



BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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NOV 7 2016 AM 10:46

In Re: Application of The Gateway Engineers, Inc. to register as
an Utility Valuation Expert (UVE) in the Commonwealth
of Pennsylvania

Docket No: M-2016-2543193

Check one:

Fee: X \$125 fee enclosed

- ☐ Initial Application
X Renewal Application

1. Legal Name of the Applicant: The Gateway Engineers, Inc.

Attach proof of compliance with appropriate Pennsylvania Department of State filing
requirements.²
Attachment 1

2. Trade or Commercial or Fictitious Names Used by Applicant (d/b/a):

☒ Check this box if the Applicant will not be using a fictitious name.

☐ Check this box if the Applicant will be using a fictitious
business as) another name and identify names below
the back of this page or append list to completed a

using a d/b/a (doing
business as) is needed, list names on

TD
"FOR
ANGEL"

3. Applicant Address:

Street Name & Number: 100 McMorris Road

Post Office Box: _____

City: Pittsburgh

State: PA

Zip Code: 15205

Telephone Number: 855-634-9284

Email Address: jjesso@gatewayengineers.com

Website Address: https://www.gatewayengineers.com/

² A copy of any document from the Pennsylvania Department of State (Pa. Dept. of State) documenting the Applicant's
Pa. Dept. of State entity number is adequate. However, the document must indicate that the Applicant's Pa. Dept. of
State registration is "active." Certified copies of Pa. Dept. of State documents are not required.

Application for Registration as a Utility Valuation Expert (UVE)

4. Point of Contact for this Application:³

Name: Jason D. Jesso

Title: Chief Executive Officer

Complete the following if different than above:

Street Name & Number: _____

Post Office Box: _____

City: _____

State: _____

Zip code: _____

Telephone Number: _____

Email address: _____

5. Parent & Subsidiary Companies & Affiliates:

☐

Parent Name and Contact Information. Provide name and contact information for parent company. Check box if any parent company is currently doing business in Pennsylvania as a UVE or WWDC. If none, do not check the box; insert NONE below.

Parent Name: None

Street Name & Number: None

Post Office Box: None

City: None

State: None

Zip Code: None

Telephone Number: None

Email Address: None

Website Address: None

☐

Subsidiaries and Contact Information. Provide name and contact information for all subsidiary companies. Check this box if any subsidiary is currently doing business in Pennsylvania as a UVE or WWDC. If none, do not check the box; insert NONE below.

Subsidiary Name: None

Street Name & Number: None

Post Office Box: None

City: None

State: None

Zip Code: None

Telephone Number: None

Email Address: None

Website Address: None

(Copy above information and paste on separate sheet as necessary for additional Subsidiaries)

³ PLEASE NOTE: Upon approval of this application, this Contact Information will be listed on the Commission's UVE Registry.

Application for Registration as a Utility Valuation Expert (UVE)

- ☐ ***Affiliates and Contact Information.*** Provide name and contact information for all affiliated companies. Check box if any affiliate is currently doing business in Pennsylvania as a UVE or WWDC. If none, do not check the box; insert NONE below.

Affiliate Name:	None
Street Name & Number:	None
Post Office Box:	None
City:	None
State:	None
Zip Code:	None
Telephone Number:	None
Email Address:	None

(Copy above information and paste on separate sheet as necessary for additional Affiliates)

6. Contracts & Business Partnerships:

- ☐ Check box if Applicant intends to or has operated under contract with or has partnered with an WWDC within the past five (5) years. Otherwise, insert NONE here: None.
- ☐ Check box if Applicant intends to or has operated under contract, subcontracted or partnered with a UVE within the past five (5) years. Otherwise, insert NONE here: None.

If applicable, provide name(s) of WWDC(s) and UVE(s) and contact information for each and briefly describe the nature of business services associated with each contract and/or partnership. Attach additional pages as needed.

None

- 7. Identify principal officers (i.e., owners, executives, partners and/or directors, etc.), as appropriate for Applicant's organizational structure. Provide an organizational chart and the names, titles, business addresses and telephone numbers for each office.**

See Attachment 2

- 8. Attach to this Application a brief biography or single page professional resume for all principal officers and management directly responsible for Applicant's operations.**

See Attachment 3

- 9. Provide Applicant's Federal Employer Identification No. (EIN): 25-1006946**

Application for Registration as a Utility Valuation Expert (UVE)

10. Registered Agent

- a. If the Applicant does not maintain a principal office in the Commonwealth, the Applicant is required by the Pennsylvania Department of State to designate an approved Registered Agent as its representative in the Commonwealth. Check one of the boxes below, as applicable:

☒ YES, the Applicant has registered its business with the Pennsylvania Department of State. Following is the Name and Contact information for the Applicant's Registered Agent approved by the Pennsylvania Department of State.

Registered Agent:	Jason D. Jesso
Street Name & Number:	100 McMorris Road
Post Office Box:	
City:	Pittsburgh
State:	PA
Zip Code:	15205
Main Telephone Number:	855-634-9284
Email Address:	jjesso@gatewayengineers.com
Website Address:	https://www.gatewayengineers.com/

☐ NO, the Applicant has not registered its business with the Pennsylvania Department of State.

 **STOP**—To avoid denial of your application and forfeiture of your application fee, contact the Pennsylvania Department of State Bureau of Corporations to register as a business entity within the Commonwealth PRIOR TO completion and filing of this application with the Pennsylvania Public Utility Commission.

- b. Applicant has registered its business with the Pennsylvania Department of State. Please check appropriate registration type for Applicant as designated with the Department.

- ☐ Sole proprietor
- ☒ Domestic corporation (none)
- ☐ Domestic general partnership
- ☐ Domestic limited liability company
- ☐ Domestic limited liability partnership
- ☐ Foreign corporation
- ☐ Foreign general or limited partnership
- ☐ Foreign limited liability company
- ☐ Foreign limited liability general partnership
- ☐ Foreign limited liability limited partnership

Application for Registration as a Utility Valuation Expert (UVE)

- c. If Applicant is not domiciled in the Commonwealth of Pennsylvania and is registered as a "foreign" entity as identified above, please identify all other states where applicant is registered and name the appropriate state department(s):

N/A

11. Technical Fitness

Attach to this Application a copy of any certification(s) or similar documentation that would demonstrate the technical fitness of Applicant, such as professional licenses, technical certifications, and/or names of current or past clients with a description of dates and types of services provided by Applicant.

Attachment 4

Attachment 5

12. Falsification

The Applicant understands that the making of false statement(s) herein may be grounds for denying the Application, or if later discovered, for revoking any authority granted pursuant to the Application. This Application is subject to 18 Pa. C.S. §§4903 and 4904, relating to perjury and falsification in official matters.

Signature of Principal Official: _____

Official's Name & Title : Jason D. Jesso, Chief Executive Officer
(Please Print)

Date: 10/27/2025

Application for Registration as a Utility Valuation Expert (UVE)

APPENDIX A

AFFIDAVIT

[Commonwealth/State] of Pennsylvania:

SS.

County of Allegheny :

Jason Jesso, Affiant, being duly sworn or affirmed according to law, deposes and says that:

Affiant is the Chief Executive Officer (Office of Affiant) of The Gateway Engineers, Inc. (Name of Applicant);

That Affiant is authorized to and does make this affidavit for said Applicant;

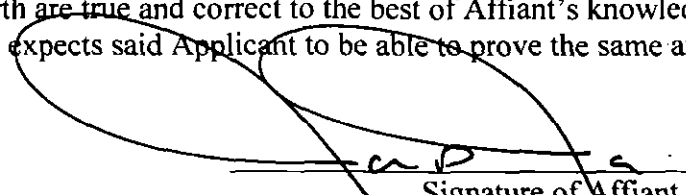
That Jason Jesso, the Applicant herein, has the burden of producing information and supporting documentation demonstrating technical fitness to be registered as a Utility Valuation Expert pursuant to Section 1329. 66 Pa. C.S. § 1329.

That Jason Jesso, the Applicant herein, acknowledges that it has answered the questions on the application correctly, truthfully and completely and has provided supporting documentation as required.

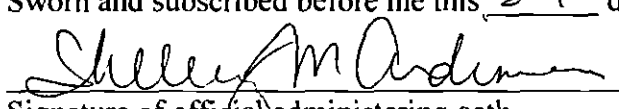
That Jason Jesso, the Applicant herein, acknowledges that it is under a duty to update information provided in answer to questions on this application and contained in supporting documents.

That Jason Jesso, the Applicant herein, verifies that neither the UVE nor the UVE's firm, including affiliates, have a conflict of interest that would compromise, or have the appearance of compromising, the UVE's professional judgement and ability to perform the valuation in an unbiased manner.

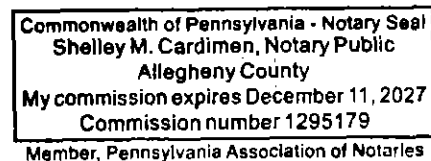
That the facts above set forth are true and correct to the best of Affiant's knowledge, information, and belief, and that Affiant expects said Applicant to be able to prove the same at hearing.


Signature of Affiant

Sworn and subscribed before me this 24 day of October, 2025.


Signature of official administering oath

My commission expires: 12/11/2027



Attachment 1

Business Search

As of 10/24/2025 we have processed all business filings received in our office through 10/22/2025

Business Search Info:

Gateway engineers



Advanced

Results: 1

Filing Information	Initial Filing Date	Status	Entity Type	Formed In	Address
THE GATEWAY ENGINEERS, INC. (132521)	03/17/1954	Active	Domestic Business Corporation	PENNSYLVANIA	100 MCMORRIS RD, PITTSBURGH, PA 15205

THE GATEWAY ENGINEERS, INC. (132521)



Initial Filing Date	03/17/1954
Status	Active
Formed In	PENNSYLVANIA
Filing Type	Domestic Business Corporation
Filing Subtype	Business
Principal Address	100 MCMORRIS RD, PITTSBURGH, PA 15205
Registered Office	100 MCMORRIS RD, PITTSBURGH, PA 15205 County: Allegheny
Officers	President Daniel S. Delseroth Secretary Daniel S. Delseroth Treasurer Jason D. Jesso Other Jason D. Jesso
Governors	Governor Daniel S. Delseroth Governor Jason D. Jesso Governor William E. Lestitlan Governor Michael C. Zavoine Governor William S. Rusmisse

Attachment 2



Ownership Breakdown as of 04/04/2025

Count	Initials	Shareholder	Total # of Shares	Percent
1	MGA	Albright, Michael G.	3,200	2.8%
2	MEB	Bagaley, Matthew E.	9,850	8.5%
3	RRB	Berner, Ryan R.	4,650	4.0%
4	JAB	Brethauer, James A.	4,350	3.7%
5	CKD	Diebold, Chelsea K.	850	0.7%
6	SMD	Donnelly, Sean M.	8,650	7.4%
7	BWF	Flaugh, Bryan W.	1,925	1.7%
8	MJC	Galet, Michael J.	850	0.7%
9	JEG	Garczewski, Jonathan E.	1,600	1.4%
10	MJH	Haberman, Michael J.	2,800	2.4%
11	KPH	Hannegan, Kevin P.	6,450	5.5%
12	DMH	Heath, David M.	5,450	4.7%
13	ACJ	Jarquin, Alberto C.	4,700	4.0%
14	JDJ	Jesso, Jason D.	23,000	19.8%
15	DJL	Lazic, Dragan J.	1,850	1.6%
16	KMN	Nadalin, Kevin M.	2,350	2.0%
17	MAO	Ogin, Michael A.	7,200	6.2%
18	MWR	Reidenbach, Mark W.	2,700	2.3%
19	ALR	Richardson, Aaron L.	10,350	8.9%
20	WSR	Rusmiser, W. Scott	11,600	10.0%
21	JMS	Scanlon, Joshua M.	850	0.7%
22	JHS	Sites, Joseph H.	1,100	0.9%
			116,325	100.0%



GATEWAY ENGINEERS

A FULL-SERVICE CIVIL ENGINEERING FIRM



100 McMorris Road
Pittsburgh, PA 15205



412-921-4030



GatewayEngineers.com

ORGANIZATIONAL STRUCTURE

The Gateway Engineers is a full-service civil engineering and consulting firm with multiple offices that can design and manage a project from concept to completion. For more than 70 years, the company has been at the forefront of innovation in the engineering industry. Today, the company effectively and efficiently manages literally thousands of projects a year for a diverse group of clients throughout the country.

CLIENT SATISFACTION BY DESIGN: OUR PROJECT MANAGEMENT SYSTEM

Gateway strives to meet—and exceed—client expectations on every project, regardless of size or scope. To ensure that we do, we designed a comprehensive, project-focused structure and support program known as the Gateway Project Management System.



GATEWAY ENGINEERS OFFICES

HEADQUARTERS

100 McMorris Road
Pittsburgh PA 15205

SATELLITE OFFICES:

122 West Brady Street
Butler, PA 16001

101 South Raiford Street
Selma, NC 27576

ENVIRONMENTAL HEALTH & SAFETY: OUR COMMITMENT

Doing business with Gateway Engineers means you are working with an organization that operates safely. It is much more than a promise - it's a core value.

FULL-SERVICE CIVIL ENGINEERING



ASSET MANAGEMENT



MUNICIPAL



ENVIRONMENTAL



STRUCTURAL



GEOTECHNICAL



SURVEYING



LAND DEVELOPMENT

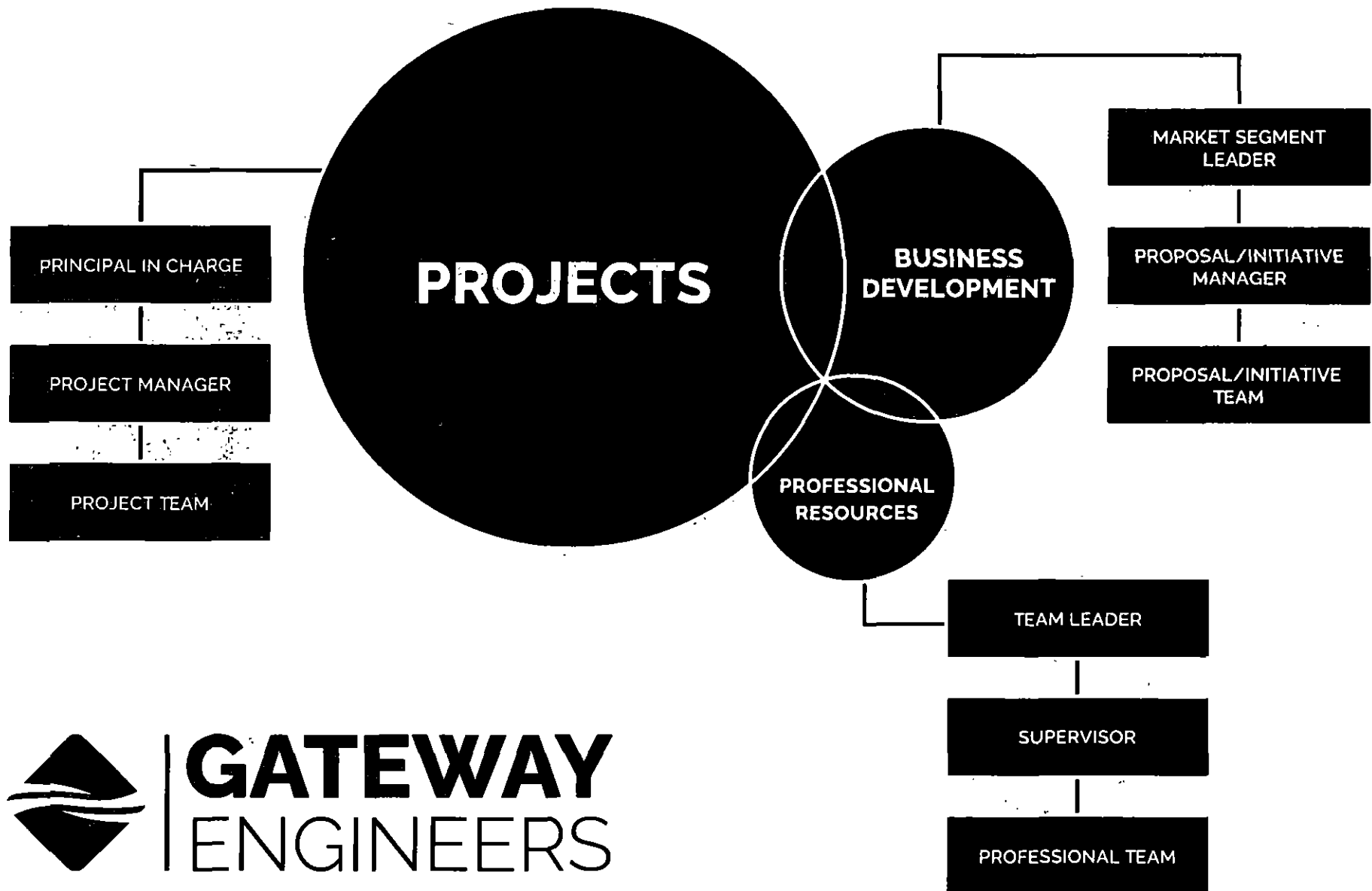


TRANSPORTATION

"For over 15 years as CDO of Popeyes Arbys and Buffalo Wild Wings I have been involved in 2,000+ new restaurant projects. I've worked with several top civil engineering firms and Gateway Engineers is clearly one of those firms. Their partnership, responsiveness and drive to find solutions on difficult sites is a clear advantage to anyone building in today's environment."

GREG VOJNOVIC, CFE
CEO/PRESIDENT
VICKERY CREEK LLC

PROJECT-FOCUSED ORGANIZATION





A FULL-SERVICE CIVIL ENGINEERING FIRM

AS OF AUGUST 2025
ENGAGE PHASE
NUMBER OF EMPLOYEES: 7



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SAFETY TIER 4



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SAFETY TIER 3



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SAFETY TIER 4



GATEWAY ENGINEERS

A FULL-SERVICE CIVIL ENGINEERING FIRM

AS OF AUGUST 2025

PREPARE PHASE
NUMBER OF EMPLOYEES: 1



**JOSEPH A.
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SAFETY TIER 2



GATEWAY ENGINEERS

A FULL-SERVICE CIVIL ENGINEERING FIRM

AS OF AUGUST 2025

DEVELOP PHASE
NUMBER OF EMPLOYEES: 15



1

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SAFETY TIER 3



2

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SAFETY TIER 3



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10

SAFETY TIER 3

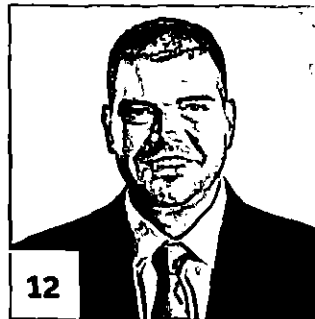


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SAFETY TIER 3



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13

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SAFETY TIER 4



A FULL-SERVICE CIVIL ENGINEERING FIRM

AS OF AUGUST 2025

IMPROVE PHASE
NUMBER OF EMPLOYEES: 40



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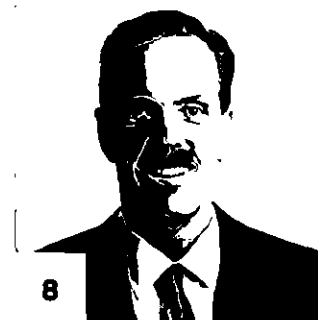
SAFETY TIER 1



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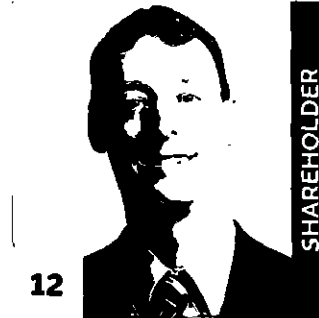
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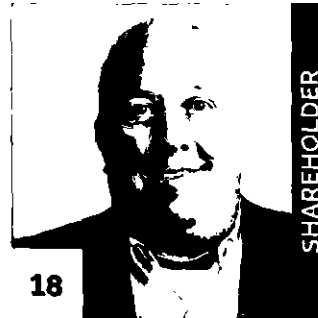
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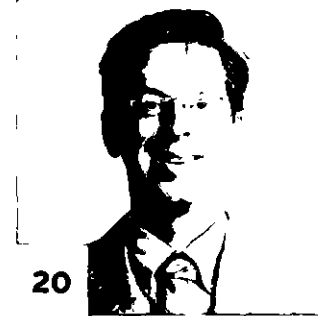
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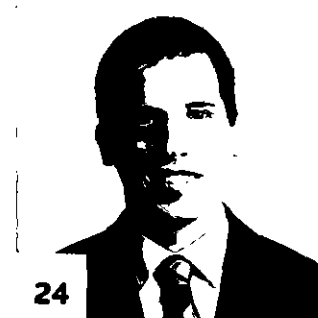
SAFETY TIER 4



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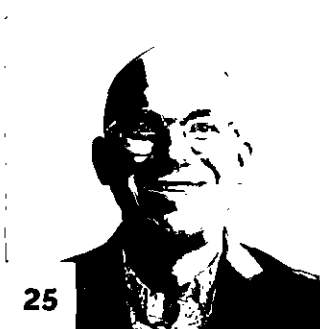
SAFETY TIER 4



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SHAREHOLDER



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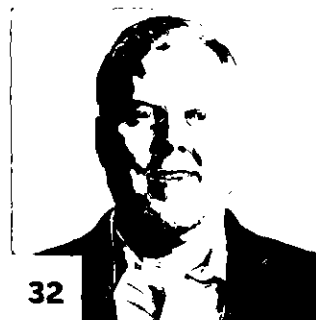
SHAREHOLDER



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SAFETY TIER 3



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33

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SHAREHOLDER

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SAFETY TIER 4



SHAREHOLDER

35

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SAFETY TIER 3



SHAREHOLDER

36

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SAFETY TIER 1



SHAREHOLDER

37

**W. SCOTT
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SAFETY TIER 4



SHAREHOLDER

38

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SAFETY TIER 3



39

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SAFETY TIER 3



SHAREHOLDER

40

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SAFETY TIER 2



GATEWAYENGINEERS
A FULL-SERVICE CIVIL ENGINEERING FIRM

Attachment 3



MICHAEL G. ALBRIGHT, P.E.

Director of Business Development

Years of Experience: 14

Education:

The Pennsylvania State University: B.S. in Civil Engineering, 2009

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
License #PE082447

MEMBERSHIPS & AFFILIATIONS

- American Society of Civil Engineers (ASCE)

TRAINING

- Various trainings attended in order to meet the continuing education requirements for Professional Engineers

GENERAL QUALIFICATIONS

Mr. Albright joined the Gateway Engineers as a full-time employee in September of 2009. He has gained experience in construction documentation, stormwater management, grading, site layout, erosion and sediment control, permitting, and plan review. He also has a breadth of experience completing NPDES and other applicable permits and has a good working relationship with local review agencies.

REPRESENTATIVE PROJECTS

SITE DESIGN FOR THE ENERGY INNOVATION CENTER

City of Pittsburgh, PA

Assisted the project team with achieving LEED Platinum certification for the 6.6-acre urban complex, applying a cost effective and "green" approach to stormwater management. The stormwater management BMPs that were utilized included rain gardens and porous pavement. The design not only provided groundwater recharge to an ultra-urban area, but also reduced costs of underground detention and created an aesthetically pleasing environment, while at the same time functioning as a stormwater management facility. Additional responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, erosion and sediment controls. Applied for and received approval of the NPDES permit.

SITE DESIGN FOR THE COOL SPRINGS GOLF CENTER

Bethel Park Borough, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, stormwater management design, and erosion and sediment controls. Applied for and received approval of the NPDES permit.

SITE DESIGN FOR DON'S APPLIANCES WAREHOUSE AND SHOWROOM

Robinson Township, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, stormwater management design, and erosion and sediment controls. Applied for and received approval of the NPDES permit.

SITE DESIGN FOR THE CROWN CASTLE CORPORATE CAMPUS SITE IMPROVEMENTS

Cecil Township, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, stormwater management design, and erosion and sediment controls. Applied for and received approval of the NPDES permit.



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Pittsburgh & Butler, PA

MICHAEL G. ALBRIGHT, P.E.

Director of Business Development



SITE DESIGN FOR GRANT INDUSTRIAL CONTROLS, INC.

Findlay Township, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, stormwater management design, and erosion and sediment controls. Applied for and received approval of the NPDES permit.

SITE DESIGN FOR BRUCE BROTHERS TIRE

Bethel Park Borough, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, stormwater management design, and erosion and sediment controls. Applied for and received approval of the NPDES permit.

SITE DESIGN FOR THE SKYVUE APARTMENT BUILDING

City of Pittsburgh, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, stormwater management design, and erosion and sediment controls. Applied for and received approval of the NPDES permit.

SITE DESIGN FOR THE IDLEWILD PARK HANDICAP PARKING LOT EXPANSION

Ligonier Township, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, stormwater management design, and erosion and sediment controls. Applied for and received approval of the NPDES permit.

SITE DESIGN FOR PENN CENTER WEST - BUILDING 9

Robinson Township, PA

Responsibilities included the preparation drawings from conceptual design to construction documents including site layout, overall grading, site utility design, erosion and sediment controls, and stormwater management design, including the design of rain gardens. Applied for and received approval of the NPDES permit.



MATTHEW E. BAGALEY, P.E.

Project Manager

Years of Experience: 25

Education:

The Pennsylvania State University: B.S. in Civil Engineering - 1998

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- State of OH:
License #PE77504
- Commonwealth of PA:
License #062962
- State of WV:
License #020101

MEMBERSHIPS & AFFILIATIONS

- American Society of
Civil Engineers (ASCE)

TRAINING

- Pennsylvania Society
of Professional
Engineers - Member
- Elected to Chi Epsilon,
National Civil Engineering
Honor Society

GENERAL QUALIFICATIONS

Mr. Bagaley joined The Gateway Engineers, Inc. in June 1999 and became a shareholder in 2010. His experience in engineering design, environmental permitting, specification writing, and construction management of a multitude of projects has been an asset. Mr. Bagaley works closely with the Owner in accomplishing a project's goals. Sample projects have included: major road construction/reconstruction projects, investigative engineering to assess the cause of an issue and design its solution, permitting of a multitude of energy related projects, extensive sanitary sewer reconstruction/ design/ rehabilitation projects, design of stormwater management facilities, federal government projects, preparation of site plans for private land developments, and plan reviews.

REPRESENTATIVE PROJECTS

CODE REVIEW ISSUES

Municipality of Penn Hills, PA

The Municipality of Penn Hills has a multitude of buildings which are owned by the Municipality and rented by private entities. The Municipality has made a commitment to improve these facilities each year. Therefore, Gateway was contracted to complete a code review of the structures and provide a priority list of items that should be addressed in coming years. Each year systematic improvements are made to the facilities following the recommendations of the prepared reports.

THORNYCROFT SANITARY SEWER PROJECT

Bethel Park Borough, PA

Acted as project manager responsible for the design, bidding, and construction administration of a project undertaken to alleviate sanitary sewer surcharges to residential homes during periods of heavy rainfall. This project addressed surcharging for five residential homes. The project required the modeling of the existing sanitary sewer system and the proposed parallel sewer with increased capacity at a lower depth to ensure adequacy of design prior to implementation. At the time the least cost alternative was chosen, neighborhood meetings were conducted to outline the scope of the project and anticipated timeline.

BESSEMER/ALTON STORM & SANITARY SEWER PROJECT

Butler, PA

Project manager responsible for the design, bidding, and construction administration of a project undertaken as a collaborative effort between Butler Township and the Butler Area Sewer Authority. The purpose of the project was to eliminate a significant source of inflow/infiltration into the sanitary system while also addressing a known flooding concern. The project included working with two governmental entities, many local residents for easement acquisition, as well as the local steel company. During the design phase of the project various design options were provided with associated costs and a pros/cons analysis regarding their implementation for use by the deciding bodies to make an educated decision on the method in which to proceed.



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MATTHEW E. BAGALEY, P.E.

Project Manager



WASHINGTON ROAD STREETScape

Municipality of Mt. Lebanon, PA

The Municipality of Mt. Lebanon has a vibrant business district along Washington Road that thrives from the contributions of the local business owners, the Municipality, and the State. As with all infrastructure, it requires maintenance. Therefore, the Municipality was successful in obtaining a grant from the State to keep up with the maintenance of this vital corridor as well as add amenities. Served as project manager for the design, coordination, bidding and construction administration of four contracts to accomplish these goals. The first contract was for the installation of waterline connections for watering of the planters as well as correction of existing street light deficiencies. The second contract was for the removal of terrazzo sidewalk and replacement with exposed aggregate sidewalk. The third contract was for the design and construction of a stone pavilion to serve as the centerpiece within the Clearview Common Parklet. The final contract was for the installation of banners and signage throughout the district.

BLAZIER DRIVE CULVERT REPLACEMENT

Town of McCandless, PA

The Town of McCandless owned a dual corrugated metal arch culvert beneath Blazier Drive near a busy shopping center and near the intersection of McKnight Road and Perry Highway. During the Hurricane Ivan storm in 2004, the integrity of the culvert was compromised, and degradation began to occur. During 2009, the degradation accelerated significantly to a point where the double 26-foot wide by 12-foot-tall culverts would need to be replaced. This particular watershed is sensitive, and it was important that the opening of the new structure would mimic the existing facility such that downstream flooding issues would not be created. Gateway reviewed various design options and worked with the Town to investigate various funding opportunities. Collaborating with the Town and the Traffic Consultant, a replacement structure was designed to not only replace the existing facility but be sized for the future expansion of the roadway. Gateway was responsible for geotechnical investigations, structure design, bidding, and construction administration and inspection. I served as project manager for this approximately \$868,500 project.

LRT PEDESTRIAN BRIDGE

Municipality of Mt. Lebanon, PA

At the time that the Mt. Lebanon Platform was built for the Allegheny County Port Authority there was a pedestrian bridge constructed that Mt. Lebanon was required to maintain. The bridge permitted foot traffic to access the platform from Parse Way by walking overtop of the catenary wires and the outbound rail line to the platform to ride the 'T'. Over the years, continued winter maintenance of the concrete bridge with rock salt caused significant chloride damage which required the complete removal and replacement of the bridge decking and rehabilitation of the concrete support beams. Therefore, Gateway was responsible for this design work, bidding, and construction administration/inspection. The project also required an intimate working with the Port Authority to gain access to their right of way and to schedule periodic shutdowns of the track.

CONSENT ORDER WORK

Mt. Lebanon, PA

Project manager in charge of maintaining Mt. Lebanon's compliance with the Consent Order. The existing system contains approximately 150 miles of sewer in 5 main watersheds. Directly responsible for the compliance of Mt. Lebanon with respect to closed-circuit television inspection, manhole inspection, sanitary rehabilitation, flow monitoring, manhole rehabilitation, and hydraulic characterization.

MILLERS RUN SANITARY SEWER

Cecil Township, PA

Assisted in the design, specification writing, permitting, and bidding of approximately 18 miles of sanitary sewer, a treatment plant, and two pump stations to service residents within Cecil Township.

MATTHEW E. BAGALEY, P.E.

Project Manager



MILLERS RUN ACT 537 STUDY

Cecil Township, PA

Assisted in the preparation of the Act 537 study to provide sewerage facilities to the residents of Cecil Township within the Millers Run Watershed. Reviewed least cost alternatives and prepared a feasibility report on same.

BRUSH RUN INTERCEPTOR SEWER STUDY

Cecil Township, PA

Conducted an analysis of the existing Brush Run Interceptor sewer to assess its ability to accommodate the ultimate build-out of the watershed. Provided recommendations on the required improvements necessary to accommodate the ultimate build-out.

ROCKWOOD STORM SEWER PROJECT

Mt. Lebanon, PA

Project manager, design engineer, and field supervisor for the development of a four-part solution to address a multitude of sanitary surcharge and stormwater capacity issues within the Rockwood Watershed of Mt. Lebanon. Watershed modeling was completed to assess the current problems and develop appropriate / least cost solutions to address problems. A parallel sanitary sewer system was constructed along with a relief storm sewer system. Project construction plans and specifications were developed...

WASHINGTON ROAD PIPE BURSTING

Mt. Lebanon, PA

Project manager, design engineer, and field supervisor for the rehabilitation of a main sanitary sewer trunk line via pipe bursting technology located 43 feet below a major arterial roadway which carries 70,000 vehicles a day without interrupting service. Also, responsible for the coordination of construction in conjunction with the schedule of the local businesses (GetGo, BP, The Galleria of Mt. Lebanon, and Coldwell Banker) and PennDOT. A cost benefit analysis was completed to evaluate other rehabilitation / repair options. Project construction plans and specifications developed.

SLEEPY HOLLOW PROJECT

Mt. Lebanon, PA

Project manager and design engineer to develop a three-phase solution to address insufficient storm sewer collection capacity. Work included modeling the watershed with stormwater software to model the effects of known flooding. Upon completion of this modeling, recommendations were made, and construction plans / specifications developed to mitigate flooding problems from occurring in the future at these residences. A unique solution required the design of ejector basins within roadway to "flood" road in lieu of homes due to insufficient capacity of adjacent Municipality system.



RYAN R. BERNER, GISP

Project Manager

Years of Experience: 20

Education:

Indiana University of Pennsylvania: B.A. in Geography, concentration in GIS

REGISTRATIONS & CERTIFICATIONS

Geographic Information Systems Professional (GISP)

- Certification #67928

MEMBERSHIPS & AFFILIATIONS

- Local Government Academy – Contributor/Presenter
- Urban and Regional Information Systems Association – Member
- American Public Works Association – Member
- American Planning Association – Member
- Keystone chapter of APPA (KAPPA) – Member
- American Institute of Architects (AIA) Pittsburgh – Associate Member
- Allegheny League of Municipalities (ALOM) – Presenter

GENERAL QUALIFICATIONS

Mr. Berner brings 20 years of GIS experience from concepts to completion of projects, as well as implementation and maintenance of GIS systems at Gateway. Before performing the function of project manager, he spent several years gaining a unique perspective of GIS applications and how they are efficiently integrated into field solutions working in many distinct market segments. As a project manager Mr. Berner works closely with a broad swath of clients from multiple segments to accurately define their requirements and leverages his resources to develop systems, tools and processes that adds bottom line value to client's organizations.

Before joining the firm in 2003, Mr. Berner worked as a GIS Technician Intern for a large municipality in southwestern Pennsylvania. He received his Bachelor of Arts Degree in Geography from Indiana University of Pennsylvania (IUP) and is focused on continual improvement through his involvement in many professional associations.

REPRESENTATIVE PROJECTS

DESKTOP TO CLOUD BASED GIS DATABASE MIGRATION

Township of Upper St. Clair

Project Manager for highly technical data migration of Township's GIS database to ESRI's Local Government Information Model. Migration consisted of transferring all current GIS data as well as asset management data from Township's CityView platform. Worked closely with Township staff to understand current workflows and user business cases to implement user friendly comprehensive GIS cloud-based platform. Worked closely with Township's new asset management consultant to ensure data is compatible with asset management platform and workflows. Provided training on mobile devices regarding field data capture workflows and mobile app capabilities.

DESKTOP TO CLOUD BASED GIS DATABASE MIGRATION

Hampton Township

Project Manager for highly technical data migration of Township's GIS database to ESRI's Local Government Information Model. Migration consisted of transferring all data from outdated asset management software in ESRI's Local Government Information Model and leveraged cloud-based technology for access from desktop and mobile devices through web. Developed web-based applications and implemented user interface templates for use by Township staff for routine user-friendly workflows.



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RYAN R. BERNER, GISP

Project Manager



CAMPUS WATERLINE MAPPING

Duquesne University

Project Manager working with University's Facilities staff to review archive of campus waterline drawings. Developed GIS database to capture waterline data based on information available on relevant waterline plans. Utilized PWSA data as a starting point for water system data. Integrated data from waterline plans into database to update current mapping with latest data. Conducted field work to verify meter locations and meter IDs along with service line diameter, backflow preventers, and visible curb boxes. Pictures were taken of each utility component and geotagged to the appropriate feature in the GIS database. Relevant utility plans were linked to the corresponding features in the data as well to allow for a digital filing system of waterline utility plans.

CAMPUS UTILITY GIS DEVELOPMENT

Clarion University

Project Manager assisting University with campus wide utility mapping associated with campus master plan. Worked closely with university facilities staff to research campus utility plan archive to identify relevant utility plans. Designed comprehensive GIS database to meet requirements based on the data from University's utility plans for main and satellite campuses. Plans were georeferenced and digitized into the GIS data and populated with attributes pertaining to utility feature diameter, depth, material, etc. Utility plans were linked to GIS features for documentation and storage purposes. New topo data acquired from aerial flyover consultant was integrated for purposes of displaying latest physical assets of the campus including buildings, sidewalks, signs, and landscape features. Gateway acted as teaming partner with Perkins Eastman Architects.

CAMPUS UTILITY AND LANDSCAPE FEATURE GIS DEVELOPMENT

Franciscan University

Development of GIS database schema for university campus assets. Digitized historic utility plans representing networks for campus wide utilities. Developed links for plans to specific utility features for documentation and preservation of pertinent plans. Developed custom forms to be used on University's GPS units to locate newly installed utility features and conduct condition assessments. Developed similar forms for inventory of campus trees for health assessment and treatment documentation for tracking tree conditions.

HIGHLAND AVENUE STREETSCAPE

Prepared 3D model of proposed streetscape based on lighting ordinances in place for the City of Pittsburgh.

AMERIKOHL MINING AND PATRIOT EXPLORATION

Butler, PA

Built GIS for coal mining client from concept to completion. Implemented GIS system and provided on-site training at client's offices. Supervised intern responsible for digitizing gas well plats and ordering attribute information for each site, as well as other general data entry tasks.

MT. LEBANON STORM SEWER MAPPING – PHASE 2 NPDES

Municipality of Mt. Lebanon, PA

Prepared GPS units and field maps for the Public Works Department to update the storm sewer system and to locate specific storm structures. Analyzed GPS data, in conjunction with aerial photography, and made the necessary edits to the storm sewer layers thereby maintaining vital historic attribute data.

MUNICIPAL GIS SYSTEM UPDATES

Various Municipalities, Allegheny County

Technical support for several GIS updates in various municipalities. Assists in creation of mapping for storm sewers, signs, easements, road program databases and coverage, and sanitary sewer database additions. Implementation and maintenance of municipal GIS systems for municipal clients in Southwestern PA.



JAMES A. BRETHAUER, P.L.S., P.M.P.

Project Manager

Years of Experience: 38

Education:

Triangle Tech - 1985

Project Management Institute - 2006

REGISTRATIONS & CERTIFICATIONS

Registered Professional
Land Surveyor

- Commonwealth of PA:
License #SU054763E

Project Management
Institute, 2006

MEMBERSHIPS & AFFILIATIONS

- Project Management
Institute
- Pennsylvania Society of
Land Surveyors
- American Congress on
Surveying and Mapping

GENERAL QUALIFICATIONS

Mr. Brethauer joined Gateway Engineers in 1985. He became a shareholder at Gateway in January 2008. He is a project manager for the survey team and is qualified in various aspects of industrial, commercial and residential surveying, including preparation and oversight of ALTA/NSPS Land Title Surveys, boundary surveys, subdivision/consolidation plans, topographic surveys, FAA 2C certificates, flood insurance certificates, field surveying, GPS surveying and construction stakeout. He is experienced in the handling of both large and small scope, schedule and budget projects.

REPRESENTATIVE PROJECTS - COMMERCIAL PROJECTS

PPG Place, PA
Chartiers Valley Shopping Center, PA
Giant Eagle Facilities, PA
Parkway Center Mall, PA
Monroeville Expomart & Radisson Hotel, PA
Cranberry Business Park, PA
Pittsburgh Technology Park, PA
Sheetz Stores, PA

REPRESENTATIVE PROJECTS - INSTITUTIONAL WORK

Carnegie Mellon University, PA
Slippery Rock University, PA
University of Pittsburgh, PA
Chatham University, PA
Point Park University
Penn State University
Children's Institute of Pittsburgh
The Children's Home
The Neighborhood Academy
McGuffey School District
Upper St. Clair Elementary Schools, PA
Chartiers Valley School District
Diocese of Pittsburgh



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JAMES A. BRETHAUER, P.L.S., P.M.P.

Project Manager



REPRESENTATIVE PROJECTS - RESIDENTIAL PROJECTS

Liberty Park Apartments
Bedford Apartments
Garfield Housing Development
Addison Terrace Phase 1
Addison Terrace Phase 2
Addison Terrace Phase 3
Christopher Wren Apartments, PA
Waterfront Apartments, PA
Sewickley Crossings, PA

REPRESENTATIVE PROJECTS - HEALTHCARE PROJECTS

Allegheny General Hospital, PA
Children's Hospital of Pittsburgh, PA
UPMC Health Systems, PA
Longwood at Oakmont, PA
Presbyterian SeniorCare
Beaver Valley Medical Center, PA

REPRESENTATIVE PROJECTS - PUBLIC PROJECTS

Pennsylvania American Water
McCandless Crossings - Retail Centers
Pittsburgh Zoo, PA
Carnegie Museum of Pittsburgh, PA
Schenley Plaza, PA
Hillman Library, PA
O'Reilly Theater/Theater Square, PA



SEAN M. DONNELLY, P.E.

Project Manager

Years of Experience: 29

Education:

The Pennsylvania State University: B.S. in Civil Engineering - 1994

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
License #PE062433

MEMBERSHIPS & AFFILIATIONS

- Pennsylvania Society of Professional Engineers-Member
- Project Management Institute-Member

TRAINING

- Kevcon Retaining Wall Design
- PMI Global Congress, North America
- Engineer's Workshop Stormwater Regulations and Innovations - A Proactive Approach
- Storm Sewer Design and Modeling Haestad Methods
- Detention Pond and Urban Hydrology Haestad Methods

GENERAL QUALIFICATIONS

Mr. Donnelly joined The Gateway Engineers in April 1998, and he became a shareholder at Gateway in January 2008. He brings with him project management experience in the preparation of site plans, site approvals, utility design and coordination, zoning analysis, and construction documentation for commercial, institutional, and residential developments. He has extensive construction management experience with both small and large budget projects and has designed numerous stormwater management facilities and erosion control plans. He also has experience working for governmental agencies reviewing plans and designing public improvement projects.

REPRESENTATIVE PROJECTS

SITE DESIGN AND PERMITTING FOR THE PITTSBURGH BALLET THEATRE

2900 Liberty Avenue, Pittsburgh, PA

Project Manager for site design and preparation of construction documents. Scope of work included utility coordination and design, site grading, layout, permitting and coordination with project team throughout design and construction phases.

SITE AND UTILITY DESIGN AND PERMITTING FOR 305 WOOD STREET/ YWCA

Pittsburgh, PA

Project Manager for site utility design, permitting, and preparation of construction documents. Scope of work included utility coordination and design, permitting, and coordination with project team throughout design and construction phases. Early packages for site utility connections and terminations were prepared to keep the project on schedule.

SITE, UTILITY DESIGN, AND PERMITTING FOR THE ASSEMBLY

5008 Centre Avenue, Pittsburgh, PA

Project Manager for site design, approvals, and production of construction documents for a partial demolition and repurposing of the former Ford Model T Plant. Scope of work included grading, site layout, stormwater management, erosion control, design of off-site improvements, and construction observation. Coordinated utility layout and relocations with the MEP and governing authorities.

SITE AND UTILITY DESIGN FOR THE ENERGY INNOVATION CENTER

Pittsburgh, PA

Project Manager for site design, approvals, and production of construction documents. Work involved upgrades to existing parking and utilities while allowing for a major expansion and revised use. Scope of work included grading, site layout, stormwater management, erosion control, design of off-site improvements, and construction observation. Coordinated utility layout and relocations with the MEP and governing authorities.



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SEAN M. DONNELLY, P.E.

Project Manager



SITE, UTILITY, AND LANDSCAPE DESIGN FOR THE KAUFMANN'S CENTER ADDITION AND PLAZA

Pittsburgh, PA

Project Manager for site design and production of construction documents. Scope of work included grading, site layout, stormwater design, landscape design, coordination with University Master Planner, erosion control, and construction observation. Coordinated utility layout and relocations on numerous private utilities with the MEP and project team.

SITE AND UTILITY DESIGN FOR THE PRODUCE TERMINAL

Smallman Street, Pittsburgh, PA

Project Manager for site design, authority approvals, and production of construction documents for a historic building reuse. Scope of work included grading, site layout, stormwater management, erosion control, design of off-site improvements, and construction observation. Coordinated utility layout and relocations with the MEP, and governing authorities.

SITE DESIGN AND PERMITTING FOR THE CHEVRON ANNEX

University of Pittsburgh, Pittsburgh, PA

Project Manager for site design and preparation of construction documents. Scope of work included utility coordination and design, permitting, and coordination with project team throughout design and construction phases.

SITE AND UTILITY DESIGN FOR THE UNIVERSITY OF PITTSBURGH'S UPPER CAMPUS CHILLER PLANT

University of Pittsburgh, PA

Project Manager for site design, approvals, and production of construction documents. Scope of work included grading, site layout, stormwater management, erosion control, design of off-site improvements, and construction observation. The project used large cisterns to control stormwater runoff and that water was recirculated into the chiller plant instead of discharging to the city storm sewer system. Coordinated utility layout and relocations with the MEP and governing authorities.

SITE AND UTILITY DESIGN FOR TWO FOUR-STORY STUDENT APARTMENT BUILDINGS, DARRAGH STREET HOUSING

University of Pittsburgh, Pittsburgh, PA

Project Manager for site design, authority approvals, and production of construction documents. Scope of work included grading, site layout, stormwater management, erosion control, and construction observation. Challenging topography on this site required a detailed review of the site grading plan.

DESIGN AND PERMITTING FOR COMMUNICATION AND ELECTRICAL INFRASTRUCTURE IMPROVEMENTS

various locations, University of Pittsburgh, Pittsburgh, PA

Project Manager for site design, city approvals, and production of construction documents for upgrades to the University communication and electrical systems. Scope of work included paving design, construction staging, and coordination with electrical engineers.

SITE, UTILITY, AND LANDSCAPE ARCHITECTURE DESIGN FOR THE CRAIG ACADEMY

Pittsburgh, PA

Project Manager for site design, authority approvals, and production of construction documents. Scope of work included grading, site layout, landscape design, stormwater management, erosion control, and construction observation. Coordinated utility layout with the MEP and governing authorities. Unique tasks included the design of a Zen garden and obtaining an encroachment agreement from the city to allow private drainage to cross a public right-of-way.

SITE DESIGN FOR THE CHILDREN'S HOME OF PITTSBURGH

Penn Avenue, Pittsburgh, PA

Project Manager for site design, city approvals, and production of construction documents for a new multi-story development. Scope of work included grading, parking and loading layout, stormwater management, and erosion controls. Coordination architect, landscape architect, and engineers. Coordinated the city approval process for water and sewer and sewage planning.



BRYAN W. FLAUGH, P.E.

Project Manager

Years of Experience: 19

Education:

Geneva College: B.S.E. in Civil Engineering

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
License #PE071172

MEMBERSHIPS & AFFILIATIONS

- American Society of Civil Engineers (ASCE)
- Pennsylvania Municipal Authorities Association

GENERAL QUALIFICATIONS

Mr. Flaugh is a project manager on the Municipal Team, with knowledgeable and versatile skills in various municipal projects including plan reviews, permitting, roadway paving and reconstruction, permitting, stormwater design, storm sewers, sewer upsizing, sanitary sewer repairs, cleaning, and CCTV.

REPRESENTATIVE PROJECTS

WATERMAN EAST ROAD RELOCATION

Construction management duties for a roadway relocation project to fix damage from a slope failure along a steep sloped hill side due to torrential rains from Hurricane Ivan. The construction included approximately 1,100 lineal feet of two-lane road. The project involved numerous challenges, including a new landslide that occurred while construction was underway. This caused a re-design of the project that had to be performed on a fast-track schedule, involving extensive coordination with the Borough, the Contractor, nearby property owners and utility companies.

ALCOSAN CONSENT ORDER FEASIBILITY STUDY

Assisted on municipal feasibility studies for 19 communities under consent order by the EPA. Duties include flow estimation for all 19 communities by using flow monitoring data, water records, and other pertinent data. Existing flow monitoring data was reviewed and tabulated. All 19 communities were reviewed for additional flow monitoring and flow isolation needs.

ALTOONA-MAPLETON STORM AND SANITARY SEWER PROJECT

Mt. Lebanon, PA

Project manager for the design, construction management and inspection for a \$2.5 million storm and sanitary sewer re-route to alleviate storm sewer flooding and sanitary sewer backups. Design included preparation of detailed existing conditions plan, storm and sanitary sewer modeling and preparation of construction design plans. Construction included upsizing and relocation of both storm and sanitary sewer piping and full depth reconstruction of several Municipal Streets.

ANNUAL PAVING PROGRAMS

Ross Township, Ingram Borough, Ben Avon Borough, Municipality of Penn Hills, Whitehall Borough, Sewickley Heights Borough, and South Franklin Township

Project Manager for the design, construction management and inspection of yearly paving contracts in several municipalities. Projects have ranged in size and scope with construction costs of \$50,000 to \$2,500,000+. Nineteen years of experience in paving specification writing, plan development, and oversight in the proper procedures for contractors to follow in road paving.



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BRYAN W. FLAUGH, P.E.

Project Manager



ECHO GLEN STORMWATER UPGRADES

Whitehall Borough, PA

Project manager for design, permitting, construction management and inspection of an \$800,000 storm sewer project that included the installation of 3 stormwater management basins to alleviate downstream flooding. The design included stormwater modeling to ensure proper sizing for all 3 basins that were located on a local golf course. An NPDES permit application was also prepared due to the large amount of earthwork on the project.

MUNICIPAL WATER AUTHORITY OF ADAMS TOWNSHIP - WATER SYSTEM EXPANSION

Completed design, permitting and bid specifications, and performed construction management duties for a water booster station, water meter building and approximately 7000 feet of 16-inch diameter waterline.

CALLERY BOROUGH WATERLINE

Completed design, permitting and bid specifications, and performed construction management duties for the construction of approximately 16,000 lf of varying diameter waterline throughout Callery Borough. Project included obtaining funding from PennVest, PennDOT Highway Occupancy Permit, and coordination and permitting with railroad.

ACT 537 SEWAGE FACILITIES PLAN

Ohioville Borough, PA

Prepared ACT 537 Plan as per DEP requirements including preliminary design of the sanitary sewer system showing placement of pump stations, force mains and gravity lines. Cost estimates for 13 subsections and seven system scenarios were prepared and financing options were explored.

ALLEGHENY COUNTY CONSENT ORDER AGREEMENT

Ingram Borough, Ben Avon Borough and Whitehall Borough

Project Manager for the tasks required to maintain compliance for several local municipalities. The tasks include GPS mapping, defect corrections, closed circuit television inspections, and manhole inspections of the sanitary sewers in these communities. Scope of work includes the preparation of plans and specifications to maintain compliance with the Consent Order, managing schedules and contracted work, and reporting to the regulating agencies.

VARIOUS SEWER REPAIRS

Numerous Municipal Clients, PA

Project Manager and Project Engineer of numerous assessments and designs of sewer line repairs to mitigate overflows, basement backups and general hydraulic capacity problems with sewer lines. Traditional excavation and repair, full and spot liner repairs, parallel sewers, flow equalization, grinder pumps, pump station revisions, interceptor realignment and trenchless repairs are a few of the techniques used to mitigate line capacity problems. The projects are seen through completion by Mr. Flaugh's construction management of the contractors' implementation of these designs.

GENERAL

Various Municipalities

Site plan reviews of residential and commercial land developments to ensure sound engineering design and compliance with local municipal codes. Plan reviews also include the evaluation of sanitary sewer lines and waterlines for residential land development.

Preparing cost estimates, specifications and bidding documents for various municipal projects including paving/resurfacing, retaining walls, sanitary sewers, slip lining/pipe bursting, water tank painting, chemical feed systems, and water and sanitary sewer pump stations.

Performing field inspection duties on residential land developments, paving and other municipal projects.

Preparation of PennDOT Highway Occupancy Permits and PA DEP permit applications.

Attending municipal and water/sewer authority regular monthly meetings.

Yearly budget preparation and annual financial reports for water/sewer authorities.



MICHAEL J. GALET, P.E.

Project Manager

Years of Experience: 10

Education:

The Pennsylvania State University: B.S. in Civil Engineering - 2013

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
License #PE086894

MEMBERSHIPS & AFFILIATIONS

- American Society of Civil Engineers (ASCE)

TRAINING

- DEP Marcellus Shale Industry Training
- First Aid Training – 2015
- Range Safety Training – 2013-2017
- Chevron Safety Training – 2013-2017
- Consol Energy Safety Training – 2016-2017
- Westmoreland County Conservation District Engineers' Workshop Training
- Beaver County Conservation District Engineers' Workshop Training

GENERAL QUALIFICATIONS

Mike Galet began working at Gateway as an Engineer-In-Training in 2014. Before working at Gateway, Mike worked for James Construction as a Project Engineer. Prior to that, he worked for PennDOT as a Bridge Inspection Intern. Mike graduated from Penn Trafford High School. He graduated from Penn State University with a Bachelor of Science Degree in Civil Engineering. Mike is a member of the American Society of Civil Engineers and Penn State Engineering. He has gained experience in erosion and sediment control design, DEP permitting, construction administration, stormwater, hydrologic study, cost estimation, construction scheduling, and developmental design.

REPRESENTATIVE PROJECTS

WELL PAD DESIGN FOR NATURAL GAS WELLS

Chevron Appalachia, LLC., various locations in Southwestern PA and WV

Responsibilities included design drawings including overall site grading, road design, erosion and sediment control design, stormwater management, rain garden and infiltration basin design, and report preparation. Responsibilities also included preparing required documents and reports to acquire necessary permits.

WELL PAD DESIGN FOR NATURAL GAS WELLS

Range Resources, various locations in Southwestern PA

Responsibilities included design drawings including overall site grading, road design, erosion and sediment control design, stormwater management, rain garden and infiltration basin design, and report preparation. Responsibilities also included preparing required documents and reports to acquire necessary permits.

WELL PAD DESIGN FOR NATURAL GAS WELLS

Consol Energy, various locations in Northwestern PA

Responsibilities included design drawings including overall site grading, road design, erosion and sediment control design, stormwater management, rain garden and infiltration basin design, and report preparation. Responsibilities also included preparing required documents and reports to acquire necessary permits.

SITE DESIGN FOR CHARTER HOMES AT HASTINGS

South Fayette, PA

Responsibilities included site design, site utility design, storm sewer design, sediment and erosion control design, and preparing required documents, reports, and applications to acquire necessary permits.

STORMWATER DESIGN FOR SOUTH HILLS COUNTRY CLUB AND ECHO GLEN

Whitehall Borough, PA

Responsibilities included modelling existing storm sewer capacities, stormwater design, storm sewer design, erosion and sediment control design, and preparing required documents, reports, and applications to acquire necessary permits to remediate existing flooding issues.



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MICHAEL J. GALET, P.E.

Project Manager



SITE DESIGN FOR SOUTHERN EXTENSION WALKING TRAIL

Upper St. Clair Township, PA

Responsibilities included design of a 3,850 LF walking trail, stormwater design, site utility design, storm sewer design, erosion and sediment control design, and preparing required documents, reports, and applications to acquire necessary permits.

SITE DESIGN FOR MORTON WALKING TRAIL

Upper St. Clair Township, PA

Responsibilities included design of a 2,900 LF walking trail, stormwater design, site utility design, storm sewer design, erosion and sediment control design, and preparing required documents, reports, and applications to acquire necessary permits.

SITE DESIGN FOR ARDEX AMERICAS WAREHOUSE EXPANSION

Center Township, PA

Responsibilities included design of a 45,000 SF warehouse expansion, additional accessory structures and associated parking facilities, stormwater design, site utility design, storm sewer design, erosion and sediment control design, and preparing required documents, reports, and applications to acquire necessary permits.

GREEN INFRASTRUCTURE DESIGN FOR CHURCHILL BOROUGH BUILDING

Churchill Borough, PA

Responsibilities included design of green infrastructure stormwater design, storm sewer design, erosion and sediment control design, and preparing required documents, reports, and applications to acquire Conservation Leadership and Innovation Program (CLIP) Grant.

SITE DESIGN FOR COOL SPRINGS ASSISTED LIVING

Bethel Park Borough, PA

Responsibilities included site design of an assisted living facility and associated parking, stormwater design, site utility design, storm sewer design, erosions and sediment control design, and preparing required documents, reports, and applications to acquire necessary permits.

SITE DESIGN FOR GPADA PARKING EXPANSION

O'Hara Township, PA

Responsibilities included site design of a parking lot expansion, stormwater design, site utility design, storm sewer design, erosion and sediment control design, preparing required documents, reports, and applications to acquire necessary permits, and providing routine construction inspections.

EROSION AND SEDIMENT CONTROL INSPECTION

Various locations in Allegheny County, PA

Responsibilities included regular inspections of erosion and sediment control BMPs and submitting inspection reports to ACCD to ensure compliance of active NPDES permits for probationary co-permittee.

UTILITY DESIGN FOR PEOPLES NATURAL GAS

Various locations in Allegheny County, PA

Responsibilities included mapping and verified existing utility connectivity, utility design of proposed gas line replacements, and preparing required construction documents.



JONATHAN E. GARCZEWSKI, P.E.

Project Manager

Years of Experience: 18

Education:

Youngstown State University: Bachelor of Civil Engineering - 2005

Slippery Rock University: B.A. in Physics - 2005

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
License #PE079459
- State of OH:
License #PE81144

ABET, Rayen College of
Engineering and Technology,
May 2005

TRAINING

- Engineers' Workshop, 2015
- Designing and Constructing
Flood Resistant Buildings,
2015
- Pervious Concrete –
Maintenance & Operation,
2014
- Sustainable While Artful
Stormwater Design, 2013
- PADEP Erosion & Sediment
Control Training, 2012

GENERAL QUALIFICATIONS

Mr. Garczewski joined The Gateway Engineers in May 2005. He contributes his design experience in the preparation of site plans, obtaining site approvals, zoning analysis, and construction documentation for commercial and residential development plans. He also has experience in working with the design of numerous storm water management, erosion control plans and acquiring various environmental permits for construction. Environmental permitting includes Chapter 105 Water Obstruction and Encroachment Permits (Joint Permit) through PADEP and construction in floodways and floodplains with FEMA.

REPRESENTATIVE PROJECTS

ALDERWOOD – PLANNED RESIDENTIAL DEVELOPMENT

South Fayette Township, Allegheny County, PA

Project Manager for site utility design, permitting, and preparation of construction documents for multiple phases of a planned residential development. Scope of work included utility coordination and design, permitting, and coordination with project team throughout design and construction phases.

WALNUT RIDGE – PLANNED RESIDENTIAL DEVELOPMENT

South Fayette Township, Allegheny County, PA

Project Manager for site utility design, permitting, and preparation of construction documents for a three phase 110 lot planned residential development. Scope of work included utility coordination and design, permitting, and coordination with project team throughout design and construction phases.

BRADFORD RUN – PLANNED RESIDENTIAL DEVELOPMENT

South Strabane Township, Washington County, PA

Project Manager for site utility design, permitting, and preparation of construction documents for a planned residential development consisting of 88 townhouse units and 81 single family lots. Scope of work included utility coordination and design, permitting, and coordination with project team throughout design and construction phases.

REPRESENTATIVE PROJECTS – COMMERCIAL FACILITIES

SHEETZ, INC. – CONVENIENCE STORE AND GAS SERVICE STATION

Various locations Western Pennsylvania

Project manager from concept to site design for convenience store, gasoline service station, and/or carwash with associated access drives and parking. Scope of work included the oversight of grading plan, design of erosion and sedimentation control and post-construction stormwater management plans, and the acquisitions of various approvals from the local governing bodies and environmental permits for construction.



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JONATHAN E. GARCZEWSKI, P.E.

Project Manager



DUNKIN' DONUTS - RESTAURANT

City of Butler, Butler County, Pennsylvania

Project manager from concept to site design for drive-thru restaurant with associated access drives and parking. Scope of work included the oversight of grading plan, design of erosion and sedimentation control and post-construction stormwater management plans, and the acquisitions of various approvals from the local governing bodies and environmental permits for construction.

SHEETZ, INC. - GAS SERVICE STATION

Ross Township, Allegheny County, Pennsylvania

Prepared site design for gasoline service station, carwash, and convenience store with associated access drives and parking. The scope of work included the grading plan, design of erosion and sedimentation control and post-construction stormwater management plans, and the acquisitions of the PAG-2 NPDES Permit for construction activities. Additionally, 100-year flood elevation analysis was completed, and FEMA Approval was received for the construction of a bridge replacement.

ESB BANK - COMMERCIAL BUILDING

Zelienople Borough, Butler County, Pennsylvania

Prepared site design for ESB Bank including building layout with access drives and parking areas in the front and rear of the proposed building. The scope of work included site layout, grading, and stormwater management plan.

REPRESENTATIVE PROJECTS - SCHOOLS/INSTITUTIONAL DEVELOPMENTS

CARLOW UNIVERSITY

City of Pittsburgh, Allegheny County, Pennsylvania

Project manager from concept through construction for the renovation of Grace Library to Grace Commons. Oversight of plans for site development amenities including a new ADA accessible parking and loading area.

CARLOW UNIVERSITY MASTER PLAN

City of Pittsburgh, Allegheny County, Pennsylvania

Project manager of site campus and utility review of the Carlow's campus. The scope of work included reviewing the condition and capacity of the existing sanitary and storm sewer systems.

CLARION UNIVERSITY MASTER PLAN

Clarion Borough, Clarion County, Pennsylvania

Project manager of site campus and utility review of Clarion's main campus and satellite campus in Venango County. The scope of work included reviewing the existing conditions of the campuses, reviewing the existing utility infrastructure and routing, as well as evaluating alternatives of future campus development. As a result of the surveying and utility locating services, a campus wide GIS Database was developed for the University to track maintenance and repairs of the utilities on campus.

MASONIC VILLAGES - LAND DEVELOPMENT PLAN

Alleppo Township, Allegheny County, Pennsylvania

Prepared site design for 2 building additions, an access drive with associated parking areas, and stormwater management facilities. The scope of work consisted of site layout, grading, stormwater management design, erosion and sedimentation control plan and post-construction stormwater management plan; as well as acquiring the PAG-2 NPDES Permit for construction activities.

GROVE CITY MIDDLE SCHOOL - LAND DEVELOPMENT PLAN

Grove City Borough, Mercer County, Pennsylvania

Prepared site design for a new middle school building, access drives with associated parking, and stormwater management facilities. The scope of work consisted of a stormwater management design, erosion and sedimentation control plan and post-construction stormwater management plan; as well as acquiring the PAG-2 NPDES Permit for construction activities.

JONATHAN E. GARCZEWSKI, P.E.

Project Manager



GROVE CITY COLLEGE - NPDES PERMITTING *Grove City Borough, Mercer County, Pennsylvania*

Prepared NPDES Permit Documents for the construction of the Christian Activities Building and Science and Engineering Buildings. The scope of work consisted of a stormwater management design, erosion and sedimentation control plan and post-construction stormwater management plan; and acquisition of the PAG-2 NPDES Permit for construction activities.



MICHAEL J. HABERMAN, P.E.

Project Manager

Years of Experience: 23

Education:

University of Pittsburgh: Master of Business Administration (MBA) - 2005

University of Pittsburgh: B.S. in Civil Engineering (BSCE) - 2000

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
License #PE074259
- State of WV:
License #020892

MEMBERSHIPS & AFFILIATIONS

- Mid-Atlantic Section of the
Institute of Transportation
Engineers (MASITE)

GENERAL QUALIFICATIONS

Mr. Haberman has been actively involved in traffic engineering since 2000. His traffic related experience includes traffic data collection, transportation impact studies, traffic impact assessments, traffic signal timing development, parking studies, weight limit studies, and traffic calming studies. His roadway design experience includes Highway Occupancy Permit plan preparation, traffic signal design, temporary traffic control plan preparation, and signing and pavement marking plan preparation.

REPRESENTATIVE PROJECTS

COOL SPRINGS SPORTS COMPLEX TRANSPORTATION ENGINEERING SERVICES

Penn Cove Group, Bethel Park, PA

As the project manager for the transportation services for this development, duties included the preparation of a transportation impact study for proposed development; the preparation of a parking demand study for the development; and the preparation of Highway Occupancy Permit plans, roadway widening plans, and traffic signal construction plans for required traffic improvements. Tasks included scheduling and supervision of data collection, analysis and evaluation of several study intersections; development of mitigation strategies; establishment of required on-site parking; preparation of traffic improvement design plans which included roadway widening plans, temporary traffic control plans, signing and pavement marking plans, traffic signal construction plans, traffic signal permit plans, and general Highway Occupancy Permit package preparation.

SEIBERT ROAD MULTIMODAL TRANSPORTATION FUND GRANT PROJECT

Ross Township, PA

Ross Township secured a Multimodal Transportation Fund (MTF) grant for capacity and sidewalk improvements along Seibert Road between McKnight Road and Babcock Boulevard. As the project manager for this MTF grant project, duties include coordination efforts between PennDOT and Ross Township, overseeing the design of the improvements, scheduling and attending stakeholder meetings, coordination with the acquisition firm responsible for assisting obtaining right-of-way for the improvements, and overall project management. Tasks also include the preparation of roadway design plans, utility relocation plans, traffic signal construction plans, temporary traffic control plans, and signing and pavement marking plans.



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MICHAEL J. HABERMAN, P.E., PTOE

Project Manager



BROWNSVILLE ROAD STREETSCAPE TRANSPORTATION ALTERNATIVE PROGRAM FUND PROJECT

Mt. Oliver Borough, PA

As project manager, duties initially include the preparation of conceptual streetscape designs and the preparation of an application for Transportation Alternative Program (TAP) funds for improvements to a five-block section of Brownsville Road in Mt. Oliver Borough and the City of Pittsburgh. In early 2017, the borough and City were informed that they were awarded the TAP funds requested. Current tasks include scheduling and attending a kick-off meeting with PennDOT, SPC, Mt. Oliver, and the City of Pittsburgh to review the scope of work for the project. Upcoming tasks will include a Scoping Field View meeting, plans preparation, environmental clearances, and administration of the project.

CRANBERRY CROSSROADS MIXED-USE DEVELOPMENT TRANSPORTATION IMPACT STUDY, ECHO REAL ESTATE SERVICES

Cranberry Township, PA

As the traffic engineering manager for the consulting firm performing this study, duties included the preparation of a transportation impact study for proposed mixed-use development; tasks included scheduling and supervision of data collection, analysis and evaluation of 10 study intersections; development of mitigation strategies; development of coordinated traffic signal timings; coordination with design staff, the client, Cranberry Township, and PennDOT District 10-0.

PHILADELPHIA STREET CCIP PROJECT

Pennsylvania Department of Transportation District 10-0, Indiana, PA

As the traffic engineering manager, duties included performing a corridor analysis of a 5-intersection section of Philadelphia Street including a travel time and delay study and Synchro modeling and analysis; designing 5 new coordinated traffic signals; developing coordinated timing plans; preparing signing and pavement marking plan for the limits of the project; and performing QA/QC of plans.

EAST LIBERTY BOULEVARD BIKE LANE FEASIBILITY STUDY

ELDI, Inc., Pittsburgh, PA

As the traffic engineering manager, duties included the evaluation of a 13 intersection corridor in the East Liberty Section of the City of Pittsburgh to determine the feasibility of including a bike lane; study included data collection at 13 intersections including identification of pedestrians, bicyclists, and vehicular classifications at each intersections; analysis of existing and proposed conditions to determine feasibility of including a bike lane; development of preliminary pavement marking and signing plans for the proposed bike lane.

BAKERY SQUARE DEVELOPMENT

Walnut Capital Partners, Pittsburgh, PA

As the traffic engineering manager, duties included the preparation of a transportation impact study for the proposed mixed-use development; tasks included scheduling and supervision of data collection, analysis and evaluation of 8 study intersections; development of mitigation strategies; development of coordinated traffic signal timings; coordination with design staff, the client, the City of Pittsburgh, and PennDOT District 11-0.

PENN TOWNSHIP IMPACT FEE PROGRAM UPDATE

Penn Township, PA

Duties included project management for the complete update to the Impact Fee Program for Penn Township, Westmoreland County, PA. Tasks included scheduling data collection at over 50 intersections; preparation of the required Roadway Sufficiency Analysis Report and Capital Improvement Program Report; preliminary design and construction cost estimates for improvements at 15 intersections to establish an updated impact fee amount.

MICHAEL J. HABERMAN, P.E., PTOE

Project Manager



HIGHWAY OCCUPANCY PERMITS FOR DEVELOPERS AND MUNICIPALITIES

Western Pennsylvania

As a traffic engineering manager and project manager, duties include the preparation of Highway Occupancy Permit (HOP) plans for hundreds of proposed developments and projects throughout southwestern Pennsylvania. HOP plans and packages are prepared for local road accesses; low-volume, medium-volume, and high-volume driveways; stormwater facility connections and extensions; waterline connections gas line installations, and other utility service connections; roadway widening plans; storm facility installations; and sanitary sewer installations and modifications. Experience includes HOP plans and applications for projects in PennDOT Districts 1-0, 2-0, 10-0, 11-0, and 12-0.

