

Borough of Canonsburg

Planning Commission

August 3, 2023

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

Mrs. Pat Briner - Absent

Mr. Steve Moskal – Present

Others Present: Solicitor, Joseph Dalfonso, Code and Zoning Enforcement Officer, Melissa Graff, Engineer, Jeff Marcink

4. Public Comments:

Julie Binotto, 529 Euclid Ave – This proposed bar is two (2) doors away from my house. We are already over served with alcohol in east end. We've got the French Club, we've got the Polish Club on the other side of the alley, we've got the Hofbrau and really if you need a drink there is plenty of places you can go already there. We already have a parking problem. There is not enough on-street parking for people that live in the neighborhood, and I feel getting this business in there has been very underhanded. No one spoke with any of the residents before this was proposed and I feel like it's not right but second of all, we don't need another bar. We don't need more traffic; we don't need more

people parking on the street. We've already got a problem with people speeding in the area, people running through the stop signs, and I don't want to wake up in the morning and find someone passed out on my porch, that seems really not very nice. So, I would suggest that we do not allow this business in our neighborhood. Many other people have said that and probably have said it more eloquently, but that's my opinion and there you go.

Melissa 614 Euclid Ave, and I've been there for 21 years. and I've seen a lot of suspicious activity. I'm going to recap over my last few soapbox moments, but I've already had major issues with Renovation Nation where I had damage to my property, when I went to call them to tell them, they were not concerned. So, we have that issue, I have my own personal issues. You know when I spoke up and called the code enforcer, my tires were flattened for the first time in twenty-one (21) years. So, we've had that issue, I've seen suspicious activity and the people behind me party all the time. I get a lot of traffic coming through from Sarris, which is to be expected because Adams turns into my alley and Dogwood, but I don't even have the courtesy of having them slow down when I have my car door open, so I have to constantly worry about that. We had an incident where someone was hit at the end of my thing, but here is the most concerning point; Como is a very busy street especially at my end because of Sarris, but the other day I think these are about a month old, I took pictures, and you'll see a small portion of cars here already setting the stage to major traffic problems (pictures were presented to the commission). I would like to people here to show you, and that's coming out from Dogwood Alley. So, just that small percentage jams it up in that area, so that's my main concern. We do have a lot of renters in the area that causes issues, but when we have a microbrewery advertising business, bringing in strangers into a community that raises their family, that only escalates the issues that residents have to be more concerned with, and I think I'll leave it at that

Missy Monahan, 536 Euclid Ave – April 6, June 1, and today we the residents of Euclid, Duquesne, Franklin, and Perry Como come before you again to ask you to not

approve the application for a microbrewery at 546 Euclid Ave. There are a lot of bars within the eight (8) blocks already established in our neighborhood, and bringing in a new one is not welcomed. Upon learning of the Dukis Market building being sold, everyone was talking about what would become of Dukis's. Next thing, the building is being torn down, then the side garage along with the house on Perry Como. Then we learned that a microbrewery was opening, and some of the residents already asked why here. Some were told that Mr. Close spoke to some of the residents, and they were all for it. If this is true, we don't know. 95% of us never spoke to him or met with him about this. We are eight (8) months into this project, and none of us met with him or spoke to him about a microbrewery or anything. He has never approached any of us. He has never met any of us or asked any of us our concerns or ideas regarding this. Between Euclid and Perry Como, there is a bus stop, and school will be back in session soon. On Duquesne, Euclid, Franklin, and Perry Como, there are residents that are autistic, hearing impaired, disabled, blind, and with dementia. These families will be greatly affected by this as well as the playground that is on Franklin Ave. Parking is the concern. There is not enough parking for our residents on the streets as it is now. To have a business open, and for that business to have its customers take away from the residents, parking will cause problems and also there will need to be lighting and the noise it will bring. Unfortunately, in the early morning hours of Sunday, July 23rd, brought our neighborhood to a frightening situation. There was a drive-by shooting, something that none of us thought would ever happen here. Yes, it could happen anywhere or any place. Allowing a microbrewery to come into our residential area is not the best interest for all of us. Between Duquesne, Euclid, Franklin, and Perry Como, we know one another, we look out for one another, and we care for one another. This microbrewery can and may bring in unwanted traffic and disturbances. We ask that you not approve a microbrewery in our residential area

Mr. Defilipo – Thank you. Anyone else?

