

**Borough of Canonsburg**

**Planning Commission**

**February 1, 2024**

**1. Call to Order: 7:00 PM**

The meeting was called to order by Mr. Defillipo at 7:00 PM

**2. Pledge of Allegiance**

**3. Roll Call:**

Mr. John Defillipo, Chairman - Present

Mr. Eric Chandler, Vice Chairman - Absent

Mr. Tim Bilsky - Present

Mr. Steve Moskal - Present

Mrs. Pat Briner – Absent

Others Present: Solicitor, Joseph Dalfonso, Code Enforcement Officer, Melissa Graff

Absent: Engineer, Jeff Marcink

**4. New Business:**

- A. The application by JMH Automotive who is requesting a minor subdivision of his property located at 620 W. Pike St., Canonsburg, PA 15317. This will separate the lot so that one parcel is in Canonsburg and the other parcel is in Chartiers Twp.**

Mr. Defillipo – Under new business, we have the application by JMH Automotive who is requesting a minor subdivision of his property located at 620 W. Pike St., Canonsburg, PA 15317. This will separate the lot so that one parcel is in Canonsburg and the other parcel is in Chartiers Twp. Do we have someone here to?

Male audience member – Yeah, Kerry Krider

Mr. Defilipo – Will you explain it please?

Mr. Krider – Yes. This is where Grease Monkey is at. It already has a Canonsburg tax id number and a Chartiers tax id number. All we are doing is dividing it along that line. That's it. There's nothing else

Mr. Defilipo – Do we have any comments from anybody?

Joe Dalfonso, Solicitor – You can call for public comments too. There are members of the public here to

Mr. Defilipo – Is there any public comments on this? No public comments. Any from the board?

Mr. Moskal - No

Mr. Bilsky made a motion to approve the application by JMH Automotive who is requesting a minor subdivision of his property located at 620 W. Pike St., Canonsburg, PA 15317. This will separate the lot so that one parcel is in Canonsburg and the other parcel is in Chartiers Twp. Seconded by Mr. Moskal.

No questions on the motion.

3 Yes, 0 No, 2 Absent. All in Favor. Motion carries.

**B. The application by Harold Close, who is requesting conditional use approval to allow a microbrewery located at 409 Perry Como Ave/546 Euclid Ave (parcel #090-015-00-04-0018-00), Canonsburg, PA 15317 in Canonsburg Borough.**

Mr. Defillipo – Under new business, we have the application by Harold Close, who is requesting conditional use approval to allow a microbrewery located at 409 Perry Como Ave/546 Euclid Ave (parcel #090-015-00-04-0018-00), Canonsburg, PA 15317 in Canonsburg Borough. Do we have any comments from the public?

Paul Binotto, 529 Euclid Ave – Just a question again. I've seen what you've done with the Bar Association, with the garage doors going up, and that's great there. I've also see the 4x8 sheets of particle board on the side of the building

Harold Close – Yes sir

Paul Binotto – Do you plan on putting garage doors there as well? That's what it looks like

Harold Close – Yes sir

Paul Binotto – As I said the last time, every other bar that is there or even was there before there was families that lived right next door, and they weren't open to it. I know that it's a different time and the way things are built and all, but is that what you want (directing toward the planning commission), to be opened up to the neighborhood like that?

Mr. Defillipo – That's up to you. Say your peace

Paul Binotto – I'm sorry but I do not

Harold Close – I am more than welcome to sit down and go over the business plan with you. It's not a bar, there isn't going to be loud music, that's not how I operate business. It's not the time now, but I'll give you my number and we can sit down and have a conversation

Paul Binotto – We never talked

Harold Close – Yes, I understand that, and I had a great conversation with Melissa. It's not going to be a nuisance bar, it's not going to be loud, it's not going to be a problem. I don't want the problems either

Paul Binotto – I'm sure

Harold Close – We are looking to be neighborly. We think there is a need for, yes, there will be beer that we brew there, but that is not the sole focus. There will be food, there will be a lot of non-alcoholic drinks. I can't go into a lot of detail about our business plan, but there's

going to be things where people can come in as a family, sit down. This isn't the setting for this conversation, I would love to sit down with you

Paul Binotto – Thank you for sharing this because this is the first time we've ever talked. Has the parking issue been resolved?

Harold Close – In my opinion, to meet the ordinance, our engineers presented it as an occupancy restriction. The borough sent us a denial letter based on gross floor area. We have now met the ordinance in our opinion as we are now under 3,000 gross floor area. It's three hundred (300) feet per spot which means we have to have ten (10) spots. We are getting rid of the apartment upstairs. I hate to get rid of George he is a great guy,

Paul Binotto – He and Teresa are great people

Harold Close – They're great people, but for me to meet the ordinance based on what their engineers and their attorney said in the denial letter, I cannot have George, even though they didn't have a car they are required to have two (2) spots according to the ordinance. I'm going to have George move out, we are changing the square footage to be under 3,000 square feet, at that point the ordinance requires me to have ten (10) spots. It's a shame that that this has spiraled the way it has. I wish I could go back in time but unfortunately, the events happened the way they did and uh

Paul Binotto – I know there are still people who live in the neighborhood that come in late and they are always fighting for a spot

Harold Close – As I sat down and spoke with Melissa, I have no problem and I know I use the word enforce, but not only will I enforce I will encourage that we do not offer on-street parking. It's not part of the ordinance that we are looking for. When people come inside I'm going to tell them "Do not park on the street, we have a parking lot". I even offered that I would provide signage saying "Permit parking only" down Euclid, so if someone were to pull in, they would see the sign and wouldn't be able to park there. As I stated in public meetings, Melissa is the only person that has a valid claim for parking because she lives right there that comes to the meetings, let me be fair.

Paul Binotto – The older couple that came to the first couple of meetings.