WEXFORD MEDICAL MALL TRANSPORTATION ENGINEERING SERVICES

Oxford Development, Pine Township, PA

As the project manager for the transportation services for this development, duties included the preparation of a transportation impact study for proposed development; the preparation of a parking demand study for the development; and the preparation of Highway Occupancy Permit plans, roadway widening plans, and traffic signal construction plans for required traffic improvements. Tasks included scheduling and supervision of data collection, analysis and evaluation of several study intersections; development of mitigation strategies; establishment of required on-site parking; preparation of traffic improvement design plans which included roadway widening plans, temporary traffic control plans, signing and pavement marking plans, traffic signal construction plans, traffic signal permit plans, and general Highway Occupancy Permit package preparation.

TRANSPORTATION IMPACT STUDIES FOR RESIDENTIAL DEVELOPMENTS

Western Pennsylvania

As the traffic engineering manager, duties included the preparation of transportation impact studies and traffic impact assessments for dozens of proposed residential developments throughout western Pennsylvania. Clients served include Heartland Homes, The Meritage Group, Maronda Homes, Ryan Homes, and Weaver Master Builders. In addition to the preparation of required traffic analyses, tasks included identification of optimal locations for site access roads and the preparation of Highway Occupancy Permit plans for approval by PennDOT Districts 1-0, 2-0, 10-0, 11-0, and 12-0.

REPRESENTATIVE PROJECTS - SCHOOL DISTRICTS

PINE-RICHLAND SECONDARY CAMPUS EXPANSION

Prepared Transportation Impact Study for the project as well as HOPs and roadway design of improvements (3 turn lanes, 2 traffic signals); client was the Pine-Richland School District; project located in Pine Township, Allegheny County.

EDGEWORTH ELEMENTARY SCHOOL EXPANSION AND OSBORNE ELEMENTARY SCHOOL EXPANSION

Prepared Traffic Impact Studies for both projects; client was Quaker Valley School District; architect was Eckles Architecture; projects located in Edgeworth Borough and Osborne Borough, Allegheny County.

SEWICKLEY ACADEMY EXPANSION

Prepared Traffic Impact Study for the project as well as HOP for geometric and signal improvements at the intersection of SR 0068 with Hazel Lane; architect was Eckles Architecture; client was Sewickley Academy; project located in Edgeworth Borough, Allegheny County.

GROVE CITY MIDDLE SCHOOL / ELEMENTARY SCHOOL EXPANSION

Prepared Traffic Impact Study for the project; client was Grove City School District; project located in Grove City Borough, Mercer County.

BALDWIN / WHITEHALL HIGH SCHOOL EXPANSION

Prepared Traffic Impact Study for the project as well as HOP and design of improvements (1 turn lane, 1 traffic signal); client was HHSR Architects; project located in Whitehall Borough, Allegheny County.



KEVIN P. HANNEGAN, P.L.S.

Project Manager

Years of Experience: 36

Education:

Pennsylvania State University: B.S. Management Information Systems - 1987

Community College of Allegheny County: Elementary Surveying Courses, 1987

Pennsylvania State University: Land Surveyors Review Courses, 1992-1993

REGISTRATIONS & CERTIFICATIONS

Registered Professional
Land Surveyor

- Commonwealth of PA:
License #SU048536E
- State of WV:
License #2210

MEMBERSHIPS & AFFILIATIONS

- Pennsylvania Society of
Land Surveyors, Southwest
Chapter - Past positions
held: President, Vice
President, Secretary,
Director and State Director
- National Society of
Professional Surveyors -
General Membership

GENERAL QUALIFICATIONS

Mr. Hannegan joined Gateway Engineers in 1977. He became a shareholder at Gateway in January 2008. He is currently a Project Manager at Gateway Engineers and is the Survey Team Leader. He has worked on ALTA/ACSM Land Title Surveys, Subdivision Plans, Utility Surveys, Construction Stakeout Surveys, Field and Boundary work. He has also worked on large and small budget projects. He is skilled at organizing work and resolving problems that arise in day-to-day activities.

REPRESENTATIVE PROJECTS

Accident Cases
Aerial Mapping Projects
Cell Tower Sites - AT&T/Sprint
Housing, Apartment and Condominium Subdivisions
Property Line Disputes
State Highway Projects
Allegheny County Jail, PA
Allegheny County Airport, PA
Greater Pittsburgh International Airport, PA
Rostraver Airport, PA

REPRESENTATIVE PROJECTS - COMMERCIAL FACILITIES

Commercial Facilities
Century III Mall, PA
Greengate Mall, PA
Monroeville Mall, PA
Ross Park Mall, PA
South Hills Village, PA
Westmoreland Mall, PA
Great Southern Shopping Center, PA
Gateway Center Complex, PA
Moraine Pointe Plaza, PA
Parkway Center Mall Complex, PA
Station Square Complex, PA
Crawford Square, PA
CVS Stores, PA
ECKERD Drug Stores, PA



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KEVIN P. HANNEGAN, P.L.S.

Project Manager



Burger King, PA
McDonalds, PA
Giant Eagle Stores, PA
BP/AMOCO Service Stations, PA
COGO's Stores, PA
South Side Works Complex, PA
William Penn Hotel, PA
Heinz Field
Convention Center
Mellon Square Park
Hilton Hotel, PA

REPRESENTATIVE PROJECTS – AMUSEMENT PARKS

Idlewild Park, PA
Kennywood Park, PA
Mellon Arena, PA
PNC Park, PA
Three Rivers Stadium, PA
Sandcastle Waterpark, PA
The Rivers Casino, PA

REPRESENTATIVE PROJECTS – HEALTHCARE FACILITIES

Allegheny General Hospital, PA
Children's Hospital, PA
Ohio Valley Hospital, PA
Passavant Hospital, PA
Presbyterian Hospital, PA
Shadyside Hospital, PA
West Penn Hospital, PA
Mercy Hospital, PA
St. Clair Hospital, PA
Jefferson Hospital, PA

REPRESENTATIVE PROJECTS – UNIVERSITY WORK

Carnegie Mellon University, PA
Chatham College, PA
Indiana University, PA
Slippery Rock University, PA
University of Pittsburgh, PA
School Building Renovations, PA
School for the Blind, PA

KEVIN P. HANNEGAN, P.L.S.

Project Manager



Penn State University, PA

REPRESENTATIVE PROJECTS – OFFICE BUILDINGS

ALCOA Corporate Building, PA

Alcosan Complex, PA

August Wilson Center for African American Culture, PA

CNG Building, PA

Heinz/Del Monte/Bay Valley Foods Plant, PA

Three PNC Plaza, PA

SONY Plant, PA

Parkway Center Office Complex, PA

Oxford Centre, PA

Fifth Avenue Place, PA

Mellon Building, PA

Grant Building, PA

PPG Place Office Building, PA

US Steel Building, PA



DAVID M. HEATH, P.E.

Project Manager

Years of Experience: 17

Education:

Pennsylvania State University: B.S. in Civil Engineering - 2006

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- License #PE085175

MEMBERSHIPS & AFFILIATIONS

- (Formerly) Florida Society of Civil Engineers, FES

TRAINING

- AdICPR Version 3.0 Training
- Bureau of Oil and Gas Management - 2010 Industry Training Workshop
- Westmoreland County Conservation District Engineers Workshop - 2012-2015
- ESCGP-2 and DEP Training - 2014-2015
- First Aid Training - 2015
- Range Safety Training - 2013-2015
- Chevron Safety Training - 2013-2015
- Markwest Safety Training - 2015
- Rice Energy Safety Training - 2015



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GENERAL QUALIFICATIONS

Mr. Heath joined The Gateway Engineers, Inc. as a full-time employee in April 2010, after working for another multi-disciplinary engineering firm in Florida since 2006. He has gained experience in master planning, developmental design, construction documentation, stormwater, DEP, and DOT permitting, and construction administration.

REPRESENTATIVE PROJECTS

PROJECT MANAGEMENT FOR ST. ANDREWS JULIA POUND CARE CENTER

White Township, Indiana County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR CMU MARGARET MORRISON RAIN GARDEN

City of Pittsburgh, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR VARIOUS PROJECT AT THE CROWN CASTLE CORPORATE CAMPUS

Cecil Township, Washington County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR PENN CENTER WEST BUILDING 1 & 9

Robinson Township, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR CROSS CREEK TRAILS

Cross Creek Township, Washington County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

DAVID M. HEATH, P.E.

Project Manager



PROJECT MANAGEMENT FOR COOL SPRINGS GOLF COURSE RE-DEVELOPMENT

Municipality of Bethel Park, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR BETHEL PARK SENIOR LIVING

Municipality of Bethel Park, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR VARIOUS RANGE RESOURCES PROJECTS

Various Locations throughout Southwestern PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR VARIOUS CHEVRON APPALACHIA PROJECTS

Various Locations throughout Southwestern PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR ELMHURST OF CHARTER HOMES AND NEIGHBORHOODS

Sewickley Borough, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR BETHEL PARK RETIREMENT LIVING

Municipality of Bethel Park, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR THE WATSON INSTITUTE

South Fayette Township, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR COOL SPRINGS SUBDIVISION AND REZONING

Municipality of Bethel Park, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

DAVID M. HEATH, P.E.

Project Manager



PROJECT MANAGEMENT FOR VARIOUS PROJECTS AT THE HASTINGS NEIGHBORHOOD

South Fayette Township, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR ARCADIA NEIGHBORHOOD

Jackson Township, Butler County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR CALIFORNIA MEDICAL OFFICE BUILDING

California Borough, Washington County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR KEYSTONE SHOOTING CENTER

Marshall Township, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR GROVE CITY COLLEGE FIELDHOUSE ADDITION

Grove City Borough, Mercer County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR PRESSLEY RIDGE NEW SCHOOL

City of Pittsburgh, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR AGH MOBILE MRI

City of Pittsburgh, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR MEEDER FARM

Township of Cranberry, Butler County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

DAVID M. HEATH, P.E.

Project Manager



PROJECT MANAGEMENT FOR CHARTIERS BEND RETIREMENT COMMUNITY

South Fayette Township, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR VETERANS PLACE TINY HOUSES

Municipality of Penn Hills, Allegheny County, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.

PROJECT MANAGEMENT FOR VARIOUS PROJECTS WITH PEOPLES NATURAL GAS

Allegheny, Butler, and Mercer Counties, PA

Responsibilities included scope, schedule, budget, project planning, task assignment, estimates, coordination with design team, utility companies, and municipalities, progress meetings, conceptual design, assistance to designers, QA/QC, bidding and negotiating, construction administration, and billing.



ALBERTO C. JARQUIN, P.E., CPESC

Project Manager

Years of Experience: 20

Education:

University of Massachusetts-Dartmouth:
B.S. in Civil & Environmental Engineering - 2003

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
Registration No. PE077336
- Commonwealth of MA:
Registration No. 47376

Certified Professional in Sediment and Erosion Control

- Certification No. 4323

MEMBERSHIPS & AFFILIATIONS

- American Society of Civil Engineers (ASCE)

GENERAL QUALIFICATIONS

Mr. Jarquin joined the Gateway Engineers as a full-time employee in August of 2009. He has gained experience in site layout, grading, utility design and layout, stormwater modeling and design, site erosion and sediment control design, report preparation, permitting documents, construction documents, and presentation preparation. He became a Registered Professional Civil Engineer in October 2007 and a Certified Professional in Sediment and Erosion Control in December 2007.

Sample projects have included: permitting and design of commercial and residential land development projects, design and permitting of road construction/reconstruction projects, permitting and design of multitude of energy related projects, design and permitting of stormwater management facilities.

REPRESENTATIVE PROJECTS

SITE DESIGN FOR PARKING LOT RE-CONSTRUCTION

Central Baptist Church, Pittsburgh, PA

Served as project manager for the re-construction of the Central Baptist Church's existing parking lot. Gateway's responsibilities included coordination, permitting, and drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. In addition, Gateway prepared required documents, reports, and applications to acquire necessary permits such as City of Pittsburgh Zoning Approval and Pittsburgh Water and Sewer Authority Tap-In Plans.

SITE DESIGN FOR SITE RE-DEVELOPMENT

Hosanna House - Sherwood, Wilkinsburg, PA

Served as project manager for the construction of two parking areas, a concession building, deck hockey rink pad site, and tennis and basketball courts. Gateway's responsibilities included coordination, permitting, and drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. In addition, Gateway prepared required documents, reports, and applications to acquire necessary permits such as Borough of Wilkinsburg Land Development and Zoning approvals and Allegheny County Conservation District NPDES approval.



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Pittsburgh & Butler, PA

ALBERTO C. JARQUIN, P.E., CPESC

Project Manager



SITE DESIGN FOR CAR DEALERSHIP RE-DEVELOPMENT

South Hills Honda, Peters, PA

Served as project manager for the re-development of the existing car dealership, which included the construction of the new dealership building while still keeping the existing dealership operational during construction, followed by the demolition of the existing dealership and the construction of the new parking lot. Gateway's responsibilities included coordination, permitting, and drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. In addition, Gateway prepared required documents, reports, and application to acquire necessary permits such as Peters Township Land Development approval, Washington County Conservation District NPDES approval, and U.S. Army Corps approval for associated stream impacts.

SITE DESIGN FOR A SELF-SERVE AND AUTOMATIC CAR WASH

Ernie's Touchless Car Wash System, Inc., West Boylston, MA

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

SITE DESIGN FOR 2,583 S.F. RESTAURANT WITH DRIVE-THRU

Dunkin' Donuts, Shrewsbury, MA

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

SITE DESIGN FOR 3,886 S.F. RESTAURANT WITH DRIVE-THRU

McDonald's Corporation, Agawam, MA

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

SITE DESIGN FOR 3,097 S.F. RESTAURANT WITH DRIVE-THRU

Wendy's International Inc., Bridgeport, CT

Responsibilities included design drawings including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

SITE DESIGN FOR 75,218 S.F. WHOLESALE FACILITY

Restaurant Depot, Everett, MA

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

SITE DESIGN FOR SELF-SERVE GAS STATIONS WITH CONVENIENCE STORES

Hess Corporation, Woburn, MA and Manchester, NH

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

SITE DESIGN FOR SELF-SERVE GAS STATIONS

Costco Wholesale, W. Springfield, MA, Everett, MA, Waltham, MA, Danvers, MA and Nashua, NH

Responsibilities included design drawings including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

ALBERTO C. JARQUIN, P.E., CPESC

Project Manager



SITE DESIGN FOR COMMERCIAL DEVELOPMENT

Walmart, Hinsdale, NH

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

SITE DESIGN FOR PHARMACIES WITH DRIVE-THRU

Walgreens, Woburn, MA, Dover, NH, Providence, RI

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

RESIDENTIAL DESIGN FOR A 25 LOT SUBDIVISION

Harrington Estates, Worcester, MA

Responsibilities included design drawings including overall site grading, road design, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

RESIDENTIAL DESIGN FOR A 350 UNIT DEVELOPMENT

AvalonBay Communities, Inc., Northborough, MA

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, road design, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

RESIDENTIAL DESIGN FOR A 52 UNIT DEVELOPMENT

Afra Terrace, West Boylston, MA

Responsibilities included drawing preparation from conceptual design to construction documents including overall site grading, road design, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

RESIDENTIAL DESIGN FOR A 43 UNIT DEVELOPMENT

Fisher Terrace, Holden, MA

Responsibilities included design drawings including overall site grading, road design, site utility design, stormwater design, and sediment and erosion control design. Responsibilities also included preparing required documents, reports, and application to acquire necessary permits.

PIPELINE PERMITTING

Mark West Utica EMG, LLC, Eastern OH

Served as project manager for the design and permitting of a handful of gas pipeline projects located within eastern Ohio. Responsible for coordinating clearances from applicable regulatory agencies; DCNR, PA Fish and Boat Commission, PA Game Commission, ODNR, USFWS, USACE, and PA DEP for the installation of the pipelines ranging from a few hundred feet in length to over 5 miles in length. Gateway was responsible for the design of erosion and sedimentation control devices meeting the requirements of the USACE / OEPW for permit approval.

ALBERTO C. JARQUIN, P.E., CPESC

Project Manager



WELL PAD, CENTRALIZED IMPOUNDMENT, TANK PAD, WITHDRAWAL PAD, SERVICE CONNECTS, AND TEMPORARY WATERLINE DESIGNS FOR MARCELLUS SHALE GAS EXPLORATION

Range Resources – Appalachia, LLC, Various Locations in Southwestern PA

Served as project manager for the design and permitting of various Marcellus Shale Gas Exploration projects such as, well pad sites, centralized impoundment sites, tank pad sites, withdrawal pad sites, gas service connects, and temporary waterlines routes. Responsibilities included site selection, environmental screenings, design drawings including overall site grading, road design, and sediment and erosion control design, and report preparation. Responsibilities also included coordination with client and regulatory agencies for the preparation of ESCGP-1 & ESCGP-2 permits, PA DEP General Permits, USACE approval, and PennDOT Highway Occupancy Permits.

WELL PAD, LOCALIZED IMPOUNDMENTS, TANK PAD, AND GAS SERVICE CONNECT DESIGNS FOR MARCELLUS SHALE GAS EXPLORATION

Chevron Appalachia, LLC, Various Locations in Southwestern PA

Served as project manager for the design and permitting of various Marcellus Shale Gas Exploration projects such as, well pad sites, localized impoundment sites, tank pad sites, and gas service connects. Responsibilities included site selection, environmental screenings, design drawings including overall site grading, road design, and sediment and erosion control design, and report preparation. Responsibilities also included coordination with client and regulatory agencies for the preparation of ESCGP-1 & ESCGP-2 permits, PA DEP General Permits, USACE approval, and PennDOT Highway Occupancy Permits.

COMPRESSOR STATION SITE DESIGN

Mark West Utica EMG, LLC, Eastern OH

Served as project manager for the site design and permitting of the Belmont compressor station located in Belmont County, OH. Work involved due diligence during the site selection process, the preparation of survey, site plans, grading plans, utility coordination, field review for wetland/stream impacts, and erosion/sedimentation control plans for construction of the site, access roads, and meter sites. Responsibilities included coordination with the client and their consultants on equipment layout as well as coordination with various regulatory agencies for the preparation of Nationwide Permit (associated with stream impacts), road permitting, and Township approval.



JASON D. JESSO, PMP

Chief Executive Officer

Years of Experience: 25

Education:

BS. Landscape Architecture, West Virginia University, Morgantown, WV

MBA, Waynesburg University, Waynesburg, PA

Certificate, Institute for Entrepreneurial Excellence, Katz School of Business
University of Pittsburgh, Pittsburgh, PA

REGISTRATIONS & CERTIFICATIONS

Registered Project Management Professional (PMP)

- Commonwealth of PA:
License #1287843

MEMBERSHIPS & AFFILIATIONS

- Board of Directors - Seton La Salle Catholic High School, Pittsburgh, PA
- Board of Directors - Nine Mile Run Watershed Association, Pittsburgh, PA
- American Society of Landscape Architects - Member
- Former Vice President of Western Pa / Delaware Chapter -Project Management Institute

GENERAL QUALIFICATIONS

Mr. Jesso joined the Gateway Engineers as a full-time employee in June of 2000. Prior to joining Gateway, Jesso was a Landscape Architect for two independent architecture and engineering firms in Pittsburgh where he learned how to combine both design and engineering into a single solution. Jesso obtained his Bachelor's of Science in Landscape Architecture from West Virginia University and his Master's of Business Administration from Waynesburg University. After completing his MBA, he received a certificate from the University of Pittsburgh's Katz School of Business, Institute for Entrepreneurial Excellence. He then went on to complete more professional certifications such as the Project Management Professional (PMP) certification and join multiple industry associations such as the American Society of Landscape Architects and the Project Management Institute.

As CEO, Jesso's focus is on establishing, implementing, and communicating the vision of the organization, both internally and externally.



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KEVIN M. NADALIN, P.E.

Project Manager

Years of Experience: 16

Education:

Point Park University: B.S. in Civil Engineering Technology

Pittsburgh Technical Institute: A.S. in Computer Aided Drafting

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
Registration No. PE086453

GENERAL QUALIFICATIONS

Mr. Nadalin joined the Gateway Engineers in 2007 as a CADD Technician. He brings with him a strong background in structural engineering and CADD design. Kevin obtained his Bachelor of Science in Civil Engineering Technology and Engineer-In-Training certification while employed by Gateway. Kevin has worked on a wide array of projects including site design and land development projects, private and public due diligence studies as well as structural investigation, analysis and design.

REPRESENTATIVE PROJECTS

WEST VIRGINIA MILAN PUSKAR FIELD TURF REPLACEMENT PROJECT

Morgantown, West Virginia

Design and construction management and inspection services for renovations to the Milan Puskar Football Stadium at WVU. Design and construction involved installation of a new underground stormwater management system and installation of a new synthetic turf playing surface. Services included design, bidding administration and construction administration and inspection.

IMPERIAL HOUSE PARKING GARAGE RENOVATIONS

Squirrel Hill, Allegheny County, Pennsylvania

Investigation and analysis services concerning the condition of an existing below grade parking garage structure. Design and construction management services for the renovation of a two-story below grade parking garage located beneath an eight-story condominium. Renovations included replacement of two stories of parking deck along with repairs to interior concrete and steel beams and columns. Services provided include construction management and inspection, verification of conformance to plans and specifications, calculation and verification of quantities and design services.

WEST VIRGINIA UNIVERSITY PRACTICE FIELD

Morgantown, West Virginia

Design and construction management and inspection services the new football practice facility at WVU. The practice field included a new synthetic turf playing surface with underground stormwater management, a new fieldhouse and storage building as well as associated site amenities. Services included design, bidding administration and construction administration and inspection.

ROCKET STADIUM, SLIPPERY ROCK HIGH SCHOOL

Butler County, Pennsylvania

Design and construction management and inspection services for construction of a new synthetic turf football field, track and grandstand package located in Slippery Rock, Butler County. Design and construction involved installation of a new underground stormwater management system and installation of a new synthetic turf playing surface. The facility also included new grandstands. Services included design and construction inspection.



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KEVIN M. NADALIN, P.E.

Project Manager



UNIVERSITY OF PITTSBURGH FLOODING INVESTIGATION

Oakland, Allegheny County, Pennsylvania

Investigation and analysis services concerning the recent flooding of numerous facilities within the campus of the University of Pittsburgh. Services provided included site investigation and coordination with facility employees. Final services included a report outlining the believed cause of flooding for each facility as well as schematic repairs to correct issues and opinions of probable cost for each option.

WILLIAM W. KNIGHT-MEMORIAL PARK

Allegheny County, Pennsylvania

Design and construction management and inspection services for renovations to the William W. Knight Memorial Park located in Munhall, Allegheny County. Design and construction involved installation of a new underground stormwater management system and installation of a new synthetic turf playing surface. The facility also included new grandstands, player locker rooms, concession and restroom facilities. Services included design and construction inspection.

NORTH STRABANE MUNICIPAL PARK

Washington County, Pennsylvania

Design services for the construction of a new municipal park in North Strabane Township, Washington County. The park included multiple new baseball and softball fields, a multipurpose synthetic turf field, as well as site amenities such as playgrounds, parking, pavilions, dugouts and other required infrastructure. Services provided included site and grading design as well as construction administration and inspection.

VARIOUS BUILDING STRUCTURAL AND BUILDING CODE ANALYSIS

Municipality of Penn Hills, Allegheny County, Pennsylvania

Condition evaluation surveys and code review analysis for various Municipality owned structures. Services provided included site investigation and coordination with facility employees. Final services included reports outlining the condition and code deficiencies of each building as well as improvement budgets for each structure.

BUILDING STRUCTURAL INVESTIGATION, REMEDIATION DESIGN AND CONSTRUCTION ADMINISTRATION

American Textile Manufacturing Building, Allegheny County, Pennsylvania

Condition evaluation surveys and structural analysis for manufacturing structure. Services provided included site investigation to determine causation and extent of structural distresses and coordination with facility employees. Final services included design and construction administration services for structural repairs inside of an operating facility. Construction work included shoring and replacing existing column foundations and excavations within the building up to 25' below finished floor.

PUBLIC WORKS BUILDING DISTRESSES

Municipality of Mt. Lebanon, Allegheny County, Pennsylvania

Condition evaluation surveys and structural analysis for Municipality owned public works garage. Services provided included site investigation and evaluation of the existing pre-cast concrete structure and distresses throughout the structure. Final services included design and construction administration services for structural repairs to the pre-cast structure.

STRUCTURAL INSPECTION OF PEDESTRIAN BRIDGES

Idlewild Park, Ligonier, Pennsylvania

Inspection and analysis services of numerous existing pedestrian bridges located within the park. Services provided include inspection and structural analysis of various bridges of varying construction types. Final services included development of condition assessment reports as well as recommended repairs and budgeted repair costs.

KEVIN M. NADALIN, P.E.

Project Manager



STRUCTURAL INSPECTION OF VEHICULAR BRIDGE

Borough of Carnegie, Allegheny County, Pennsylvania

Assessment, analysis and design services for a cast-in-place concrete bridge located along a public street located in the Borough of Carnegie. Services provided include inspection and structural analysis of the bridge as well as rehabilitation design. Final services included development of bidding and construction documents, bidding administration and construction administration.

ATLAS INDUSTRIES RETAINING WALL

Carnegie, Allegheny County, Pennsylvania

Design and construction management services for the construction of a retaining wall. Services provided included site layout and structural design of a segmental retaining wall along a small creek adjacent to a warehouse, along with complete project specifications. Also provided were construction management services including submittal review and approval and on-site inspection services.

EMERGENCY OPERATION CENTER

Armstrong County, Pennsylvania

Design services for the site development of an emergency operations center on a vacant property. Services provided included site and grading design as well as site construction details. Also provided were construction management services including submittal review and approval and contractor and owner coordination.

STUDENT HOUSING PROJECT

University of Pittsburgh, Allegheny County, Pennsylvania

Design services for the site development of a multi-story student housing facility located on the University of Pittsburgh main campus. Services provided included site and grading design as well as site construction details. Also provided were construction management services including submittal review and approval and contractor and owner coordination.



MICHAEL A. OGIN, P.L.S.

Project Manager

Years of Experience: 33

Education:

Butler County Community College: A.A.S. in CADD Technologies

REGISTRATIONS & CERTIFICATIONS

Registered Professional Surveyor

- Commonwealth of PA:
Registration No. SU075288

GENERAL QUALIFICATIONS

Mr. Ogin joined Gateway Engineers in 2001 and he became a shareholder in 2010. He has been involved in land surveying and land planning since 1990. His many years of experience as a project manager include various aspects of project design and coordination, planning, construction inspection, and obtaining local, state and federal permits and approvals. He is also responsible for the preparation of plans and specifications, permitting, quantity estimates and cost estimates for projects.

Mr. Ogin works on all aspects of public and private land development projects, from the initial boundary and topographic surveys to the final construction plans and permit acquisitions. As a project manager, he is involved in every step of the land development process as well as representing the clients' needs throughout the project. He understands the needs of the client while being able to work with the individual reviewing agencies to obtain the necessary approvals while considering project costs and feasibility.

REPRESENTATIVE PROJECTS

WEST SUNBURY SEWAGE TREATMENT PLANT

West Sunbury Borough, Butler County, PA

Project Manager for various upgrades to the West Sunbury Sewage Treatment Plant. This plant is designed for 0.028 MGD, has associated collection and conveyance sewers, and one pump station. The scope of the work included assisting the Borough with obtaining grant money for system upgrades, treatment upgrades, and yearly reporting.

PEOPLES NATURAL GAS

Butler, Allegheny, Armstrong, Beaver, Indiana, & Mercer Counties, PA

Project manager for numerous gas line replacement projects. He worked closely with the client on their Long-Term Infrastructure Improvement Plan to replace their aging steel lines with modern plastic lines. Mr. Ogin built systems and processes to specifically address the needs of the client. The scope of each project included the preparation of base plans, field location of utilities, coordination with client's staff, design of new gas lines, and obtaining required permits.

CHESTNUT GROVE

Franklin Township, Butler County, PA

Project manager for a 61-acre multi-family residential development that included design and permitting for 148 quadruplex and duplex units and an area reserved for commercial use. This development also required the design and permitting of an 80,000 gallon per day sewage treatment plant to serve the development. This included gravity sewers as well as a siphon system to serve the entire development.



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MICHAEL A. OGIN, P.L.S.

Project Manager



THE VILLAS AT SPRING VALLEY

Jackson Township, Butler County, PA

Project manager for a 45-acre planned residential development that included 98 residential units. The project required over 1 mile of gravity sanitary sewer and water lines extensions to serve the site. Mr. Ogin was responsible for obtaining approvals from the local municipality, County Conservation District, and Department of Environmental Protection for required permits.

GROVE CITY MIDDLE SCHOOL

Grove City Borough, Mercer County, PA

Project Manager for construction drawings and specifications for the 96,000 sf Middle School. The project scope included the design of site amenities for the 65-acre site which included a 2,500 lf access roadway, 390 parking spaces, bus pickup/drop-off areas, and two multi-purpose athletic fields. Mr. Ogin was responsible for obtaining approvals from the local municipality, County Conservation District, and Department of Environmental Protection for required permits.

SHERWOOD OAKS RETIREMENT FACILITY

Cranberry Township, Butler County, PA

Project Manager for construction drawings for a 24 unit independent living apartment building, 50,000 sf Personal Care building, and 21 duplex Patio Home units. The project scope included the design of parking, accessible pedestrian walkways, site utilities, and stormwater management. Mr. Ogin was responsible for obtaining approvals from the local municipality, County Conservation District, and Department of Environmental Protection for the modification to the outlet structure of the existing lake on the property. We utilized the lake as a stormwater control device to save valuable property where a pond would have been required.

RANGE RESOURCES - APPALACHIA, LLC

Allegheny, Fayette, & Washington County's, PA

Preparation of numerous grading plans, erosion control plans, and permitting documents for well pad sites. These project sites would sometime require several grading options using the clients well pad, production pad, reserve pits, and access road dimensional requirements to secure the best layout. Each site would be evaluated for earthwork quantities and balanced as much as possible.

ATLAS ENERGY RESOURCES, LLC

Redstone Township, Fayette County, PA

Preparation of grading plan and erosion control plan for the Oliverio Tank Farm. This project involved the removal of temporary water storage tanks to make way for a water storage basin. We worked closely with the client to meet there storage and drawdown requirements during the layout and the grading of the project. To meet the dimensional and elevation levels required by the client, a adjacent borrow area was included to make the earthwork quantities balance. Topsoil stockpile storage areas were also included and part of the erosion control plan for the site.

VICTORY FAMILY CHURCH

Cranberry Township, Butler County, PA

Project Manager for construction drawings for a 1400 seat addition to exiting church. The project scope included the design of parking, accessible pedestrian walkways, site utilities, and stormwater management. This site required a revision to a the previously approved Master Plan, Conditional Use approval, and Final approval prior to construction. Mr. Ogin was responsible for obtaining approvals from the local municipality, County Conservation District, and Department of Environmental Protection for the Post Construction Stormwater Management requirements to meet infiltration values.

LESLIE FARMS PHASE 1

Connoquenessing Borough, Butler County, PA

Project manager for Phase 1 development of 36.8 acres of a 136-acre planned residential development of 17 single-family lots, 56 quad units and 72 town homes. Access roads, community park areas, wetland areas, common open space areas, walkways utilities and detention ponds are included in the scope of development.

MICHAEL A. OGIN, P.L.S.

Project Manager



STONECREST PRD

Pine Township, Allegheny County, PA

Project manager for Phase 1 & 2 residential development containing 49 single family residential lots. Access roads, wetland areas, common open space areas, walkways, utilities and detention ponds are included in the scope of development.

HIDDEN ACRES, WILSON'S RIDGE, WALNUT SQUARE

Forward Township, Butler County, PA

Project manager for a 96-acre planned residential development that included the design and preparation of construction plans for 174 residential units and 1,061,000 square feet of commercial/retail development.

BRANDYWINE VILLAGE AND THE VINEYARDS AT BRANDYWINE

Connoquenessing Township, Butler County, PA

Project manager for a 100-acre commercial and residential development that included design, permitting and highway design for 48 single-family residential units, 112 multi-family quadraplex units, and 15 townhouses.

SPRINGFIELD MANOR

Cranberry Township, Butler County, PA

Project manager for a 27-acre planned residential development that included a subdivision of 25 residential lots. The project required major reconstruction of existing township road, extensive landscaping and reforestation, and preparation of construction plans.

ALDERWOOD PRD

Pine Township, Allegheny County, PA

Project manager for a 237-acre Single family development that included design and permitting for 169 units.



MARK W. REIDENBACH P.E., P.L.S., S.E.O.

Project Manager

Years of Experience: 17

Education:

Pennsylvania State University: B.S. in Civil Engineering - 2006

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
License #PE080688

Registered Surveyor in Training

- Commonwealth of PA:
License # ST000854

Registered Sewage
Enforcement Officer

- Commonwealth of PA:
License #38393

MEMBERSHIPS & AFFILIATIONS

- Pennsylvania Association of
Sewage Enforcement
Officers (member since 2013)
- American Society of
Highway Engineers
(member since 2007)

TRAINING

- PaSEO Training: Leaching
Chamber Design,
Morphological Soil
Investigations,
Pressure Distribution
- Pennsylvania Municipal
Planning Education Institute
Course in Subdivision and
Land Development Review
- Safety Training

GENERAL QUALIFICATIONS

Mark Reidenbach began working at Gateway Engineers as an Engineer in 2015. Before working at Gateway, Mark worked at Greenman-Pedersen, Inc. as a Civil Engineer/Survey Crew Chief. He graduated from Penn State University with a Bachelor of Science Degree in Civil Engineering. He is a member of the Pennsylvania Association of Sewage Enforcement Officers (PaSEO) and a member of the American Society of Highway Engineers (ASHE).

REPRESENTATIVE PROJECTS

CHARTIERS VALLEY SCHOOL DISTRICT MIDDLE SCHOOL AND HIGH SCHOOL

Collier Township, Allegheny County, PA

Responsibilities included the site grading, NPDES General Permit for Discharges from Construction Activities and municipal stormwater management approval. Preparation of construction documents.

GUARDIAN STORAGE ROUTE 22

Monroeville Borough, Allegheny County, PA

Responsibilities included the site grading, NPDES General Permit for Discharges from Construction Activities and municipal stormwater management approval. Preparation of construction documents.

WESTERN WAYNE EVERGREEN ELEMENTARY SCHOOL

Salem Township, Wayne County, PA

Responsibilities included the site grading, site utility design, NPDES Individual Permit for Discharges from Construction Activities, Act 537 Sewage Facilities Planning, Low Volume PennDOT Highway Occupancy Permit and Public Water Supply extension. Preparation of construction documents.

NORTHEAST EYE ASSOCIATES AND SAVINO FUNERAL HOME

Lackawanna County, City of Scranton, PA

Responsibilities included the site grading, site utility design and stormwater management design. Stormwater management design required the sizing of large underground storage systems to meet the City of Scranton Ordinance. Preparation of construction documents.

CAMP JRF ECO-VILLAGE, GREENE TOWNSHIP

Pike County, PA

Responsibilities included the site grading, site utility design, NPDES Individual Permit for Discharges from Construction Activities, Act 537 Sewage Facilities Planning, and PaDEP Riparian Buffer Wavier. Preparation of construction documents.



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MARK W. REIDENBACH P.E., P.L.S., S.E.O.

Project Manager



NORTH POCONO HIGH SCHOOL

Covington Township, Lackawanna County, PA

Responsibilities included the schematic site design including overall grading, site utility design, NPDES Individual Permit for Discharges from Construction Activities, Low Volume PennDOT Highway Occupancy Permit and NPDES land disturbance weekly inspections. Preparation of construction documents.

MONTAGE MOUNTAIN SKI AREA ALTA/ASCM LAND TITLE SURVEY

Lackawanna County, City of Scranton, PA

Responsibilities included the deed research, property survey, topographic survey with coordination with aerial mapping and plotting of title exceptions for the parcels owned by the ski area.

SHIPPENSBURG UNIVERSITY STUDENT HOUSING PHASE 1 AND 2 ALTA/ASCM LAND TITLE SURVEY

Shippensburg Borough, Cumberland County, PA

Responsibilities included the deed research, property survey, topographic survey and plotting of title exceptions for six new student housing buildings within the University Campus.



W. SCOTT RUSMISEL, P.E.

Project Manager

Years of Experience: 27

Education:

Pennsylvania State University: B.S. in Civil Engineering - 1996

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
Registration No. 60297E
- State of OH:
Registration No. 77512
- State of WV:
Registration No. 20136
- State of NC:
Registration No. 55831

Registered Professional Engineer

- Commonwealth of PA,
Registration No. 03131

MEMBERSHIPS & AFFILIATIONS

- Pennsylvania Society of Professional Engineers
- National Society of Professional Engineers
- Pennsylvania Association of Sewage Enforcement Officers

GENERAL QUALIFICATIONS

Mr. Rusmisl joined The Gateway Engineers, Inc. in February 2000. He became a shareholder at Gateway in January 2008. He brings with him project management experience of various design and construction projects including municipal improvements, residential developments, commercial developments, and natural gas development. He has experience working with governmental agencies, working with municipal officials, and attending public meetings.

REPRESENTATIVE PROJECTS

MARLBORO DRIVE STORM SEWER RECONSTRUCTION

Peters Township, PA

Project Manager for the storm design, specifications, and construction documents. The scope of work included storm sewer design to reconstruct existing sewer system to alleviate localized flooding, coordination with utility companies, project specifications, and public bidding documents. The project included the reconstruction of approximately 650 feet of sewer of various sizes from 15 inch to 36 inch. Project costs \$650,000.

WHITEHALL POOL RECONSTRUCTION

Borough of Whitehall, PA

Project Manager for the demolition and reconstruction of the Borough's pool. Scope of work included design development of a new activity pool with associated buildings and improvements to replace the original competition pool, site design to provide ADA accessibility throughout project site and adjoining park, construction of standalone pump house and concession stand, public bidding documents, coordination with MEP consultants, and construction administration. Project costs \$5,800,000.

STREET RUN SUB-WATERSHED SEWER RECONSTRUCTION

Borough of Whitehall, PA

Project Manager for the storm and sanitary sewer design, specifications, and construction. Scope of work included storm sewer design to reconstruct and relocate existing sewers to meet the 25-year storm requirements, sanitary sewer reconstruction and rehabilitation, coordination with utility companies, project specifications, and construction management. The project included the reconstruction and rehabilitation of approximately 1,050 feet of sewer of various sizes from 8 inch to 36 inch. Project costs \$750,000.



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Pittsburgh & Butler, PA

W. SCOTT RUSMISEL, P.E.

Project Manager



DOVERDELL DRIVE SUB-WATERSHED SEWER RECONSTRUCTION

Borough of Whitehall, PA

Project Manager for the storm and sanitary sewer design, specifications, and construction. Scope of work included storm sewer design to reconstruct and relocate existing sewers to meet the 25-year storm requirements, design of a storm water management underground tank, sanitary sewer reconstruction and rehabilitation, coordination with utility companies, project specifications, and construction management. The project included the reconstruction and rehabilitation of approximately 5,345 feet of sewer of various sizes from 8 inch to 48 inch. Project costs \$3,000,000.

REPASKY DAM IMPROVEMENTS

Union Township, Westmoreland County, PA

Project Manager for the design of various improvements to an existing dam in order to bring the dam into compliance for a dam permit. The improvements include reconstruction of an emergency spillway and stabilization of the dam's outer embankment slope. Duties include coordination with the client and DEP to obtain a dam permit. Tasks completed have included the completion of the yearly dam inspection, approval of an erosion control plan from the Westmoreland Conservation District, completion of the Emergency Action Plan and submission of a complete dam permit application.

MILLERS RUN SANITARY SEWER PROJECT

Cecil Township, PA

Sanitary sewer construction project manager for the sewer design, construction specifications, bid documents, construction management, and construction administration. The scope of work included sanitary sewer design to service approximately 600 structures along Millers Run. Site work for pump stations and wastewater treatment plant, coordination with utility companies, coordination and DEP permits for numerous stream crossings, project specifications, and bid documents. The project included the sanitary design for approximately 98,000 feet of pipe of various sizes from 8 in. to 24 inches. The estimated project cost \$10,500,000.

MCGUFFEY HIGH SCHOOL STADIUM LANDSLIDE REPAIR

Claysville, Washington County, PA

Project manager for the landslide repair at the McGuffey High School stadium. Services included preparation of plans and specifications for soil nailing to stabilize the existing landslide until a conventional landslide repair was completed. Contract bidding documents, construction administration and inspection services were also provided for the conventional landslide repair.

BELLWALT DRIVE STORM SEWER RECONSTRUCTION, PHASE I

Peters Township, PA

This project involved the reconstruction of a storm sewer line including the installation of storm sewer pipe, a new storm sewer manhole, reconstruction of existing storm inlets, a reinforced concrete end wall, asphalt trench repaving, driveway restoration, lawn restoration, traffic control and other notifications. Project Management duties included design of the plans, preparation of specifications, and management of the contractor's work.

CAMP LANE AND MERLIN DRIVE STORM SEWER RECONSTRUCTION

Peters Township, PA

This project involved the reconstruction of approximately 1300 lineal feet of storm sewers, storm sewer inlets, storm manholes, and concrete end walls. The project also included concrete curb reconstruction, bituminous trench repair, concrete and bituminous driveway reconstruction. Responsible for the engineering design and bid and contract administration.

W. SCOTT RUSMISEL, P.E.

Project Manager



STRATFORD DRIVE - SUB-WATERSHED STORM SEWER RECONSTRUCTION

Peters Township, PA

Storm sewer reconstruction project manager for the storm sewer design, specifications, and construction. The scope of work included storm sewer design to reconstruct existing storm sewers to maximize sewer capacity while not disturbing existing public utilities, coordination with utility companies, project specifications, and construction management. The project included the reconstruction and rehabilitation of approximately 2300 feet of sewer of various sizes from 15" to 36" pipe. Project costs \$240,000.00.

EAST BARLIND DRIVE SUB-WATERSHED SEWER RECONSTRUCTION PHASES 1 AND 2

Borough of Whitehall, PA

Project Manager for the storm and sanitary sewer design, specifications, and construction. The scope of work included storm sewer design to reconstruct existing sewers to meet the 25-year storm requirements, sanitary sewer reconstruction and rehabilitation, coordination with utility companies, project specifications, and construction management. The project included the reconstruction and rehabilitation of approximately 5,800 feet of sewer of various sizes from 8 inch to 42 inch. Project costs \$850,000.00.



JOSHUA M. SCANLON, P.E.

Project Manager

Years of Experience: 10

Education:

Pennsylvania State University: B.S. in Civil Engineering - 2013

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA:
Registration No. PE090761
- State of MD:
Registration No. PE05-57389
- State of OH:
Registration No. 86528
- State of WY:
Registration No. PE 18453
- State of WV:
Registration No. 24712
- Commonwealth of VA:
Registration No. 0402063478
- State of NC:
Registration No. 056472

TRAINING

- Organization required safety trainings
- Westmoreland County Conservation District Engineers' Workshop
- Beaver County Conservation District Engineers' Workshop
- Allegheny County Municipal Planning Workshop
- Profession Specific Continuing Education Courses

GENERAL QUALIFICATIONS

Josh Scanlon began working at Gateway as an Engineer-In-Training in February 2015. Before working at Gateway, Josh worked for Simon Contractors as a Field / Project Engineer. He graduated from Penn State University with a Bachelor of Science Degree in Civil Engineering. Josh has gained experience in project management, land development, underground utility design, erosion and sediment control design, stormwater management design, DEP permitting, municipal engineering, construction administration and field work, QA/QC, cost estimation, and construction scheduling.

REPRESENTATIVE PROJECTS

PEOPLES NATURAL GAS REPLACEMENT PROJECTS, CENTRAL DIVISION

Various Locations, PA

Responsibilities include coordination with PNG design technicians and project managers, project research and use of PNG's ESRI mapping system, field work to map existing conditions and verify services customers, use base field data to prepare design plan, construction estimates using People's CU formatting, and shell drawings for use in construction binders. Responsibilities also include coordination with design technicians and permitting coordinators to acquire necessary permits for projects including but not limited to HOPs, general permits, railroad permits, and assistance with local permits. Will attend meetings with project managers and design technicians to review projects, processes, and lessons learned to ultimately improve project efficiencies.

PEOPLES NATURAL GAS LOGISTICS CLOSEOUT, VARIOUS DIVISIONS

Various Locations, PA

Responsibilities included coordination with PNG closeout coordinators to gather project information from design and field notes to draft as-builts of constructed projects and assist in preparation of the closeout binders. Would meet with PNG closeout team on a weekly basis to review project status, assist in gathering additional information, review schedule, and discuss processes for continual improvement.

MUNICIPAL ENGINEERING SERVICES

Township of Ross, PA

Responsibilities include technical reviews of land development applications, stormwater management plans, subdivision and consolidation plans, planned residential development application, etc. and provide engineer's oversight during plan review and development construction on behalf of the municipality.

SITE DESIGN FOR GUARDIAN STORAGE

Bethel Park, PA

Responsibilities included site design, site utility design, storm sewer design, sediment and erosion control design, and preparing required documents, reports, and applications to acquire necessary permits of a storage facility.



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JOSHUA M. SCANLON, P.E.

Project Manager



SITE DESIGN FOR NORTHVIEW HEIGHTS SENIOR CARE FACILITY

City of Pittsburgh, PA

Responsibilities included coordination with architect and sub-consultants, site design, site utility design, storm sewer design, sediment and erosion control design, and preparing required documents, reports, and applications to acquire necessary permits for construction of a multi-story senior care facility.

SITE DESIGN FOR GREGG STATION RESIDENTIAL DEVELOPMENT

Collier Township, PA

Responsibilities included coordination with owner, site design, site utility design, storm sewer design, sediment and erosion control design, and preparing required documents, reports, and applications to acquire necessary permits for construction of a 70-lot residential development.

SITE DESIGN FOR CHARTER HOMES AT HASTINGS

South Fayette, PA

Responsibilities included site design, site utility design, storm sewer design, sediment and erosion control design, and preparing required documents, reports, and applications to acquire necessary permits of a multi-use residential development.

SITE DESIGN FOR MEEDER FARMS MASTERPLAN

Cranberry Township, PA

Responsibilities included coordination with owner and regulatory bodies, site design, site utility design, storm sewer design, sediment and erosion control design, and managing and preparing required documents, reports, and applications to acquire necessary permits of a multi-use residential development.

SITE DESIGN FOR WATERMARK APARTMENTS

Cranberry Township, PA

Responsibilities included coordination with owner, other sub-consultants, architect, and regulatory bodies, site design, site utility design, storm sewer design, sediment and erosion control design, and managing and preparing required documents, reports, and applications to acquire necessary permits of two 135-unit apartment buildings as part of the Meeder Farms Masterplan.

WELL PAD DESIGN FOR NATURAL GAS WELLS

Chevron Appalachia, LLC, various locations in Southwestern PA and WV

Responsibilities included site grading, road design, erosion and sediment control design, stormwater management, rain garden and infiltration basin design, and report preparation. Responsibilities also included preparing required documents and reports to acquire necessary permits.

WELL PAD DESIGN FOR NATURAL GAS WELLS

Range Resources, various locations in Southwestern PA

Responsibilities included site grading, road design, erosion and sediment control design, stormwater management, rain garden and infiltration basin design, and report preparation. Responsibilities also included preparing required documents and reports to acquire necessary permits.

WELL PAD DESIGN FOR NATURAL GAS WELLS

Consol Energy, various locations in Northwestern PA

Responsibilities included site grading, road design, erosion and sediment control design, stormwater management, rain garden and infiltration basin design, and report preparation. Responsibilities also included preparing required documents and reports to acquire necessary permits.

JOSHUA M. SCANLON, P.E.

Project Manager



SITE DESIGN FOR COOL SPRINGS ASSISTED LIVING

Bethel Park Borough, PA

Responsibilities included site design of an assisted living facility and associated parking, stormwater design, site utility design, storm sewer design, erosions and sediment control design, and preparing required documents, reports, and applications to acquire necessary permits.

EROSION AND SEDIMENT CONTROL INSPECTION

Various locations in Southwestern PA

Responsibilities included regular inspections of erosion and sediment control BMPs and submitting inspection reports to ACCD to ensure compliance of active NPDES permits for probationary co-permittee.

STORMWATER MANAGEMENT FACILITY INSPECTION

Various locations in Southwestern PA

Responsibilities included inspection and verification of stormwater management control BMPs and submitting notice of termination reports to conservation district to ensure compliance of active NPDES permits.

SITE DESIGN FOR VARIOUS QUICK SERVICE RESTAURANT DEVELOPMENTS

Locations in Ohio, West Virginia, Maryland, Virginia, and Pennsylvania

Responsibilities included site layout, grading, and utility plans for the construction of fast food restaurants. Developments were designed to meet the local and state codes. Engineering services were provided from due diligence through construction.

SITE DESIGN A GAS LINE REPLACEMENT AND RELOCATION AT THE ALLEGHENY COUNTY AIRPORT

Allegheny County Airport, Pennsylvania

Responsibilities included design and permitting for a 12" steel gas line replacement and relocation in response to runway improvements proposed by the Allegheny County Airport. Scope of work also included heavy coordination with airport personnel and consultants to safely and effectively perform our work.

SITE DESIGN OF A 450 ACRE MIXED USE DEVELOPMENT

Selma, NC

Responsibilities included design, permitting, construction administration and inspection, stakeholder coordination for a 450 acre mixed use development containing retail, commercial, industrial, and residential uses. Required infrastructure improvements include construction of a county regional pump station, various sanitary force mains and pump stations, mainline utility extensions, improvements to Highway 70, Highway 70A, Interstate-95, and construction of new internal roads to support the development. Permitting has been completed with the Army Corp, NC DEQ, Johnston County, Town of Selma, NC DOT, Duke Energy, and various others.

MUNICIPAL ENGINEERING SERVICES

Municipality of Mt. Lebanon, PA

Responsibilities include technical reviews of land development applications, stormwater management plans, subdivision and consolidation plans, planned residential development application, etc. and provide engineer's oversight during plan review and development construction on behalf of the municipality. Additionally, I oversee the operation and maintenance of existing sanitary and storm sewers throughout the municipality. We facilitate and oversee yearly contracts to ensure that the municipal system is operating as required and ensure the required maintenance is taking place.



JOSEPH H. SITES, P.E., MBA

Project Manager

Years of Experience: 35

Education:

Robert Morris University: Master of Business Administration - 2000

University of Pittsburgh: B.S. in Civil Engineering - 1988

REGISTRATIONS & CERTIFICATIONS

Registered Professional Engineer

- Commonwealth of PA

MEMBERSHIPS & AFFILIATIONS

- American Society of Civil Engineers
- Pennsylvania Society of Professional Engineers
- Washington County Chamber of Commerce
- Pennsylvania Society of Professional Engineers Board of Directors
- MATHCOUNTS Committee Chairman
- Speaker Bureau Committee Chairman
- Borough of Carnegie BOCA Board of Appeals
- North Strabane Township BOCA Board of Appeals

AWARDS

- Pennsylvania Society of Professional Engineers, Pittsburgh Chapter 1997 Young Engineer of the Year

GENERAL QUALIFICATIONS

Mr. Sites joined the Gateway Engineers in 1990. He became a shareholder at Gateway in January 2008. He brings with him project management experience of various construction projects from design specification writing through completion of construction. These projects include major road reconstruction and resurfacing projects, streetscape rehabilitation projects, storm and sanitary sewer installations, underground fuel storage tank systems, community park improvements with new playground equipment, courts, fields, handicapped accessible facilities, grading, roofs, and swimming pool improvements. His Municipal Engineering duties involve being the principal representative for assigned municipal clients by completing plan reviews, working with municipal officials, and attending monthly council and planning commission meetings on a regular basis.

REPRESENTATIVE PROJECTS

ANNUAL PAVING PROGRAMS

Bridgeville Borough, Cecil Township, Chartiers Township, Hampton Township, and North Strabane Township

Project Manager for the design, construction management and inspection of yearly paving contracts in several municipalities. Projects have ranged in size and scope with construction costs of \$100,000 to \$1,000,000+. I have twenty years of experience in paving specification writing, plan development, and oversight in the proper procedures for contractors to follow in road paving.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTRATION

Bridgeville Borough

Project Manager for the engineering design and construction administration of yearly CDBG funded programs. Experienced in working with the Char-West Council of Governments in carrying out the specific administrative requirements of these programs. Projects include yearly ADA ramp projects, demolitions and playground enhancements. Prepares yearly grant applications and the specifications and plans for each project, along with coordinating the activities of the contractors for each project.

PLANNING WORK

North Strabane Township

Project Manager for the subdivision and land development approval process in the North Strabane Township where tremendous growth is taking place for several housing subdivisions. Project Management duties include the preparation of and review of plan reviews, coordination with various contractors, developers and Gateway inspectors, to ensure that the work performed meets all Borough standards and ordinances, and attendance at Planning Commission meetings.



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JOSEPH H. SITES, P.E., MBA

Project Manager



BRIDGEVILLE BOROUGH STREETScape

Bridgeville Borough

Design and construction administration of the Washington Avenue Streetscape Improvements from Station Street to the Bower Hill Road Intersection. The streetscape improvements involved replacement of the concrete sidewalk with exposed aggregate sidewalk, planters, lighting and other site amenities. The purpose of the project was to update the central business district in the Borough.

FORMER MUNICIPAL BUILDING ROOF REPLACEMENT

Cecil Township, PA

Project Manager for removal and replacement of the existing roof on the former Cecil Township Municipal Building. Responsibilities included preparation of plans and specifications for the project, administration of the bidding process, coordinating communication between the Contractor and the Township, and the review and approval of contractors' product submittals.

CHARTIERS CREEK CLEARING PROJECT AND MAINTENANCE

Chartiers Valley Flood Control Authority

This project involves the clearing of trees, brush, and debris along the banks and bottom of Chartiers Creek on an annual and as needed basis for maintenance of the channel to meet the requirements of the U.S. Army Corps of Engineers. Project Management duties included development of a project scope, cost estimating, preparation of

ANDERSON STREET STREETScape DESIGN AND CONSTRUCTION ADMINISTRATION

Lincoln at North Shore

The project involved the widening of Anderson Street from the 9th Street Bridge to General Robinson Street. Included in this widening was the installation of a new street scape comprised of granite curbs, exposed aggregate, street trees and lighting improvements. All work completed was to compliment the Lincoln at North Shore residential development.

ISABELLA STREET STREET SCAPE

Alcoa World Headquarters

Design and construction administration of the project from Anderson Street to Sandusky Street including the installation of a new streetscape consisting of granite curbs, terrazzo sidewalk, street trees, lighting improvements, and Belgian block street replacement. Work was completed to complement Alcoa World Headquarters Building.

DORMONT POOL WATERSLIDE

Installation of the first in pool recreational water slide in Pennsylvania. Work included acquiring the necessary permits and construction documents to fast track the installation of the slide in three months prior to the Memorial Day weekend opening.

EAST AND WEST MAIN STREET STREETScape

Carnegie Borough

Design and construction administration of the two-phase commercial revitalization from Broadway Street to Mansfield Blvd. The streetscape improvements involved removal of the walking mall to re-establish the roadway with improved drainage, pavement curbs, Blackstone pavers, planters, lighting and other site amenities. The purpose of the project was to return an image of a central business district in the Borough.

AULD LUMBER SITE DEMOLITION

Design and construction administration of demolition of multiple commercial buildings from the site to be used as future Pine Creek Watershed Regional Stormwater Management Facility. Work involved coordination for Phase I site assessment, preparation of specifications for demolition, meeting with contractors, management of successful bidder, and administration through North Hills COG to meet deadline for completion as established by Allegheny County Department of Community and Economic Development.

JOSEPH H. SITES, P.E., MBA

Project Manager



NORTH MCDONALD AND LIBERTY STREET MINE FLOODING IMPROVEMENTS

Project manager for the engineering design and construction administration for repairs and improvements to North McDonald and Liberty Streets in McDonald Borough, Washington County. This work was the result of damage caused by a mine drainage blow out on Liberty Street that damaged the pavement in January 2005. Work involved coordination with PennDOT to administer projects through their ECMS system since funding was obtained from a Federal Grant through Congressman Tim Murphy. The scope of work performed involved completion of pavement repairs, resurfacing, and installation of handicapped ramps.



GATEWAYENGINEERS
A FULL-SERVICE CIVIL ENGINEERING FIRM

Attachment 4



Gateway Engineers Licenses

Count	Employee	License	State	License #
1	Albright, Michael G.	Professional Engineer	Pennsylvania	PE082447
2	Appel, Lindsay E.	Professional Engineer	Pennsylvania	PE085166
3	Bagaley, Matthew E.	Professional Engineer	Pennsylvania	PE062962
4	Brown, Kyle L.	Professional Engineer	Pennsylvania	PE085550
5	Cooper, Patrick T.	Professional Engineer	Pennsylvania	PE042416E
6	Damewood, Alexander J.	Professional Engineer	Pennsylvania	PE085012
7	Deiseroth, Daniel S.	Professional Engineer	Pennsylvania	PE038499E
8	Donnelly, Sean M.	Professional Engineer	Pennsylvania	PE062433
9	Flaugh, Bryan W.	Professional Engineer	Pennsylvania	PE071172
10	Flynn, Dennis J.	Professional Engineer	Pennsylvania	PE084953
11	Galet, Michael J.	Professional Engineer	Pennsylvania	PE086894
12	Garczewski, Jonathan E.	Professional Engineer	Pennsylvania	PE079459
13	Geiger, Daniel C.	Professional Engineer	Pennsylvania	PE093924
14	Hayes, Nathaniel S.	Professional Engineer	Pennsylvania	PE076455
15	Harrington, Kelley R.	Professional Engineer	Pennsylvania	PE097698
16	Hoeftler, Josiah D.	Professional Engineer	Pennsylvania	PE093753
17	Hone, Brian W.	Professional Engineer	Pennsylvania	PE088817
18	Jacob, Stuart A.	Professional Engineer	Pennsylvania	PE088701
19	Jubic, Craig R.	Professional Engineer	Pennsylvania	PE084987
20	Koerber, Joshua M.	Professional Engineer	Pennsylvania	PE090719
21	Maher, Robert J.	Professional Engineer	Pennsylvania	PE091886
22	McCracken, Jennifer K.	Professional Engineer	Pennsylvania	PE079489
23	Rea, Spencer D.	Professional Engineer	Pennsylvania	PE094337
24	Reidenbach, Mark W.	Professional Engineer	Pennsylvania	PE080688
25	Rusmisl, Scott W.	Professional Engineer	Pennsylvania	PE060297
26	Scanlon, Joshua M.	Professional Engineer	Pennsylvania	PE090761
27	Sites, Joseph H.	Professional Engineer	Pennsylvania	PE047342E
28	Timmerman, Joseph W.	Professional Engineer	Pennsylvania	PE074979
29	Slominski, Amanda N.	Professional Engineer	Pennsylvania	PE097383



BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

P. O. Box 2649

Harrisburg, PA 17105-2649

10/15/2025

License Information

MICHAEL GERALD ALBRIGHT

GIBSONIA, Pennsylvania 15044

Board/Commission: State Registration Board for Professional
Engineers, Land Surveyors and Geologists

Status Effective Date: 06/12/2014

LicenseType: Professional Engineer

Issue Date: 06/12/2014

Specialty Type:

Expiration Date: 09/30/2027

License Number: PE082447

Last Renewal: 08/25/2025

Status: Active

Disciplinary Action Details

No disciplinary actions were found for this license.

This site is considered a primary source for verification of license credentials provided by the
Pennsylvania Department of State.



**Commonwealth of Pennsylvania- Department of State
Bureau of Professional and Occupational Affairs**

Mailing Address P.O. Box 2649, Harrisburg, PA 17105

Toll Free: 1-833-DOS-BPOA



LINDSAY ELIZABETH APPEL

License Number : PE085166 Initial License Date : 05/26/2016 Expiration Date : 09/30/2027
License Type : Professional Engineer License Status as of 8/6/2025 : Active
Issued By : State Registration Board for Professional Engineers, Land
Surveyors and Geologists
Address : 1915 MARKLEY DR, Sewickley, PA 15143



Arion R. Claggett

Acting Commissioner Arion R. Claggett

Signature of Licensee



Please verify the license by visiting <https://www.pals.pa.gov/verify> or by scanning the QR Code

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MATTHEW EDWARD BAGALEY
4907 WICKLOE DRIVE
GIBSONIA, PA 15044



**Commonwealth of Pennsylvania- Department of State
Bureau of Professional and Occupational Affairs**

Mailing Address P.O. Box 2649, Harrisburg, PA 17105

Toll Free: 1-833-DOS-BPOA



MATTHEW EDWARD BAGALEY

License Number	: PE062962	Initial License Date	: 01/05/2004	Expiration Date	: 09/30/2027
License Type	: Professional Engineer	License Status as of 8/4/2025 : Active			
Issued By	: State Registration Board for Professional Engineers, Land Surveyors and Geologists				
Address	: 4907 WICKLOE DRIVE, GIBSONIA, PA 15044				



Arion R. Cleggett

Acting Commissioner Arion R. Cleggett

[Signature]

Signature of Licensee



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Mailing Address P.O. Box 2649, Harrisburg, PA 17105

Toll Free: 1-833-DOS-BPOA



KYLE L BROWN

License Number : PE085550 Initial License Date : 12/09/2016 Expiration Date : 09/30/2027
License Type : Professional Engineer License Status as of 9/16/2025 : Active
Issued By : State Registration Board for Professional Engineers, Land
Surveyors and Geologists
Address : 111 MANCHESTER CIRCLE, Pittsburgh, PA 15237



Arion R. Claggett

Acting Commissioner Arion R. Claggett

Signature of Licensee



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PATRICK T COOPER
3155 ANNAPOLIS AVE
PITTSBURGH, PA 15216



**Commonwealth of Pennsylvania- Department of State
Bureau of Professional and Occupational Affairs**

Mailing Address P.O. Box 2649, Harrisburg, PA 17105

Toll Free: 1-833-DOS-BPOA



PATRICK T COOPER

License Number	: PE042416E	Initial License Date	: 02/19/1992	Expiration Date	: 09/30/2027
License Type	: Professional Engineer	License Status as of 8/15/2025 : Active			
Issued By	: State Registration Board for Professional Engineers, Land Surveyors and Geologists				
Address	: 3155 ANNAPOLIS AVE, PITTSBURGH, PA 15216				



Arion R. Claggett

Acting Commissioner Arion R. Claggett

Signature of Licensee



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**Commonwealth of Pennsylvania- Department of State
Bureau of Professional and Occupational Affairs**

Mailing Address P.O. Box 2649, Harrisburg, PA 17105

Toll Free: 1-833-DOS-BPOA



ALEXANDER JONAS DAMEWOOD

License Number : PE085012 Initial License Date : 05/26/2016 Expiration Date : 09/30/2027
License Type : Professional Engineer License Status as of 9/19/2025 : Active
Issued By : State Registration Board for Professional Engineers, Land Surveyors and Geologists
Address : 141 DEER VALLEY DR, SEWICKLEY, PA 15143



Arion R. Claggett

Acting Commissioner Arion R. Claggett

Signature of Licensee



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DANIEL S DEISEROTH
801 LARCHMONT ROAD
PITTSBURGH, PA 15243



**Commonwealth of Pennsylvania- Department of State
Bureau of Professional and Occupational Affairs**

Mailing Address P.O. Box 2649, Harrisburg, PA 17105

Toll Free: 1-833-DOS-BPOA



DANIEL S DEISEROTH

License Number	: PE038499E	Initial License Date	: 03/07/1989	Expiration Date	: 09/30/2027
License Type	: Professional Engineer	License Status as of 8/1/2025 : Active			
Issued By	: State Registration Board for Professional Engineers, Land Surveyors and Geologists				
Address	: 801 LARCHMONT ROAD, PITTSBURGH, PA 15243				



Arion R. Claggett

Acting Commissioner Arion R. Claggett

Daniel S. Deiseroth
Signature of Licensee



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SEAN MICHAEL DONNELLY
2320 MILL GROVE RD
PITTSBURGH, PA 15241



**Commonwealth of Pennsylvania- Department of State
Bureau of Professional and Occupational Affairs**

Mailing Address P.O. Box 2649, Harrisburg, PA 17105

Toll Free: 1-833-DOS-BPOA



SEAN MICHAEL DONNELLY

License Number	: PE062433	Initial License Date	: 01/05/2004	Expiration Date	: 09/30/2027
License Type	: Professional Engineer	License Status as of 8/12/2025 : Active			
Issued By	: State Registration Board for Professional Engineers, Land Surveyors and Geologists				
Address	: 2320 MILL GROVE RD, PITTSBURGH, PA 15241				



Arion R. Claggett

Acting Commissioner Arion R. Claggett

[Signature]

Signature of Licensee



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**Commonwealth of Pennsylvania- Department of State
Bureau of Professional and Occupational Affairs**

Mailing Address P.O. Box 2649, Harrisburg, PA 17105

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BRYAN WILLIAM FLAUGH

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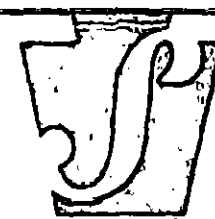


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Attachment 5



Project Status Report

March 21, 2021

Project Name: PAWC- Brentwood Sanitary Sewer 537 Special Study

Project Number: P-21-0389

Prepared By: Jennifer J. Slagle, P.E.

Summary of Recent Activity

- Review of requirements for DEP
- Coordinated tasks and schedule with PAWC

Upcoming Tasks

Gateway to provide a special 537 study for PAWC for the Brentwood Sanitary Sewer System.

Administrative Completeness - For this section Gateway will prepare a summary of the proposed plan, prepare the proper advertisements and incorporate comments.

Project Tasks Include:

- Prepare Report/Plan Summary
- Prepare documents for the Municipal Adoption of the Plan
- Address Planning Commission Department Comments
- Prepare Publication for advertisement
- Include Public Comments into the report
- Prepare a summary of the Implementation Schedule as provided by PAWC/PFM

Report Preparation Tasks:

Section I - Previous Wastewater Planning

- Preparation of a narrative description for previous wastewater planning approved and adopted by the Borough.
- Prepare outline of the tasks completed and to be completed in regard to the Consent Orders
- Research and listing of all new developments and planning exemptions approved by the Borough.

Section II – Physical & Demographic analysis

- Prepare map(s) will that depict the locations and boundaries of the sewer service areas for the Borough of Brentwood.

Section III– Existing Sewage Facilities in the Planning Area

- Prepare a narrative description of the sewage facilities
- Prepare a map depicting the locations of all sewage facilities in the sewersheds of Brentwood. This will include line sizes capacities etc. with data reported in the Feasibility Study.
- Prepare a description of the deficiencies with the sewage system as identified in the Feasibility Study
- Provide summary of the flow monitoring conducted based on previous reports, including the Feasibility Study and 2017 Source Reduction Study



Project Status Report

March 21, 2021

- Prepare a map that depicts the locations for any on-lot systems within the sewershed and estimated sludge volume from these systems with information provided by the Borough

Section IV – Future Growth and Development

- Provide zoning map and ordinances that depicts the location and types of uses within the service area
- Prepare description of all new and proposed subdivisions along with existing population, and identify undeveloped areas used to predict the future population growth and sewage needs for the future based on known information from the Borough and estimated growth in the region as provided by Southwest Planning Commission

Section V – Identify Alternatives to Provide New or Improved Wastewater Disposal Facilities.

- Incorporate narrative as provided by PAWC

Section VI – Alternatives Evaluation

- Prepare narrative of sewer sale. Coordination with PFM and Borough

Section VII - Institutional Evaluation (PAWC to provide and assist with this information)

- Incorporate Analysis and Description provided by PAWC
- New Administrative and Legal Activities
Prepare narrative to describe development of the following items provided by PAWC:
 - a. Incorporation of authorities or agencies
 - b. Development of required Ordinances, Regulations, Standards, and Inter-Municipal Agreements.
 - c. Activities to provide for Rights-of-Way, Easements, or Land Transfers
 - d. Adoption of Other Municipal Sewage Facilities Plans
 - e. Other Legal Documents
- Provide timeframes for Items a-e above into the report as provided by PAWC

Section VIII – Selected Alternative and Implementation Schedule (PAWC to provide assistance with this information)

- Prepare narrative of the Selected Alternative and Justification of Selected Alternative
 - a. Existing Wastewater disposal needs
 - b. Future wastewater needs and growth
 - c. O&M considerations (PAWC to provide)
 - d. Available Management and administration systems (PAWC to provide)
 - e. Environmental soundness and compliance with natural resource planning preservation programs (PAWC to provide)
- Prepare a summary of the Implementation Schedule (PAWC/PFM to provide)

Issues

- PAWC to provide the information noted and any other pertinent information relative to their operations and ownership of sanitary sewer systems and how they plan to address issues specific to Brentwood.
- Report will not require new analysis of the sanitary sewer system, but Gateway will utilize information included in existing reports, including the Feasibility Study (2013) and the 2017 Source Reduction Study.