5. New Business:

A. 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. Defilipo – Under new business, we have the application by 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 someone representing Mr. Close?

Mr. Dalfonso, Solicitor – Prior to that Mr. Chairman, there are some residents here. You should offer a portion of public comments, should anybody wish to do so.

Mr. Defilipo – Before?

Mr. Moskal – Yes

Mr. Defliipo – There are no other speakers. Should we have someone for Harold Close that is representing Harold Close?

Brandon Wilttrout, Gibson-Thomas Engineering – I have done the engineering plans for the site

Mr. Moskal – May I ask a question?

Brandon Wilttrout, Gibson-Thomas Engineering – Sure

Mr. Moskal – Mr. Close isn't here, why?

Brandon Wilttrout, Gibson-Thomas Engineering – He is out of town

Mr. Moskal – So you're representing everything that Mr. Close would be saying?

Brandon Wiltrout, Gibson-Thomas Engineering – As best I can, yes. If I don't know, I'll say, "we will have to speak to the owner on that". Any other questions? Ok, very good. So, our previous submittal was on July 13, we addressed the comment letter and the comment email from Mr. Marcink, at KLH. Then on August 1st, we received an additional updated letter from Mr. Marcink which stated we have a completed application, and we meet the engineering requirements for the ordinance. A few comments on here were more expounding on nature versus engineering and technical wise. If you have any specific comments on this most recent letter, we can discuss those now, but as far as engineering and technical goes, I believe we meet the ordinance

Mr. Moskal – Ok, so you are the one who drew up these plans, correct?

Brandon Wiltrout, Gibson-Thomas Engineering – That's correct

Mr. Moskal – And you're the engineer who drew up all these plans

Brandon Wiltrout, Gibson-Thomas Engineering – That's correct

Mr. Moskal – So, lets just look at the floor plan real quickly because I'm confused. We have kitten area over here, you know KIT area, what is that?

Brandon Wiltrout, Gibson-Thomas Engineering – It's for the kitchen

Mr. Moskal – No it isn't because there are no plans in there. You're an engineer and I don't see the hood vac, the grease trap, the stoves, the water

Brandon Wiltrout, Gibson-Thomas Engineering – Sure

Mr. Moskal – Anything of that nature. Wouldn't that be in the drawings professionally done?

Brandon Wiltrout, Gibson-Thomas Engineering – No, that would be in the building permit documents

Mr. Moskal – Ok, well wouldn't we want to see that before we would approve something like that for the kitchen?

Brandon Wiltrout, Gibson-Thomas Engineering – Uh, that would be

Mr. Moskal – That's my opinion. That's my opinion

Brandon Wiltrout, Gibson-Thomas Engineering – That's more for the engineering site plan. The kitchen would be approval through code enforcement

Mr. Moskal – Alright. Also, we're talking about you're an engineer, right. These are your plans, right

Brandon Wiltrout, Gibson-Thomas Engineering – Yes

Mr. Moskal – I'm just curious because I'm a Polak, and the thing about it here is that where is your dumpster at?

Brandon Wiltrout, Gibson-Thomas Engineering – So, if you look on

Mr. Moskal – And what size dumpster are you putting into that refuse for the space down there, and how much did you allow for the size for the ingress and egress of that dumpster there?

Brandon Wiltrout, Gibson-Thomas Engineering – Sure. So, if you look at drawing PR1, you'll see the exit at the rear of the building

Mr. Moskal – Right, which is 4½ feet

Brandon Wiltrout, Gibson-Thomas Engineering – Uh roughly. I don't have my scale on me, but yeah it's big enough that we can get a small unit dumpster in there or just multiple cans

Mr. Moskal – Well cans wouldn't be allowed

Brandon Wiltrout, Gibson-Thomas Engineering – Ok, so a small dumpster then

Mr. Moskal – Because supposedly this is going to be a business, and now their asking to serve food in there and the whole nine yards, correct?

