Upon a voice vote, the motion carried unanimously.

NEW BUSINESS

SUBDIVISION 22-3-SUB

KUEHN ESTATE SUBDIVISION PLAN

The applicant is requesting preliminary and final subdivision approval to subdivide and consolidate Tax Parcels 857-P-184, 857-P-186 and 857-P-214. Existing Lots 6-A2 and 6-B2 are to be consolidated into Lot 2 and the dividing line between newly created Lot 2 and existing Lot 7 is to be adjusted approximately 16 feet in a westward direction creating Lot 1. The property is located at 931 MacBeth Drive in the R-4, Multi-Family Residential Zoning District.

Mr. Whealdon reported since the application was advertised, it has been reduced to a two-lot subdivision and the section about adjusting the lot line 16 feet in Lot 857-P-214 has been removed.

Mr. Terry Siefers, Gentry Surveying, came forward representing the applicant. He reported this is a simple two-lot consolidation because the circumstances have changed with the subdivision. He asserted there were no issues and all the revisions have been made. He mentioned he is waiting for the county and engineering comments. He pointed out the two lots, the subdivision line to be removed and the third lot that will no longer be part of the application. He explained it was the estate of the Kuehn Family and that lot has been sold as the original deed with no changes.

There being no discussion, Mrs. Krivda duly made a motion to approve Subdivision Application No. 22-3-SUB and Mr. Bertoni seconded it. Upon a voice vote, the motion carried unanimously.

ZONING ORDINANCE WORK SESSION

Presentation by Strategic Solutions regarding revisions to the zoning ordinance.

Mr. John Trant came forward from Strategic Solutions along with Mr. Matt Pernelli to make a presentation about the zoning ordinance. He distributed three documents: agenda, draft of the ordinance audit and a copy of the power point presentation. He reported this meeting would introduce the project process, discuss key zoning hot topics and solicit feedback from the planning commission in terms of key issues and concerns they have experienced when working with the zoning ordinance. He explained this project started several years ago with drafting the ordinance. He stated they have reviewed the draft and the planning commission has a copy. He explained they will work with the staff to get this document finished so it can be adopted in January or February.

Mr. Pernelli reviewed the Zoning Ordinance Hot Topics as follows: Planned Residential Design Standards, Commercial Design Standards, Crematorium/Funeral Home Uses, Tiny Home Uses, Short Term Rentals, Drive-Throughs, Parking Requirements and Diagrams and Application Process Diagrams.

Mr. Pernelli explained each topic. He reported these things dictate how a certain place will feel. He mentioned common practices to consider are architectural standards such as building materials, building setback, building height, density, yard and bulk regulations. He stated they want streetscapes and promote consistency with the streetscape, and consider streets with standards, curb design and street trees. He explained how they want to ensure that the open space is abundant and has easy access.

Mr. Pernelli referred to crematoriums and reported they are aware of the request for one in Monroeville. He explained it is not the same as a funeral home but is considered an assessor use. He reported residents are usually okay with funeral homes in the neighborhoods but not crematoriums. He pointed out they consider lot size requirements, distance from other uses, screening and landscape buffers, emission standards and control, proper licensing and permitting requirements and reasonable hours of operation.

Mr. Whealdon asserted the municipality has a funeral home application on council's agenda and there is potential for proposing a crematorium. He explained because their application is already in the process, any new regulation in the new zoning ordinance will not affect them. He stated they would be grandfathered in under the old ordinance.

Mr. Pernelli referred to tiny homes and reported they have become more prevalent. He reported a tiny home is a house that is between 150 square feet and 400 square feet and is constructed on a foundation. He explained how tiny homes are becoming a viable housing option for many people and affordable housing should not be restricted. He stated it should be regulated like any other single-family option. He mentioned the minimum and maximum square footage, required service to public utilities, required foundations, the same setback requirements as used for the district and direct applicants to the federal guidelines such as Housing and Urban Development, Neighborhood of Affordable Housing, and Recreational Vehicle Industry Association (HUD, NOAA, RVIA).

Mr. Whealdon mentioned there could be other challenges with this because the rules and regulations set forth by the International Building Code have separate regulations for room sizes. He

reported he would work with the building inspector to see how these could be worked into the zoning ordinance.

Mr. Pernelli referred to short-term rentals and he stressed that it is not just Airbnb. He explained the Airbnb is currently the most popular short-term rental website but it is important to recognize it is a company or platform not a product or use. He stated the ordinance should specify bed and breakfast and short-term rentals as different uses. He reported successfully managing short-term rentals come from both zoning and permitting. He explained with the zoning it is which districts do short-term rentals reasonably fit into, the parking requirements and maximum length of stay. He pointed out annual permits should be developed for short-term rentals which include conditions for proof of residency for each landowner which help negate people buying houses to use them as short-term rentals. He suggested it avoids a lot of problems if they are forced to live in the houses.

