

**Borough of Sewickley
Planning Commission Notes
Meeting Minutes**

Wednesday, March 5, 2014

The Planning Commission was called to order at 7:00pm by Chairman Paul Pigman. Also in attendance were planning commission members Erica Kagel, Marlin Bartos, Nathan St. German, Tom Rostek and Sharon Pillar; Jamie Morrill, Council liaison to planning and Susan Aleshire, president of Sewickley Council; Kevin Flannery, borough manager, Nancy Watts, zoning officer and Teresa Duff, Historical Review Commission representative.

Susan Aleshire, president of council, introduced James Morrill as the new planning commission council liaison. She noted that she felt that rotating Council members on the commission was important so that Council members would gain more knowledge about the planning process. Mr. Pigman acknowledged and thanked Stan Ference for his service as the previous Council liaison.

Nancy Watts introduced Teresa Duff from Historical Review Commission (HRC) who was in attendance to talk about solar ordinance that HRC was directed by Council to create.

Approval of Minutes

A motion to approve the Planning Commission Minutes of January 8, 2014 (there was no meeting held in February) was made by Tom Rostek and seconded by Erika Kagel. With a vote of 5-0-2, the motion passed with Marlin Bartos and Jamie Morrill, abstaining since they were not in attendance.

Old Business

- Museum/Cultural Center Amendment – A public hearing is scheduled for April 2, 2014 as was voted at the January planning commission meeting. Kevin Flannery noted that the appropriate public notices have been sent to the required newspapers and adjacent property owners will be notified as will the school district.

Mr. Bartos noted that the proposed draft ordinance that was included in the planning packet needed to be corrected to reflect changes made at the January meeting to read that office on the first floor is permitted if 50% of the net square floor space is used for public, rather than the 25% currently stated. Mr. Flannery noted that he will make that change.

Village Green Associates representative Jennifer Markus noted that Village Green is in agreement with the changes to the zoning ordinance. She also mentioned that they are considering using their new space on Beaver as a welcome center and that it will comply with the new zoning ordinance.

- Susan Kaminski was present to represent Village Theater Company. She noted that they will be attending the April 2 planning meeting and will be requesting their preliminary hearing for a land development approval for the new theatre on Walnut Street. Mr. Flannery noted that since the borough owns this property, the Council has decided to allocate 11,800 sq feet as lease space to Village Theater Company, so that they can build the theater. Council will be presenting a subdivision request to the planning commission.

New Business

- Solar ordinance discussion

Planning Commission was provided a draft solar zoning ordinance that was prepared by HRC that applied to all zoning districts in the borough. Mr. Pigman asked Mr. Morrill if he could give the background on why planning commission was provided a completely drafted solar zoning ordinance from HRC. Mr. Pigman, in conjunction with other planning commission members, requested that Council bring these issues to planning commission at the beginning, to improve communication, and to work collaboratively with the commission in order to improve the process.

Jamie Morrill noted that some residents had issues with most recent solar installation that was built on a home in a historical district. Because there were no current regulations, the HRC had no ability to dictate how and where the solar panels could be installed in the historical district, so Council directed the HRC to draft guidance to do so. The HRC listened to concerns of residents about preserving the historical quality of the homes in historical districts and some member of the HRC thought that they should consider extending the regulations to all homes in the borough.

Nancy Watts worked with the HRC to create the draft zoning ordinance. They met with homeowners who installed solar panels and those residents who were upset with the aesthetics. They also did some research and came to realization that they should extend the restrictions of allowing solar panels to be placed only on the rear facing part of a building or on a side that is not viewed from a street in order. The concern of allowing them on a side of a building that was publicly visible was that it might ruin the "street scape." Ms. Pillar reminded the planning commission that we cannot legally regulate for aesthetics, but only to protect the health, welfare and safety of the community. The HRC has more latitude to restrict building materials to preserve historical character.

Mr. Rostek indicated that solar needs to be installed on the south-facing side of building. If a home is not facing south, the draft ordinance would unfairly preclude them from having solar but allow their neighbors across the street to install solar. Mr. St. German also noted that the character of surroundings (adjacent buildings, trees, etc) can affect the ability or efficiency of solar and can dictate where solar can be installed.

The planning commission decided that regulating solar in the historical district should have different parameters than other districts in the community. Mr. Bartos noted that the HRC can enact their own ordinances for the historical districts.

Ms. Pillar suggested that the borough consider the model solar zoning ordinance that was recently created through the U.S. Department of Energy Rooftop Challenge project that was led by PennFuture and partnered by Allegheny County, Southwestern Pennsylvania Commission, Congress of Neighboring Communities (CONNECT) and 24 municipalities in western Pennsylvania, including the city of Pittsburgh. The model ordinance was vetted by municipal attorneys for compliance with the MPC and UCC. Ms. Pillar was the project manager on the project and passed a copy of the municipal handbook for regulating solar and provided the link to the materials: www.pennfuture.org/Sunshot

The planning commission recommended that the HRC develop their own language and ordinance for solar in historical districts and that the planning commission develop a separate ordinance for the remaining districts based on the DOE project, after there is some public education and discussion about the topic. Mr. Pigman asked Ms. Pillar to conduct an educational session about the DOE project and model ordinance and she agreed to do so pending Council's direction.

Mr. Morrill relayed a concern from the fire chief about safety of solar and asked if those considerations have been addressed in the model ordinance. Ms. Pillar replied that they are and additional language from California fire safety could be added (since CA is farther ahead than Pennsylvania as PA has not updated their building codes since 2009).

Mr. Pigman request that Mr. Morrill relay the planning commission's recommendations to the Council and receive their feedback; he agreed to do so.

Other

Mr. Flannery indicated that planning commission received a notice regarding Sewickley Heights desire to amend their comprehensive plan to increase housing density on Blackburn Road for a residential development with about 33 new multi-family units. He mentioned that he will respond with the concern that the amendment does not address traffic or stormwater/sanitary sewer services that will need to expanded/added.

The meeting was adjourned at 8:12 pm. Motion made by Mr. Bartos, seconded by Mr. Morrill. Motion passed 7-0-0.

Respectfully Submitted,

Sharon Pillar,
Secretary, Planning Commission

Approved by Planning Commission: _____(date)