Harold Close – Right and they have off-street parking as well. And the gentleman back there, Bill came out and walked through the building, so he knows exactly what's going on in there. It's a divided household there and I understand. When they first see bar and it was presented as a bar, which it is not. It's not a bar, it's not a Hofbrau, it's not a Russian Club, it's not a place for bikers. That's not the business that I run.

Paul Binotto – Pardon me, I know you mentioned something about food that you couldn't get anywhere else. Are people in the neighborhood going to be able to afford this place?

Harold Close – Absolutely. I feel that the menu I put out at the Bar Association is better than all the other places and it was very affordable

Paul Binotto – I mean I know that you're following all the legal lines that you have to, but again, I put it to you, the committee do you think this is right for this neighborhood? I'll leave it at that

Harold Close – And again I know that you know that's the the pressing question, is it right for the neighborhood? I didn't change the ordinance in 2021. They made it a mixed-use district and when they changed the ordinance, they put in microbreweries in the mixed-use district. I'm not doing anything out of the the realm here. The council created that ordinance. I'm just following it. But I want to be neighborly. I don't want to be a pain in your \*\*\*, pardon me. I don't. I want to be neighborly. I don't want you to when you pull your house say here we go again these \*\*\*\*\* down the street. That's not what we are looking to do. You have a beautiful property over there and I'm I'm looking to help that area. You know, the same as Diane over there and the other people in the area, there's businesses over there. I think that we can help feed her business. People coming to us and saying, oh, I didn't know that this place was there and vice versa. It's two-way street. I'm not saying that we're the saving grace, but I think when people come in there and say oh. Look, there's a business I didn't know, and the same when they go to her business they're going to say "oh look, I didn't know that was there".

Paul Binotto – I still have my reservations about it and I hope you understand where we are coming from

Harold Close – Absolutely. I understand absolutely. It's changed and we all know people don't like change. I completely understand Mr. Binotto and fully empathize with your position

Paul Binotto – I appreciate you for sharing, and I thank you for listening. I gotta leave it in your hands, is it right for that neighborhood.

Mr. Defilipo – Do we have any other comments?

Melissa McNutt, 614 Euclid Ave and my back alley is Dogwood Alley which connects across from Como into his property. I see a problem with traffic, and I see problems with parking, even though he doesn't want anybody to park on the street. It's hard to monitor that and it would be a great, great frustration so the extra unwanted traffic is not desirable, especially in Dogwood Alley, and as you can remember it's been a few years that we had a somebody hit on that corner of Como and Dogwood Alley. So, it's not a nice intersection to be crossing over and with the increase of parking, and extra strangers coming into the neighborhood trying to find their way around with alcohol in their system and children in the in the neighborhood, it's just not really wanted in the neighborhood. Now I just met another neighbor in the 400 block of Chartiers, and I just got her involved, so I hope she will speak and give you her experience as well. I still don't support the idea of another bar, another alcoholic serving facility in the in the area. We're trying so hard to take care of the community and improve it and keep the crime down. Thank you.

Mr. Defilipo - Is there anybody else who would like to speak?

I didn't expect this tonight, but I'm going to try to talk the best I can. My name is Tina Willis and I live on Chartiers at 411 and we just had a problem with my mother's car tires were slashed. We did record it but we don't know. We didn't catch anything. We don't. Nobody in the neighbors are elderly, like pretty much and they probably aren't, you know? I mean, like, sometimes they look out, but. I'm not happy because that was a lot of money that we didn't have and it's. My dogs are barking all the time now and like she said about the kids, it's not and they are walking around too, but we don't want to promote this problem with alcohol because it's getting out of hand. The kids are like you know, like not doing anything now but they need things to do. They don't need to be on that street it's scary and there's people that are not safe. That's not a safe area. Like between Sarris and down passed Euclid has really, really seriously getting. I'm even getting scared to live there because I never had this

problem with. I mean this isn't Pittsburgh that's one thing, but this is a little town with a, you know and and I never had my time, but I never had any problem with damage in the neighborhood but there's a lot of damage on my mother's car for no reason. I'm not saying that it's, you know, I don't who it is or who did that, but I don't feel safe in this area as it is, and this is and the parking is insane, even on our street, it's really bad. I don't know what it is with everything's about alcohol. Like our kids have nowhere to go and you know they don't need to be seeing more of that, and I mean it's out of hand. It's just completely, I don't have a problem with the business. But I mean why does it have to be that you know, I mean like there's other things that you can do. Then I park on the street. Like she said, if somebody comes down barreling down that street and wipes your car out, what are you supposed to do? Who's going to pay for that? You're just going to have to junk your car because they're going to be going too fast. Somebody's going to get killed. That's down the hill so they go down that hill. It's very dangerous. I was scared to go down that hill in the winter. I can't imagine somebody that's out of control goes down that and they'll be dead. They'll be completely dead, or they'll kill somebody else or something. So I'm just. I'm concerned too. And I have teenagers. And like, and her friends and it's not it's not safe. You know, and it's dark. It's very dark and they know they say 9:30 is the curfew, but that still ain't going to solve the problem. It's still showing that that like that the kids can like you know, they're just giving them ideas they're always doing. Like it's just not right. You know. I just wanted to voice my, but damage to the neighborhood and, you know, people being trashed and going down the streets with cars all over the place, it's very dangerous. The car could explode. Like I got an old car, if they run into that, could you imagine that thing exploding, or these electric cars. Anything could go wrong. Anything. It's just it's very scary. And you know. And the crime is high. I even have the I have I look, if you look up the where the houses where you to go to buy one, it shows you the breakdown. It's all the problems. It's insane. It's just, it's just not a very good idea. At this, you know, maybe in another area that's up to them, but these people are very nice. I think you know, fighting for them is the best the best thing to do because I like all my neighbors. They're very quiet, but it's not going to be quiet. They're going to be quiet after that. The only thing you hear is my dogs probably because people are going, you know, people are running, you know, and so, you know, this is a good area to without this alcohol thing, you know like. It's getting worse with, you know, our kids don't need this. This is very very sad.