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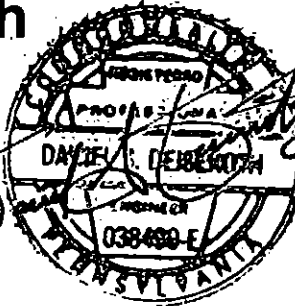
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C-41166-0003

July 10, 2023

Act 537 Plan Update Special Study for: **Brentwood Borough**

Brentwood Borough,
Allegheny County, Pennsylvania



PREPARED FOR

Brentwood Borough
3735 Brownsville Road
Brentwood, PA 15227

AND

Pennsylvania-American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

SUBMITTED BY

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REPORT





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Introduction

The Pennsylvania Sewage Facilities Act “Act 537”, requires that municipalities develop and implement comprehensive official plans that provide for the resolution of existing sewage disposal problems; provide for future sewage disposal needs of new land development; and provide for the future sewage disposal needs of the municipality.

The main purpose of a municipality’s Sewage Facilities Plan is to protect the health, safety, and welfare of the citizens living in the municipality. It is the plan for correcting malfunctioning on-lot septic systems, overloaded treatment plants or sewer lines, and wildcat sewers. The existence of untreated or improperly treated sewage in surface water, on the surface of the ground, or in the groundwater allows disease organisms to reach people through drinking water, through insects or other animals, and through direct contact.

A second but equally important purpose of the sewage facilities plan is to prevent future sewage disposal problems from occurring. Municipal officials are able to direct new land development to areas where adequate sewage disposal facilities are available or will be available when sewage facilities plans are consistent with land use planning, zoning and other municipal planning. Sewer lines can be extended in a planned manner, treatment plants can be expanded as planned, and on-lot systems can be installed in soils suitable for such systems and maintained through municipal sewage management programs. Proper planning can prevent future sewage disposal problems associated with improper or poorly planned new land development and the lack of adequate planning for the long term operation and maintenance of sewage facilities.

The third major purpose of the Sewage Facilities Plan is to provide protection for both the groundwater and surface waters of the Commonwealth. All citizens of this Commonwealth are guaranteed clean water by the Pennsylvania Constitution. In carrying out this mandate, DEP uses the Official Sewage Planning requirements of Act 537 to prevent and eliminate pollution of the waters of the Commonwealth by coordinating planning for the sanitary disposal of sewage with a comprehensive program of water quality management.

As required by the Pennsylvania Sewage Facilities Act, an Official Plan for Brentwood Borough Sewerage System was prepared by ALCOSAN on the behalf of its customer Municipalities in 1996 and adopted by Brentwood Borough. Pending the acquisition of the Brentwood Borough Sanitary Sewer System facilities by the Pennsylvania American Water Company (PAWC), this Act 537 Plan Update Special Study is being prepared. As documented by this Act 537 Plan Update Special Study, the acquisition and operation of the Brentwood Sanitary Sewer System by PAWC, assures operation of the system and implementation of related Act 537 Plan provisions by a technically competent and financially sound entity, assuring that the Act 537 Plan objectives continue to be met.

Section I – Previous Wastewater Planning

- **Previous Wastewater Planning**

- **Original Plan**

- An Official Plan for Brentwood Borough Sewerage System was prepared in accordance with the provisions of the Pennsylvania Sewage Facilities Act. The plan called for sewage service within the municipality to be provided via public sewers conveying sewage for treatment at the ALCOSAN Woods Run Treatment Facility operated by the Allegheny County Sanitary Authority (ALCOSAN). The recommendations from this plan were to collect all sewage flows from the Municipality and convey to the ALCOSAN Regional Conveyance System for conveyance and treatment at the ALCOSAN Woods Run Treatment Facility. The executive summary of the Pennsylvania Act 537 Comprehensive Sewage Facilities Plan,

dated July 1996 is provided in Appendix 9. This plan was approved by the Pennsylvania Department of Environmental Protection (DEP) on October 4, 1999.

- Revisions to the 537 Plan – There have been no revisions to the Act 537 Plan for Brentwood Borough.
- Updates to the 537 Plan:
 - ALCOSAN 2018 Act 537 Plan Special Study
 - ALCOSAN 2022 Act 537 Plan Special Study – IWWP Regional Conveyance Facilities
 - There have been no further updates to the Act 537 Plan for Brentwood Borough. The most recent revision to the Act 537 plan will be this Act 537 Plan Special Study for purchase of and subsequent transfer of the System to PAWC.

• **Tasks completed and to be completed in regard to the Consent Orders**

- The first Administrative Consent Order (ACO) / Consent Order and Agreement's (COA's) were issued to the Municipalities by PaDEP and ACHD in 2004. The terms of these ACO/COA's required the municipalities to participate and cooperate with ALCOSAN in the development of a Wet Weather Plan; however, they did not include any requirement to assess source flow reduction. To the contrary, they required municipalities to establish with ALCOSAN the flows that were required to be conveyed and treated. Specific stipulations of the ACO/COA's included:
 - Establishing with ALCOSAN the quantity and rate of sewage flow from the Municipality to its point(s) of connection with the ALCOSAN Regional Conveyance System;
 - Establish, with ALCOSAN, how the municipalities will manage their respective flows;
 - The development of a feasibility study with an alternatives analysis evaluating the Municipality's options to address any overflows within the municipality's collection system.
 - If the municipality's control strategy included the conveyance of its wet weather flows to ALCOSAN's Regional Conveyance System, the feasibility study was to also address the conveyance capacities of the trunk sewers connecting the municipality to the ALCOSAN system.
 - The municipal orders also required ALCOSAN customer municipalities to develop and provide information necessary to develop a regional Wet Weather Plan (WWP) and municipal feasibility studies, including:
 - Completing physical surveys, visual inspections, and closed circuit television internal inspections of the sewer systems that are tributary to the ALCOSAN sewer system; and
 - Preparing and submitting an updated comprehensive sewer map of the sewer systems that are tributary to the ALCOSAN sewer system; and
 - Conducting a hydraulic capacity evaluation of its sewer system; and
 - For municipalities with combined sewer systems, determining and providing the frequency, volume, and duration of CSOs on an average
- As required of this Consent Order, the Borough began to inventory its system, complete necessary repairs, perform flow monitoring, dye testing, adopt a point-of-sale dye testing ordinance, adopt an ordinance to eliminate storm water connections, perform a hydraulic analysis of the collection system, develop an Operation and Maintenance (O&M) Plan, and prepare a Feasibility Study to address any collection system deficiencies to eliminate SSO's by July 31, 2013, as required under Order.

- The hydraulic analysis of the system produced capacity maps for the 2 and 10-year design storms to determine areas away from the trunk lines and limits of the ALCOSAN model that have been identified as having capacity deficiencies. The maps showed areas of flow restriction by comparing estimated peak flows against the capacity of each pipe segment based on the “Manning’s Equation”. The map specifically highlighted the pipe segments that exceeded capacity. The Borough has proposed projects to address capacity issues presented by the 2-year design storm. The proposed project consisted of upsizing of capacity deficient pipe segments in the Greenlee Road area.
- For POC’s MH-89 and M-42, the complex/multi-municipal group recommendation was to upsize the main trunk line to convey the 2-year design storm without manhole surcharging.
- ALCOSAN 2013 Wet Weather Plan (WWP) – As noted above, the 2004 Orders required municipalities to cooperate with ALCOSAN in establishing flow rates and volumes to be conveyed to the ALCOSAN system for treatment, the result of which was the need for ALCOSAN to develop a Wet Weather Plan to accommodate the delivered flow. ALCOSAN’s WWP addressed the elimination of sanitary sewer overflows and the control of combined sewer overflows from ALCOSAN’s conveyance system, including overflow structures located at the points of connection with the municipal collection sewer systems. The Plan did not directly address the elimination or control of overflows within the municipal collection systems; however, it provided for the hydraulic capacity to accept additional wet weather flows from the municipalities which may be conveyed to the ALCOSAN system pursuant to municipal feasibility studies completed under the 2004 Orders described above. ALCOSAN expected that municipal control strategies would continue to evolve and would likely warrant modifications to the elements of the regional plan. A control strategy designated the “Selected Plan” was identified to eliminate SSOs and to reduce CSOs from 9 to 1 billion gallons annually through construction of an extensive network of regional conveyance tunnels along with the expansion of the treatment facilities. The total project cost of the Selected Plan, estimated at \$3.6 billion was determined to be cost prohibitive to implement under the 2026 deadline.
- ALCOSAN developed three Year 2026 alternatives which were considered affordable as defined by CSO policy affordability provisions. The alternative which eventually was chosen as the Recommended Plan, identified as the Interim Wet Weather Plan (IWWP), although not achieving CSO compliance, would reduce annual overflows by approximately 65% relative to future (2046) flows through SSO and CSO control. Key elements of the IWWP include expansion of the treatment facilities, constructing a limited version of the regional tunnel system, and constructing new enlarged conveyance sewers.
- Interim Municipal Phase I Consent Orders were then ordered – This set of Orders required Municipalities to perform evaluations of source flow reduction and to have the ability to modify this study to incorporate flow targets once they are established by ALCOSAN in consultation with the municipalities. The Orders which have a duration of 30 months required the municipalities to assess in some level of detail the capability to achieve source flow reduction through various means. The culmination of the Order was to submit, by December 2017, a Source Reduction Study that addressed the potential to achieve flow reductions within the municipal system. These Phase I Consent Orders, in general, required municipalities to:
 - Conduct limited source reduction studies
 - Develop source flow reduction projects
 - Evaluate potential flow reductions through sewer lining and private lateral repairs

- Provide requested information to help with the setting of flow targets
- Evaluate potential flow reductions through stream removal.
- Provide a summary Source Reduction Study to the regulatory agencies by December 2017.
- Brentwood Borough, in accordance with the Phase I Consent Order with the Allegheny County Health Department, was required to submit a Source Reduction Study by December 1, 2017. The general purpose of this study was to perform an analysis of the sanitary sewer system within the Borough to determine locations of excess flow and potential means to reduce these flows.
 - In order to further refine the study areas from the 2008 regional flow monitoring program, flow isolation was conducted in 2010, 2011, 2016 and 2017 to determine smaller areas of high excess flows. Based on this data, there were ten (10) smaller segments of high inflow and infiltration that could benefit from lining or replacement of the mainlines. This work was estimated to remove 15%-30% of the excess flow from these areas. It was also determined that if laterals are addressed in these areas, up to an additional 50% may be removed by full replacement of the laterals.
 - As part of the Source Reduction Study, in the spring of 2017, the Borough performed a flow reduction project in the Viking Drive area to demonstrate the effectiveness of lining sewage mains adjacent to streams.
 - The Source Reduction Study Report identified areas of potential flow reduction opportunities and the excess flow that could be expected to be removed by lining, mainline replacement and full replacement of mains and laterals. This study, although, was theoretical in nature and gave a glimpse of what could be potentially feasible regarding source reduction opportunities.
- Interim Municipal Phase II Consent Orders were then released by the regulatory agencies to the municipality in August / September 2021 – This set of Orders included an evaluation of each Municipality standing with respect to established metrics, included as Exhibit B in the order. This Order generally required Municipalities to evaluate and agree to or dispute the findings in Exhibit B, and comply with corrective actions relative to their standing with established metrics. The culmination of the Order is to submit, by December 2027, a final report documenting compliance with the obligations of the Phase II COA and participate in a regional report reducing the threshold based on the average I&I rate among customer municipalities within the ALCOSAN service area. The general tasks outlined in this order require municipalities to:
 - Submit findings (Base Line Due Diligence Reporting) within six months of execution of the Order agreeing to findings in Exhibit B, make any corrections, and update the status of Exhibit B based on past flow control projects and more recent flow monitoring data.
 - Continue implementation of Operation and Maintenance Plan.
 - Continue implementation of the SSO Response Plan
 - Implement Tap Control Plans
 - Municipal Cooperation
 - Reasonably cooperate with ALCOSAN on Transfer of Trunk Sewers
 - Reply to data and information requests by ALCOSAN
 - Cooperate with ALCOSAN and other customer municipalities to reduce the Threshold
 - Cooperate with other municipalities
 - Submit “Annual Progress Reports”

- Comply with corrective actions relative to their standing with established metrics
- Submit Final Report
 - Submit to ACHD, DEP, ALCOSAN, Final Report documenting Compliance with obligations.
 - Municipality shall participate in regionally prepared report reducing threshold based on the average I&I rate among all customer municipalities of ALCOSAN with SSS.
- Brentwood Borough, in accordance with the Phase II Consent Order with the Allegheny County Health Department, participated in a Multi-Municipal Baseline Due Diligence Report with stakeholders of the M-42 POC that was submitted on October 27, 2022. This report outlined several modifications to the Exhibit B for multi municipal POCs within the M-42 POC based on updated flow monitoring data and completed projects.
- Brentwood Borough, in accordance with the Phase II Consent Order with the Allegheny County Health Department, has completed a Baseline Due Diligence report presenting findings for the MH-89 POC and summarizing the findings of the M-42 Multi-Municipal Baseline Due Diligence Report submitted on October 27, 2022. This report was submitted to the Allegheny County Health Department on April 6, 2023.
- The Phase II Consent Order corrective actions for Brentwood Borough will require participation in "Source Flow Reduction Projects" for one Multi-Municipal Exhibit B POC and to evaluate SSO elimination alternatives and Eliminate SSOs or implement "Ten Percent Project" in another Multi-Municipal Exhibit B POC.
- **List of new developments and planning exemptions approved by Brentwood Borough**
 - There have been no sewer extensions to the Brentwood Sewer System in the past decade.
 - The most recent developments in Brentwood Borough that received planning approval by the PADEP include the development at:
 - Neighborhood Hospital and Medical Office Building – consisting of construction of a two-story 37,000 S.F. medical office building with a total flow of 15 EDU's proposed.
 - Slater Funeral Home – consisting of construction of a social hall and additions to an existing funeral home with a total flow of 4 EDU's proposed.

Section II – Physical & Demographic Analysis

- **Locations and boundaries of the sewer service areas for Brentwood Borough**
 - Brentwood consists of a total area of 1.4 square miles. The Borough is in the Allegheny Plateau region of the United States, and is situated 5 miles (8 km) south of the confluence of the Allegheny River and the Monongahela River to form the Ohio River.
 - As of the census of 2010, there were 9,643 people, 4,268 households, 2,710 families, residing in the borough. The racial makeup of the borough was 95.2% White, 2% African American, 0.2% Native American, 0.8% Asian, and 1.3 % from two or more races. Hispanic or Latino of any race were 1.8 % of the population.
 - There were 4,268 households, out of which 25.4% had children under the age of 18 living with them, 39.2% were married couples living together, and 12.1% had a female householder with no husband present. 36.5% of all households were made up of individuals. The average household size was 2.28.

- In the Borough the population was spread out, with 20.1% under the age of 18, 65.8% from 18 to 65, and 14.1% who were 65 years of age or older. The median age was 36.6 years.
- The median income for a household in the borough was \$45,285, and the median income for a family was \$58,586. The per capita income for the borough was \$23,966. About 14.8% of the population were below the poverty line.
- **Maps that depict locations and boundaries of the sewer service areas for Brentwood Borough**
 - A map is included with this report that depicts the service area for the Borough of Brentwood as Appendix I – Brentwood Borough Service Area.

Section III – Asset Purchase Agreement (APA) Provisions Relating to Rates

- **Terms of Asset Purchase Agreement**
 - The Asset Purchase Agreement (APA) between PAWC and Borough of Brentwood contains provisions related to rates. PAWC has committed to adopt, upon closing of the Transaction, Borough of Brentwood's current customer charge and consumption charge then in effect at the time of closing, and inclusive of any PaPUC permitted or required surcharges or pass-through costs (the "Base rate") as Buyer's effective sanitary wastewater rates, provided that the rates reflected on APA Schedule 7.03(a) shall not be lower than those in effect on the date the Effective Date.
 - As detailed in the APA, PAWC has agreed not to propose an increase in Base Rate until after the second anniversary of the acquisition by PAWC, it being understood that all rates are subject to the jurisdiction and approval of the PUC. The Buyer shall include the rate provisions of APA Section 7.03(a) in its requested PaPUC Governmental approval. After the initial two years, PUC approval would be required for any increase to the base rates. Therefore, the rate structure for the next 5 years will be dependent upon the rates & tariffs imposed by the PUC.

Section IV – PUC Rate Process

- **Terms of Rate process as regulated by the PUC**
 - As a PUC-regulated public utility, the rates charged by PAWC for water and wastewater services are regulated by the PUC through a process which provides clear and robust opportunities for involvement and participation by affected communities and consumers.
 - The PUC is composed of five commissioners, appointed by the Governor with the advice and consent of the Pennsylvania Senate. The commissioners serve terms of five years. The PUC is an independent commission, meaning that it is not under the direction of the Governor or any other political entity. It is charged with making regulatory decisions, including decisions relating to rates, based on the evidence and applicable law.
 - In order to provide economical and efficient service to a community, the state grants to water and wastewater companies the right to provide service within a specified geographic area, subject to regulation by the PUC of both the quality and terms of service and the rates charged for those services. The ratemaking and approval process involves multiple steps and is subject to articulated criteria for assuring fair and reasonable rates.

- **The Rate Filing:** When a regulated utility such as PAWC seeks an increase or change in its base rates, it must file a request with the PUC that shows the proposed new rates and effective date and must prove that the increase is needed. The utility also must notify customers at least 60 days in advance. The notice must include the amount of the proposed rate increase, the proposed effective date, and how much more the consumer can expect to pay.
 - PAWC seeks rate increases only when warranted. Because rate proceedings are time-consuming and complex, as a general matter, PAWC typically files rate proceedings on a 2 to 4 year cycle. As noted below, in these periodic rate proceedings, PAWC has been seeking to utilize the authorities provided under Pennsylvania's Act 11 to more broadly spread costs over its larger customer base in order to moderate cost increases and mitigate to the extent possible major increases impacting localized systems, where major capital improvements are required to meet environmental or other regulatory mandates.
- **How the PUC Sets Rates:** The PUC ratemaking process ensures the lowest reasonable rate for consumers while maintaining the financial stability of utilities. Under the Public Utility Code, a utility is entitled to recovery of its reasonably incurred expenses and a fair return on its investment. The PUC evaluates each utility's request for a rate increase based on those criteria.
 - In a rate proceeding, PAWC is required to provide detailed information concerning its historic and projected costs of operation (including predictive and preventive maintenance, repair and replacement) and its historic and projected program of capital improvements across all elements of its water and wastewater systems. Annualized costs are typically projected to a future "test" year, which is usually one year following the rate proceeding. The process of determining those costs and allocating such costs among different classes of consumers (e.g., residential, commercial and industrial customers) involves a series of evaluations and cost-of-service studies. Only those costs determined to be "reasonable and prudent" may be recovered, and in rate proceedings, the PUC will examine whether costs claimed are appropriately justified and reasonable.
- **The PUC Review Process:** The PUC rate review process is far more detailed and arduous than that followed by municipalities and municipal authorities.
 - By operation of law, the rate request is suspended for up to seven months if the PUC does not act before the proposed effective date for the rate increase for water and wastewater companies. The PUC uses that time to investigate and determine what, if any, of the requested increase is justified.
 - The PUC's Bureau of Investigation and Enforcement (I&E) and public advocates, including the state's Office of Consumer Advocate (OCA) and Office of Small Business Advocate (OSBA), intervene and participate in that process. I&E reviews the company's records and their request and presents its view on what is in the public interest. Individual consumers may become formal parties by filling out a formal complaint form. OCA and OSBA represent consumers and small businesses respectively, and likewise examine in detail the background and materials submitted by the utility. Prior to hearings on the proposed rates, I&E, OCA, OSBA and others submit information requests to the utility and obtain responses to better understand and investigate the facts behind the proposed rates.
 - When the PUC investigates a rate increase, it is assigned to an Administrative Law Judge (ALJ), who is an attorney with experience in administrative law. The ALJ presides at formal hearings, which are open to the public and conducted like a formal court proceeding. At the

formal hearing, the utility, I&E, OCA, OSBA and other parties present their cases and are subject to cross-examination. Consumers may speak for themselves, or an attorney may represent individual consumers or groups of consumers. Consumers also can have their say informally by writing or calling the PUC or completing the objection/ comment form. Consumers also may testify at public input hearings.

- By providing testimony, consumers place their views in the official record on the case. Public input hearings are conducted by the ALJ in the utility's service territory. Consumer testimony becomes part of the record on which the PUC will base its decision.
 - Following the conclusion of hearings before the ALJ, the entire record of testimony, documents and other evidence is compiled. Proposed findings of fact and briefs may be submitted by the formal parties. After weighing the evidence and hearing the arguments, the ALJ writes a recommended decision addressing each issue in the case within the limits set by law. The recommended decision may approve, disapprove or modify the original request.
 - The ALJ's report and recommended decision are presented to the PUC Commissioners. Parties to the rate case may file exceptions to the ALJ's report, and responses to objections presented by other parties.
 - Finally, the matter is brought before the PUC Commissioners for a vote and final decision. The Commissioners make the final decision, authorizing rates that: (1) permit revenues that allow the company to meet its reasonable expenses, pay interest on its debt and provide a fair return to stockholders so it will continue to attract investment; and (2) assign the proper rate for residential, commercial and industrial customers that reflects the cost of service.
 - Together with the 60-day notice period, the PUC's administrative rate review and hearing process takes about nine months.
 - Decisions made by the PUC may be appealable. Aggrieved parties may seek review of the PUC's determinations through an appeal to the Commonwealth Court. The Commonwealth Court's decisions, in turn, may be subject to review by the Supreme Court of Pennsylvania if that court grants a petition to allow appeal.
- **Collection System Improvement Charge Process:** The paragraphs above describe the process for a base rate proceeding, which sets the basic water and wastewater rates for PAWC's systems. In the period between periodic base rate cases, the Public Utility Code allows for wastewater companies to calculate and assess a Collection System Improvement Charge (CISC), which allows a limited surcharge on customer bills to accelerate the replacement of existing aging facilities that might otherwise be deferred until completion of a base rate case. Eligible projects involve principally replacement investments, not system expansions or extensions of facilities to serve new customers. System improvement charges are designed to provide ratepayers with improved service quality; greater rate stability; fewer main breaks; fewer service interruptions; and increased safety. The maximum amount of a CISC is a cumulative 5% above base rates. The CISC process involves an annual review by the PUC and reconciliation of recoverable costs and revenues associated with the charge, and an annual reconciliation hearing under Section 1307(e) of the Public Utility Code. The PUC conducts audits to assure that funds generated from a CISC surcharge are spent on CISC-eligible projects.

Section VI – Existing Sewage Facilities in the Planning Area

- **Identification of Planning Area**

- The planning area for this 537 Plan Special Study is located in the southern portion of Allegheny County and includes the entirety of the Brentwood Borough Sanitary Sewer System. A map is included with this report that depicts the sewer shed area for the Borough of Brentwood and sewers tributary to each ALCOSAN POC as Appendix 2 – Existing Sewershed Map.

- **Narrative description of the sewage facilities**

- The Brentwood Borough sanitary sewer system is only comprised of gravity sewers and manhole structures. The system is part of two sewer sheds: Saw Mill Run (POC MH-89) and Streets Run (POC MH-42). Both sewer systems are part of the ALCOSAN service area. The Brentwood system services approximately 3950 public, commercial, and residential customers throughout the 1.45 square mile Borough.
- In the Saw Mill Run sewershed, upstream flow is received from Whitehall Borough and the Pittsburgh Water and Sewer Authority (PWSA). The flow is then conveyed through Whitehall Borough and the City of Pittsburgh into the POC for Saw Mill Run at the connection to the ALCOSAN Interceptor.
- In the Streets Run sewershed flow is conveyed from Brentwood Borough into Baldwin Borough and then travels down the main trunk line through Baldwin Borough and the City of Pittsburgh into the POC for Streets Run at the connection to the ALCOSAN Interceptor.
- The main trunk sanitary sewer system started construction in 1919. Approximately 7% of the Borough's total sewer line length was installed between the years of 1919-1924. The majority of the system was built between the years of 1925- 1930 where approximately 75% of the network was installed. Approximately 18% of the system has been installed between 1931-present.
- The pipes within the system total approximately 200,000 linear feet of gravity collection main lines with depths ranging from approximately 2-26 feet deep. Pipe sizes and materials within the system are described as follows:
 - Cast Iron Pipe (CAS)
 - 118 L.F. of 10"
 - Ductile Iron Pipe (DIP)
 - 405 L.F. of 15"
 - Polyvinyl Chloride Pipe (PVC)
 - 6618 L.F. of 8"
 - 1892 L.F. of 10"
 - 216 L.F. of 12"
 - 66 L.F. of 18"
 - Vitrified Clay Pipe (VCP)
 - 157974 L.F. of 8"
 - 13917 L.F. of 10"
 - 10718 L.F. of 12"
 - 6948 L.F. of 15"
 - 341 L.F. of 18"
- There are approximately 1,050 brick/concrete manholes (structures) within the system with approximate depths varying from 2-26 feet. The average manhole depth throughout the system is approximately 8 feet.

- There are approximately 3,950 sanitary laterals with varying sizes of 4", 6" and 8" within the system. This is estimated on the basis that every billed customer within the system has one sanitary lateral tie in with the main system.
- The sewer system is primarily constructed within the existing road rights of way, however, during the research for the assessment, documentation of thirty-six recorded easements have been obtained from the Borough's archives. Of these easements thirty were sold to the Borough for a fee of \$1.00. The other six easements were a partial condemnation with no fees listed. The total known purchased value of the easements is \$30.00.
- The total cost of assets to be acquired, taken back to the constructed year via cost indices, is \$9,942,185.31.
- **Map depicting locations of sewage facilities in the sewer sheds in Brentwood, line sizes, etc.**
 - Maps are included with this report that depicts sewer facilities for the Borough of Brentwood including manhole depths and materials and pipe diameters and materials as Appendix 3 – Borough Sewer Facilities.
- **Deficiencies within the sewage system as identified in the feasibility report**
 - Capacity maps for the 2 and 10-year design storms were developed for the Borough to determine areas away from the trunk lines and limits of the ALCOSAN model that have been identified as having capacity deficiencies. The maps show areas of flow restriction by comparing estimated peak flows against the capacity of each pipe segment based on the "Manning's Equation". The map specifically highlights the pipe segments that exceed capacity. As part of the Phase I Consent Order and Agreement Feasibility Study the Borough has previously proposed projects to address capacity issues presented by the 2-year and 10-year design storms. The proposed project consists of upsizing of capacity deficient pipe segments in the Greenlee Road and Brentwood Road areas.
- **Map depicting Deficiencies within the sewage system as identified in the feasibility report**
 - Maps are included with this report that depicts capacity deficiencies for the 2 and 10-year design storms and identification of Feasibility Study Project Areas as Appendix 4 – Capacity Deficient Sewer Mapping.
- **Summary of the flow monitoring conducted based on previous reports**
 - 2008 Regional Flow Monitoring Program (RFMP)
 - On June 1, 2006, a Regional Flow Monitoring Plan (RFMP) was submitted to the PADEP and the ACHD for review and approval. The purpose of the plan was to comply with the Orders, and to document the efforts expended in developing the Plan. The RFMP was assembled by 3RWW and the 3RWW/PM Team with direct input from ALCOSAN and the Feasibility Study Working Group. Concurrently, ALCOSAN was developing a flow monitoring plan to meet the requirements of the draft CD issued to ALCOSAN. In response to agencies' comments and provisions of the CD, ALCOSAN developed and delivered a Regional Collection System Flow Monitoring Plan that incorporated most of the provisions of the RFMP and provided comprehensive flow monitoring of both the ALCOSAN system

and the municipal collection systems. Implementation of the Regional Collection System Flow Monitoring Plan by ALCOSAN fulfilled the flow monitoring required by the Orders.

- The Borough participated in additional flow monitoring in 2010 to complement the existing regional flow monitoring completed in 2008. Monitor 810-850 was installed near Rockwood Drive in the south-west section of the Borough to monitor flow leaving Whitehall Borough into Brentwood Borough. Monitor 874-422 was installed along Brentwood Road to monitor flow leaving Brentwood Borough and entering Baldwin Borough. Monitor 810-163 was installed along the northern extents of Brentwood Road to monitor tributary flow upstream of a trunk line that runs along an unnamed tributary to Streets Run.
- As part of the flow isolation studies conducted in 2010, 2011, and 2016, flow meters were installed at the downstream drainage points of the sub-sheds to be isolated. These short term meters were utilized prior to completing nighttime testing to verify flow conditions and were then used to normalize the GWI data to 2008 in order to be further reviewed for source reduction feasibility and cost effective analysis of source reduction repairs. The data from the short-term meters was also used as part of the QA/QC process to normalize the night time data to the 2008 regional flow monitoring programs.
 - Borough 2010 Flow isolation metering – 3 locations (810-165; 810-877; 810-894)
 - Borough 2011 Flow isolation metering – 2 locations (810-422; 810-567)
 - Borough 2016 flow isolation metering – 8 Locations (810-1031; 810-489; 810-747; 810-734; 810-602; 810-587; 810-568; 810-380)
- As part of the Source Reduction Study, In the spring of 2017, the Borough performed a flow reduction project in the Viking Drive area to demonstrate the effectiveness of lining sewage mains adjacent to streams. In order to quantify effectiveness from the project a pre-construction and post-construction flow monitor were installed at the downstream end of the project. The 2016 pre-construction meter for Demonstration Project (Viking Drive) – was installed in manhole 810-747 & 2018 post-construction metering was performed 1 manhole downstream at manhole 810-706 with no significant change to the flow monitor sub-shed.
- ALCOSAN 2018 Monitoring M42: Monitoring of full POC sewershed, 3 locations in brentwood borough.
 - During 2018 and 2019, the Allegheny County Sanitary Authority (ALCOSAN) conducted a flow monitoring and flow isolation study in the M-42 (Streets Run) sewershed. The primary objective of the program was for ALCOSAN to provide data and information to its customer municipalities such that they can make informed decisions in identifying cost effective flow reduction opportunities.
- ALCOSAN 2020 Monitoring MH89: Monitoring of full POC sewershed, 4 locations in Brentwood Borough.
 - During 2019 and 2020, the Allegheny County Sanitary Authority (ALCOSAN) conducted a flow monitoring and flow isolation study in the M-89 (Sawmill Run) sewershed. The primary objective of the program was for ALCOSAN to provide data and information to its customer municipalities such that they can make informed decisions in identifying cost effective flow reduction opportunities.
- The purpose of the ALCOSAN wastewater flow monitoring studies was to collect reasonably reliable, current information on the flow characteristics of the municipal sewer

lines within the M-42 and MH-89 sewersheds. Objectives of the continuous flow monitoring were to obtain information necessary to identify areas with high groundwater infiltration during periods of dry weather and excessive I/I during wet weather events. The monitoring data obtained, and corresponding analysis results, provide the basis for determining the need for, and location of, areas that may warrant further investigation.

- As part of the 2020 ALCOSAN GROW Program, in the summer of 2020, the Borough performed a flow reduction project in the Wanley Avenue area. In order to quantify effectiveness from the project a post-construction flow monitor was installed at the downstream end of the project in manhole 810-421 for 12 months.
- **The locations for any on-lot systems within the sewershed and estimate sludge volume from these systems.**
 - There are no known on-lot systems within Brentwood Borough; all households in the Borough are served by public sewerage facilities. These facilities are collected by the collection system and ultimately conveyed by the ALCOSAN conveyance system to the ALCOSAN Woods Run Treatment Facility.

Section VII – Future Growth and Development

- **Provide zoning map and ordinances that depicts the location and types of uses within the service area**
 - Attached as Appendix 5 is a copy of the Zoning Map of Brentwood Borough depicting the various areas designated as residential, commercial, and industrial.
 - A copy of the zoning regulations governing lot sizes is included and attached as Appendix 6. Residential minimum lot area requirement for the R-1 Zoning District are 7,000 square foot. The R-2 Zoning District has a minimum lot area requirement of 6,000 square feet for single-family dwellings and 2,500 square feet per dwelling unit for townhouse dwellings. The R-3 and MUN Zoning District has a minimum lot area requirement of 5,000 square feet for single-family dwellings, 2,500 square feet per dwelling unit for townhouse dwellings, and 1,800 square feet for multifamily dwellings. The CRD Zoning District is to be used primarily for commercial activities which are allowed in accordance with the Zoning Ordinance and have a minimum lot size of 7,500 square feet. The I-1 Zoning District is to be used primarily for industrial activities which are allowed in accordance with the Zoning Ordinance and have a varying minimum lot size of 10,000 square feet.
- **Description of all new and proposed subdivisions along with existing population, and identify undeveloped areas used to predict the future population growth and sewage needs for the future based on known information from the Borough and estimated growth in the region as provided by Southwest Planning Commission**
 - There are no proposed subdivisions in Brentwood Borough. New Subdivisions include the Neighborhood Hospital and Medical Office Building – with a total flow of 6,000 gpd proposed and Slater Funeral Home –with a total flow of 1,600 gpd proposed.
 - As of the census of 2010, there were 9,643 people that reside in Brentwood Borough.
 - Due to the Borough of Brentwood Being nearly fully built out, the potential for growth is limited to sparse undeveloped areas throughout the Borough. Many of these areas are on steep slopes, but were

still considered in the review for potential future development. Undeveloped areas were parsed out by zoning district and the maximum number of lots was calculated utilizing the minimum lot areas outlined in the zoning districts. Maps are included with this report that depicts parsed out areas considered in this analysis as Appendix 7 – Undeveloped Areas. An average household of 2.28 residents per household was utilized to calculate the future growth expected for the undeveloped areas. A table summarizing the parsed out undeveloped areas by zoning district and future growth calculations is included in Appendix 8. Future flows (assuming 400 gpd/lot) estimated for these undeveloped areas total to approximately 231,600 gpd.

Section VIII – Identify Alternatives to Provide New or Improved Wastewater Disposal Facilities

- In December 2019, the borough council passed a resolution to put the system out for bid, but the process was delayed due to Covid-19. On July 22, 2020 management presentations were held between the Borough and qualified bidders with bids due by October 28, 2020. Shortly thereafter, PAWC was announced as the winning bidder for the system. In December 2020, the borough council passed resolution authorizing the sale of the system to PAWC upon PUC approval.
- The borough, along with 82 other communities including the city of Pittsburgh, is party to a federal consent order administered by the Allegheny County Health Department (ACHD) that was originally signed March 24, 2004. The original consent order entailed:
 - A comprehensive system inventory and repair study to identify system components and the overall condition of the system.
 - A feasibility study for each point of connection between the community and adjacent community.
 - The development of a continual operation and maintenance plan (O&M Plan).
- Phase II of the consent order was issued in 2021 where the Municipality will be required to perform flow source reduction projects in areas that exceeded flow targets for infiltration and inflow, and projects to reduce / eliminate sanitary overflows. These continual, mandated orders require significant financial and management resources that many local governments such as Brentwood simply do not have.

Section IX – Alternatives Evaluation

- The planned transaction involving the transfer of Brentwood Borough's wastewater collection system from the borough to PAWC represents the culmination of many years of efforts to address the wastewater challenges facing Brentwood Borough and many other ALCOSAN communities. Specifically, the Borough was seeking to accomplish two goals.
 - 1) To generate proceeds from the sale that would be applied to the long-term needs of the Borough including:
 - Infrastructure improvements including road repair and maintenance, sidewalk repair and improved street lighting
 - The elimination of debt
 - Placing a freeze on property taxes
 - 2) To provide rate stability to the residents
- These goals will be accomplished while passing the cost burden of maintaining the collection system (while still abiding by ALCOSAN's consent order) to a third party with expertise in the wastewater business. The borough typically has over \$500,000 in yearly system repairs due to the age of the system which was

originally installed ~70-90 years ago. This financial burden pulls funds that could be used elsewhere in the borough requires extensive oversight that taxes borough management.

- The proposed sale and transfer of the Brentwood Borough wastewater collection system to PAWC serves the public interest for numerous reasons:
 - As described in §4.0 above and §7.2 below, PAWC is a technically-competent, economically-strong operator with substantial and vast operational experience in wastewater and water systems.
 - PAWC has local operations and relationships that can quickly respond to emergency repairs.
 - PAWC's larger base and breadth of operations allow for economies of scale across the spectrum of operations, including purchasing power for commodities and services, more efficient staffing and shared support, and application of the latest technological capabilities.
 - By transferring the wastewater assets to PAWC, the system and its customers will become part of an exponentially larger customer base, under regulatory arrangements (including Pennsylvania Act 11) that allow a spreading of system costs across that larger base thereby reducing potential rate shock and burdens that are inherent in having a small system bear major capital and operating expenses entirely alone.
 - The transfer offers prospects for improved customer service and operations under PAWC ownership of the System since Brentwood Borough's water is serviced by PAWC
 - PAWC has better and more varied access to capital to make timely required System expenditures and improvements and comply with applicable legal requirements, such as the federal consent order, Act 537 and LTCP requirements.
 - The transaction will bring additional expert oversight of the System from the Public Utility Commission and other agencies that routinely monitor utility operations and participate in utility proceedings.

Section X – Institutional Evaluation

- **PAWC's Experience, Institutional and Financial Capabilities**
 - PAWC has superior institutional and financial capabilities, and is well qualified to own, operate, improve and maintain the Brentwood wastewater system in an efficient and effective manner.
 - PAWC is a public utility regulated by the PUC. PAWC currently provides water and wastewater service to approximately 2.4 million people in more than 417 communities in 3 counties. PAWC is the Commonwealth's largest water and wastewater provider with total assets of \$5.604 billion and annual revenues of \$733.06 million in 2020, producing operating income of approximately \$338 million and net income of approximately \$197.1 million. As a leading wastewater provider in Pennsylvania, PAWC brings industry leading expertise and has extensive technical experience in upgrading, operating and maintaining sewer facilities. PAWC is a recognized leader in providing communities in the Commonwealth with well-maintained and reliable water and wastewater service and has extensive local knowledge due to PAWC's decades of experience providing water service to Brentwood and surrounding areas.
 - Currently, there are limited sanitary sewer systems operated by investor-owned public utilities in Pennsylvania. PAWC acquired the Exeter Township wastewater system in 2019. The system provides service to 9,015 customers through a sanitary sewer system and a treatment plant. In 2016, PAWC acquired the Scranton wastewater system, a combined sewer system that is more complex than the separate sanitary system with a permitted treatment capacity of 20 mgd and 80 permitted

CSO outfalls. PAWC is responsible for system operations and implementation of a Consent Decree, LTCP, and an Industrial Pretreatment Program. In 2017, PAWC acquired the McKeesport combined sewer system including Duquesne and Dravosburg combined sewer systems. The three combined sewer systems have treatment plants with the permitted treatment capacity of 13 MGD, 2 MGD, and 0.48 MGD, respectively, and 30, 4, and 1 permitted CSO outfalls, respectively. PAWC is responsible for system operations and implementation of a Consent Order, and LTCPs.

- Also, within Pennsylvania, PAWC has had significant experience with systems which, have substantial wet weather challenges due to high rates of infiltration and inflow. An example of such is the Clarion Wastewater System, where efforts have included upgrades to the collection system coupled with treatment system improvements. Peak flows in Clarion were significantly greater during wet weather events, producing a storm peaking factor greater than 20:1 for the 2-year design storm. Extensive hydrologic and hydraulic modeling was performed on the Clarion Wastewater System. Mitigation strategies at Clarion included wet weather storage within the collection system and at the wastewater treatment plant.
- PAWC has a strong and ongoing commitment to investing in and maintaining infrastructure, and an established track record of successfully managing large capital investment projects in order to continually provide reliable service to the communities it serves. PAWC has an ongoing program of capital investment focused on systematically replacing and adding new pipes, treatment and pumping facilities, and other water and wastewater infrastructure thereby minimizing customer disruption caused by infrastructure failure. PAWC has funded in excess of \$1.5 billion in capital construction over the past five years with expenditures expected to total \$435 million to \$516 million per year for the next five years. Capital planning is performed by in-house engineering and operations staff to establish capacity needs, regulatory impacts, service adequacy and reliability for PAWC's wastewater systems. As a subsidiary of American Water Works Company, PAWC also has available to it the resources of American Water Works Service Company, Inc., including access to professionals with expertise in various specialized areas. Project costs, alternatives and risks are also determined. Comprehensive periodic oversight of water and wastewater assets gives PAWC a clear and objective view of needs and potential capital project solutions.
- Because PAWC has access to the equity markets, in addition to its strong balance sheet and credit ratings, it is better positioned than Brentwood to address the myriad of costs and obligations associated with present and future improvements and operation of the Brentwood System. PAWC currently has a very good credit rating . (PAWC Standard and Poors rating of A). PAWC has sufficient liquidity through a \$400 million line of credit through American Water and has access to equity markets that are unavailable to Brentwood.
- In general, PAWC has a more positive future financial outlook than Brentwood. Brentwood is highly leveraged, and upcoming capital expenditure requirements for LTCP implementation and other projects will require Brentwood to consider substantial rate increases in order to maintain its current financial profile and pay for required improvements.
- In this regard, the contemplated transaction will provide a public benefit to Brentwood system customers because they will join PAWC's large customer base. PAWC provides water service to more than 680,000 customers and wastewater service to more than 97,000 customers. These services are provided in approximately 417 communities across the Commonwealth with a combined population of approximately 2.4 million persons. Because of its size and expertise in wastewater management and the leveraging of economics of scale, PAWC will be able to improve efficiencies



and lower the costs that would otherwise be incurred to operate the Brentwood system and fund necessary improvements to the system. These efficiencies will help keep rates lower for the Brentwood system customers than they would be if not allowed to become part of PAWC's customer base.

- A key consideration, and benefit of the contemplated transaction, arises from the enactment and application of Pennsylvania's Act 11. Act 11 allows investor owned public utilities in setting rates to spread some or all system improvement costs across their broader customer base, rather than allocating all costs and establishing rates system-by-system. PAWC has been a leader in implementing Act 11, and moving toward spreading costs and blending rates across its water and wastewater customers within Pennsylvania as a whole. By spreading improvement costs across PAWC's combined customer base, the costs of improvements imposed on Brentwood customers can be reduced in a manner to avoid what might otherwise be an unreasonable and burdensome rate impact.
- The acquisition does not include any offer for operation personnel of Brentwood sewer system. The local PAWC Operation Office located at the address below will likely manage the Brentwood sewer system:

Pennsylvania-American Water Company
McKeesport District
100 Atlantic Avenue
McKeesport, PA 15132

- As a subsidiary of American Water, PAWC has available to it additional resources of highly trained professionals who have expertise in various specialized areas. American Water currently owns or operates approximately 206 wastewater operations through its subsidiaries in a number of states. A 50-person team of American Water corporate engineers has handled a wide variety of system evaluations, selecting treatment processes and establishing critical design criteria for water and wastewater treatment systems in order to improve operations and prioritize capital improvements. American Water's Innovation & Environmental Stewardship (I&ES) group is staffed by more than 20 people including chemists, engineers, scientists and microbiologists. The mission of the I&ES Group is to provide value-added technical and environmental resources integral to achieving business objectives through water industry leadership, technical guidance, knowledge sharing, and innovative solutions. American Water's research team, established more than 30 years ago, has been awarded nearly 80 competitive research grants and granted five U.S. patents with several more pending.

• New Administrative and Legal Activities

- (A) Incorporation of authorities or agencies
 - As owner and operate of the wastewater System, PAWC will be responsible for the operation, maintenance, repair, replacement, and monitoring of all elements of the wastewater System within the former Brentwood Direct Service Territory (encompassing the Borough of Brentwood)
- (B) Development of required ordinances, regulation, standards, and intermunicipal agreements.
 - Ordinances in Core Community

- Since the sanitary sewage is delivered to ALCOSAN collection system and treatment plant, Brentwood is expected to update/amend, maintain and enforce ordinance (1) prohibiting or regulating the discharge into the sewage system of fats, oils, grease, acids and other prohibited substances listed in its ordinance consistent with the regulations governing the System (which are consolidated into the ALCOSAN IPP Regulations required by DEP); and (2) prohibiting the discharge into any sanitary sewer of surface water or groundwater. PAWC will work with Borough of Brentwood on the update of its ordinance.
- Ordinances in Municipalities Served via Intermunicipal Agreements
 - No Intermunicipal Agreements exist for the Borough of Brentwood.
- (C) Activities to provide for rights of way, easements, or land transfers
 - Pursuant to the Asset Purchase Agreement, Brentwood Borough will convey to PAWC all of Brentwood's rights to all real and personal property comprising the System, including all property owned in fee, all easements, and all rights-of-way for the System's collection system and its appurtenances. As a PUC-regulated public utility, PAWC has the right to obtain rights-of-way within municipal streets and highways for underground water and wastewater lines, and PAWC anticipates cooperating with the involved municipalities in the siting and installation of such facilities (as it has long done in relation to PAWC's water lines serving the area). Where the acquisition of easements or other rights to private property are necessary, PAWC endeavors to negotiate an amicable purchase of such rights on mutually acceptable terms where feasible. Where necessary, as a PUC-regulated facility, PAWC may exercise the power of eminent domain to acquire easements or property under the provisions of the Eminent Domain Code.
- (D) Adoption of other municipal sewage facilities plans
 - Additional needs Areas within direct service territory
 - Currently, Brentwood is nearly fully built-out it is likely growth will be minimal for the foreseeable future. All areas within the Direct Service Territory are served with a sanitary sewer systems (SSS) that convey wastewater to the ALCOSAN WWTP. If new development or redevelopment is proposed within the Direct Service Territory, PAWC will cooperate with Borough of Brentwood in the review and approval of sewage facility planning modules for such projects. PAWC will accept and convey all domestic sewage flows from such development/redevelopment projects within the Direct Service Territory. PAWC will accept and convey new or increased industrial wastewaters generated within the Direct Service Territory of quantities and physical/chemical characteristics consistent with ALCOSAN's IPP regulations, all applicable federal and state regulations and NPDES permit requirements, and the hydraulic and treatment capacity of the ALCOSAN WWTP
 - Additional needs areas outside of direct service territory.
 - Brentwood sewer system does not serve the customers outside of its direct service territory.
- (E) Other legal documents
 - Chapter 94 Reporting
 - PAWC will include information required under §94.12 for the Direct Service Municipality.



Section XI – Selected Alternative and Implementation Schedule

- **Implementation Schedule and Justification of Selected Alternative**

- O&M Considerations narrative
 - PAWC's sophisticated computerized preventive and predictive maintenance programs, coupled with the engineering and operational experience bench strength of PAWC engineering and operations management and staff, will bring more modern methods, practices and technologies to the Brentwood System. PAWC's platform offer the capability of supporting the system with shared services and expert staff, providing more cost-effective and efficient staffing. PAWC's purchasing practices for key inputs, such as chemicals and commodities, offer the market volume purchasing and negotiating advantages.
- Available Management and administration systems narrative.
 - PAWC has been a leader in water and wastewater system sustainable management. Under the selected alternative, PAWC brings state-of-the-art predictive/preventive maintenance programs, system automation and monitoring systems, a well-experienced engineering and operations management team, and well-developed programs for capital investment and system improvement.
- Environmental Soundness and compliance with natural resource planning preservation programs narrative
 - Brentwood has provided a copy of the Pennsylvania Act 537 Comprehensive Sewage Facilities Plan, dated July 1996 which recommended to collect all sewage flows from the Municipality and convey to the ALCOSAN Regional Conveyance System for conveyance and treatment at the ALCOSAN Woods Run Treatment Facility. Brentwood is fully built-out and does not have any outstanding projects to be completed as part of an Act 537 Plan.
 - The System will be operated in a manner that best assures compliance with applicable environmental regulations, including the Pennsylvania Clean Streams Law and Clean Water Act. Significant environmental concerns – such as the potential overflow at the Brentwood Borough to Baldwin Borough Interconnection in the MH-42 sewershed; its continued existence is currently under review through the current Phase II Consent Order – will be addressed under the commitments being made by PAWC. In short, PAWC is bringing to the System the expertise and resources necessary to address long-standing water quality and environmental problems.

- **Summary of the Implementation Schedule**

Activity	Target Date
Proposed Act 537 Update Special Study presented to Municipalities [in Direct Service Territory]	TBD
Public notice of Proposed Act 537 Plan Special Study & opportunity to comment	TBD

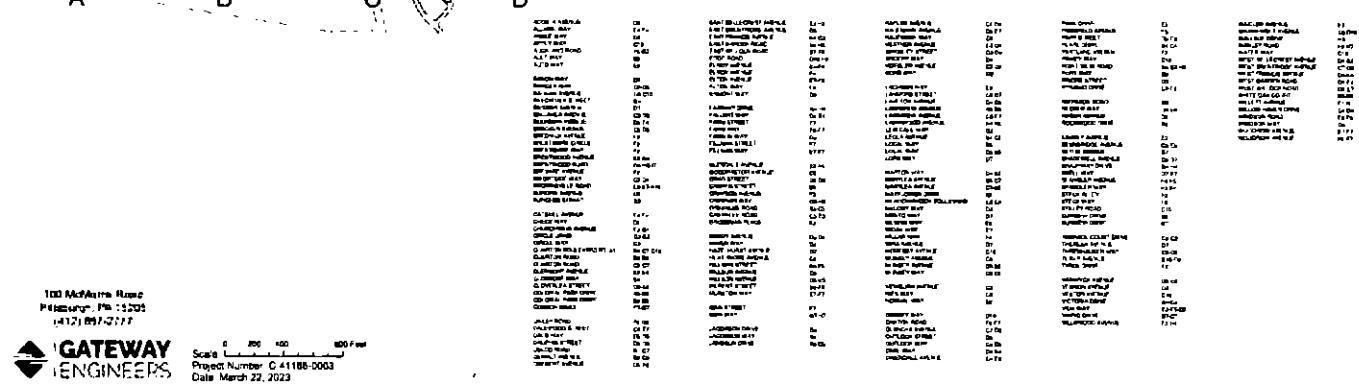
Activity	Target Date
Submit Final Act 537 Update Special Study to DEP	TBD
DEP approves 537 Update Special Study, notice of approval published in PA Bulletin	TBD
PAWC / DEP / ACHD negotiate and enter into revised Phase II Consent Order and Agreement (to become effective upon closing of the transaction) identifying required actions and schedule for addressing further Act 537 planning needs, deficiencies in service area, and implementation, and related matters	TBD
PAWC / Brentwood Borough Application to PUC for approval of transaction	March 2023
PUC proceedings on application for approval of transaction	TBD
PUC renders decision on approval of transaction and transfer of System to PAWC	TBD
PAWC and Brentwood Borough apply to DEP for transfer of permits required for System	TBD
DEP advises Brentwood Borough and PAWC that it is prepared to transfer other required permits required for System	Before closing
Closing occurs on transaction; System assets are transferred to PAWC and PAWC assumes ownership and operation of System	TBD
PAWC implements actions set forth in revised Phase II Consent Order and Agreement (CO&A)	In accordance with schedule in CO&A



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Act 537 Plan Update
Special Study
July 10, 2023
C-41166-0003

Appendix 1: Brentwood Borough Service Area

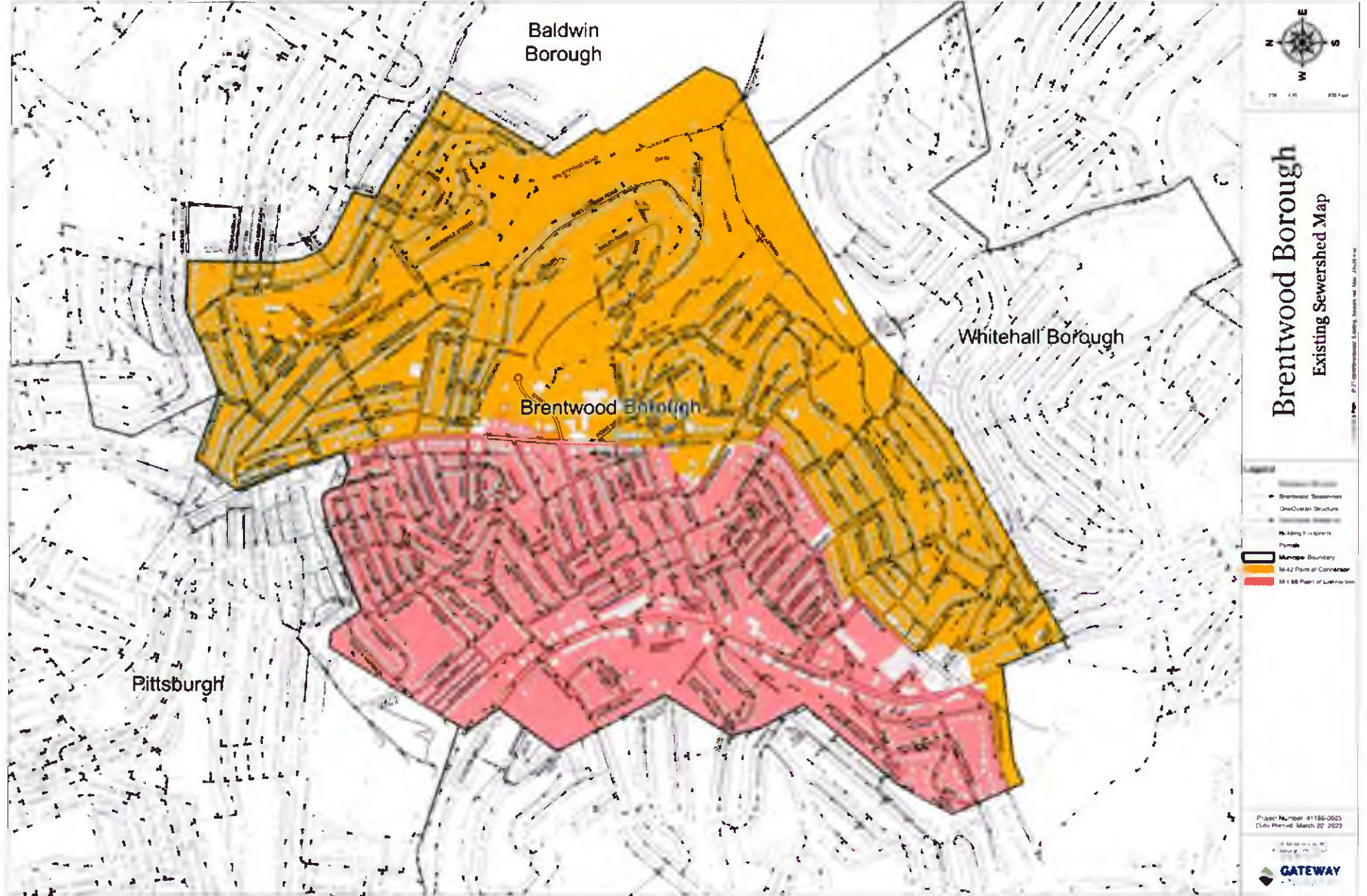




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Special Study
July 10, 2023
C-41166-0003

Appendix 2: Brentwood Borough Existing Sewershed Map





Act 537 Plan Update
Special Study
July 10, 2023
C-41166-0003

Appendix 3: Brentwood Borough Sewer Facilities



		Brentwood Borough Sanitary Sewer Manholes by Depth	Project No. 100-100-0000 Date: 10/10/2010 



GATEWAY

1/2" = 100' (Horizontal)
1/4" = 20' (Vertical)



Brentwood Borough Sanitary Sewer Manholes by Diameter

Project No. 11111111
Date: 11/11/11

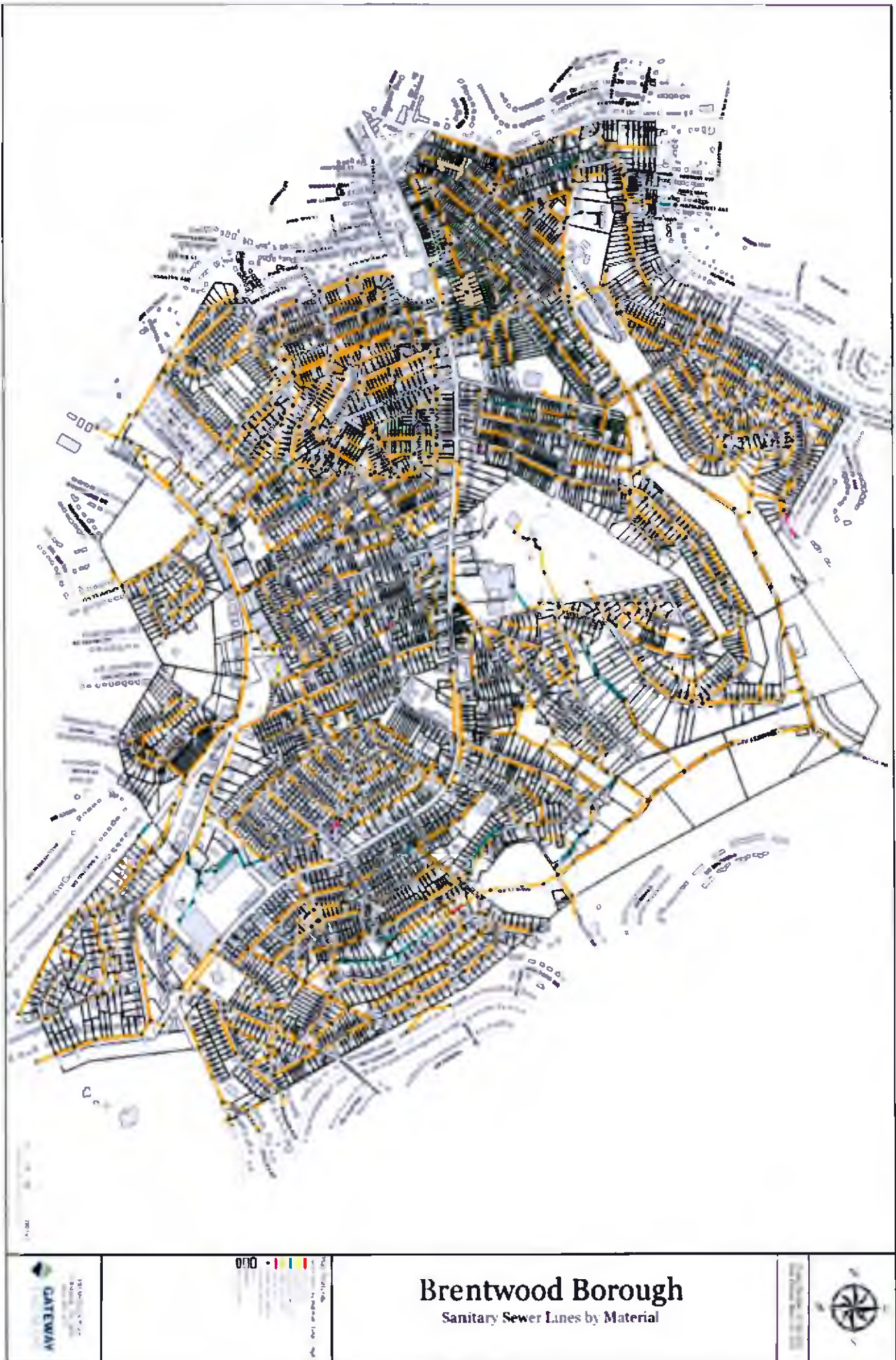




 GATEWAY Sustainable Infrastructure Brentwood Borough 2018	Legend - Red dot: Sanitary Sewer Manhole - Green line: Sanitary Sewer Line - Blue line: Water Main - Black line: Gas Main - Yellow line: Storm Sewer - Grey line: Other	Brentwood Borough Sanitary Sewer Manholes by Material	 Scale of Map: 1 inch = 100 feet Drawing Date: 12/1/2018



	Legend 12" - Orange 10" - Yellow 8" - Green 6" - Blue 4" - Purple	Brentwood Borough Sanitary Sewer Lines by Diameter	North Arrow





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Appendix 4: Brentwood Borough Capacity Deficient Sewers







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Appendix 5: Brentwood Borough Zoning Map





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July 10, 2023
C-41166-0003

Appendix 6: Brentwood Borough Zoning Ordinance

Borough of Brentwood, PA
Friday, March 24, 2023

Chapter 210. Zoning

[HISTORY: Adopted by the Borough Council of the Borough of Brentwood 12-10-2013 by Ord. No. 1220.^[1] Amendments noted where applicable.]

GENERAL REFERENCES

Planning Commission — See Ch. 37.
Adult entertainment — See Ch. 64.
Building construction — See Ch. 85.
Erosion and sediment control — See Ch. 99.
Night clubs and bottle clubs — See Ch. 141.
Parking in residential districts — See Ch. 154.
Property maintenance — See Ch. 162.
Sewers — See Ch. 167.
Streets and sidewalks — See Ch. 180.
Subdivision and land development — See Ch. 183.
Swimming pools — See Ch. 186.
Fees — See Ch. A215.

ATTACHMENTS

Attachment 1 - Figure 1 - Yard Type Illustration 

Attachment 2 - Figures 10 through 13: General Design Guidelines 

[1] *Editor's Note: This ordinance also repealed former Ch. 210, Zoning, adopted 3-2-1982 as Ch. 27 of the 1982 Code of Ordinances, as amended.*

Article I. General Provisions

§ 210-1. Title.

The official title of this chapter is the "Brentwood Zoning Ordinance."

§ 210-2. Statutory authority.

This chapter is adopted by virtue of the authority granted to the Borough by the Commonwealth in the Pennsylvania Municipalities Planning Code (MPC), Act 247 of 1968, as amended by Act 170 of 1998 (53 P.S. § 10101 et seq., as may be amended from time to time).

§ 210-3. Interpretation.

In the event of conflicts between the provision of this chapter and any other ordinance or regulation, the more restrictive provisions shall apply. In the interpretation and application, the provisions of this chapter shall be considered minimum requirements adopted for the promotion of the health, safety and general welfare of the public. In interpreting the language of this chapter to determine the extent of the restriction upon the use of the property, the language shall be interpreted, where doubt exists as to the

intended meaning of the language written and enacted by the Borough Council, in favor of the property owner and against any implied extension of the restriction.

§ 210-4. Purpose and findings.

These regulations are adopted in accordance with the MPC, community development objectives and the comprehensive plan. The purpose of this chapter is to promote, protect and facilitate any of the following:

- A. Public health, safety, morals, and general welfare;
- B. Coordinated and practical community development;
- C. Encourage appropriate redevelopment;
- D. Proper density of population;
- E. The provisions of adequate light and air;
- F. Lessen congestion on streets and roads;
- G. Secure safety from fire, panic, and other dangers;
- H. Prevent the overcrowding of land;
- I. Avoid an undue concentration of population;
- J. Facilitate the adequate provision of transportation, water, sewers, schools, parks, and other public facilities;
- K. Preservation of natural, scenic and historic properties;
- L. Preservation of environmental features, including forest, wetlands, aquifers, prime agricultural land, steep slopes, and floodplains as deemed appropriate; and
- M. Emergency management and preparedness.

§ 210-5. Community development objectives.

- A. Consistent with the goals and objectives of Brentwood Borough it is the intent of this chapter to achieve the following community development objectives and purposes:
 - (1) Distribute land uses to meet the physical, social, cultural, economic, and energy needs of present and future populations;
 - (2) Ensure that new development and redevelopment of existing properties is compatible with surrounding development in use, character, and size;
 - (3) Provide for land uses that serve important public needs including a variety of housing options and employment generators;
 - (4) Protect and enhance property values; and
 - (5) Protect natural, historic and environmental resources.
- B. In accordance with the foregoing purposes and objectives, this chapter establishes regulations governing the following:
 - (1) The height, number of stories, and size of buildings and other structures;
 - (2) The percentage of a lot that may be occupied;

- (3) The size of yards, courts, and other open spaces;
- (4) Population density and intensity of use; and
- (5) The location and use of buildings, other structures, and land for business, industrial, residential, or other purposes.

§ 210-6. General compliance.

- A. No land shall be used or occupied and no structures shall be designed, erected, altered, used, or occupied except in conformity with this chapter and in compliance with all standards, and upon performance of all conditions attached to any use approval, variance, appeal, rezoning, subdivision and land development approval, planned residential approval, or site plan approved pursuant to all land use regulations of the Borough.
- B. No person, firm, or corporation and no officer or employee (either as owner or as participating principal, agent, servant, or employee of such owner) shall sell, rent, or lease, or offer or attempt to sell, rent, or lease, any land or structure upon the representation, falsely made and known to be false, that such land or structure may be used or occupied in a manner or for a use prohibited by this chapter.
- C. The requirements of this chapter shall apply to all zoning districts, lots, structures, land developments, and subdivisions in the Borough.

§ 210-7. Applicability of regulations.

This chapter shall not apply to existing or proposed uses or structures of Brentwood Borough.

Article II. Definitions

§ 210-8. Word usage.

For the purposes of this chapter, the following rules of usage and interpretation shall apply, unless the context indicates otherwise. In the interpretation of this chapter, the provisions and rules of this chapter shall be observed and applied, except when the context clearly requires otherwise.

- A. Words in the present tense include the future.
- B. Words in the singular include the plural and the plural the singular.
- C. The word "shall" is intended to be mandatory.
- D. The word "lot" shall include the word "plot" or "parcel."
- E. The word "person" includes a firm, company, corporation, partnership, trust, organization or association, as well as an individual.
- F. A building or structure includes any part thereof.
- G. The word "and" indicates that all connected items, conditions, provisions or events shall apply.
- H. The word "or" indicates that the connected items, conditions, provisions or events may apply singly or in any combination.
- I. The words "either," "or" indicate that the connected items, conditions, provisions or events may apply singly but not in any combination.

- J. The word "Borough" means the Borough of Brentwood, Pennsylvania.
- K. The word "County" means the County of Allegheny, Pennsylvania.
- L. Any use of the gender-specific words (his, hers, him, her) shall imply both genders.
- M. In case of any difference of meaning or implication between the text of this chapter and any caption, illustration or table, the text shall control.
- N. When a word or phrase is not specifically defined in this chapter, or referenced in another chapter, then the common meaning of the word or phrase, or the definition contained in Webster's Dictionary, most current version, shall apply.

§ 210-9. Definitions.

When used in this chapter, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise. (For definitions related to signs see Article VII.)

ACCESSORY EQUIPMENT

Any equipment serving or being used in conjunction with a wireless telecommunications facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar equipment.

[Added 12-10-2018 by Ord. No. 1269]

ACCESSORY STRUCTURE

A structure the use of which is customarily accessory to and incidental to that of the principle structure and which is located on the same lot.

ADJACENT PROPERTY

Property that is contiguous with the boundaries of any side of the subject property.

ADULT ARCADE

Any place to which the public is permitted or invited wherein coin-operated, slug-operated, or for any form of consideration, or electronically, electrically, or mechanically controlled still or motion-picture machines, projectors, videos, or other image-producing devices are maintained, not located within viewing booths, to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE, ADULT NOVELTY STORE or ADULT VIDEO STORE

- A. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, CD ROM or DVD discs or other computer software, or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.
- B. Instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities.

ADULT BUSINESS

- A. Any commercial establishment, including but not limited to adult book stores, adult motion picture theaters, adult mini-motion picture theaters, adult entertainment cabaret, adult arcade or other adult entertainment establishments, in which is offered for sale as a substantial or significant portion of its stock in trade video cassettes, movies, books, magazines, or other periodicals or other media which are distinguished or characterized by their emphasis on

nudity or sexual conduct or activities which if presented in live presentation would constitute adult entertainment;

- B. Any commercial establishment that offers for a consideration physical contact in the form of wrestling or tumbling between persons of the opposite sex;
- C. Any commercial establishment that offers for a consideration activities between male and female persons and/or persons of the same sex when one or more persons are nude or semi-nude; and
- D. Any commercial establishment that offers for a consideration nude human modeling. An establishment shall include any of the following:
 - (1) The opening or commencement of any sexually oriented business as a new business.
 - (2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business.
 - (3) The addition of any sexually oriented business to any other existing sexually oriented business or to a non-sexually-oriented business.
 - (4) The relocation of any sexually oriented business.

ADULT CABARET

A nightclub, bar, restaurant, or other commercial establishment which regularly features:

- A. Persons who appear in a state of nudity or semi-nudity.
- B. Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.
- C. Films, motion pictures, video cassettes, DVDs, slides, or other photographic reproductions or visual presentations of any other kind which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

ADULT MINI MOTION-PICTURE THEATER

An enclosed building or structure offering video presentations or other visual media distinguished or characterized by an emphasis on matter depicting, describing, or relating to "sexual activities" or "nudity," as defined herein, for observation by patrons within private viewing booths.

ADULT MOTION-PICTURE THEATER

A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions or visual presentations of any kind are regularly shown which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

ADULT THEATER

A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nudity, or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

AFTER HOURS CLUB

A use that permits the consumption of alcoholic beverages by five or more unrelated persons between the hours of 2:00 a.m. and 6:00 a.m. and that involves some form of monetary compensation paid by such persons for the alcohol or for the use of the premises.

AGRICULTURAL ACTIVITIES/USES

Activities including, but not limited to, livestock and poultry raising; field, row and tree crops; forest and tree products; sale of products produced on the premises; and other customary farm structures. Not included are farm-oriented commercial or industrial activities or operations, such as

food or livestock processing plants, holding pens, slaughterhouses, or similar uses which handle products not produced on the immediate premises.

