

## *Township of Upper St. Clair*

**THERE WILL BE A REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER ST. CLAIR AT 7:30 P.M. ON TUESDAY, SEPTEMBER 6, 2022 AT THE TOWNSHIP OF UPPER ST. CLAIR MUNICIPAL BUILDING, BOARD OF COMMISSIONERS' MEETING ROOM, 1820 MCLAUGHLIN RUN ROAD, UPPER ST. CLAIR, PA 15241.**

### **AGENDA**

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Review of Board of Commissioners' Regular Meeting Minutes of August 1, 2022. (Minutes enclosed)
5. Comments from Citizens and Taxpayers on Matters Not Included on the Agenda.

### **OLD BUSINESS**

6. Continued Public Hearing Re. PLC22-0005 – Maggie's Farm Distillery – Unified Conditional Use/Preliminary and Final Land Development Approval. (Memorandum and Bill No. 7-22 enclosed)

### **NEW BUSINESS**

7. Recommendation Re. Establish Public Hearing Re. PLC22-1301 – Zoning Text Amendment to Chapter 130 of the Township Code Entitled "Zoning" to add Standards and Criteria for Distilleries and Breweries in the RM – Restricted Light Industrial District to add Landscaping Requirements for Private Recreational Structures in the R1 – Single Family Residential District. (Memorandum and Resolution No. 1725 enclosed)
8. Recommendation Re. Authorizing the Township to enter into a Multi-Year Agreement with the Pennsylvania Department of Transportation for Winter Maintenance. (Memorandum and Resolution No. 1726 enclosed)
9. Recommendation Re. Upper St. Clair Volunteer Fire Department Organization Assessment and Strategy Recommendations Study. (Memorandum and Resolution No. 1727 enclosed)
10. Other Business.
11. Adjournment.

## **BOARD OF COMMISSIONERS MEETING MINUTES**

**AUGUST 1, 2022**

The regular meeting and public hearing of the Board of Commissioners of the Township of Upper St. Clair, duly advertised and posted in accordance with law, was called to order at 7:30 PM on Monday, August 1, 2022, in the Board of Commissioners' Meeting Room, Township Municipal Building, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241. The Pledge of Allegiance was recited by all present.

PRESENT: Commissioner Paoly                      President  
Commissioner Plutko                      Vice President  
Commissioner Enck  
Commissioner Orchowski  
Commissioner Pardini                      *arrived at 7:52PM*  
Commissioner Thomas

Matthew R. Serakowski                      Township Manager  
Mark S. Mansfield                      Assistant Township Manager  
Mark P. Romito                      Director of Finance  
Irving S. Firman                      Township Attorney  
Jennifer J. Slagle, P. E.                      Township Engineer  
Sheila Stauffer                      Network Deposition Services  
Prudence Cooper                      Recording Secretary

EXCUSED: Commissioner Burlingame  
Adam A. Benigni                      Director of Community Development

PUBLIC:                      Approximately 3 people attended

### **REVIEW OF BOARD OF COMMISSIONERS' REGULAR MEETING MINUTES OF JULY 5, 2022**

Commissioner Orchowski moved to approve the Regular Meeting Minutes of July 5, 2022. This was seconded by Commissioner Thomas and carried with a 5-0 voice vote.

### **PUBLIC COMMENTS**

None.

### **OLD BUSINESS**

### **CONTINUED PUBLIC HEARING RE. PLC22-0005 – MAGGIE'S FARM DISTILLERY – UNIFIED CONDITIONAL USE/PRELIMINARY AND FINAL LAND DEVELOPMENT APPROVAL**

Mr. Serakowski stated that this hearing is continued from the public hearing on July 5, 2022 for the purpose of additional testimony from both the applicant and Staff. He shared that the applicant has requested tabling and continuing this item to the Board of Commissioners' Regular Meeting of September 6, 2022 and requested that the Board take that action this evening.

Commissioner Paoly asked if there were any additional comments from the Board or the public and there were none.

**MOTION AND VOTE TO TABLE THE PUBLIC HEARING RE. PLC22-0005 – MAGGIE’S FARM DISTILLERY – UNIFIED CONDITIONAL USE/PRELIMINARY AND FINAL LAND DEVELOPMENT APPROVAL**

Commissioner Thomas moved to table the Public Hearing Re. PLC22-0005 – Maggie’s Farm Distillery – Unified Conditional Use/Preliminary and Final Land Development Approval to the Board of Commissioners Regular Meeting on September 6, 2022. This was seconded by Commissioner Orchowski and carried with a 5-0 voice vote.

**NEW BUSINESS**

**RECOMMENDATION RE. 2023 – 2027 CAPITAL IMPROVEMENT PROGRAM**

Mr. Romito stated that in accordance with Chapter 25-2 of the Township Code, this is the annual public hearing for the Five-Year Capital Improvement Program (CIP) for 2023-2027. After a presentation this evening, adoption of Resolution No. 1723 approving the CIP will be considered.