Mr. Defilipo – Are there any other comments?

Harold Close - I just want to speak to the first one, Melissa mentioned about the Dogwood and at the end of that street. As you guys have seen in the plans, there will be no access from Dogwood into the parking lot. There will also be one way coming out onto Como. We don't anticipate any traffic coming down Dogwood because you would actually have to come out, move around, back around. If you look at the plans that you have before you, if anything, that's going to help the visibility of Dogwood as you guys can see it, there will be signage that says no parking so that you can actually increase your visibility. So, if you were to come down Dogwood, currently there are no signs over there and people park just wherever they want. Once the parking lot is created, there will be much more visibility for you to see left and for you to see right. So that is actually addressed in part of your engineers' comments on why the parking lot is the way it is. So, a byproduct to speak to her issue, your engineer actually encouraged that plan. One of the other things that were brought up by the the neighbor, the second lady, or the third person to speak, is the crime in the area. The crime is there now. There needs to be a change in that neighborhood. This was a building that's been vacant. I've only been in the Canonsburg area since I was 19, so probably a little less than 30 years. That building has been vacant for the vast majority of that. As you all know, buildings that sit vacant bring crime, bring problems and it is dark over there. The lighting plan that you guys have before you is based out of your ordinance. We will not have big spotlights which would then disturb the neighbors and shining in their windows. There's all down lighting in the overhangs. If you guys see in the plans, you have it all and I'm sorry that everybody doesn't have that information, but it will become a lit corner and when you have lit corners that keeps people away from there doing the things that are being done over there. There's drive by shootings that happen. There is a lot of crime in that area because that part of town unfortunately does not get the attention that it needs. Around our building there will be cameras all the way around it and over at the parking lot. That in itself is going to stop the crime from there. No one wants to sell drugs or do whatever they do and that's just me speaking in generalities. I don't know if there's drug dealers or not, but I can assure you, if there's cameras and lights, they're not going to go there. You know that building when we purchased it had a blue tarp and the people smiled because they know the blue tarp. It was literally hanging in the windows for years, it was an eyesore. It was just a blunder over in East End and it's been sitting like that for years. Yes, there will be alcohol, but I can't stress this enough, that is not the focus. This is not a club. This is not for people to go there and do shots of whatever and be overserved and go out on the roads. Will people drink? Yes. But as the people in this town know I ran a very respectful business down there. I didn't have problems with people getting drunk up and driving



around. That's not the business model I want. When you deal with the state and the liquor control enforcement and my partner being a police officer, we have a very different view on how this business is and I understand when you hear bar, it gets lumped into this and to the ladies concerned, yes, will people drink and drive? Yes, they're going to do it. Can we stop that? No. But we can responsibly monitor it through the ramp program. This is all stuff that the state requires us to do. The days of old going to these little shot and beer places where people drink down 15 shots and beer it's a recipe for disaster. It makes my liquor license have liability, which I don't want. So, I can again and if you want to have the conversation, and I appreciate the concerns, but it is not a bar. A microbrewery is a very different animal. There will be food, there will be other things that I don't want to get into the proprietor part of how we're going to be different. I don't want it out there, but there will be a place for families to come with kids, it's not going to be a loud, honky tonk doors open. It's not the business wall. It's not at all. And again, I feel we've met your ordinance. So, I will be happy to answer questions and after Melissa speaks, if there's other concerns, you know, but we've all we've been down this road already. We've heard through the other Planning Commission through the other conditional use. I understand there's a parking concern. We meet the ordinance, and I don't want people parking on the street. I don't want Melissa fighting to get groceries out of her car because then it becomes a problem because then she's going to be called council. Council is going to be sending the police and it's this big circle. I'm sure my 3 minutes is up so I apologize

Mr. Moskal - You can talk. I mean, you can finish, I mean

Harold Close – No, I'll address questions or concerns. As they come up

Mr. Defilipo - Any other comments?

Melissa Monahan, 536 Euclid Ave - Long story short coming into this, it's well, the talk around was that you were evicting George and Theresa in order to do this, to know that that's what whether you're doing them or not or whatever knowing that you're taking your tenants out in order to do this, that's kind of like doesn't look good for you.

Harold Close – I believe it and I don't want to take them out

Melissa Monahan – And it's not fair to them so I approached them, and I asked them and they were like dumbfounded, they were like what you're talking about and to me, that's just like a gut punch that they could take, especially when you have good. Tenants and everything else like that in order to do this. Still, ultimately, whatever that's your business. Whatever you have to do, what you have to do, but to do that to them, that doesn't say much about the person.

Harold Close – I would love to keep them in there, but it's up to that council

Melissa Monahan – The other thing is, it's always going to be about parking. From the previous planning meetings that we had and hearing that you had, coming to the December meeting, where the Canonsburg Council denied it and said no, even within this last month, you knew where I was. I knew where you were. I never reached out to you. You never reached out to me. Like I said, ultimately, here we are it's coming to parking. There is no way that you can monitor who's going to come in and come out of that lot with the salon that is on Como, with other business that is on Euclid, with and whatever you don't know who's parking where or who it is. You don't know if that car, that truck, that whatever is in your establishment or the beauty salon, or across the street, or if they're visiting this neighbor or whatever. We're limited as it is. Like I said I've already lost one spot because with my parents being passed so that that there but still that maneuvers between my neighbor and the neighbor next door. Still, we got other tenants that moved in and then you have parking across the street from us. So now that's two more vehicles that are on our street. However, in your lot like I told you I don't know what your deal is with the other neighbor, but we got three vehicles that are there. We don't know why or whatever the 4th is, because Mr. Yatsko was disabled and I understand it's easy access for him, so now those four vehicles that are parked there in this lot are now going to come out onto either Como or come to Euclid that impacts us and that I'm already greatly impacted because of the French Club and Dogwood Alley so when either I have to park in front on Euclid either park in my yard I can't get in because of the tenants and the parking from that far. So how? It's still uncommon, like it still isn't going to work. It doesn't matter what you put there. What if you have somebody that comes in and then it's then the pickup truck and they can't park there, you know they're going to park in the lot, they are going to park on the street. So that's. That that's not going to. Be more and how are you going to go and say to somebody you can't park there because this is this person's spot. It's not going to work because Council is not going to come and give us all resident parking. It's not going to work that way. It doesn't