AIRPORT

Any area of land or water, whether of public or private ownership, designed and set aside for the landing and taking off of aircraft, including all contiguous property that is held or used for airport purposes.

AIRPORT ELEVATION

The highest point of an airport's useable landing area measured in feet above sea level. The elevation of the Allegheny County Airport is 1,250 feet above mean sea level.

AIRPORT HAZARD

Any structure or object, natural or man-made, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR 77 and 74 Pa.C.S.A. § 5102.

AIRPORT HAZARD AREA

Any area of land or water upon which an airport hazard might be established if not prevented as provided for in this chapter and the Act 164 of 1984 (Pennsylvania Laws Relating to Aviation).^[1]

ALLEGHENY COUNTY AIRPORT

Located in West Mifflin, Pennsylvania, located at 40° 21' 15.84" N, 79° 55' 48.6" W; International Air Transport Association airport code ("IATA"): AGC; International Civil Aviation Organization ("ICAO") airport code: KAGC.

ALLEY

A public or private right-of-way which has a width of 15 feet or less and which is designed to provide secondary access to a lot or lots.

ALTERATIONS

As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location to another, or any change in use from that of one zoning district classification to another.

ALTERATIONS, STRUCTURAL

Any change in the supporting members of a building, such as bearing walls, columns, beams, girders, or foundations.

AMPHITHEATER

An oval or round structure having tiers of seats rising gradually outward from a central open space or arena.

AMUSEMENT ARCADE

- A. If an accessory use, any establishment where two or fewer amusement devices are located.
- B. If a principal use, any establishment where three or more amusement devices are located.

AMUSEMENT DEVICE

Any mechanical, electrical or electromechanical device, machine or apparatus whatsoever for the playing of games and amusements, which devices or apparatus are commonly known as "pinball machines," "video games" and "jukeboxes," or upon which games are played, or any device on which music is played after the insertion therein of a coin or other disc, slug or token or for which fees are paid to an attendant.

AMUSEMENT PARK

An establishment existing primarily entertainment purposes and offering rides and exhibitions for a fee.

ANIMAL CEMETERY

Any site containing at least one burial, marked or previously marked, dedicated to and used or intended to be used for the permanent burial of animals.

ANIMAL DAY CARE

A facility that cares for pet animals for less than 12 consecutive hours in the absence of the pet owner or a facility that cares for pet animals in training with or without the facility owner receiving compensation for such services (see also "kennel").

ANIMAL HOSPITAL

A place where animals or pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use. Animal hospitals are not kennels.

ANSI

The American National Standards Institute.

ANTENNA

An exterior device or apparatus designed for cellular, digital, telephone, radio, pager, commercial mobile radio, television, microwave or any other wireless communications through sending and/or receiving of electromagnetic waves, including, without limitation, omnidirectional or whip antennas and directional or panel antennas. Unless otherwise stated, this term shall not include a standard antenna.

ANTENNA HEIGHT

The vertical distance from the base of the antenna support structure at grade to the highest point of the structure, including any antennas attached thereto or forming a part thereof. If the support structure is on a sloped grade, then the average between the highest and lowest grades shall be used in calculating the antenna height.

ANTENNA, STANDARD

A device, partially or wholly exterior to a building, that is used for receiving television or radio signals for use on site or for transmitting shortwave or citizens band radio signals. See also "commercial communications antenna."

APPLICANT

A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors and assigns.

APPLICATION FOR DEVELOPMENT

Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development including but not limited to an application for a building permit, for the approval of a subdivision plat or plan or for the approval of a development plan.

APPROACH SURFACE (ZONE)

An imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The approach surface zone is derived from the approach surface.

APPURTENANCES

The visible, functional, or ornamental objects accessory to and part of buildings.

ARCHITECT

An architect registered by the Commonwealth of Pennsylvania.

AREA, BUILDING

The total horizontal plane area of the building from outside wall to outside wall. This is exclusive of patios and stairways.

AREA, SITE

The total area of the lot or lots comprising a site.

ARI

The Air-Conditioning and Refrigeration Institute.

ART GALLERY

A structure, or part thereof, devoted to the exhibition of visual works of fine art. Art galleries generally include accessory services, such as sale or purchase of displayed works, custom framing or encasement of art works and services related to art appraisal, display, preservation or restoration.

ASTM

The American Society for Testing and Materials.

AUTHORITY

A body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No. 164), known as the "Municipality Authorities Act of 1945."^[2]

AUTOMOBILE DETAIL

Any building, premises, or land in which or upon which a business or individual performs or renders a service involving the detailing and servicing of an automobile or other motor vehicle. Detailing and servicing shall include any cleaning, buffing, striping, glass replacement, and audio installation or repair. Automobile detail shall not include any service defined as "automobile repair."

AUTO REPAIR, AUTO SERVICE

Any building, premises, and land in which or upon which a business, service, or industry performs or renders a service involving the maintenance, servicing, repair, or painting of vehicles, not including commercial motor vehicle repair.

BAKERY, RETAIL

A place for preparing, baking and selling baked goods and products prepared on the premises.

BASEMENT

That portion of a building which is partly or completely or has a floor below grade.

BED-AND-BREAKFAST INN

An owner-occupied, single-family dwelling in which not more than six guest rooms are utilized to provide, for compensation, sleeping accommodations for transient occupants for periods of up to 30 consecutive days.

[Amended 8-24-2020 by Ord. No. 1283]

BOARD

Any body granted jurisdiction under a land use ordinance or by the MPC to render final adjudications.

BOARDING OR ROOMING HOUSE

Any building other than a hotel, motel, bed-and-breakfast establishment, or group home in which a room or group of rooms intended to be used for sleeping purposes are individually offered for short-term or long-term lease.

[Amended 8-24-2020 by Ord. No. 1283]

BOOK AND VIDEO STORE

A retail establishment devoted primarily to selling or renting any of the following: newspaper, magazines, books, and other printed material and video recordings.

BOROUGH

The Borough of Brentwood, Allegheny County, PA.^[3]

BUFFER AREA

A landscaped area of a certain depth specified by this chapter which shall be planted and maintained in trees, ground cover, shrubs, bushes or other natural landscaping material or an existing natural or constructed natural barrier which duplicates the effect of the required buffer area.

BUILDING

A structure used for sheltering any use or occupancy.

BUILDING CODE

The Brentwood Borough Uniform Construction Code Ordinance.^[4]

BUILDING FACADE

That portion of any exterior elevation on the building extending from finished grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

BUILDING FRONT

The wall of the building where the principal entrance is located, usually fronting on a public street.

BUILDING PERMIT

A permit for activities regulated by the Uniform Construction Code as adopted by Brentwood Borough, including construction, alteration, repair, demolition or an addition to a structure.

BUILDING, PRINCIPAL

The building or buildings on a lot in which the principal use or uses are conducted.

CARTWAY

That portion of a street or alley intended for vehicular use.

CAR WASH, AUTOMATIC

A structure where chairs, conveyors, blowers, steam cleaners, or other mechanical devices are used for the purpose of washing motor vehicles and where the operation is generally performed by an attendant.

CAR WASH, SELF-SERVICE

A structure where washing, drying, and polishing of vehicles is generally on a self-service basis without the use of chain conveyors, blowers, steam cleaning, or other mechanical devices.

CEMETERY

Any site containing at least one burial, marked or previously marked, dedicated to and used or intended to be used for the permanent interment of the human dead, including perpetual care and non-perpetual care cemeteries.

CHURCH

A building or buildings, other than a dwelling, used primarily as a place of worship on a regular basis by a religious denomination that may also include, as accessory uses, rooms for religious education, social and recreational activities and administrative offices, rectories, parsonages, convents, preschool programs and elderly or child day-care centers.

CIVIC USE

A public or private not-for-profit use, such as a meeting hall, fire station, mail facility, post office, school, church, library, museum or other like type place that is a community facility.

CLEAN WOOD

Natural wood that has been seasoned to reduce its water content and provide more efficient combustion. The term "clean wood" does not include wood coated with paint, stain, oil, resin or any other preservative, fire retardant or decorative materials; impregnated with preservatives or fire retardants; exposed to salt water; nor manufactured with the use of adhesives, polymers or resins, such as strand, particle and veneer lumber and recycled lumber.

CLEAR SITE TRIANGLE

A triangular area of unobstructed vision as defined by PennDOT Publication 70M, Guidelines for the Design of Local Roads and Streets.

CLINIC, MEDICAL

Any establishment where human patients are examined and are treated by or under the care and supervision of doctors, dentists or other medical practitioners, but where patients are not hospitalized overnight.

CLINIC, VETERINARIAN

An establishment where animals are examined and treated by veterinarians and which may include kennels for temporary boarding of animals during treatment.

CLOSED HORIZONTAL LOOP GEOTHERMAL SYSTEM

A mechanism for heat exchange which consists of the following basic elements: underground loops of piping; heat transfer fluid; a heat pump; an air distribution system. An opening is made in the Earth. A series of pipes are installed into the opening and connected to a heat exchange system in the building. The pipes form a closed loop and are filled with a heat transfer fluid. The fluid is circulated through the piping from the opening into the heat exchanger and back. The system functions in the same manner as the open loop system except there is no pumping of groundwater. A horizontal closed loop system shall be no more than 20 feet deep.

CLOSED VERTICAL LOOP GEOTHERMAL SYSTEM

A borehole that extends beneath the surface. Pipes are installed with U-bends at the bottom of the borehole. The pipes are connected to the heat exchanger and heat transfer fluid is circulated through the pipes.

CLUSTER

A development design technique used in planned residential development that concentrates buildings on a part of the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas.

CO-LOCATION

The placement and arrangement of multiple antenna and equipment on a single support structure and equipment pad area.

COMMERCIAL COMMUNICATIONS TOWER OR ANTENNA

A structure, partially or wholly exterior to a building, used for transmitting or retransmitting electronic signals through the air and that does not meet the definition of a "standard antenna." Commercial communications antennae shall include, but are not limited to, antennae used for transmitting commercial radio or television signals, or to receive such signals for a cable system, or to retransmit wireless telecommunications. A commercial communications tower shall be a structure over 30 feet in height that is primarily intended to support one or more antenna. This term shall not include a "standard antenna."

COMMERCIAL MOTOR VEHICLE REPAIR

Any building, premises, and land in which or upon which a business, service, or industry performs or renders a service involving the maintenance, servicing, repair, or painting of a commercial motor vehicle. Commercial motor vehicles are those vehicles that have a gross vehicle weight rating (GVWR) in excess of 16,001 pounds.

COMMERCIAL RECREATION, INDOOR

An establishment operated by a profit-making corporation, partnership or other business entity for the pursuit of sports, amusement and recreational activities, available to the general public for a fee, where the principal use is conducted entirely within a completely enclosed building, including, but not limited to, such principal uses as health or racquet and/or swim clubs, fitness centers, roller or ice rinks, karate schools, gymnasiums, arenas, sports courts or playing fields, bowling alleys, amusement arcades, virtual reality and simulation gaming parlors, billiard parlors, shooting ranges, dance halls, live or motion-picture theaters, but not including any adult business.

COMMERCIAL RECREATION, OUTDOOR

An establishment operated by a profit-making corporation, partnership or other business entity for the pursuit of sports, amusement and recreational activities, available to the general public for a fee, where the principal use is outdoors, but which may include accessory uses that are indoors, including, but not limited to, such principal uses as miniature golf courses, golf or batting practice facilities, ice rinks, roller blade parks, swimming pools, sports playing fields, ball parks, stadiums, amphitheaters, drive-in theaters, amusement parks, racetracks and similar facilities.

COMMON OPEN SPACE

A parcel or parcels of land or an area of water, or a combination of land and water within a development site and designed and intended for the use or enjoyment of residents of a development, not including streets, off-street parking areas, and areas set aside for public facilities.

[5]

COMPREHENSIVE PLAN

The Comprehensive Plan of the Borough which guides the physical development of the Borough and which consists of maps, charts and textual matter in accordance with the provisions of the Pennsylvania MPC.

CONDITIONAL USE

An authorized use which may be granted only by the Borough Council pursuant to express standards and criteria prescribed in this chapter, after review and recommendation by the Borough Planning Commission and hearing by the Borough Council.

CONICAL SURFACE (ZONE)

An imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally to one foot vertically for a horizontal distance of 4,000 feet. The conical surface zone is based on the conical surface.

COUNCIL

The Councilmembers of Brentwood Borough, Allegheny County, Pennsylvania.

COUNTY

Allegheny County, Pennsylvania.

DAY-CARE CENTER

A facility, licensed by the Commonwealth of Pennsylvania, located within a building which is not used as a dwelling unit, for the care during part of a twenty-four-hour day of children under the age of 16 or handicapped or elderly persons.

DECIBEL

A unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in decibels.

DEMOLITION BUSINESS

A business that demolishes structures, including houses and other buildings, in order to salvage building materials, and that stores those materials before disposing of them.

DENSITY

The number of dwelling units per acre.

DEVELOPER

Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT

Any man-made change to an improved or unimproved land or water area, including, but not limited to, construction of buildings or structures or additions thereto, mining, dredging, filling, grading, paving, excavation or drilling operations.

DEVELOPMENT OF REGIONAL SIGNIFICANCE AND IMPACT

Any land development that, because of its character, magnitude, or location, will have substantial effect upon the health, safety, or welfare of citizens in more than one municipality.

DEVELOPMENT PLAN

The provisions for development, including a planned residential development, a plat of subdivision, all covenants relating to use, location and bulk of buildings and other structures, designated growth area where residential, commercial industrial and institutional uses and development are permitted or planned at varying densities and public infrastructure services may or may not be provided, but future development at greater densities is planned to accompany the orderly extension and provision of public infrastructure services.

DISTRIBUTED ANTENNA SYSTEM

A network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

[Added 12-10-2018 by Ord. No. 1269]

DRILLING PAD

The area of surface operations surrounding the surface location of a well or wells.

DRIVE-IN RESTAURANT

A restaurant with or without a drive-through, where the food is primarily brought to and consumed within a patron's vehicle. An outdoor seating area may be provided.

DRIVE-IN THEATER

A structure consisting of a large outdoor screen, a projection booth and a large parking area for automobiles. Within this enclosed area, customers can view movies from the privacy and comfort of their cars.

DRIVE-THROUGH FACILITY

"Drive-through facilities" shall be considered principal uses which are attached to another authorized principal use which involves a window, service lane, bay, or other facility where customers are provided services either inside or outside their vehicles and where cars may or may not wait in line to access these services, including, but not limited to: drive-in or drive-through windows at fast-food restaurants, banks, drug stores or other businesses, exterior automated teller machines (ATMs), quick oil-change facilities, car washes and similar automotive services and other such facilities.

DRIVE-THROUGH RESTAURANT

A fast-food restaurant characterized by a limited menu and catering to drive-through traffic.

DRIVEWAY

A private area which provides vehicular access to a parking space, garage, dwelling or other structure.

DWELLING

A building that contains dwelling units, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

DWELLING TYPES

A. ACCESSORY DWELLING UNIT

A dwelling unit that is either attached to the principal permitted building or to a permitted accessory building on a lot that serves as a mother-in-law suite and primarily intended to be occupied by a relative of the occupant of the principal structure or use on the lot or site.

B. APARTMENT

A multifamily residential building comprised of dwelling units.

C. CONVERSION DWELLING

A dwelling unit or units created from a larger existing residential dwelling, whether entirely from the existing structure or by building additions or combinations thereof. Conversion dwellings involve the creation of additional dwelling units in a structure from existing dwellings, not initially intended or designed when the dwelling was initially constructed. Conversion dwellings are primarily intended to serve as rental units and are defined separately from "accessory dwelling units" or "mother-in-law suites" which are primarily intended to house family members.

D. DUPLEX

A detached house designed for and occupied exclusively as not more than two units, each living as an independent housekeeping unit and with no internal connectivity between units.

E. GARDEN APARTMENT

A multifamily residential building containing three or more dwelling units that may share a common entrance to the outside, usually through a common corridor, and which dwelling units may have other dwelling units either above or below them.

F. MODULAR DWELLINGS

A factory-fabricated single-family dwelling that is delivered to its site in at least two sections that are set upon a permanent foundation and the sections joined together. Such dwellings shall be certified as meeting the minimum standards for manufactured housing in Pennsylvania. Modular dwellings shall be permitted wherever single-family dwellings are allowed, provided they are installed on a permanent foundation and connected to all available utilities.

G. MULTIFAMILY

A residential building designed exclusively for occupancy by three or more families living independently of each other and containing three or more separate dwelling units but not including single-family, duplex, townhouse or quadruplex dwellings.

H. QUADRUPLEX

A residential building, other than a townhouse or garden apartment, containing only four dwelling units in one structure, each of which has two walls exposed to the outside and each unit shares two common walls with adjoining units which are placed at right angles to one another, rather than in a row, and which units have no other units above or below which share common floors/ceilings.

I. ROW HOUSE

See "townhouse."

J. SINGLE-FAMILY

A detached residential building that is the only principal structure on the lot, designed exclusively for occupancy by one family, as defined herein, and containing one dwelling unit.

K. TOWNHOUSE

A single-family dwelling unit constructed in a group of not less than three but not more than six attached units in which each unit share no more than one common wall that extends from the

foundation to the roof.

DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EDUCATIONAL INSTITUTION

A structure, part of a structure, or structures designed and used for training and teaching of children, youths or adults, including laboratories appurtenant thereto.

ENFORCEMENT NOTICE

A notice as provided in § 616.1 of the MPC, 53 P.S. § 10616.1, sent by the Borough to the owner or occupant of record of a parcel on which a violation of this chapter has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner or occupant of record, the purpose of which is to initiate enforcement proceedings.

EPA

The United States Environmental Protection Agency or any agency successor thereto.

ESCORT

A person who, for consideration, agrees, or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESCORT AGENCY

A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary businesses for a fee, tip, or other consideration.

ESSENTIAL SERVICES or ESSENTIAL PUBLIC UTILITY SERVICES

Utility or municipal uses that are necessary for the preservation of the public health and safety and that are routine, customary and appropriate to the character of the area in which they are to be located. Essential services shall include the following and closely similar facilities: sanitary sewage lines, water lines, electric distribution lines, stormwater management facilities, cable television lines, natural gas distribution lines, fire hydrants, streetlights and traffic signals. Essential services shall not include a central sewage treatment plant, a solid waste disposal area or facility, commercial communications towers, a power-generating station, septic or sludge disposal, offices, storage of trucks or equipment or bulk storage of materials.

ESSENTIAL SERVICES, PRIVATE

Not covered by PUC.

EXTENDED STAY HOTEL/MOTEL

Any hotel or motel in which rooms are rented for a minimum period of one week and/or in which rooms may be rented for periods in excess of 30 consecutive days. All rooms shall contain sleeping, bathing, living, and cooking facilities. An extended stay hotel or motel shall comply with the terms of Chapter 163 of the Brentwood Borough Code of Ordinances.

[Amended 8-24-2020 by Ord. No. 1283]

FAA

The United States Federal Aviation Administration or any agency successor thereto.

FAMILY

An individual; two or more persons related by blood, marriage or adoption; or not more than three unrelated persons living as a single housekeeping unit. A family may also include domestic servants and gratuitous guests. The foregoing restrictions do not apply to persons with disabilities as defined in the Fair Housing Act, 42 U.S.C. § 3601 et seq.

FARMERS MARKET

A retail establishment at which fruits, vegetables, breads, eggs, milk, cheese, meat, flowers, and the like are sold by persons who typically grow, harvest, or process such items from their farm or agricultural operation.

FINANCIAL INSTITUTIONS

Banks, savings and loan associations and similar institutions that lend money or are engaged in a finance-related business.

FLOODPLAIN

Areas adjoining any rivers, streams, ponds or lakes subject to the one-hundred-year-recurrence-interval flood as delineated by the U.S. Army Corps of Engineers or subject to erosion caused by a one-hundred-year-recurrence-interval flood, as well as any areas identified in the future by anyone else expert and experienced in the preparation of hydrological studies and the determination of flood lines subject to the review and approval of a professional engineer selected by the Borough.

FLOOR AREA, GROSS (GFA)

The sum of all the horizontal floor areas of a building, measured between exterior faces of walls.

FLOOR AREA, NET

The total floor area of a building designed for tenant occupancy, or areas accessible to the customers, clients or general public, but excluding storage areas, equipment rooms, food preparation areas in a restaurant and common areas such as halls, corridors, stairwells, elevator shafts, rest rooms, interior vehicular parking and loading areas and similar common areas, expressed in square feet and measured from the center line of joint partitions and exteriors of outside walls.

FUNERAL HOME

A building used for the embalming of deceased human beings for burial and for the display of the deceased and ceremonies connected therewith before burial or cremation and which may include a crematorium as an accessory use.

GARAGE, PRIVATE

An accessory building or a portion of the principal building, not accessible to the general public and designed or used for shelter or storage of private vehicles and personal property of the occupants of the principal building and which may include the shelter or storage of no more than one private vehicle owned and used by others.

GARAGE, PUBLIC

A building or structure available to the general public in which motor vehicles are temporarily stored but which is not used for the repair or maintenance thereof.

GAS STATION

A building(s), premises or portions thereof which are used, arranged, designed, or intended to be used for the retail sale of gasoline or other fuel for motor vehicles. Gas stations may include the operation of a convenience food store in conjunction with the retail sale of petroleum products.

GEOHERMAL BOREHOLES

A hole drilled or bored into the earth into which piping is inserted for use in a closed vertical loop geothermal system.

GEOHERMAL ENERGY SYSTEM

An energy generating system that uses the Earth's thermal properties in conjunction with electricity to provide greater efficiency in the heating and cooling of buildings.

GOLF COURSE

Any golf course, publicly or privately owned, on which the game of golf is played, including accessory uses and buildings customary thereto, but excluding golf driving ranges as defined

herein.

GOLF DRIVING RANGE

A limited area on which golf players do not walk, but onto which they drive golf balls from a central driving tee.

GREENHOUSE

A retail business that sells flowers, plants, shrubs, trees and other natural flora and products that aid their growth and care and which may include a greenhouse and/or the growing of plant material outside on the lot.

GROUP CARE FACILITY

- A. A facility which provides room and board and specialized services for:
- (1) More than eight residents who are mentally or physically handicapped;
 - (2) Any number of permanent residents who are dependent and/or delinquent children under the age of 18 adjudicated by the court system;
 - (3) Mentally disturbed persons of any age; or
 - (4) Persons assigned by a court of law or public or semipublic agency on a short-term basis for supervision, care and counseling for a specified period of time, including alcoholic recovery, shelters for battered persons and their children, community reentry services following incarceration and other such transitional and/or supervised short-term assignments.
- B. Staff shall be qualified by the sponsoring agency, who may or may not reside at the facility, and who provide health, social and/or rehabilitative services to the residents. The services shall be provided only by a governmental agency, its licensed or certified agents or any other responsible nonprofit social services corporation, and the facility shall meet all minimum requirements of the sponsoring agency.

GROUP HOME

A dwelling unit where room and board is provided to not more than eight permanent residents who are mentally or physically handicapped persons of any age, who are in need of supervision and specialized services, and no more than two caretakers on any shift, who may or may not reside in the dwelling and who provide health, social and/or rehabilitative services to the residents. The service shall be provided only by a governmental agency, its licensed or certified agents or any other responsible nonprofit social services corporation, and the facility shall meet all minimum requirements of the sponsoring agency. A group home does not include persons assigned by a court of law or public or semipublic agency on a short-term basis for supervision, care and counseling for a specified period of time, including alcoholic recovery, shelters for battered persons and their children, community re-entry services following incarceration and other such transitional and/or supervised short-term assignments.

HEALTH SPA

A commercial recreation and entertainment facility or private club which has as a principal use a gymnasium, swimming pool or other sports facility and which may offer massages, whirlpool baths, steam rooms, saunas or medical facilities as accessory uses to the principal use. A health spa may not include any aspects of adult entertainment or an adult-oriented establishment, as either are elsewhere defined and regulated in this chapter.

HEARING

An administrative proceeding conducted by a board pursuant to Section 909.1 of the MPC.^[6]

HEIGHT OF BUILDING

The vertical distance measured from the average elevation of the proposed finished grade of the building to the eaves. For the purpose of determining maximum permitted height for principal buildings, such measurement shall be made from the average finished grade at the front setback. For the purpose of side or rear yard determination, such measurement shall be made from the average finished grade of the wall extending along such side yard or rear yard.

HEIGHT OF STRUCTURE

For structures other than buildings or signs, the vertical distance measured from the average elevation of the finished grade around the structure to the highest point on the structure.

HELIPORT

Any area of land, water or structure which is used or intended to be used for the landing and takeoff of helicopters and any appurtenant areas which are used for heliport buildings or helicopter facilities or rights-of-way, together with all heliport buildings and facilities thereon.

HISTORIC STRUCTURE

Any structure that is:

- A. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Registry;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered Historic District or a district preliminarily determined by the Secretary to qualify as a registered Historic District;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By approved state program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

HOLIDAY

The entire twenty-four-hour period of the days of New Year's Day (January 1), Good Friday, Election Day (both primary and general elections), Memorial Day, July 4, Labor Day, Thanksgiving Day, and Christmas Day.

HOME OCCUPATION BUSINESS

Any use customarily carried on entirely within a dwelling, by the occupant thereof, which use is clearly incidental and subordinate to the use of the dwelling. Examples include, but are not limited to, professional services such as legal, financial, accounting or engineering, barber and beauty shops, music and tutoring instruction. Home occupations are limited to one student, customer or client at a time. Home occupation businesses are different than no-impact home-based businesses (see definition of "no-impact home-based business").

HORIZONTAL SURFACE (ZONE)

An imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by tangent lines. The radius of each arc is based on the planned approach. The horizontal surface zone (reference figure in § 210-25) is derived from the horizontal surface.

HOSPITAL

An institution providing acute medical or surgical care and treatment for sick or injured humans, as defined in current state licensure requirements.

HOTEL

A building containing no less than eight rooms that are offered for rent by the night to provide temporary sleeping accommodations to persons who have residences elsewhere for a period of up to 30 consecutive days. A hotel has a common reception area that is staffed 24 hours per day in which clients must check in to obtain initial access to a room. Each room shall be accessible only from interior corridors.

[Amended 8-24-2020 by Ord. No. 1283]

HYDRAULIC FRACTURING (FRACKING)

The process of injecting water, customized fluids, sand, steam, or gas into a gas well under pressure to improve gas recovery.

IGSHPA

The International Ground Source Heat Pump Association.

IMPERVIOUS SURFACE

Any material which prevents the absorption of stormwater into the ground.

INCINERATOR

A device used to burn waste substances and in which all the combustion factors, temperature, retention time, turbulence, and combustion air can be controlled.

INDUSTRIAL CENTER/PARK

An area of land occupied by a group of three or more industrial uses arranged and constructed in accordance with a plan, each use contained on a separate lot having direct access to a public road.

INTERMEDIATE CARE FACILITY

A facility that provides nursing care and related medical or other personal health services to human patients on a planned program of care and administrative management, supervised on a continuous twenty-four-hour basis in an institutional setting, as defined in current state licensure requirements.

JUNK YARD

Any premises devoted wholly or in part to the storage, buying or selling, sorting, exchanging, salvaging, recycling or otherwise handling or dealing in junk.

KENNEL

A use of land and structures in combination wherein four or more domestic animals or pets six months or older are bred, trained, and/or boarded for compensation for more than 12 consecutive hours. Animal day-cares and animal groomers where pets are not on site for more than 12 consecutive hours shall not be considered a kennel.

LABORATORY

A building or part of a building devoted to the testing and analysis of any product or animal. No manufacturing is conducted on the premises except for experimental or testing purposes.

LAND DEVELOPMENT

Includes any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - (2) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of, streets, common areas, leaseholds, condominiums, building groups or other features.

- B. A subdivision of land.

LANDFILL

A disposed site in which refuse and earth, or other suitable cover material are deposited and compacted in alternative layers as required by the federal and/or state agency having jurisdiction.

LANDOWNER

The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LANDSCAPE PLAN

A plan prepared by a design professional identifying each tree and shrub by size, type and scientific name; the location of each, including a planting diagram; and such other diagrams or reports as are necessary to show the method of planting, staking and mulching, grass seeding specification and mixtures and existing trees to be preserved, if any.

LARGER THAN UTILITY RUNWAY

A runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

LIFE CARE COMMUNITY

A corporation or association or other business entity that, in exchange for the payment of entrance and monthly fees, provides:

- A. Residential accommodations meeting the minimum standards for residents set forth by law and ordinances and providing a design to meet the physical, social and psychological needs of older people;
- B. Medical and nursing care covering, under ordinary circumstances, the balance of a resident's life;
- C. Prepaid medical consultation opportunities through independent professionals selected by the organization or through some equivalent arrangement; or
- D. Financial self-sufficiency, not dependent on outside support to any significant degree, with entrance and monthly fees adjusting to meet changing costs.

LOADING SPACE

A space within the main building or on the same lot therewith providing for the standing, loading, or unloading of vehicles.

LOT

A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA

The total area of the lot or lots comprising a site, excluding any areas contained in a public right-of-way.

LOT, CORNER

A lot at an intersection of two or more streets.

LOT COVERAGE

That percentage of the lot area covered by all principal structures, accessory structures and impervious surfaces.

LOT, INTERIOR

A lot other than a corner lot or through lot.

LOT LINE

A line of record bounding a lot that divides one lot from another lot or from a public or private street right-of-way or other public space.

LOT LINE, FRONT

A lot line or lines which separates a lot from a public street or streets.

LOT LINE, REAR

That lot line that is generally opposite the front lot line.

LOT LINE, SIDE

Any lot line that is not a front lot line or rear lot line.

LOT, THROUGH

A lot having frontage on two parallel or approximately parallel streets and which is not a corner lot.

LOT, WIDTH

The line distance between the point of intersection of the minimum required building setback line with the side lot lines as measured along the front setback line.

MAJOR HIGHWAY

A public street which serves large volumes of high speed and long distance traffic, including and limited to Route 51.

MANUFACTURED HOME

A structure, transportable in one or more sections, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein. For mobile homes built prior to June 15, 1976, a label certifying compliance to the Standard for Mobile Homes, NFPA 501, in effect at the time of manufacture is required. For the purpose of these provisions, a mobile home shall be considered a manufactured home.

MANUFACTURING

The process of making wares by hand, by machinery or by other agency, often with the provision of labor and the use of machinery.

MANUFACTURING, HEAVY

Manufacturing including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products which, due to the nature of the materials, equipment or process utilized, the manufacturing operation is considered to be unclean, noisy, hazardous or is associated with other objectionable elements.

MANUFACTURING, LIGHT

Manufacturing including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products which by the nature of the materials, equipment and process utilized is to a considerable measure clean, quiet, and free of any objectionable or hazardous element.

MASSAGE ESTABLISHMENT

Any establishment or business which provides the services of massage and body manipulation, including exercises, heat and light treatments of the body, and all forms of physiotherapy, unless operated by a medical practitioner, chiropractor, or professional physical therapist licensed by the State of Pennsylvania. This definition does not include an athletic club, school, gymnasium, reducing salon, spa, or similar establishment where massage or similar manipulation of the human body is offered as an identical or accessory service. A massage establishment may not include any

aspects of adult entertainment or an adult-oriented establishment, as either are elsewhere defined and regulated in this chapter.

MEDIATION

A voluntary negotiating process in which parties in a dispute mutually select a neutral mediator to assist them in jointly exploring and settling their differences, culminating in a written agreement which the parties themselves create and consider acceptable.

METHADONE TREATMENT FACILITY

A facility licensed by the Department of Health to use the drug methadone in the treatment, maintenance, or detoxification of persons.

MINERALS

Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil and natural gas.

MINI-WAREHOUSE

A storage enterprise dealing with the reception of goods of residential or commercial orientation that lie dormant over extended periods of time. Separate storage units are rented to individual customers who are entitled to exclusive and independent access to their respective units.

MIXED USE

The conduct of two or more principal uses within one principal building, or one lot or site.

MOBILE HOME

A transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

MOBILE HOME LOT

A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erections thereon of a single mobile home.

MOBILE HOME PARK

A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes.

MORTUARY

A building which is operated by a duly licensed mortician and which is exclusively used for the preparation of dead bodies for burial or cremation.

MOTEL

A building or group of permanent detached, semidetached, or attached buildings on a lot containing no less than eight rooms that are offered for rent by the night to provide temporary sleeping accommodations to persons who have residences elsewhere for a period of up to 30 consecutive days. A motel has a common reception area that is staffed 24 hours per day in which clients must check in to obtain initial access to a room. Each room shall have a separate entrance leading directly to the exterior of the building.

[Amended 8-24-2020 by Ord. No. 1283]

MOTHER-IN-LAW SUITE

A small apartment attached to or carved out of a nominally single-family house, ostensibly intended for occupancy by a mother-in-law or other relative, and which normally has its own entrance, kitchen, bathroom and living area.

MOVIE THEATER

A venue, usually a building, for viewing motion pictures ("movies" or "films").

MUNICIPAL AUTHORITY

A body politic and corporate created pursuant to the act of May 2, 1945 (P.L.382, No. 164), known as the "Municipality Authorities Act of 1945."^[7]

MUNICIPALITIES PLANNING CODE (MPC)

Act of 1968, P.L. 805, No. 247, as reenacted and amended (53 P.S. § 10101 et seq.).

NATURAL GAS COMPRESSOR STATION

A compressor engine facility designed and constructed to compress natural gas that originates from an oil and gas well or collection of such wells for continued delivery of oil and gas to a transmission pipeline, distribution pipeline, processing facility, or storage facility or field.

NATURAL GAS PROCESSING PLANT

A facility designed and constructed to remove materials such as ethane, propane, butane, and other constituents or similar substances from natural gas to allow such natural gas to be of such quality as is required or appropriate for transmission or distribution to commercial markets but not including facilities or equipment that is designed and constructed primarily to remove water, water vapor, oil or naturally occurring liquids from the natural gas.

NIGHT CLUB

An establishment primarily for evening, late-night to early morning entertainment, that typically serves food and/or alcoholic beverages, and may provide either live or prerecorded music or video, comedy acts, floor shows, with or without the opportunity for dancing. A nightclub may not include any aspects of adult entertainment or an adult-oriented establishment, as either are elsewhere defined and regulated in this chapter.

NO-IMPACT HOME-BASED BUSINESSES

A. A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employees other than family members residing in the dwelling.
- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- (4) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- (6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- (7) The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- (8) The business may not involve any illegal activity.

- B. "No-impact home-based businesses" are different than "home occupation businesses" (See definition of "home occupation business").

NONCONFORMING LOT

Any lot which does not comply with the applicable area and bulk provisions of this chapter or an amendment thereafter enacted, which lawfully existed prior to the enactment of this chapter or any subsequent amendment.

NONCONFORMING STRUCTURE

A structure or part of a structure that does not comply with the applicable area and bulk provisions of this chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this chapter or an amendment thereto, or prior to the application of this chapter or amendment to its location by reason of annexation. Nonconforming signs are included in this definition.

NONCONFORMING USE

A use, whether of land or of a structure, that does not comply with the applicable use provisions in this chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this chapter or an amendment thereto, or prior to the application of this chapter or amendment to its location by reason of annexation.

NON-PRECISION INSTRUMENT RUNWAY

A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

NONTOWER WIRELESS COMMUNICATIONS FACILITY

Any wireless communication facility other than a tower-based wireless communication facility. A nontower wireless communications facility shall not include ground-mounted accessory equipment that supports a tower-based wireless communications facility.

[Added 12-10-2018 by Ord. No. 1269]

NUDE MODEL STUDIO

Any place where a person who appears seminude, in a state of nudity, or who displays specified anatomical areas and is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude model studio shall not include a proprietant school licensed by the Commonwealth of Pennsylvania or a college, junior college, or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

- A. That has no sign visible from the exterior of the structure and no other advertising that indicated a nude or seminude person is available for viewing.
- B. Where in order to participate in a class a student must enroll at least three days in advance of the class.
- C. Where no more than one nude or seminude model is on the premises at any one time.

NUDITY or A STATE OF NUDITY

Completely without clothing; or the showing of the human male or female genitals, pubic areas, or buttocks with less than a fully opaque covering, or the showing of the female breasts with less than a fully opaque covering of any portion of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

NURSING HOME

An institution licensed by the commonwealth for the care of human patients requiring either skilled nursing or intermediate nursing care or both levels of care for a period exceeding 24 hours.

NURSERY SCHOOL

A school designed to provide daytime care or instruction for two or more children of preschool age.

OBSTRUCTION

Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by § 210-25, AHD-Overlay District.

OCCUPANCY

The physical possession upon, on or within any lot or structure for a use.

OCCUPANCY PERMIT

A permit for the occupancy of a building, structure or lot indicating compliance with all provisions of this chapter.

OFFICES, BUSINESS AND PROFESSIONAL

Any office of recognized professions, other than medical, such as lawyers, architects, engineers, real estate brokers, insurance agents and others who, through training, are qualified to perform services of a professional nature and other offices used primarily for accounting, corresponding, research, editing or other administrative functions, but not including banks or other financial institutions.

OIL AND GAS

Crude oil, natural gas, methane gas, coal bed methane gas, propane, butane and/or any other constituents or similar substances that are produced by drilling an oil or gas well.

OIL AND GAS DEVELOPMENT

The well site preparation, construction, drilling, redrilling, hydraulic fracturing, and/or site restoration associated with an oil or gas well of any depth; water and other fluid storage, impoundment and transportation used for such activities; and the installation and use of all associated equipment, including tanks, meters, and other equipment and structures whether permanent or temporary; and the site preparation, construction, installation, maintenance and repair of oil and gas pipelines and associated equipment and other equipment and activities associated with the exploration for, production and transportation of oil and gas. The definition does not include natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions.

OIL, GAS, OR WATER INTAKE WELLS

The drilling site authorized by a permit from the Pennsylvania Department of Environmental Protection (DEP) for the extraction of oil or gas resources or the drilling site for the production of potable water supply.

OIL OR GAS WELL

A pierced or bored hole drilled or being drilled in the ground for the purpose of, or to be used for, producing, extracting or injecting gas, oil, petroleum or another liquid related to oil or gas production or storage, including brine disposal.

OIL OR GAS WELL SITE

The location where facilities, structures, materials and equipment, whether temporary or permanent, necessary for or incidental to the preparation, construction, drilling, production or operation of an oil or gas well.

OPEN LOOP GEOTHERMAL SYSTEM

Water is pumped from a water well or other water source into a heat exchanger located in a surface building. The water drawn from the Earth is then pumped back into the ground through a different well or in some cases the same well, also known as "re-injection." Alternatively, the groundwater could be discharged to a surface water body, also known as a "pump and dump." In the heating mode, cooler water is returned to the Earth, and in the cooling mode, warmer water is returned to the surface water body or well.

OUTDOOR DINING

An outdoor area with seats or tables designed for the consumption of food or beverages at a restaurant, bakery, or microbrewery.
[Added 12-10-2018 by Ord. No. 1269]

OUTDOOR HYDRONIC HEATER

A fuel-burning device, also known as an "outdoor wood-fired boiler," "outdoor wood-fired furnace," and "outdoor wood-burning appliance," designed:

- A. To burn clean wood or other fuels specifically tested and listed for use by the manufacturer;
- B. By the manufacturer specifically for outdoor installation or installation in structures not normally intended for habitation by humans or domestic animals (e.g., garages); and
- C. To heat building space and/or water via distribution, typically through pipes, of a fluid heated in the device, typically water or a water/antifreeze mixture.

OWNER

The person or persons having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot or parcel.

PAD DRILLING

The drilling of multiple wells from a single location.

PARK AND RIDE FACILITY

A facility designed for patrons to park their private vehicle and transfer to other private or public transportation.

PARKING FACILITY

A principal use the purpose of which is the storage of motor vehicles, including a public garage.

PARKING LOT

Any lot, parcel, or yard used in whole or in part for the storage or parking of two or more vehicles where such usage is not incidental to or in conjunction with a single-family or two-family dwelling.

PARKING STRUCTURE, COMMERCIAL

An area or structure area used exclusively for the temporary storage of motor vehicles.

PARK (or DEDICATED OPEN SPACE or RECREATION LAND)

A parcel of land integrated within a subdivision or land development that is dedicated, either publicly or privately, specifically for use as a park, open space and/or active recreation area.

PATIO HOME

A single-family dwelling, which includes a master bedroom suite on the first (ground) floor, along with the cooking, eating, and living areas. Patio homes shall have an attached garage of sufficient size for two vehicles.

PERSONAL CARE BOARDING HOME

A dwelling or institution licensed by the commonwealth where room and board is provided to more than three permanent residents who are not relatives of the operator, and who are mobile or semi-mobile and require specialized services for a period exceeding 24 consecutive hours in such matters as bathing, dressing, diet and medication prescribed for self-administration, but who are not in need of hospitalization or skilled nursing or intermediate nursing care.

PERSONAL SERVICES

Any enterprise providing services pertaining to the person, their apparel or personal effects commonly carried on or about the person, including but not limited to shoe repair, tailoring, clothes cleaning, watch repairing, barbershops, beauty parlors and related activities.

TOBACCO ESTABLISHMENT

A retail or wholesale establishment that earns 25% or more of its gross annual revenues from the sale of tobacco, electronic cigarette liquids, electronic cigarette aerosols, cigars, cigarettes, hookahs, pipes, or any similar device designed to facilitate the consumption of tobacco, regardless of whether said tobacco is intended to be consumed on site or off premises.

[Added 12-10-2018 by Ord. No. 1269]

TOWER-BASED WIRELESS COMMUNICATIONS FACILITY

Any structure that exceeds 10 feet in height and is built for the primary purpose of receipt or transmission of the broadcast of telecommunications and that supports antennas and their associated facilities, including structures that are constructed for private, public, and public safety wireless communication systems, as well as unlicensed wireless services and fixed wireless services. A distributed antenna system shall be classified as a tower-based wireless communication facility. A personal wireless communication facility shall not be classified as a tower-based wireless communication facility.

[Added 12-10-2018 by Ord. No. 1269]

PHARMACY

A retail store which primarily sells prescription drugs, patent medicines, and surgical and sickroom supplies.

PHASE 2 OUTDOOR HYDRONIC HEATER

An outdoor hydronic heater that has been certified or qualified by the EPA as meeting a particulate matter emission limit of 0.32 pounds per million British Thermal Units (BTU) output and is labeled accordingly, with a white "hang" tag.

PLACES OF WORSHIP

A semipublic use, including any of the following: church, manse, rectory, convent, synagogue, parish, school or similar building incidental to the particular use; but this term does not include business offices, except administrative offices incidental to the operation of the particular use, rescue missions or the occasional use for religious purposes of properties not regularly so used.

PLANNING COMMISSION

The Planning Commission of Brentwood Borough.

PLAT

The map or plan of a subdivision or land development, whether preliminary or final.^[8]

PORCH

A roofed or uncovered accessory structure without enclosing walls that is attached to or part of the principal building and which has direct access to and from the principal building.

PRECISION INSTRUMENT RUNWAY

A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

PRIMARY SURFACE (ZONE)

An imaginary surface longitudinally centered on the runway, extending 200 feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The primary surface zone is derived from the primary surface.

PROFESSIONAL ENGINEER

A licensed professional engineer registered by the Commonwealth of Pennsylvania.

PUBLIC AND SEMIPUBLIC USES

Uses operated by the public or semipublic body such as schools, public libraries, public safety buildings, museums, public meeting halls and community centers. This definition shall not include hospitals and continuing care facilities.

PUBLIC HEARING

A formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this act.

PUBLIC IMPROVEMENTS

All roads, streets, walkways, sidewalks, gutters, curbs, sewers, waterlines, stormwater management facilities, landscaping, street lighting, traffic control devices and other facilities to be dedicated to or maintained by the Borough.

PUBLIC MEETING

A forum held pursuant to notice under 65 Pa.C.S.A. Chapter 7 (Relating to open meetings).

PUBLIC NOTICE

A notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

PUMP STATIONS

Facilities including pumps and equipment for pumping fluids from one place to another. They are used for a variety of infrastructure systems, such as the supply of water to, and the removal of sewage to processing sites.

RECREATIONAL VEHICLE

A single-axle or multiple-axle structure mounted on wheels or otherwise capable of being made mobile, either with its own motive power or designed to be mounted on or drawn by an automotive vehicle, for the purpose of travel, camping, vacation and recreational use, including but not limited to: travel trailers, mobile homes, motor homes, tent trailers, boats, boat trailers, pickup campers, horse trailers, snow mobiles, jet skis, wave runners, motorcycles and all-terrain vehicles.

RECREATION FACILITIES

Land and structures which are privately or commonly owned and which are devoted to outdoor recreational or athletic purposes, including active recreation areas within developments, country clubs and golf courses, none of which use artificial lighting to extend play of golf or other recreational activity after daylight hours. Recreational facilities also include riding stables and other private noncommercial outdoor recreation areas and facilities or recreation centers, including but not limited to community or club swimming pools, tennis courts and ballparks, but excluding entertainment facilities as hereinbefore defined.

RECREATION, PRIVATE

An enterprise operated by an individual, group of individuals or nonprofit association or corporation, other than a public entity, for the pursuit of sports and recreational activities, which may be advertised to the general public, but the use of which is limited to members and their guests including, but not limited to, such establishments as country clubs, golf courses, sportsmen's club, golf practice facilities, playing fields, tennis or racquet clubs, swimming pools and similar facilities.

RECREATION, PUBLIC

An enterprise owned and operated by a public entity, available to the general public, whether or not an admission fee is charged, including either indoor or outdoor facilities for the pursuit of sports, recreation or leisure activities, including, but not limited to: parks, playgrounds, playing fields, golf courses, golf or batting practice facilities, ice rinks, tennis courts, swimming pools and similar facilities.

RECYCLING BUSINESS

A business that is:

- A. Primarily engaged in converting ferrous or nonferrous metals or other materials into raw material products having prepared grades and having an existing or potential economic value; or
- B. Using raw material products of that kind in the production of new products; or
- C. Obtaining or storing ferrous or nonferrous metals or other materials for a purpose described by Subsections A or B, above.

RECYCLING COLLECTION FACILITY

Center for the acceptance of recyclable material from the public by donation, redemption, or purchase. A collection facility may include reverse vending machines, a small recycling collection facility, and a large recycling collection facility.

RECYCLING COLLECTION FACILITY, LARGE

A recycling collection facility which occupies an area of more than 500 square feet and may include permanent structures.

RECYCLING COLLECTION FACILITY, SMALL

A recycling collection facility occupying an area of not more than 500 square feet, and which may include:

- A. A mobile recycling unit;
- B. A single bulk reverse vending machine or a group of reverse vending machines which occupy an area of more than 50 square feet;
- C. Kiosk-type units which may include a permanent structure; or
- D. Unattended containers placed for the donation of recyclable materials.

REGIONAL PLANNING AGENCY

A planning agency that is comprised of representatives of more than one county. Regional planning responsibilities shall include providing technical assistance to counties and municipalities, mediating conflicts across county lines and reviewing county comprehensive plans for consistency with one another.

RENEWABLE ENERGY SOURCE

Any method, process or substance whose supply is rejuvenated through natural processes and, subject to those natural processes, remains relatively constant, including, but not limited to, biomass conversion, geothermal energy, solar and wind energy and hydroelectric energy and excluding those sources of energy used in the fission and fusion processes.

RESEARCH AND DEVELOPMENT

Any establishment which carries on investigation in the natural, physical or social sciences or engineering and development as an extension of such investigation with the objective of creating end products and which may include pilot manufacturing as an accessory use where concepts are tested prior to full-scale production.

RESTAURANT

An establishment designed and operated for the express purpose of providing food and beverage service within the confines of a structure and generally excluding any encouragement, orientation or accommodation of services or products to the patrons' automobiles, on or within the premises.

RETAIL FOOD RESTAURANT

A fixed small retail facility in which food or drink is offered or prepared primarily for retail sale where no consumption takes place inside the establishment. Such facilities may include takeout pizza shops, delicatessen, and ice cream stands.

REVERSE VENDING MACHINE

An automated mechanical device for the redemption of recyclable beverage containers which accepts empty recyclable beverage containers and may issue credit. Reverse vending machines include machines that sort and process containers mechanically, provided that the entire process is enclosed within the machine.

RETAIL STORE

Any establishment not otherwise specifically defined in this article that sells commodities and/or services on the premises directly to consumers, but not including the on-site manufacturing or processing of any product or any wholesale sales.

RIGHT-OF-WAY

Land reserved or dedicated for use as a street, crosswalk or other means of travel, or other public or private purposes, including existing and future rights-of-way.

ROOMING HOUSE

See "boarding house."

RUNWAY

A defined area in an airport prepared for landing and taking off of aircraft along its length. Includes planned, future paved runways and extensions of runways as shown on the official airport layout plan and on the Airport Hazard Zoning Maps of these regulations.

SCHOOL

A structure, part of a structure, or structures designed and used for training and teaching of children, youths or adults, whether public or private.

SEMINUDE or IN A SEMINUDE CONDITION

The state of dress in which clothing partially or non-opaquely covers specified anatomical areas.

SEWAGE TREATMENT PLANT

A facility designed to receive the wastewater from domestic sources and to remove materials that damage water quality and threaten public health and safety when discharged into receiving streams or bodies of water.

SEXUAL ACTIVITIES

- A. Acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or if such person is female, breast;
- B. The condition of human or female genitals when in a state of sexual stimulation or arousal; and/or
- C. Flagellation or torture by or upon a person in undergarments, a mask or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed.

SEXUAL ENCOUNTER CENTER

A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:

- A. Physical contact in the form of wrestling or tumbling between persons of the opposite sex.
- B. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminudity.

SEXUALLY ORIENTED BUSINESS

An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion-picture theater, adult theater, escort agency, nude model studio, or sexual encounter center.

SEXUALLY ORIENTED BUSINESS ESTABLISHMENT

Includes any of the following:

- A. The opening or commencement of any sexually oriented business as a new business.
- B. The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business.
- C. The addition of any sexually oriented business to any other existing sexually oriented business or to a non-sexually oriented business.
- D. The relocation of any sexually oriented business.

SHOP

A use devoted primarily to the sale of a service or a product or products.

SHOPPING CENTER

One or more retail store(s) and other authorized uses in the zoning district in which it is an authorized use, developed as a single entity on a site, whether developed at one time or in phases or by different owners.

SHORT-TERM LODGING ACCOMMODATION:

A furnished dwelling unit in a single-family home or duplex that is offered for lease in its entirety by the day, by the week, or for period of up to 30 consecutive days.

[Added 8-24-2020 by Ord. No. 1283]

SITE

The original tract of land which exists prior to any subdivision or land development activity and which is the subject of a preliminary or final application for development.

SOLAR COLLECTION SYSTEM

A solar photovoltaic cell, panel, or array, or solar hot air or water collector device, which relies upon solar radiation as an energy source for collection, inversion, storage, and distribution of solar energy for electricity generation or transfer of stored heat.

SOLAR ENERGY FACILITY

An electric generating facility, with the purpose of electricity supply, consisting of one or more solar panels and other ancillary associated buildings and structures, including substations, meteorological towers, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.

SOLAR ENERGY PRODUCTION FACILITY, LARGE

An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. Large solar energy production facilities consist of one or more freestanding ground- or roof-mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. A facility is considered a large solar energy production facility if it supplies electrical or thermal power solely for off-site use.

SOLAR ENERGY SYSTEM, SMALL

A solar collection system consisting of one or more roof- and/or ground-mounted solar collector devices and solar-related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered a small solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the facility is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

SOLAR-RELATED EQUIPMENT

Items including a solar photovoltaic cell, panel, or array, or solar hot air or water collector device panels, lines, pumps, batteries, mounting brackets, framing and possibly foundations used for or intended to be used for collection of solar energy.

SOLID WASTE FACILITY

All continuous land and structures, other appurtenances, and improvements on the land, used for processing, storing, or disposing of solid waste, or used for the purpose of processing, extracting, converting, or recovering energy or materials from solid waste. A facility may be publicly or privately owned and may consist of several processing, storage, or disposal operational units.

SOUND LEVEL

The intensity of sound, measured in decibels, produced by the operation of a permitted use.

SOUND LEVEL METER

An instrument standardized by the American Standards Association for measurement of intensity of sound.

SPECIFIED ANATOMICAL AREAS

Human genitals, pubic region, anus, buttocks, female breast(s) below a point immediately above the top of the areola, or human male genitals in a discernibly turgid state, even if completely covered.

SPECIFIED CRIMINAL ACTIVITY

Any of the following offenses:

- A. Prostitution or promotion of prostitution; dissemination of obscenity; sale, distribution or display of harmful material to a minor; sexual performance by a child; possession or distribution of child pornography; public lewdness; indecent exposure; indecency with a child; engaging in organized criminal activity; sexual assault; molestation of a child; gambling; or distribution of a controlled substance; or any similar offenses to those described above under the criminal or penal code of other states or countries.
- B. For which:
 - (1) Less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense.
 - (2) Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense.
 - (3) Less than five years have elapsed since the date of the last conviction or the date of release from confinement for the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any twenty-four-month period.
- C. The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant or a person residing with the applicant.

SPECIFIED SEXUAL ACTIVITIES

Includes any of the following:

- A. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts.
- B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation, or sodomy.

- C. Excretory functions as a part of or in connection with any of the activities set forth in Subsection A or B above.

STABLE, PRIVATE

The keeping of horses and/or ponies for personal use and enjoyment of the residents of the lot, not involving any profit-making activity.

STACK

Any vertical structure enclosing a flue(s) that carry off smoke or exhaust from a furnace or other fuel-burning device, especially that part of a structure extending above a roof.

STEEP SLOPE

Land area where the inclination of the land's surface from the horizontal plane is 15% or greater. Man-made slopes shall not be considered steep slopes.

STORAGE WELL

A well used for and in connection with the underground storage of natural gas, including injection into or withdrawal from an underground storage reservoir for monitoring or observation of reservoir pressure.

STORY

That portion of a building between the surface of any finished floor and the surface of the finished floor next above it or, if there shall be no floor above it, then the space between any floor and the ceiling next above it. In determining the number of stories for purposes of height measurement, a basement shall be counted as a story if the ceiling is more than five feet above the average adjoining ground level at the front setback, and a mezzanine shall be counted as a story if it covers 50% or more of the area of the story underneath such mezzanine. An attic or a cellar shall not be counted as a story.

STRAND-MOUNTED WIRELESS COMMUNICATION FACILITY

Any wireless communication facility that, whether imbedded or attached, is mounted to an existing aerial communications cable that is strung between utility poles.

[Added 6-15-2020 by Ord. No. 1288]

STREET

Any public or private recorded right-of-way used or intended to be used by vehicular traffic and pedestrians, including avenue, boulevard, road, highway, freeway, parkway, lane, alley, thoroughfare or viaduct.

STREET, ARTERIAL

A public street that serves large volumes of high-speed and long-distance traffic.

STREET, COLLECTOR

A public street that, in addition to giving access to abutting lots, intercepts local streets and provides a route for carrying considerable volumes of local traffic to community facilities and arterial streets.

STREET, LOCAL

Any public street not defined herein as an arterial or a collector street.

STREET, PRIVATE

A street, including the entire private right-of-way, that is privately owned and maintained and that is intended for private, rather than public, use.

STREET, PUBLIC

A public right-of-way dedicated and open for public use that has been adopted by the Borough, county, commonwealth or other governmental body.

STRUCTURE

Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

SUBDIVISION

The division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SWIMMING POOL

A man-made enclosure, designed to impound water for the purpose of creating depth of water suitable for swimming, or other types of water recreation or therapy, including but not limited to water slides, lap pools, whirlpools, soaking tubs, or hot tubs.

TAVERN (BAR)

Any use in which the primary purpose is the sale of alcoholic beverages for on-premises consumption, which may or may not include dancing. Taverns may include prepared food sales but such prepared foods are typically accessory or incidental to the primary purpose as a tavern.^[9]

TEMPORARY USE OR STRUCTURE

Any use or structure which may be a principal use on a lot or accessory to an existing principal use on a lot intended to be used for less than six consecutive months. Structures intended to be used for more than six months shall be considered permanent and shall meet the use and structure requirements for permanent structures.

PERSONAL WIRELESS COMMUNICATIONS FACILITY

Any wireless communications facility that solely supports the receipt of television signals for a noncommercial purpose or the transmission of amateur radio signals.

[Added 12-10-2018 by Ord. No. 1269]

TRANSFERABLE DEVELOPMENT RIGHTS

The attaching of development rights to specified lands which are desired by a municipality to be kept undeveloped, but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands where more intensive development is deemed to be appropriate.

TRANSFER OF OWNERSHIP OR CONTROL OF A SEXUALLY ORIENTED BUSINESS

Includes any of the following:

- A. The sale, lease, or sublease of the business.
- B. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means.
- C. Establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

TRANSITIONAL SURFACE (ZONE)

An imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of seven feet horizontally to one foot vertically (7:1). The transitional surface zone is derived from the transitional surface.

TRANSIT WAREHOUSE

An intermediate location between a "from" warehouse and a "to" warehouse for warehouse transfers. Items in a transit warehouse are in the process of being transferred to a different warehouse (transfer order) and therefore cannot be picked for other orders during transportation.

TURBINE HEIGHT

The distance measured from the highest point of the wind turbine rotor plane to the ground level.

USE

Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained or occupied, or any activity, occupation, business or operation carried on in a building or other structure or on a tract of land.

USE, ACCESSORY

A use customarily incidental and subordinate to the principal use and located on the same lot as the principal use.

USE BY SPECIAL EXCEPTION

An authorized use in a particular zoning district pursuant to Articles III, IV and X of this chapter which may be granted only by the Zoning Hearing Board in accordance with express standards and criteria.

USE, PRINCIPAL

The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

UTILITY RUNWAY

A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

VARIANCE

A departure from the strict letter of this chapter as it applies to specific properties, as authorized by the Zoning Hearing Board in accordance with the terms of this chapter and the MPC.

VETERINARY SERVICES

The services supplied by a doctor of veterinary medicine.

VIEWING BOOTHS

Booths, stalls, partitioned portions of a room, rooms or other enclosures which are available for viewing:

- A. Films, movies, videos, or visual reproductions of any kind depicting or describing specified sexual activities or specified anatomical areas.
- B. Persons who appear in a state of nudity or seminudity or who offer performances or presentations characterized by the exposure of specified anatomical areas or by specified sexual activities.

VISUAL RUNWAY

A runway intended solely for the operation of aircraft using visual approach procedures.

WAREHOUSE

A structure primarily used for the storage of goods and materials.

WELL PAD

The area used for development and production of oil and gas including buildings and structures and all activities associated with an oil and gas well after drilling activities are complete.

WIND CHARGER

A wind-driven direct-current generator used for charging storage batteries.

WIND ENERGY CONVERSION SYSTEM (WECS)

A device such as a wind charger, wind turbine or windmill and/or other electric generation facility whose main purpose is to convert wind power into another form of energy such as electricity or heat, consisting of one or more wind turbine and other structures and buildings, including substations, meteorological towers, electrical infrastructure, transmission lines and other appurtenant structures and facilities.

WIND ENERGY PRODUCTION FACILITY, LARGE

An area of land or other area used for a wind energy conversion system principally used to capture wind energy and convert it to electrical energy. Large wind energy production facilities consist of one or more wind turbines, tower, and associated control or conversion electronics and other accessory structures and buildings including substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. A facility is considered a large wind energy production facility if it supplies electrical power solely for off-site use.

WIND ENERGY SYSTEM, SMALL

A wind energy conversion system consisting of a wind turbine, tower, and associated control or conversion electronics, and is intended to primarily reduce on-site consumption of utility power. A system is considered a small wind energy system only if it supplies electrical power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

WINDMILL

A device that runs on the energy generated by a wheel of adjustable blades or slats rotated by the wind.

WIND TURBINE

A device that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, tower and pad transformer, if any.

WIND TURBINE TOWER

The vertical component of a wind energy conversion system that elevates the wind turbine generator and attached blades above the ground.

WIRELESS COMMUNICATIONS FACILITY

The set of equipment and network components, including antennas, transmitters, receivers, base stations, cabling, and accessory equipment, used to provide wireless data and telecommunications services.

[Added 12-10-2018 by Ord. No. 1269]

YARD, FRONT

A yard extending between side lot lines across the full lot width from the front lot line to a line parallel to the front face of the structure of the principal use of the lot (see Figure 1⁽¹⁰⁾).

YARD, REAR

A yard extending between the side lot lines across the full lot width from the rear lot line to a line parallel to the rear face of the structure of the principal use of the lot (see Figure 1⁽¹¹⁾).

YARD, SIDE

A yard extending from the front yard line to the rear yard line parallel to the side lot line (see Figure 1⁽¹²⁾).

ZONING DISTRICT

An area in the Borough in which regulations under this chapter uniformly apply including overlay districts.

ZONING HEARING BOARD

The Zoning Hearing Board of Brentwood Borough, Allegheny County, Pennsylvania, as defined by and appointed in accordance with the Pennsylvania MPC, Act 247 of 1968, as amended by Act 170 of 1998 (53 P.S. § 10101 et seq., as may be amended from time to time).

ZONING MAP

The Official Map delineating the zoning districts of Brentwood Borough, Allegheny County, Pennsylvania, together with all amendments subsequently adopted.

ZONING OFFICER

The designated official or authorized representative appointed by the Borough Councils whose duty it shall be to administer this chapter and as identified in Section 614 of the Pennsylvania MPC, Act 247 of 1968, as amended by Act 170 of 1998 (53 P.S. § 10101 et seq., as may be amended from time to time).

- [1] *Editor's Note: See 74 Pa.C.S.A. § 5101 et seq.*
- [2] *Editor's Note: The Municipality Authorities Act of 1945 (53 P.S. § 301 et seq.) was repealed by Act 22 of 2001 (June 19, 2001, P.L. 287, No. 22). See now the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq.*
- [3] *Editor's Note: The former definition of "broadcast and relay towers," which immediately followed this definition, was repealed 12-10-2018 by Ord. No. 1269.*
- [4] *Editor's Note: See Ch. 85, Construction Codes, Uniform.*
- [5] *Editor's Note: The former definition of "communications tower," which immediately followed this definition, was repealed 12-10-2018 by Ord. No. 1269.*
- [6] *Editor's Note: See 53 P.S. § 10909.1 et seq.*
- [7] *Editor's Note: The Municipality Authorities Act of 1945 (53 P.S. § 301 et seq.) was repealed by Act 22 of 2001 (June 19, 2001, P.L. 287, No. 22). See now the Municipality Authorities Act, 53 Pa.C.S.A. § 5601 et seq.*
- [8] *Editor's Note: The former definition of "pole-mounted/shared use communications facility," which immediately followed this definition, was repealed 12-10-2018 by Ord. No. 1269.*
- [9] *Editor's Note: The former definitions of "telecommunications carrier," "telecommunications company," "telecommunications facilities," "telecommunications provider," "telecommunications service," and "telecommunications tower," which immediately followed this definition, were repealed 12-10-2018 by Ord. No. 1269.*
- [10] *Editor's Note: Figure 1 is included as an attachment to this chapter.*
- [11] *Editor's Note: Figure 1 is included as an attachment to this chapter.*
- [12] *Editor's Note: Figure 1 is included as an attachment to this chapter.*

Article III. District Regulations**§ 210-10. Establishment of Districts.**

This section establishes zoning districts and describes the use regulations that apply to each district.

- A. Base zoning districts establish districts that divide the Borough into various residential, commercial, and industrial zones. Each district establishes uses that are permitted as a use by right (R); as a conditional use (CU); or as a special exception (SE). A use permitted as of right is compatible with the other uses within the purpose of the district and therefore requires only administrative approval. Conditional uses and special exceptions are those uses that may generate additional impacts and warrant additional standards and additional approval process to ensure their compatibility and compliance with this chapter.
- B. Overlay zoning districts establish districts within which the standards of both the base and overlay zoning district apply. These districts address special situations that require additional regulations to protect the public health, safety, and general welfare of the community within the specific overlay. The additional regulations identified in each overlay district apply to the area specified for that specific overlay district only.

§ 210-11. Base zoning districts.

The Borough is divided into the following zoning districts and as shown in the Official Zoning Map of the Borough attached hereto and incorporated herein. The following types of zoning districts are hereby established:

R-1	Low-Density Residential District
R-2	Medium-Density Residential District
R-3	High-Density Residential District
P	Park District
MUN	Mixed-Used Neighborhoods
CRD	Commercial Redevelopment District
I	Industrial District

§ 210-12. Overlay zoning districts.

[Amended 1-25-2016 by Ord. No. 1247]

The following overlay zoning districts have been established for the Borough. The overlay districts are as shown on the Official Zoning Map of the Borough attached hereto and incorporated herein.

AHD	Airport Hazard District Overlay
SEO	Streetscape Enhancement Overlay District

§ 210-13. New zoning districts.

Additional zoning districts may be added from time to time upon the recommendation of the planning commission to the Borough Council pursuant to the chapter relating to Zoning amendments.

§ 210-14. Official Zoning Map.

The map(s) delineating the boundaries of the various zoning districts, together with all matters and things shown on such maps, are adopted and approved, and collectively constitute the "Official Zoning Map." The Official Zoning Map is incorporated by reference and made a part of this chapter. These map(s) are on file in the Borough office. The Official Zoning Map carries the zoning district designations established in this chapter.

§ 210-15. Zoning district boundaries.

When definite distances in feet are not shown on the Zoning Map, the following rules apply:

- A. Boundaries indicated as approximately following the right-of-way or centerlines of streets, highways, or alleys shall be construed to follow the centerlines of streets, highways or alleys.
- B. Boundaries indicated as approximately following recorded lot lines shall be construed as following such lot lines;
- C. Boundaries indicated as approximately following Borough limits shall be construed as following the Borough boundary;

- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines;
- F. Whenever any street, alley, or other public way not subject to zoning regulations is vacated by official action of the Borough the zoning district line adjoining each side of such street, alley, or other public way shall be automatically extended to the center of such vacation, and all areas so involved shall then be subject to all regulations of the extended districts; and
- G. Where physical features existing on the ground vary from those shown on the Official Zoning Maps, or in other circumstances where the zoning boundary is unclear, the Zoning Officer shall interpret the district boundaries. Appeals to such determination shall be made to the Zoning Hearing Board pursuant to this requirement of this chapter.

§ 210-16. Zoning district allowable uses.

- A. No land, structure, building or development approval shall be issued unless the proposed development conforms to the regulations prescribed within the applicable zoning district and this chapter.
- B. Three classifications of principal uses are established in this chapter. No principal use is permitted unless it is listed as a permitted use by right (R), conditional use (CU), or special exception (SE) and identified in the table of authorized principal uses (Table 8).^[1] Uses permitted as principal uses or structures within each zoning district are those uses listed in the table of authorized principal uses (Table 8). Uses not specifically listed in Table 8 are allowable subject to the provision of this section and § 210-16C of these regulations. The classification of uses include:
 - (1) Permitted uses by right (R) are those authorized uses for which a zoning approval will be issued by the Zoning Officer upon the Zoning Officer's review of the application for development if the application for development indicates compliance with this chapter.
 - (2) Conditional uses (CU) are those authorized uses which are permitted by approval of the Council in accordance with this chapter and more specifically Article IV, Express Standards and Criteria for Special Exceptions and Conditional Uses.
 - (3) Uses by special exception (SE) are those authorized uses which are permitted by approval of the Zoning Hearing Board in accordance with this chapter and more specifically, Article IV Express Standards and Criteria for Special Exceptions and Conditional Uses.
- [1] *Editor's Note: Said table is included in § 210-26.*
- C. Uses not listed. It is the intent of this chapter to group similar or compatible land uses into specific zoning districts. Uses which are not specifically listed on the Tables of Authorized Uses (Principal and Accessory) shall not be permitted in the Borough unless determined to be a legitimate use, similar to a use specifically listed on the Tables of Authorized Uses (Principal and Accessory). Uses which are not specifically listed but are similar to a specifically listed use shall be permitted by special exception in the same zoning district in which the similar specifically listed use is permitted and the Zoning Hearing Board shall make findings with regard to the similarity of the uses. In the event the Zoning Hearing Board finds the use is similar and permissible as a special exception within the proposed district, all standards and requirements related to the similar use within the district shall be applicable to the proposed use.
- D. Uses preempted by state statute. Notwithstanding any provision of this section to the contrary, uses that are required to be permitted in any zoning district by state statute may be permitted in accordance with state law whether or not the use is included in the Tables of Authorized Uses (Principal and Accessory).
- E. In all residential zoning districts there shall only be one principal use and structure on a lot.

- F. In all nonresidential zoning districts authorized by this chapter, two or more nonresidential principal buildings can occupy the same lot and two or more authorized nonresidential uses may occupy the same lot or building. In the Mixed-Use Neighborhood (MUN) District two or more principal buildings can occupy the same lot and two or more authorized nonresidential and residential uses may occupy the same lot or building, provided in all cases that all applicable requirements for each of the structures or uses can be met on the lot.
- G. In addition to the provisions for principal uses, accessory uses shall also be permitted in accordance with the provisions of this chapter. In all zoning districts, all accessory uses and structures shall be located on the same lot with the principal structure to which they are accessory. Accessory use regulations are set forth in Article III of this chapter.