Mr. Romito outlined the following highlights of the CIP:

- The CIP is a plan designed to identify capital items that are necessary or desirable for the Township. These items are non-recurring, planned over the next five years, and include major equipment, infrastructure, technology and other major projects, such as renovations to the Municipal Building and Morton Complex. The CIP is used for prioritization and planning and is refreshed each year. The CIP is not a commitment to funding, but once it is approved, it is then used in the budget process.
- The CIP process is ongoing but began in late April when each Township department identified their five-year needs. Every item in last year’s CIP is reviewed and each department proposes their capital needs, indicating cost, priority, and timeframe. Further Staff discussions occur in May and June culminating in a presentation of the CIP to the Budget & Finance Committee on July 11, 2022 after which it was posted to the Township’s website. There have been no changes to the CIP since that meeting.
- There are six different categories of the CIP: Capital Equipment, Street & Signal Improvements, Storm Sewer Projects, Public Building and Park Improvements, Sanitary Sewer Projects, and the Community & Recreation Center (C&RC).
- The total of the five-year CIP is \$85,884,600, which is slightly lower than the prior CIP. One major change from previous years’ CIP is that Year 3 in recent years had reflected a very large, rough estimate for the Sanitary Sewer category. This has now moved to Year 2, since there is now a more definitive timeline showing a real expense in this area in the next three years, with the largest expenses estimated to be in 2024 and 2025.
- Reviewing the breakout of the CIP categories, Sanitary Sewer projects make up 44% of the CIP and they also account for most of the two-tiered funding priorities system.
- The following are highlights of the “Year 1” categories of the CIP for 2023 that are part of the budget for next year:

- The largest item in the Capital Equipment category is the proposed replacement of a fire truck.
- Like prior years' CIPs, the largest item in the Street & Signal Improvements category is the Annual Street Resurfacing project, but sidewalk replacement/construction and pedestrian crossings are included.
- The amount for Storm Sewer Projects has not changed since last year's CIP. The Storm Sewer Fund has been more aggressively funded in the last five years, projecting \$3.5 million over the next five years.
- The largest category for 2023 is Public Building and Parks Improvements totaling \$7,121,000. These include a carryover of the NextGen project, parking lot improvements at Boyce Mayview Park and the Municipal Building, Morton Complex funding, and routine parks equipment and maintenance. There is no specific plan yet for the Morton Complex; the rough funding amount in this CIP is based on the Master Plan. Staff will continue working to develop specific timeframes and amounts for the 2023 budget.
- There has been little change to the CIP for Sanitary Sewer Projects from the prior year.
- There has also been little change to the CIP for the C&RC, which include routine fitness equipment replacement, HVAC unit replacement, outdoor pool plaster replacement and a refreshment of the facility assessment previously completed in 2018.
- In summary, Year 1 is only 18% of the CIP which means Years 2-5 represent 82% of the CIP, and 60% of that is for Sanitary Sewers. There is continued focus for reinvestment in our facilities, parks, and infrastructure with the potential for debt issuance to fund sanitary sewer projects.

Mr. Romito ended his presentation by stressing that approval of the CIP does not appropriate funds for projects in any of the five years, it is simply a plan as part of the annual budget process.

Mr. Romito confirmed for Commissioner Orchowski that the carryover of funding for the municipal facility improvements is covered under the existing bond financing. The intent is for the 2021 bond issuance to help finance several projects. Funding for any C&RC facility enhancements shown in the CIP will come from the C&RC reserve and not the bond proceeds.

Commissioner Paoly asked if there were any additional comments from the Board or the public and there were none.

Commissioner Paoly thanked Mr. Romito for his informative presentation.

#### **MOTION AND VOTE TO ADOPT RESOLUTION NO. 1723**

Commissioner Enck moved to adopt Resolution No. 1723 Re. 2023-2027 Capital Improvement Program. This was seconded by Commissioner Thomas and carried with a 6-0 roll call vote.

**RECOMMENDATION RE. AUTHORIZING THE TOWNSHIP TO ENTER INTO A MULTI-YEAR AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR COMPREHENSIVE ROAD MAINTENANCE**

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Mr. Mansfield stated that for a number of years, the Township has entered into a Comprehensive Maintenance Agreement with the Commonwealth of Pennsylvania Department of Transportation for maintenance of State roads that run through the Township.

Mr. Mansfield further stated that for the period of July 1, 2022 to June 30, 2025, the Comprehensive Maintenance Agreement provides reimbursement for up to \$24,189.10 annually based upon a prescribed line item unit cost for services provided by the Township which include mowing, street sweeping, minor paving and inlet repair.