matter and. It's. I mean, not everybody's going to go and go to their doctors and come to council so that they can get a handicapped spot or something so that they can secure their spot. We shouldn't have to. Granted we are on a public street and it's public parking but why should we have to fight for a parking spot. Why should we have to not be able to have access to our home or not especially with that and with Dogwood Alley and the way it is. How are we going to compromise? That corner is not a corner for that. I mean maybe if you put like a stop and go or something and they can come in and grab and go or something where we know that traffic is not going to be there for an extended period of time. I don't know I mean like I said with all this, had you come to us a year ago, I mean, everybody was trying to figure out what was going in. It was good that the building was sold but it was never figured out what was and it then it was like all of a sudden it was this and it was this. Everything changed. But like they said, maybe if you did come together with us or come to the Council meetings and say this or whatever and not just blindside us, but now, now we're getting blindsided again because in order for you to do this, you're getting rid of the tenants that it's unfair that it took them a long time to finally get settled. It's just like. I'm just sure they're struggling to say ok, where am I going to live. What am I going to do? How much time do I have? How to do this? It's just like. So, it's like they're being disrupted too. It's still going to be on the parking because there's no way, I mean, like I said, how are you going to? How are you going to know that that person isn't in your place, are you and they're not going to tell you that's my vehicle because, you know, people aren't going to do that. The only way that they're going to tell you is if they're getting towed and say that's my vehicle. If you don't want that, we don't want. And again, it's like it has to be for everybody but that. I just wish there was something else that was in there. That we could all be accommodated with.

Harold Close - So to speak, an answer to this. Yes it is. It is the reality that to meet the ordinance, I need to be under 3000 gross floor area. With doing that, the resident upstairs it doesn't work in the building anymore. I have no problem leaving George there. I love George. He's a veteran. He's a great guy, his wife Teresa, but for me to meet the ordinance that requires 2 more parking places, and I can't. It's up to the Council, you know, if they allow him to stay up there, by all means he can stay. But I can't meet the ordinance and have a tenant there that's been made clear. As far as, you know, the parking on the street and you fighting for parking. My offer stands. I will post Euclid down the street, that is permit parking only. Does that mean people aren't going to park there? Of course not. It's not a catch all, but I my offer stands that I will post the street at our cost saying permit parking

only. As people come in, I have no problem teaching or instructing our bartenders and our staff to say hey, make sure you not park down the street that's for resident parking only. I at my cost, I have no problem doing that. As far as the cars that are parked there, the guy across the street, he ask me "hey, can I park these cars in there?" Sure. You know he's parking there because if they're parked on property and they're not registered, then the borough can't tow them. I believe that's why he's doing it. If you could probably speak to this as code enforcement.

Melissa Graff, Code and Zoning Officer – I mean yeah. All I can say is if it is on the street and it's uninspected, I follow the process of tagging it and after five days tow it. It's not necessarily the registration for me because I don't have the ability to run you know the plate. I just merely tag it with my orange sticker. So, it is a possibility that that's why he's parking them there, yes.

Harold Close - He's telling me that he's selling those cars or something I don't know. I have no idea. I don't. It's a, it's it's a neighbor in the area. Again, I'm trying to be neighborly down there. I don't want to be the jerk down there. As far as the gentleman over in the Dukis building, he never asked me. Whatever. I'm not doing anything there. So why would I fuss and fight over it? You know it's. It's whatever. So, but that I don't know if I answered your question. I know that it's not the answer you want. It doesn't meet your expectation that, but that I at least address the question.

Melissa Monahan - It's not there. Like I said, there's four vehicles there now, regardless of what the situation is, you can't monitor it. Because like I said, I can I come home and then it's like let me address. I can't go knock on the door and say hey

Harold Close – I understand. I also can't be responsible for other businesses and their parking. I'm just trying to meet the ordinance of the gross floor area, which requires 10 spots and that's what we feel that we've done at this point. But again, I'm more than willing to be neighborly the least impact as possible at my cost that will put the signs up not at the borough. I'll put it on so, but at this point the cost of the business and where we're at you know we are pod committed, so to speak. You know, I I don't know where else to go from here. And if I could take back in year's time, I would. Unfortunately, the way it started and we don't need to rehash that. I wish I could take it back and but I can't. So, and I think both

sides will respond, have responsibility in that on how the wrong foot from the start so I'll leave it at that.

Mr. Defilipo – Thank you. Yes

Melissa McNutt, 614 Euclid Ave – This is my second concern as far as not travelling down Dogwood, which he's trying to prevent, that's close to impossible because. People coming down out the street, they just follow that road and then it ends up on my Dogwood alley. So, it's unpreventable to prevent that traffic coming in my back alley. And not only that, but the 600 block the decay right behind me has an issue, as you know, with a very narrow throw away because of their parking and they have issues with people going the wrong direction there. That's why they had to post that sign. There's still an issue and the unwanted traffic coming to our neighborhood seeking for alcohol, a good time and dinner. It's still not in the best interest of the community. I also want to address that I've had personal damage to my house and my vehicle through businesses in the neighborhood coming through the alley and delivery truck. I had a delivery truck tear down my cable wire, causing damage to my house. The owners of that company was not one bit concerned, ok. the damage to my vehicle in the back alley, that's a guess. Who situation I had to deal with. This is personal to me because I've been damaged to my property twice. That's kind of unpreventable and as for taking away the apartment complex? Once he gets what he wants. When everything cools down and you keep it quiet. You can rent it out again. No big deal

Harold Close - That's not true. You hold my occupancy to revoke it. I'd be foolish. Would be crazy for me to do that. I absolutely would not do anything in the skies of night to bring someone back

Joe Dalfonso, Solicitor - The plans do show that the brewing equipment's going to be in that area now, correct?