§ 210-17. Bulk and area regulations for uses.

Bulk and area regulations for uses are specified in the tables in each section for the specific zoning district.

§ 210-18. R-1 — Single-family Residential District.

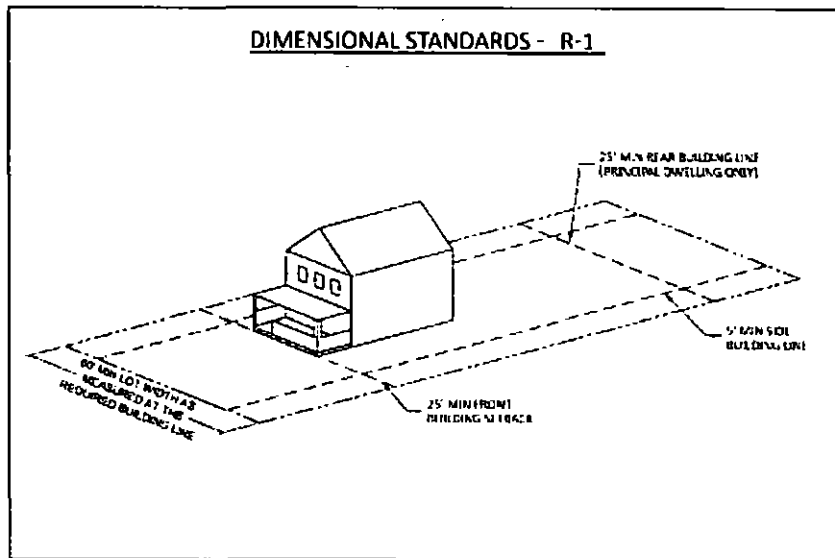
- A. **Purpose.** The R-1 Single-Family Residential District is intended primarily as a residential district consisting of single-family homes in areas of the Borough and which promote quality housing stock and strong neighborhoods.
- B. **Authorized principal uses:** See § 210-26, Table of authorized principal uses (Table 8), for authorized principal uses and method of authorization in the R-1 District.
- C. **Authorized accessory uses.** See § 210-28, Table of authorized accessory uses and structures (Table 9), for authorized accessory uses and method of authorization in the R-1 District.
- D. **Area and bulk regulations:** The area and bulk regulations within the R-1 Zoning District shall be subject to the standards identified in Table 1 and Figure 2, except as they may be modified by the express standards and criteria for the specific permitted uses, conditional uses, or uses by special exception.
- E. **Off-street parking and loading.** See Article VI for off-street parking and loading requirements.

Table 1 — R-1 Single-Family Residential District

Bulk and Area Regulations R-1 Zoning District

Lot area per dwelling unit (minimum)	7,000 square feet
Lot width (minimum)	60 feet
Height (maximum)	28 feet
Front building line (minimum)	25 feet
Side building line (minimum/total)	5 feet/15 feet
Rear building line (minimum)	25 feet
Lot coverage (maximum)	40%

FIGURE 2 – R-1 LOW-DENSITY RESIDENTIAL DISTRICT



§ 210-19. R-2 — Medium-Density Residential District.

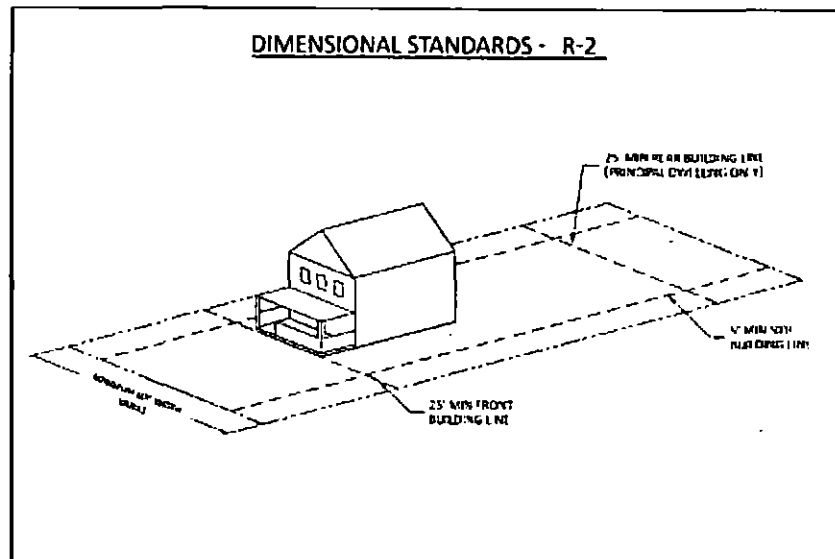
- A. Purpose. The R-2 Medium-Density Residential District is primarily residential in nature with moderate densities and allows for a variety of single-family attached and detached dwelling types.
- B. Authorized principal uses: See § 210-26, Table of authorized principal uses (Table 8), for authorized principal uses and method of authorization in the R-2 District.
- C. Authorized accessory uses: See § 210-28, Table of authorized accessory uses and structures (Table 9), for authorized accessory uses and method of authorization in the R-2 District.
- D. Area and bulk regulations: The area and bulk regulations within the R-2 Zoning District shall be subject to the standards identified in Table 2 and Figure 3, except as they may be modified by the express standards and criteria for the specific permitted uses, conditional uses, or uses by special exception.
- E. Off-street parking and loading. See Article VI for off-street parking and loading requirements.

Table 2 — R-2 Medium-Density Residential District
Bulk and Area Regulations R-2 Zoning District

Use Type	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Width Per Unit (feet)	Height (Maximum) (feet)	Front Building Line (minimum) (feet)	Side Building Line (minimum)* (feet)	Rear Building Line (minimum) (feet)	Lot Coverage (maximum)
Single-family	6,000	50	28	25	5/10 total	25	50%
Duplex	3,000	25	28	25	5/10 total	25	50%
Conversion dwelling	3,000	25	28	25	5/10 total	25	50%
Townhouse	2,500	20	28	25	5/10 total	25	50%
All other	6,000	50	28	25	5/10 total	25	50%

NOTE:

- No minimum building line required in dwellings that share common walls along the shared wall.

FIGURE 3 — R-2 MEDIUM-DENSITY RESIDENTIAL DISTRICT**§ 210-20. R-3 — High-Density Residential District.**

- Purpose.** The R-3 High-Density Residential District is to promote multifamily residential development throughout the district and higher density single- and two-family residential developments.
- Authorized principal uses:** See § 210-26, Table of authorized principal uses (Table 8), for authorized principal uses and method of authorization in the R-3 District.
- Authorized accessory uses:** See § 210-28, Table of authorized accessory uses and structures (Table 9), for authorized accessory uses and method of authorization in the R-3 District.
- Area and bulk regulations:** The area and bulk regulations within the R-3 Zoning District shall be subject to the standards identified in Table 3 and Figure 4, except as they may be modified by the express standards and criteria for the specific permitted uses, conditional uses, or uses by special exception.
- Off-street parking and loading.** See Article VI for off-street parking and loading requirements.

Table 3 — R-3 High-Density Residential District**Bulk and Area Regulations R-3 Zoning District**

Use Type	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Width Per Unit (feet)	Height (Maximum) (feet)	Front Building Line (minimum) (feet)	Side Building Line (minimum)* (feet)	Rear Building Line (minimum) (feet)	Lot Coverage (maximum)
Single-family	5,000	50	40	35	5/15 total	35	50%
Duplex	2,500	25	40	35	5/15 total	35	50%

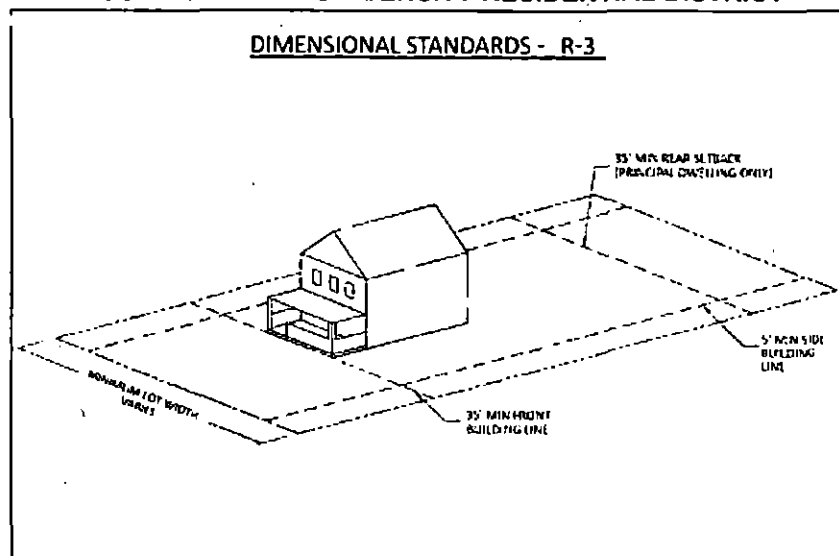
Table 3 — R-3 High-Density Residential District
Bulk and Area Regulations R-3 Zoning District

Use Type	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Width Per Unit (feet)	Height (Maximum) (feet)	Front Building Line (minimum) (feet)	Side Building Line (minimum)* (feet)	Rear Building Line (minimum) (feet)	Lot Coverage (maximum)
Conversion dwelling	2,500	25	40	35	5/15 total	35	50%
Quadruplex	2,500	75	40	35	5/15 total	35	50%
Townhouse	2,500	20	40	35	5/15 total	35	50%
Multifamily	1,800	100	40	35	5/15 total	35	50%
All other	5,000	50	40	35	5/15 total	35	50%

NOTE:

- * No minimum building line required in dwellings that share common walls along the shared wall.

FIGURE 4 — R-3 HIGH-DENSITY RESIDENTIAL DISTRICT



§ 210-21. MUN — Mixed-Use Neighborhood District.

- A. **Purpose.** The MUN Mixed-Use Neighborhood District is to provide areas for a mix of residential and neighborhood commercial facilities intended to serve the immediate area with goods and services. The Mixed-Use Neighborhood District is intended to provide convenience opportunities intended to cater to the surrounding neighborhoods and community but is not intended to house facilities which are high impact and which may be more regional in their draw.
- B. **Authorized principal uses:** See § 210-26, Table of authorized principal uses (Table 8), for authorized principal uses and method of authorization in the MUN District.
- C. **Authorized accessory uses:** See § 210-28, Table of authorized accessory uses and structures, (Table 9), for authorized accessory uses and method of authorization in the MUN District.

- D. Area and bulk regulations: The area and bulk regulations within the MUN Zoning District shall be subject to the standards identified in Table 4 and Figure 5, except as they may be modified by the express standards and criteria for the specific permitted uses, conditional uses, or uses by special exception.
- E. Off-street parking and loading. See Article VI for off-street parking and loading requirements.

Table 4 — MUN — Mixed-Use Neighborhood District

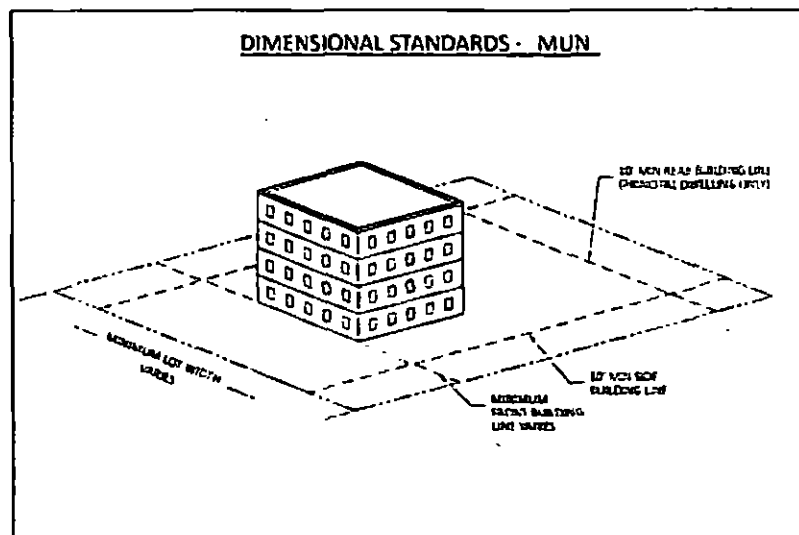
Bulk and Area Regulations MUN Zoning District

Use-Type	Minimum Lot Area Per Dwelling Unit (square feet)	Minimum Lot Width Per Unit (feet)	Height (Maximum) (feet)	Front Building Line (minimum)* ** (feet)	Side Building Line (minimum)* (feet)	Rear Building Line (minimum) (feet)	Lot Coverage (maximum)
Single-family	5,000	50	40	25	10	10	85%
Duplex	2,500	25	40	25	10	10	85%
Conversion dwelling	2,500	25	40	25	10	10	85%
Quadruplex	2,500	75	40	25	10	10	85%
Townhouse	2,500	20	40	25	10	10	85%
Multifamily	1,800	100	40	25	10	10	85%
All other	5,000	50	40	25	10	10	85%

NOTES:

- * Minimum front building line in the MUN District may be reduced to 10 feet if they are located in a block where at least 30% of the existing structures do not meet the minimum setback requirements.
- ** No minimum building line required in dwellings that share common walls along the shared wall.

FIGURE 5 — MUN — MIXED-USE NEIGHBORHOOD DISTRICT



§ 210-22. CRD — Commercial Redevelopment District.

- A. Purpose. The CRD Commercial District provides diverse commercial development and redevelopment opportunities along the Route 51 transportation corridor. The district is intended to provide opportunities for commercial facilities serving the community and/or larger region. The district has previously been largely developed; however, as development/redevelopment opportunities are presented the CRD District seeks to improve design and provided for orderly development through appropriate design elements, amenities or treatments that create, enhance and reinforce the design relationships between the buildings, sites and the Route 51 corridors. Specific objectives include:
- (1) Uses are designed to ensure compatibility with the operations generated within the district and the character of the perimeter areas and the community in general.
 - (2) Development within the district provides for adequate ingress, egress, and circulation of all contemplated vehicular activity both internal to the site and external.
 - (3) All development provides for landscaping for the purpose of promoting continuity in character along the Route 51 corridor which is appropriate for harmonious integration with the general vicinity.
- B. Authorized principal uses: See § 210-26, Table of authorized principal uses (Table 8), for authorized principal uses and method of authorization in the CRD District.
- C. Authorized accessory uses: See § 210-28, Table of authorized accessory uses and structures (Table 9), for authorized accessory uses and method of authorization in the CRD District.
- D. Area and bulk regulations: The area and bulk regulations within the CRD Zoning District shall be subject to the standards identified in Table 5 and Figure 6, except as they may be modified by the express standards and criteria for the specific permitted uses, conditional uses, or uses by special exception.
- E. Off-street parking and loading. See Article VI for off-street parking and loading requirements.

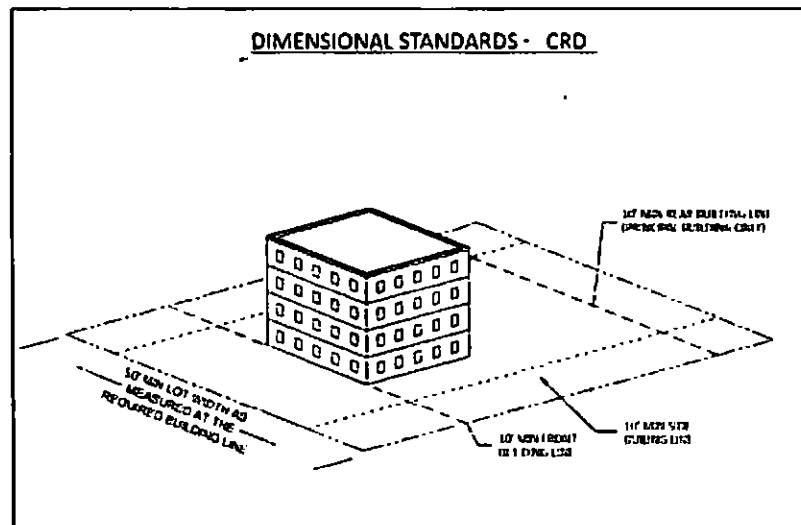
Table 5 — CRD — Commercial Redevelopment District

Bulk and Area Regulations

CRD Zoning District

Lot size (minimum)	7,500 square feet
Lot width (minimum)	50 feet
Height (maximum)	40 feet
Front building line (minimum)	10 feet
Side building line (minimum)	10 feet
Rear building line (minimum)	10 feet
Lot coverage (maximum)	80%

FIGURE 6 — CRD — COMMERCIAL REDEVELOPMENT DISTRICT



§ 210-23. I Industrial District.

- A. Purpose. The I Industrial District is to permit industrial development that will be located to minimize impacts to the surrounding community while providing opportunities for employment. Specific objectives include:
- (1) Allow light manufacturing, industrial-office, and office park uses which are low impact and which are characterized by the absence of objectionable external effects such as noise, odor, vibration, or glare.
 - (2) Provide employment centers having accessibility to major roads and to population centers.
 - (3) Limit the potential adverse effect of development on abutting properties, the Borough's character, and the Borough's roads by controlling the location and nature of industrial and office development.
 - (4) Prohibit the location of residential and retail commercial uses within the I Industrial District.
 - (5) Protect abutting properties from adverse visual impacts by providing buffering and landscaping.
- B. Authorized principal uses: See § 210-26, Table of authorized principal uses (Table 8), for authorized principal uses and method of authorization in the I District.
- C. Authorized accessory uses: See § 210-28, Table of authorized accessory uses and structures (Table 9), for authorized accessory uses and method of authorization in the I District.
- D. Area and bulk regulations: The area and bulk regulations within the I Zoning District shall be subject to the standards identified in Table 6 and Figure 7 except as they may be modified by the express standards and criteria for the specific permitted uses, conditional uses and uses by special exception.
- E. Off-street parking and loading. See Article VI for off-street parking and loading requirements.

Table 6 — I — Industrial Zoning District

Bulk and Area Regulations

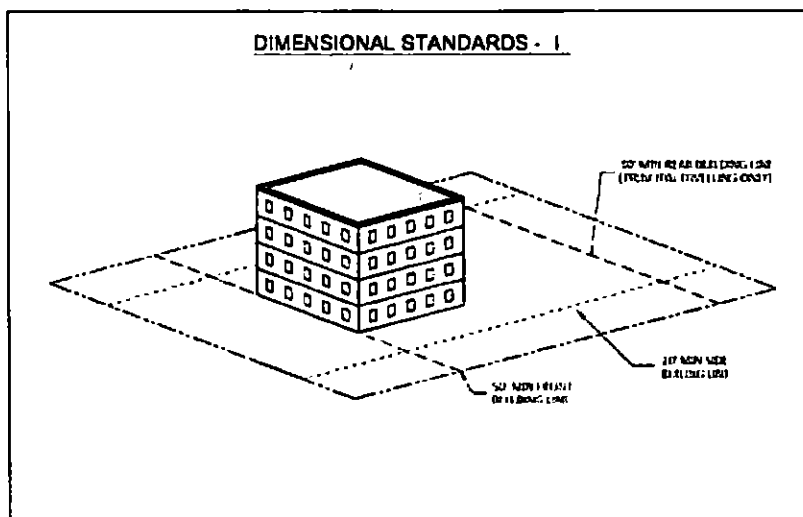
I Zoning District

Lot size (minimum)

10,000 square feet

Table 6 — I — Industrial Zoning District**Bulk and Area Regulations****I Zoning District**

Lot width (minimum)	100 feet
Height (maximum)	40 feet
Front building line (minimum)	50 feet
Side building line (minimum)	20 feet
Rear building line (minimum)	50 feet
Lot coverage (maximum)	85%

FIGURE 7 — I — INDUSTRIAL ZONING DISTRICT**§ 210-24. P — Park District.**

- A. Purpose. The Park District (P) provides for municipal buildings, public facilities and other public uses including parks, libraries and associated uses.
- B. Authorized principal uses: See § 210-26, Table of authorized principal uses (Table 8), for authorized principal uses and method of authorization in the P District.
- C. Authorized accessory uses: See § 210-28, Table of authorized accessory uses and structures (Table 9), for authorized accessory uses and method of authorization in the P District.
- D. Area and bulk regulations: The area and bulk regulations within the P Zoning District shall be subject to the standards identified in Table 7 except as they may be modified by the express standards and criteria for the specific permitted uses, conditional uses or uses by special exception.
- E. Off-street parking and loading. See Article VI for off-street parking and loading requirements.

Table 7 — Park — Public District**Bulk and Area Regulations****P Zoning District**

Lot size	No minimum
Lot width	No minimum

Height	No maximum
Front building line	No minimum
Side building line	No minimum
Rear building line	No minimum
Lot coverage	No maximum

§ 210-25. AHD — Airport Hazard District Overlay.

- A. Purpose. The purpose of this section is to create an airport district overlay that considers safety issues around the airport, regulates and restricts the heights of constructed structures and objects of natural growth, creates appropriate zones, establishing the boundaries thereof and providing for changes in the restrictions and boundaries of such zones, creates the permitting process for use within said zones and provides for enforcement, assessment of violation penalties, an appeals process, and judicial review.
- B. Relation to other zone districts. The airport district overlay shall not modify the boundaries of any underlying zoning district. Where identified, the airport district overlay shall impose certain requirements on land use and construction in addition to those contained in the underlying zoning district.
- C. Establishment of airport zones. There are hereby created and established certain zones within the airport district overlay depicted on the Borough Zoning Map and illustrated on the Airport (AGC) Airspace Plan (Drawing 6 of 14 of the AGC Airport Master Plan, as amended). These zones hereby adopted as part of this section, which include:
- (1) Conical surface zone.
 - (2) Horizontal surface zone.
- D. Permit applications.
- (1) As regulated by Act 164 and defined by 14 CFR 77.13(a) (as amended or replaced), any person who plans to erect a new structure, to add to an existing structure, or to erect and maintain any object (natural or man-made), in the vicinity of the airport, shall first notify the Department's Bureau of Aviation (BOA) by submitting PennDOT Form AV-57 or current form to obtain an obstruction review of the proposal at least 30 days prior to commencement thereof. The Department's BOA response must be included with this permit application for it to be considered complete. If the Department's BOA returns a determination of no penetration of airspace, the permit request should be considered in compliance with the intent of this overlay section. If the Department's BOA returns a determination of a penetration of airspace, the permit shall be denied, and the project sponsor may seek a variance from such regulations as outlined in this section.
 - (2) No permit is required to make maintenance repairs to or to replace parts of existing structures which do not enlarge or increase the height of an existing structure.
 - (3) No notice or review under this section is required for any of the following construction or alteration:
 - (a) Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
 - (b) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure.

(c) Any air navigation facility, airport visual approach or landing aid, aircraft arresting device, or meteorological device, of a type approved by the Administrator, or an appropriate military service on military airports, the location and height of which is fixed by functional purpose.

(d) Any construction or alteration for which notice is required by any other FAA regulation.

E. Variance.

(1) Any request for a variance shall include documentation in compliance with 14 CFR 77, Subpart B (FAA Form 7460-1 as amended or replaced). Determinations of whether to grant a variance will depend on the determinations made by the FAA and the Department's BOA as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable air space. In particular, the request for a variance shall consider which of the following categories the FAA has placed the proposed construction in:

(a) No objection: The subject construction is determined to not exceed obstruction standards and marking/lighting is not required to mitigate potential hazard. Under this determination a variance shall be granted.

(b) Conditional determination: The proposed construction/alteration is determined to create some level of encroachment into an airport hazard area which can be effectively mitigated. Under this determination, a variance shall be granted contingent upon implementation of mitigating measures as described in this section (obstruction marking and lighting).

(c) Objectionable: The proposed construction/alteration is determined to be a hazard and is thus objectionable. A variance shall be denied and the reasons for this determination shall be outlined to the applicant.

(2) Such requests for variances shall be granted where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and that relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the intent of this section.

F. Use restrictions. Notwithstanding any other provisions of this section, no use shall be made of land or water within the airport district overlay in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise endanger or interfere with the landing, takeoff or maneuvering of aircraft utilizing the Airport.

G. Preexisting nonconforming uses. The regulations prescribed by this section shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this section, or otherwise interfere with the continuance of a nonconforming use. No nonconforming use shall be structurally altered or permitted to grow higher, so as to increase the nonconformity, and a nonconforming use, once substantially abated (subject to the underlying zoning ordinance), may only be reestablished consistent with the provisions herein.

H. Obstruction marking and lighting. Any permit or variance granted pursuant to the provisions of this section may be conditioned according to the process described in this section to require the owner of the structure or object of natural growth in question to permit the municipality, at its own expense, or require the person requesting the permit or variance, to install, operate, and maintain such marking or lighting as deemed necessary to assure both ground and air safety.

I. Height measurement. For the purpose of determining the height limits in all zones set forth in this; the AHD overlay, and shown on the Zoning Map, the datum shall be mean sea level elevation, unless otherwise specified.

J. Conflicting regulations. Where there exists a conflict between any of the regulations or limitations prescribed in this section and any other regulation applicable to the same area, the more stringent

limitation or requirement shall govern and prevail.

§ 210-25.1. Streetscape Enhancement Overlay District.

[Added 1-25-2016 by Ord. No. 1247]

A. Purpose. The purpose of the Streetscape Enhancement Overlay ("SEO") District is as follows:

- (1) Encourage the development of a pedestrian- and transit-oriented corridor that links a variety of elements through streetscape amenities and design treatments.
- (2) Implement long-term planning efforts and strategies for the Route 51 corridor.
- (3) Establish general design guidelines to provide a cohesive character for the corridor.
- (4) Manage the future development of auto-dependent commercial uses so as to reduce traffic conflicts and increase pedestrian safety.
- (5) Create an overall cohesive character for the streetscapes along the Route 51 corridor.
- (6) Promote green construction and maintenance practices so as mitigate the environmental impact of development.

B. Applicability.

- (1) The requirements of the SEO District are mandatory for the development of properties abutting Pennsylvania State Route 51 that fall within the boundaries of the Commercial Redevelopment District, as set forth on the Official Zoning Map,^[1] when either of the following criteria is met:

- (a) Any land development requiring site plan review; or
- (b) Expansion of any building by more than 25% of the gross floor area.

[1] *Editor's Note: The Official Zoning Map is on file in the Borough offices.*

- (2) Should the requirements of the SEO District conflict with the provisions of any other section of the Zoning Ordinance, or any other chapter of the Brentwood Borough Code of Ordinances, the more restrictive provisions shall apply. The more restrictive provision is defined as the provision that imposes more stringent controls on land use and development.

C. Application requirements. A Streetscape Enhancement Overlay Plan that conforms to the regulations of the SEO District must be submitted when a land development application is submitted for any property in the SEO District. The Streetscape Enhancement Overlay Plan shall include the following:

- (1) A site plan that conforms to the requirements of the Subdivision and Land Development Ordinance.^[2]

[2] *Editor's Note: See Ch. 183, Subdivision and Land Development.*

- (2) A project narrative that includes both written and graphical descriptions of how that proposed application promotes development pursuant to the SEO District standards, integrates with the community, and meets the general design guidelines.
- (3) Drawings and photographs of existing conditions, and conceptual sketches or illustrative sketches of proposed enhancements under the SEO District regulations.

D. Building orientation. All buildings in the SEO District shall provide a prominent and highly visible street-level doorway or entrance along the front or side of the building that faces a public street. The applicant may alternatively propose to face the doorway or entrance toward an access driveway or primary parking area.

E. General design guidelines.

(1) Accessory structures.

- (a) Accessory structures shall have architectural features similar to the overall neighborhood character.
- (b) Screening devices surrounding dumpsters, mechanical equipment, and utility boxes shall be architecturally compatible to the buildings located on the site.
- (c) Enclosed dumpster areas shall provide convenient accessibility to both vehicles and pedestrians.

(2) Benches.

- (a) One bench shall be installed and anchored for every 300 linear feet of street frontage.
- (b) Benches shall be located along the public sidewalk. If such location would constitute a pedestrian safety hazard, the applicant may alternatively propose to locate benches within other pedestrian spaces located on the site.
- (c) Benches shall be dark blue or black in color.
- (d) Benches shall be of a style and material similar to those pictured in Figure 10.^[3]

[3] *Editor's Note: Figures 10 through 13 are included as an attachment to this chapter.*

(3) Bicycle lanes and racks.

- (a) One rack shall be installed and anchored for every 40 automobile parking spaces or portion thereof. Each rack shall be capable of providing parking for at least two bicycles.
- (b) Racks shall be located within pedestrian areas and shall be placed near the building entrance.
- (c) Racks shall be sturdily anchored to the ground.
- (d) Racks shall be situated so as not to hinder pedestrian access.
- (e) For sites containing multiple commercial units, at least one rack shall be located within 100 linear feet of the primary entrance to each unit.
- (f) The project design shall also include bicycle lanes as part of the overall traffic circulation plan for the site, where reasonably and technically feasible.
- (g) Racks shall be dark blue or black in color.
- (h) Racks shall be of a style and material similar to those pictured in Figure 11.^[4]

[4] *Editor's Note: Figures 10 through 13 are included as an attachment to this chapter.*

(4) Bollards.

- (a) Where necessary, bollards shall be used to prevent vehicles from entering pedestrian areas.
- (b) Bollard placement shall not interfere with emergency vehicle access.
- (c) Bollards that are intended to block vehicular access must be placed no further apart than five feet on center.
- (d) Bollards shall be painted in colors other than gray to be easily seen by the visually impaired, in colors that complement other streetscape elements.
- (e) If bollards are located in an area that can be accessed by a motor vehicle, the method of grounding should be considered to minimize damage to surrounding surfaces and allow for easy replacement.

(5) Building transparency.

- (a) The street-level facade of any building facing a public street, access drive, or main parking area shall be transparent from a height of three feet to a minimum height of eight feet above the walkway grade for at least 50% of the horizontal length of the structure.
- (b) No more than two elevation views of any one building shall be subject to the minimum transparency requirements.
- (c) All glazing shall be clear, lightly tinted, or spandrel glass.
- (d) Spandrel glass may only be used to achieve the transparency requirement if spandrel and visual glass are not located along the same wall plane.

(6) Crosswalks.

- (a) Crosswalks shall be provided across the length of the driveway approach apron.
- (b) Crosswalks shall be as wide as the sidewalks to which they connect.
- (c) Crosswalks shall be constructed of stamped concrete.

(7) Lighting.

- (a) Pedestrian-scaled, ornamental streetlights shall be provided in the right-of-way and shall be located adjacent to the sidewalk.
- (b) Standard placement of pedestrian-scaled, ornamental streetlights shall be one fixture per 100 linear feet of street frontage. The applicant may propose alternate spacing, provided that pedestrian spaces are sufficiently illuminated so as to provide safe movements on the site.
- (c) Pedestrian-scaled, ornamental streetlights shall be at least 12 feet in height but no taller than 25 feet in height from the mounting surface to the top of the fixture.
- (d) Pedestrian-scaled, ornamental streetlights shall be dark blue or black in color.
- (e) Pedestrian-scaled, ornamental streetlights shall be of a style and material similar to those pictured in Figure 12.^[5]

[5] Editor's Note: Figures 10 through 13 are included as an attachment to this chapter.

(8) Off-street parking.

- (a) Surface parking shall not be located between the structure and the public street. When the physical characteristics of the parcel make it impossible to comply with this requirement, the applicant may propose an alternative for review by the Planning Commission.
- (b) Parking areas must be linked to the structure by a pedestrian walkway.
- (c) If a Borough-owned public parking lot is provided within the SEO District within 600 feet of a parcel, the applicant may be permitted to defer up to 25% of the required off-street spaces to the public parking lot if space is determined available.

(9) Pedestrian linkages.

- (a) All main and secondary entrances to buildings shall be directly linked with a public sidewalk.
- (b) A clearly defined and marked sidewalk shall be required within parking lots and shall be provided for the length of the parking lot to the entrances of establishments.

(10) Sidewalks.

- (a) Sidewalks shall be constructed in the right-of-way and shall be parallel to the public street for the entire length of the frontage.
- (b) Sidewalks shall be installed to connect to the lot line of adjacent parcels.

(11) Utilities.

- (a) When possible, utilities should be located underground. If this condition cannot be satisfied, utilities should be located to the side or back of the building where they will be out of view of the public street.
- (b) Utilities must be screened from view through the use of landscaping or architectural screening.

(12) Vehicular linkages.

- (a) Parking areas shall be connected to adjacent parcels through a rear or side access driveway to the extent possible.
- (b) When a parking area is constructed adjacent to an undeveloped lot, the access drive shall be extended to the lot line for future connection to the adjacent parcel.

(13) Waste receptacles.

- (a) One receptacle shall be installed and anchored for every 300 linear feet of street frontage. Such receptacles shall be located along the public sidewalk.
- (b) Additional receptacles shall be located near high pedestrian traffic generators, such as transit stops and retail store entrances.
- (c) One receptacle shall be located at each corner of each intersection.
- (d) Receptacles shall be dark blue or black in color.
- (e) Receptacles shall be of a style and material similar to those pictured in Figure 13.^[6]

[6] *Editor's Note: Figures 10 through 13 are included as an attachment to this chapter.*

F. Implementation. The SEO improvements shall be implemented and maintained as follows:

- (1) All improvements shall be maintained by the property owner abutting the Route 51 right-of-way.
- (2) Property owners may enter into an agreement with other property owners adjacent to their property for shared maintenance responsibility. In such instances, the applicant shall submit a copy of the maintenance agreement as part of the Streetscape Enhancement Overlay Plan.
- (3) Maintenance responsibilities shall include ongoing sweeping, debris removal, snow removal, landscape maintenance, and repair and replacement of all street enhancement features.
- (4) Any structure and improvement that is damaged, destroyed, or otherwise nonfunctional shall be replaced or repaired within 90 days of receipt of notice from the Borough to replace or repair same.

§ 210-26. Table of Authorized Principal Uses.

[Amended 12-10-2018 by Ord. No. 1269; 8-24-2020 by Ord. No. 1283; 6-15-2020 by Ord. No. 1288]

- A. Table 8 establishes the authorized principal uses and the zoning districts where the principal use is authorized and method of authorization.

R - Permitted use by right

SE - Use by special exception

CU - Conditional use

Where blank, the use is not permitted in the corresponding district.

Table 8 — Table of Authorized Principal Uses**Authorized Use Table**

Use	R-1	R-2	R-3	P	MUN	CRD	I
Residential							
Conversion dwellings		CU	CU		CU		
Duplex		R	R		R		
Group home	R	R	R		R		
Manufactured housing, residential design	R	R	R				
Mobile home park							CU
Multifamily dwellings			R		CU		
Quadruplex			R		CU		
Single-family	R	R	R		R		
Townhouses		R	R		R		
Hotels, Motels, or Other Accommodation							
Bed-and-Breakfast	CU	CU	CU		CU		
Extended stay hotel/motel						SE	
Hotel, motel						R	
Rooming and boarding house			SE				
Short-term lodging accommodation			SE				
Commercial							
Adult business							CU
After hours club						SE	
Airport							CU
Amusement park							CU
Animal cemetery							R
Animal day-care						CU	R
Animal groomer						CU	R
Arts and craft studio					R	R	
Auditorium						R	
Automobile repair and service						SE	
Bakery					R	R	

Beverage distributor			R	
Book store	R		R	
Car rental			R	
Car wash			SE	
Catering			R	
Cemetery and mausoleums				R
Commercial recreation, indoor	R	R	R	R
Commercial recreation, outdoor			R	R
Communication antenna	CU	CU		CU
Conference center			R	
Convenience stores or centers		R	R	
Custom printing		R	R	
Department stores			R	
Drive-through facilities		CU	CU	
Drug store		R	R	
Financial institution		R	R	
Flea market				R
Funeral home		R	R	
Garden center			SE	
Gas station			CU	
Golf course				R
Hardware store		R	R	
Kennel			CU	R
Laundromat		R	R	
Lumberyard			R	R
Manufactured home sales			R	R
Massage establishment			CU	
Microbrewery		R	R	
Nightclub			SE	
Offices, business and professional		R	R	R
Outdoor advertising sign			CU	
Pawnshop			R	

Personal services	R	R	
Post office	R	R	
Recording studio	CU	R	
Restaurant	R	R	
Restaurant, drive-through		CU	
Retail store	R	R	
Shopping center (3 plus acres)		CU	
Tattoo parlor			R
Tavern or bar	CU	CU	
Tobacco establishment		CU	
Vehicle/boat/equipment sales		R	R
Veterinarian office	R	R	R
Warehouse/discount store		R	
Asphalt/concrete plant			R
Industrial			
Automotive wrecking and graveyards, salvage yards, and junkyards			R
Commercial motor vehicle repair			R
Construction-related businesses			R
Laboratory or specialized industrial facility			R
Large area distribution or transit warehouse			R
Light industrial structures and facilities			R
Manufacturing facility			R
Mini-warehouse			R
Process plants (metals, chemicals, etc.)			R
Recycling business			R

Refrigerated warehouse or cold storage							R
Research and development							R
Tank farms							R
Warehouse and storage services (including distribution)							R
Public Assembly							
Clubs and lodges (not including commercial recreation uses)					SE	SE	
Community center				R	R		
Exhibition, convention, or conference structure						R	
Place of worship	CU	CU	CU		CU	CU	
Institutional or Community Facility							
Animal hospitals						R	R
Assisted living facility						SE	
Aquarium/zoo facility							R
College or university facility						SE	
Day-care center					CU	CU	
Dormitories						CU	
Exhibitions and art galleries					R	R	
Group care facility						CU	
Hospital building						R	
Life care or continuing care services						R	
Medical and dental offices					R	R	
Methadone treatment center							CU
Nursing home						CU	
Public clinic, medical						R	
Retirement housing facility			R		CU	CU	
School	CU	CU	CU		CU		

Skilled nursing facility							R	
Trade or specialty school							R	
Government Uses								
Ambulance facility						CU	CU	CU
Correctional or rehabilitation facility								CU
Emergency operation center				R	R		R	
Fire station						R	R	R
Library						R		
Magistrate office						R	R	R
Municipal building				R		R		
Park	R	R	R	R		R	R	R
Police station				R		R		R
Salt storage facility				R				R
Transportation-Related Facilities								
Airport control tower								CU
Airport maintenance and hangar facility								CU
Airport terminal								CU
Automobile parking							SE	
Bus or truck maintenance facility								R
Bus terminal								R
Courier and messenger services						R	R	
Heliport facility								CU
Multistoried parking structure						SE	SE	
Park and ride facility							R	R
Taxi and limousine service							R	
Towing and other road services							SE	SE
Truck or freight transportation services								R
Utility, Telecommunications, Energy, Waste								

Co-location for communication facility	CU	CU	CU	CU	CU	CU	CU
Essential services	R	R	R	R	R	R	R
Gas or electric power generation facility						CU	R
Hazardous waste collection							CU
Hazardous waste treatment and disposal							CU
Incinerator or similar facility							CU
Large solar energy production facility							CU
Large wind energy production facility							CU
Nontower wireless communications facility	R	R	R	R	R	R	R
Radio, television, or wireless transmitter							CU
Railroad facility							R
Sewer treatment plant							R
Solid waste transfer station							R
Solid waste combustor or incinerator							CU
Solid waste land-fill facility							CU
Strand-based wireless communication facility	CU	CU	CU	CU	CU	CU	CU
Tower-based wireless communications facility (outside right-of-way)				CU		CU	CU
Tower-based wireless communications facility (within right-of-way)	CU	CU	CU	CU	CU	CU	CU
Water supply pump station	CU	CU	CU	CU	CU	CU	CU

Water-supply-related facility	CU	CU	CU	CU	CU	CU	CU
Water tank (elevated, at grade, underground)				CU			
Agriculture, forestry, fishing, and hunting							
Animal production, including slaughter							CU
Farmers market					R	R	
Forestry and logging	R	R	R	R	R	R	R
Grain silos and other storage structure for grains and agricultural products							R
Greenhouses/nurseries						R	
Hatcheries and poultry houses							R
Livestock pens or hog houses							R
Stables and other equine-related facilities							R
Mining and extraction establishments							
Coal							CU
Metals (iron, copper, etc)							CU
Natural gas compressor station							CU
Natural gas processing plant							CU
Nonmetallic mining							CU
Oil or gas well							CU
Quarrying and stone cutting							CU

§ 210-27. Accessory uses and structures.

- A. Applicability: This section applies to any subordinate use of a building or other structure, or use of land that is:
- (1) Conducted on the same lot as the principal use to which it is related; and
 - (2) Clearly incidental to, and customarily found in connection with, the principal use or structure.
- B. Where a principal use or structure is permitted, such use may include accessory uses and structures subject to this section, but in no case shall the keeping of livestock, horses, poultry, bees

and other similar uses be permitted in the Borough.

C. Establishment of accessory uses.

- (1) Accessory structures, buildings or uses shall not be constructed or established on a lot until construction of the principal structure is completed or the principal use is established.
- (2) In no instance shall an accessory building or use be established on a vacant lot.

§ 210-28. Table of Authorized Accessory Uses and Structures.

[Amended 12-10-2018 by Ord. No. 1269]

A. Accessory uses shall be permitted in accordance with Table 9:

R - Permitted use by right

SE - Use by special exception

CU - Conditional use

Where blank, the use is not permitted in the corresponding district.

Table 9 — Table of Authorized Accessory Uses and Structures

Authorized Accessory Uses and Structures

Use	R-1	R-2	R-3	P	MUN	CRD	I
Accessory dwelling	R	R	R		R		
Basketball hoop	R	R	R	R	R	R	R
Community food bank		CU	CU		R	R	R
Day-care center (accessory to place of worship or school only)	CU	CU	CU				
Decks, patios or porches	R	R	R	R	R	R	R
Fire escapes, fire towers, or handicap ramps where required by the building code	R	R	R	R	R	R	R
Flagpole	R	R	R	R	R	R	R
Fence	R	R	R	R	R	R	R

Table 9 — Table of Authorized Accessory Uses and Structures**Authorized Accessory Uses and Structures**

Use	R-1	R-2	R-3	P	MUN	CRD	I
Garages and carports	R	R	R	R	R	R	R
Gazebo	R	R	R	R	R	R	R
Heating and cooling units (permitted in side or rear yards only)	R	R	R	R	R	R	R
Home occupation business (See also "no-impact home-based business")	CU	CU	CU		CU		
Hot tubs and outdoor spas	R	R	R	R	R	R	R
No-impact home-based business (see also "home occupations")	R	R	R	R	R	R	R
Nontower wireless communications facility	CU	CU	CU	R	CU	R	R
Outdoor hydronic heater	CU	CU	CU		CU		
Outdoor dining (accessory to permitted use)					R	CU	
Parking areas	R	R	R	R	R	R	R
Personal wireless communi-	R	R	R	R	R	R	R

Table 9 — Table of Authorized Accessory Uses and Structures**Authorized Accessory Uses and Structures**

Use	R-1	R-2	R-3	P	MUN	CRD	I
communications facility							
Satellite dishes	R	R	R	R	R	R	R
Stables/private							R
Signs, subject to Article VII	—	—	—	—	—	—	—
Small solar energy system	R	R	R	R	R	R	R
Small wind energy system	CU	CU	CU	CU	CU	CU	CU
Storage buildings and sheds (including barns)	R	R	R	R	R	R	R
Stormwater detention or retention facilities or ditches	R	R	R	R	R	R	R
Swimming pools	R	R	R	R	R	R	R
Swing and play sets	R	R	R	R	R	R	R
Tennis courts	R	R	R	R	R	R	R
Tower-based wireless communications facility				CU	CU	CU	CU
Any other building or use that the Zoning Officer determines is customarily incidental to the per-	CU	CU	CU	CU	CU	CU	CU

Table 9 — Table of Authorized Accessory Uses and Structures**Authorized Accessory Uses and Structures**

Use	R-1	R-2	R-3	P	MUN	CRD	I
mitted							
principal							
use or							
principal							
building							

§ 210-29. Dimensional standards for accessory uses and structures.

A. Accessory uses and structures shall be permitted in accordance with the following standards:

- (1) Detached accessory buildings and structures shall not be located in the front yard.
- (2) The location of permitted nonresidential accessory structures is governed by the same dimensional regulations as set forth for the principal use or principal structure or structures.
- (3) Accessory structures shall be counted towards the maximum lot coverage on a lot and in no case shall exceed the maximum lot coverage for the district in which it is located when considering all structures on the lot.
- (4) In residential districts, the total floor area of individual garages shall not exceed a maximum of 600 square feet. Not more than one garage shall be permitted per residential lot.
- (5) Accessory uses shall not include the conduct of trade or business unless permitted in conjunction with an authorized principal use that permits trade or business.
- (6) Accessory uses shall be located on the same lot as the principal use for which they serve.
- (7) All permanent accessory structures shall be set back a minimum of five feet from any property line.
 - (a) In addition to permanent setbacks for accessory structures, basketball hoops shall be set back a minimum of 10 feet from the street right-of-way line, whether permanently affixed or moveable structures.
- (8) All other accessory structures (except for garages) in residential districts each accessory structure shall not exceed 150 square feet.
- (9) Not more than one accessory structure by type shall be permitted on an individual lot (e.g., shed, play structure, etc.).
- (10) Accessory structures shall not exceed 12 feet in height except structures required by building and fire codes and those which customarily exceed 12 feet as follows:
 - (a) Flag and light poles shall not exceed 20 feet in height.
 - (b) Signs subject to Article IV.
 - (c) Wind and solar energy systems subject to the requirements of Article IV.
 - (d) Telecommunications facilities, antennas or towers subject to the requirements of this chapter and Article IV; however, in no case shall exceed a maximum of 20 feet in height.

Article IV. Express Standards and Criteria for Special Exceptions and Conditional Uses

§ 210-30. Conditional uses.

Purpose: Conditional use provisions apply to all uses identified as conditional uses in the Tables of Authorized Uses (Principal and Accessory). The conditional use approval process is designed to allow the Borough Council to review and approve certain uses that may have additional impacts on the community and the environment beyond those typical for uses that are allowed by right. The intent is to allow certain specified uses identified as conditional uses in the Tables of Authorized Uses (Principal and Accessory) to be reviewed by the Borough Council so that they may determine compliance with this chapter and attach reasonable conditions and safeguards, in addition to the standards and criteria expressed in this chapter as the Council may deem necessary to implement the purposes of this chapter.

§ 210-31. Conditional use procedure for approval.

Procedure: The Borough Council shall consider the conditional use application and render its decision in accordance with the requirements of the Pennsylvania MPC and this chapter and subject to the following:

- A. If a land development approval is required for the conditional use, the application for conditional use approval and the application for approval of a land development required by the Borough's adopted subdivision and land development ordinance^[1] may be processed concurrently or separately at the discretion of the applicant, provided that all application requirements of both ordinances for a conditional use and the land development plan are met.
[1] *Editor's Note: See Ch. 183.*
- B. *Application procedure.* The applicant shall submit an application for development for approval of a conditional use to the Zoning Officer or designated staff person of the Borough. The application for development shall indicate the section of this chapter under which the conditional use is sought and shall state the grounds upon which it is requested.
- C. *Application content.* An application for approval of a conditional use shall include the following:
 - (1) One copy of the application form provided by the Borough and completed by the applicant. If the applicant is other than the landowner, the landowner's authorization of the application and the nature of applicant's interest in the site shall accompany application.
 - (2) Twelve paper and one electronic copies of a site plan meeting the requirements for a preliminary plan for land development as set forth in Subdivision and Land Development Ordinance^[2] and, in addition, demonstrating conformity with all requirements of this chapter.
[2] *Editor's Note: See Ch. 183.*
 - (3) Application fee and review fees established by ordinance or resolution of the Council to cover the cost of review.
- D. *Administrative review and determination of complete application.* Within seven working days after a conditional use application is submitted, the Borough shall review the conditional use application for completeness of required submission items. Within said time, the Borough shall notify the applicant in writing if the conditional use application is incomplete and rejected, stating the deficiencies in the application and returning the filing fee. The applicant may reapply, submitting the fee and missing material at any time.

- E. The Borough shall submit a conditional use application to the Borough Planning Commission for review and recommendations. The Planning Commission shall review the application and make a written recommendation to the Council. If the proposed development is also a land development, the Planning Commission shall also make a recommendation under the provisions of the Subdivision and Land Development Ordinance.
- F. The Council shall hold a hearing, in accordance with Section 913.2 of the MPC, 53 P.S. § 10913.2, and public notice shall be given as defined in this chapter. The hearing shall be commenced by the Council within 60 days from the date of an applicant's request for a hearing.
- G. Conditions. In considering any conditional use, the Council may attach reasonable conditions and safeguards, in addition to those expressed in this chapter, as the Council deem necessary to implement the purposes of the MPC and this chapter. A violation of such conditions and safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this chapter.
- H. Written decision. The Council shall render a written decision or, when no decision is called for, make written findings on the conditional use application within 45 days after the last hearing before the Council. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons therefor. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him no later than the day following its date.
- I. Expiration. Conditional use approval shall expire automatically without written notice to the applicant if no application for subdivision and land development, zoning approval for structures, zoning approval for occupancy and use or a grading or building permit to undertake the work described in the conditional use approval has been submitted within 12 months of said approval, unless the Council, in their sole discretion, extend the conditional use approval upon written request of the applicant received prior to its expiration. The maximum extension permitted shall be one twelve-month extension. The Council may grant an extension for good cause shown by the applicant and provided that the extension will not be contrary to the purposes of this chapter.
- J. Effect on prior approvals. Conditional use approval, granted prior to the effective date of this chapter, shall expire automatically without written notice to the developer if no application for subdivision and land development, zoning approval for structures, zoning approval for occupancy and use, or a grading or building permit to undertake the work described in the conditional use approval has been submitted within 12 months of the effective date of this chapter or as specified in the approval, unless the Council, in its sole discretion, extends the conditional use approval upon written request of the applicant received prior to its expiration. The maximum extension permitted shall be one twelve-month extension.
- K. All provisions of Subdivision and Land Development Ordinance which are not specifically modified by the Council in approving a conditional use shall apply to any conditional use involving subdivision and land development.
- L. Burden of proof. In any application for conditional use, the applicant shall have the persuasion burden and presentation duty to show compliance with this chapter, and the applicant shall have the persuasion burden to show the applicant's request is not detrimental to the health, safety, and welfare of the neighborhood.

§ 210-32. Special exceptions.

Purpose: Special exception use provisions apply to all uses identified as special exception uses in the Tables of Authorized Uses (Principal and Accessory). The special exception use approval process is designed to allow the Zoning Hearing Board to review and approve certain uses that may have additional impacts on the community and the environment beyond those typical for uses that are allowed by right. The intent is to allow certain specified uses identified as special exception uses in the Tables of Authorized Uses (Principal and Accessory) to be reviewed by the Zoning Hearing Board so

that they may determine use compliance with this chapter and attach reasonable conditions and safeguards, in addition to the standards and criteria expressed in this chapter as the Zoning Hearing Board may deem necessary to implement the purposes of this chapter or MPC.

§ 210-33. Special exception procedure for approval.

Procedure: The Zoning Hearing Board shall consider special exception applications and render its decision in accordance with the requirements of the Pennsylvania MPC and this chapter and subject to the following:

- A. If land development approval is required for the use by special exception, the application for approval of a land development required by the Subdivision and Land Development Ordinance shall be submitted to the Borough Planning Commission and Council following approval of the use by special exception by the Zoning Hearing Board.
- B. Application procedure. The applicant shall submit an application for approval of a special exception to the Zoning Officer or designated staff person of the Borough. The application shall indicate the section of this chapter under which the special exception is sought and shall state the grounds upon which it is requested.
- C. Application content. An application for approval of a special exception shall include the following:
 - (1) One copy of the application form provided by the Borough and completed by the applicant. If the applicant is other than the landowner, the landowner's authorization of the application and the nature of applicant's interest in the site shall accompany application.
 - (2) Twelve paper and one electronic copies of a site plan meeting the requirements for a preliminary plan for land development as set forth in Subdivision and Land Development Ordinance^[1] and, in addition, demonstrating conformity with all requirements of this chapter.
[1] *Editor's Note: See Ch. 183.*
 - (3) Application fee and review fees established by ordinance or resolution of the Borough to cover the cost of review.
- D. Administrative review and determination of complete application: Within seven working days after a special exception application is submitted, the Borough shall review the application for completeness of required submission items. Within said time, the Borough shall notify the applicant in writing if the application is incomplete and rejected, stating the deficiencies in the application and returning the filing fee. The applicant may reapply, submitting the fee and missing material at any time.
- E. A hearing pursuant to public notice, as defined herein, shall be commenced by the Zoning Hearing Board within 60 days of submission of a complete and properly filed application. Said hearing shall be conducted in accordance with the procedures specified by this chapter and state law.
- F. Burden of proof: In proceedings involving a request for a use by special exception, both the duty of initially presenting evidence and the burden of persuading the Zoning Hearing Board that the proposed use is authorized as a use by special exception and satisfies the specific or objective requirements for the grant of a use by special exception as set forth in this chapter rest upon the applicant. The applicant shall demonstrate that the request is not detrimental to the health, safety, and welfare of the neighborhood.
- G. Conditions: In considering any special exception, the Zoning Hearing Board may attach reasonable conditions and safeguards, in addition to those expressed in this chapter, as the Board deem necessary to implement the purposes of the MPC and this chapter. A violation of such conditions and safeguards, when made a part of the terms under which the special exception is granted, shall be deemed a violation of this chapter.

§ 210-34. General standards for all conditional uses and special exceptions.

When considering applications for conditional uses and special exceptions, the following general standards for all conditional uses and special exceptions shall be met:

- A. In accordance with the comprehensive plan, the use shall be consistent with the spirit, purposes, and the intent of this chapter.
- B. Compliance with this chapter. The applicant shall establish by credible evidence that the application complies with all applicable requirements of this chapter. The applicant shall provide sufficient plans, studies or other data to demonstrate compliance.
- C. Compliance with other laws. The approval may be conditioned upon the applicant demonstrating compliance with other specific applicable local, state and federal laws, regulations and permits.
- D. The application shall include proper site layout, internal circulation, parking, buffering, and all other elements of proper design as specified in this chapter.
- E. The applicant shall establish that the traffic from the proposed use will be accommodated in a safe and efficient manner that will minimize hazards and congestion and provide adequate access arrangements after considering any improvements proposed to be made by the applicant as a condition of approval.
- F. The proposed use shall not substantially change the character of any surrounding residential neighborhood after considering any proposed conditions upon approval.
- G. The proposed use shall not create a significant hazard to the public health safety, and welfare.
- H. The proposed use shall be suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity.

§ 210-35. Express specific standards for specified uses, conditional uses and special exceptions.

In addition to the standards listed in this chapter and the general standards for all conditional uses and special exceptions the following specific standards shall be met when considering a specific request for a conditional use or special exception as authorized in the tables of authorized principal and accessory uses of this chapter.

- A. Adult business.
 - (1) Legislative findings: Brentwood Borough finds the following with respect to adult-related business.
 - (a) Adult-related businesses in any given area will cause blight and deterioration in that area.
 - (b) Properties that are adjacent to adult-related businesses will decrease in value.
 - (c) Businesses which are not adult-related in nature will not locate in an area with adult-related businesses.
 - (d) Neighborhoods adjacent to adult-related businesses are adversely affected by the conduct of patrons of the adult-related businesses, who interfere with the quiet, peaceful, and lawful enjoyment and use of the neighboring properties.
 - (e) Criminal activity has increased in connection with certain adult-related businesses.

- (2) Purpose. The purpose of this subsection is to protect the retail trade of the Borough, prevent neighborhood blight, maintain stable property values, maintain the quality of residential neighborhoods, and reduce the potential for criminal activity.
- (3) Intent. The intent of this section is not aimed at the content of the material sold, conduct within, or content of films or books of adult-related businesses, but rather to minimize and control the adverse secondary effects of such businesses on the surrounding community and protect the health, safety and welfare of its citizens; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods and deter the spread of blight. Accordingly, this subsection permits adult-related businesses in certain zoning districts, but regulates the time, place, and manner of adult-related businesses.
- (4) Adult-related businesses.
 - (a) Adult-related businesses which are defined in this chapter shall only be permitted in I Industrial District when approved as a conditional use and if all of the requirements of this section are adhered to. Adult-related businesses shall not be permitted in any other zoning district.
 - (b) Adult-related businesses shall only be permitted in the I Industrial District and shall also meet or exceed the following setback requirements. The building shall be set back as follows:
 - [1] The building shall be at least 250 feet in any direction from any residential dwelling (including multifamily buildings), also at least 500 feet from any public park property (including such uses in adjacent municipalities);
 - [2] The building shall be at least 1,000 feet in any direction from any school property, church property, preschool property, or child day-care center property (including such uses in adjacent municipalities);
 - [3] The building shall be at least 100 feet in any direction from any hotel or motel (including such uses in adjacent municipalities); and
 - [4] The building shall be at least 2,500 feet in any direction from any other building which is utilized for any other adult-related business which is defined in this section (including such uses in adjacent municipalities).
 - (c) All activities pertaining to the adult-related business shall be conducted entirely within the confines of the building. No theater which shows adult-related films shall project the film outside the confines of a building. No music or sound emitting from the business shall be audible to normal human hearing at any time at any exterior property line of the business.
 - (d) Any adult-related business which has liquor for sale shall abide by all rules and regulations of the Pennsylvania Liquor Control Board. If any of the applicable regulations of the Liquor Control Board are more stringent than the regulations specified in this section, those regulations shall be adhered to by the applicant.
 - (e) Unless governed by more stringent regulations by the Pennsylvania Liquor Control Board, the following hours of operation shall be adhered to by all adult-related businesses.
 - [1] No adult-related business shall be open from 2:00 a.m. to 11:00 a.m. daily.
 - [2] No adult-related business shall be open on Sundays and holidays except that an adult-related business open on Saturday may remain open until 2:00 a.m. on Sunday morning.
 - (f) The maximum gross floor area of any building which is utilized for an adult-related business shall be 5,000 square feet.
 - (g) No adult-related business shall display an exterior sign which displays obscene materials or which depicts nudity or sexually explicit activities. All other regulations pertaining to

commercial signs shall be complied with.

- (h) Parking, landscaping, exterior lighting, and other required site improvements shall be in accordance with the applicable sections of this chapter.
- (i) To insure the regulations of this section are adhered to by the applicant, the following information shall be provided with the application for a conditional use.

[1] A site survey of the property and building proposed for the adult-related business and a survey illustrating the distance to the location, size, and type of all buildings and uses within 2,500 feet of the building proposed for the adult-related business. The survey shall be prepared and sealed by a surveyor licensed by the Commonwealth of Pennsylvania and shall be at a scale no less than one inch to 100 feet. The survey shall indicate the scale, date drawn, North point, tax parcel number of all parcels illustrated, the names of any roads or highways illustrated, and shall be on paper measuring 24 inches by 36 inches. Twenty copies of the survey shall be submitted with the application.

[2] The above-referenced site survey shall indicate the proposed parking layout, landscaping, lighting, sign location, building location, and any other exterior improvements.

[3] If liquor for sale is proposed, a copy of the license issued by the Pennsylvania Liquor Control Board shall be submitted.

- (j) In addition to a conditional use permit, a land development plan shall be required for the development of the site. Requirements for the land development plan are in the Subdivision and Land Development Ordinance.^[1]

[1] Editor's Note: See Ch.

- (k) An applicant proposing an adult-related business shall satisfy all requirements of this chapter which relate to general requirements for approval of conditional uses.

(5) Additional regulations for nude model studios.

- (a) A nude model studio shall not employ any person under the age of 18 years.
- (b) A person under the age of 18 years commits a violation of this chapter if the person appears seminude or in a state of nudity in or on the premises of a nude model studio. It is a defense to prosecution under this subsection if the person under 18 years was in a rest room not open to public view or visible to any other person.
- (c) A person commits a violation of this section if the person appears in a state of nudity, or knowingly allows another to appear in a state of nudity, in an area of a nude model studio premises which can be viewed from the public right of way.
- (d) A nude model studio shall not place or permit a bed, sofa, or mattress in any room on the premises; except that a sofa may be placed in a reception room open to the public.

(6) Prohibition against children in a sexually oriented business.

- (a) A person commits a violation of this chapter if the person knowingly allows a person under the age of 18 years on the premises of a sexually oriented business.

B. Assisted living facility. The standards for nursing homes in this article shall apply.

C. Automobile service and repair.

(1) All automobile servicing and repair activities shall be:

- (a) Carried on within an enclosed building.

- (b) Screened along any property line that abuts a residential zoning district.
 - (2) The following activities and equipment are permitted only in the rear yard and at least 50 feet from a residential zoning district:
 - (a) Temporary storage of vehicles during repair and pending delivery to the customer; and
 - (b) Vacuuming and cleaning.
 - (3) The following activities and equipment are permitted only within an enclosed building:
 - (a) Lubrication equipment;
 - (b) Motor vehicle washing equipment;
 - (c) Hydraulic hoists and pits; and
 - (d) Storage of vehicle parts and refuse.
 - (4) Outside storage or parking of any disabled, wrecked, or partially dismantled vehicle are not permitted.
 - (5) No building, structure, canopy, gasoline pump, or storage tank shall be located within 25 feet of a residential zoning district.
 - (6) Body work and painting shall be conducted within fully enclosed buildings.
- D. Bed-and-breakfast inn.
[Amended 8-24-2020 by Ord. No. 1283]
- (1) Bed-and-breakfast inns shall be permitted only in single-family dwellings with a minimum gross floor area of 1,500 square feet.
 - (2) All guest rooms shall be contained within the principal structure.
 - (3) The operator shall be a full-time resident of the dwelling in which the bed-and-breakfast inn is located.
 - (4) Either the operator or a manager shall be physically present at the dwelling on a twenty-four-hour basis at any time that a guest room is occupied.
 - (5) The length of stay per overnight guest shall be limited to 30 consecutive days.
 - (6) Food and beverage service shall be provided exclusively to registered overnight guests.
 - (7) Off-street parking shall be located in the rear yard and shall be screened from adjoining property in the R-1, R-2, or R-3 District by a compact six-foot evergreen hedge.
- E. Car wash.
- (1) All machine washing and machine drying operations shall be conducted within a building.
 - (2) The building exit for automobiles that have completed the washing and machine drying process shall be set back a minimum of 50 feet from the nearest point of any street property line.
 - (3) No washing, vacuuming, steam cleaning, waxing, polishing or machine drying operation, and no building within which such operations are conducted, shall be permitted within 100 feet of any residential district.
 - (4) All lot lines abutting or adjacent to residential districts or uses shall be screened by a compact six-foot evergreen hedge.
 - (5) All entrance and exit lanes and parking areas shall be surfaced with asphalt or cement pavement so as to provide a durable and dustless surface, and shall be so graded and drained

as to dispose of all surface water accumulation.

- (6) A minimum of seven car length queuing lane(s) for each bay shall be provided on site.
 - (7) All car washes shall connect to public sanitary sewers.
- F. Conversion dwelling units. Conversion single-family, two-family and multifamily dwellings which increases the number of dwelling units in the zoning districts where authorized shall be subject to the following requirements:
- (1) Each dwelling unit shall contain a minimum of 800 square feet of gross floor area.
 - (2) Each dwelling unit shall have separate living, sleeping, kitchen and sanitary facilities.
 - (3) The proposed conversion dwelling shall meet the minimum lot and area requirements for similar dwelling types authorized within the district in which it is located.
 - (4) Each dwelling unit shall have a separate entrance, either directly from the outside or from a common corridor inside the structure.
 - (5) Conversion of detached garages or other accessory structures to dwelling units shall not be considered conversion dwellings and shall not be permitted.
 - (6) Conversion dwellings shall provide an additional one off-street parking space for each dwelling unit. The paving and design of the off-street parking spaces shall be in compliance with the requirements of Article VI, Parking. Off-street parking areas for more than three vehicles shall be screened by using Buffer Yard C.
 - (7) Conversion dwellings shall provide continuity in architectural design and shall incorporate any proposed construction into the existing structural features.
- G. Day-care center. Day-care center or preschool facility, subject to the following:
- (1) The facility shall be registered with or licensed by the Commonwealth of Pennsylvania.
 - (2) In the R-1, R-2 and R-3 Zoning Districts, the facility shall be permitted to be located only as an accessory use in conjunction with a functioning church or school.
 - (3) In the MUN and CRD Zoning Districts, the site shall have frontage on and direct vehicular access to an arterial or collector street.
 - (4) Outdoor play areas shall be provided which shall have a minimum area of 65 square feet per child and which shall be secured by a fence with self-latching gate. The location of the outdoor play area shall take into account the relationship to adjoining properties.
 - (5) The general safety of the property proposed for a day-care center, nursery school or preschool facility shall meet the needs of small children. There shall be no potential hazards in the outdoor play area.
 - (6) The site shall be provided an adequate area for safe child drop off and pick up. Areas for drop off and pick up shall typically be separated from normal vehicle traffic and shall not cause traffic congestion or unsafe traffic circulation either on site or on the adjacent public streets.
- H. Drive-through facilities.
- (1) A queuing lane at least five car lengths shall be provided for each drive-through lane and shall be designed for ease of traffic circulation and minimize congestion.
 - (2) All stacking and queuing shall be provided on-site.
 - (3) Direct access to drive-through facilities in the MUN Zoning District shall be generally encouraged from side and rear yards where possible.

- (4) Drive-through lanes shall be distinctly marked by traffic islands a minimum of five feet in width. A separate circulation drive shall be provided for passage around and escape from the outermost drive-through service lane. The Borough may consider alternative designs when it is demonstrated that the drive-through is screened from view and that traffic and pedestrian circulation is improved.
 - (5) The canopy shall be architecturally compatible with the principal building.
 - (6) Drive-through facilities shall be designed as integral part of the entire development and shall allow for access throughout the entire site upon entering the primary driveway. Separate access points to the adjacent roadway servicing only drive-through facilities or parking areas of the site shall not be permitted.
 - (7) The total area of the lot containing a drive-through facility attached to a use shall not be less than 35,000 square feet.
 - (8) Regardless of the size of the lot or building, the configuration of the perimeter of the building or the placement of the building on the lot, there shall be a continuous drive aisle around the entire building and lot so as to permit access to all parking, drive-through lanes or access isles without exiting the site onto a public road.
 - (9) Means of ingress to and egress from the premises with a drive-through facility and hours and mode of operation of drive-in or drive-through facilities shall be regulated in a manner to assure that:
 - (a) Traffic congestion on Borough streets, roads, alleys and ways will not be increased in an amount that will be unsafe or hazardous.
 - (b) Parking congestion on Borough streets, roads, alleys and ways will not be increased in an amount that will be unsafe or hazardous.
 - (c) There will be no creation or maintenance of any nuisance or threat or danger to the public safety, health or welfare of the Borough, its residents or visitors to the Borough.
 - (d) The provision and maintenance of essential services or other services by the Borough will not be adversely affected.
 - (e) Use and enjoyment of contiguous private properties will not be unduly impaired.
 - (f) Public transportation, water, sewer, electrical, school, park or other public facilities will not be substantially adversely affected.
- I. Gas station. See "automobile service and repair."
- J. Heliports.
- (1) The applicant shall prove that the heliport has been located and designed to minimize noise nuisances to other properties.
 - (2) The Zoning Hearing Board may place conditions on the size of helicopters, frequency of use, fueling facilities, setbacks and hours of operation to minimize nuisances and hazards to other properties. Provided that the conditions do not conflict with safety or federal or state regulations, the Zoning Hearing Board may require that the majority of flights approach from certain directions, and not from other directions that are more likely to create nuisances for residential areas.
- K. Kennel; animal day-care; animal groomer.
- (1) If required by the Pennsylvania Department of Agriculture, the kennel shall be licensed by the commonwealth.
 - (2) The maximum capacity of the kennel shall be 25 animals.

- (3) Outdoor kennels shall be located at least 300 feet from any occupied dwelling on an adjacent lot and at least 200 feet from any property line adjoining property in an R-1, R-2, or R-3 District.
- (4) Outdoor runs and similar facilities shall be constructed for easy cleaning, shall be adequately secured by a minimum six-foot-high fence with a self-latching gate and shall be screened by Buffer C.
- (5) The operator of kennels, animal day-cares and groomers shall submit an animal waste management and disposal plan to the Borough.

L. Methadone treatment facility.

- (1) For any building (or portion thereof) which is proposed to contain a methadone treatment facility, the lot upon which such building (or portion thereof) sits shall not be located closer than 500 feet (or the then-current Pennsylvania statutory-provided distance, whichever is greater) to a lot utilized for an existing school, public playground, public park, residential housing area, residential lot, single-family dwelling, child care facility, church, meeting house or other actual place of regularly scheduled religious worship established prior to the proposed methadone treatment.
- (2) Notwithstanding Subsection L(1) above, a methadone treatment facility may be established and operated closer than 500 feet (or the then-current Pennsylvania statutory-provided distance, whichever is greater) to a lot utilized for an existing school, public playground, public park, residential housing area, residential lot, single-family dwelling, child care facility, church, meeting house or other actual place of regularly scheduled religious worship established prior to the proposed methadone treatment, if, by majority vote, the governing body approves a use for said facility at such location. At least 14 days prior to any such vote by the governing body, one or more public hearings regarding the proposed methadone treatment facility location shall be held within the municipality pursuant to public notice. All owners of real property located within 500 feet of the proposed location shall be provided written notice of said public hearing(s) at least 30 days prior to said public hearing(s) occurring.
- (3) All buildings proposed to contain a methadone treatment facility shall fully comply with the requirements of the then-current edition of the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended, and as adopted by the Borough of Brentwood.
- (4) In addition to the otherwise required number of parking spaces specified by Article VI of this chapter for the usage of the building proposed for a methadone treatment facility, additional parking shall be required specifically for the methadone treatment facility at a rate of one additional parking space for each 200 square feet of area devoted to the methadone treatment facility.
- (5) Each building or portion thereof proposed for use as a methadone treatment facility shall have a separate and distinct entrance utilized solely for direct entrance into the methadone treatment facility. Such separate and distinct entrance shall face the road on which they are located. Access to the methadone treatment facility shall not be permitted via a shared building entrance or from a shared interior corridor within the building in which it is located.