Staff recommends adoption of Resolution No. 1724 that will authorize the Township to enter into a three-year agreement with the Commonwealth which may be accomplished by a simple motion and roll call vote.

Mr. Mansfield explained for Commissioner Paoly that the reimbursement amount is based on linear feet of the State roads being maintained, in addition to unit values of services and repairs.

Mr. Mansfield agreed with Commissioner Plutko that the reimbursement amount seems low for the maintenance the Township performs, but that is the price paid for the beauty of the Township and the quick response for repairs to State roads.

Commissioner Paoly asked if there were any additional comments from the Board or the public and there were none.

**MOTION AND VOTE TO ADOPT RESOLUTION NO. 1724**

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Commissioner Pardini moved to adopt Resolution No. 1724 authorizing the Township to enter into a multi-year Agreement with the Pennsylvania Department of Transportation for Comprehensive Road Maintenance. This was seconded by Commissioner Enck and carried with a 6-0 roll call vote.

**RECOMMENDATION RE. APPROVAL OF CONTRACTS**

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Mr. Mansfield reviewed the following contracts for the Board's approval in accordance with the Township Code:

Cargill, Inc. North Olmstead, OH	2022 – 2023 Rock Salt with two option years	\$88.96 per ton
C. Crump, Inc. Hubbard, OH	Ravine Park Stream Restoration Project	\$178,400.00

Mr. Mansfield added that a photograph and description of work proposed for the Ravine Park Stream Restoration project was provided for the Commissioners.

Mr. Mansfield stated that a simple motion and voice vote will authorize the above action.

Commissioner Orchowski stated for the record that he appreciates the map and description of the Ravine Park Stream Restoration project that he requested last week. He added that it is likely that most Township residents are not aware of Ravine Park and that it is a fine place to visit.

Commissioner Paoly asked if there were any additional questions from the Board or the public and there were none.

**MOTION AND VOTE TO APPROVE THE ABOVE-MENTIONED CONTRACTS**

Commissioner Orchowski moved to approve the above-mentioned contracts. This was seconded by Commissioner Pardini and carried with a 6-0 voice vote.

**OTHER BUSINESS**

None.


**ADJOURNMENT**

Following a motion for adjournment by Commissioner Pardini and a second by Commissioner Thomas, which carried with a 6-0 voice vote, the meeting was adjourned at approximately 8:02 PM.

Prudence Cooper  
Recording Secretary  
August 2022

# MEMORANDUM

**To:** Matthew R. Serakowski, Township Manager

**From:** Adam A. Benigni, Director of Planning & Community Development 

**Date:** September 2, 2022

**Subject:** CONTINUED PUBLIC HEARING RE. PLC-22-0005 – MAGGIE’S FARM DISTILLERY - UNIFIED CONDITIONAL USE / PRELIMINARY AND FINAL LAND DEVELOPMENT APPROVAL

## GENERAL INFORMATION

**Applicant/Landowner:** 5372 Enterprise Group

**Action Requested:** Unified Conditional Use / Preliminary and Final Land Development Approval

**Purpose:** To allow a distillery in an existing commercial building

**Zoning:** RM, Planned Restricted Light Industrial District

**Location:** 1387 McLaughlin Run Road

**Lot/Block No.:** 254-P-161

**Size:** 1.15 acres

**Existing Land Use:** Warehousing

**Surrounding Land Use & Zoning:**  
North: R-LI Low Intensity Residential District  
West: RM, Planned Restricted Light Industrial District  
East: RM, Planned Restricted Light Industrial District  
South: R-LI Low Intensity Residential District

**Procedural History:**  
05/05/22: Application filed  
05/19/22: Planning Commission Recommendation  
07/05/22: Public hearing opened  
08/01/22: Continued Public Hearing; tabled  
09/06/22: Continued Public Hearing

**TOWNSHIP EXHIBIT NO. 17**

**TO: Matthew R. Serakowski, Township Manager**  
**FROM: Adam A. Benigni, Director of Community Development**  
**DATE: September 2, 2022**  
**IN RE: CONTINUED PUBLIC HEARING RE. PLC-22-0005 – MAGGIE’S FARM  
DISTILLERY - UNIFIED CONDITIONAL USE / PRELIMINARY AND  
FINAL LAND DEVELOPMENT APPROVAL**

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**Procedure:** USC Code 130.55. (130.54.3.1.3. & 130.54.3.1.4.) sets forth:

1. Planning Commission review and recommendation;
2. First public hearing must be opened within 60 days of applicant’s request; July 18, 2022;
3. Hearing must be concluded within 100 days of date of first hearing;
4. Decision must be rendered within 45 days of close of hearing.

### **Public Hearing**

This hearing was continued by the Board of Commissioners from August 1, 2022, to September 6, 2022, for the purpose of taking staff testimony.

