

Allegheny River Boulevard Rail Trail Feasibility Study

**A Final Report
to the
Penn Hills Quality Community Project
Infrastructure Committee
and
Friends of Penn Hills Parks**



Presented on
Monday, June 16, 2003
to
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Acknowledgement

The Friends of the Riverfront thanks the Penn Hills Planning Department for the opportunity to study its riverfront and the Quality Community Project for the energy and vision to think big.

The Friends of the Riverfront also thanks the Department of Conservation and Natural Resources for this project was financed in part by a grant from the Growing Greener Fund, under the administration of its Bureau of Recreation and Conservation. Thank you to the Planning Commission for the opportunity to present and provide an opportunity for the community to opine. We appreciate the time provided by Penn Hills staff to inform the Study.

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I. Executive Summary

The Penn Hills Quality Community Project initiated a Feasibility Study for the Allegheny River Boulevard corridor in order to maintain the momentum toward greater public riverfront access, bicycle transportation, and scenic and heritage protection in this highly-used corridor. The Study reviewed property deeds to reveal that the best opportunity for public access is to negotiate with the major landowner through the corridor: the Allegheny Valley Railroad. The Railroad is not averse to a shared right-of-way and is willing to negotiate. The trail and river access could be enhanced if additional agreements could be reached with the Buncher Company and Fagen's Building Supply. Property interests could be transferred to public control through deed or easements.

A physical inventory revealed areas of special interest including the expansive delta at Sandy Creek, a large area for a potential riverfront park that straddles the Penn Hills/Pittsburgh border, and a number of riverfront overlooks. The wooded riverfront and adjacent islands create an incredibly accessible arboreal retreat. There are a few pinch points that make trail construction difficult. An engineering solution will require grading down, constructing a boardwalk, and fencing. Most of these pinch points could be avoided if the trail is allowed to cross the railroad tracks and continue in the space between the railroad and Allegheny River Boulevard in the area stretching approximately 1000 feet on both sides of Sandy Creek.

The legal and physical inspection concludes that while a trail is feasible, changes over time will need to occur, including most prominently, the resolution of the future usage of the corridor. Multiple proposed uses for the corridor, including a Magnetic Levitation railway, passenger rail service, and added freight, limit opportunities for property acquisition downriver from Oakmont. It will take negotiation among the interests in the corridor and may take a number of years before a resolution between these multiple uses is reached.

Assuming that the riverfront cannot be purchased and owned in fee simple by the Township in the short term, the ideal would be for a regional non-profit organization dedicated to parks, open space or trails own and maintain the trail easement. In that circumstance, the easement holder will need to negotiate a public/private agreement to allow Penn Hills to construct and maintain the trail in partnership with the non-profit. The agreement will state that Penn Hills will take the lead with maintenance. Liability and insurance for the trail would be shared by both organizations with Penn Hills assuming greater liability due to its increased responsibilities.

The development of a riverfront trail could proceed in phases. Phase I would be the advancement of ongoing citizen activities to maintain progress in the enhancement of the corridor. For instance, the Quality Community Project should continue to advance the Boulevard Overlook Turnout restoration and beautification projects. Views to the river from the overlooks can be improved by selectively clearing vegetation from the riverbank. Penn Hills Mayor and Council have been very supportive of the proposed projects and they have committed \$10,000 in funding for

engineering fees for this project and this support is expected to continue. In addition to continuing fundraising and negotiations for trail and river access, the Quality Community Project can seek Scenic Byway status for Allegheny River Boulevard. These community-based activities will continue to maintain public visibility on Boulevard improvements while the trail development work progresses.

The second phase would be fundraising and acquisition of the riverfront trail easement. The ideal is to strive for crossing agreements to the riverfront sections that allow for access and parklets. Negotiations and fundraising activities are underway but resolution is likely to take one to two years. The final phase of work is engineering and construction. A goal for construction is to launch engineering as soon as acquisition is complete with trail development occurring within three years, 2006.

II. Introduction

The Penn Hills Quality Community Project (hereinafter "QCP") identified the community's riverfront and adjacent Allegheny River Boulevard as a priority improvement project. Allegheny River Boulevard was identified as one of the ten most endangered historic roadways by Scenic America. The community has been volunteering to replant and reopen the three overlooks along the road since the early 1990s.

The QCP is a community improvement non-profit started and staffed by the Penn Hills Department of Planning. Its projects tend to be street beautification and park enhancements. This study was completed under the direction of John Stephen, Executive Director of the Friends of the Riverfront, a member-based charitable organization. The primary project of the Friends of the Riverfront is the Three Rivers Heritage Trail in the City of Pittsburgh and the promotion of a trail network and water trail system throughout the urban areas of Allegheny County. It started twelve years ago with a focus in the City of Pittsburgh, but has since been progressing to extend the trail up the rivers.

While this beautification project is implemented, the QCP started to identify opportunities and constraints with the development of a bicycle route along the Allegheny River from Verona to Penn Hills. Currently, many bicyclists use the Boulevard as a bicycle route. It is a comparatively flat and scenic bicycle route that connects Highland Park to Verona with minimal cross traffic. However, while wider than most two-lane roads in the region, the Boulevard still does not meet AASHTO standards for a Class II bikeway.¹ The width of the Boulevard is constrained by private property and, in some places, a steep hillside. Bicycle accidents have occurred. In fact there was one death in the summer of 2002.

For these reasons, the QCP's primary focus for a bike route was along the Allegheny River. This study examines the feasibility of this route, presents a Trail Concept Plan, developed with community input, and sets forth a set of recommendations for further action.