Brandon Wiltrout, Gibson-Thomas Engineering – Sure

Mr. Moskal – So, it's actually going to be a business, it's going to have to have a dumpster, correct?

Joe Dalfonso, Solicitor - Yep

Brandon Wiltrout, Gibson-Thomas Engineering – Ok, yeah then you can fit the smallest dumpster

Mr. Moskal – Ok, well looking at your drawings here, is there going to be any windows, or any egress or openings on the northwest side of your building that you have here?

Brandon Wiltrout, Gibson-Thomas Engineering – On Euclid Ave or Perry Como?

Mr. Moskal – Uh, if I'm looking at it from Euclid Ave, coming down supposedly the space for a parking lot on the right, you have 28.4 space going across there is there going to be any openings for garage door windows open to the public or is that just going to be a solid wall without windows?

Brandon Wiltrout, Gibson-Thomas Engineering – I believe there are going to be windows across the front, I don't know for sure

Mr. Moskal – Well the windows are already in across the front. There not even put in here to indicate the drawings in there, but my main concern is that there is going to be an opening on that side, open up so that in case he decides to have a rowdy party or too much noise in his whatever he is calling this thing, and he opens it up and all of the

residents, and even me where I live will be able to here the music and whatnot like they do at his other place

Brandon Wiltrout, Gibson-Thomas Engineering – At that point, I guess, building specific items for interior that would be addressed by the

Mr. Moskal – That's not your concern for that part

Brandon Wiltrout, Gibson-Thomas Engineering – Correct

Mr. Moskal – Alright. It would be in his best interest to be here, don't you think?

Brandon Wiltrout, Gibson-Thomas Engineering – Well that would be again

Mr. Moskal – Ok. Thank you

Brandon Wiltrout, Gibson-Thomas Engineering – He's out of town. This was a preplanned vacation

Moment of silence, shuffling of papers

Brandon Wiltrout, Gibson-Thomas Engineering – Anything else?

Mr. Moskal – Wait a second. One more thing. How many people is this building able to hold?

Brandon Wiltrout, Gibson-Thomas Engineering – In the requested documents, it's twenty-four (24)

Mr. Moskal – No, no, no. I didn't ask that. This size building, the space for this building, how many people is this occupancy allowed to have?

Brandon Wiltrout, Gibson-Thomas Engineering – What size person?

Mr. Moskal – What's that?

Brandon Wiltrout, Gibson-Thomas Engineering – What size person are we talking

Mr. Moskal – What's stated for the code? If I have, because we have one hundred fifty-eight (158) people maximum occupancy in this room right here, one hundred fifty-three (153) sorry my eyes are bad. One hundred fifty-three (153) are occupancy in this size area right here

Brandon Wiltrout, Gibson-Thomas Engineering – Ok

Mr. Moskal – So, you're saying that you're only going to have twenty-four (24) in a space that can easily hold two hundred (200).

Brandon Wiltrout, Gibson-Thomas Engineering – Sure, but that's

Mr. Moskal – Whoa, whoa, ok well you can't answer that

Joe Dalfonso, Solicitor - Let me take it

Brandon Wiltrout, Gibson-Thomas Engineering – I can't answer that

Mr. Moskal – I know you can't

Joe Dalfonso, Solicitor – So, there's a calculation that's made for occupancy, number of people permitted to be in the building, correct?

Brandon Wiltrout, Gibson-Thomas Engineering – Mhm

Joe Dalfonso, Solicitor – Do you run those calculations?

Brandon Wiltrout, Gibson-Thomas Engineering – I've not gone max occupancy because we requested a reduced number

Joe Dalfonso, Solicitor – So, in other words, the applicant is requesting a condition as part of the conditional use, that he limits occupancy to twenty-four (24) people

Brandon Wiltrout, Gibson-Thomas Engineering – Correct

Joe Dalfonso, Solicitor – Based on the parking spaces, in other words, the applicant tried to back into the zoning ordinance to meet the off-street parking requirements, yes

Brandon Wiltrout, Gibson-Thomas Engineering – Correct. We are trying to read the ordinance right

Joe Dalfonso, Solicitor – Ok. Um, so, with that, you didn't look at what the maximum occupancy in this building would be

Brandon Wiltrout, Gibson-Thomas Engineering – No, because we don't intend on having more than the twenty-four (24) that is requested

Joe Dalfonso, Solicitor – Let's talk about that. How's he going to enforce that?