Mr. Pernelli felt how the current draft of the ordinance addresses short-term rentals is pretty good. He suggested the biggest issue is to make sure it is short-term rentals and Airbnb. He pointed out the ordinance has a length of stay regulation, parking requirements, property ownership and proof of residency requirements, maximum number of guest regulations, annual permit requirement and good signage language for the houses.

Mr. Pokusa inquired about the annual permit requirement for this. Mr. Whealdon reported the municipality currently does not have anything. He explained it was being looked at like hotels which has an annual life safety inspection for the overall building. He reported the municipality does not inspect every room every time it is rented it but there is an occupancy inspection any time a house is rented in a residential area with a change of occupant. He explained if one person lives there for one year or ten years there is no inspection until a new person moves in. He stated for short-term rentals it is uncertain how it is going to work because the municipality will not inspect the same house once a month for an unspecified amount of time. He suggested language will be included concerning annual inspection for smoke alarms.

Mr. Pernelli reported drive-throughs are another issue. He reported the ordinance would have separate criteria for three different uses including Drive-Throughs for establishments such as banks and pharmacies, Drive-throughs for restaurants such as Starbuck and McDonalds and Drive-In Restaurants which should have their own parking requirement. He suggested the use of diagrams is helpful in ordinances to mitigate any confusion.

Mr. Pernelli reported the draft ordinance includes good parking diagrams, which are recommended and some smart art for complicated application processes to make it easier to understand.

Mr. Whealdon reported this is the first meeting of several. He pointed out the current draft is 300 pages and a third of it is definitions. He suggested if the planning commissions members have any concerns to contact him so it can be discussed or reviewed.

Mr. Bertoni requested a better definition of short-term. Mr. Pernelli stated it would be defined in the ordinance but typically it would be less than 30 days.

Mr. Pokusa inquired whether they have done ordinances for other local municipalities in the area and Mr. Trant answered affirmatively. Mr. Pokusa questioned whether any of the items that have

already been in place for some of them like crematoriums, tiny homes and short-term rentals have feedback from the municipalities. Mr. Trant explained they have gone through the ordinance and the audit represents every section in it. He asserted they are working off of the proposed draft not the current ordinance that is on the books. He explained they use the draft audit to go through to highlight issues that they think may be of concern or use more detail or could be revised. He reported they look at ordinances drafted for other places and sample ordinances that will be circulated by association, state-wide or municipal associations and then pull on their own experience working with municipalities through western Pennsylvania. He reported he serves as zoning officer in several municipalities and he has 20-years of experience. He pointed out a perfect ordinance cannot be drafted but they will address the key issues that are specific to Monroeville so the municipality can have the best tool on the books. He stated it will have to be modified periodically but once the draft is adopted it should only have small modifications along the way. He suggested this is a good draft ordinance.

Mr. Trant questioned whether the planning commission members have any issues working through applications where the language in the current ordinance was not clear. Mr. Whealdon pointed out three members were absent, two are newer members and he pointed out the two with the most experience.

Mrs. Krivda stated there are some discrepancies that should be ironed out once the ordinance is completed. Mr. Whealdon reported he has been making a note on any issue that was not addressed in the current ordinance over the past five years. He incorporated all of his notes into the draft to make sure they were addressed. He suggested most of the common things that the planning commission has been dealing with are addressed in the draft. He mentioned the short-term rentals and explained how a large corporation could purchase a house then let their employees use it at will when in Pittsburgh. He stated they are not paying for it or renting it and he was uncertain whether the municipality could do anything about them. Mrs. Krivda inquired whether they are establishing more defined criteria for Airbnbs such as living in the residence not just renting them. Mr. Trant answered all of those things will be defined in the draft ordinance and addressed further along in the process.

Mr. Pokusa mentioned the gas well drilling and fracking situations and how the commonwealth required the municipality to allow it in some zone. Mr. Whealdon pointed out there is a lengthy section on oil and gas extraction. Mr. Trant inquired whether there was currently any oil and gas drilling. Mr. Whealdon stated there is no current drilling but there are several conventional wells. He added there may be some on the periphery that have horizontal wells under Monroeville. Mr. Trant pointed out there are no large vacant tracts to accommodate drilling. Mr. Whealdon stated that there are a couple but no one has shown any interest in them.

Mr. Trant referred to Item Four – the adoption schedule. He reported they are trying to align meeting dates for the planning commission and council. He stated they are targeting February 14 for adoption and they will be back at the September 21, 2022 meeting with sections of the document with the comments from the audit and Mr. Whealdon's notes with changes in the document so it can be discussed. He pointed out they will not go through it page by page but will hone in on key sections that are important to review. He encouraged the planning commission members to voice any issue so they can be addressed. Further discussion ensued regarding the council work session and regular council meeting.

ADJOURNMENT

There being no further business to come before the planning commission, a motion was duly made by Mr. Walker to adjourn the meeting at 8:03 p.m. and Mr. Bertoni seconded it. Upon a voice vote, the motion carried unanimously.

Respectfully submitted,

Anthony Pokusa  
Chairman

AP/sam