### **Public Notice**

The hearing has been duly advertised and notice properly given in accordance with the Municipalities Planning Code and the Code of the Township. (Twp. Ex. 7, 9 and 10)

### **Recommended Continued Public Hearing Procedure**

1. Swearing in of additional testifiers, if any;
2. Presentation of additional exhibits by the Director of Planning and Community Development;
3. Staff testimony by the Director of Planning and Community Development;
4. Questions by the Board of Commissioners;
5. Additional testimony from the applicant or the public;
6. Provided no further testimony is needed, the hearing may be closed and action taken.

### **Exhibits**

The following exhibits will be entered into the record at the continued public hearing on September 6, 2022.

### **Township**

15. Gateway Engineers Review Memo dated August 30, 2022
16. Tabling Request Memo dated July 29, 2022
17. Memo dated September 2, 2022 to Matthew R. Serakowski from Adam A. Benigni (this memo)

**TO: Matthew R. Serakowski, Township Manager**  
**FROM: Adam A. Benigni, Director of Community Development**  
**DATE: September 2, 2022**  
**IN RE: CONTINUED PUBLIC HEARING RE. PLC-22-0005 – MAGGIE’S FARM DISTILLERY - UNIFIED CONDITIONAL USE / PRELIMINARY AND FINAL LAND DEVELOPMENT APPROVAL**

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**Applicant**

11. Tabling Request dated July 28, 2022.
12. Preliminary/Final Plans for Maggie’s Farm Distillery prepared by J.R. Gales & Associates, Inc. on thirteen (13) pages dated August 4, 2022.
13. Postconstruction Stormwater Management Plan prepared by J.R. Gales & Associates, Inc. on 94 pages date stamped August 4, 2022.
14. Trans Associates Response Letter addressed to Adam Benigni, from J. R. Gales Associates dated August 9, 2022
15. Gateway Response Letter addressed to Adam Benigni, from J. R. Gales Associates dated September 1, 2022
16. Preliminary/Final Plans for Maggie’s Farm Distillery prepared by J.R. Gales & Associates, Inc. on thirteen (13) pages dated September 1, 2022.
17. Postconstruction Stormwater Management Plan prepared by J.R. Gales & Associates, Inc. on 94 pages date stamped September 1, 2022.

**Planning Commission Recommendation**

The Planning Commission reviewed this application on May 19, 2022 at which time they recommended approval subject to certain conditions.

**Modification Requests**

The following modification was granted by the Board of Commissioners on March 2, 2009:

- 1.1. From Section 114.31.6. which required a future dedication of right-of-way provided at the time when McLaughlin Run Road was improved to the classified standard.

The applicant is not requesting any additional modifications.

**Comment**

The applicant has applied for Unified Conditional Use/Preliminary and Final Land Development Approval to allow a distillery in the existing warehouse building. The applicant has also proposed to construct 17 new parking spaces, install additional landscaping at the front and side of the building and add stormwater management improvements.

**TO: Matthew R. Serakowski, Township Manager**  
**FROM: Adam A. Benigni, Director of Community Development**  
**DATE: September 2, 2022**  
**IN RE: CONTINUED PUBLIC HEARING RE. PLC-22-0005 – MAGGIE’S FARM  
DISTILLERY - UNIFIED CONDITIONAL USE / PRELIMINARY AND  
FINAL LAND DEVELOPMENT APPROVAL**

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The Township Code of Ordinances classifies distilleries as Restricted Light Manufacturing of Food and Beverage Products (§130.17.2.2.1.16.4.). The current request is for the manufacturing or production of alcohol (rum) only and does not include a tasting room or retail component as many distilleries or breweries include.

At the time of adoption, the Township Code did not anticipate the Restricted Light Manufacturing of Food and Beverage Products use to include tasting rooms or retail space. Staff has recently presented a text amendment to the RM, Restricted Light Industrial District to the Planning Commission that would allow for tasting rooms and retail space as accessory uses and add additional criteria for breweries and distilleries. If the Board of Commissioners sets a public hearing date for this amendment and it ultimately gets approved, the applicant would have to reapply for Conditional Use Approval in order to add a tasting room and/or retail component.

#### **Staff Recommendation**

Provided no additional testimony is needed, staff recommends that the public hearing be closed and that the Board of Commissioners grant approval subject to the conditions outlined in Bill No. 7-22 (Attachment 1). This may be accomplished by roll call vote.