Harold Close – That's correct. Code enforcement can speak. I don't do things at night in this town. I have quite a bit of real estate interest here

Melissa McNutt - So we're dealing with delivery trucks again. Makes a wrong turn, ends up in my back alley. It is a huge concern. It's a huge concern for me and the neighbors

Harold Close – I will speak to that as well.

Melissa McNutt - I feel bad for him that he made a bad decision. Buying property in East End where there's already multiple bars. There were other options available throughout the community that would have been a better choice, but he chose East End and personally for me I've been victimized in that and my new neighbor friend has been victimized in the neighborhood. We're just trying to protect our community. I'm trying to prevent future damage to my house and my car and what have you not. So, I don't see how he can control the traffic flow at all. OK. Thank you.

Harold Close - So I'll speak to delivery drivers again if you know and more association since 2018, I've never brought in for mayors of frozen food or big trucks. I actually had a little Nissan van, which is smaller than most passenger vehicles that most people drove there today. That will be the delivery system that we use and will not be tractor trailers. It will not be big straight trucks. It's a small vehicle that would bring in and out the product. It's a small place. I'm not trying to be Olive Garden that gets these big trucks to come in and out so that that will not be a concern. Again, I refer you guys to the plans on Dogwood. No, I cannot control traffic, but I can certainly control traffic because there will be a break between Dogwood and the parking lot that you will not have access. So again, based on your engineers' recommendations and the signage that is required. It will actually increase visibility and safety to the intersection. I think that was the only other concern that that was brought at that time

Paul Binotto – May I ask just one question?

Mr. Defilipo – Pardon?

Paul Binotto – May I say something else?

Mr. Defilipo – Sure

Paul Binotto - I know, as I said, the whole idea these days and with the garage doors and the microbreweries and all one thing, but also, I mean, we don't drive any kind of SUV's, but a lot of people who go to these bars and I do drive their pickup trucks or SUV's and then is there could be room really for all these, for regular vehicles, to park?

Harold Close - Yes, Sir. So again, the the ordinance is very clear on the requirement of the parking space. I can't just say that this spot is this big and that's a spot. It's all determined through the ordinance, and it is off the top of my head, and I I apologize I believe it's 20, it's in the plan and 20 some feet. 9 feet is the width and then what they call the thruway has to be 14 feet. It's all part of. There's a lot of engineering involved.

Paul Binotto –You understand my question

Harold Close - Absolutely. There's a lot of engineering involved, and it wasn't me making up the parking lot. It had to go through my engineering company, Gibson-Thomas, and then then had to be approved by their engineer which is KLH and there are requirements that are set forth for the size of this

Paul Binotto – My concern on just on that point again is someone come and looking at your parking lot so I can't put my truck in there just. Going to park on the street.

Harold Close - Well, and I understand what you're saying, you're again, you know. The the ordinance requires certain footage on how long it is and how wide it is. Now obviously, if someone brings in an RV, it's not going to fit, but I'm I'm being facetious. Yeah, absolutely.

Paul Binotto - And I just wanted to make that point and I think you understand what I said?

Harold Close - Yeah, absolutely. Sure, but the ordinance is very clear on the requirement of the space. The handicapped space has to be so wide, with a an area next to it. And again, I apologize, you guys don't all see the plan more than happy to meet with you Mr. Binotto and show you. The plan showing the layout of the parking lot, how long the spots are, how wide they are, the thoroughfare. You know, there's a lot of engineering, believe me, I didn't know. This much about it prior to a year ago. It's all designated in the Ordinance of the Engineers.

Paul Binotto – Thanks for the answer

Dennis Smiddle, 631 Highland Ave - I grew up there all my life since 74. I used to play on a playground. I didn't plan on being here. I came here because the Planning Commission and I put in for the Planning Commission a while back. I don't remember how long ago but just hearing some things, you mentioned that you don't want to have real intense lighting to disturb the neighbors. That's very considerate of you I. Didn't hear you say anything, and in the crime you're aware that the crime

Harold Close - It's there now. it's always been there, and it needs to change

Dennis Smiddle – I I grew up in east and we used to go down there to hang out. There was a grocery store, a candy store that sold a lot more than candy and sold cigarettes. There was pornography. There was everything you don't want in a neighborhood, but it's always been the responsibility for parents to supervise their children, whether they're playing in the street or just. So, what I'm saying is the crime, it's always been there. Did you plan on putting any security cameras in?

Harold Close - Absolutely all the way around the building.

Dennis Smiddle – You didn't say that

Audience Members – Yes he did

Dennis Smiddle - I apologize, I just heard lighting and I and this I think Canonsburg has a security camera and like in the playground, do they have them anywhere else? I mean, let's not be hypocrites and require everything from him when Canonsburg is not the safest town to begin with. I'm a retired health and safety, Children's Health, health and safety inspector for Child Cares, so I I know a little bit about safety and. And I think Canonsburg has, you know, has a lot lot to do in that in that area, so, that's all. I mean, there was bars all along Perry Como and across to Adams Ave and I don't see any. And times have changed. There's more cars, there's more cars, so safety should be increased. I mean there should be bollards. There should be safety barriers, Traffic Safety, lighting, security cameras. So. I think maybe this is setting some positive examples in some ways

Harold Close – The only thing I wanted to say is it's not a bar. It's not for shots and

Dennis Smiddle – Did I say bar?

Harold Close – Yeah

Mr. Defilipo – Any other comments?