III. Regional Activities

The Allegheny River is fast becoming one of the most active trail development corridors in the region. From the mouth of the River, the City of Pittsburgh is developing a river trail that will extend up to 43rd Street through the Strip District and Lawrenceville neighborhoods. Long term trail development plans will extend the trail up through Lawrenceville and connect to Highland Park and the bicycle track along Washington Boulevard. This would provide a direct connection to Allegheny River Boulevard and a Penn Hills trail along the riverfront. The Friends of the Riverfront and the Alle-Kiski Revitalization Corporation have started discussions with the Allegheny Valley Railroad and upstream municipalities to extend the trail on the Left Descending Bank, which includes Penn Hills.

¹ A Class II bikeway is a painted bike lane on the berm or shoulder of a road. AASHTO recommends that a two-lane Class II roadway be at least 32' wide; 12' for each lane and 4' for a bike lane in each direction. As the speed limit increases on a two lane road, the recommended width increases.

On the North Shore a riverfront trail already exists that reaches into Shaler Township with one break near the 31st Street Bridge. The City of Pittsburgh, Friends of the Riverfront, and the Borough of Millvale anticipate constructing the missing link in the spring of 2003. The Friends of the Riverfront is researching the feasibility of a trail on the Right Descending Bank that will extend to Blawnox (across the river from the Penn Hills Riverfront). The sidewalks of the Highland Park Bridge or a conversion of the rarely used Brilliant Railroad Bridge could provide a connection for the riverfront trails across the Allegheny River.

These efforts are also included in more regional programs of trails and greenways. A Penn Hills Riverfront Trail will also become part of the Pittsburgh-to-Harrisburg Greenway, a coalition project that connects the cities with a variety of trails and open spaces. The Allegheny Ridge Corporation is currently completing a Feasibility Study for this statewide project funded by the Department of Conservation and Natural Resources. In addition, the Penn Hills Riverfront is part of an Allegheny River Conservation Plan study being conducted by the Pennsylvania Environmental Council. Completion of both of these studies, coupled with resolutions of approval from Penn Hills Council, will qualify the Penn Hills Riverfront Trail for state Keystone funds. More discussion of this opportunity is included later in this study.

The Allegheny County Parks Department completed a master plan that identifies the goal of linking all of its regional parks with trails and greenways. A trail along the Allegheny River could provide a connection to Harrison Hills Park in the northeastern part of the County. The Allegheny County Trail Plan, prepared in the mid '90s by the now non-existent County Planning Department and annually updated by the Allegheny Land Trust, identifies the Brilliant Railroad Bridge as a potential trail connector to the north side. A recent map of the regional trail system is included in Appendix One. In 2001 the Council passed a resolution recognizing the Regional Trail System. A copy of the Resolution is also in Appendix One.

Although rarely used, the Brilliant Bridge is still owned by the railroads. Depending on future rail plans, the bridge may become obsolete for rail use and then available for trail use. In December of 2002, it appears that the Allegheny Valley Railroad is preparing to use the bridge more frequently to connect to the Norfolk Southern line on the right descending bank.

At the downstream end, the trail could reach a point across Allegheny River Boulevard at the Washington Boulevard intersection, adjacent to Highland Park and the City of Pittsburgh's bicycle velodrome. The trail would need to pass a marina, offices of the Pittsburgh Water and Sewer Authority, the City Asphalt Plant and Allegheny River Boulevard to complete the connection. The lighting at the intersection of Washington Boulevard and Allegheny River Boulevard will need to provide for safer bike/pad crossing.

The Study Area is also within the geographic bounds of the Allegheny Water Trail. This is a project of the Friends of the Riverfront that links the Kiskiminetas River with the Ohio via a series of boat access points with consistent signage and amenities. The Water Trail has received state and private funding and access points are being developed at this

time closer to the City. The Penn Hills Riverfront could be added to the access sites in subsequent years.

To the north, the Treadway Trail travels downstream for approximately four miles from Freeport toward Arnold. In addition, funds were raised to complete the Kiski Junction Trail that will get the trails up to the Kiskiminetas River. The Butler-Freeport Trail extends from Freeport along Buffalo Creek into Butler, Pennsylvania. Trail improvements on the road system around Freeport will connect these trails. A map showing these systems is also enclosed in Appendix One. The Alle-Kiski Revitalization Corporation is engineering the development of a trail to Oakmont. The number and scale of regional trail and greenway projects suggests the popularity of these projects. The available funding cannot stretch enough to advance all of these projects, encouraging new public/private partnerships.

IV. Analysis

1. Trail Feasibility

iv. Legal

The primary owner of the river frontage in Penn Hills is the Allegheny Valley Railroad who acquired it from Conrail in the fall of 1995. The Railroad claims ownership to all of the riverfront between its track and the River. A review of deeds through Penn Hills reveals that the railroad generally has a 60-foot right-of-way on properties that go to the riverfront. The Alle-Kiski Revitalization Corporation has ongoing negotiations with the railroad for a public access easement on its entire length of railroad, which is approximately seventeen miles from 43rd Street in Lawrenceville to Arnold. The portion in Penn Hills is approximately 3 miles. Additional right-of-way studies and title review must be completed before any property acquisition from the railroad is fully executed.

A title research by attorney John Stephen revealed that the oldest deeds go to the 'top of bank' while more recent deeds go to the 'low water line'. This expansion of property boundaries to include the commonly flooded banks of the river prior to the construction of the locks and dams could be investigated as a violation of the public trust.