Brandon Wiltrout, Gibson-Thomas Engineering – The same as any other business, it would be the employees as they were on shift

Joe Dalfonso, Solicitor – That's so it's going to be self-policing in other words?

Mr. Bilsky – It's self-policing from what I read in most recent, uh. It says, "part two (2) of article eight (8) occupancy will be controlled and monitored by the employees

Brandon Wiltrout, Gibson-Thomas Engineering – Correct

Mr. Bilsky – And the proposed floor plan will provide seating for twenty-four (24) occupants

Joe Dalfonso, Solicitor – Is there the proposed floor plan that shows the seating here on any of these?

Brandon Wiltrout, Gibson-Thomas Engineering – The seating area, we haven't laid out the table size or anything like that

Joe Dalfonso, Solicitor – So, theoretically, the borough could grant the conditional use, grant the request from the applicant, and you could put in more tables to hold additional people than the twenty-four (24), correct

Brandon Wilttrout, Gibson-Thomas Engineering – Sure, but again they would be in violation of the condition, and they would be shut down and everything would be rescinded so it's not advantageous for the owner to do so

Joe Dalfonso, Solicitor – Do you do a lot of work for municipalities by chance?

Brandon Wilttrout, Gibson-Thomas Engineering – Gibson-Thomas does, yeah

Joe Dalfonso, Solicitor – What municipalities do you represent?

Brandon Wilttrout, Gibson-Thomas Engineering – I personally don't represent any.

Joe Dalfonso, Solicitor – Ok. Um, are you aware of the majority, code enforcement, fire inspector they work during the day?

Brandon Wilttrout, Gibson-Thomas Engineering – Sure

Joe Dalfonso, Solicitor – So, it would be pretty hard for the borough to enforce this after hours when most people would tend to visit microbreweries, and on the weekends of course, correct

Brandon Wilttrout, Gibson-Thomas Engineering – Ok, but is there someone on call in the borough though, like if there were a complaint because I am not sure how you guys run things, just out of general curiosity. Someone would have to call in a complaint, correct and then that would be investigated

Mr. Bilsky – Yeah. The police would be

Melissa Graff, Code and Zoning Enforcement Officer – It would have to go through the police department

John Defilipo – Does the engineer have any comments?

Jeff Marcink, KLH Engineers – As far as the engineering, um, the original definition calling it a microbrewery, I was questioning that, but the applicant stated that all of the brewing will take place in the basement. So as far as any health department, they already identified on their application they know they have to comply with the health department, and obviously any state and federal regulations for that establishment as well. Then any of the further building reviews are part of the building permit process, so that's when they would be showing you all of the details, how many seats are going to be in there, where each vat is going to sit, each piece of equipment they will have in the establishment. In article five (5), the ordinance does require a buffer area and landscaping whenever a development is along a residential property line. So, we actually did receive a letter from the neighbor, Mr. Dukis, and he actually requested a privacy fence in lieu of a landscape buffer, so I guess that's up to you guys to make that determination if that's acceptable. It would be a six (6) foot privacy fence which would give more privacy immediately as opposed to some shrubs that would have to grow in.

Mr. Bilsky – He's not here tonight, Mr. Dukis?

Audience – No

Mr. Bilsky – Does anyone in the audience spoken with him to get his opinion?

Missy Monahan – He's conflicting. One day you talk to him, he is for this, the next day you talk to him, he isn't.