M. Mobile home park.

- (1) Plans shall be submitted and reviewed by the Borough for all mobile home parks in compliance with Chapter 183, Subdivision and Land Development, and all other provisions that apply to a land development.
- (2) The minimum tract area shall be five contiguous acres. This minimum tract area shall be under single ownership.
- (3) The maximum average density of the tract shall be four dwelling units per acre. To calculate this density, land in common open space or proposed streets within the park may be included,

but land within the one-hundred-year floodplain, wetlands and slopes over 25% shall not be included.

- (4) Each mobile/manufactured home park shall include a thirty-five-foot-wide landscaped area, including substantial attractive evergreen and deciduous trees around the perimeter of the site, except where such landscaping would obstruct safe sight distances for traffic. A planting plan for such area shall be approved by the Zoning Hearing Board as part of any required special exception use approval. Such landscaped area shall not be required between adjacent mobile home park developments. The same area of land may count towards both the landscaped area and the building setback requirements.
- (5) A dwelling, including any attached accessory building, shall be set back a minimum of 25 feet from another dwelling within the mobile home park, except that unenclosed porches, awnings and decks may be 15 feet from the walls of another dwelling.
- (6) The minimum separation between homes and edge of interior street cartway or parking court cartway shall be 25 feet.
- (7) The minimum principal and accessory building setbacks from exterior/boundary lot lines and rights-of-way of preexisting public streets shall be 50 feet.
- (8) A detached accessory structure or garage shall be separated a minimum of 15 feet from any dwelling units to which the accessory structure is not accessory.
- (9) A minimum of 15% of the total lot area of the entire mobile home park shall be set aside as common open space for the residents. The applicant shall prove that these areas will be suitable for active or passive recreation. If a development will not be restricted to persons over age 55, then the common open space shall, at a minimum, include a rectangular grass field, 100 feet by 200 feet, suitable for free play by young persons. If a development will be restricted to persons over age 55, then the common open space shall, at a minimum, include landscaped paved trails. A recreation building or pool available to all residents of the development may count towards this requirement.
- (10) Streets.
 - (a) Access to individual mobile home spaces shall be from interior parking courts, access drives or private streets and shall not be from public streets exterior to the development.
 - (b) Streets within the mobile home park that provide access to reach 20 or more dwellings shall have a minimum paved cartway of 24 feet, and other local private streets or parking courts serving less than 20 homes shall have a minimum paved cartway of 20 feet.
 - (c) Curbs and sidewalks are not required on the private streets, but all private streets shall meet all other Borough cartway construction standards.
- (11) All units within the mobile home park shall be connected to a public water and a public sewage system. The system shall meet appropriate minimum water pressure/fire flow and hydrant requirements. The applicant shall prove that adequate provisions are made for solid waste disposal.
- (12) Along through streets, a minimum nighttime lighting level of 0.2 footcandle shall be maintained, at no expense to the Borough.
- (13) A manufactured/mobile home park shall comply with all of the same requirements of Borough ordinances that apply to a subdivision or land development of site-built single-family detached dwellings, except for requirements that are specifically modified by this section. This includes, but is not limited to, submission, approval and improvement requirements of Chapter 183, Subdivision and Land Development.

N. Night club.

- (1) Nightclubs shall cease operations between the hours of 2:00 a.m. and 11:00 a.m.

- (2) There shall be no noise or vibration discernible along any property line greater than the average noise level occurring on adjacent streets and properties.
- (3) All operations shall be conducted within a completely enclosed building and doors and windows shall remain closed during hours when entertainment is presented.
- (4) The owner/operator of the nightclub shall provide private security, licensed under the laws of the Commonwealth of Pennsylvania, if the maximum permitted occupancy of the nightclub exceeds 100 persons.
- (5) Any nightclub which proposes a maximum permitted occupancy of 200 or more persons shall be located at least 500 feet from any property line which adjoins an R Residential Zoning District classification.
- (6) Any nightclub which offers adult entertainment, as defined herein, shall be further subject to § 210-35A, Adult businesses.

O. Nursing home.

- (1) The minimum site area required for a nursing home shall be one acre.
- (2) All nursing homes shall be licensed by the commonwealth.
- (3) The site shall be served by public water and public sewers.
- (4) Water pressure and volume shall be adequate for fire protection.
- (5) Ingress, egress, and internal traffic circulation shall be designed to ensure access by emergency vehicles.
- (6) The parking and circulation plan shall be referred to the appropriate volunteer fire company for comments regarding traffic safety and emergency access.
- (7) Nursing homes shall have a bed capacity of at least 20 beds but no more than 200 beds.

P. Oil or gas well; natural gas compressor station; natural gas processing plant.

- (1) No oil or gas well site, natural gas compressor station, or natural gas processing plant or an addition to an existing oil or gas well site, natural gas compressor station, or natural gas processing plant shall be constructed or located within the Borough of Brentwood unless a zoning permit under this chapter has been issued by the Borough to the owner or operator approving the construction or preparation of the site for oil or gas development or construction of natural gas compressor stations or natural gas processing plants.
- (2) The permit application, or amended permit application, shall be accompanied by a fee as established in the Borough of Brentwood fee schedule.
- (3) When multiple wells are located on the same well pad, a separate permit for each well is required.
- (4) In addition to the other requirements to this chapter, the applicant shall provide to the Borough of Brentwood at the time of application the following information:
 - (a) A narrative describing an overview of the project including the number of acres to be disturbed for development, the number of wells to be drilled including DEP permit number(s) for all wells, if available, at the time of submittal and provided when issued later, and the location, number and description of equipment and structures to the extent known.
 - (b) A narrative describing an overview of the project as it relates to natural gas compressor stations or natural gas processing plants.

- (c) The address of the oil or gas well site, natural gas compressor station or natural gas processing plant as determined by the County 911 addressing program and information needed to gain access in the event of an emergency.
 - (d) The contact information of the individual or individuals responsible for the operation and activities at the oil or gas well site shall be provided to the Borough of Brentwood and all applicable emergency responders as determined by the Borough. Such information shall include a phone number where such individual or individuals can be contacted 24 hours per day, 365 days a year. Annually, or upon any change of relevant circumstances, the applicant shall update such information and provide it to the Borough and all applicable emergency responders as determined by the Borough of Brentwood.
 - (e) A site plan of the oil or gas well site showing the drilling pad, planned access roads, the approximate location of derricks, drilling rigs, equipment and structures and all permanent improvements to the site and any post-construction surface disturbance in relation to natural resources. Included in this map shall be an area within the development site for vehicles to locate while gaining access to the oil or gas well site configured such that the normal flow of traffic on public streets shall be undisturbed.
 - (f) To the extent that the information has been developed, the applicant shall provide a plan for the transmission of gas from the oil or gas well site. The plan will identify, but not be limited to, gathering lines, natural gas compressor stations, and other midstream and downstream facilities located within the municipality and extending 800 feet beyond the municipality boundary.
 - (g) A site plan of the natural gas compressor station or natural gas processing plant including any major equipment and structures and all permanent improvements to the site.
 - (h) A narrative and map describing the planned access routes to the well sites on public roads including the transportation and delivery of equipment, machinery, water, chemicals and other materials used in the location, drilling, construction, maintenance and operation of the oil or gas well site.
 - (i) Operator shall comply with any generally applicable bonding and permitting requirements for Brentwood roads that are to be used by vehicles for site construction, drilling activities and site operations.
 - (j) A description of, and commitment to maintain, safeguards that shall be taken by the applicant to ensure that the Borough of Brentwood streets utilized by the applicant shall remain free of dirt, mud and debris resulting from site development activities; and the applicant's assurance that such streets will be promptly swept or cleaned if dirt, mud and debris occur as a result of applicant's usage.
 - (k) A statement that the applicant will make the operation's preparedness, prevention and contingency plan available to the Borough and all emergency responders at least 30 days prior to drilling of an oil or gas well and at least annually thereafter while drilling activities are taking place at the oil or gas well site.
 - (l) An appropriate site orientation and training course of the preparedness, prevention and contingency plan for all applicable emergency responders as determined by the Borough. The cost and expense of the orientation and training shall be the sole responsibility of the applicant. If multiple wells/well pads are in the same area (covered by the same emergency response agencies), evidence from the appropriate emergency response agencies that a training course was offered in the last 12 months shall be accepted. Site orientation for each well/well pad shall still be required for the appropriate emergency responders, as determined by the Borough.
- (5) Access.

- (a) Vehicular access to a natural gas well, oil well or well pad solely via a residential street is not permitted.
 - (b) Vehicular access to a natural gas well, oil well or well pad via a collector street is encouraged.
 - (c) Accepted professional standards pertaining to minimum traffic sight distances for all access points shall be adhered to.
 - (d) Access directly to state roads shall require Pennsylvania Department of Transportation (PennDOT) highway occupancy permit approval. Prior to initiating any work at a drill site, the Borough of Brentwood shall be provided a copy of the highway occupancy permit.
 - (e) Access directly to Borough/county roads shall require a driveway permit/highway occupancy permit prior to initiating any work at a well site.
- (6) Height.
- (a) Permanent structures associated with an oil and gas well site, both principal and accessory, shall comply with the height regulations for the zoning district in which the oil or gas well site is located.
 - (b) Permanent structures associated with natural gas compressor stations or natural gas processing plants shall comply with the height regulations for the zoning district in which the natural gas compressor station or natural gas processing plant is located.
 - (c) There shall be an exception to the height restrictions contained in this section for the temporary placement of drilling rigs, drying tanks, pad drilling and other accessory uses necessary for the actual drilling or redrilling of an oil or gas well. The duration of such exemption shall not exceed the actual time period of drilling or redrilling of an oil or gas well or pad drilling.
- (7) Setbacks/location.
- (a) Drilling rigs and equipment shall be located a minimum setback distance of one foot for every foot of height of equipment from any property line, public or private street, or building not related to the drilling operations on either the same lot or an adjacent lot.
 - (b) Natural gas compressor stations and natural gas processing plants shall comply with all general setback and buffer requirements of the zoning district in which the natural gas compressor station or natural gas processing plant is located.
 - (c) Well pads shall be set back a minimum of 500 feet from any residential property.
 - (d) Well heads shall be located 800 feet from any residential property.
 - (e) Recognizing that the specific location of equipment and facilities is an integral part of the oil and gas development, and as part of the planning process, operator shall strive to consider the location of its temporary and permanent operations, where prudent and possible, so as to minimize interference with Brentwood residents' enjoyment of their property and future development activities as authorized by the Borough's applicable ordinances.
- (8) Screening and fencing.
- (a) Security fencing shall be required at oil or gas well sites during the initial drilling, or redrilling operations.
 - (b) Twenty-four-hour on-site supervision and security are required during active drilling operations.

- (c) Upon completion of drilling or redrilling, security fencing consisting of a permanent chain link fence shall be promptly installed at the oil or gas well site to secure well heads, storage tanks, separation facilities, water or liquid impoundment areas, and other mechanical and production equipment and structures on the oil or gas well site.
 - (d) Security fencing shall be at least six feet in height equipped with lockable gates at every access point and having openings no less than 12 feet wide. Additional lockable gates used to access oil and gas well sites by foot may be allowed, as necessary.
 - (e) First/responders shall be given means to access oil or gas well sites in case of an emergency. Applicant must provide the County 911 Communications Center necessary information to access the well pad in the event of an emergency.
 - (f) Warning signs shall be placed on the fencing surrounding the oil or gas well site providing notice of the potential dangers and the contact information in case of an emergency. During drilling and hydraulic fracturing, clearly visible warning signage must be posted on the pad site.
 - (g) In construction of oil or gas well sites, the natural surroundings should be considered and attempts made to minimize impacts to adjacent properties.
- (9) Lighting.
- (a) Lighting at the oil or gas well site, or other facilities associated with oil and gas development, either temporary or permanent, shall be directed downward and inward toward the activity, to the extent practicable, so as to minimize the glare on public roads and adjacent properties.
 - (b) Lighting at a natural gas compressor station or a natural gas processing plant shall, when practicable, be limited to security lighting.
- (10) Noise. The operator shall take the following steps to minimize, to the extent possible, noise resulting from the oil or gas well development:
- (a) Prior to drilling of an oil or gas well, the operator shall establish a continuous seventy-two-hour ambient noise level at the nearest property line of a residence or public building, school, medical, emergency or other public residence or public facility, or 100 feet from the nearest residence or public building, school, medical, emergency or other public residence or public facility, whichever point is closer to the affected facility. In lieu of establishing the above seventy-two-hour ambient noise level, the operator may assume and use, for the purposes of compliance with this chapter, a default ambient noise level of 55 dBA. The sound level meter used in conducting any evaluation shall meet the American National Standard Institute's standard for sound meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.
 - (b) The operator shall provide documentation of any established, seventy-two-hour evaluation, relied upon to establish an ambient noise level greater than 55 dBA, to the Zoning Officer within three business days of such a request.
 - (c) The noise generated during drilling and hydraulic fracturing activities shall not exceed the average ambient noise level [as determined by the seventy-two-hour evaluation as identified in Subsection P(10)(a)] or default level, whichever is higher:
 - [1] During drilling activities, by more than 10 decibels during the hours of 7:00 a.m. to 9:00 p.m.
 - [2] During drilling activities, by more than seven decibels during the hours of 9:00 p.m. and 7:00 a.m. or by more than 10 decibels during hydraulic fracturing operations. The operator shall inform the (municipality) of which level (average ambient noise level or default level) is being used.

- (d) All permanent facilities associated with oil and gas well sites, including, but not limited to, natural gas compressor stations and natural gas processing plants, shall meet the general noise requirements of this chapter. Where a conflict exists, the more stringent requirements shall apply.
 - (e) Effective sound mitigation devices shall be installed to permanent facilities to address sound levels that would otherwise exceed the noise level standards.
 - (f) Natural gas compressor stations and natural gas processing plants or facilities performing the equivalent functions shall be constructed so as to mitigate sound levels, or have installed mitigation devices to mitigate sound levels so as to prevent such activity from being a nuisance to nearby residential or public buildings, medical, emergency or other public facilities.
 - (g) If a complaint is received by the Borough regarding noise generated during construction, drilling, or hydraulic fracturing activities, or for natural gas compressor stations, natural gas processing plants or midstream facilities, the operator shall, within 24 hours following receipt of notification, begin continuous monitoring for a period of 48 hours at the nearest property line to the complainant's residential or public building or 100 feet from the complainant's residential or public building, school, medical, emergency or other public facilities, whichever is closer. The applicant shall report the findings to the Borough of Brentwood and shall mitigate the problem to the allowable level if the noise level exceeds the allowable rate.
- (11) As a condition of approval, applicant shall provide all permits and plans from the Pennsylvania Department of Environmental Protection and other appropriate regulatory agencies within 30 days of receipt of such permits and plans. A narrative describing the environmental impacts of the proposed project on the site and surrounding land and measures proposed to protect or mitigate such impacts shall be provided to the Borough.
- (12) Temporary housing for well site workers on the site is not permitted.

Q. Place of Worship.

- (1) Weekly religious education rooms and meeting rooms are permitted accessory uses, provided they are incidental to the place of worship. A primary or secondary school and/or a child or adult day-care center may be approved on the same lot as a place of worship, provided the requirements for such uses are also met. Buses used primarily to transport persons to and from religious services or a permitted school on the lot may be parked on the lot. Other uses shall only be allowed if all of the requirements for such uses are also met, including being permitted in the applicable district.
- (2) Any place of worship which provides a day-care center shall also meet the express standards and criteria for a day-care center.
- (3) Any place of worship which provides a school shall also meet the express standards and criteria for a school.
- (4) A maximum of one dwelling unit may be accessory to a place of worship on the same lot to house employees of the place of worship and/or an employee and his/her family. Such dwelling shall meet the maximum number of unrelated persons in the definition of a "family." No other residential use shall be allowed.
- (5) If a building is no longer used as a place of worship, it shall be used for a use allowed in the district.
- (6) Minimum parking setback from a lot line of an existing dwelling in a residential district shall be 20 feet.

R. Quarrying and stone cutting. The following minimum operation/performance standards apply to quarries unless otherwise specified:

- (1) Any topsoil removed from the surface and retained on the site shall be removed carefully and stockpiled in a manner to prevent erosion for reapplication to disturbed areas during reclamation.
- (2) Hours of operation for quarries shall be limited to the hours of 7:00 a.m. to 9:00 p.m. for operational activities, including blasting, excavation, processing, and hauling. Hours and days of operation may be restricted by the reviewing agency for operations within 1,000 feet of any residential uses or that rely on residential roadways for access.
- (3) To the extent possible, designated truck routes shall be used for all hauling as well as for all access to the site. All other routes and access shall be approved by the Borough Engineer prior to approval.
- (4) Stormwater run-off, erosion, and sedimentation shall be controlled by a plan submitted to the Borough by the applicant and approved by the Borough Engineer. The plan shall address the compatibility of the proposed use with any adopted Borough drainage or stormwater plans applicable to the area.
- (5) The applicant shall provide signs on the property and along haul routes where deemed necessary to promote the safety and general welfare of the neighborhood and general area. Required signs may include, but shall not be limited to, "No Trespassing," "Trucks Hauling," "Blasting," and "Danger." Other signs may be required if necessary.
- (6) Operations shall maintain compliance with local and state standards for noise, dust, and vibration. All equipment and machinery shall be operated and maintained in such a manner as to minimize dust, noise, and vibration. Access roads shall be maintained in a dustfree condition by surfacing or other treatment on a regular basis as may be specified by the Borough Engineer. A water truck for the purposes of dust control may be required on site.
- (7) Adequate dust control methods shall be implemented. Roadways adjacent to the property shall be swept and cleaned on a regular basis and when directed by the Borough Engineer as being necessary.
- (8) A performance bond or other financial security in an amount satisfactory to the Borough Engineer, and in a form approved by the Borough Solicitor, shall be secured from the applicant to ensure that all standards are fully met during operation and to ensure that proper reclamation of the site is completed in a timely manner.
- (9) An eight-foot-high continuous security fence shall be provided around the entire perimeter of the property on which the quarrying activity will take place. Additional fencing requirements may be imposed on portions of the site abutting residentially zoned or planned areas, parks, playgrounds, sidewalks, trails, schools, churches, and other public facilities and gathering places.
- (10) Where a stockpile is visible from an arterial roadway or residential district, the height of a stockpile may be limited by the reviewing agency to the lowest height that is economically feasible on the site. In no case shall the height of a stockpile exceed 50 feet for permanent stockpiles and 75 feet for temporary stockpiles unless the reviewing agency finds that the stockpile would not be visible from an arterial roadway or residential district.
- (11) Any lighting or signage, other than security signage, on the property shall meet the standards for the zoning district in which the activity is located.
- (12) A blasting plan shall be submitted to the Borough Engineer, with proof of insurance in an amount and form as approved by the Borough Solicitor. Such activity shall be conducted only by licensed, insured individuals or entities and shall be in conformance with all applicable federal, state, and local regulations.
- (13) Where applicable, no excavation shall occur within 100 feet of a protected water body, unless otherwise permitted by the Pennsylvania Department of Environmental Protection (DEP). Where excavation occurs on more than one side of a protected water body, a setback of 50

feet may be maintained on one side when a setback of 200 feet or more is maintained on the other, if approved by the DEP and the Borough Engineer.

S. Rooming/boarding house.

- (1) Rooming and boarding houses shall have a minimum lot size of one acre.
- (2) Minimum side yard building setback shall be 30 feet.
- (3) Minimum lot width shall be 200 feet.
- (4) Maximum density shall be six bedrooms per acre, but in no case shall the lot serve a total of more than 10 persons.
- (5) Each bedroom shall be limited to two adults each.
- (6) A buffer yard with screening shall be provided between any boarding house building and any abutting dwelling.
- (7) Rooms shall be rented for a minimum period of five consecutive days and no longer than 30 consecutive days. The Allegheny County Department of Health establishes minimum standards and permit requirements for boarding homes.
- (8) All rooming and boarding houses shall comply with Chapter 163, Rental Property, regulations of the Brentwood Borough Code of Ordinances and all other regulations and policies related to rental properties and as may be adopted and amended from time to time by the Borough of Brentwood.

T. Schools (public and private).

- (1) Ingress and egress provisions shall be adequate to minimize congestion on adjacent highways and local streets during peak use period.
- (2) All off-street parking lots shall be suitably paved and screened from adjoining residential properties by appropriate plant material or structures as approved by the Borough.
- (3) Fire and safety provisions shall be adequate to meet local and state requirements.
- (4) Schools in residential zoning districts shall be limited to public and private schools accredited by the commonwealth whose primary purpose is the education and training of children and youths.
- (5) Schools may provide a day-care center as an ancillary service.
- (6) Schools which provide a day-care center shall also meet the express standards and criteria for a day-care center.

U. Solar energy production facilities, large.

- (1) Large solar energy production facilities. Large solar energy production facilities shall be subject to the following regulations:
 - (a) The layout, design, and installation of large solar energy production facilities shall conform to applicable industry standards, including those of the ANSI, Underwriters Laboratories (UL), the ASTM, or other similar certifying organizations, and shall comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended,^[2] and with all other applicable fire and life safety requirements. The manufacturer specifications shall be submitted as part of the application.
^[2] Editor's Note: See 35 P.S. §§ 7210.101 et seq.
 - (b) All on-site utility and transmission lines extending to and from the large solar energy production facility shall be placed underground.

- (c) All large solar energy production facilities shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties as well as adjacent street rights-of-way.
- (d) Large solar energy production facilities mounted on the roof of any building shall be subject to the maximum height regulations specified within each zoning district.
- (e) The owner shall provide evidence in the form of stamped plans certified by a professional engineer that the roof is structurally sound.
- (f) All ground-mounted and freestanding solar collectors of large solar energy production facilities shall be completely enclosed by a minimum eight-foot-high fence with a self-locking gate.
- (g) A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations or fence.
- (h) For a building-mounted system installed on a sloped roof that faces the front yard, the system must be installed at the same angle as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of 18 inches between the roof and the highest edge of the system.
- (i) Building-mounted systems mounted on a flat roof shall not be visible from the public right-of-way immediately adjacent to the property at ground level. System components can be screened with architectural treatments such as a building parapet walls or other screening or by setting the system back from the roof edge in such a way that it is not visible from the public right-of-way at ground level.
- (j) For a building-mounted system installed on a sloped roof, the highest point of the system shall not exceed three feet above the highest point of the roof line to which it is attached.
- (k) For a building-mounted system installed on a flat roof, the highest point of the system shall not exceed six feet above the roof to which it is attached.
- (l) The surface area off ground-mounted systems, regardless of the mounted angle of any portion of the system, is considered impervious surface and shall be calculated as part of the lot coverage limitations for the zoning district in which it is located.
- (m) No signage or graphic content may be displayed on the system except the manufacturer's badge, safety information and equipment specification information. Said information shall be depicted within an area no more than 36 square inches in size.
- (n) Vacation, abandonment and/or decommissioning of solar facilities:
 - [1] The solar energy production facility owner is required to notify the Borough immediately upon cessation or abandonment of the operation.
 - [2] Discontinuation/abandonment is presumed when a solar system has been disconnected from the net metering grid for a period of six continuous months or has not produced electricity for a period of six months. The burden of proof in the presumption of discontinuation/abandonment shall be upon Brentwood Borough.
 - [3] The solar facilities and all related equipment must be removed within 12 months of the date of discontinuation or abandonment or upon the determination of the useful life of the solar system.
 - [4] For ground-mounted and building-mounted systems, removal includes removal of all structural and electrical parts of the ground- or building-mounted system and any associated facilities or equipments and removal of all net metering equipment.
 - [5] If the owner fails to remove or repair the vacated, abandoned or decommissioned solar facilities within the twelve-month period outlined above, the Borough reserves

the right to enter the property, remove the system and charge the landowner and/or facility owner and operator for all costs and expenses including reasonable attorney's fees or pursue other legal action to have the system removed at the owners expense.

- [6] Any unpaid costs resulting from the Borough's removal of a vacated, abandoned or decommissioned solar system shall constitute a lien upon the property against which the costs were charged. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens.
- (o) At the time of issuance of the permit for the construction of the large solar energy production facility, the owner shall provide financial security in form and amount acceptable to the Borough to secure the expense of dismantling and removing said structures.

V. Solar energy systems, small.

- (1) Small solar energy system. Small solar energy systems shall be permitted in all zoning districts as appurtenances to any building or as accessory structures and shall be subject to the following regulations:
 - (a) The design and installation of small solar energy systems shall conform to applicable industry standards, including those of the ANSI, Underwriters Laboratories (UL), the ASTM, or other similar certifying organizations, and shall comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended,^[3] and with all other applicable fire and life safety requirements. The manufacturer specifications shall be submitted as part of the application.

[3] Editor's Note: See 35 P.S. §§ 7210.101 et seq.
 - (b) All small solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent lots as well as adjacent street rights-of-way.
 - (c) All on-site utility and transmission lines extending to and from the small solar energy system shall be placed underground.
 - (d) Except when mounted on the roof of a habitable structure, no part of any small solar energy system shall be located within or above any front yard, along any required yard with street frontage, nor within any required setback of any lot.

[Amended 12-10-2018 by Ord. No. 1269]
 - (e) Small solar energy systems mounted on the roof of any building shall be subject to the maximum height regulations specified within each zoning district. The owner shall provide evidence in the form of stamped plans certified by a professional engineer that the roof is structurally sound.
 - (f) Small solar energy systems which are ground-mounted or detached from the principal or accessory structure shall not exceed 12 feet in height.
 - (g) For a building-mounted system installed on a sloped roof that faces the front yard, the system must be installed at the same angle as the roof on which it is installed with a maximum distance, measured perpendicular to the roof, of 18 inches between the roof and the highest edge of the system.
 - (h) For a building-mounted system installed on a sloped roof, the highest point of the system shall not exceed three feet above the highest point of the roof line to which it is attached.
 - (i) For a building-mounted system installed on a flat roof, the highest point of the system shall not exceed six feet above the roof to which it is attached.

- (j) Building-mounted systems mounted on a flat roof shall not be visible from the public right-of-way immediately adjacent to the property at ground level. System components can be screened with architectural treatments such as a building parapet walls or other screening or by setting the system back from the roof edge in such a way that it is not visible from the public right-of-way at ground level.
- (k) The surface area of ground-mounted systems, regardless of the mounted angle of any portion of the system, is considered impervious surface and shall be calculated as part of the lot coverage limitations for the zoning district in which it is located.
- (l) No signage or graphic content may be displayed on the system except the manufacturer's badge, safety information and equipment specification information. Said information shall be depicted within an area no more than 36 square inches in size.
- (m) The owner shall provide a copy of the letter from the electric utility company indicating that it has received and processed an application for interconnection of renewable generation equipment with the application for a zoning permit. The owner shall provide a copy of the final inspection report or other final approval from the electric utility company to the Borough prior to the issuance of a certificate of use and occupancy for the small solar energy system. Off-grid systems shall be exempt from this requirement.
- (n) Vacation, abandonment and/or decommissioning of solar facilities:
 - [1] The solar facility owner is required to notify the Borough immediately upon cessation or abandonment of the operation.
 - [2] Discontinuation/abandonment is presumed when a solar system has been disconnected from the net metering grid for a period of six continuous months or has not produced electricity for a period of six months. The burden of proof in the presumption of discontinuation/abandonment shall be upon Brentwood Borough.
 - [3] *The solar facilities and all related equipment must be removed within 12 months of the date of discontinuation or abandonment or upon the determination of the useful life of the solar system.*
 - [4] For ground-mounted and building-mounted systems, removal includes removal of all structural and electrical parts of the ground- or building-mounted system and any associated facilities or equipments and removal of all net metering equipment.
 - [5] If the owner fails to remove or repair the vacated, abandoned or decommissioned solar facilities within the twelve-month period outlined above, the Borough reserves the right to enter the property, remove the system and charge the landowner and/or facility owner and operator for all costs and expenses including reasonable attorney's fees or pursue other legal action to have the system removed at the owners expense.
 - [6] Any unpaid costs resulting from the Borough's removal of a vacated, abandoned or decommissioned solar system shall constitute a lien upon the property against which the costs were charged. Each such lien may be continued, recorded and released in the manner provided by the general statutes for continuing, recording and releasing property tax liens.
- (o) In the event that provisions of this section conflict with the provisions of Article III relating to accessory uses and structures, the more stringent provision shall apply.

W. Solid waste facilities (transfer stations, incinerators, landfill).

- (1) Ingress to and egress from solid waste facilities shall be permitted by roads to serve only the solid waste facilities. Street design shall allow a weight limit of 19,000 pounds per axle. Approach and departure traffic routes for a solid waste facility shall not be permitted through local streets primarily intended to provide access to residences in a neighborhood.

- (2) A nonclimbable security fence at least eight feet in height shall be installed around all portions of solid waste facilities directly involved in the storage, handling, and disposal of solid waste.
 - (3) All buildings or structures used for the storage, treatment, processing, recycling, collection, recovery, or disposal of solid waste shall be located at least 500 feet from any exterior property line when such property line abuts a residential zoning district.
 - (4) The hours of operation shall be limited from 7:00 a.m. to 7:00 p.m., except that the hours of operation may be extended when the DEP certifies that sanitation conditions require an extension of operating hours.
 - (5) Municipal solid waste landfills shall be covered in accordance with the DEP. Exterior lighting shall not cause illumination in excess of one footcandle at any property line, except that internally illuminated signs at the entrance to the landfill may exceed this standard where necessary.
- X. Tavern or bar: see "night club."
- Y. Wind energy production facility, large.
- (1) Large Wind Energy Production Facility - Large wind energy production facilities shall be subject to the following regulations:
 - (a) The layout, design, and installation of large wind energy production facilities shall conform to applicable industry standards, including those of the ANSI, Underwriters Laboratories (UL), the ASTM, or other similar certifying organizations, and shall comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended,^[4] and with all other applicable fire and life safety requirements. The manufacturer specifications shall be submitted as part of the application.
 [4] *Editor's Note: See 35 P.S. §§ 7210.101 et seq.*
 - (b) Large wind energy production facilities shall not generate noise which exceeds 55 decibels measured at any property line.
 - (c) All on-site utility and transmission lines extending to and from the large wind energy production facility shall be placed underground.
 - (d) All large wind energy production facilities shall be equipped with a redundant braking system. This includes both aerodynamic overspeed controls (including variable pitch, tip, and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Staff regulation shall not be considered a sufficient braking system for overspeed protection.
 - (e) Large wind energy production facilities shall not be artificially lighted, except to the extent required by the FAA.
 - (f) Wind turbines and towers shall not display advertising, except for reasonable identification of the large wind energy production facility's manufacturer. Such sign shall have an area of less than four square feet.
 - (g) Wind turbines and towers shall be a nonobtrusive color such as white, off-white or gray.
 - (h) All large wind energy production facilities shall, to the extent feasible, be sited to prevent shadow flicker on any occupied building on adjacent lot.
 - (i) A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations or fence.
 - (j) All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by nonauthorized persons.

- (k) No portion of any large wind energy production system shall extend over parking areas, access drives, driveways or sidewalks.
- (l) All large wind energy production facilities shall be independent of any other structure and shall be located a minimum distance of 1.1 times the turbine height from any inhabited structure, property line, street right-of-way, or overhead utility line.
- (m) The minimum height of the lowest position of the wind turbine shall be 30 feet above the ground.
- (n) All large wind energy production facilities shall be completely enclosed by a minimum eight-foot-high fence with a self-locking gate, or the wind turbines' climbing apparatus shall be limited to no lower than 12 feet from the ground, or the wind turbines' climbing apparatus shall be fully contained and locked within the tower structure.
- (o) The large wind energy production facility owner is required to notify the Borough immediately upon cessation or abandonment of the operation. The large wind energy production facility owner shall then have 12 months in which to dismantle and remove the large wind energy production facility from the lot. At the time of issuance of the permit for the construction of the large wind energy production facility, the owner shall provide financial security in form and amount acceptable to the Borough to secure the expense of dismantling and removing said structures.

Z. Wind energy system, small.

- (1) Small wind energy system: Small wind energy systems shall be permitted in all zoning districts as accessory uses and accessory structures and shall be subject to the following regulations:
 - (a) The design and installation of all small wind energy systems shall conform to applicable industry standards, including those of the ANSI, Underwriters Laboratories (UL), the ASTM, or other similar certifying organizations, and shall comply with the Pennsylvania Uniform Construction Code (UCC), Act 45 of 1999, as amended,^[5] and with all other applicable fire and life safety requirements. The manufacturer specifications shall be submitted as part of the application.
 [5] *Editor's Note: See 35 P.S. §§ 7210.101 et seq.*
 - (b) No more than one small wind energy system shall be permitted per lot.
 - (c) Small wind energy systems shall not generate noise which exceeds 55 decibels measured at any property line.
 - (d) Small wind energy systems shall not be artificially lighted, except to the extent required by the FAA.
 - (e) All on-site utility and transmission lines extending to and from the small wind energy system shall be placed underground.
 - (f) No part of any small wind energy system shall be located within or above any front yard, along any street frontage, nor within any required setback of any lot.
 - (g) All small wind energy systems shall be independent of any other structure and shall be located a minimum distance of 1.1 times the turbine height from any inhabited structure, property line, street right-of-way, or overhead utility line.
 - (h) The maximum height of any small wind energy system shall not exceed the greater of 50 feet or the maximum height or the zoning district in which it is located.
 - (i) No portion of any small wind energy system shall extend over parking areas, access drives, driveways or sidewalks.
 - (j) The minimum height of the lowest position of the wind turbine shall be 15 feet above the ground.

- (k) All small wind energy systems shall be completely enclosed by a minimum eight-foot-high fence with a self-locking gate, or the wind turbine's climbing apparatus shall be limited to no lower than 15 feet from the ground, or the wind turbine's climbing apparatus shall be fully contained and locked within the tower structure.
- (l) Small wind energy systems shall not display advertising, except for reasonable identification of the small wind energy system's manufacturer. Such sign shall have an area of less than four square feet.
- (m) When an accessory building is necessary for storage cells or related mechanical equipment, the accessory building shall not have a floor area exceeding 200 square feet, and shall comply with the accessory building requirements specified within each zoning district.
 - [1] Accessory buildings shall not be located within any front yard or along any street frontage, nor within any required setback of any lot.
- (n) The owner shall provide a copy of the letter from the electric utility company indicating that it has received and processed an application for interconnection of renewable generation equipment with the application for a zoning permit. The owner shall provide a copy of the final inspection report or other final approval from the electric utility company to the Borough prior to the issuance of a certificate of use and occupancy for the small wind energy system. Off-grid systems shall be exempt from this requirement.
- (o) The owner of the small wind energy system shall, at the owner's expense, complete decommissioning within 12 months after the end of the useful life of the small wind energy system. It shall be presumed that the wind turbine is at the end of its useful life if no electricity is generated for a continuous period of 12 months.
- (p) The owner of the small wind energy system shall provide evidence that the owner's insurance policy has been endorsed to cover damage or injury that might result from the installation and operation of the small wind energy system.

AA. Outdoor dining.

[Added 12-10-2018 by Ord. No. 1269]

- (1) No food preparation or storage of refuse may take place within outdoor dining areas.
- (2) The dining area shall not obstruct the use of any egress door, egress aisle, or fire suppression equipment.
- (3) Outdoor dining is permitted between the hours of 9:00 a.m. and 11:00 p.m.
- (4) The use of sound amplification equipment is prohibited.
- (5) The use of outdoor heating devices with open flames is prohibited.
- (6) Furnishings shall be expressly designed for outdoor use and shall be maintained in a clean and safe condition.
- (7) The outdoor dining area shall be set back a minimum of 25 feet from any R-1 or R-2 Zoning District.
- (8) Outdoor dining areas that extend into a public right-of-way are subject to the following additional regulations.
 - (a) Outdoor dining areas shall provide not less than four contiguous feet of sidewalk clear of obstructions to allow unimpeded pedestrian access.
 - (b) If the outdoor dining area is within 15 feet of an intersection, there shall be a minimum of eight feet of unobstructed sidewalk as measured from the edge of the pedestrian curb ramp.

- (c) All furnishings, planters, and railings shall be properly weighted to prevent movement.
- (d) Outdoor dining areas shall maintain adequate lighting of not less than 1/2 footcandle in and around the sidewalk.
- (e) Outdoor dining areas may only operate within a public right-of-way between April 1 and October 31 annually.

BB. Wireless communications facilities.

[Added 12-10-2018 by Ord. No. 1269]

- (1) Tower-based wireless communications facilities that are constructed on lot and outside of the right-of-way shall be subject to the following bulk and area regulations.
 - (a) The height of the tower and all antennas shall not exceed 150 feet. Towers shall be designed to the minimum functional height. Applicants must submit documentation justifying the total height.
 - (b) If the facility is constructed as a secondary use, the total area needed to construct the tower, guy wires, equipment buildings, and a security fence shall comply with the requirements for the zoning district.
 - (c) The tower shall be set back from all property lines at least 100% of the combined height of the tower and antenna, or the minimum setback for the zoning district, whichever is greater.
 - (d) Equipment buildings shall be subject to the minimum setback requirement for the zoning district.
- (2) Tower-based wireless communications facilities that are constructed within the right-of-way shall have a maximum height of 40 feet, which shall include the tower and all antennas. Towers shall be designed to the minimum functional height. Applicants must submit documentation justifying the total height.
- (3) Non-tower-based wireless communications facilities that are constructed on lot and outside of the right-of-way shall be subject to the following bulk and area regulations.
 - (a) No portion of a facility constructed as a secondary use shall exceed a height of 15 feet above the roof of the primary structure.
 - (b) No portion of a facility co-located on an electric transmission tower, streetlight, utility pole, traffic signal, or similar structure shall exceed a height of five feet above highest point of said structure.
 - (c) Equipment buildings shall be subject to the minimum setback requirement for the zoning district.
- (4) Non-tower-based wireless communications facilities that are constructed within the right-of-way shall consist of equipment components designed at minimum functional height.
- (5) All wireless communications facilities shall be subject to the following design, construction, and operation standards:
 - (a) All facilities shall be designed, constructed, inspected, operated, maintained, repaired, modified and removed in strict compliance with all current applicable federal and state technical and safety codes.
 - (b) Subdivision plan approval shall not be required when a facility is located on a leased parcel that constitutes only a portion of a lot.
 - (c) All facilities shall be operated in accordance with all applicable Federal Communication Commission rules regarding interference with public safety communications or the

reception of broadband, television, radio or other communication services.

- (d) Tower-based wireless communications facilities located outside of the right-of-way shall be designed to accommodate both the facility applicant's antennas and comparable antennas for future users. As a condition of approval for all tower-based wireless communications facilities, the applicant shall agree to allow other service providers to co-locate antennas where technically and economically feasible.
 - (e) Tower-based wireless communications facilities shall include a posted sign at the location. Such signage shall include the name of the managing entity, a phone number to be dialed in the event of an emergency, and, if applicable, the Federal Communication Commission registration number. Such signage shall not include commercial advertising and shall not exceed a size of two square feet. Tower-based wireless communications facilities located within the right-of-way.
 - (f) Tower-based wireless communications facilities shall not be artificially lighted unless required by state or federal law. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, which shall have as unobtrusive and inoffensive an effect as is permissible.
 - (g) Tower-based wireless communications facilities shall be operated and maintained so as not to produce noise in excess of 45 decibels as measured from the nearest property line, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis. The use of generators for wireless communications facilities within a right-of-way is prohibited.
 - (h) A security fence with a minimum height of eight feet shall surround any tower-based wireless communications facilities located outside a right-of-way. The fence shall encapsulate all guy wires, associated equipment, and buildings.
 - (i) Any applicant proposing a nontower wireless communications facilities to be placed on a structure shall submit detailed construction and elevation drawings indicating how the facility will be mounted.
 - (j) All wireless communications facilities and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the right-of-way as determined by the Borough. When feasible, all non-tower-based wireless communications facilities shall be pole mounted. No portion of any non-tower-based wireless communications facility that is located within a right-of-way may extend or protrude past the edge of the curb.
 - (k) The applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and the traffic, safety, and noise impacts of such maintenance.
 - (l) A soil report complying with the standards of geotechnical investigations of the Electronics Industry Association and Telecommunications Industry Association shall be submitted to the Township Engineer prior to construction to document and verify the design specifications of the foundation for the wireless support structure and anchors for the guy wires.
 - (m) No wireless communications facility may be located upon the property of any structure that is listed on the National Register of Historic Places or Pittsburgh History and Landmarks Foundation Historic Landmark Program.
- (6) All wireless communications facilities shall be subject to the following aesthetic, landscaping, and screening standards:
- (a) All wireless communications facilities shall employ the most current stealth technology available in an effort to appropriately blend the proposed facility into the surrounding

environment and minimize the aesthetic impact. All utility buildings and accessory structures shall be designed to blend into the environment in which they are situated. The applicant for any tower-based wireless communications facility must provide documentation detailing the nature of the proposed stealth technology.

- (b) Tower-based wireless communications facilities located outside the right-of-way shall be screened by evergreen trees that, at the time of planting, have a minimum height of six feet and that will grow to a minimum height of 15 feet at maturity. Said trees shall be placed around the perimeter of the security fence at ten-foot centers.
- (7) All wireless communications facilities shall be subject to the following replacement, co-location, and modification standards.
- (a) Any application for replacement, co-location, or modification of an existing wireless communications facility shall not be subject to the issuance of new zoning or land use approvals, provided that there is no substantial change.
 - (b) Nonroutine modification activities, which shall include any modification that increases the total height of the wireless communications facility, shall require the applicant to obtain a zoning permit from the Borough.
- (8) In addition to all other permit requirements under this chapter, a permit application for a wireless communications facility shall not be approved or considered complete unless the Borough has found that the applicant has complied with the following conditions, as applicable:
- (a) An application for a new tower-based wireless communications facility outside of the right-of-way shall not be approved unless the Borough finds that the wireless communications equipment planned for the proposed facility cannot be co-located on an existing structure or building within a one-mile radius of the proposed tower-based wireless communications facility location to achieve the coverage or capacity objectives of the applicant.
 - (b) An applicant for a tower-based wireless communications facility must demonstrate that a significant gap in wireless coverage exists or lack of adequate capacity is likely to exist within six months of the filing of its application with respect to the applicant in the area. It shall be incumbent upon the applicant to prove to the reasonable satisfaction of the Borough that the applicant cannot adequately extend or infill its communications system by the use of equipment such as redoes, repeaters, antennas, and other similar equipment installed on existing structures, such as utility poles or other available tall structures. The applicant shall further demonstrate that the proposed facility must be located where it is proposed in order to serve the applicant's service area and that no other viable alternative location exists.
 - (c) An applicant for any wireless communications facility shall submit a copy of the lease or other form of written authorization with the property owner confirming that the applicant has standing to file the application and maintain the proposed facility on the subject property.
 - (d) When applicable, an applicant must demonstrate that it is licensed by the Federal Communications Commission (FCC) and submit with its application copies of all FCC permits and licenses, including the name, address, and emergency telephone number for the operator of the facility.
 - (e) The applicant shall demonstrate that the proposed facility, by itself or in conjunction with other facilities, complies with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic emissions.
 - (f) The applicant shall provide a certificate of insurance issued to the owner and/or operators of the facility, evidencing that there is or will be adequate current liability insurance in effect.

- (g) Prior to the issuance of a permit authorizing construction and erection of a tower-based wireless communications facility, a structural engineer registered in Pennsylvania shall issue to the Borough a written certification of ability of the proposed facility to meet the structural standards offered by either the Electronic Industries Association or the Telecommunications Industry Association and certify the proper construction of the foundation and the erection of the structure. This certification shall, where feasible, be provided during the conditional use hearing.
 - (h) As a condition of approval for all tower-based wireless communications facilities, the applicant shall provide the Borough with a written commitment that it will allow other service providers to co-locate antennas where technically and economically feasible.
- (9) Prior to approval a conditional use permit for the construction and installation of a tower-based wireless communications facility, the applicant must provide the following along with the conditional use application:
- (a) A propagation study evidencing the need for the proposed tower, a description of the type and manufacturer of the proposed transmission equipment, the frequency range assigned to applicant, the power in watts at which the applicant transmits, and any relevant related tests conducted by the applicant in determining the need for the proposed site and installation.
 - (b) Documentation demonstrating that the proposed facility complies with all state and federal laws and regulations concerning aviation safety and that said facility is designed to withstand the effects of wind according to the standard designed by the American National Standards Institute.
 - (c) Where the facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement for the proposed facility and that vehicular access will be provided to the facility.
 - (d) Documentation and other evidence demonstrating that the proposed facility complies with all applicable provisions in this chapter, including, but not limited to height requirements, design, construction and operation requirements, safety requirements, and aesthetic, landscaping, and screening requirements.
- (10) Every tower-based wireless communications facility in a right-of-way is subject to the right of the Borough to fix annually a fair and reasonable fee to be paid for use and occupancy of the right-of-way. Such compensation for the right-of-way use shall be directly related to the actual right-of-way management costs.
- (11) The use of guy wires is subject to conditional use approval. Documentation evidencing the need for the guy wires and a description of the guy wire installation must be provided by the applicant with the conditional use application.
- (12) In the event that use of a wireless communications facility is planned to be discontinued, the owner shall provide written notice to the Borough of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned facilities or portions thereof shall be removed as follows:
- (a) All unused or abandoned facilities and accessory facilities shall be removed within six months of the cessation of operations at the site unless a time extension is approved by the Borough.
 - (b) If the facility is not removed within six months of the cessation of operations at a site, or within any longer period approved by the municipality, the facility and accessory equipment may be removed by the municipality and the cost of removal assessed against the legal or equitable owner of the facility.
 - (c) Any unused portions of facilities, including antennas, shall be removed within six months of the time of cessation of operations. The Borough must approve all replacements of

portions of a tower-based wireless communications facilities previously removed.

- (d) The facility owner or operator shall post and maintain funds for removal of all structures associated with the facility in an amount equal to the identified removal costs, as adjusted over time. The removal funds shall be posted and maintained with a bonding company or chartered lending institution chosen by the facility owner or operator, provided that the bonding company or lending institution is authorized to conduct business within the commonwealth. An independent and certified professional engineer shall be retained by the applicant to estimate the cost of removal without regard to salvage value of the equipment. Said estimates shall be submitted to the Township after the first year of operation and every five years thereafter.
- (13) Strand-mounted wireless communication facilities shall be subject to the following installation, placement, maintenance, and replacement standards:
[Added 6-15-2020 by Ord. No. 1288]
- (a) Any applicant for a new strand-mounted wireless communication facility shall attach to the application for a conditional use permit the following information:
 - [1] The name, physical address, phone number, and email address of the applicant.
 - [2] The geographic coordinates of the proposed strand-mounted wireless communication facility and the nearest street intersection.
 - [3] A computer-generated rendering that depicts the proposed strand-mounted wireless communication facility from at least two different viewpoints.
 - [4] If the owner of the utility pole or communications cable is different from the applicant, proof of authority to attach a strand-mounted wireless communication facility to the same.
 - [5] A plan detailing all new cable to be installed as part of the proposed strand-mounted wireless communication facility.
 - [6] A plan showing the lowest point of the proposed strand-mounted wireless communication facility relative to ground level.
 - [7] The make, model, and color of the proposed antenna and all accessory equipment.
 - (b) Any new strand-mounted wireless communication facility shall be subject to the following design requirements:
 - [1] All equipment associated with a strand-mounted wireless communication facility shall be contained within a single equipment shroud of no larger than 18 inches in length, 12 inches in width, and 10 inches in height, and no exterior antenna shall be longer than 11 inches in length.
 - [2] Strand-mounted wireless communication facilities shall be grey in color or shall be treated to match the color of the communications cables to which they are attached to the satisfaction of the Borough.
 - [3] No excess spools of wiring or cable shall be installed in conjunction with any strand-mounted wireless communication facility.
 - [4] Meter housings shall be located so as not to violate pedestrian or vehicle accessibility requirements.
 - [5] Strand-mounted wireless communication facilities shall be designed, constructed, inspected, operated, maintained, repaired, modified, and removed in strict compliance with all applicable federal, state, and local technical and safety codes.

- [6] Any pole-mounted accessory equipment associated with a strand-mounted wireless communication facility shall comply with all other applicable requirements of § 210-35BB of the Borough Code.

CC. Short-term lodging accommodations.

[Added 8-24-2020 by Ord. No. 1283]

- (1) Short-term lodging accommodations shall be considered rental units and must be compliant with the terms of Chapter 163 of the Brentwood Borough Code, which regulates rental property, including, but not limited to, such provisions related to registration, licensing, and inspections.
- (2) No outward modification of the structure or grounds shall be made other than those associated with those permitted for the principal residential use.
- (3) One off-street parking stall shall be provided for each sleeping room in the dwelling unit.
- (4) Overnight occupancy shall be limited to no more than two persons per bedroom plus two additional persons per dwelling unit. The maximum daylight occupancy allowed at any one time shall not exceed 150% of the permitted overnight occupancy load. The short-term lodging accommodation shall not be advertised via any booking agent or website to accommodate more than the maximum number of overnight occupants permitted by this section.
- (5) The length of stay per overnight occupant shall be limited to 30 consecutive days.
- (6) A short-term lodging accommodation may not be located on a lot that is within 500 feet of a lot on which another short-term lodging accommodation is located.
- (7) Concerts, weddings, conferences, and other special events shall be prohibited on the lot of any short-term lodging accommodation.
- (8) The use shall not cause an increase in the use of water, sewage, garbage, police monitoring, or any other municipal services beyond that which is normal for the property.
- (9) The applicant for a short-term lodging accommodation shall provide evidence of registration to collect state and county hotel occupancy taxes.

Article V. Supplemental Regulations

§ 210-36. Screening and landscaping.

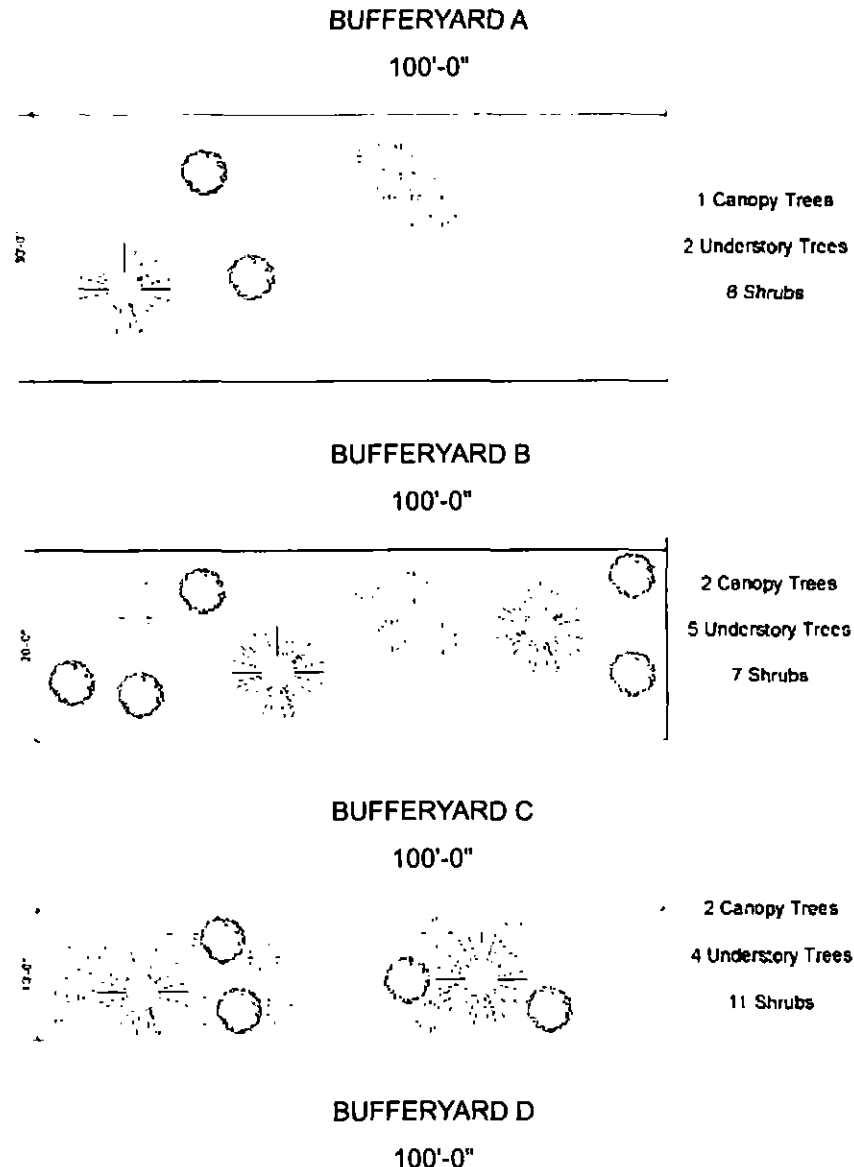
- A. All screening, landscaping and buffer yard planting requirements shall also be consistent with Chapter 197, Trees, of the adopted Borough Code of Ordinances.
- B. Landscaping specifications. Landscaping shall be provided in accordance with the following specifications:
 - (1) A landscaping plan, with detailed drawings, must be submitted with a required subdivision or land development or in the case where subdivision and/or land development approval are not required prior to building permit application. The landscaping plan must contain and show the following information:
 - (a) All required buffer areas with proposed plantings (identifying each proposed tree, bush or shrub) drawn to scale and identifying size of plantings.
 - (b) All required planting (identifying each tree, bush, shrub, the use of sod or seeding, etc.) drawn to scale and identifying size of plantings.
 - (c) Any existing trees or vegetation which are to be preserved, accurately identifying their relative location.

- (d) Any existing trees or vegetation which will be removed, accurately identifying their relative location.
- (e) At least one deciduous tree must be planted for each 500 square feet of lot area occupied by the building footprint in conjunction with any nonresidential development. This requirement is in addition to any buffer yard planting requirements.
- (f) At least one deciduous tree must be planted for each dwelling unit in conjunction with any multifamily or townhouse development.
- (g) All areas of a lot not covered by building or impervious material shall be maintained as landscaped or natural areas.

C. Buffer yards.

- (1) There are four types of buffer yards. Figure 8 illustrates a typical buffer yard and shows the minimum width and number of trees and/or plants required for each 100 linear feet for each buffer yard. The applicant may either plant new trees or plants or preserve existing trees or plants within the required buffer that meet the requirements of this section.

FIGURE 8 — BUFFERYARDS





(2) Buffer areas required. Buffer areas are required under the following circumstances:

- (a) Along public roads. Buffer Yard C will be required for all nonresidential developments which abut a public street. The buffer yard will be provided for the entire length of the public street frontage.
- (b) Parking lots and loading areas. Buffer Yard C will be provided around the perimeter of parking lots and loading areas in all zoning districts. When the buffer yard around a parking lot also abuts a public road as identified in § 210-26B(2)(a) above, the smaller, less intensive buffer yard shall be applied.
- (c) Adjacent uses. Buffer yards are intended to minimize impacts of different uses on adjacent sites or properties. When new development is proposed buffer yards will be required along the perimeter of the site according to Table 10.

Table 10 — Buffer Yard Use

Adjacent Parcel Zoning	Proposed Use	Buffer Yard
R-1	Commercial	Buffer Yard B
	Industrial	Buffer Yard A
	Residential	None required
R-2	Commercial	Buffer Yard B
	Industrial	Buffer Yard A
	Residential	None required
R-3	Commercial	Buffer Yard C
	Industrial	Buffer Yard C
	Residential	Buffer Yard C
P	Commercial	Buffer Yard B
	Industrial	Buffer Yard C
	Residential	Buffer Yard D
MUN	Commercial	**
	Industrial	Not applicable
	Residential	Buffer Yard D
I	Commercial	Not applicable
	Industrial	**
	Residential	Buffer Yard D
CRD	Commercial	Buffer Yard C
	Industrial	Not applicable
	Residential	Buffer Yard C

** To be determined at time of development approval based on physical conditions

- (d) Where the express standards and criteria for a conditional use or use by special exception in Article IV of this chapter specify that a buffer yard is required.

D. General provisions.

- (1) Existing vegetation. Every attempt should be made to preserve existing vegetation when possible. Where trees already exist within the required buffer area, these trees shall remain undisturbed, except that diseased or dead material may be removed. In the event that existing vegetation and/or existing topography provides screening which is adequate to meet the intent of the required buffer area to screen the buildings, activities and parking areas from adjoining properties, the Borough Council, upon recommendation by the Planning Commission, may determine that the existing topography and/or vegetation constitutes all or part of the required buffer area. If such a determination is made, the applicant may be required to record a conservation easement of the depth specified by the Borough Council to guarantee that the existing topography and/or vegetation will not be disturbed or removed from the approved buffer area.
- (2) Any existing trees within the required buffer area which are a minimum of four inches in diameter at a point one foot above the ground shall be preserved to the extent possible and shall count as a required tree within the buffer area. At no point, however, shall any existing trees and required trees be separated at a distance greater than the distance specified in the required buffer area.
- (3) Openings for driveways shall be permitted to cross a required buffer area. Plantings in required buffer areas shall be located so as to not obstruct visibility for traffic entering or leaving the site.
- (4) In the event that a site has elevation differences at the perimeter of the site and the buildings and/or developed areas intended to be screened, the buffer yard shall be moved to a location where plantings are at the same elevation as the finished first floor or surface parking lot elevation they are intended to screen.
- (5) Maintenance required. It shall be the responsibility of the owner/applicant to assure the continued growth of all required landscaping and/or to replace the same in the event of frost, vandalism, disease or other reasons for the discontinued growth of the required trees, shrubs and bushes. Replacement shall be no later than the subsequent planting season.
- (6) Conflict between buffer areas and building setback requirements. When the width of a required buffer area is in conflict with the minimum building setback requirements of this chapter, the greater distance shall apply. The buffer area planting requirement shall be adhered to regardless of the setback requirement.
- (7) Stormwater management facilities in buffer areas. Stormwater management facilities and structures may be maintained within a buffer area, but the existence of such facilities or structures shall not be a basis for a failure to meet the planting requirements.

E. Plant sizes.

- (1) Deciduous trees. All trees required to be planted shall be a minimum of two inches in diameter at a point one foot above the ground. All required trees shall be a minimum of six feet in height at time of planting measured from the ground adjacent to the planted tree to the top of the tree.
- (2) Evergreen trees. All evergreen trees required to be planted shall be a minimum of six feet in height at the time of planting measured from the ground adjacent to the planted tree to the top of the tree.
- (3) Shrubs. All shrubs required to be planted shall be a minimum of will be a minimum of 24 inches in height at planting.
- (4) Canopy trees. A deciduous tree planted primarily for its high crown of foliage or overhead canopy. A canopy tree at maturity reaches a height of at least 70 feet.
- (5) Understory trees. Trees planted primarily for their ornamental value or for screening purposes. Deciduous understory trees generally do not exceed 40 feet in height at maturity. Evergreen trees planted to meet understory tree requirements may reach heights that exceed 40 feet at maturity.

- (6) Borough street trees. Before any trees are planted in the road right-of-way, drawings of the proposed plantings shall be submitted for review to the multi-municipal shade tree commission to be known as the "Brentwood-Baldwin-Whitehall Shade Tree Commissior."

§ 210-37. Lighting requirements.

Lighting for all uses in the Borough shall meet the following requirements:

- A. Nonresidential use lighting standards. All exterior parking lots, driveways, vehicular access aisles, pedestrian access areas, sidewalks, pathways, and loading spaces shall be sufficiently illuminated so as to provide safe movements on site.

- (1) Illumination shall be by sharp cut-off fixtures with flush-mounted lens cap, with the following exceptions.
 - (a) Decorative streetlighting along private streets (not including parking lot areas) are exempt from this requirement. However, streetlight poles for decorative streetlighting shall not exceed 25 feet in height, measured from finished grade to the top of the fixture.
 - (b) Decorative lighting along pedestrian walkways in front of buildings and in pedestrian plazas is exempt from this requirement. However, light poles for the decorative lighting shall not exceed 15 feet in height, measured from finished grade to the top of the fixture.
- (2) Fixtures (including those mounted on a building or other structure) shall be mounted parallel to the ground surface, with the following exceptions.
 - (a) Decorative streetlighting along private streets, decorative lighting along pedestrian walkways in front of buildings, and decorative lighting in pedestrian plazas are exempt from this requirement.
 - (b) Lighting for the purpose of highlighting a structure or landscape feature shall be exempt from this requirement.
- (3) Pole height shall be a maximum of 24 feet.
- (4) Illumination shall not exceed one footcandle at all property boundaries. The one-footcandle illumination shall be measured horizontally on the ground surface and vertically at a five-foot height at the property lines.
- (5) There shall be no direct or sky-reflected glare, whether from floodlights or from high-temperature processes (for example, combustion or welding), so as to be visible from within any residential district.
- (6) All site lighting including architectural, landscape, and canopy lighting shall be from a concealed source that is not visible from the property boundaries or public street right-of-way. Lighting associated with a freestanding or building canopy shall be recessed into the canopy.
- (7) Where elevation differences exist between a proposed development and adjacent properties the direct source of lighting shall be shielded from adjacent uses to the extent possible through the use of baffles or shades.

- B. Residential use lighting standards.

- (1) For all residential uses that require parking lots that contain more than 10 parking spaces, the proposed development shall comply with the requirements of the nonresidential use lighting standards above.
- (2) All other proposed lighting in residential districts shall be oriented so as not to interfere with adjacent properties. Decorative street lights constructed in conjunction with a proposed

residential development shall be designed to minimize impact to existing developments or properties.

§ 210-38. Fences and walls.

- A. The term "fence" shall include any barrier, screen or other structure constructed of materials other than shrubbery, trees or other vegetation and erected for the purpose of protection, confinement, enclosure, separation or privacy.
- B. The term "buffer area" shall include any strip or area of land which is planted and maintained in shrubs, bushes, trees, grass or other vegetation or other landscaping material and within which no structure or building is permitted.
- C. The term "buffer fence" shall include any fence as defined in Subsection A above, the construction and/or maintenance of which is required by the officials of the Borough of Brentwood.
- D. No fence or similar structure shall be permitted in any front yard area or in front of any existing building line within the Borough of Brentwood.
- E. No fence, wall, or similar structure having a height over four feet shall be erected within Brentwood Borough. This provision shall not apply to any requirement imposed by other ordinances or regulations of Brentwood Borough for the enclosing of outside storage areas in commercial districts. Notwithstanding other provisions of this chapter, any fence as defined herein, which is necessary or desirable for protection of public Borough buildings and structures or for protection of the public in the vicinity of public Borough buildings and structures, may exceed a height of four feet if such greater height is duly approved by Borough Council.
- F. In the construction of any fence permitted hereby, the ratio of open area to closed or opaque area in the structure of said fence shall not be less than one-to-one. Regardless of whether a particular fence contains one or more than one place, set or group of closure or view-obstructing structural members, compliance with the requirement of a one-to-one ratio of open area to closed or opaque area shall be determined by the ratio of said areas apparent to visual inspection of the fence along a line of sight perpendicular to a plane or surface of the fence facing outwardly from the area enclosed by the fence.
- G. With respect to any fence installed in Brentwood Borough, sharp or protruding edges shall be prohibited, unless the sharp points or edges are turned under. It shall be unlawful to erect or maintain in Brentwood Borough any fence constructed in whole or in part of barbed wire or saw-toothed wire. Notwithstanding any other provisions of this chapter, in circumstances in which it is necessary or desirable for the protection of public Borough buildings and structures or for the protection of the public in the vicinity of public Borough buildings and structures, and if duly approved by Borough Council, barbed wire or saw-toothed wire may be installed and maintained at a height of not less than eight feet above ground surface around Borough public buildings and structures, including but not limited to the Brentwood Park swimming pool and the Brentwood Stadium light standards.
- H. Any variance from the height requirements, open portion requirements or other requirements, restrictions or prohibitions for fences constructed, maintained, repaired or modified in Brentwood Borough shall require approval of the Brentwood Borough Zoning Hearing Board. Any person or entity making application to the Zoning Hearing Board for such variance, at the time of completing such application and submitting it to the Borough Zoning Officer, shall also simultaneously submit to the Brentwood Borough Manager a true and correct copy of the application. The Borough Manager shall distribute copies of said application immediately to the Building Inspector, Mayor and all members of Council.
- I. Notwithstanding any other provisions of this chapter, Brentwood Borough Council, on the advice of the Brentwood Borough Planning Commission, the Borough Zoning Officer or Building Inspector and/or the Borough Engineer may require the construction, erection, provision and/or maintenance

of a buffer area and/or a buffer fence on any land or premises deemed to require such buffer area or buffer fence in the interest of the public health, safety, welfare or aesthetics.

§ 210-39. Floodplains.

All development and use of land and structures in floodplain districts shall comply with the most recently adopted floodplain management ordinance of Brentwood Borough as may be amended from time to time.

§ 210-40. Performance standards.

- A. Noise. The ambient noise level of any operation, other than those exempted below, shall not exceed the decibel levels prescribed. The sound pressure level or ambient level is the all-encompassing noise associated with a given environment, being a composite of sounds from any source, near and far. For the purpose of this chapter, ambient noise level is the average decibel level recorded during observations taken in accordance with industry standards for measurement and taken at any time when the alleged offensive noise is audible, including intermittent, but recurring, noise.
- (1) No operation or activity shall cause or create noise in excess of the sound levels prescribed below:
 - (a) Residential districts. At no point beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 60 dBA.
 - (b) Nonresidential districts. At no point on or beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 65 dBA.
 - (c) Where two or more zoning districts in which different noise levels are prescribed share a common boundary, the most restrictive noise level standards shall govern.
 - (2) The following uses or activities shall be exempted from the noise regulations:
 - (a) Customary and usual farming activities in all zoning classifications.
 - (b) Noises emanating from construction or maintenance activities between 7:00 a.m. and 9:00 p.m.
 - (c) Noises caused by safety signals, warning devices and other emergency-related activities or uses.
 - (d) Noises emanating from public recreational uses between 7:00 a.m. and 11:00 p.m.
 - (e) Normal utility and public works activities between the hours of 7:00 a.m. and 9:00 p.m., and emergency operations at anytime.
 - (3) In addition to the above regulations, all uses and activities within the Borough shall conform to all applicable county, state and federal regulations. Whenever the regulations contained herein are at variance with any other lawfully adopted rules or requirements, the more restrictive shall govern.
- B. Vibrations. Except for vibrations emanating from construction or maintenance activities between 7:00 a.m. and 9:00 p.m., vibrations detectable without instruments on neighboring property in any district shall be prohibited.
- C. Glare. There shall be no direct or sky-reflected glare, whether from floodlights or from high-temperature processes (for example, combustion or welding), so as to be visible from within any

district.

- D. Fire hazards. Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire-fighting and fire-suppression equipment and by such safety devices as are normally used in the handling of any such material.
- E. Radioactivity or electrical disturbance. No activity shall emit dangerous radioactivity or electrical disturbance adversely affecting the operation of any equipment other than that of the creator of such disturbance.
- F. Odors. No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.
- G. Air pollution. No pollution by air by fly ash, dust, vapors or other substance shall be permitted which is harmful to health, animals, vegetation or other property, or which can cause excessive soiling.
- H. Determination of compliance with performance standards. During the review of an application for zoning approval, the applicant may be required to submit data and evidence documenting that the proposed activity, facility or use will comply with the provisions of this section. In reviewing such documentation, the Borough may seek the assistance of any public agency having jurisdiction or interest in the particular issues and the Borough may seek advice from a qualified technical expert. All costs of the expert's review and report shall be paid by the applicant. A negative report by the technical expert and the applicant's refusal or inability to make alterations to ensure compliance with this section shall be a basis for denying approval of the application.

§ 210-41. Temporary construction trailers, model homes or sales offices.