The Public Trust Doctrine maintains that a state's natural resources are held in the public trust and water users do not have the right to destroy the public's natural resources. Article I, Section 27 of the Pennsylvania Constitution defines the Commonwealth's public trust responsibilities.²

The second clause of this section imposes a public trust obligation on the Commonwealth to conserve and maintain public natural resources.³ The obligation derives from the

² The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

Pennsylvania Constitution, Article I, Section 27

³ Dernbach, John, *Taking Article I, Section 27 Seriously*, in the Department of Environmental Protection's UPDATE, March 17, 2000.

common law principal first set forth in Justinian Code. The Roman civil law provided that "By the law of nature these things are common to all mankind; the air, running water, the sea, and consequently the shores of the sea." The law of England adopted much of the Roman civil law, giving tidelands and waters protection in the name of the King. The English law of public shorelands came to America as the Kings of England granted charters to the colonies. The importance of rivers and streams for early American transportation gave strength to the public trust doctrine.

The original purpose of the doctrine was to assure public access to these early highways for navigation, commerce and fishing. Recently, courts have applied the doctrine to protect recreation, conservation, and open space interests.⁴ There is very little Pennsylvania case law on the subject or on the application of Section 27 of the State Constitution.

The parcels in Boyd's Plan of Lots go to Riverside Avenue. Unfortunately, Riverside Avenue was vacated in 1945 (No. 2 Sept. Term Quarter Sessions – Court of Allegheny County). Arguably this portion of the riverfront is now controlled by the adjacent properties unless the public trust doctrine can provide an argument for continued public access to the waterways.

The Buncher Company owns the largest vacant parcel along the riverfront. It owns the parcel from Nadine Street to Brilliant Marina. Most of this parcel is located in the City of Pittsburgh. John Stephen had a conversation with Tom Balestreiri of the Buncher Company in August 2002. Mr. Balestreiri reported that Buncher Company acquired the parcel in the late 1980s for a small railroad car maintenance facility. The decline of the railroad industry made that purpose uneconomical. Nonetheless, the Buncher Company continues to hold the property and is currently researching potential development ideas such as small residences or water-dependent commerce.

On the upstream end a primary landowner is Fagen's, a lumber and home improvement supply store near the border between Verona and Penn Hills. Fagen's is the one major structure in the study area that is between the River and the railroad. Its deed reads that it goes to the riverfront. Therefore, an easement will need to be secured from Fagen's in order to construct a river edge trail. There is access next to the Allegheny Valley Railroad right-of-way to put in a trail.

Since the Allegheny Riverfront through Penn Hills has been identified as the right-of-way for the proposed Pennsylvania MAGLEV Project, a practical freeze has been placed on acquisition activity on the riverfront below Verona. This is less the case upriver from Verona as MAGLEV proposes to turn toward Greensburg near Verona. This will be the case until at least mid-2003, which is the target for announcement from the federal government on its investments in a MAGLEV demonstration project. If the Federal Railroad Administration selects the Pittsburgh MAGLEV demonstration, the primary landowners will not be willing to sell fee simple title due to the leverage they would then have with the Pennsylvania MAGLEV Project. In this case, trail interests should negotiate for a conditional trail easement that would allow for trail use until such time

⁴ See, National Association of Home Builders vs. State of New Jersey, New Jersey District Court (1999)

that MAGLEV, Inc. is prepared to construct the second phase of its project. This very likely will be over a decade into the future.

If the Pittsburgh MAGLEV project is not selected, the most efficient approach will still be to negotiate a trail easement with the Allegheny Valley Railroad. Because it has future expansion plans, the railroad most likely will not want to lose its interest and control over any of its right-of-way. The railroad has accepted with conditions an offer for a trail easement at an approximate average cost of \$175,000 per mile. The railroad has suggested that it will consider a reduced price as long as the balance can be considered a conservation easement.

ii. Physical Feasibility

As mentioned earlier, Allegheny River Boulevard is too narrow to allow for a comfortable bike route for most users. Skating and walking would not be enjoyed at all. Therefore, the physical feasibility study centered on the riverfront.

The Alle-Kiski Revitalization Corp. commissioned a preliminary feasibility study examining the potential of constructing a rail-with-trail from the vicinity of the 62nd Street Bridge to Arnold, PA.⁵ The study revealed that the project was feasible. Specifically for the Penn Hills section the study stated that the "trail has few significant trail constructability issues associated with it that are readily apparent... [but] adequate right-of-way appears available along the existing rail line to provide room for construction of a recreational trail." The length of trail in this Study area is approximately 3.75 miles from Fagen's to the Brilliant Marina.

The actual location of the trail can occur on a narrow strip of land between the railroad tracks and the top of the bank above the river. This strip of land varies in width. From a point at the trail's beginning at the city of Pittsburgh/Penn Hills border to a point approximately 1500 feet down river from Sandy Creek there is a width of more than 20 feet in which to site the trail. From this point up river to the Verona border the area between the tracks and the top of the bank is less than 20 feet wide. We recommend a trail width of 8 feet with 2-foot shoulders on each side.

At those areas of less than 20 feet in width there is a need for a physical barrier between the trail and the tracks. This barrier could be a fence or a hedge. (This issue needs to be discussed with the owner of the rail corridor.) There also needs to be a guardrail between the trail and the top of the slope to protect users from the steep embankment to the rivers edge.

Approximately 1500 feet on each side of the mouth of Sandy Creek at the river there exists the possibility to locate the trail between the railroad tracks and Allegheny River Boulevard. Further study is required to determine the viability of this route.

Because of the narrow sections of riverfront it is recommended that the trail standards allow the trail to filter to 8' in width with a 2' shoulder on each side. In addition, some points may require grading of the bank to allow for the necessary width.