Mr. Bilsky – Ok

Missy Monahan – He wants the fence. He wants trees. It's not an adequate

Mr. Bilsky – Ok. Alright, I was just trying to get what his feeling may or may not be

John Defilipo – Ok

Jeff Marcink, KLH Engineers – As far as the parking spaces, the applicant did state their maximum occupancy they requesting to be limited to twenty-four (24) with their revised parking layout. They do have eight (8) parking spaces for the microbrewery, and they did designate two (2) of the parking spaces for the apartment, so there are two (2) designated for the apartment that nobody else can park in. As we were just discussing, it did state that they are essentially self-policing the occupancies controlled and monitored by the employees, and their proposed floor plan will provide seating for twenty-four occupants. There was also an intermediate email between myself and Gibson-Thomas on June 28th, so there was a couple comments about the egress onto Perry Como. I questioned that due to some of the on-street parking. The relation of that egress to the corner of Dogwood Alley, likely there wouldn't cars being parked that close to the corner, and the applicant did state that's where the original preconstruction access to the house was located. I did request some sort of buffer or delineation between parking spaces eight (8) and nine (9) and Dogwood Alley to keep cars from pulling in and out from that side. Mr. Wiltrout did state that there would be a grass buffer there. I think we might, I didn't add this is in but this is part of our review, the do have railroad ties to delineate each of the other parking spaces, maybe we add some railroad ties along that side as well to give it a physical barrier, we've see people drive through grass before. Outside of that, the only other kind of duplicate comment(s) that was in that email was that buffer zone along that neighboring parcel. Otherwise, it is administratively and technically complete on the engineering aspects along with your zoning ordinance, but of course the borough has the right to add any other comments to the letter or set any other further conditions that may be required

Mr. Moskal – Or deny it because they are asking for a conditional use

Jeff Marcink, KLH Engineers – Correct

Mr. Bilsky – Question. For the, how many handicapped spots are required in order to comply with ADA?

Brandon Wiltrout, Gibson-Thomas Engineering – One (1) ADA space

Mr. Bilsky – One for this?

Brandon Wiltrout, Gibson-Thomas Engineering – Yes

Mr. Moskal – For twenty-four (24)

Mr. Bilsky – Yeah, for twenty-four (24), I understand, and it goes. What are the increments that dictates, does it go up every twenty-five (25)? Do you know what the

Jeff Marcink, KLH Engineers - There is a table, I don't know Brandon if you have that

Brandon Wiltrout, Gibson-Thomas Engineering – I got the ordinance here. I am sure I can find it

Mr. Bilsky – Yeah, sorry

Brandon Wiltrout, Gibson-Thomas Engineering – Table 8-4 Required Accessible Parking, for one (1) to twenty-five (25) spaces, you are required to have one (1) ADA space

Mr. Bilsky – Ok

Brandon Wiltrout, Gibson-Thomas Engineering – Then twenty-six (26) to fifty (50) is two (2)

Mr. Bilsky – Oh yeah

Brandon Wiltrout, Gibson-Thomas Engineering – And if you have multiple ADA spaces, one of them is required to be a van space. So, our single space is van accessible

Mr. Bilsky – Ok. Thank you

Mr. Moskal – Can I say something. I didn't mean to bark at you. I wanted to bark at the owner for not being here. My venting is not directly at the engineer

Brandon Wiltrout, Gibson-Thomas Engineering – That's fine. I can answer to the best of my ability

Mr. Bilsky – Yeah

John Defilipo – We've had a lot of comments against this brewery being located here on Perry Como Ave and uh

Mr. Moskal – I'd like to make a motion

John Defilipo – I beg your pardon

Mr. Moskal – I'd like to make a motion

John Defilipo – Alright

Mr. Moskal – I'd like to make a motion to deny the request for the brewery to move in

John Defilipo – We have a motion for denial. We have a second?

Joe Dalfonso, Solicitor – Keep in mind it is the recommendation of council for the conditional use hearing

John Defilipo – We have a second?

Mr. Bilsky – Second

Mr. Moskal made a motion to deny the request for the brewery to move in. Seconded by Mr. Bilsky. All in favor. Motion Carries.

6. Old Business

None.

7. Adjournment:

Mr. Bilsky made a motion to adjourn the meeting at 7:26 PM. Seconded by Mr. Moskal.

Meeting adjourned at 7:26 PM.

Submitted by: Melissa Graff