#### **Attachment**

1. Bill No. 7-22

BILL NUMBER 7-22

DATE ADOPTED \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

## **TOWNSHIP OF UPPER ST. CLAIR**

**AN ORDINANCE OF THE TOWNSHIP OF UPPER ST. CLAIR, A HOME RULE MUNICIPALITY OF THE COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, GRANTING UNIFIED CONDITIONAL USE/PRELIMINARY AND FINAL LAND DEVELOPMENT APPROVAL TO MAGGIE'S FARM DISTILLERY LOCATED AT 1387 MCLAUGHLIN RUN ROAD, LOT/BLOCK 254-P-161, SUBJECT TO CERTAIN CONDITIONS.**

WHEREAS, on May 5, 2022, 5372 Enterprise Group, filed an application for Unified Conditional Use/Preliminary and Final Land Development Approval to allow a distillery at 1387 McLaughlin Run Road in the Township's RM, Restricted Light Industrial District; and

WHEREAS, the Restricted Light Manufacturing of Food and Beverage Products is an authorized use by Conditional Use Approval within the RM, Restricted Light Industrial District; and

WHEREAS, on May 19, 2022, the Planning Commission reviewed the application and recommended that the Board of Commissioners grant approval subject to certain conditions and modifications incorporated herein; and

WHEREAS, the Board of Commissioners held a duly advertised public hearing, which was opened on July 5, 2022, and subsequently continued to September 6, 2022; and

WHEREAS, the Board of Commissioners has determined that this application complies with the Township's Zoning and Subdivision and Land Development Ordinance requirements except where specifically modified herein.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER ST. CLAIR, and it is hereby ordained and enacted by the authority of the same:

SECTION 1. THAT Maggie's Farm Distillery is hereby granted Unified Conditional Use/Preliminary and Final Land Development Approval subject to Sections 2 through 6 of this Ordinance. The proper officers of the Township are hereby authorized to execute the final plan for recording purposes. The plans approved are identified further as follows:

- 1.1. Floor Plans and Elevations for Maggie's Farm Distillery prepared by LAB8 designs, on three (3) sheets, date stamp received June 13, 2022.

- 1.2. Preliminary/Final Plans for Maggie's Farm Distillery prepared by J.R. Gales & Associates, Inc. on thirteen (13) pages dated September 1, 2022.

SECTION 2. THAT all conditions of §130.17.3.2.6. attached hereto as Exhibit "A" must be adhered to except as specifically modified by this Ordinance.

SECTION 3. THAT on December 6, 2004, the Board of Commissioners approved Ordinance 1925, which granted the following modifications to the Township Code of Ordinances:

- 3.1. From Section 114.31.6. which required a future dedication of right-of-way provided at the time when McLaughlin Run Road was improved to the classified standard.

SECTION 4. THAT Conditional Use Approval shall expire without written notice to the applicant if no application for zoning approval, for occupancy and use, grading permit or building permit has been submitted within twelve (12) months of the granting of approval unless the Board of Commissioners extends the Conditional Use Approval upon written request of the applicant received prior to its expiration. The maximum extension permitted is one (1) twelve (12) month extension.

SECTION 5. THAT approval is subject to payment of all fees for professional services.

SECTION 6. ALL ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

ORDAINED AND ENACTED THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2022.

TOWNSHIP OF UPPER ST. CLAIR

ATTEST:

By: \_\_\_\_\_  
President, Board of Commissioners

\_\_\_\_\_  
Township Manager/Secretary

EXHIBIT "A"

130.17.3.2.6. Restricted light manufacturing.

- 130.17.3.2.6.1. Kilns may be fired only by electricity or gas.
- 130.17.3.2.6.2. All activities and all storage of flammable and explosive materials at any point are prohibited unless provided with adequate safety devices against the hazards of fire and explosion.
- 130.17.3.2.6.3. No activities which emit radioactivity at any point are permitted.
- 130.17.3.2.6.4. No electrical disturbance adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance is permitted.
- 130.17.3.2.6.5. No emission at any point from any chimney or otherwise of visible smoke in excess of that permitted by the smoke control laws of Allegheny County is permitted.
- 130.17.3.2.6.6. No fly ash, dust, fumes, vapors, gases and other forms of air pollution emissions which can cause any excessive soiling at any point are permitted.
- 130.17.3.2.6.7. No discharge at any point into any private sewage disposal system or stream or into the ground of any materials in such a way or in such nature of temperature as can contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements nor any accumulation of solid wastes conducive to the breeding of rodents or insects is permitted.
- 130.17.3.2.6.8. No vibration which is discernible to the human sense of feeling for three (3) minutes or more in duration is permitted in any hour of the day between 7:00 a.m. and 7:00 p.m. or for thirty (30) seconds or more between the hours of 7:00 p.m. and 7:00 a.m.
- 130.17.3.2.6.9. No activities producing heat, cold, dampness or movement of air which shall produce any material effect on the temperature, motion or humidity of the atmosphere at the LOT LINE or beyond are permitted.
- 130.17.3.2.6.10. No industry which, by the nature of its USE, operation or activity, produces noise of objectionable character or volume is permitted.
- 130.17.3.2.6.11. No emission of odorous gases or other odorous matter in such quantities as to be detectable to the human sense of smell when measured at the LOT LINE is permitted.
- 130.17.3.2.6.12. No direct or sky-reflected glare, whether from floodlights or from high temperature processes, such as combustion or welding or otherwise which is detectable from any point on the LOT LINE is permitted. This restriction does not apply to SIGNS or floodlights otherwise permitted by TOWNSHIP ordinance.
- 130.17.3.2.6.13. No activities which use, produce or otherwise involve toxic waste are permitted.