⁵ "Feasibility Study Allegheny River Corridor Trail", prepared by TriLine Associates, Inc. (August 2001)
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2. Site Context and User Service Area

i. Allegheny River Boulevard

The Boulevard is a historic road built by the Allegheny County Department of Public Works in the '30s. It was a section of a County-wide Boulevard system that included Mosside Boulevard, Saw Mill Run Boulevard and the Ohio River Boulevard. A unique feature of the highway was its overlooks and rest stops with stonewalls and manicured landscapes. PennDOT currently maintains Allegheny River Boulevard (State Route 130 and State Route 2073). The overlooks were closed a number of years ago. The Boulevard was identified as one of the ten most endangered scenic byways by Scenic America in the mid '90s.

The Boulevard is eligible for the National Register of Historic Places and for status as a State-designated Scenic Byway.⁶ The Pennsylvania Byways program, managed by PennDOT, allows designated routes to qualify for federal funds to pay for improvements, such as shoulders that accommodate bicycles, interpretive signs, and scenic plantings. According to the PennDOT Byway Program Manager, the Boulevard does not necessarily require the prohibition of new billboards to be nominated as a Pennsylvania Byway. However, such prohibitions would enhance the intrinsic nature of the Boulevard.

It is recommended that Scenic Byway status be sought for the Boulevard. The application is fairly simple and starts with the submission of a Pennsylvania Byways Interest Form. A Pennsylvania Byways Application is then submitted. The Application must be accompanied by a resolution from the municipalities and counties along the proposed Byway as well as the Southwestern Pennsylvania Corporation and the local tourism board.

Allegheny River Boulevard should qualify under at least three of the enumerated intrinsic qualities for a Byway: scenic, historic, and recreational.⁷ The Byway forms and description of intrinsic qualities is included with this report in Appendix 2.

A program of landscape improvements for the overlooks has been partially funded through PennDOT's Transportation Enhancement Program. The QCP is working with volunteers to beautify, plant and reopen the overlooks. The volunteers are landscaping the two turnouts and the intersection of Sandy Creek Road and Allegheny River Boulevard. In addition, the volunteers will selectively cut vegetation between the two turnouts to improve the vistas from the Boulevard. The Invasive Tree of Heaven and Norway Maple should be the priority species for removal. It was suggested that the volunteers should work with the Friends of the Riverfront and its Riverfronts Naturally program to identify trees and undergrowth appropriate for cutting.

⁶ The TriLine study identified ten (10) contributing elements to its historical status: three stone observatory turnouts, two granite pylons with bas-relief, the Shade's Run Bridge, the Plum Creek bridge, the Sandy Creek concrete arch, the Plum Creek Branch of the Pennsylvania Railroad Bridge, and the landscaped right-of-way.

⁷ The other three enumerated intrinsic qualities for a Byway are Cultural, Archeological, and Natural. A Byway only needs to have one intrinsic quality.

The stone walls of the overlooks and statues at the Verona entrance remain to remind of the grandeur intended for this trail. Other recommendations for Allegheny River Boulevard would include:

- Recreate the concept of a landscaped boulevard
- Replant Sycamore Trees along both sides of the boulevard
- Develop vocabulary of street furniture to visually distinguish this corridor
 - Pickup on detailing of overlooks as a theme in street furniture
 - Period lampposts and street signage
 - Granite edging/curbing
- Place above-ground utilities underground
- Eliminate commercial signage along corridor
- Protect and enhance views to river
- Create endowment for maintenance and upkeep of boulevard and trail corridor

These recommendations will require more design study. Despite the scenic and historical nature of the Boulevard, it remains too narrow with too much traffic to be marked as a comfortable bicycle route in the short term. As a result, the remainder of the Study will examine the riverbank and railroad corridor.

ii. Shared corridor with a railroad

The Allegheny Valley Railroad operates the short line railroad that extends from New Kensington to the strip district. At this time it is operated solely as freight line. The trains travel mostly at night and with a 10 mph speed limit. The owner of the railroad also owns the shortline railroad that runs parallel to the Five Star Trail in Westmoreland County. He is not averse to operating the line as a Rail with Trail corridor. The infrequent trains and the slow speed of the rail line allows for minimal increase in liability. The Allegheny Valley Railroad has suggested a chain link fence at the tightest sections, but it has not been made a requirement of a potential transaction. The Three Rivers Heritage Trail on the North Shore of the Allegheny was similarly adjacent to a freight line without a barrier. The North Shore line served only Heinz and was used even more infrequently than the Allegheny Valley Railroad, but it is suggestive that a rail-with-trail with a minimal barrier can be managed.

At the railroad's request and the urging of regional political officials, the Port Authority of Allegheny County commissioned a study of passenger rail use for the line. The study concluded that the line would require a major upgrade investment and that there will not be enough passenger traffic to justify the investment. The railroad operator continues to remain interested in passenger rail and has suggested an excursion train to get the idea started. If passenger rail becomes a reality, the barriers and distance between the tracks and trail should be revisited as the speed limit will increase to 40 mph and trains will be more frequent. The railroad will need to upgrade its rail line in order to accommodate passenger service; this would be opportunity to simultaneously improve the trail. Construction costs can be shared taking advantage of economies of scale with the contractor.

iii. Shared corridor with MAGLEV

The guideway for the MAGLEV project consists of high precision welded steel and concrete piers. The Penn Hills riverfront has been identified as the Recommended Preferred Alternative Alignment for the proposed Pennsylvania High-Speed MAGLEV Project. The Pennsylvania High-Speed MAGLEV project is one of two finalists for a federal demonstration site. Final selection is scheduled to be made by the Federal Department of Transportation in 2003. The project is proceeding through the environmental assessments at this time. The transportation and environmental studies must be submitted to the Federal Railroad Administration by April 2003. MAGLEV and its consultants have been made aware of the public access intent for the Penn Hills riverfront. Final design for the piers for the elevated guideway is not yet complete. According to MAGLEV, Inc., the Pennsylvania High Speed railroad will use reinforced concrete columns and foundations (substructures).