Gentlemen Speaker - Thank you. I'll close out real quick. Eric Spicer, I'll be managing this business. As Harold Close mentioned, I'm law enforcement, current law enforcement work in a neighboring township very respectable. I work with all the kids at the school. I'm here to promote safety. I will be at that business five days a week. I'll be the one operating and doing everything. When there's concerns with neighbors, I'm going to be the eyes and ears out on the road. It's my business. I'm looking to promote it. To make it look better, to create a really nice business that people could walk to and and, you know, talk and and you know, be neighborly, that's the ultimate goal here is to bring something in. Come walk to our place, sit down, eat, relax, go home. It's going to be a family operated business and that's what we're promoting. So, in reference to safety, I'll tell you all the Canonsburg officers know me. They said that they would be at that business and eating and partaking. So, there's no better way than to open a business where police officer is going to be off duty so. That's all I would say we're there to promote a great business. Thank you.

Mr. Defilipo – Do we have any comments from our Solicitor?



Joe Dalfonso, Solicitor - You do have a letter from your engineer. It looks like the only comment is that the applicant has not identified the maximum permitted occupancy for the facility. That ties into the off-street parking spaces. I don't know if your engineer received a copy of that today or not. It's much shorter than the last few review letters from the last time around. But the ordinance, in terms of off-street parking, for which the microbrewery falls under, it's one space for each three occupants at maximum permitted occupancy, or one space for each 300 square feet of gross area. So based on the gross area, he would meet the parking spaces, but there's that whichever is greater, and we don't know what the maximum permitted occupancy is based on the application.

Harold Close – Thirty (30)

Joe Dalfonso, Solicitor – Thirty (30). Um, ok. I don't want to rehash the whole conditional use hearing from the last time. Do you know what outside of the? That's obviously a condition you're asking, right? We'll go back to that in a minute. Do you know what the maximum occupancy would be for that building independent of your requested condition?

Harold Close - So based on the fire code as it's administered. Before you need sprinklers, the answer to that is 49. Anything over 49, so 50. Just the short answer to that.

Joe Dalfonso, Solicitor – Ok. Again, that would be self-limited so you don't have to put in a sprinkler system

Harold Close – Right

Joe Dalfonso, Solicitor – Ok

Harold Close - The other part of that is. Like this room, the occupancy is 153. This room is nowhere near 2000 square feet. The fire code separates it based on square footage and the answer is I believe it's 100. I believe it's 15 per 100 square feet per floor. Obviously the upstairs is not going to be accessible to the public. The basement is crawl space. There won't be people down there, there's just some hot water tanks down there. If you use the fire code, the answer would be I believe it's around 100 people which the kitchen that we have could not possibly handle that and nor do I want it to be a big place. I don't want it to be big, so we have no problem as a condition if Council so chooses, because in the process that, you know, the Council would then order us conditions to meet and, at that point I would say that I have no problem as a condition of the borough for approval to make that 30, and I would continue to use the the counter that we showed you guys during one of the meetings. I don't recall what it. Was there's been quite a few.

Joe Dalfonso, Solicitor – Ok. I'm going to ask it a different way. So, you'd be willing is to then, I don't know what Council's going to do? I just want to make sure these guys have all the information. You'd be willing to hang one of those signs saying maximum permitted occupancy would be 30.

Harold Close – Absolutely. Yes, sir

Mr. Defilipo – Any comments?

Harold Close - And I would take it one step further that you know, obviously if somebody came in and saw that there was more than that, that pull my, you know, I know what the occupancy would be, and I have no problem enforcing that the same way that I would enforce and Eric would enforce responsible alcohol management and and everything else we have to do with the health department as far as food temperatures and and I don't know if any of you were in the restaurant business there. There's quite a few regulations and state people involved in that.

Mr. Defilipo – Comment from the board

Mr. Moskal – I have a few things. Let's talk about. I looked at your plans and you talked about the lighting and security and I think that's that's commendable, but I want to know more about if there's going to be neon lights for selling beer here and how is that going to look for signage for driving by there and how it's going to enhance the neighborhood or dehaze the neighborhoods. I have several different comments. If you want to add, say something to that and then I will just go ahead.

Harold Close - I do. Yeah. Just want to miss something. I want to be able to speak each one. So as far as signage and lighting, your ordinance is very clear on the way lighting can being used and it will all be down facing from the overhang. If you if any of you have driven by the building, there's a little overhang, there will be downlighting, there will not go beyond the property lines. I don't remember the lumens again, it's.

Mr. Moskal - I'm referring to the more the neon light

Harold Close - Well, so that's a different part of the ordinance that we're not part of. The ordinance would be signage. There will be no neon lights. The only signage and the wind will say the business name just in the vinyl, there will not be backlit to it. There will not be any lighting that goes out beyond the property line. Your ordinance doesn't allow it.

Mr. Moskal - Next thing is is is gentleman here brought up and I'm looking at my neighborhood because I live there too. And when I look at my neighborhood and what I want, you know, and years ago, we had a comprehensive plan, what we wanted Canonsburg to be like and what we wanted to have in Canonsburg and what we. Things that we wanted to have happen in Canonsburg. What does Canonsburg look like? For a while there, we were antique store, antique neighborhood, and we were talking about putting another access Rd. making College Street one way, and what kind of businesses we could attract to our downtown area. Well, we, I don't really classify parts of east end and parts of north side and parts of west end as downtown area for businesses. OK, when you're looking at the barber shops and hairdressers, there we had attorneys there. We had a lot of dog groomers there and things of that nature. And we look at our neighborhood businesses, we don't picture in our neighborhood a and I'm going to say the nasty word a bar or microbrewery or whatever to that effect into my neighborhood. The concerns that I have is what is going to uprise and we're talking about safety and whatever, but this gentleman here and I had the same issue is the garage doors and the sound into my neighborhood. Whether you have a jukebox or whatever music playing or bringing in somebody to play in a band. I'm just, I don't know.