# MEMORANDUM

To: **Matthew R. Serakowski, Township Manager**

From: **Adam A. Benigni, AICP, Director of Planning and Community Development**

Date: **September 2, 2022**



Subject: **RECOMMENDATION RE. ESTABLISH PUBLIC HEARING RE. PLC22-1301 – ZONING TEXT AMENDMENT TO CHAPTER 130 OF THE TOWNSHIP CODE ENTITLED “ZONING” TO ADD STANDARDS AND CRITERIA FOR DISTILLERIES AND BREWERIES IN THE RM – RESTRICTED LIGHT INDUSTRIAL DISTRICT AND TO ADD LANDSCAPING REQUIREMENTS FOR PRIVATE RECREATIONAL STRUCTURES IN THE R1 – SINGLE FAMILY RESIDENTIAL DISTRICT**

The Township is proposing to add two conditional uses to the RM - Restricted Light Industrial District – breweries and distilleries. Although the RM District provides for the manufacturing of food and beverage products in Section 130.17.2.2.1.16.4., the section was added to the Code in 1993 - prior to the current trend of breweries/distilleries including tasting rooms or taprooms and a retail use. The proposed amendment adds breweries and distilleries as conditional uses in the RM district and limits the floor area for tasting rooms or taprooms and retail uses to 10% of the floor area of the brewery or distillery use. Additionally, the proposed amendment adds a restriction on the operation of each use.

The Township also is proposing to add landscaping requirements for private recreational structures to the R1 – Single Family Residential District. Private recreational structures, such as sports courts that exceed 600 square feet, require Zoning Hearing Board approval through Special Exception. Historically, the Zoning Hearing Board has required applicants to provide landscape screening. This proposed addition provides a landscaping requirement that is consistent with other sections of the Township Code and previous Zoning Hearing Board decisions.

## **Planning Commission Review**

At its regular meeting on August 18, 2022, the Planning Commission reviewed this Amendment and adopted a motion recommending that the Board of Commissioners begin the process of adopting the amendment by authorizing public notice and a public hearing (Attachment 1).

## **Staff Recommendation**

It is recommended that the Board of Commissioners establish the public hearing on November 7, 2022 by adoption of Resolution No. 1725 (Attachment 2). This may be accomplished by a roll call vote.

## **Attachments**

1. Planning Commission Letter of Recommendation
2. Resolution No. 1725

**TOWNSHIP OF UPPER ST. CLAIR  
PLANNING COMMISSION - 2019**

**Jake Polochak, Chairman  
Robin Weissert, Vice Chairman  
David Sirota, Secretary**

**David Wade  
Jeffrey Krantz  
Yvonne Piecknick**

**TO: The Board of Commissioners**

**FROM: The Planning Commission**

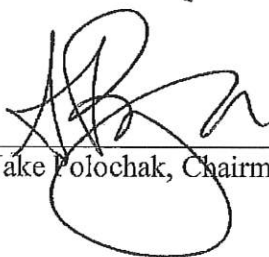
**DATE: August 19, 2022**

**IN RE: PLC22-1301 – ZONING TEXT AMENDMENT TO CHAPTER 130  
OF THE TOWNSHIP CODE ENTITLED “ZONING” TO ADD  
STANDARDS AND CRITERIA FOR DISTILLERIES AND  
BREWERIES IN THE RM – RESTRICTED LIGHT INDUSTRIAL  
DISTRICT AND TO ADD LANDSCAPING REQUIREMENTS FOR  
PRIVATE RECREATIONAL STRUCTURES IN THE R1 – SINGLE  
FAMILY RESIDENTIAL DISTRICT**

At its regular meeting on August 18, 2022, the Planning Commission adopted the following motion with reference to the subject:

**MOTION:** THAT the Planning Commission forward this Amendment to the Board of Commissioners with a recommendation for approval.

Motion by Ms. Weissert seconded by Mr. Krantz, carried by unanimous voice vote, 5-0.