The beams are mounted on bridge bearings on reinforced concrete substructures. Fixed bearings are utilized for the center mount and loose bearings for both ends to allow for thermal expansion. Double track guideways are typically mounted on a common foundation with individual substructures (one column per track) or common substructures (one or two per double track) depending on the local civil codes, architectural wishes, and space available. When crossing roads, guideway height is typically 6.7 m (22 ft) to allow truck traffic to pass underneath (4.7 m (16 ft) clearance height). The columns will be more than eight feet apart, allowing for a trail to proceed between the columns if necessary to share the corridor.

3. Demand and Use of Potential Trail

The Municipality of Penn Hills is a suburban area with a population of approximately 46,809. Many community groups will use this trail, in all probability, for educational purposes (boy scouts, girl scouts, school clubs, etc.) and as a recreational trail for hiking, walking and bike riding and other amenities.

A comparison to the use patterns of similar nearby trail corridors provides an estimate of the use potential. The Eliza Furnace Trail, a four-mile trail on a limited access right-of-way, will be similar to the Allegheny River Boulevard Trail in that access will be limited, for the most part, to both ends. The Eliza Furnace is a popular lunch hour and after work recreational resources with numerous in-line skaters, runners, and bicyclists. Because of its limited access the trail provides a comfortable opportunity for families to enjoy the trail together. The Eliza Furnace Trail is also used as a commuter route because it connects the two largest employment centers of the region: Downtown and Oakland. This will not be the case initially for the Allegheny River Corridor Trail.

The Allegheny River Corridor Trail will benefit from its location and status as a critical link in a regional system. Much like the linkages of the Great Allegheny Passage have increased usership of its trail system, Penn Hills will link the City Trail system at Highland Park with trails to the north, including the Treadway Trail, the Arboretum Trail and the Butler-Freeport Trail. The Great Allegheny Passage demonstrates the added benefit of a regional system. The usership of this trail, which now consists of a 100-mile continuous stretch, has gone up considerably each year.

3. Physical Inventory

The project is located on the south and west bank (left descending bank) of the Allegheny River, parallel to Allegheny River Boulevard and the Allegheny Valley Railroad. Currently the site is an open riverfront with slopes of various angles down to the river. There is a plateau area adjacent to the active railroad upon which almost all equipment has been removed.

i. Vegetation

The majority of the riverfront is in an early stage of succession with Tree of Heaven as one of the most prominent trees. Railroad operations tended to render the riverbank barren of vegetation. This left an ideal environment for invasives such as Japanese Knotweed, which has invaded the banks through Penn Hills. Nonetheless, there are pockets of healthy native vegetation that seem to have survived recent cuttings.

Robert Silber, permaculturalist and Trail Care Coordinator for the Friends of the Riverfront, executed a plant inventory in the fall of 2002. He discovered that, unlike many of the riverfronts in Allegheny County have been seriously degraded by decades of abuse, the riverfront in Penn Hills is remarkably intact, featuring natural river edge conditions along a majority of the land. Abundant native plant species such as black willow, silver maple, sycamore, birch, ninebark and others are very similar to plant communities found in much less urbanized riverfronts. He recommends that efforts to increase access and use in the Penn Hills riverfront area be done in ways that enhance the natural beauty and ecological functions of the present environment.

No large-scale clearing of vegetation should be initiated as this would increase the growth of undesirable non-native vegetation such as Japanese Knot-Weed and Ailanthus or Tree-of-Heaven. Access points, trails and overlooks should be carefully constructed with an eye toward sustainable maintenance and encouraging the success of native plant communities rather than non-native invasives. In a nutshell, this means restricting earth moving activities and preserving the native tree canopy whose shade encourages native plants rather than invasives which prefer more open, sunnier conditions. Preserving shade also has the benefit of making the area more attractive to active and passive users of the riverfront environment. The riverfront will be a much more desirable place on hot summer days, if the shade canopy is preserved.

A simple first implementation step is to coordinate clearing of invasives to improve the sight-lines from the Allegheny River Boulevard overlooks. The Friends of the Riverfront and the Quality Community project could get started with such a project in the spring of 2003.

ii. Conditions (inc. soils)

The riverfront is primarily fill placed to stabilize the banks for the railroad and the road. The soils are generally classified as Urban Soil. This soil classification is characterized as being altered by earthmoving and the placement of fill that often consists of industrial waste, cinders, brick and other construction materials. The area around Sandy Creek's

intersection with the river contains fluvial material that washes down from the hillsides. As a result, a delta at Sandy Creek has formed creating an area wider than the rest of the riverfront and characterized by a more nutrient rich soil base.

iii. Physiographic and Natural Features

The Allegheny River Valley in the Penn Hills area is a comparatively young flood plain. It nonetheless has the usual characteristics of eastern floodplains: broad sweeping valleys on one bank with steeper slopes on the bank receives the force of current. Penn Hills is on the steep slope bank, with a narrow ledge between the river and the slopes. The slope immediately at the river's edge has been strengthened by fill to provide a flat plateau for the railroad. The river is also substantially pooled and channelized and floods over the top of bank only during extreme flood events.

The floodplain is more gradual where streams feed the Allegheny River, most prominently at Sandy Creek. The delta at the mouth of Sandy Creek reaches far into the Allegheny River and provides an idyllic river access point.