Harold Close – I understand. I appreciate the comments

Mr. Moskal - And you open up them doors for fresh air and immediately the neighborhood down there here's all the rackets going on up there. To me, that I'm concerned with that. I have a concern with those opening it up to the garage doors and all that I do. That is number of one of my major concerns that I have is the noise, the lights. Um, occupancy. We talked about occupancy. You started off, we started off at 24. You wanted to have 24 people and how you would regulate that and it was nice that this officer and I forget his name because I'm terrible with names who mentioned that he's going to be there and that should have been approached to us probably the last time. I'm feeling more comfortable about something like that, that somebody's going to be down there. But then again, having a business or having only 24 people or having a business for 30 people is sending people out of your business when you reach that goal. And then my issue might and who's going to enforce that? And back before we had the hearings before, we said that we're going to enforce that. Well, I've been in business for since 1982 and once another gentleman said once or some young lady said that once everything goes in there, things go away after a year or two and you do whatever you want. Not saying you would, I'm just using that as a hypothetical. It's saying well, now I have 35 and 40 and next year I have 50 and but no ones you know, pushing me out the door, and we look at occupancy and how many employees are going to have. Kitchen help, waiters, bartenders, owners, those are all there's five

people there perhaps. So, now you're down to back when you had 24 before. That brings you down to 19 customers that you could have in there that you're self-regulating. Then that that concerns me about traffic and people coming and all sending someone away. Sending them away out of a business. You're gonna have tremendous takeout business because when they come, we're going to go ahead and take out and sell courts again out of the back like all the other things did in the past. I'm just airing some stuff.

Harold Close – Can I speak to some stuff

Mr. Moskal – Yes

Harold Close – Ok. so back to lighting again. It's very, very clear within your ordinance. That was one of your concerns. You said first

Mr. Moskal - Well, I was. I'm concerned more about the neon lights that go in the window

Harold Close – Yeah, there will not be neons. Personally, I think they are cheesy. I don't like them. It's not the business that I'm doing here. Again, we are looking to do something different over there. If you go to Bar Association, I don't own it anymore, but there was never neons in the front of the store ever because I don't like them. So, not going to be concerned. It won't happen. The noise to Mr. Binnoto. Yes, there will be garage doors. Ironically, I hate eating outside, but a lot of people like being inside and outside at the same time. It's a preference to people like. Will there be loud jukebox? No, there will not be. Again, these are all things that I've proven since 2018 in my business models. I don't like live music. It's too loud not going to be an issue. When it's nice out will the doors be open?, Yes. Will it be facing the street? No. I'm dealing with Mr. Dukis. He wants a he doesn't want a fence. He wants or he doesn't. Excuse me. He doesn't want a buffer. He wants a fence. We will be putting in a fence from the very front of the property to the very back of the property. So, there will be a sound break between those two areas. That's not to say that you know, as you drive by, you're not going to be able to see inside the business, yes, you will be able to.

Mr. Moskal – Going down the road. Excuse me if I may, but going down the road. You're going to perhaps sell it? I'm just using a hypothetical

Harold Close – Sell the building?

Mr. Moskal – Or sell the business or whatever. Or you decide that change down the road that yes, we are going to put the jukebox in because our customers want to hear music

while they play. Does that? Could that be part of something that we in your application in your fees is saying.

Harold Close - Your ordinance already speaks to it. Personally, I think your ordinance is too loose there. Your ordinance allows to 11:00 PM. That's way too late. I would be pissed quite honestly, if I lived in Melissa's house and someone came in and was playing music till 11:00 PM, I would be pissed. It's not going to happen with our place. You spoke again about the occupancy; how do we control it? We control it because we have to, the same way that now at any one of my other properties, if they come along and I'm doing something I'm not supposed to be doing, it jeopardizes my occupancy. It's patrolled because it needs to be patrolled, so there's not a matter of ok, well, no one's looking let's do 30-35 people. And it's interesting because people used to ask me all the time when I open Bar Association, I had 23 seats and people used to say, why are you having a salon rent from you next door? Add more seats, add more seats and you're losing those customers. And you said that you've been in business for quite some time. It actually help the business that people would come there and say I can't get in. What am I missing? And I've told that story 100 times. Supply and demand. I have no problem controlling the occupancy. One because I want to lose my occupancy. And if Melissa walks by and she sees that there's people hanging out all over the place. To her credit, she's very involved in the neighborhood. She's going to call. I don't want her to call. I don't want the problem because then Melissa is going to call me and say I got a complaint. You may still get called, but I can assure you we are not going to encourage over occupancy because I don't want the problems from the fire inspector or anybody else. I think I did I answer each one of your questions?

Mr. Moskal - Since you're serving food in this microbrewery. And I may be wrong and and I'm going to say this. Doesn't the parking lot have to be black topped?

Harold Close – No

Joe Dalfonso, Solicitor – Not that I know of

Mr. Bilsky – I don't so because Alice's isn't black topped, is it?

Mr. Moskal - Yeah, but it I don't know. No, it's not. Well, of course that came in, but that that was grandfathered in before I knew.

Joe Dalfonso, Solicitor – I don't think it's anything that I recall from the borough's ordinance. Let me put it to you that way

Mr. Moskal - It seemed to me that that through health and safety, the dust, you know, whatever that whatever that most people.

Harold Close - There's no requirements outside of the building

Mr. Moskal – I don't know. I just brought that up

Harold Close - Happy to answer any questions you have

Mr. Moskal - Brings back to parking, and the bottom line is parking, occupancy, off-street parking. That's that's my bottom line with it. Sound, I have a big issue with that, you know. You addressed the neon lights and lights and and my issue is is the parking. Whether you put up posted signs which you thought that was really great to go up and down the street and that was commendable of you to offer that. I don't know how that would affect. Parking and controlling thirty people in there, and five of them are your employees or three or two or six.