Temporary construction trailers, model homes or sales offices shall be permitted in any zoning district subject to the following conditions:

- A. Temporary construction trailers shall be permitted only during the period that the construction work is in progress under a valid building permit. The temporary construction trailer shall be removed upon completion of the construction authorized under a building permit or upon completion of the installation of the public improvements in a development plan or subdivision. In the event that construction is phased, the temporary construction trailer shall be moved from the completed phase to the next phase when 90% of the required improvements in the completed phase have been installed as determined by the Borough Engineer.
- B. Model homes or sales offices shall be permitted only until 90% of the lots or dwelling units in the development are sold. In the case of a phased development, the use of a model home or sales office shall be permitted to continue only if the subsequent phase is initiated within six months of the completion of 90% of the lots or dwelling units in the prior phase.
- C. A permit for the temporary structure or use shall be obtained from the Zoning Officer prior to the commencement of construction.
- D. Temporary construction trailers shall be located on the lot on which the construction is progressing unless an alternative location is approved by the Zoning Officer based on circumstances that make it impractical to locate on the lot on which construction is occurring. In any case the temporary trailers shall not be located within 25 feet of any property line adjoining residential use.
- E. Temporary construction trailers shall be used only as temporary field offices and for storage of incidental equipment and supplies and shall not be used for any dwelling use, whatsoever.
- F. No combustible materials shall be stored in temporary construction trailers.
- G. Model homes shall be located on a separate lot and shall meet all the requirements for permanent dwellings in the zoning district in which they are located. Sales offices may be located in a model

home or may be located in a trailer located on a vacant lot in the plan or on the site of construction. If the sales office is located in a trailer, the trailer shall not be located within 25 feet of any property line adjoining residential use.

- H. Model homes or sales offices located in a trailer shall not be utilized for any dwelling use, whatsoever, during the time they are approved as a temporary use or structure in accordance with the provisions of this section.
- I. Model homes or sales offices shall be used primarily for sales associated with the development in which they are located and shall not be used as the only place of business for the listing realtor.

§ 210-42. Outdoor storage.

- A. In nonresidential zoning districts, except for nurseries, garden supply, building supply, custom crafting and similar businesses which require outside storage of materials, storage and display of materials outside a completely enclosed structure shall not be permitted. In the case of nurseries, garden supply, building supply, custom crafting and similar businesses, outside display and storage areas shall be completely enclosed by an opaque fence or dense, compact evergreen hedge which is at least six feet in height.
- B. In any other district, any material or equipment stored outside an enclosed building, except for the purposes identified above, shall be incidental to the principal use of the lot and shall be stored to the rear of the building or an alternative location which screens the storage area from public view from the street. Buffering as identified in the buffer yard requirements of this chapter may be required to screen material or equipment stored outside.
- C. All organic rubbish and discarded materials shall be contained in tight, verminproof dumpsters which shall be screened from public view by an opaque fence, masonry wall or dense, compact evergreen hedge which is at least six feet in height. Containers shall not be permitted in the front yard.
- D. Storage of travel trailers and mobile homes. The parking and storage of travel trailers, mobile homes, motor homes, campers and similar recreational vehicles shall be prohibited within the right-of-way of any public street. At no time shall such parked or stored vehicle be occupied or used as a dwelling.
- E. Storage of commercial and construction equipment. Commercial and construction equipment or vehicles, including without limitation trucks of one-ton capacity or greater, tractors of 40 horsepower or larger, tandems, tractor-trailers, cargo-moving equipment and construction equipment or vehicles, shall not be stored or parked temporarily or permanently in any R-1, R-2 or R-3 District, except within a completely enclosed structure. This section does not apply to active construction or development sites that have otherwise received the appropriate authorizations of the Borough.

§ 210-43. Forestry.

Forestry, as defined herein, shall be conducted in accordance with the following provisions:

- A. All operations shall be located at least 300 feet from any existing dwelling.
- B. All operations shall only be conducted during the hours of 7:00 a.m. and 9:00 p.m.; provided, further, that such operations shall not take place during any hours on Sundays.
- C. Routes to be used by the hauling trucks shall be approved by the Borough and the operator shall demonstrate that there shall be no negative impact on Borough streets from the proposed operation.
- D. A performance bond shall be posted in favor of and in an amount required by the Borough to guarantee restoration of Borough streets used as hauling routes pursuant to the requirements of

the Pennsylvania Vehicle Code.

- E. The applicant shall submit a copy of the state permit for hauling on state roads.
- F. The operator shall be responsible for cleaning dirt and debris from public streets daily during the operation.
- G. The applicant shall supply the Borough with the name of an on-site contact person.
- H. Compliance with state laws. The applicant shall show compliance with the following laws and regulations of the commonwealth and all necessary permits shall be maintained during the operation:
 - (1) Erosion and sedimentation control regulations contained in Chapter 102, issued pursuant to the Pennsylvania Clean Streams Law (35 P.S. § 691.1 et seq.).
 - (2) Stream crossing and wetlands protection regulations contained in Chapter 105, issued pursuant to the Pennsylvania Dam Safety and Encroachments Act (32 P.S. § 693.1 et seq.).
 - (3) Stormwater management plans and regulations issued pursuant to the Pennsylvania Storm Water Management Act (32 P.S. § 680.1 et seq.).
- I. Any suspension or revocation of a state permit shall constitute revocation of the zoning approval and the operator shall be subject to the enforcement provisions of this chapter.
- J. A logging plan prepared and sealed by a registered surveyor shall be submitted which shows at a minimum:
 - (1) The design, construction, maintenance and retirement of the access system, including haul roads, skid roads, skid trails and landings;
 - (2) The design, construction and maintenance of water control measures and structures such as culverts, broad based dips, filter strips and water;
 - (3) The design, construction and maintenance of stream and wetland crossings, if any;
 - (4) The general boundaries of the proposed operation in relation to Borough and state streets, including any accesses to those streets;
 - (5) The site location, including boundaries of the property and boundaries of the proposed harvest area;
 - (6) Significant topographic features;
 - (7) The location of all earth-disturbance activities such as roads, landings and water control measures and structures; and
 - (8) The location of all crossings of the waters of the commonwealth.
- K. Felling or skidding on or across any public street is prohibited without the express written consent of the Borough or the Pennsylvania Department of Transportation (PennDOT), whichever is responsible for maintenance of the street.
- L. No tops of trees or debris shall be left within 25 feet of any public or private street providing access to adjoining residential property.
- M. No tops of trees or debris shall be left on any adjoining property or across any property line without the consent of the adjoining owner.
- N. Upon completion of the forestry operation, haul roads shall be restored to their original condition.

§ 210-44. Utilities.

All electrical, telephone, cable television, and other communication system service laterals on a lot or site shall be installed underground for new developments.

§ 210-45. Exterior finishes.

The exterior finish of the building, whether finished face brick, wood veneer, siding or any other finished facing materials approved by the Zoning Officer, shall come down the building to within six inches of finished grade. Plain Masonry block or poured concrete shall not be considered a finished product; nor shall either of these construction surfaces be considered as a finished product if painted.

§ 210-46. Screening of roof equipment.

Mechanical equipment designed to be located on the roof of a structure/building must be screened with typical building materials approved by the Zoning Officer. The screen must be designed to complement building designed and conceal this equipment from neighboring property owners and the public on adjacent roadways.

Article VI. Parking

§ 210-47. Parking.

This section sets minimum standards for off-street requirements for new construction and expansion of or changes to existing uses. The purpose of this section is to ensure that uses have a minimum level of on-street and off-street parking to avoid congestion on surrounding streets.

§ 210-48. Parking ratios.

- A. **Applicability:** The minimum parking ratio standards apply to all zoning districts except as may be modified in the provisions of this chapter.
- B. **Uses not identified:** The Zoning Officer shall determine the parking requirement for uses that do not correspond to the categories listed in Table 11.^[1] In such instances, the applicant shall provide adequate information by which the proposal can be reviewed, which includes but may not necessarily be limited to the following:
 - (1) Type of uses;
 - (2) Number of employees;
 - (3) Building design capacity;
 - (4) Square feet of sales area and service area;
 - (5) Parking spaces proposed on site;
 - (6) Parking spaces provided elsewhere; and
 - (7) Hours of operation.
- [1] *Editor's Note:* See § 210-53.
- C. **Multiple uses:** Where the application identifies accessory or multiple uses within a structure or multiple structures, the minimum standards shall apply to each use or structure. This provision does not apply where the applicant has sought and secured approval under the shared parking requirements of this chapter.

- D. Fractional measurements: When units or measurements determining the number of required off-street parking spaces result in a fractional space, then such fraction shall be rounded up to require a full off-street parking space.
- E. Floor area measurement: "Floor area" and "GFA" are synonymous for purposes of this chapter (see the definition of "gross floor area").

§ 210-49. Minimum parking ratios.

Table 11 establishes the minimum numbers of parking spaces required for the uses indicated.⁽¹⁾ Parking requirements may be met by one or more of a combination of the following methods:

- A. On-site parking. A use shall provide the minimum number of required spaces for all uses located on the lot or site pursuant to Table 11. Only spaces that are designed consistent with this section are counted toward the minimum parking required. The following provision apply when providing the minimum number of required on-site parking spaces:
 - (1) Required parking for single-family dwellings may be stacked and do not require separate access to each required space.
 - (2) No on-site parking is required for commercial uses in the MUN Zoning District when the commercial use abuts a public street that has on street parking, or when other public parking is reasonably available to the site. No parking is required for the residential portions of mixed use buildings in the MUN Zoning District where there are three or less residential units in the building. Standalone residential buildings and buildings or portions thereof that contain more than three dwelling units in the MUN Zoning District shall be required to provide on-site parking for that portion of buildings that contain the residential use.
 - (3) No part of a parking or loading space required for any building to comply with this chapter shall be included as part of a parking or loading space required for another building.
 - (4) Spaces at gasoline pumps and bays for auto repair/service are not counted toward the minimum parking required.
- B. Shared parking.
 - (1) Parking spaces required under this section may be provided cooperatively for two or more uses in a development or for two or more individual uses as shared subject to the requirements of this section.
 - (2) Off-street parking requirements of a given use may be met with off-site, off-street parking facilities of another use when, and if, all of the following conditions are met:
 - (a) The off-site, off-street parking facilities are within 300 feet of the property.
 - (b) The parking demands of the individual uses, as determined by the Zoning Officer, based upon minimum off-street parking requirements, are such that the total parking demand of all the uses at any one time is less than the total parking stalls required.
 - (c) A written agreement between the owners and lessees is executed for a minimum of 10 years, approved by the Zoning Officer as provided in this section. Should the lease expire or otherwise terminate the use for which the off-site parking was provided shall be considered in violation of its zoning approval, and shall be subject to revocation. Continuation or expansion of the use shall be prohibited unless the use is brought into compliance with the parking regulations of this chapter.
 - (d) An application for approval of a shared parking plan shall be filed with the Zoning Officer by the owner of the land area to be included within the cooperative parking plan, the owner or owners of all structures then existing on such land area, and all parties having a legal interest in such land area and structures. Sufficient evidence to establish the status

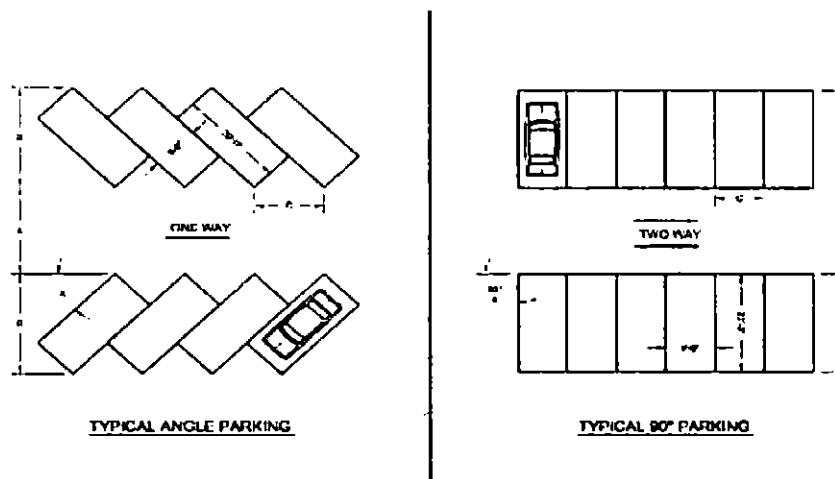
of applicants as owners of parties in interest shall be provided. The application shall include plans showing the location of the uses or structures for which off-street parking facilities are required, the location of the off-street parking facilities, and the schedule of times used by those sharing parking in common. In the event the application also requires a subdivision or land development approval, the shared parking agreement requires approval of the planning commission and Borough Council.

[1] *Editor's Note: See § 210-53.*

§ 210-50. Parking dimensions and surface requirements.

- A. Off-street parking spaces shall have a minimum dimensions as established in Figure 9.
- B. Required off-street parking space(s) and loading zones shall conform to the following: all off-street spaces shall be adequately marked and shall be constructed of an approved all-weather surface to provide safe and convenient access in all seasons. Said all-weather surface shall be constructed only of concrete, asphalt, brick or Belgian block. The construction of all such off-street loading spaces shall be subject to inspection and approval by the Brentwood Borough Engineer, concerning the materials of construction and specification of construction, prior to, during and after the completion of construction of such off-street loading spaces.
- C. In addition to the other standards of this section, the following regulations shall apply to parking spaces in the R-1, R-2 and R-3 Zoning Districts: The term "parking space" shall include but is not limited to a parking pad, driveway and any other area provided for parking a vehicle. Each parking space provided, constructed or maintained for parking of vehicle(s) pursuant to the provisions of this chapter must have a width not greater than 50% of the width of the front of the dwelling or building structure located on the lot containing the parking space and must have a dimension of at least 22 feet perpendicular to the width.
- D. Exclusive of access or maneuvering area, ramps, and other appurtenances. The minimum width of access aisles internal to a parking lot or structure shall be as prescribed in Figure 9, provided that aisles having two-way traffic are required to provide a width of 23 feet regardless of angle of parking.

FIGURE 9 — PARKING DIMENSION STANDARDS
PARKING AREA DESIGN STANDARDS



Minimum Parking Spaces and Aisle Dimensions

Parking Angle (X)	A	B	C
30°	11'-0"	17'-9 1/2"	18'-0"
45°	13'-0"	20'-6"	12'-9"
60°	18'-0"	21'-10"	10'-4 1/2"
70°	19'-0"	21'-10 1/2"	9'-7"
60°	25'-0"	21'-3"	9'-1 1/2"
90°	25'-0"	20'-0"	9'-0"

NOTE: THE MAXIMUM PERMISSIBLE SLOPE OF ANY PARKING AREA SHALL BE 5%.

§ 210-51. Parking, access and layout.

- A. Internal driveway system. All off-street parking lots with greater than 200 parking spaces shall include a separate internal access drive system which separates aisle ways which access individual parking spaces from the overall internal access driveway system. The purpose of the internal driveway system is to facilitate pedestrian and vehicular circulation, creating an interconnected circulation network.
- B. Internal driveway systems shall be designed to connect into adjacent properties, where practical. The Borough may require an easement be placed on the property to allow for future connection to the adjacent properties.
- C. Joint access to abutting parcels shall be provided wherever practical. This will result in the development of shared parking areas at vehicular access points.
- D. All parking areas containing three or more parking spaces shall include a turnaround that is designed and located so that vehicles can enter and exit the parking area without backing onto a public right-of-way.
- E. Except as otherwise permitted under a shared parking plan, off-street parking facilities shall be located on the lots on which the use or structure for which they are provided is located.
- F. Within the CRD District vehicular access will be limited to Route 51 and Brownsville Road. New access points from Greenlee, Marylea, Old Clairton, and Stilley Road will be prohibited. Access points will be perpendicular to the right-of-way.
- G. Vehicular access points along Route 51 and Brownsville Road must provide a clear site distance of 150 linear feet in each direction, must be at least 200 linear feet away from any other vehicle access point measured from center to center of intersections and must be at least 200 linear feet from any intersection. The Planning Commission shall review any proposed development not meeting these criteria and recommendations made to Council for its approval or disapproval.
- H. All vehicular turning movements and maneuvering must take place on site.
- I. Internal driveways through development sites shall be provided to permit on-site access to parking and loading facilities and to permit emergency vehicle access.
- J. Pedestrian walkways will be provided throughout the CRD and MUN Zoning Districts. These walkways shall be parallel to the street, unless a developer shows that an alternative system provides safe and convenient circulation. These walkways will be a minimum of six feet wide and shall be paved and maintained with a smooth surface of concrete or brick. Pedestrian walkways shall be designed, graded, constructed, surfaced and maintained to be readily usable by persons with disabilities.

- K. Pedestrian walkways shall be required within development sites to provide safe and convenient pedestrian access between buildings and to parking areas and transit stops. Sidewalks within development sites shall be differentiated when crossing vehicular lanes by lines, stripping, signalization and/or different paving materials. They shall be constructed and designed to provide safe passage of pedestrians.
- L. Traffic aisles that do not provide for continuous circulation within the site shall provide for turnaround areas. Turnaround areas shall be a minimum of 25 feet by 25 feet.
- M. The end of each parking aisle shall have an end cap island of at least five feet in width. The end cap island area shall not be used in meeting required minimum parking space or travel island dimensions.

§ 210-52. Accessible parking requirements.

Accessible parking spaces for the physically challenged shall be provided for multiple-family and nonresidential uses in compliance with the current version of the U.S Department of Justice ADA Standards for Accessible Design.

§ 210-53. Parking ratios.

[Amended 12-10-2018 by Ord. No. 1269]

Table 11 — Parking Ratios

Land Use/Activity	Parking Ratios
Residential Buildings	Minimum Vehicle Spaces
Conversion dwellings	2 per dwelling unit
Duplex	2 per dwelling unit
Group home	1 for every three beds plus one for each employee
Manufactured housing, residential design	2 per dwelling unit
Mobile home park	2 per dwelling unit
Multifamily dwellings	1.5 per dwelling unit
Quadruplex	2 per dwelling unit
Single-family	2 per dwelling unit
Townhouses	2 per dwelling unit
Hotels, Motels or Other Accommodation	
Bed-and-breakfast	1 per guest room and 2 spaces for owner
Extended stay hotel/motel	1 per room plus 1 space per employee and 1 per 800 square feet of public meeting area
Hotel, motel	1 per room plus 1 space per employee and 1 per 800 square feet of public meeting area
Rooming and boarding house	1 per guest room plus 2 spaces for owner's portion
Commercial	
Adult business	Parking demand analysis to be performed by a traffic engineering firm
After hours club	1 per 200 square feet GFA
Airport	1 per 4 seating accommodations for waiting passengers plus 1 per each 2 employees

Table 11 — Parking Ratios

Parking Ratios	Parking Ratios
Land Use/Activity	Minimum Vehicle Spaces
Amusement park	1 per 600 square feet outdoor recreation area
Animal cemetery	1 per acre, but not less than 5 spaces
Animal day care	1 per 600 square feet GFA plus 1 per employee
Animal groomer	2 per grooming station plus one per employee
Art and craft studio	1 per each 200 square feet of floor area
Auditorium	1 per each 2 seats in the main seating area
Automobile repair and service	3 per repair bay and 1 per each employee
Bakery	1 per 300 square feet GFA
Beverage distributor	1 per 300 square feet GFA
Book store	1 per 300 square feet GFA
Car rental	1 per 375 square feet GFA of sales and service building
Car wash	1 per 375 square feet GFA, including service bays, wash tunnels, and retail areas
Catering	1 per 300 square feet GFA
Cemetery and mausoleums	1 per each employee and ample accessways to the cemetery sections so as to allow parking on the accessway for gravesite services and visitations
Commercial recreation-indoor	1.5 per 500 square feet GFA
Commercial recreation, outdoor	1 per each 3 participants at maximum utilization
Communication antenna	1 per service employee
Conference center	1 per 5 seats or 1 per 300 square feet GFA if no permanent seats
Convenience stores or centers	1 per 300 square feet GFA
Custom printing	1 per 300 square feet GFA
Department stores	1 per 300 of GFA
Drive-through facilities	1 per 250 square feet GFA
Drug store	1 per each 200 square feet of floor area
Financial institution	1 per 300 square feet GFA
Flea market	1 per 300 square feet of outdoor display area
Funeral home	1 per 4 seats
Garden center	1 per 1,000 square feet
Gas station	1 per 375 square feet GFA including service bays, wash tunnels and retail areas
Golf course	6 per hole
Hardware store	1 per each 200 square feet of floor area
Kennel	1 per each employee on the maximum shift and 1 per each 200 square feet of area devoted to the kennel area
Laundromat	1 per 300 square feet GFA
Lumberyard	1 per 375 square feet GFA of sales and service building

Table 11 — Parking Ratios

Land Use/Activity	Parking Ratios
	Minimum Vehicle Spaces
Manufactured home sales	1 per 300 square feet GFA of sales building
Massage establishment	1 per each 200 square feet of floor area
Micro brewery	1 per 75 square feet GFA
Nightclub	1 per 2 seats
Office, business and professional	1 per each 300 square feet of floor area
Outdoor advertising sign	1 space
Pawnshop	1 per each 200 square feet of floor area
Personal services	1 per each 200 square feet of floor area
Post office	1 per employee
Recording studio	1 per 300 square feet GFA
Restaurant	1 per 75 square feet GFA
Restaurant, drive-through	1 per 75 square feet GFA
Retail store	1 per each 200 square feet of floor area
Shopping center (3 plus acres)	1 per 300 square feet GFA
Tattoo parlor	1 per 300 GFA
Tavern or bar	1 per 2 seats
Tobacco establishment	1 per 200 GFA
Vehicle/boat/equipment sales	1 per each 2,000 square feet of lot area for employee and customer parking (excludes vehicle display area)
Veterinarian office	1 per each 400 square feet of floor area
Warehouse/discount store	1 per 300 square feet GFA
Industrial	
Asphalt plant	1 per employee on max shift
Automotive wrecking and graveyards, salvage yards, and junkyards	1 per employee
Commercial motor vehicle repair	3 per repair bay and 1 per each employee
Constructions-related businesses	1 per 1,000 square feet GFA
Laboratory or specialized industrial facility	1 per 300 square feet GFA
Large area distribution or transit warehouse	1 per 1,000 square feet GFA
Light industrial structures and facilities	1 per 1,000 square feet GFA
Manufacturing facility	1 per 1,000 square feet GFA
Mini-warehouse	4 spaces plus 2 for manager's quarters
Process plants (metals chemicals etc.)	1 per 300 square feet GFA
Recycling business	1 per employee
Refrigerated warehouse and cold storage	1 per 1,000 square feet GFA
Research and development	1 per 500 square feet of GFA
Tank farms	1 per 1,000 square feet GFA
Warehouse and storage services (including distribution)	1 per 1,000 square feet GFA
Public Assembly	
Clubs and lodges	1 per 3 persons

Table 11 — Parking Ratios

Parking Ratios	
Land Use/Activity	Minimum Vehicle Spaces
Community center	1 per 300 square feet gross
Exhibition, convention, or conference structure	1 per 1,000 square feet GFA
Place of worship	1 per 8 seats
Institutional or Community Facility	
Animal hospitals	1 per employee
Assisted living facilities	1 per 3 rooms
Aquarium/zoo facility	1 per 1,000 square feet GFA
College or university facility	1 per 4 students
Day-care center	1 per 375 square feet GFA
Dormitories	1 per 4 students
Exhibitions and art galleries	1 per 500 square feet of GFA
Group care facility	1 per 3 rooms
Hospital building	1 per 400 square feet GFA
Life care or continuing care services	1 per 3 rooms
++Medical and dental offices	1 space per employee plus 4 spaces per doctor or practitioner on duty at any given time
Methadone treatment center	1 per each 200 square feet of floor area
Nursing home	1 per 3 rooms
Public clinic, medical	1 per each 200 square feet of floor area
Retirement housing facility	1 per three dwelling units
School	1 per classroom
Skilled nursing	1 per 3 rooms
Trade or specialty school	1 per 200 feet
Government Uses	
Ambulance facility	1 per employee plus 1 per 200 square feet GFA
Correctional or rehabilitation facility	1 per employee on maximum shift, 1 per service vehicle
Emergency operation center	1 per employee
Fire station	1 per employee + 1 per each 3 volunteer personnel on normal shift + 1 per 200 square feet usable office space
Library	1 per 300 square feet GFA
Magistrate office	1 per 300 square feet GFA
Municipal building	1 per 300 square feet GFA
Park	Parking demand analysis
Police station	1 per employee plus 1 per each 3 volunteer personnel on normal shift plus 1 per 200 square feet usable office space
Salt storage facility	1 per employee
Transportation-related Facilities	
Airport control tower	1 per employee
Airport maintenance and hangar facility	1 per employee

Table 11 — Parking Ratios

Land Use/Activity	Parking Ratios
Land Use/Activity	Minimum Vehicle Spaces
Airport terminal	1 per 4 seating accommodations for waiting passengers plus 1 per each 2 employees
Automobile parking	1 per employee
Bus or truck maintenance facility	1 per employee
Bus terminal	1 per employee plus spaces required to satisfy projected peak parking needs
Courier and messenger services	1 per employee
Heliport facility	1 per 4 seating accommodations for waiting passengers plus 1 per each 2 employees
Multistoried parking structure	Not applicable
Park and ride facility	Not applicable
Taxi and limousine service	1 per employee
Towing and other road services	1 per employee
Truck or freight transportation services	1 per employee
Utility Uses	
Co-location - communication facility	1 per service employee
Essential facilities	None
Gas or electric power generation facility	1 per employee
Hazardous waste collection	1 per employee
Hazardous waste treatment and disposal	1 per employee
Incinerator, or similar facility	1 per employee
Large solar energy production facility	1 per service employee
Large wind energy production facility	1 per service employee
Radio, television, or wireless transmitter	1 per service employee
Railroad facility	1 per employee
Sewer treatment plan	1 per employee
Solid waste transfer station	1 per employee
Solid waste combustor or incinerator	1 per employee
Solid waste landfill facility	1 per employee
Tower-based wireless communications facility (outside right-of-way)	1 per service
Water supply pump station	1 per employee
Water supply-related facility	1 per employee
Water tank (elevated, at grade, underground)	1 per service employee
Agriculture, forestry, fishing, and hunting	
Animal production, including slaughter	1 per 300 square feet GFA
Farmers market	1 per 300 square feet GFA
Forestry and logging	None
Grain silos and other storage structure for grains and agricultural products	1 per 300 square feet GFA
Greenhouses/nurseries	1 per 375 square feet GFA
Hatcheries and poultry houses	1 per 300 square feet GFA

Table 11 — Parking Ratios

Parking Ratios	
Land Use/Activity	Minimum Vehicle Spaces
Livestock pens or hog houses	1 per 300 square feet GFA
Stables and other equine-related facilities	1 per 300 square feet GFA
Mining and extraction establishments	
Coal	1 per employee plus one per facility vehicle
Metals (iron, copper, etc)	1 per employee plus one per facility vehicle
Natural gas compressor station	1 per employee plus one per facility vehicle
Natural gas processing plant	1 per employee plus one per facility vehicle
Nonmetallic mining	1 per employee plus one per facility vehicle
Oil or gas well	1 per employee plus one per facility vehicle
Quarrying and stone cutting	1 per employee plus one per facility vehicle

§ 210-54. Off-street loading and unloading.

Intent. All new nonresidential buildings shall provide required off-street loading berths in accordance with this chapter. In all zoning districts, whenever a new construction is proposed, off-street loading berths shall be provided in accordance with the requirements of this section.

A. Off-street loading design.

- (1) **Size.** Each loading berth shall be at least 65 feet in length and 12 feet in width with an overhead clearance of 14 feet. The area used for loading berths shall not be used to satisfy parking area requirements and shall not block any driveway used for circulation through the site.
- (2) **Access.** Loading berths shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets and the design shall be subject to review and approval by the Borough Engineer. Loading berths shall have direct access to a driveway and shall be maintained free from obstruction.
- (3) **Location.** All loading berths shall be located on the same lot with the principal use they are intended to serve. No loading berth shall be located in a required front yard. Loading berths shall be located at least 30 feet from the nearest point of intersection of any two streets.
- (4) **Screening.** Loading berths shall be screened by providing a Buffer Yard C in accordance with Article V when facing any residential use or residential zoning district.
- (5) **Surfacing.** All loading berths shall have a paved, concrete or bituminous surface, graded with positive drainage to dispose of surface water.
- (6) **Lighting.** Any lighting used to illuminate loading berths shall be shielded from any adjoining residential use or zoning district and away from any street or highway.

B. Off-street loading requirements. In all zoning districts, every use which requires the receipt or distribution, by tractor-trailer, of material or merchandise, shall provide off-street loading berths in accordance with the following requirements:

- (1) Department stores, freight terminals, industrial or manufacturing establishments, retail or wholesale stores, personal or business service establishments, storage warehouses, or any similar uses which receive deliveries.

TABLE 12 — Berths Required (Retail, Industrial or Manufacturing)**Gross Floor Area****(square feet)****Number of Berths Required**

Under 10,000

None

10,000 to 19,999

1

20,000 to 39,999

2

40,000 to 65,000

3

For each additional 20,000

1 additional

- (2) Auditoriums, convention or exhibit halls, sports arenas, hotels, office buildings, restaurants, nursing homes, hospitals, schools, apartment buildings, public buildings, and similar uses which receive deliveries by tractor-trailer.

Table 13 — Berths Required (Auditoriums, Convention Halls, Office Buildings)**Gross Floor Area****(square feet)****Number of Berths Required**

Under 40,000

None

40,000 to 59,999

1

60,000 to 99,999

2

100,000 to 160,000

3

Over 160,000

4

- (3) Any other business that is expected to have deliveries from large vehicles not specifically identified herein may be required to provide loading berths in compliance with this section at the discretion of the Borough.
- (4) In addition to required off-street parking and loading facilities, adequate storage areas for vehicles awaiting loading and unloading shall be provided. Under no circumstances shall vehicles be stored on or block access to a public right-of-way.

Article VII. Signs

§ 210-55. Purpose.

The intent of this article is to encourage the use of various types of signs as a means of identification in Brentwood Borough while maintaining and enhancing the aesthetic and physical environment, community character and public safety. The purpose of this article is:

- A. To require zoning approval for signs in all zoning districts subject to the standards and requirements of this article.
- B. To prohibit signs not expressly permitted by this article.

§ 210-56. Applicability.

The regulations contained in this section shall apply to all signs in all zoning districts. No sign may be erected, placed, established, painted, created, altered or maintained except in conformance with the standards, procedures, regulations and requirements contained herein.

- A. Method of sign authorization and approval. For the purposes of this chapter, signs shall be authorized for approval pursuant to the following:

- (1) Authorized signs are those for which a zoning approval has been issued by the Zoning Officer following a review of an application if the application indicates compliance with this chapter.
 - (2) Exempt uses are signs that are authorized but that are exempt from regulation under this chapter and do not require zoning approval.
 - (3) Prohibited signs are those not authorized by this chapter nor exempt from regulation.
- B. Accessory uses. Signs shall be considered accessory uses (other than outdoor advertising signs) on the lot or site they are located and subordinate to the principal use of the lot. Signs shall be subject to the requirements of Article III, regarding accessory uses, of this chapter in addition to the requirements of this chapter.
 - C. Principal uses. Outdoor advertising signs are considered the principal use of a lot or site on which they are located and shall comply with all the requirements of this chapter.
 - D. Alteration of sign face. The physical alteration of a sign face or supporting structure shall be considered the same as construction of a new sign which shall require zoning approval and conformity to all the requirements of this article.
 - E. Signs on public property. Any sign installed or placed on public property or within a public right-of-way, except in conformance with the requirements of this article, shall be forfeited and is subject to confiscation in addition to other remedies the Zoning Officer shall have pursuant to this chapter.
 - F. Enforcement and remedies. Enforcement and remedies of this article shall be pursuant to the provisions of Article IX of this chapter and any other enforcement or remedies pursuant to state and federal law.

§ 210-57. Types of signs.

[Amended 6-26-2017 by Ord. No. 1252]

For the purposes of this section, all signs shall be classified by the following definitions:

SIGN

A name, identification, description, display, illustration or device which is affixed or represented directly or indirectly upon a building, structure or land and which functions as an accessory use by directing attention to a product, place, activity, person, institution, or business. The following terms and definitions are associated with the sign regulations contained in this chapter.

A. FRAME

— A portable sign comprised of two separate panels or faces joined at the top and spread apart at the bottom to form the base on which the sign stands.

B. ADDRESS

The number or other designation assigned to a housing unit, business establishment, or other structure for all purposes of location, mail delivery, and emergency services.

C. ANIMATED OR MOVING

Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation. Changeable copy signs as defined herein are not considered animated or moving signs.

D. ANIMATION

The movement, or the optical illusion of movement of any part of the sign structure, design or pictorial segment including the movement of any illumination or the flashing, scintillating or varying of light intensity. Also included in this definition are signs having "chasing action," which is the action of a row of lights commonly used to create the appearance of motion.

E. AWNING, CANOPY

Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

F. BANNER

A sign or outside advertising display having the character, letters, illustrations, ornamentations, symbol, color or visual representation applied to cloth, paper, vinyl, fabric, plastic, or like kind of malleable material with or without frame. National, state or municipal flags, or the official flag of any institution or business, shall not be considered banners.

G. BUILDING IDENTIFICATION

A small pedestrian-oriented sign attached to a building, which bears only the name, number(s) and/or logo of the building but not the tenant and which is intended to be legible only from the pedestrian ways immediately adjacent to the sign.

H. CHANGEABLE COPY

A sign that is designed so that characters, letters, or illustrations can be changed or rearranged manually to change the message on the sign without altering the face or surface of the sign.

I. CHANGEABLE COPY, REMOTE

A sign that is designed so that characters, letters, or illustrations can be changed or rearranged remotely by electronic or other means to change the message or sign without altering the face or surface of the sign.

J. COMBINED DEVELOPMENT

Two or more establishments or businesses occupying a common building or adjoining or adjacent buildings or buildings on adjoining parcels which are designed and developed in a coordinated manner and which may share parking, driveways and other common facilities.

K. COMMERCIAL MESSAGE

Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

L. CONSTRUCTION

A temporary sign announcing the name of contractors, mechanics, or artisans engaged in performing work on the premises and only during active construction activities.

M. DEVELOPMENT

A temporary sign erected during the period of construction and/or development of a property by the contractor and developer or their agent.

N. DIGITAL SIGN

A computer programmable sign capable of displaying words, numbers, symbols, figures or picture images that can be altered or rearranged by remote or automatically without physically altering the face or surface of the sign. These signs typically utilize light-emitting diode, plasma, or liquid crystal display technology to produce the character and graphic of the display.

O. DIRECTIONAL, INCIDENTAL

A sign generally informational, that has a purpose secondary to the use of the lot or site on which it is located, such as "No Parking," "Entrance," "Exit," "One Way," "Loading Only," "Telephone," and other similar directives, and provided that such sign does not exceed five square feet. Directional, incidental sign shall be located only in conjunction with site drive entrances and/or internal traffic drive aisles.

P. FLAG

Any fabric containing distinctive colors, patterns, or symbols, used as a symbol of the United States of America, the Commonwealth of Pennsylvania, or the local municipality. A flag is not a sign.

Q. FLASHING

A sign that contains an intermittent or sequential flashing light source or has a light source which is not stationary, varies in illumination intensity, or contains elements which give the appearance of any of the aforementioned.

R. FREESTANDING

Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

S. GOVERNMENTAL

A sign, which is owned, installed, and maintained by the Borough of Brentwood, County of Allegheny, the Commonwealth of Pennsylvania, or other governmental agency.

T. GROUND/MONUMENT

A freestanding sign, which is completely self-supporting, has its sign face or base on the ground and has no air space, columns, or supports visible between the ground and the bottom of the sign. It shall not be attached to a pole or pylon, nor raised by mounting on a man-made berm, wall, or similar structure. Pole/pylon signs that have pole covers which extend from the base of the sign face to the ground shall not be considered ground/monument signs.

U. HOME OCCUPATION IDENTIFICATION

A sign containing only the name and address of the occupant of the premises and their occupation. No logos or other advertising shall be permitted.

V. ILLUMINATED SIGN, EXTERNAL

A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

W. ILLUMINATED SIGN, INTERNAL

A sign containing a source of light contained within the sign structure or sign cabinet.

X. INFLATABLE

A three-dimensional object, filled with air or gas, and located in such a manner as to attract attention.

Y. MARQUEE

An integral part of the building consisting of a roof which is supported by the building and may also be supported by columns or piers, and which includes porches, porticos and porte-cocheres, but does not include canopies or awnings.

Z. MARQUEE SIGN

A wall sign attached to a marquee.

AA. MENU BOARD SIGN

A sign that lists for consumers the various options of products, goods, or services provided by a business.

BB. NITS

The measure of the light emanating from an object that is used to quantify digital sign brightness, which is calculated by the total amount of light emitted from a sign divided by the surface area of the sign measured as candelas per square meter.

CC. OFF-PREMISES

A sign identifying/advertising and/or directing the public to a business, or merchandise, or service, or institution, or residential area, or entertainment which is located, sold, rented, leased, produced, manufactured and/or furnished at a place other than the real property on which said sign is located. However, outdoor advertising or "billboard" signs shall not be considered to be off-premises signs.

DD. ON-PREMISES

A sign or display that identifies or communicates a message related to the activity conducted, the service offered, or the commodity sold on the premises where the sign is located.

EE. OUTDOOR ADVERTISING (BILLBOARD)

A permanently installed sign identifying/advertising and/or directing the public to a business, or merchandise, or service, or institution, or residential area, or entertainment which is located, sold, rented, leased, produced, manufactured, and/or furnished at a place other than the real property on which said sign is located.

FF. PANEL

The primary surface of a sign that carries the identifying/advertising message.

GG. PENNANT

Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

HH. POLE/PYLON SIGN

A freestanding sign erected on a pole, poles, pylon, or pylons, or other supporting structure where the bottom edge of a sign face is installed above the ground. Pole/pylon signs that have pole covers which extend from the base of the sign face to the ground shall not be considered ground/monument signs.

II. POLITICAL

A sign which indicates the name, cause or affiliation of a person seeking public or elected office or on which reference is made to an issue for which a public election or referendum is scheduled to be held.

JJ. PORTABLE

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless vehicle is used in the normal day-to-day operations of the business.

KK. PROJECTION

A sign which reproduces a remote image, by optical or any other means, on any surface.

LL. PUBLIC UTILITY

Signs in connection with the identification, operation or protection of any public utility, on the same lot therewith, provided that the total sign area on any one street frontage does not exceed eight square feet.

MM. REAL ESTATE SIGN

A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.

NN. RESIDENTIAL

Any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of this chapter.

OO. RESIDENTIAL DEVELOPMENT IDENTIFICATION

Any sign used to identify the name of a residential development containing no commercial message and located at the principle entrances of such development.

PP. ROOF SIGN

A sign erected on or attached to a roof or a sign attached to a building that projects above the highest point on a wall that supports the roofline.

QQ. SAFETY CONTROL

Public safety sign pursuant to federal, state, or local public safety regulations.

RR. SIGN BASE

The support on which a sign face stands.

SS. SIGN FACE

The area or display surface, including the advertising surface and any framing, trim, or molding, used for the message on a single plane.

TT. SIGN or SIGNBOARD

Any writing, printing, painting, display, emblem, drawing, graphic, electronic display, computerized display, or other device designed to be viewed by the public, designed and intended for advertising, and the structure supporting the display.

UU. SITE DEVELOPMENT SIGN

A sign indicating that the premises is in the process of being subdivided and/or developed for the future construction of dwellings or other buildings before any actual construction activity has begun.

VV. STATIC ALPHANUMERIC DISPLAY

A digital sign that is only capable of displaying numbers and letters and that is not designed or programmed to flash, blink, move, or display multiple messages over a preset time interval.

WW. STREAMER

A string or strip of miniature or full size pennants or flags which may or may not be suspended between two points.

XX. SUSPENDED

A sign which is suspended from a structure above into a vehicular or pedestrian access way, more than one foot from the surface on which it is mounted, and is mounted usually, but not always, at right angles to the building.

YY. TEMPORARY SIGN, GENERAL

Any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material, with or without frame, displayed for a period not exceeding 31 days. Temporary signs shall be permitted to advertise grand openings, distress sales, change in ownership; or temporary businesses which have been approved by the Planning Commission, Borough Council or Zoning Hearing Board.

ZZ. TRAFFIC CONTROL SIGN

A sign regulating traffic.

AAA. WALL SIGN

Any sign painted, attached to, or affixed to a building or structure, attached flat against the wall surface, in such a way that only one face of a sign is visible.

BBB. WINDOW SIGN

Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is temporarily affixed inside a window or upon the windowpanes or glass and is visible from the exterior of the window.

§ 210-58. Prohibited and exempt signs.

A. The following signs shall be exempt from these regulations:

- (1) Holiday decorations displayed for recognized state and federal holidays.
- (2) Official notices authorized by a court, public body or public safety official.
- (3) Memorial/historical plaques.
- (4) Memorial signs and tablets when cut into any masonry surface or when constructed of bronze or other sculptured materials.

- (5) Flags of a government organization or corporate entity.
 - (6) Signs authorized by the Borough such as street signs, safety control signs and traffic control signs.
 - (7) Public notice/public warning signs.
 - (8) Auction or garage sale signs.
 - (9) Address numbering.
 - (10) Construction sign (temporary, only during active construction).
 - (11) Signs of any type placed on public or parks property by authorization of Brentwood Borough.
 - (12) Real estate signs which advertise the sale, rental or lease of the premises upon which the said sign is located.
 - (13) Bulletin boards for public, charitable or religious institutions on their own property.
 - (14) A-frame (sandwich board) signs shall be permitted on sidewalks provided that only one such sign per premises shall be permitted. Such sign shall not obstruct pedestrian travel and shall be removed each evening upon closing.
 - (15) Signs announcing candidacy for public office. Such signs shall not be installed on utility poles, shall not be installed more than 60 days before the election to which they are relevant and shall be removed within five calendar days immediately following the relevant election day.
- B. Prohibited signs: The following signs shall not be permitted in any zoning district:
[Amended 6-26-2017 by Ord. No. 1252]
- (1) Pennants, flags, or streamers.
 - (2) Signs advertising a property for sale or rent that lists a use of the property that is inconsistent with the Zoning Ordinance.
 - (3) Signs that resemble any traffic control device.
 - (4) Signs that contain obscene or pornographic material; this shall include the nonrepair of illegal acts of vandalism.
 - (5) Off-premises signs, other than outdoor advertising.
 - (6) Roof signs.
 - (7) Signs on trees, utility poles, and traffic devices.
 - (8) Signs that are hazardous to public safety.

§ 210-59. Determining sign area and height.

The following shall control the computation of sign area and height.

- A. Computation of area of single-faced signs. The area of a sign face shall be computed by means of the smallest square or rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself.

- B. Computation of area of multi-faced signs. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
- C. Computation of height. The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the zone lot, whichever is lower.

§ 210-60. Permitted signs in residential districts; conditions.

In the R-1, R-2 and R-3 Residential Districts, only the following exterior signs shall be permitted. No ground or pole signs shall be permitted, except as provided for in Subsections B and H below.

- A. A nameplate not exceeding two square feet in area containing only the name of the resident, the title of the person practicing a profession, name of building and name of agents, or any combination of the foregoing and placed directly against a building wall.
- B. A bulletin sign (instructional or directional) not exceeding 12 square feet in area erected upon the premises of an educational, philanthropic or religious institution, including a church, hospital or similar institution for the purpose of displaying the name of the institution and its activities or services, which shall be limited to one such sign. Such sign shall be freestanding and located at least 15 feet back from the sidewalk which the sign faces or back from the street right-of-way if no sidewalk is present.
- C. A temporary sign not exceeding six square feet in area, relating only to the rental, lease or sale of the property on which it is displayed. No more than two such signs may be placed upon any property in single and separate ownership and not more than one such sign facing anyone one street. Such sign shall be removed from the lot or premises within 15 days after the last sale or completion of business and in all cases shall not remain on the property longer than one year from the date of original permit issuance. Temporary signs shall be unlighted and shall not be illuminated.
- D. No sign shall be erected upon, or applied to, any roof. The term "sign" here shall not apply to a religious symbol, unaccompanied by lettering, when applied to the cornice, tower or spire of a place of worship.
- E. Permitted illumination of a sign, nameplate or bulletin board shall be of a nonflashing, nonmoving, indirect type.
- F. Pole signs shall be located at least 15 feet back from the street line of the premises on which same are erected or maintained, unless attached on the building.
- G. Signs shall be constructed in accordance with materials and construction provisions of this chapter and shall be kept in good condition and maintained so as not to create hazardous or threatening conditions to the health or safety of persons in the vicinity of said sign or cause a public nuisance. The Borough may take all lawful and proper actions necessary to revoke all permits and licenses issued for such sign and may order said sign removed or brought into compliance with the Borough ordinances and regulations within 30 days of the date of issuance of such notice and order, in writing, by the Zoning Officer.
- H. In the R-3 Residential District, only one exterior wall and/or ground sign shall be permitted not exceeding 24 square feet in area in connection with a multiple-family dwelling or other authorized

use and shall identify only the name of the structure or business. Pole signs are not permitted in the R-3 District. Ground signs shall be located at least 15 feet back from the street right-of-way.

- I. Directional signs as specified elsewhere in this chapter.

§ 210-61. Permitted signs in commercial and industrial districts; conditions.

In the MUN, CRD and I Districts, only the following signs shall be permitted.

- A. Any sign permitted in any residential districts and subject to any stated condition for said residential district sign.
- B. Wall sign. A wall sign attached to or on a front or a side wall of a building and with face projecting not more than 12 inches therefrom, so erected that no portion of the sign is less than nine feet above the entrance grade. The sign shall not extend beyond the side edges of any wall in either direction nor shall the sign extend above the roof line of buildings having flat roofs, the deck line of buildings having mansard roofs or the gutter line of buildings having gable, hipped or gambrel roofs. If the sign does not project from and is flush with the wall of the building, it shall not be required to conform to said nine-foot height above entrance grade. The sign shall identify the owner of or enterprise conducting the business, the business engaged in or upon the premises or products or services sold or any combination thereof. It may be an illuminated sign, provided that it is nonflashing and nonmoving. No wall sign shall cover wholly or partially any wall opening. The size of business or identification wall signs permitted immediately above shall be limited as follows:
 - (1) A permitted wall sign (or signs) shall not exceed the greater of two feet multiplied by the width in feet of the principal building frontage or a maximum of 50 square feet per principal use. Where a building has both front and side walls, the owner, occupant or agent may elect to place said sign or signs on one such wall, provided that in all cases the sign does not exceed the maximum area restrictions set forth herein above and, provided that all other provisions of this section are observed.
- C. When property is occupied by a business without a building, one permanent identification sign not exceeding 40 square feet. Such sign shall be located at least 15 feet back from the street right-of-way.
- D. Wall plaques. Wall plaques shall be all signs extending no more than 1 1/2 inches from the walls to which they are attached. The edges of wall plaques shall be rounded, tapered or treated in any other manner, satisfactory to the Zoning Officer that will render them harmless to pedestrians.
 - (1) There shall be no minimum height above ground level for wall plaques.
 - (2) Wall plaques shall have a maximum size of three square feet.
- E. Projecting signs.
 - (1) Projecting signs are only permitted in the CRD zoning district.
 - (2) Projecting signs shall have their bottom edge at sufficient height above the ground or other supporting surface as to assure no interference with pedestrian or vehicular traffic under or around the sign, and in any event at a height not fewer than 10 feet.
 - (3) When extending over a vehicular cartway, the minimum height above ground or cartway shall be 15 feet. In the case of illuminated projecting signs with integral illumination and/or electrical fixtures the minimum height shall be 10 feet above ground level when not over a vehicular cartway.
 - (4) Projecting signs shall not protrude more than six feet beyond the building.
 - (5) Projecting signs shall be limited to a maximum area of 24 square feet.

(6) Signs shall not be permitted to project over the public right-of-way.

F. Temporary signs.

- (1) Temporary signs shall be located a minimum of 15 feet from any property or right-of-way lines and shall comply with all other height and location requirements of the category of permanent signs which they emulate. Temporary signs must be located on the same lot as the use which they advertise.
- (2) All temporary signs shall be attached to a building or the ground in a manner satisfactory to the Zoning Officer, in protecting the public health, safety and welfare.
- (3) Temporary signs shall be a maximum of 32 square feet in area.
- (4) The sign permit shall be attached to temporary signs for the duration of the permitted use and easily visible from the street.

G. Window signs.

[Amended 6-26-2017 by Ord. No. 1252]

- (1) A window sign is considered to be a secondary sign and shall not be permitted at any authorized principal use unless another authorized pole sign, wall sign, ground sign, or projecting sign has been installed or erected.
- (2) Window signs shall be permitted to be installed on the inside of the window of nonresidential uses only.
- (3) Window signs shall not cover more than 25% of the glazing of any window.
- (4) No more than one internally illuminated window sign shall be permitted at any authorized principal use. Such signs shall be limited to a size of two square feet and shall not blink, flash, or move.
- (5) Window signs shall not be permanently affixed to a window or windowpane.

H. Advertising on awnings and canopies which shall be limited to the name of the owner and the business, industry or pursuit conducted therein, painted or otherwise permanently placed on the front and side portions thereof. No illuminated sign and/or electrical fixtures shall be permitted in awnings or canopies.

I. Marquee signs. Marquee signs may be attached only to the front and sides of marquees and shall not project beyond the edges or the bottom of the marquee, nor extend more than 10 inches horizontally from the surface of the marquee.

J. Directional signs as specified elsewhere in this chapter.

K. Digital signs.

[Added 6-26-2017 by Ord. No. 1252]

- (1) Digital signs shall be prohibited in the MUN District.
- (2) Conditional use approval shall be required for the installation of any digital sign other than a static alphanumeric display in the CRD or I Districts.
- (3) No digital sign face shall be installed except as part of a ground sign or pole sign, and the size and manner of installation of digital sign faces shall be subject to size and installation restrictions for the same.
- (4) No digital sign shall be brighter than is necessary for clear and adequate visibility.
 - (a) All digital signs shall have installed ambient light monitors and shall at all times allow such monitor to automatically adjust the brightness level of the digital sign based on ambient light conditions so as to minimize and keep consistent sign brightness.

- (b) The maximum brightness level for such signs shall not exceed 5,000 nits when measured from the sign's face at its maximum between dawn and dusk, as those times are determined by the National Weather Service.
 - (c) The maximum brightness level for such signs shall not exceed 300 nits when measured from the sign's face at its maximum between dusk and dawn, as those times are determined by the National Weather Service.
 - (d) No permit shall be issued for the installation of a digital sign unless the applicant has submitted a written certification from the sign manufacturer certifying that the light intensity of the sign has not been preset to exceed the illumination levels established herein and that the intensity level is protected from end-user manipulation by password-protected software or similar security measures.
- (5) All digital signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen in instances of malfunction.
- (6) Digital signs, exclusive of static alphanumeric displays, shall additionally be subject to the following operational limitations:
- (a) Each message or image shall remain static and unchanged for a period of no less than eight seconds.
 - (b) No message or image shall be permitted to blink, flash, or move.
 - (c) No message shall display any characters with a height of less than nine inches.
 - (d) No message shall display more than 12 individual words.
 - (e) Each message or image shall be complete without continuation of content to the next display or to another sign.
 - (f) Each message or image shall be followed by a transition period in which the display reverts to a black screen for a minimum period of three seconds.
 - (g) No digital sign shall emit any sound or audio message.
- (7) The message contained on a static alphanumeric display shall not be changed more frequently than two times in any twenty-four-hour period.

§ 210-62. General regulations.

- A. All applications for permits for construction, installation, maintenance, repair and/or modification of signs of any type or nature shall be submitted for review and approval or denial by the Borough Zoning Officer, prior to commencement of any activity or work by the applicant or the applicant's representative or delegate concerning installation, construction or modification of such sign. The provisions of this section and all of its subsections shall apply to, but are not limited to all replacement signs, new signs, changes or alterations to existing signs or signs which must be relocated for any reason.
- B. A site plan or sketch, drawn to scale, shall be submitted to the Zoning Officer and shall depict the lot and building upon which the proposed sign will be located, and shall show all other buildings and structures located on said lot and their relationship to said sign. Information submitted to the Zoning Officer shall also include an application for sign permit, a written description of the materials and manner of construction and mounting of the sign, a description of the information and visual material to be included on all surfaces of the sign, a description of the illumination, if any, of the sign and one or more photographs of the proposed sign location from each approach from which the sign will be visible.

- C. Permit required. A permit shall be obtained from the Borough Zoning Officer, subject to filing the permit application and supporting information described above in this section and subject to payment of the required established fee, prior to the construction, alteration, modification or moving of any exterior sign, except that no such permit or fee shall be required for any sign in the class including real estate for sale or lease signs, name plates or temporary signs, any of which has an area of 1 1/2 square feet or less. No exterior sign established before the effective date of this chapter shall be (except when ordered by an authorized public officer as a safety measure) altered in any respect, or moved, unless it be made to conform with the provisions of this chapter.
- D. Signs not to constitute traffic hazard. No sign or other advertising structure as regulated by this chapter shall be erected in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device; or which makes use of the words "Stop," "Look," "Drive-In," "Danger," or any other word, phrase, symbol or character in such a manner as to interfere with, mislead or confuse traffic.
- E. Material and construction. All signs shall be securely built, constructed and erected in compliance with all regulations and requirements of the relevant building codes, and in addition:
- (1) On the ground the sign shall be secured with posts sunk at least three feet below the surface of the surrounding ground and grouted with concrete for its full depth and shall be supported and braced by metal rods extending from the top thereof to a point in the ground at least a distance equal to 1/2 of the height of the sign, measured from the base of the sign on the ground or by some other method which provides equivalent support.
 - (2) On a wall the sign shall be secured by noncorrosive metal anchors, bolts or expansion screws at least 1/2 inch in diameter and sunk into the wall at least five inches. In no case shall any wall sign be secured with wire, strips of wood or nails.
 - (3) Any glass forming a part of any sign shall be safety glass or plate glass at least 1/4 inch thick.
 - (4) A projecting sign shall be attached to masonry walls with noncorrosive expansion bolts of the proper size, the bolts to be extended through the wall with a proper size metal washer or plate on the inside of the wall. Signs not exceeding 10 square feet in area on one side, or 50 pounds in weight, may be attached to the wooden framework of the building but in no circumstances is it permitted to hang a sign by cables, wire or strings on the building.
 - (5) A temporary sign shall be made of rigid material or other light materials securely attached to the building or ground, and the erection should be in accordance with the above requirements, depending on the type of the temporary sign.
 - (6) The Zoning Officer may require calculations by an architect or engineer certifying the stability of a sign, with reference to dead load and wind stress capabilities when a sign is over 25 square feet in area or in the case of a ground sign whose height is greater than 10 feet or a sign which weighs in excess of 100 pounds.
 - (7) Any sign damaged by inclement weather shall have proven itself unsafe and may not be restored in kind without engineering data as required above.
- F. Ground/pole sign; location.
- (1) Ground/pole signs are not permitted in the MU Mixed Use Zoning District.
 - (2) The building setback line shall be the location standard for ground signs. In no case shall a setback of fewer than 15 feet from the street right-of-way line be permitted. Ground signs shall also be located a minimum of five feet from any building and 10 feet from any side property line.
 - (3) For signs over 10 square feet in area, an additional one foot of separation from adjacent side property lines shall be required for every 10 square feet of sign area.

- (4) Ground signs shall not be higher than 24 feet from the street level upon which the sign faces.
- (5) The square foot area of ground signs shall be limited to one square foot of sign area for every one linear foot of property frontage on a public right-of-way; but no ground sign shall be permitted to exceed an area of 125 square feet.
- (6) The square feet of ground sign area permitted above may be divided between a maximum of two ground signs; the distance in linear feet separating the two signs being a minimum distance equal to the square foot area of the larger sign.
- (7) Sections may be applied to each street frontage of a particular property, i.e., double or triple-frontage properties.

G. Illumination and animation.

- (1) All illuminated signs shall be inspected by the authorized electrical inspection agency of the Borough of Brentwood during construction to verify compliance with the adopted electrical code of the Borough of Brentwood.
- (2) Signs may not be illuminated by gooseneck reflectors which are attached to the sign.
- (3) Illuminated signs shall be nonflashing and nonglaring and shall be illuminated in a manner to prevent glare and reflection to a public street or adjacent properties.
- (4) All signs shall be nonanimated with no exterior moving parts.

H. Maintenance.

- (1) Any sign regulated by this chapter shall be maintained in the proper structural and aesthetic condition by the owner or tenant.
- (2) If a sign no longer advertises a bona fide business or other activity conducted on the premises, it shall be taken down and removed by the owner, tenant or by the entity having the beneficial use of the sign and the building within 30 days of the termination of such business or other activity.

I. Installation fees.

- (1) A permit shall be obtained for the installation of all signs not exempted by this chapter.
- (2) The applicant shall pay a permit fee as specified by the Borough.
- (3) The fee payable to the Borough for the Borough's installation of private directional signs shall be equal to the costs of the prepared signs, plus the cost of the labor expended by the Borough of Brentwood in the installation thereof.

J. Liability insurance (applicant). Any sign which projects or hangs over the public right-of-way (ROW) shall be required to carry liability insurance in accordance with the following:

- (1) All applicants for permits to install and maintain signs in the Borough and the owners of all such signs now installed and maintained in the Borough where such sign project over the public ROW, are hereby required and directed to procure a public liability insurance policy, providing complete third-party coverage for the benefit of the Borough of Brentwood with a reputable insurance company approved by the Pennsylvania Insurance Commissioner. Said policy shall provide coverage for not fewer than \$500,000 for injury to one person and not fewer than \$1,000,000 for injury to more than one person and not fewer than \$100,000 for damage to property against any loss, injury or damage that may hereafter be caused, directly or indirectly, by and in the installation or maintenance of any overhanging sign. Such public liability insurance policy shall be continued in force for the life of the sign.
- (2) A copy of each such policy or a certificate of such insurance shall be kept in the office of the Borough Secretary. Certificates of renewal of such certificates shall be delivered to the

Borough Secretary not fewer than 10 days prior to the renewal date. Where such renewal certificates have not been so delivered, the Building Inspector is directed to order the sign removed immediately. No permit shall be issued for such sign until compliance with this section.

§ 210-63. Outdoor advertising signs.

Outdoor advertising signs may be authorized by the Council as a conditional use only in the I Industrial Zoning District upon a finding that compliance with the requirements of this chapter, as well as the following specific criteria, have been met by the applicant:

- A. The submission by the applicant of a land development application, which shall contain the information, maps, plans and narrative and graphic materials set forth in the Brentwood Borough Subdivision and Land Development Ordinance.^[1]

[1] *Editor's Note: See Ch. 183, Subdivision and Land Development.*

- B. The portion of any lot upon which the outdoor advertising is to be located shall contain a minimum of 5,000 square feet in area.
- C. All outdoor advertising signs shall contain only one face for the display of lettered, written, printed, pictorial, or sculpted matter on only one side of its structure, and such face shall be oriented to be viewed from only one direction of travel from the nearest adjacent roadway (cross roadway viewing shall not be permitted).
- D. The display area upon the face of an outdoor advertising sign shall be a maximum of 300 square feet (12 feet by 25 feet), and all portions of any display shall fit within such area with no extensions beyond the edge of the outdoor advertising sign's framework.
- E. All utility lines serving the outdoor advertising sign, or those extended to provide such service, must be installed completely underground. Such requirement may be waived if the outdoor advertising sign is powered by nontraditional alternative energy sources (for example, solar power).
- F. All outdoor advertising signs shall be set back from the below described items as follows:
- (1) From a roadway intersection: 300 feet.
 - (2) From any other outdoor advertising sign (whether such is located in the Borough of Brentwood or otherwise) on the same side of the roadway: 1,200 feet.
 - (3) From any other outdoor advertising sign (whether such is located in the Borough of Brentwood or otherwise) on the opposite side of the roadway: 600 feet.
- G. The maximum height of outdoor advertising signs shall not exceed 20 feet, as measured from the grade of the roadway from which the advertising message is principally visible, and the bottom edge of the outdoor advertising sign shall be no more than eight feet above the elevation of the adjacent roadway, which height shall be sufficient to prevent unauthorized access upon the outdoor advertising sign.
- H. A buffer yard shall be required between outdoor advertising signs and any adjacent lot(s). For the purposed of establishing the required buffer yard, outdoor advertising signs shall be considered a commercial use.
- I. Outdoor advertising signs are considered as the principal use of a lot or site and as such the land area utilized for an outdoor advertising sign shall not be otherwise required to support another use upon such lot, including, but not limited to, buffer yard, parking area or setback necessary to any preexisting use upon such lot.
- J. All displays on the face of outdoor advertising signs shall be stationary, and no animated, sequential, flashing, moving, or oscillating signs or displays shall be permitted.

- K. Illumination of the display shall be designed so that it shall be focused on the face of the display itself so as to prevent glare upon the surrounding area. All sources of illumination shall be external and equipped with shields to prevent spillage of light off the display.
- L. Except as otherwise may be specified herein, all development of outdoor advertising signs shall comply with the provisions of the subdivision and land development ordinance^[2] and this chapter.
[2] *Editor's Note: See Ch. 183, Subdivision and Land Development.*
- M. All outdoor advertising signs (including any and all supporting structures thereof) shall be dismantled and removed from the premises upon which they are located within 180 days of their cessation of use.
- N. All outdoor advertising signs shall be constructed to all applicable structural standards for such devices, and all applications for the conditional use approval shall verify compliance with such standards as documented and sealed by a registered engineer.
- O. All outdoor advertising signs shall be maintained by their owner in a state of repair so that they are as safe and as functional as when originally installed.
- P. No outdoor advertising sign shall be constructed or erected until an applicant thereof has made an application for same (which shall include a copy of a written lease for use of the land if the applicant is not the owner thereof) and paid the applicable fee thereof (as set by separate ordinance or resolution of the Council) and received a permit thereof from the Borough of Brentwood.
- Q. Outdoor advertising shall be required to obtain any necessary permit from and to conform, in all respects, to any regulation thereof promulgated by an agency of the Commonwealth of Pennsylvania, including, but not limited to its Department of Transportation.
- R. When changeable light emitting diode (LED) lighting is utilized to create the sign face, such lighting shall automatically adjust the LED light levels of the sign face to account for the ambient lighting so as not to create significant glare or a measurable footcandle level of 0.5 or greater, as such level is measured at the road right-of-way line.

Article VIII. Nonconforming Uses, Structures, and Lots

§ 210-64. Purpose.

The purpose of this article is to regulate nonconforming uses, nonconforming buildings and structures, nonconforming lots and nonconforming signs. The zoning districts established by this chapter are designed to guide the future use of the Borough's land by encouraging the development of desirable residential, commercial and other uses with appropriate groupings of compatible and related uses that promote and protect the public health, safety and general welfare. The regulations of this article are intended to restrict further investments that would make nonconformities more permanent in their location in inappropriate districts as well as to afford opportunities for creative use and reuse of those other nonconformities that contribute to a neighborhood.

§ 210-65. Nonconforming use.

- A. Continuation of nonconforming use. Any lawfully existing nonconforming use may be continued so long as it remains otherwise lawful, subject to the regulations contained in this section. Ordinary repair and maintenance or replacement, and installation or relocation of nonbearing walls, nonbearing partitions, fixtures, wiring or plumbing, may be performed.
- B. Change of nonconforming use to conforming.

- (1) Whenever any nonconforming use shall have been changed or altered so as to conform to the provisions of this chapter or its amendments, then such nonconforming use shall no longer be nonconforming to the extent to which it then conforms to this chapter or its amendments.
- (2) The prior nonconforming use shall not be resumed; provided, however, that if a later amendment to this chapter should make the use as so changed or altered nonconforming with its provisions then such use as changed or altered shall become a new nonconforming use to the extent of such nonconformance or noncompliance.

C. Expansion or extension of nonconforming use.

- (1) No nonconforming use may be extended or expanded in any building or structure, or in or on the lot on which it is located, nor may any nonconforming use be moved to a different position upon the lot on which it is located, so as to alter the use or its location which existed at the time that the use became nonconforming.
- (2) No such nonconforming use shall be enlarged or increased or extended to occupy a greater lot area than was occupied at the effective date of adoption or amendment of this chapter, unless the Zoning Hearing Board shall interpret that the enlargement or extension is necessary by the natural expansion and growth of trade of the nonconforming use. For the purposes of determining if an enlargement or expansion of nonconforming use meets this requirement the applicant shall file an application for special exception pursuant to the requirements of Article IV of this chapter. The applicant must meet all the applicable requirements and criteria of Article IV in addition to providing evidence that the enlargement or extension is necessitated by the natural expansion and growth of trade of the nonconforming use.
- (3) Whenever a use district shall be hereafter changed by a duly adopted amendment to this chapter, then any existing legal, nonconforming use of such changed district may be continued, and such use may be extended throughout the structure.

D. Abandonment or discontinuance of nonconforming uses.

- (1) The lawful use of the land existing at the time this chapter or any of its amendments was adopted, although such use does not conform to the provisions hereof, may be continued, but if such nonconforming use is abandoned for a period of one year, any future use of said land shall conform to the provisions of this chapter.
- (2) Any subsequent use shall conform to the applicable provisions of this chapter or its amendments and the prior nonconforming use shall not be resumed, unless in accordance with the applicable provisions of this chapter or its amendments.

E. Nonconforming accessory uses and structures. No use, structure or sign that is accessory to a principal nonconforming use shall continue after such principal use or structure has been abandoned or removed, unless it shall thereafter conform to all the regulations of the zoning district in which it is located.

§ 210-66. Nonconforming buildings or structures.

- A. Continuation of nonconforming buildings or structures. Any nonconforming building or structure which is devoted to a use which is permitted in the zoning district in which it is located may be continued so long as it remains otherwise lawful, subject to the restrictions in this section.
- B. Structural alteration of nonconforming buildings or structures. A lawful nonconforming use of a building or structure existing at the time of the adoption of this chapter or an amendment hereto may be structurally altered. Such alteration shall not expand its nonconformity in areas not previously occupied by the nonconforming use unless meeting the requirements of expansion and extension of nonconforming uses as required in this chapter. No parking, yard, space or bulk nonconformity may be created or increased.

C. Changes to nonconforming buildings or structures to conforming.

- (1) Whenever any nonconforming building or structure shall have been changed or altered to conform to the provisions of this chapter or its amendments in effect at the time of such change or alteration, or whenever any amendment to this chapter shall make such building or structure conforming with the provisions of this chapter or its amendments, then such building or structure shall remain in conformance with the applicable provisions of this chapter or its amendments.
- (2) If a later amendment to this chapter should make the building or structure as changed or altered nonconforming with its provisions, then the building or structure as changed or altered will become a nonconforming building or structure to the extent of such nonconformance or noncompliance.

D. Damage or destruction of nonconforming buildings or structures.

- (1) When a building or structure is damaged or destroyed by any means not within the control of the owner, to the extent 50% or more of the cost of replacement of the structure, the structure shall not be restored unless it thereafter conforms to the regulations of the zoning district in which it is located. No parking, yard, space or bulk nonconformity may be created or increased.
- (2) When a structure is damaged or destroyed by any means not within the control of the owner thereof to the extent of 49% or less of the cost of replacement of the structure new, repair or restoration of such structure may be made; provided, however, that no parking, yard, space or bulk nonconformity is created or increased.
- (3) In no event shall any damage or destruction to such a structure by any means within the control of the owner be repaired or restored, except in accordance with this section.

E. Expansion or extension of nonconforming buildings or structures.

- (1) No nonconforming building or structure may be extended on the lot on which it is located, nor may any nonconforming building or structure be moved to a different position upon the lot on which it is located, except to a position in conformity with the current codes.
- (2) Whenever a use district shall be hereafter changed by a duly adopted amendment to this chapter, then any existing legal, nonconforming structure of such changed district may be continued, and such use may be extended throughout the structure.
- (3) Structures that are nonconforming on the effective date of this chapter that already encroach on a required setback can extend that encroachment and not be considered an expansion of the nonconforming structure subject to the following:
 - (a) The structure is only extended on a parallel plane of the existing nonconforming encroachment and does not extend any closer to a property line.
 - (b) The extension is no more than 25% of the length of the side of the existing nonconforming structure on the side of the encroachment.
 - (c) A determination is made by the Zoning Officer that there is no impact to immediately adjacent property. If any uncertainty exists regarding impacts to immediately adjacent properties, the Zoning Officer may refer the request to the Zoning Hearing Board for an interpretation.

F. Repairs, renovation and modernization of nonconforming buildings or structures.

- (1) Repairs, renovations and modernization of nonconforming buildings or structures, such as renewal or replacement of outer surfaces, windows, addition of soundproofing materials, air conditioning and repair or replacement of structural parts or members of the building or structure shall be permitted notwithstanding other provisions of this chapter.

- (2) Such repairs, renovations, or modernizations are allowed provided they do not change or alter substantially the physical configuration of the nonconforming building or structure or change its position on the ground.
- (3) No increase in the size of or area covered by the nonconforming use or area of the use within the building or structure is allowed except as provided for in this chapter.
 - (a) The areas of nonconforming use within a building or structure may be rearranged in connection with such repairs, renovation, or modernization, provided that no enlargement or expansion of the nonconforming use occurs.

§ 210-67. Nonconforming lots of record.

- A. In any district in which single-family dwellings are a use by right, notwithstanding the regulations imposed by any other provisions of this chapter, a single-family detached dwelling which complies with the yard, space and bulk requirements of the district in which it is located may be erected on a nonconforming lot adjacent to an improved street. Nothing in the requirements of this chapter relating to lot area per dwelling unit shall be held to prohibit the erection of a single-dwelling unit upon a lot having less than the required street frontage or the area of which is less than that prescribed as the lot area per dwelling unit, provided that such lot, at the time of the passage of this chapter, was held under separate ownership from any adjoining lots or provided that, at the time of the passage of this chapter, a recorded plan of lots or subdivision of property shows such lot to be a separate and distinct numbered lot.
- B. In any district in which single-family dwellings are not permitted, a nonconforming lot of record may be used for any use by right in the district in which it is located if land development approval is granted in accordance with the provisions of this chapter.

