Call to Order
Council President Jennifer Bett called the meeting to order at 7:07 p.m.

Pledge of Allegiance

Council Members Present
Jennifer Bett, Michele Boyd, Henry Casale, David Stoeckle

Council Members Absent
Earl Bohn, Megan Dolan, Kenneth Opipery

Others Present
Mayor Melanie Holcomb
Terrie Patsch, Borough Secretary

Public Participation – no public participation

Administration Report – Report given by Michele Boyd
Ms. Boyd reported that Mr. Bohn is editing a draft of the performance review of the Borough Secretary for the personnel records.

Ms. Boyd also reported that Mr. Bohn is continuing to explore the possibility of subcontracting with neighboring municipalities to obtain code enforcement services.

Ms. Boyd requested that the Borough begin the process to provide a laptop for Public Works Foreman, Dale Regrut, citing the upcoming roadwork and sewer repair season workload.
**Public Affairs / Communications Report** – *Report given by Jennifer Bett*
Ms. Bett reported the website and Facebook page will continue regular updates on roadwork as the information becomes available. Ms. Bett also informed council that as of June 3, Ben Avon’s Savvy Citizen account shows 723 subscribers.

Ms. Bett stated that she is waiting for the solicitor’s input on the letter she composed to be sent to the Airbnb’s in the community.

**Public Safety/Code Enforcement Report** – *Report given by David Stoeckle*
Mr. Stoeckle reported that Mr. Opipery, Mr. Regrut and Mr. Flaugh (Gateway Engineers) presented a solution to a drainage concern recently reported by Mr. Colenbrander, 7001 Woodland Avenue. Mr. Colenbrander agreed to the proposal, with the understanding it may take some time to repair based on the vendor’s availability.

Mr. Stoeckle reported a meeting on Friday, May 24, with members from Building Underwriter’s Inc. (BIU) – Regional Manager Denise Germanowski, Inspectors Ron Mulcahy and Mike McDermott, and Borough Secretary Terrie Patsch. This meeting was held to review processes and facilitate communication with the company in order to establish improved record-keeping and accountability.

Mr. Stoeckle also stated that in conversation with BIU concerning the condition of sidewalks in the Borough, some consideration was given to the possibility of a proactive inspection approach in the future once the public has been informed and opportunity given to allow residents plenty of time to repair prior to enactment.

**Public Works Report** – *No Report given*

**Quaker Valley COG Report** – *No Report Given*

**New Business**

**Upcoming Meetings**
Mayor Melanie Holcomb reported she will attend an Allegheny County Clean Air Now (ACCAN) committee meeting this week. Mayor Holcomb also plans to attend another meeting this week which will address the possibility of increased railroad traffic and it’s effect on the community.

**Emergency Management System**
Ms. Bett reported a meeting with Kilbuck and Emsworth representatives will be rescheduled to discuss shared resources between the communities in case of an emergency. This is an early step in the emergency management plan facilitated by QV COG.
Old Business
Avon Park Pipeline Work
Ms. Bett reported that although she has reached out to representatives from Kilbuck Township, she has been unable to connect with anyone concerning the restoration of Avon Park. Ms. Bett plans to call Harry Dilmore to address the restoration.

Adjournment
President Jennifer Bett adjourned the meeting at 7:40 p.m.

Respectfully submitted,

Terrie Patsch
Ben Avon Borough Secretary
QUAKER VALLEY COUNCIL OF GOVERNMENTS
8306 Ohio River Boulevard, Pittsburgh, PA 15202
412-766-7458 | Fax: 412-766-1066 | www.qvcog.org

Zoning Technical Assistance Program
October 2017

Participating municipalities share the services of a zoning consultant provided by the Quaker Valley Council of Governments to assist, guide and advise them and/or their respective Zoning Officers regarding any zoning issues that arise in conjunction with the administration, enforcement and interpretation of a participating municipality's zoning ordinance. The primary benefit of the arrangement is to (a) provide the participating municipality with qualified (AICP) staff and (b) administer zoning regulations efficiently and effectively for the member municipalities. Greater professionalism will result in better application of ordinances and improved development outcomes, reduce the issues of compliance with the Municipalities Planning Code, improved public service and greater efficiency of municipal operations.

The program is rooted in the following principles:

- Elected officials can and should be responsible for differentiating the nature of zoning from other municipal services, including the important role local governments play in the implementation of the Pennsylvania Municipalities Planning Code.
- Zoning is among the most important and high impact activities of local government. Done right it is a positive force for community development; done poorly results in undesirable land uses and the potential of lawsuits.
- Small municipalities lack the volume of zoning activity to justify full-time personnel, often relying on code enforcement or building inspection personnel to perform this important policy implementation role. A need exists for professional zoning administration services on a time-sharing and cost savings basis.