This area of the Allegheny River has two islands: Sycamore Island on the Blawnox shore and Nine Mile Island on the Penn Hills (left descending) bank. The Golden Triangle Ski Club owns nine Mile Island with a conservation easement retained by the Western Pennsylvania Conservancy. The island provides an attractive destination for non-motorized boaters using the developing Allegheny Water Trail. Canoes and kayaks can access the river from the private Sylvan Canoe Club, the boat ramp managed by Blawnox, or at a future access point along the Penn Hills Riverfront.

iv. Wetlands

The Allegheny River is the only wetland area within the project site, as identified on the National Wetlands Inventory map prepared by the U.S. Fish and Wildlife Service.

v. Streams, Rivers and Watercourses

The Allegheny River is adjacent to the site throughout the length of the project area. A hill and valley terrain characterizes the entire terrain; steep slopes rising from the river floodplain and cut by smaller streams coming down from the plateau.

Sandy Creek is the largest tributary that flows into the River through the project site. It flows in from the north side of Route 130 (Sandy Creek Road) and empties into the Allegheny with a large delta. Additional streams include Quigley Run near the border with Verona and Shades Run near the border with the City of Pittsburgh.

vi. Flood Plains

For the most part, the trail will be constructed on the top of the riverbank on the plateau created by fill. Any improvements at the river edge or on the bank such as any improvements for the floodplain at Sandy Creek will be within the 100 year flood plain. The 100 year flood plain elevation for this portion of the river starts at 739 feet and increases to 741 feet on the upstream end of Penn Hills. Much of the bank is above the Penn Hills Riverfront

100 year floodplain. Penn Hills has floodplain ordinance and regulations in place pursuant to the Pennsylvania Flood Plain Management Act.

The DCED technical manual on floodplains reports that permits are not required for removal of trees and the placement of small quantities of fill. However, any structures such as benches, canoe/kayak racks, and signs may need to be permitted. It is at the discretion of the permit officer whether to require a permit. Keeping in mind that the purpose of the mitigate flooding conditions and protect property from flood damage, it is recommended that any river edge site development plans be reviewed by the permit officer. It is likely that structures in the floodplain may get damaged from time-to-time. Structures should be designed for this occurrence and the developers should proceed with an expectation that replacement costs may be incurred. If the developer takes these precautions, it is unlikely that the project will be delayed because of flood affects.

vii. Habitat and Water Quality

Rivers and adjacent corridors are known for a variety of vegetation, wildlife and ecological processes. In addition to the vegetation already discussed, the Allegheny Riverfront corridor contains species found among most of Pennsylvania's urban river sections. The habitats are sheltered from adjacent development by the railroad tracks and steep slopes.

viii. Historical and Cultural Aspects

As previously discussed, the study area includes the historic and scenic Allegheny River Boulevard. In addition, at the northern end, the trail would connect to Verona boathouse row, a series of historic late 19th century structures. These were initially home to boat clubs of which only two remain operating.

At the southern end of the study area, the trail approaches Highland Park, one of the four major regional City Parks. The Pittsburgh Parks Conservancy is a private non-profit that has been raising money for the restoration and stewardship of Highland Park, including the resurrection of the formal gardens that once existed on the top of the hill.

Four years ago, the City of Pittsburgh's Department of Parks and Recreation had a velodrome constructed in an open field of Highland Park along Washington Boulevard. Access to this recreational amenity could be from the signaled intersection of Allegheny River Boulevard and Washington Boulevard.

ix. Circulation and Access

Because the trail will parallel the active railroad with little opportunity for new crossings, access will be, at least initially, from the existing crossings. A crossing exists at Nadine Street and in the City of Pittsburgh near the asphalt plant at the end of Washington Boulevard. These crossings should be guarded against loss. The riverbank has been filled and streams culverted for railroad use. As a result, there are no problems with stream crossings except for the bridge across Sandy Creek.

In Verona, the trail can be accessed along the riverfront from the end of Arch Street, near the Sylvan Canoe Club. The first property encountered is owned by Fagen's and is used as a lumber yard and home improvement retailer. It is physically possible to construct a trail on the river side of Fagen's Building Supply. However, it appears the property line extends to the River. An easement should be acquired from Fagen's Building Supply. The other option is to bypass Fagen's Building Supply on its Boulevard side by using the Allegheny Valley Railroad right-of-way and pass through Verona along Railroad Avenue.

There are informal crossings of the railroad behind the residential structures along Allegheny River Boulevard and near Verona. A letter of information was sent to all of the landowners within the Study area. The comments were generally favorable.

x. Utilities

Several utilities and structures exist within or in close proximity to the site. Pennsylvania American Water has a water intake and pump station at Nadine Road and Allegheny River Boulevard.

xi. Zoning Classification

The entire riverfront is zoned as a Conservation District with the exception of the property currently occupied by Fagen's near Verona, which is zoned as Light Industrial.

V. Trail Concept Plan

1. Overview

The trail will be situated between the tracks and the top of the bank leading to the river. This corridor/strip of land varies in width with the narrowest point being less than 20 feet. For the most part the area starting 1000' downstream from Sandy point and extending to the Penn Hills/Pittsburgh border is more than 20' wide. The area extending to the north from this point is generally less than 20' wide. Each of these general conditions suggest different cross sections for the trail and its relationship to the tracks. Typical cross section illustrations indicate these relationships.

The opportunity exists for a parallel trail, or an alternate route for the main trail to be located on the boulevard side of the tracks in the area extending 1000' on each side of Sandy Point. Routing the trail in this area provides more space and an alternate route for users deciding not to follow the main trail down to Sandy Point.

A Schematic Design Plan is included as Appendix 3.