§ 210-68. Nonconforming signs.

Continuation of nonconforming signs. Subject to the limitations and termination provisions hereinafter set forth, any lawfully existing nonconforming sign may be continued so long as it otherwise remains lawful after the effective date of this chapter:

- A. Alteration or moving. A nonconforming sign of any type may not be moved to another position or location upon the building, structure or lot on which it is located, nor may the size or area of such nonconforming sign be changed or its structure or construction changed unless such changes are to change the face of the sign.
- B. Damage, destruction or replacement. Whenever any nonconforming sign has been damaged or destroyed by any means to the extent of 50% of its market value at the time of destruction or damage, such sign shall not be restored or replaced, unless it conforms to all provisions of this chapter. Damage only to the face of a sign shall not be construed to constitute 50% of its market value, and the sign face may be replaced.
- C. Abandonment. If use of a nonconforming sign is abandoned or interrupted for a continuous period of more than 180 days, then such nonconforming sign together with its panel cabinet, supports, braces, anchors, and electrical equipment shall be removed within 14 days from the end of the aforesaid period and the use of such sign shall not be resumed except in accordance with the provisions of this chapter.
- D. Health, safety, welfare. If any sign or supporting structure subject to the regulation of the provisions of this chapter constitutes a threat to health, safety or welfare of the area surrounding said sign or has been constructed, installed or maintained in violation of any provision of this chapter, the Borough Zoning Officer shall give written notice to the person or entity who owns or is maintaining such sign. If the owner or entity maintaining such sign fails to modify the sign so as to comply with the provisions of this article within 20 days after the date of said written notice from the Zoning

Officer, then the Zoning Officer and other Borough officials shall take steps as necessary to promptly have said sign brought into compliance with this chapter up to and including removal of the sign to comply with this chapter.

§ 210-69. Registration of nonconformity.

In the course of administering and enforcing this chapter and reviewing applications for zoning certificates, temporary use permits, sign permits or variances, the Zoning Officer may register nonconforming uses, nonconforming structures and nonconforming lots as they become known through the application and enforcement process. Registration and proof of nonconforming uses, structures and lots shall be the burden of the property owner.

Article IX. Administration and Enforcement

§ 210-70. Applicability.

- A. It shall be unlawful to use or occupy any structure or lot or part thereof until zoning approval has been issued by the Borough. Further, no structure shall be erected, added to or otherwise have any structural alterations made to it until zoning approval has been issued by the Borough. No zoning approval shall be issued until prior approvals and, requirements of this chapter and the Subdivision and Land Development Ordinance^[1] have been complied with, including but not limited to conditional use, use by special exception and recording of the final plat of a subdivision or land development. Any zoning approval issued in conflict with the provisions of this chapter shall be null and void.

[1] *Editor's Note: See Ch. 183, Subdivision and Land Development.*

- B. Zoning approval shall state that the proposed use of the structure or lot conforms to the requirements of this chapter. Any change in use category shall require the requisite approval as set forth Article III, District Regulations, and the Tables of Authorized Uses.

§ 210-71. Repairs and maintenance.

Ordinary repairs and maintenance to existing structures that do not involve an expansion or change of a use or structure shall not by themselves be regulated by this chapter.

§ 210-72. Authorization of types of uses.

- A. Permitted by right uses. The Zoning Officer shall issue a permit under this chapter in response to an application for a use that is permitted by right if it meets all of the requirements of this chapter.
- B. Special exception use or application requiring a variance. A permit under this chapter for a use requiring a special exception or variance shall be issued by the Zoning Officer only in response to a written approval by the Zoning Hearing Board following a hearing.
- C. Conditional use. A permit under this chapter for a use requiring conditional use approval shall be issued by the Zoning Officer only after the Borough Council grants conditional use approval.

§ 210-73. Permits required.

A zoning permit for use and occupancy shall be required prior to use or occupancy of any structure or lot or part thereof throughout the Borough. A permit shall be applied for on forms supplied by the

Borough and submitted to the Zoning Officer.

§ 210-74. Enforcement.

If it appears to Brentwood Borough that a violation of this chapter has occurred, the Borough shall initiate enforcement proceedings by sending an enforcement notice as provided in this section.

- A. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
- B. The enforcement notice shall state at least the following:
 - (1) The name of the owner of record and any other person against whom the Borough of Brentwood intends to take action.
 - (2) The location of the property in violation.
 - (3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this chapter.
 - (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - (5) That the recipient of the notice has the right to appeal to the Brentwood Borough Zoning Hearing Board within 30 days of the mailing date of the notice in accordance with procedures set forth in this chapter.
 - (6) That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, and upon being found liable therefor in a civil enforcement proceeding, shall pay a judgment of not more than \$500, plus all court costs, including reasonable attorney fees incurred by the Borough.

§ 210-75. Causes of action.

- A. In case any building, structure, landscaping, sign or land is or is proposed to be erected, constructed, reconstructed, altered, repaired, converted, maintained or used in violation of this chapter, the Borough Council or, with the approval of the Borough Council, an officer of Brentwood Borough or any aggrieved owner or tenant of real property who shows that his property or person will be substantially effected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structured, landscaping, sign or land or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon Brentwood Borough, by certified mail, at least 30 days prior to the time the action is to begin by serving a copy of the complaint on the Borough Council of Brentwood Borough. No such action may be maintained unless such notice has been given.
- B. Jurisdiction. Magisterial district judges shall have initial jurisdiction over proceedings brought under § 210-86.

§ 210-76. Enforcement remedies; violations and penalties.

- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by Brentwood Borough, pay a judgment of not more than \$500, plus all court costs, including reasonable attorney fees incurred by Brentwood Borough as a result thereof. No

judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the District Justice. If the defendant neither pays nor timely appeals the judgment, Brentwood Borough may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the District Justice determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating this chapter to have believed that there was no violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the District Justice; and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of this chapter shall be paid to Brentwood Borough.

- B. The Court of Common Pleas of Allegheny County, upon petition, may grant an order or stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.
- C. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than Brentwood Borough the right to commence any action for enforcement pursuant to this section.

§ 210-77. Fees.

The Borough Council shall establish and revise, from time to time, a schedule of fees by resolution, as well as a collection procedure, for all applications submitted under the provisions of this chapter. The schedule of fees shall be available to the public from the Zoning Officer or Borough Manager.

§ 210-78. Amendments.

The regulations and provisions of this chapter may be amended from time to time, upon recommendation of the Planning Commission or the Borough Council, or by application of an effected party.

- A. Enactment of amendments. Zoning amendments procedures shall adhere to the requirements of § 609 of the MPC, 53 P.S. § 10609.
- B. Public hearing. The Borough Council shall hold a public hearing on a proposed amendment pursuant to public notice before voting on enactment of an amendment. The Borough Council shall, by motion adopted at a public meeting, fix the time and place of a public hearing on the proposed amendment and cause public notice to be given. In addition, if the proposed amendment involves a Zoning Map change, notice of said public hearing shall be conspicuously posted by the Borough at points deemed sufficient by the Borough along the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.
- C. Planning Commission review. In the case of an amendment other than that prepared by the Planning Commission, the Borough Council shall submit the amendment to the Planning Commission at least 30 days prior to the hearing on the proposed amendment for recommendations.
- D. County Planning review. The recommendation of the planning agency shall be made to the governing body of the municipality within 45 days and the proposed action shall not be taken until such recommendation is made. If, however, the planning agency fails to act within 45 days, the governing body shall proceed without its recommendation.

§ 210-79. Zoning Officer.

- A. Appointment. The Zoning Officer(s) shall be appointed by the Borough Council pursuant to qualifications that may be established by such Board. The Zoning Officer shall not hold any elective office within the Borough.
- B. Duties and powers. The Zoning Officer's duties and powers shall include the following:
 - (1) Administer this chapter in accordance with its literal terms, including to receive and examine all applications required under the terms of this chapter, and issue or refuse permits within the provisions of this chapter;
 - (2) Conduct inspections to determine compliance, and receive complaints of violation of this chapter;
 - (3) Keep records of applications, permits, certificates, written decisions, and variances granted by the Zoning Hearing Board and of enforcement orders, with all such records being the property of the Borough and being available for public inspection;
 - (4) Review proposed subdivisions and land developments for compliance with this chapter;
 - (5) Take enforcement actions as provided by the Pennsylvania MPC;
 - (6) Maintain available records concerning nonconformities, provided that the Borough is not required to document every nonconformity; and
 - (7) Serve such other functions as are provided in this chapter.

Article X. Zoning Hearing Board

§ 210-80. Membership.

- A. Appointment. The membership of the Zoning Hearing Board shall consist of five residents of the Borough appointed by motion of the Borough Council. Their terms of office shall be five years and shall be so fixed that the terms of office of one member shall expire each year. The Zoning Hearing Board shall promptly notify the Borough Council of any vacancies that occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other elected or appointed office in the municipality nor shall any member be an employee of the municipality.
- B. The Borough Council may appoint by resolution at least one but no more than three residents of the Borough to serve as alternate members of the Board. The term of office of an alternate member shall be three years. Alternates shall hold no other elective or appointive office in the Borough including service as a member of the Planning Commission or as a Zoning Officer, nor shall any alternate be an employee of the municipality. Any alternate may participate in proceedings or discussions of the Board but shall not be entitled to vote as a member of the Board nor be compensated unless designated as a voting alternate member pursuant to the following process:
 - (1) The Chairman of the Board may designate alternate members of the Board to replace any absent or disqualified member and if, by reason of absence or disqualification of a member, a quorum is not reached, the Chairman of the Board shall designate as many alternate members of the Board to sit on the Board as may be needed to provide a quorum.
 - (2) Any alternate member of the Board shall continue to serve on the Board in all proceedings involving the matter or case for which the alternate was initially appointed until the Board has made a final decision on the matter or case.
 - (3) Designation of an alternate shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

- C. Vacancies. Appointments to fill vacancies on the Board shall be for the duration of the unexpired portion of the term only.
- D. Removal of members. Any member of the Board may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Council. No vote shall take place until such time as the member has received a fifteen-day advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.
- E. Compensation. Members of the Board may receive compensation for the performance of their duties as may be fixed by the Borough Council, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Borough Council. Alternate members may receive similar compensation when designated to participate in hearing as specified above.

§ 210-81. Organization.

- A. Conduct of the Board. The Zoning Hearing Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all the members of the Board. The Board may appoint a hearing officer from its own membership to conduct the hearing on its behalf, and the parties may waive further action by the Board and accept the decision or findings of the hearing officer as final, as provided in Section 908 of the MPC.^[1]
[1] *Editor's Note: See 53 P.S. § 10908.*
- B. Establishment of procedure. The Zoning Hearing Board may make, alter and rescind rules and forms for its procedure, consistent with ordinances of the Borough and the laws of the Commonwealth. The Board shall maintain full public records of its business.

§ 210-82. Expenditures; fees.

- A. Expenditures. Within the limits of funds appropriated by the Council, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services.
- B. Fees. An applicant before the Zoning Hearing Board shall deposit with the Zoning Officer the appropriate filing fee. Fees shall be established by resolution of the Council.

§ 210-83. Powers and functions.

The Zoning Hearing Board shall function in strict accordance with and pursuant to the MPC and shall have the following powers:

- A. Appeals from the Zoning Officer. The Board shall hear and decide appeals where it is alleged that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of a valid ordinance or map of the Borough or any valid rule or regulation covering the duties of the Zoning Officer.
- B. Special exceptions. The Board shall hear and decide requests for special exceptions authorized by this chapter in accordance with the standards and criteria set forth in this section and Article IV of this chapter. The Board may attach such reasonable conditions and safeguards as it may deem necessary.
- C. Variances. The Board shall hear requests for variances where it is alleged that the provisions of this chapter create unnecessary hardship on an applicant when applied to a tract of land. In granting a

variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary.

- D. Validity of this chapter. The Board shall hear and make findings on challenges to the validity of any provision of this chapter with respect to substantive questions.
- E. Jurisdiction in the matters as granted by Section 909.1 of the MPC.^[1]
[1] *Editor's Note: See 53 P.S. § 10909.1*

§ 210-84. Hearing procedures.

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements. Filing appeals and requests to the Zoning Hearing Board. Requests for hearings before the Zoning Hearing Board shall be made as follows:

- A. An appeal to the Zoning Hearing Board may be filed by the landowner affected, any officer or agency of the Borough or any person aggrieved. Such appeal shall be taken within the time as stipulated by the MPC and the rules of the Board, by filing with the Zoning Officer a notice of appeal specifying the grounds thereof. The appropriate fee, established by the Borough, shall be paid in advance for each appeal or application. Requests for a variance and special exception may be filed with the Board by any landowner or any tenant with the permission of such landowner.
- B. Notice. Public notice shall be given pursuant to this chapter and written notice shall be given to the applicant, Zoning Officer, and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by rules of the Board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.
- C. Timing. A hearing shall be held within 60 days from the official application date requesting a hearing unless the applicant has agreed to an extension of time. The hearings shall be conducted by the Board or the Board may appoint any member or an independent attorney as a hearing officer. The decision, or, when no decision is called for, the findings shall be made by the Board; however, the appellant or the applicant, as the case may be, in addition to the municipality, may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.
- D. Parties to the hearing. The parties to the hearing shall be the municipality, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
- E. Powers of the Chairman. The Chairman, Acting Chairman, or hearing officer, presiding, shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- F. Rights of the parties. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond, to present evidence and to argue and cross-examine adverse witnesses on all relevant issues.
- G. Exclusion of evidence. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded by the Board.
- H. Record of the proceedings. A stenographic record of the proceedings shall be made by a court reporter. The appearance fee for the court reporter shall be shared equally by the applicant and the Board. Any party requesting the original transcript or a copy of the transcript shall bear the cost of the same. Copies of graphic or written material received in evidence shall be made available to any party at cost.

- I. Communications. Once a formal application has been duly filed, the Board shall not communicate, directly or indirectly, with any party or his representative in connection with any issue involved except upon notice and opportunity for all parties to participate. Further, the Board shall not take notice of any communication unless the parties are afforded an opportunity to contest the material and shall not inspect the site or its surroundings with any party or his representative unless all parties are given an opportunity to be present.

§ 210-85. Decisions.

- A. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within 45 days after the last hearing before the Board or hearing officer. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor.

- (1) Conclusions based on any provisions of any act or of any ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within 45 days and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than 30 days after the report of the hearing officer. Except for challenges filed under Section 916.1^[1] where the Board fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing as provided in Subsection A, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinabove provided, the Board shall give public notice of said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in Subsection A of this section. If the Board shall fail to provide such notice, the applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

[1] *Editor's Note: See 53 P.S. § 10916.1.*

- B. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board not later than the last day of the hearing, the Board shall provide, by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

§ 210-86. Standards for review of variance requests.

- A. Required findings. The Zoning Hearing Board may grant a variance to the provisions of this chapter, provided that the findings prescribed in Section 910.2 of the MPC (53 P.S. § 10910.2) are made where relevant in a given case.
- B. Conditions. In granting any variance, the Zoning Hearing Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this chapter.

§ 210-87. Standards for review of special exception requests.

The Zoning Hearing Board shall hear and decide all requests for special exceptions, as identified within this section and Article IV of this chapter.

§ 210-88. Appeals to Court.

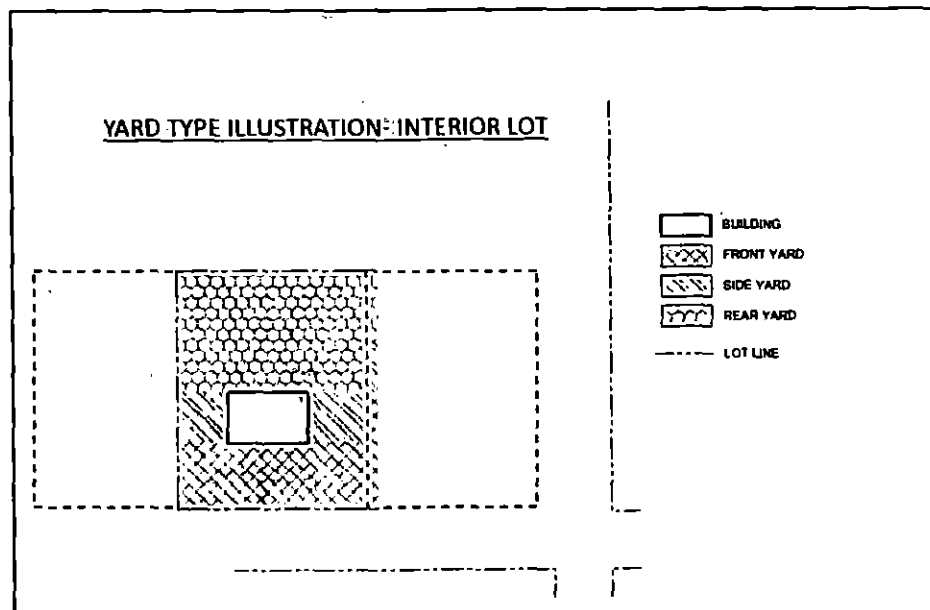
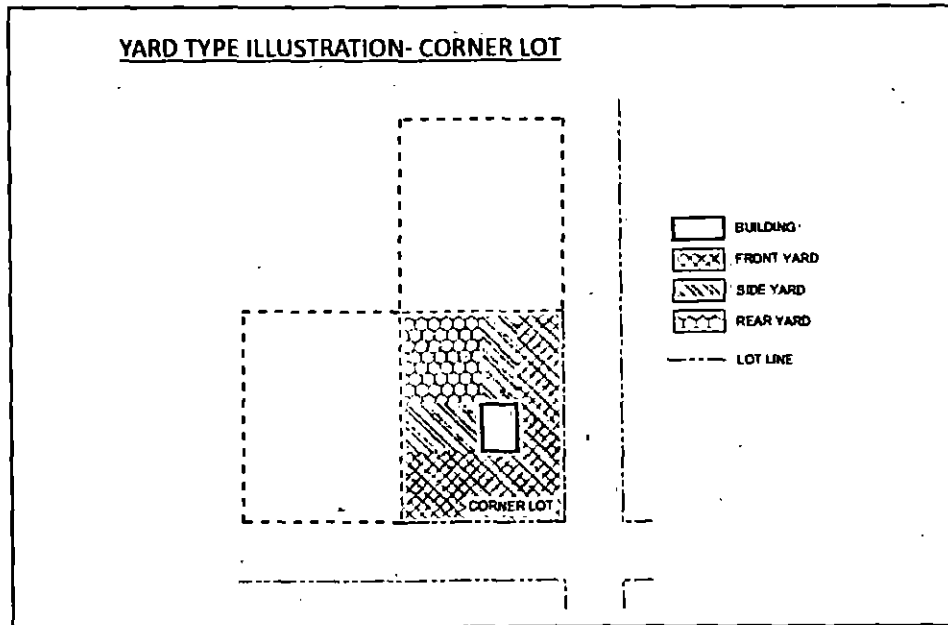
The provisions for appeals to court that are stated in the Pennsylvania MPC, as amended, shall apply.

XXXXXX

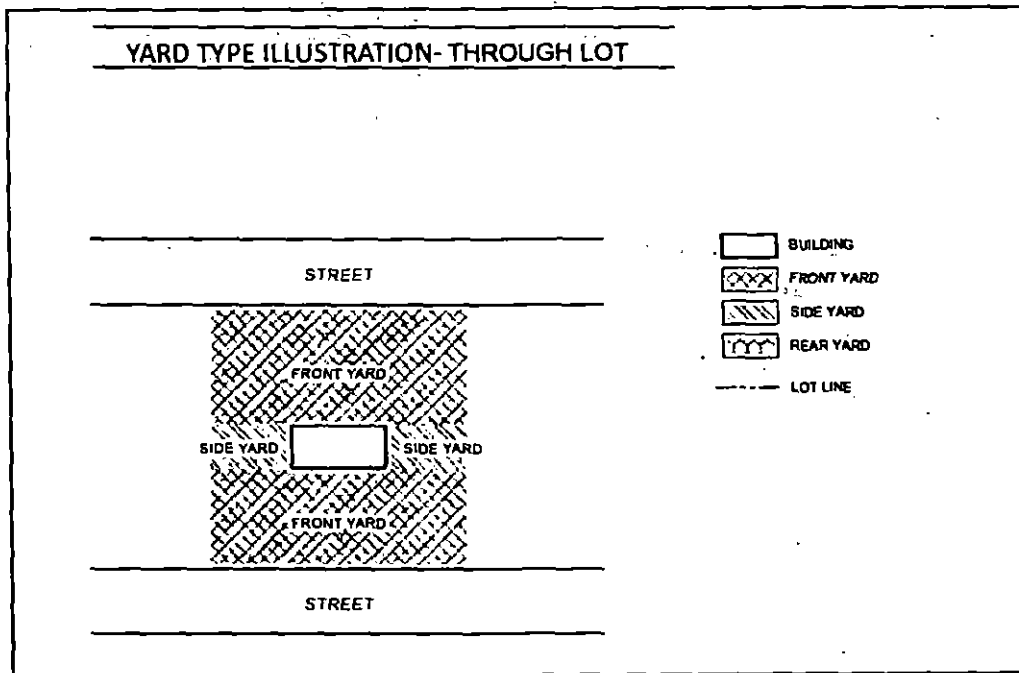
210 Attachment 1

Borough of Brentwood

Figure 1 - Yard Type Illustration



XXXXX CODE



XXXXXX

210 Attachment 2

Borough of Brentwood

Figures 10 through 13: General Design Guidelines

FIGURE 10 - GENERAL DESIGN GUIDELINES FOR BENCHES

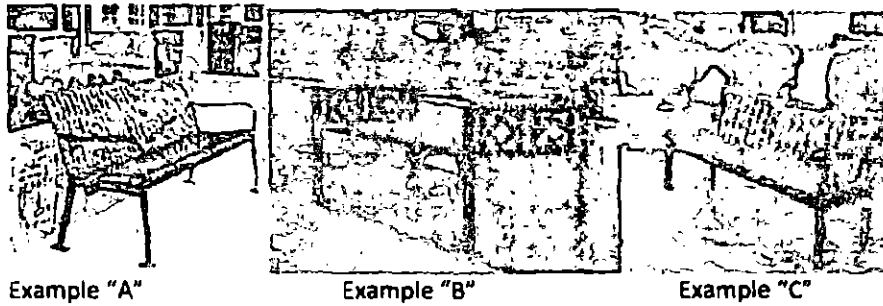
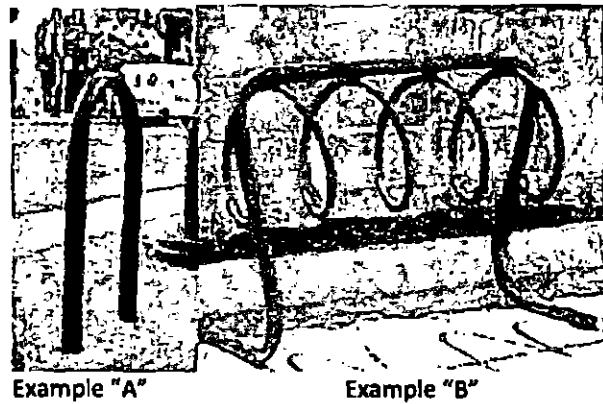


FIGURE 11 — GENERAL DESIGN GUIDELINES FOR BICYCLE RACKS



XXXXX CODE

FIGURE 12 — GENERAL DESIGN GUIDELINES FOR PEDESTRIAN-SCALED,
ORNIMENTAL STREETLIGHTS

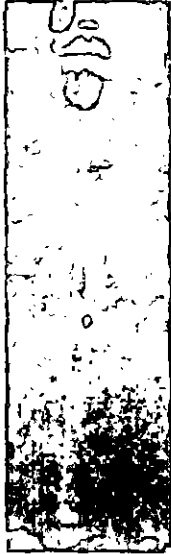


FIGURE 13 — GENERAL DESIGN GUIDELINES FOR WASTE RECEPTACLES



Example "A"

Example "B"

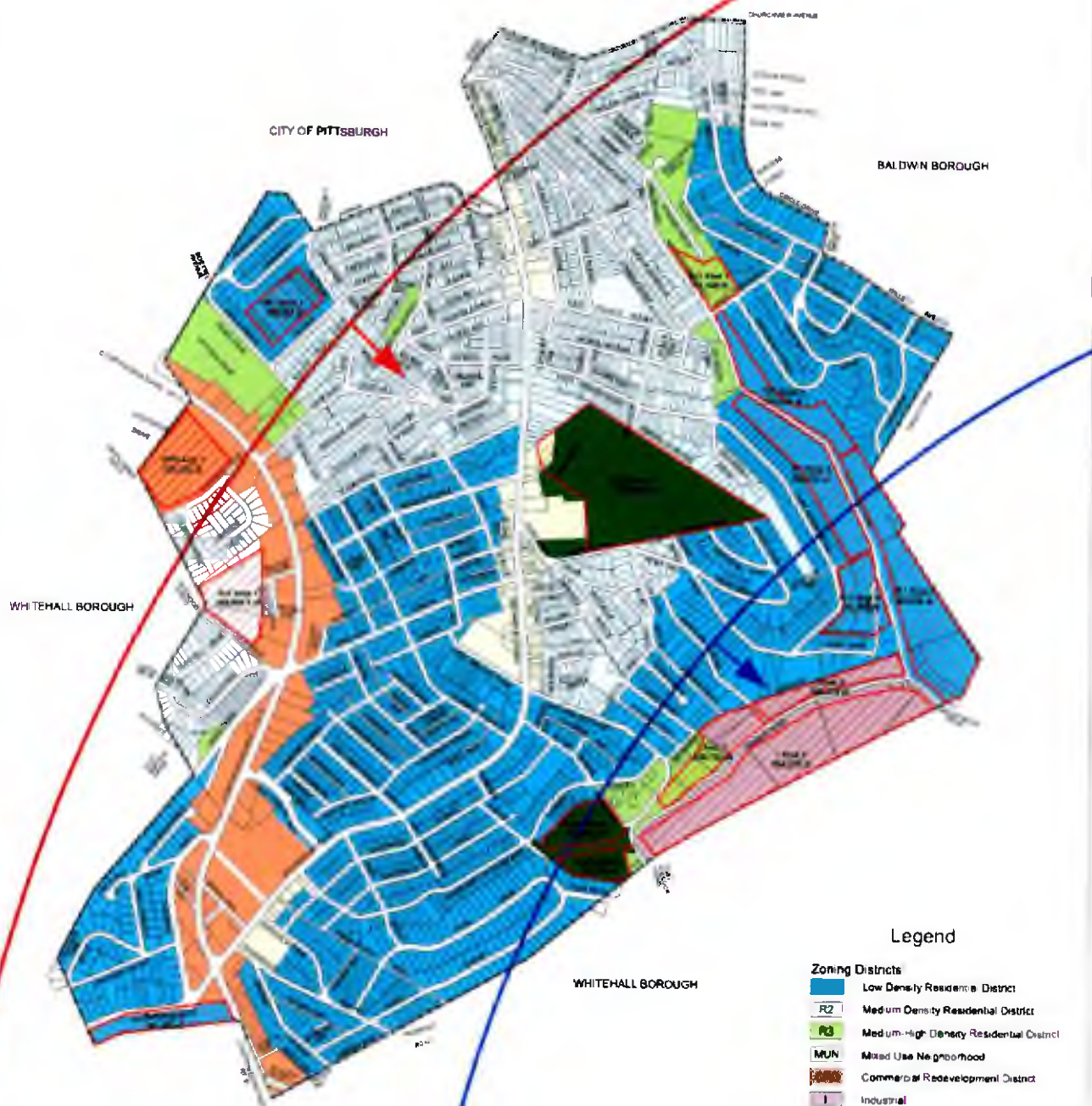
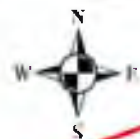


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Act 537 Plan Update
Special Study
July 10, 2023
C-41166-0003

Appendix 7: Brentwood Borough Undeveloped Areas

Brentwood Borough Undeveloped Areas (Zoning Overlay)



Legend

Zoning Districts

- Low Density Residential District
- R2 Medium Density Residential District
- R3 Medium-High Density Residential District
- MUN Mixed Use Neighborhood
- Commercial Redevelopment District
- I Industrial
- PARK Park District

Allegheny County Airport Overlay

- Conical Surface
- Horizontal Surface

100 McMurry Road
Pittsburgh, PA 15205
(412) 857-2777



0 100 200 Feet

Project Number: 41188-0003
Date Printed: March 22, 2013



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July 10, 2023
C-41166-0003

Appendix 8: Potential Growth Breakdown



Brentwood Borough Persons Per Household

2.28

R-1 Zoning District		
Area 1	196,487.00	SF
Area 2	225,525.00	SF
Area 3	368,307.00	SF
Area 4	215,765.00	SF
Area 5	652,345.00	SF
Area 6	181,308.00	SF
Total Area	1,839,737.00	SF
Minimum Lot Size (Single Family)	7,000.00	SF
Total Future Dwellings	262.82	
Total Future Population	599.23	
Total Future Flow	105,127.83	GPD

R-2 Zoning District		
Area 1	249,688.00	SF
Total Area	249,688.00	SF
Minimum Lot Size (Assume Townhouses)	2,500.00	SF
Total Future Dwellings	99.88	
Total Future Population	227.72	
Total Future Flow	39,950.08	GPD

R-3 Zoning District		
Area 1	121,505.00	SF
Total Area	121,505.00	SF
Minimum Lot Size (Assume Townhouses)	2,500.00	SF
Total Future Dwellings	48.60	
Total Future Population	110.81	
Total Future Flow	19,440.80	GPD



CRD Zoning District	
Area 1	323,290.00 SF
Total Area	323,290.00 SF
Minimum Lot Size (Commercial Use)	7,500.00 SF
Total Future Commercial Use Buildings	43.11
Total Future Flow (assume 400 GPD/Commercial Use)	17,242.13 GPD

I Zoning District	
Area 1	230,725.00 SF
Area 2	160,312.00 SF
Area 3	854,277.00 SF
Total Area	1,245,314.00 SF
Minimum Lot Size (Commercial Use)	10,000.00 SF
Total Future Industrial Use Buildings	124.53
Total Future Flow (assume 400 GPD/Industrial Use)	49,812.56 GPD

Park Zoning District	
Area 1	1,139,094.00 SF
Area 2	179,056.00 SF
Area 3	113,700.00 SF
Total Area	1,431,850.00 SF
Minimum Lot Size (Commercial Use)	No Minimum SF
Total Future Industrial Use Buildings	-
Total Future Flow (assume 400 GPD/Industrial Use)	- GPD

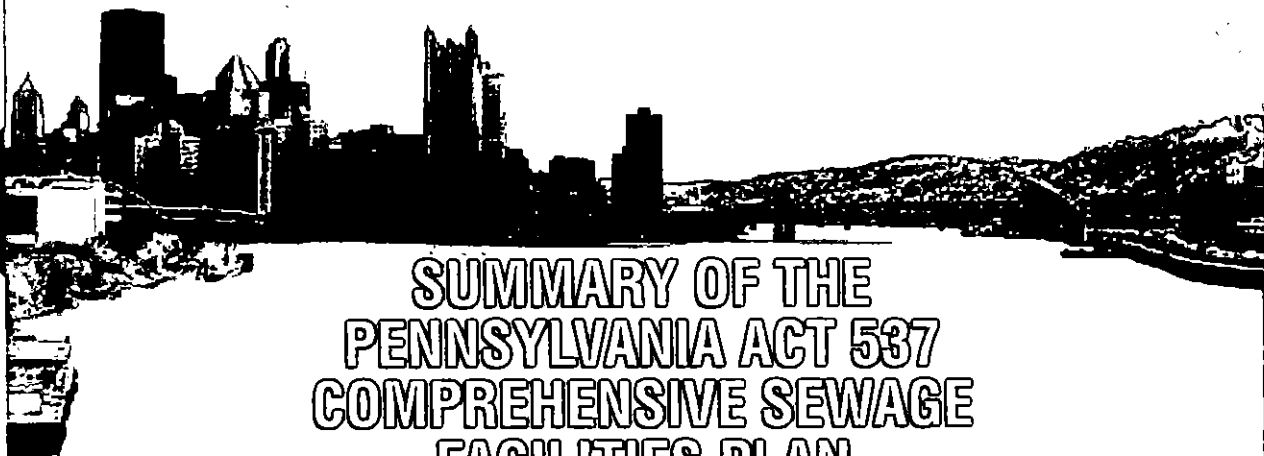


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Act 537 Plan Update
Special Study
July 10, 2023
C-41166-0003

**Appendix 9: Executive Summary of the Pennsylvania Act 537
Comprehensive Sewage Facilities Plan**

T H E **ALCOSAN**



SUMMARY OF THE PENNSYLVANIA ACT 537 COMPREHENSIVE SEWAGE FACILITIES PLAN

JULY 1996



SUMMARY OF PENNSYLVANIA ACT 537 COMPREHENSIVE SEWAGE FACILITIES PLAN

INTRODUCTION

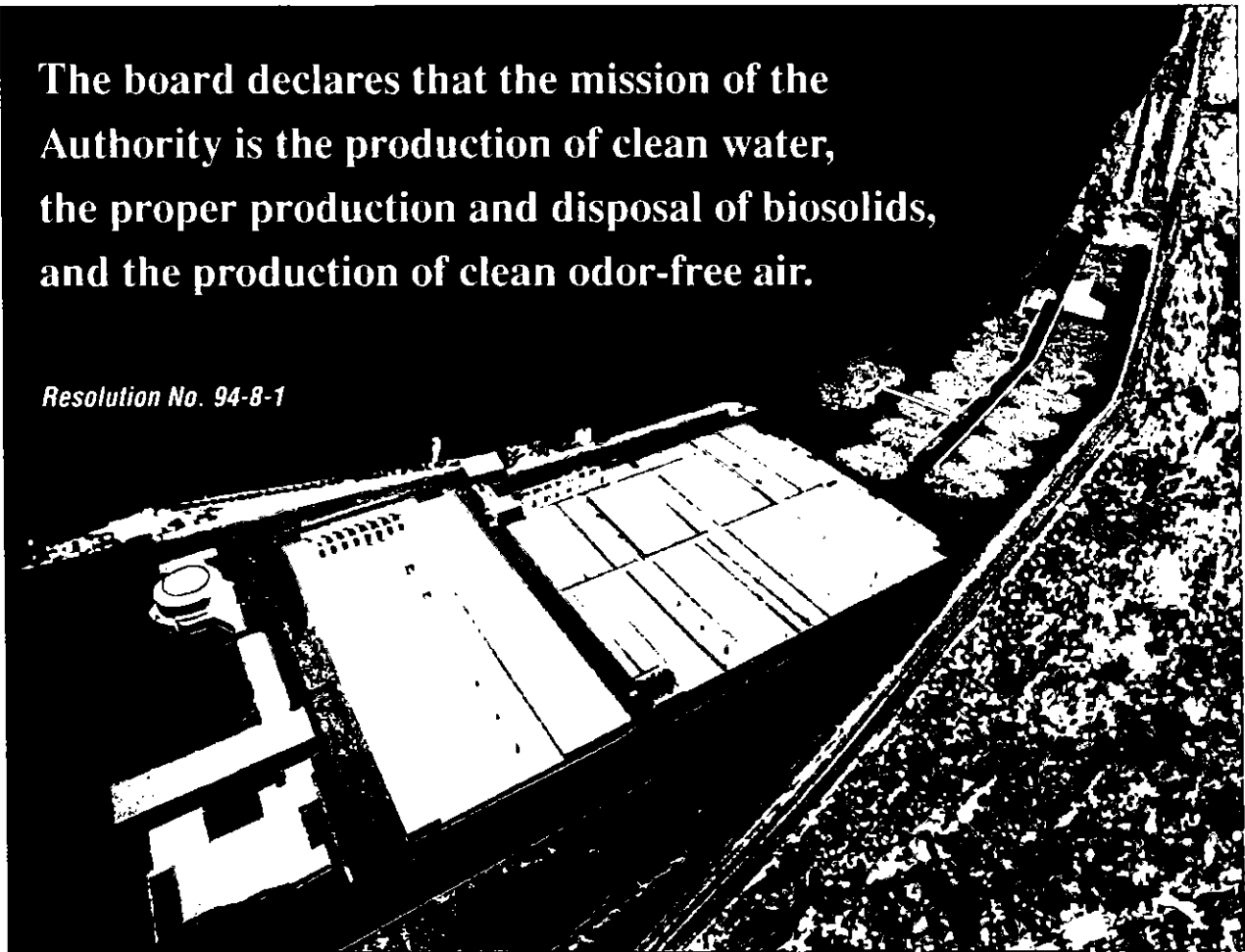
ALCOSAN is at an important crossroads. The Authority's fore-fathers accurately predicted the point at which we stand, near the end of a 27-year period of treating wastewater in the most cost-effective, environmentally beneficial manner available. Today, the Authority has a plan for meeting new requirements and addressing community issues.

Because the changes will dictate how ALCOSAN operates for the next 20 years, you, the public, must understand the many changes planned at ALCOSAN. In addition, your opinions and ideas, which will further develop the successful long-term program, are encouraged.

This booklet will inform you about program goals, projects, cost implications, and most importantly, how you will be affected by the changes.

The board declares that the mission of the Authority is the production of clean water, the proper production and disposal of biosolids, and the production of clean odor-free air.

Resolution No. 94-8-1



View of ALCOSAN treatment plant with tanks covered for odor control.

KEY COMPONENTS OF ACT 537

- What construction is planned?
- Why is it needed?
- What alternatives were considered?
- How will the program be funded?
- Plan allows for enough but not too much capacity
- Plan includes a service-area analysis
- Plan will be amended for long-term control of CSOs
- Public input

SUMMARY

The Pennsylvania Department of Environmental Protection (PADEP) requires ALCOSAN to prepare a comprehensive facilities plan in accordance with the requirements of Act 537, enacted in 1966.

The Act 537 Comprehensive Sewage Facilities Plan was developed by the Engineering Program Management (EPM) team with the participation, assistance, and direction of ALCOSAN management, engineering, and operation and maintenance staffs. The plan represents the results of intense technical evaluation and field testing at the treatment plant and in the interceptor sewer network. In addition, the plan is based on the group's assessment of future regulatory requirements and community needs. The Act 537 Plan defines improvements to the treatment plant and sewers into the next century and presents a logical stepwise approach for implementing a long-range master plan. The plan comprises a series of major projects. The plan incorporates projects being designed and constructed including: new Saw Mill Run parallel relief interceptor, odor-control facilities at the treatment plant, and part of the treatment plant capacity expansion.

GOALS AND PRIORITIES

The Act 537 Plan was developed in response to the goals and priorities established by the Board and the Executive Director. The objectives of the plan are to:

- Operate the treatment plant in compliance with the Clean Air Act and its associated regulations without creating nuisance odors in the community.
- Expand the capacity of the wastewater treatment plant to serve growth and redevelopment of the service area.
- Expand the capacity of the primary treatment part of the treatment plant to treat wet-weather flows to reduce untreated overflows to the waterways in compliance with the Clean Water Act and PADEP regulations.
- Implement the Environmental Protection Agency-mandated "nine minimum CSO controls".
- Develop a long-term control plan for overflows from the sewage collection system.
- Construct a Saw Mill Run parallel interceptor to alleviate sewer overflows.
- Cost-effectively use rate payers' funds to meet goals.
- Develop a plan that will serve for the planning period of 20 years (2015).

PROJECT DESCRIPTION

FINAL CLARIFIER UPGRADE

The final clarifiers are 12 circular tanks that remove sludge from the water before it is discharged to the Ohio River.

The Board has approved rehabilitating the existing final clarifier mechanisms, which are severely corroded after 20 years of service. The improvements are included in the overall plan and are under construction.

HYPOCHLORITE DISINFECTION

Sodium hypochlorite is a chlorine solution similar to household bleach, which is used to disinfect wastewater.

ALCOSAN uses gaseous chlorine for disinfecting wastewater and for controlling odor. The chlorine gas is delivered in rail cars on a deteriorating rail spur. Chlorine gas is a potential hazard to both operating staff and the neighbors of the plant. ALCOSAN will discontinue using gaseous chlorine within two years and will convert to sodium hypochlorite solution as the primary disinfectant. Sodium hypochlorite, although more costly to purchase and store on site, is considerably safer.

Regulatory action is being considered to restrict use and transport of gaseous chlorine in various jurisdictions. The EPM team and ALCOSAN staff believe that now is the time to change to a less-hazardous disinfection approach.

Required for hypochlorite disinfection are: storage and containment facilities, a new rail spur and unloading facility, a barge unloading facility, and chemical pumping and injection equipment.

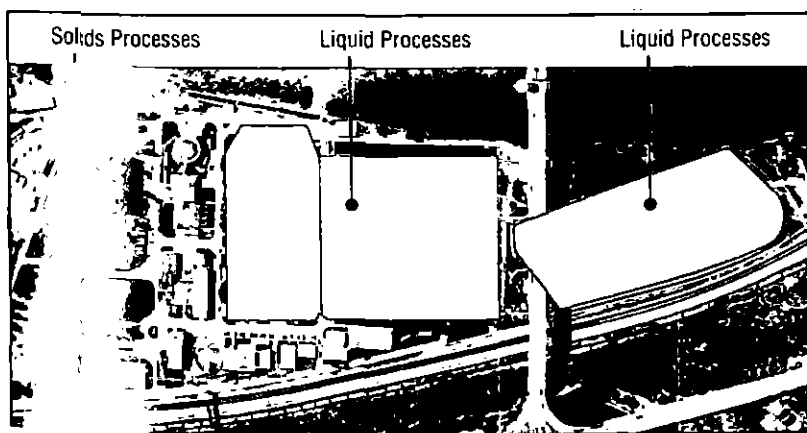
LIME BUILDING IMPROVEMENTS

ALCOSAN mixes lime with sludge to produce an agricultural product for reuse.

The ALCOSAN staff recognizes that a source of current offsite odor originates in the area where dewatered sludge is mixed with lime and loaded onto vehicles of varying size for hauling to land-application sites. Recommended improvements include replacing mixers, conveyors, load-out bins, and the dust-control system. In addition, the loading area will be expanded to accommodate truck loading in a controlled environment with ventilation and scrubbing of the air before it is released.

PRELIMINARY AND PRIMARY ODOR PROJECTS

Preliminary and primary wastewater treatment processes include screening to remove debris, removal of sand or grit, and removal of solids simply by quiescent settling.



Odor will be controlled by modifying several treatment processes.

These are the most odorous liquid processes at the point where wastewater enters the open air. The first steps toward odor control in these areas were undertaken by ALCOSAN as part of recent incinerator improvements. The plan recommends process changes as well as additional containment and treatment of the remaining odorous air associated with these operations.

The preaeration process will be eliminated and the preaeration tanks converted to additional primary clarifiers to eliminate a major odor source. In addition, a new primary

ter

clarifier tank, which will serve as the base for placing the primary odor scrubbers, will be constructed near the Ohio River. All primary processes will be in contained air spaces; ventilated air will receive full two-stage scrubbing to remove odors before it is released. The scrubbers, resembling tanks, remove odorous materials from the air by chemical reaction. The primary clarifier tanks will be covered with precast concrete. This project will significantly prevent and control odors.

AERATION BASIN COVERS

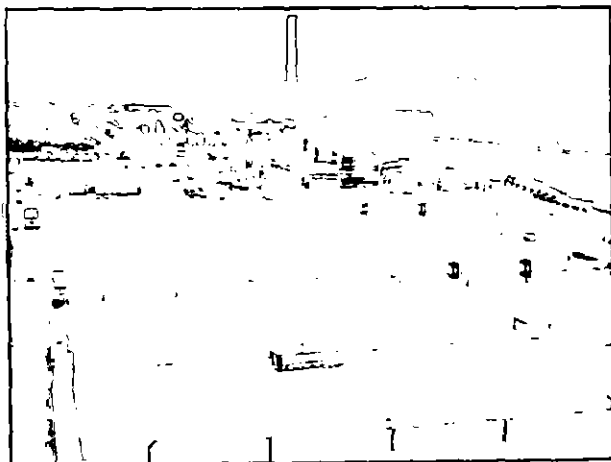
Aeration basins are large rectangular concrete tanks in which air is pumped to the biological culture, which removes pollutants from the wastewater.

Odor will be contained by placing precast concrete covers on new and existing aeration basins and channels. Odorous air will be treated using single-stage scrubbers constructed on top of one of the new aeration basins.

SECONDARY SLUDGE THICKENING

Sludge removed from biological treatment processes is termed secondary sludge and requires thickening for incineration or hauling.

The current system combines the sludge from primary and secondary treatment for co-thickening in the primary clarifiers. The co-thickening can create conditions that cause significant odors. The new design includes separating the primary and secondary sludge and installing gravity belt thickeners for rapidly thickening secondary sludge before it is dewatered and disposed of. These changes will greatly reduce the risk of odor from both primary tanks and sludge dewatering facilities, and improve air quality in the dewatering building.



View of aeration basins and primary clarifiers with proposed covers.

TREATMENT PLANT EXPANSION FROM 200 MGD TO 250 MGD

Results of the Act 537 planning effort indicate that additional plant capacity will be required by 1999. The first capacity expansion includes adding two new aeration basins on either side of the existing open basins, equipped with new air diffusion systems. Also included are two new circular final clarifiers with associated sludge-pumping system improvements.

FINAL CLARIFIER ODOR CONTROL

Final clarifiers typically are not a source of odors that could be considered a nuisance on the plant site or to adjacent neighborhoods. However, a biological plant upset caused by toxic discharges or for other reasons can occur. A final level of odor capture and treatment would be accomplished by investing in covers and scrubbers for the 16 circular final clarifiers.

Cor
Pro

Sewer Overflow

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wastes from homes and
e transported to the
tment plant by many miles
sewers and tunnels. In
Allegheny County, this
sewer system also carries
melting snow runoff from
parking lots, and lawns.
These sewers, called a
COMBINED SEWER SYSTEM, collect and
transport a combination of sanitary
and storm runoff water in the

When it is not raining or
melting, all of the water and

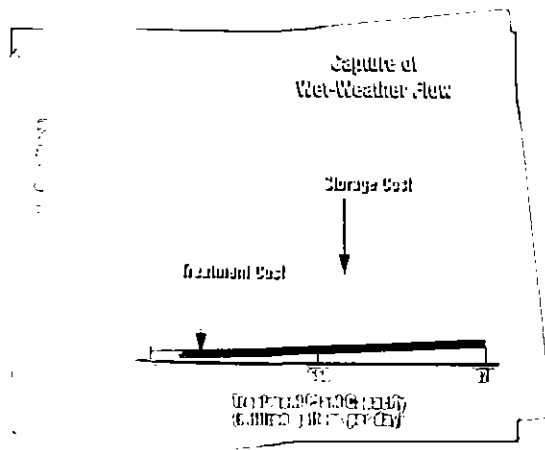
wastes travel to ALCOSAN for treatment
and the treated effluent is discharged
from the ALCOSAN plant to the Ohio
River. However, the sewer pipes do not
always work the same way during times
of rainfall and snowmelt. Storm water
runoff often cause the pipes to fill beyond
their capacity and ability to carry the
flows to the treatment plant. Even if the
sewers could carry the entire wet
weather combined sewage volume, it
would have been exorbitantly expensive
to have built the treatment plant big
enough to handle the flow experienced
during storms. Anticipating these

conditions, collection sewer systems
were installed with special structures at
various points where the sewers can be
relieved of mounting flows during wet
weather by discharging the untreated
excess combined sewage to streams and
rivers. These discharges are called
**COMBINED SEWER OVERFLOWS OR
CSOs.**

The recent issuance of the Environmental
Protection Agency's National Combined
Sewer Overflow Policy requires changes
in the method of dealing with CSO's.



A typical combined sewer overflow structure



Maximizing treatment capacity achieves maximum capture at lowest cost.

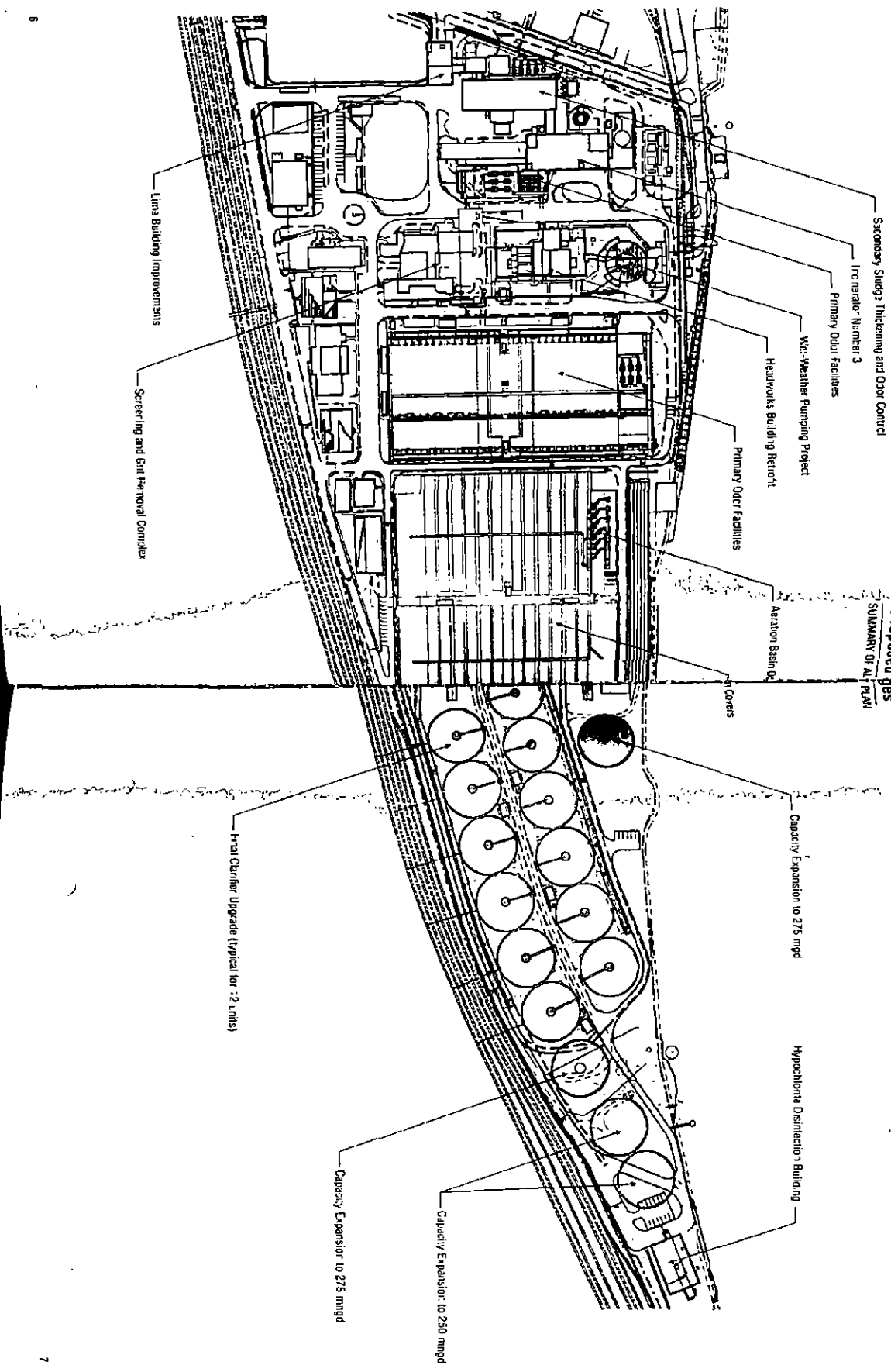
Furthermore, if open water is observed on these tanks, ALCOSAN could be held responsible for odors originating elsewhere. The tanks are readily visible from the McKees Rocks Bridge and from areas in Brighton Heights. This final investment in odor control will be deferred until the other, more crucial, odor-control facilities are operating and this final level of odor control is determined to be necessary.

PLANNING FOR WET-WEATHER SEWER OVERFLOWS

Planning is ongoing for enabling ALCOSAN to comply with recent United States Environmental Protection Agency (USEPA) National Combined Sewer Overflow Control Policy for improving water quality in rivers and tributaries. The planning will consider alternatives for collecting and treating the higher flows that occur during wet weather. Currently, part of the peak flows discharge directly to nearby rivers and streams. During wet-weather overflows, floatable debris, sand or gritty materials, and organic pollutants degrade the use of the rivers for recreation and may pose public health risks. In addition, many separate sanitary sewer systems in the county overflow because of hydraulic overloading during wet-weather.

In keeping with ALCOSAN's permit requirements and the intent of the National CSO Policy, additional study of the sewer system of Pittsburgh and other communities in the service area is ongoing, and will be the basis of a Long-Term Control Wet-Weather Sewer Overflow Plan to reduce overloading and overflowing. Clearly the most cost-effective investment in wet-weather overflow prevention will be the construction of treatment plant improvements to maximize treatment of the current CSOs. These improvements will result in an immediate reduction of overflows

**Allegheny County Authority
Wastewater Plant
Proposed
SUMMARY OF ALL PLAN**



and will reduce costs that ALCOSAN communities will face in meeting federal and state requirements.

SAW MILL RUN INTERCEPTOR

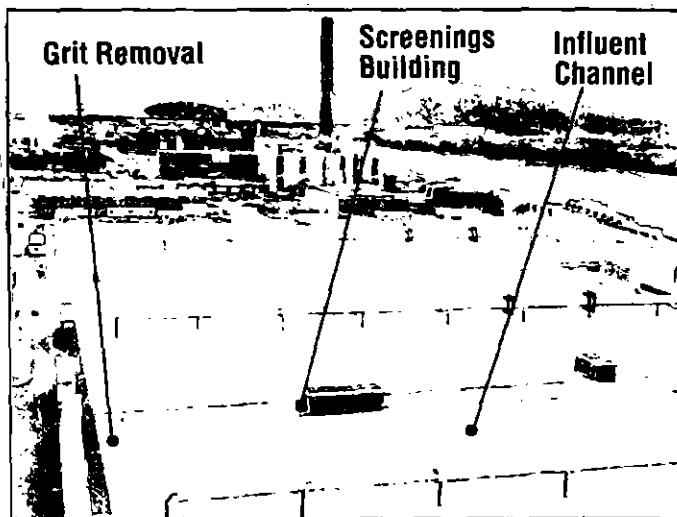
A parallel relief interceptor sewer will be constructed from Woodruff Street to McNeilly Road along Saw Mill Run. Construction will be completed in mid-1998.

SCREENING AND GRIT-REMOVAL COMPLEX - CSO REDUCTION PROJECT

The major pollutant-removal function required during wet-weather flows is removing bacterial pollution, floatable debris, and gritty materials washed from streets into the sewers. A new screening and grit-removal complex, along with primary settling tank (clarifier) improvements, will remove these pollutants up to a maximum flow rate of 875 mgd, which is four times the current capacity of the treatment plant. The new complex will be constructed on land partially occupied by the existing operations and maintenance (O&M) building. The new complex will be completely enclosed. Interior air will be treated by a two-stage scrubbing system. Disinfection facilities, to kill bacteria in the water before discharging it to the Ohio River, will be included in this construction project.

OPERATION AND MAINTENANCE BUILDING

A new O&M building will be constructed to replace the current O&M building, which must be demolished to permit construction of the screening and grit-removal complex. The O&M building will house carpentry and electrical shops, storage, locker rooms, and office space, similar to the existing facilities but designed for the needs of the staff operating the expanded plant.



Wet-weather improvements maximize using the existing infrastructure and ensure compliance. Increasing wet-weather treatment capacity will minimize river pollution.

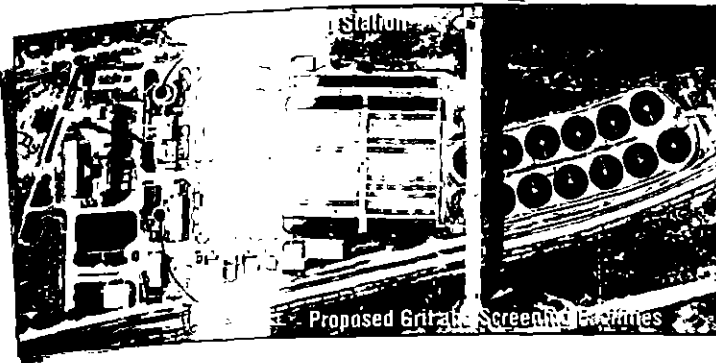
WET-WEATHER PUMPING - CSO REDUCTION PROJECT

The influent pump station is where all wastewater enters the plant for treatment.

Mechanical equipment in the existing influent pump station will be replaced to increase the station's pumping capacity to 875 mgd. This flowrate matches the capacity of the tunnel interceptors for delivering flow to the treatment plant.

INTERCEPTOR IMPROVEMENTS FOR WET-WEATHER FLOWS - CSO REDUCTION PROJECT

Modifications to the existing combined sewer system will be required to maximize storage capacity and reduce the number and volume of overflow events. These improvements include modifying gates, overflow structures, interceptors, and other control structures.



Increasing wet-weather treatment capacity will minimize river pollution.

ADDITIONAL SOLIDS IMPROVEMENTS

Mechanical improvements to the sludge-processing system are recommended for improving efficiency and reliability.

EXPAND SECONDARY TREATMENT CAPACITY FROM 250 TO 275 MGD

Expansion of secondary treatment to 275 mgd would accommodate the needs of the ALCOSAN service communities, as projected by planning agencies, to the year 2015 or beyond. This phase of capacity expansion includes a new air-diffusion system and two additional final clarifiers.

ADDITIONAL INCINERATION

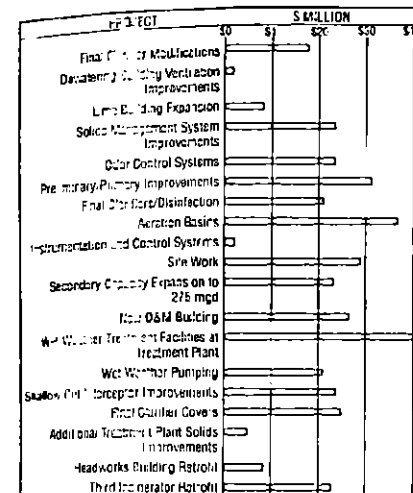
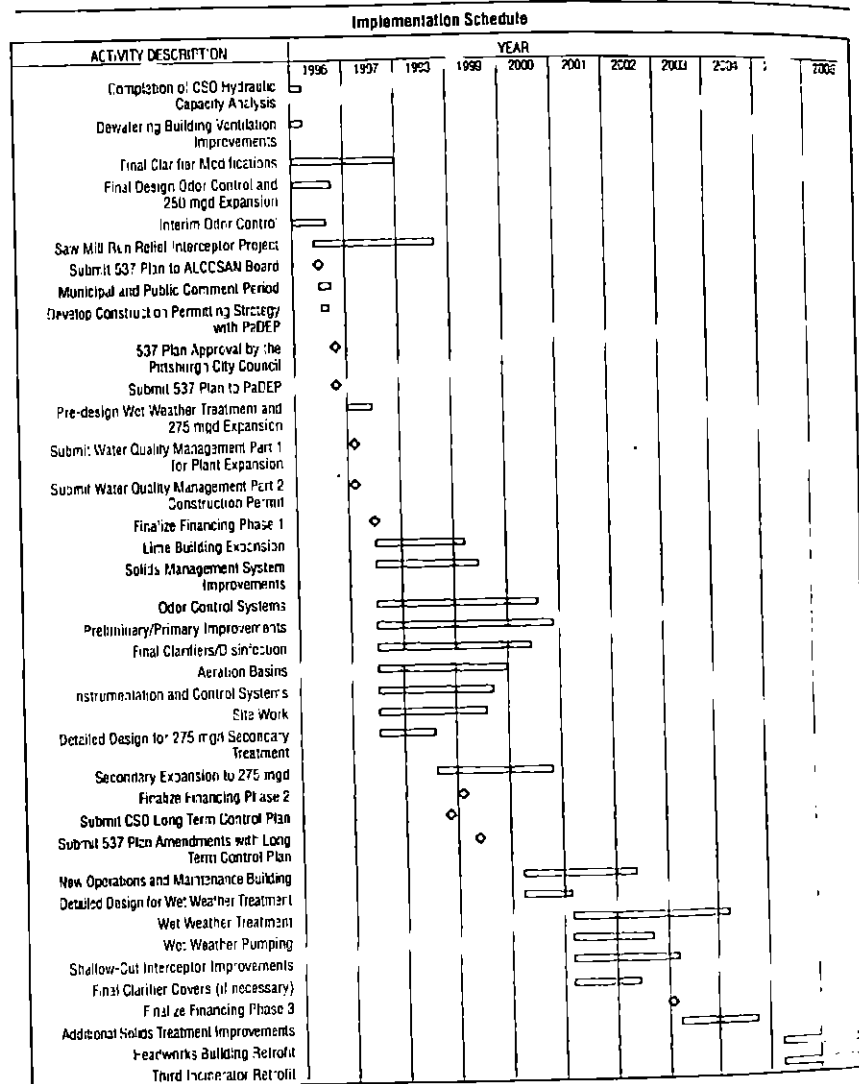
The expressed policy of ALCOSAN is to possess the capability to dispose of 100 percent of sludge either by land application or by incineration. Current incineration capacity will be insufficient for processing 100 percent of the sludge under projected future operating demands. The additional capacity will be provided by replacing the inoperable multiple-hearth incinerator with a fluidized-bed process similar to the two current operating units. Additional incineration also will help reduce odors.

HEADWORKS BUILDING RETROFIT

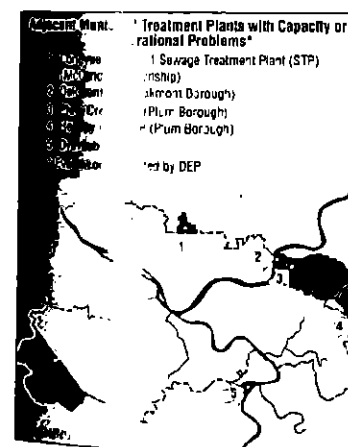
After completing the screening and grit-removal complex, ALCOSAN will remodel the existing headworks building as the operations control center of the treatment plant. The center will house the central computer-control system, instrumentation support, and other functions.

IMPLEMENTATION SCHEDULE

The projects described in the Act 537 Plan are scheduled for design and construction during the next 10 years at a pace that facilitates efficient construction, relatively level cash flow, and operation of the treatment plant under current permits.



Estimated Project Cost



EFFECTS OF IMPLEMENTING THE PLAN ON USER RATES

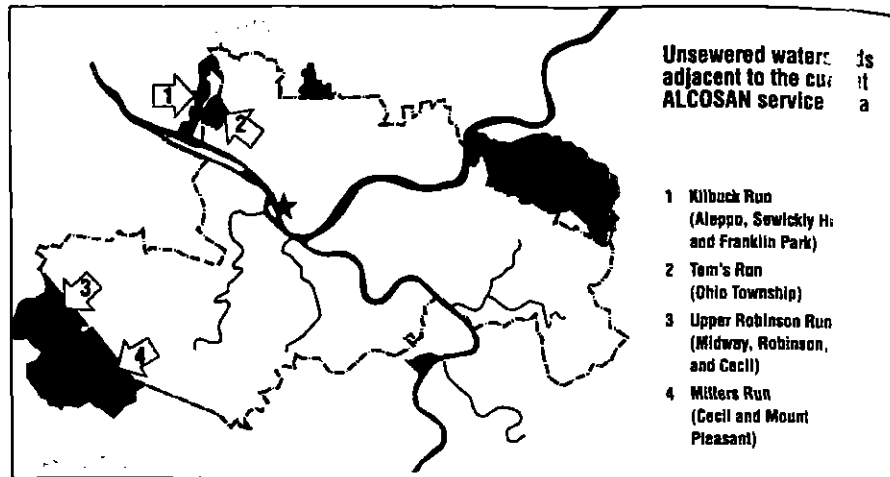
The current average domestic user pays ALCOSAN a monthly fee of approximately \$10. Compared to other major cities, this is an extremely favorable rate. The current average rate for other U.S. metropolitan sewerage agencies is more than \$16 per month. Implementing the 537 Plan is estimated to result in a gradual increase from around \$9.50 per month to \$22 over 20 years, or an average rate increase of 61¢ per month per year. This future rate projection is based on an assumed annual inflation rate of 3 percent for operating costs and 3.7 percent for construction costs. The construction funds would be borrowed as revenue-backed municipal bonds at an assumed tax-free interest rate of 6 percent.

MONTHLY RATES	
ALCOSAN	
1995	\$9.50
2015	\$21.75
National Average	
1994	\$16.24
2015	\$27.65
(150 largest cities)	

PADEP-DESIGNATED STUDY AREAS

PADEP directed ALCOSAN to investigate the feasibility of extending services to certain communities and watersheds which may have water quality problems. The 537 Plan makes no recommendation concerning the expansion of the current service area. ALCOSAN is willing to accept new service areas if:

- Existing treatment plant odor problems are corrected first
- Additional flows do not create more odor problems
- Expansion of the service area does not preclude new development or redevelopment in the current service area
- Expansion of the service area does not worsen wet-weather-flow management problems in the current service area
- The expansion benefits the current rate payers through economies of scale



DIRECT PROVISION OF WASTEWATER TREATMENT

The Act 537 Plan develops two approaches for directly connecting the collection systems of the communities to the ALCOSAN treatment plant through the existing interceptor system. One minimum-cost approach is to establish the closest possible connection through other municipalities. The more costly approach is to directly connect the sewer to the ALCOSAN interceptors, bypassing other existing interceptors of uncertain capacity. The two approaches result in a range of construction costs and user rates for consideration, which are included in the full plan.

If any of these communities request to be served by ALCOSAN, the user fees of current member communities will not be increased. Estimates of costs to nonmember communities include a connection fee calculated for reimbursing ALCOSAN for infrastructure investment in place, which if paid would stabilize ALCOSAN user rates.

OTHER POTENTIAL ROLES FOR ALCOSAN

Within the Pennsylvania Municipal Authorities Act, ALCOSAN can also pursue economical alternatives to connection of new communities to the existing ALCOSAN interceptor system. ALCOSAN is willing to assist municipalities in developing sewage management programs, and can provide operational and technical assistance to municipalities who become part of the ALCOSAN service area.

PROCEDURE FOR ADOPTING THE ACT 537 PLAN

The recommended plan was approved by the ALCOSAN Board at their July 25, 1996, public meeting. The complete plan is available for public inspection at the following locations for a 30-day period:

Woods Run Branch Library

1201 Woods Run Avenue
Pittsburgh, PA 15212
761-3730

County Law Library

921 City-County Building
414 Grant Street
Pittsburgh, PA 15219
350-5353

Carnegie Library

4400 Forbes Avenue
Pittsburgh, PA 15213
622-3114

ALCOSAN Administration Building

3300 Preble Avenue
Pittsburgh, PA 15233-1092
734-8353

In addition to the libraries listed above, one copy of the complete plan has been provided to each ALCOSAN member municipality, each wastewater authority within the ALCOSAN service area and to each municipality in the PADEP Designated Study Areas.

The public can submit written comments to Joseph W. Lengyel, P.E., Acting Executive Director, ALCOSAN Administration Building, Pittsburgh, PA 15233-1092.

Written comments received during the review period will be included and addressed in the plan to PADEP.

The plan will be presented, as required by law, to the Pittsburgh City Council for approval because the ALCOSAN treatment plant, located on the Northside, is within City limits.

Final review and approval by the Pennsylvania Department of Environmental Protection is the final step in the process. The PADEP has preliminarily reviewed and approved the plan and the implementation schedule. After PADEP has approved the 537 Plan, ALCOSAN can apply to PADEP for construction permits for projects described in the plan.





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Act 537 Plan Update
Special Study
July 10, 2023
C-41166-0003



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August 11, 2023
C-45166-0003

Pennsylvania American Water Company
852 Wesley Drive
Mechanicsburg, PA 17055

Att: Scott D. Fogelsanger, Director, Valuation Strategies

Re: Brentwood Borough, Allegheny County, PA
Engineering Assessment of Impacts

Dear Scott,

As a follow up to the Engineering Assessment that was prepared, our office evaluated the general conditions those assets which can be classified into one of three categories:

1. Good-an asset in good condition is serviceable, in proper operational order and not in need of non-typical maintenance or repair.
2. Fair-an asset in fair condition that is serviceable and operational but should be considered for non-routine maintenance or repair.
3. Poor-an asset in poor condition is one that is experiencing operation difficulties, is unreliable or should be considered for extensive repairs or maintenance within the next 5 to 10 years, depending upon the type of asset.

Based upon the above, due to Brentwood's past work on its system, and its present operation and maintenance plan, it is my professional opinion that the system is generally good to fair condition.

Sincerely,
The Gateway Engineers, Inc.

Daniel S. Deiseroth, P.E.,
Project Manager



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