  
\_\_\_\_\_  
Jake Polochak, Chairman for

# **TOWNSHIP OF UPPER ST. CLAIR**

## **RESOLUTION NO. 1725**

**A RESOLUTION OF THE TOWNSHIP OF UPPER ST. CLAIR, A HOME RULE MUNICIPALITY, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA ESTABLISHING A DATE FOR A PUBLIC HEARING ON A PROPOSED AMENDMENT TO CHAPTER 130 OF THE TOWNSHIP CODE ENTITLED "ZONING" TO ADD STANDARDS AND CRITERIA FOR DISTILLERIES AND BREWERIES IN THE RM – RESTRICTED LIGHT INDUSTRIAL DISTRICT AND TO ADD LANDSCAPING REQUIREMENTS FOR PRIVATE RECREATIONAL STRUCTURES IN THE R1 – SINGLE FAMILY RESIDENTIAL DISTRICT**

WHEREAS, Section 130.56. of the Township Code states that an amendment to Chapter 130 of the Township Code may be initiated by motion of the Board of Commissioners, or by petition, or on the recommendation of the Planning Commission or the Zoning Hearing Board; and

WHEREAS, the Township Manager and the Planning Commission have recommended that the Board of Commissioners consider a proposed Amendment to Chapter 130 of the Township Code entitled "Zoning" to add standards and criteria for distilleries and breweries in the RM – Restricted Light Industrial District and to add landscaping requirements for private recreational structures in the R1 – Single Family Residential District; and

WHEREAS, the proposed amendment was reviewed by the Planning Commission and a recommendation was made to the Board of Commissioners dated August 18, 2022, in accordance with Sections 130.56. and 130.57.1. of the Township Code.

WHEREAS, the Board of Commissioners of the Township has determined that a public hearing should be held to consider whether an amendment to Chapter 130 of the Township Code concerning the foregoing recommendation would be in accordance with the Township Comprehensive Plan and in the best interests of the Township; and

WHEREAS, Section 130.56. of the Township Code states that the Board of Commissioners shall, by Resolution adopted at a stated meeting, fix the time and place of a public hearing on a proposed amendment to Chapter 130 of the Township Code and cause notice to be given to the public in accordance with Section 130.56.2. of the Township Code.

**RESOLUTION NO. 1725    PAGE 2**

NOW, THEREFORE, BE IT RESOLVED, and it is hereby resolved by the Board of Commissioners of the Township of Upper St. Clair, as follows:

THAT,        a public hearing on the proposed amendment shall be held on Monday, November 7<sup>th</sup>, 2022, beginning at 7:30 P.M., or shortly thereafter, in the Board of Commissioners' Meeting Room, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241.

THAT,        the Township Manager is hereby directed to give public notice in accordance with Sections 130.3. and 130.56. of the Township Code and the Pennsylvania Municipalities Planning Code.

THAT,        the Township Manager is hereby directed to send a copy of the proposed amendment to the Allegheny County Department of Economic Development for recommendations at least thirty (30) days prior to the public hearing in accordance with Section 609 (e) of the Pennsylvania Municipalities Planning Code.

THAT,        this Resolution shall be made a part of the official record at the public hearing to be held on November 7<sup>th</sup>, 2022.

ADOPTED THIS 6<sup>TH</sup> DAY OF SEPTEMBER, 2022.

TOWNSHIP OF UPPER ST. CLAIR

ATTEST:

By: \_\_\_\_\_  
President, Board of Commissioners

\_\_\_\_\_  
Township Manager/Secretary

# MEMORANDUM

*To:* Board of Commissioners

*From:* Matthew R. Serakowski, Township Manager

*Date:* September 2, 2022

*Subject:* **RECOMMENDATION RE. AUTHORIZING THE TOWNSHIP TO ENTER INTO A MULTI-YEAR AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR WINTER MAINTENANCE**

Attached is Resolution No. 1726 that authorizes the Township to enter into a 5-year Agreement with the Commonwealth of Pennsylvania Department of Transportation for snow and ice control on the Commonwealth roads within the Township.

Staff is recommending approval of Resolution No. 1726 which may be accomplished by a simple motion and roll call vote.

/pec  
Attachment



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# TOWNSHIP OF UPPER ST. CLAIR

RESOLUTION NO. 1726

**A RESOLUTION OF THE TOWNSHIP OF UPPER ST. CLAIR, A HOME RULE MUNICIPALITY, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE TOWNSHIP TO ENTER INTO AN AGREEMENT WITH THE COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION FOR SNOW AND ICE CONTROL ON THE COMMONWEALTH ROADS WITHIN THE TOWNSHIP**

WHEREAS, The Township desires to renew its multi-year governmental Agreement with the Commonwealth of Pennsylvania for snow and ice control on state roadways within the Township, as authorized by Chapter 27.6. of the Code of the Township of Upper St. Clair.

WHEREAS, The Pennsylvania Department of Transportation has authorized reimbursement for work performed by the Township for snow and ice control in a yearly amount of \$83,738.76 for 2022 - 2027 (with cost of living increases each year throughout the remainder of the contract through October 14, 2027).

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Township of Upper St. Clair as follows:

THAT, The proper Township officials (President, Board of Commissioners and Township Manager) are hereby authorized to enter into a 5-year Agreement with the Pennsylvania Department of Transportation for snow and ice control on PennDOT roadways throughout the Township for the period from October 15, 2022 through October 14, 2027.