2. Trail Access and Parking Opportunities

The entrance to the trail at the City/Penn Hills line is a broad flat plain with opportunities for Parkland development. This plan envisions a frontage road extending from the marina at Washington Boulevard along the Riverside of the tracks to a parking area accessed from Nadine Road. This would be one of four parking areas and three access points

serving the trail in Penn Hills. A second parking area is envisioned south of this Nadine Road area accessed by the frontage road mentioned earlier. This would be at or near the Pittsburgh-Penn Hills Border. The Buncher Company, who has provided trail easements on other developable properties that it owns, controls the property along the Allegheny River in this stretch.

Other access points and Parking areas are located at Sandy Creek Point and Quigley Run. A roadway that would intersect Allegheny River Boulevard 500 feet up river from Sandy Creek Road could access the Sandy Creek Point parking area. It would cross the tracks and traverse down the bank to a parking area which hugs the hillside, traverses the stream and is situated above the 100 year floodplain elevation.

At Quigley Run we envision a parking area in the vacant lot on the opposite side of the Boulevard from the trail, A pedestrian crossing would be delineated on Allegheny River Boulevard to safely allow users across the road and the tracks to the trail.

The upriver end of the trail would connect to the street system in Verona at one of two potential sites: (1) passing between Fagen's Lumber Supply and the Allegheny River to get to Arch Street or (2) remaining adjacent and parallel to the railroad tracks to connect at Railroad Street.

3. Special Points of Interest

There are a number of points along the trail to create areas of special interest, river overlooks and riverfront access.

i. Parkland at City Line

Because of the width of the flat natural area at this part of the trail opportunities exist to develop a passive recreational area which would include the trail, picnic areas and shelters, lawn areas, informal ball fields, woodlands, river overlooks, horseshoe pits etc. The frontage road mentioned earlier could access all of this. This would create a wonderful parkland node along the trail as it extends towards Pittsburgh and Highland Park. The Buncher Company owns the property. It was interviewed for this study and reported that it does have long term development plans for the site at this time.

ii. River Overlooks

There are a number of areas where decks could be constructed extending over the precipice of the riverbank to extend beyond the trees and allow views of the river. Opposite the Nadine Run parking area is one logical point for an overlook. Another is south of Sandy Creek Point where a rise occurs between the trail and the river. At this location a deck overlook could be perched on the top of the hill offering impressive views.

A third overlook could occur just south of Quigley Run on top of the rock outcrop in this area. The views from this point are special, Nine Mile and Sycamore Islands block the view of the developed areas across the river and serve as a backdrop to a surprisingly secluded river landscape. One feels far removed from the busy city surrounding this area.

the fields and parks. However, these partnerships are not placed in writing. A similar arrangement can be developed with a trail volunteer group that can do light maintenance work such as cutting back vegetation, planting trees and wildflowers, and picking up trash.

Trash cans should be placed along the trail. The Department of Parks and Recreation should run a quadrunner along the length of the trail to empty the trash cans periodically.

ii. Trail Maintenance

The Trail will be designed to require minimal maintenance. It is recommended that a 1' to 2' strip of grass be mowed periodically along each side of the trail surface. This provides a level of care and makes it apparent to the trail user that it is maintained. The Department of Parks and Recreation will be generally responsible for maintenance. Trail maintenance costs can be shared through partnerships with the citizens based organizations with recreation or environmental missions. The QCP is primed to assume such a supporting role. Other groups include the boating and biking clubs (the Golden Triangle Water Skiing Club, the Sylvan Canoe Club, and Pittsburgh Off-road Cyclists).

iii. Security and Emergency Response

The closest fire protection and services and emergency response station is the Rosedale Station at the corner of Rock Cliff and Verona roads. The Lincoln Park station will also provide response from Nadine Road. The Trail Concept Plan encourages emergency vehicle access at the major intersections along Allegheny River Boulevard. Such access can be easily provided at Nadine Road. The area around Sandy Creek Road will require more engineering.

The Penn Hills Police Department currently does not own a quadrunner or bicycles. The Trail Concept Plan recommends that Penn Hills consider an intermunicipal agreement to purchase and maintain equipment that could assist with patrol. In addition, the QCP should partner with other agencies to organize a volunteer trail patrol that can periodically ride the trail to provide a level of security.

Penn Hills shares in the operation of a River Rescue facility. The boat is currently docked at Outboard Haven in Verona.

VI. Financing

i. Estimate of capital costs and ongoing operating costs

The Alle-Kiski Revitalization Corporation had an appraisal complete to estimate the value for an easement from the Allegheny Valley Railroad to allow for a shared use trail for 7.8 miles north of Oakmont. The appraisal established a price of approximately \$125,000/mile. The railroad has stated that it is not willing to sale an easement on a section-by-section basis. Hence the worst-case cost is approximately \$1,200,000. However, negotiations with the railroad may lead to a reduced price sale if its position changes and if it is willing to accept tax credits or deductions. The worst case estimate for acquisition and capital costs are set forth in the table below.

Since the trail will be designed for minimal maintenance there will be few additional duties for municipal staff. The following are some tasks:

- Periodic Mowing of the shoulder (average of once every two weeks)
- Trash Removal
- Security Patrol
- Periodic Patrol to clear brush and trees from trail surface
- Removing fallen trees, limbs

These costs will be incurred through the Municipality's operating budget. For the most part the costs will be a small portion of the staff time of a Public Works crew. It is anticipated that forming a public-private partnership with a citizen organization can stretch the Trail maintenance and operation costs. The Quality Community Project has already recruited active volunteers. Other local bicycle or recreation groups could also be encouraged to maintain a portion of the trail through an adopt-a-trail program.