Harold Close – Or whatever

Mr. Moskal - I don't know

Harold Close – I get your concerns

Mr. Defilipo – In order for it to be approved, street parking regulations. It has parking spaces required. The adequate number of off-street parking spaces shall be required in all developments to accommodate residents and visitors. Off-street parking spaces shall be provided as listed in Table 8.3 of the ordinance

Harold Close - And in that ordinance, part Mr. Chairman in that ordinance, it goes on to say that no off-street parking can be considered part of the parking plan. Off-street parking is not permitted

Mr. Defilipo – It's the ordinance that controls the parking

Mr. Moskal - Right, I understand this

Harold Close - We're not looking for any on-street parking. It will only be off-street

Mr. Defilipo - We'll have to provide both parking regulations of the ordinance

Harold Close - And to the solicitors point to 3000 square foot requires ten (10) spots or whichever is greater which we are willing to

Mr. Defilipo – Any other comments?

Dennis Smiddle - Sir, can I make another comment?

Mr. Defilipo - Yeah

Dennis Smiddle - Yeah, like I said, I didn't plan on being here, but I think I recall with the honorable Councilman. I think I recall the meeting that the honorable Councilman was speaking about. What? What you want for Canonsburg. And I think it was brought up that you would like Canonsburg to be walkable. There was even talk about having the trolley go through east end. To take the I mean, there's so much parking that isn't being used in Canonsburg that you know, if people could park in other appropriate areas and a trolley, pick them up and then take them back, that would really help with the solving the on-street parking.

Mr. Moskal - Well, to your point in the hearings that we had before, was that all of his employees were going to be parking off site so he can keep his spaces open for his customers. As if I'm not. If I wasn't. Is that true that you said that

Dennis Smiddle - But wouldn't that work for customers too? I mean, they have them park somewhere else and then walk, walk tickets. If you're going to walk, you're not probably not going to cause any crime because you don't have a getaway car there

Mr. Moskal – It brings it back to thirty (30) people

Mr. Bilsky - Somebody with a bad hip, bad leg, they're they're going to be parking, either in that lot or very close to that lot

Harold Close - That's a good question. So I'll speak to that. Your ordinance says 250 feet or less for satellite parking is the way your ordinance is written. There is a parking lot it's outside of that reach, which is why it's not part of my plan. For employee parking, it's allowed to be over 250 square feet, and yes, I do own another piece of property in East End that I can put off street parking in for my employees. I don't think we need it. I have no problem doing 30 as my max occupancy including my two employees. One bartender, one cook which gets me 28 which is still more than I asked for before, so I have no problem with that. Yes, I do have a legal document under your ordinance that says yes, I have satellite parking for employees. But I don't feel I need it, nor do I. I don't again, and I've said this 100

times and I know you in all of these meetings, I don't want it to be big. I don't want it to be Olive Garden. I want it to be small. It's very easy to control that way, and the reason I sold The Bar Association is because it's too big. I couldn't do my day job, my real estate interest and manage it effectively which is why I sold it. So, but yes, I do have more off street parking available for another property that I am in

Joe Dalfonso, Solicitor – How far away is that parking lot from this location?

Harold Close - I never did the footage, to be honest with you, but it's over 250 feet, but that's how your ordinance is written

Joe Dalfonso – Well, I guess is it walkable?

Harold Close – Yes. It's on Chartiers. It's actually closer than the the lady who lives on Chartiers. My property is actually closer than hers to the microbrewery, ironically enough

Melissa Monahan - I have one thing because you're saying that there's side panels or whatever you have on the garage doors and I'm, and I'm sitting on my porch, and you open those doors and these people are outside eating or whatever. Where are you going to put these people outside of?

Harold Close – They are not allowed to be outside

Melissa Monahan – Ok. With that being open and I'm sitting on my porch, and I can hear that and they can hear me, that's no more different. Like if you go into the bathroom and I'll hear something on their phone. I'm sure they don't want me in their business as well as I want to be in their business, so it's like. I'm right there and when you open up those garage doors, windows or whatever, let alone not just me, you got Mr. Yatsko here, miss. You got here right next door. Even if you have a fence there, it's still going to be open. Where's the privacy?

Harold Close - So again, the Council has the ability to give the conditions. I would be willing to take it down to one garage door versus 2 if that truly is a concern, but I don't feel that music going outside, I can assure you people will not be outside drinking. It's illegal under the liquor license laws. You cannot take alcohol inside to outside, it's licensed that way. It's not going to happen because it's not allowed to happen. It's illegal

Mr. Bilsky - Alright, can I say my piece? All right, so to me it comes down to what Steve said, parking, occupancy. I'm looking at this as objectively as I can. I don't care about the emotion. I understand emotion. You know, I understand all the feelings. We all have feelings



because we're all human, but we have to look at things as they are. I see an issue with parking. I don't see what's allowable, what's going to occur in my opinion, are two very different things. Same with the occupancy. I mean, I think it started at 24 and now we're at 30, and to Mr. Smiddle's point, there are a lot of areas in town where there's unutilized parking, this isn't one of those areas and that's I think unfortunate for the purchaser of the property. So that's my opinion and that will leave where I stand.

Mr. Defilipo - I'd like to have a motion for the application by Harold Close. Who is representing conditional use, well, microbrewery at 409 Perry Como Ave

Mr. Moskal made a motion to deny the application by Harold Close, who is requesting conditional use approval to allow a microbrewery located at 409 Perry Como Ave.  
Seconded by Mr. Bilsky.

All in favor. Motion carries.

Mr. Defilipo - I want to make note to this meeting that the Planning Commission is just a referral. Council has to say so. This is the recommending council. Council has the right to approve or disapprove

## **5. Old Business**

None.

## **6. Adjournment:**

Mr. Bilsky made a motion to adjourn the meeting at 8:08 PM. Seconded by Mr. Moskal.

Meeting adjourned at 8:08 PM.

Submitted by: Melissa Graff