ADOPTED THIS 6<sup>th</sup> DAY OF SEPTEMBER, 2022

TOWNSHIP OF UPPER ST. CLAIR

By: \_\_\_\_\_  
President, Board of Commissioners

ATTEST:

\_\_\_\_\_  
Township Manager/Secretary

# MEMORANDUM

**To:** Board of Commissioners

**From:** Matthew R. Serakowski, Township Manager

**Date:** September 2, 2022

**Subject:** **RECOMMENDATION RE. UPPER ST. CLAIR VOLUNTEER FIRE DEPARTMENT ORGANIZATION ASSESSMENT AND STRATEGY RECOMMENDATIONS STUDY**

On Tuesday, September 6, 2022, a Special Meeting of the Board of Commissioners will be held at 6:00 PM, with Rob Brady, Fire Service Strategic Planning Consultant of ROBB Consulting, LLC. Mr. Brady will present his findings and recommendations as contained within the final report of the Organization Assessment and Strategy Recommendations for the Upper St. Clair Volunteer Fire Department.

The completion of the document is a result of over a year and a half of study, document review, operational assessment, and one-on-one and group interviews with fire department personnel, Township staff, the Board of Commissioners and the general public. The Final Draft of the Organization Assessment and Strategy Recommendations for the Upper St. Clair Volunteer Fire Department will be available for your review on Tuesday, September 6, 2022. The report includes the following eleven objectives and recommendations:

1. Appoint Township Fire Chief/Director of the Department of Fire Protection
2. Establish Ad Hoc Strategic Assessment Implementation Advisory Committee
3. Reorganize and Elevate the Department of Fire Protection
4. Continue to Update Volunteer Fire Department Administrative Governance
5. Continually Assess Need for Operational Staffing
6. Develop a Fire Officer Eligibility Policy
7. Develop a Formal Staffing Plan
8. Evaluate Dispatch Protocols and Capabilities
9. Adopt Apparatus Replacement Plan
10. Improve Member Recruitment and Retention
11. Continue to Develop Regional Relationships

The Board may take action to formally adopt the report via the attached Resolution No. 1727. This can be accomplished by simple motion and roll call vote the evening of Tuesday, September 6, 2022, at the Regular Meeting of the Board of Commissioners.

## Attachments

1. Resolution No. 1727



M:/sharedmgr/memos/rec. re. fire strategic plan study sept 6 2022 Reg Meeting

# TOWNSHIP OF UPPER ST. CLAIR

RESOLUTION NO. 1727

**A RESOLUTION OF THE TOWNSHIP OF UPPER ST. CLAIR, A HOME RULE MUNICIPALITY, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, TO ADOPT THE ORGANIZATION ASSESSMENT AND STRATEGY RECOMMENDATIONS OF THE UPPER ST. CLAIR VOLUNTEER FIRE DEPARTMENT DATED AUGUST 2022 AND DIRECTING THE IMPLEMENTATION OF VARIOUS OBJECTIVES CONTAINED THEREIN**

WHEREAS, the Upper St. Clair Volunteer Fire Department (USCVFD) notified the Township on October 21, 2020 of their desire to partner with the municipality to develop a strategic plan for the organization; and

WHEREAS, on November 2, 2020 the Board of Commissioners passed Resolution 1694 directing the Township Manager to develop and implement a process for the operational review and study of the USCVFD and fire service delivery for the Township; and

WHEREAS, the Board of Commissioners established a minimum of core areas to be studied including membership, development, fire operations, organizational governance, capital assets and community relations; and

WHEREAS, the Board of Commissioners desires to continue to ensure the highest quality of fire service delivery be provided to the Upper St. Clair residents; and

WHEREAS, through the implementation of the various "Objectives" outlined in the resulting Organization Assessment and Strategy Recommendations report, will produce a sustainable model for the fire department and future fire service delivery.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Upper St. Clair as follows:

THAT, the Board of Commissioners does hereby adopt the "Organizational Assessment and Strategy Recommendations of the Upper St. Clair Volunteer Fire Department" dated August 2022; and

THAT, the Board of Commissioners directs the Township Manager to work cooperatively with the USCVFD to develop and implement processes to initiate the Objectives contained within the Organization Assessment and Strategy Recommendations report.

THAT,       The Township Manager is directed to identify and provide the necessary resources and funding to this process to ensure the objectives and recommendations of this report may be accomplished.

ADOPTED by the Board of Commissioners of the Township of Upper St. Clair on this 6<sup>th</sup> day of September 2022.

TOWNSHIP OF UPPER ST. CLAIR

By: \_\_\_\_\_  
President of Board of Commissioners

ATTEST:

\_\_\_\_\_  
Township Manager/Secretary