Consistent with these principles, the Quaker Valley Council of Governments provides services and advice based upon an activity based fee schedule. Services provided include:

- Provide a participating municipality with a qualified zoning consultant to support and assist in the performance of technical reviews of zoning permit applications, conditional use permit applications, and applications for special exceptions or variances.
- Provide a participating municipality with a qualified zoning consultant to support and assist in enforcing the municipal zoning ordinance and to review and recommend approval or denial of zoning permits in accordance with municipal ordinances.
- Provide a participating municipality with a qualified zoning consultant to serve as a single point of contact for municipal elected officials and staff for providing technical assistance, receiving applications, and performing reviews of applications under municipality's zoning ordinance.
- Provide a participating municipality with a qualified zoning consultant to support and assist in performing reviews of applications for subdivision and land development for compliance with the municipal zoning ordinance.
- Develop and issue quarterly management reports on zoning activities.
- Provide a participating municipality with a qualified zoning consultant to support and assist in presenting facts, records, or information to assist in decision making when requested by the planning commission, governing body, or zoning hearing board.
- Provide a participating municipality with a qualified zoning consultant to develop and utilize uniform submission requirements, forms, and review procedures for zoning permit applications, conditional use permit applications, and applications for special exceptions or variances.
- Pursue the development and utilization of an electronic web portal for use by a participating municipality to submit applications and other material for review.
- Provide a participating municipality with a qualified zoning consultant to render training and technical assistance as requested.

This program allows for predictability and value for participating municipalities by setting a price list. However, each municipality may establish additional services on a fee for service basis based upon their needs. The current price list is as follows:

- Annual Enrollment fee: $500
- Hourly Rate for technical assistance, $85
- Dimensional Reviews: Accessory Structures and Single Family New Structure or Additions: $30
- Commercial Principal Structures, Additions, and all principal structures requiring land development approval: $180
- Commercial Occupancy Permits: $150
- Zoning Review Letter (zoning compliance of subdivisions or land developments if required by Allegheny County) $60 for Subdivisions, $150 for land development.
- Hourly Rate for conditional use review, zoning hearings, zoning map amendments, ordinance revisions, and general consulting: $75 (passed onto applicant for conditional use and rezoning requests)
- Hourly Rate for enforcement (notice preparation and hearing attendance related to enforcement) $60.
- Monthly retainer (provides up to 2 hours of time for calls for staff or public) $120

A Resolution or Motion approving a contact is required prior to participation. Rates quoted are for Quaker Valley COG Members or municipalities in good standing with their Council of Governments. Municipalities not members of a COG may participate at an increased rate; contact QVCOG Executive Director for more information.

Contact: Susan G. Hockenberry, Executive Director, shockenberry@qvcog.org; 412.766.7460
Quaker Valley Council of Governments

Zoning Technical Assistance

Proposal for Ben Avon Borough

Susan G. Hockenberry, Executive Director
Chris Rearick, AICP

Purpose of the Program

• Proper zoning administration is difficult for small communities
• Built-out Boroughs need effective land use management programs the most
  • Older properties—more likely candidates for alteration of uses
  • Community character is on line. Bad zoning administration risks uses occurring that diminish value
  • Need the greatest for professional services; least likely to have access due to budget constraints and lack of new development to fund ut
• Zoning is misunderstood in the context of the repertoire of community development tools (zoning, building codes, property maintenance, rental property registration)
The trend favors shared approach

- Uniform Construction Code created a supplier market of building inspection services
- No corresponding zoning mandate
- Zoning in PA is complicated and technical
- No state requirement that certified planners do zoning work
- AICP planners, the most qualified, are in sprawl communities that can justify the expense through other development related revenues
- Zoning done incorrectly can lead to expensive lawsuits

A Quick Review – What is zoning?

- Zoning relates to permissible uses of land
- Zoning Permits indicate compliance with the zoning ordinance
- It is not:
  - The Uniform Construction Code stipulates building rules
  - The property maintenance code stipulates standards of care for structures and properties.
- Zoning Ordinances offer property owners options meet the spirit of zoning
  - Variances granted by Zoning Hearing Board; Special Exceptions granted by Council
- Zoning functions through the Governing Board, Planning Commission, Zoning Hearing Board, administration
- Special provision in the Municipalities Planning Code govern
  - Subdivision and Land Development
What is Zoning Administration and Zoning Technical Assistance

- The administrative and decision-making processes that assure a fair application of the rules
- Zoning technical assistance is expertise offered to municipalities performing zoning administration
  - Staff
  - Planning Commission and Zoning Hearing Boards
  - Council
- It is not a substitute for legal advice when legal advice is needed. However it reduces the frequency of the need

QVCOG Zoning Technical Assistance

- Based on the concept of time sharing
- Fees are based on the nature of the work
- Highest standards of professionalism
- Technology streamlines the process and helps maintain customer service and accountability
How it works

- Borough designates a zoning officer, does not appoint the QVCOG
- QVCOG provides a AICP certified expert to provide technical assistance
  - Agreement between Borough and QVCOG
  - Agreement between the QVCOG and the Consultant
  - Consultant is "Eyes on First" Every permit is reviewed for a zoning implication
  - Fees for services based on that review are according to a fee schedule
  - Annual enrollment and monthly retainer (includes limited phone consults)
  - Accomplishes work through cloud based project management system

"Eyes on First"
Next Steps

- Questions
- Agreement between QVCOG and Ben Avon Borough
  - Fees
  - Term
- Training for staff on workflow
- Implementation