ITEM		Cost Estimate		
Acquisition Costs				
	Portion could be a donation of a conservation easement			
	Shared Use Easement w/ railroad easement			\$1,200,000
	Buncher Company Parcel			\$500,000
	Other small parcels			\$200,000
	Total Acquisition Costs			\$1,900,000
Construction Costs				
Item	Quantity	Unit	Unit Price	Cost Estimate
1 Clearing and Grubbing	4.6	AC	\$1,600.00	\$7,360.00
2 Drainageway/Pipe Crossings	5	EA	\$1,200.00	\$6,000.00
3 Earthwork and Grading	20000	SY	\$4.00	\$80,000.00
4 Crushed limestone path - 8' wide	16000	SY		
5 Trail Use Signage	8	EA	\$250.00	\$750.00
6 Seeding	20000	SF	\$0.10	\$2,000.00
7 Trail Bollards (Set of 6)	2		\$4,250.00	\$8,500.00
8 Heritage Signs	3	EA	\$2,500.00	\$7,500.00
9 42" High Barrier	10000	LF	\$45.00	\$450,000.00
10 railing on top of bank	5000	LF	\$65.00	\$325,000.00
	Total Construction Costs			\$887,110.00

ii. Sources of Funding

Federal Funding

The Quality Community Project has been successful in securing transportation enhancement funding for Allegheny River Boulevard in the past. An Allegheny Riverfront Corridor Trail would qualify under a number of enhancement categories,

including rail-to-trail projects and bicycle facilities. In Allegheny County the Southwest Pennsylvania Corporation completes the evaluation of potential enhancement projects.

PennDOT has committed all of its available funding under the current transportation authorization bill, the Intermodal Surface Transportation Equity Act for the 21st Century. The Federal Transportation Authorization Bill must be reauthorized in 2003 to maintain current funding levels. It is anticipated that the enhancement program will continue but it is unclear in what level and form. The Federal Transportation Bill also provides funding for bicycle safety and scenic highway programs under which the Allegheny River project would be eligible.

The Federal Land and Water Conservation Fund Act authorizes the federal government to spend \$900 million annually on recreation and scenic landscape projects, among others. In Pennsylvania, the program is managed by the Department of Conservation and Natural Resources as part of its Community Conservation Partnership Program.

Commonwealth of Pennsylvania

In 2002 the Commonwealth extended the popular Growing Greener Program to 2012 and increased total available funding for those years to \$1.3 billion. The Growing Greener program extends across a number of environment and conservation agencies including PennVEST, Department of Environmental Protection, and the Department of Conservation and Natural Resources.

DEP will receive \$547.7 million from the Growing Greener program through 2012. The funding could be used to enhance public space impacted by impaired streams or to promote native plantings and combat invasives that are compromising urban biodiversity. Otherwise it does not directly relate to parks or greenspace. In Fiscal Year 2002, DEP distributed \$35 million.

DCNR allocates Growing Greener funding over several existing grant programs to help more communities and organizations meet their conservation and recreation goals:

Community Grants are awarded for local recreation, park and conservation projects. These include the rehabilitation and development of parks and recreation facilities; acquisition of land for park and conservation purposes; and technical assistance for feasibility studies, trails studies, and site development planning. Grants require a 50 percent match except for some technical assistance grants and projects eligible as small community projects.

Rivers Conservation Grants are available to municipalities, counties, municipal and intermunicipal authorities, and other groups to conserve and enhance river resources. Planning grants are available to identify significant natural and cultural resources, threats, concerns and special opportunities and to develop river conservation plans. Implementation grants are available to carry out projects or activities defined in an approved river conservation plan. Grants require a 50 percent match. The Allegheny River at Penn Hills is currently the subject of a conservation plan study managed by the Pennsylvania Environmental Council.

Rail-to-Trails Grants provide 50 percent funding for the planning, acquisition or development of rail-trail corridors.

Land Trust Grants provide 50 percent funding for acquisition and planning of open space and natural areas that face imminent loss. Lands must be open to public use and priority is given to habitat for threatened species. Eligible applicants are nonprofit land trusts and conservancies.

Heritage Parks Grants promote public-private partnerships to preserve and enhance natural, cultural, historic and recreation resources to stimulate economic development through heritage tourism. Grants are awarded for a variety of purposes including feasibility studies; development of management action plans for heritage park areas; specialized studies; implementation projects; and hiring of state heritage park managers. Grants require a 25-50 percent local match.

The **Pennsylvania Recreational Trails Program (\$2 mil)** provides funds to develop and maintain recreational trails and trail related facilities for motorized and nonmotorized recreational trail use. Match requirements for Pennsylvania Recreational Trails Program Grants are 80% grant money, up to a maximum of \$100,000, and 20% project applicant money. Project sponsors are encouraged to enter into contracts and cooperative agreements with qualified youth conservation or service corps to perform trail construction and maintenance.

Department of Conservation and Natural Resource's annual application **deadline is generally in October or early November**. The grant deadline for FY 2003-2004 is October 15, 2003. The Pittsburgh Regional Office of DCNR should be contacted in advance of submitting any proposals.

Allegheny County

The Allegheny Regional Asset District has been a consistent funder for trail improvements in Allegheny County. For 2002 the District allocated over \$500,000 for trail projects. However, because of revenue reductions the District restricted the size of all capital grant awards to \$200,000. This substantially reduced the worth of the program for trail projects as that money must be spread across all trails in the County. Nonetheless, this remains a viable and consistent source of capital support. The Allegheny Land Trust manages the application process on behalf of trails.

Local

Except for small contributions and staff time, substantial local funding is not possible. Potentially, municipalities in Allegheny Valley could organize and pool resources into some type of recreational agency. At this time, there is little research and proposals to create such an entity.

Private funding

Non-profit organizations such as the Allegheny Conference for Community Development have identified recreational amenities (attractive to the young knowledge workers the

region is hoping to attract) and riverfront development as a priority focus area. As a result, private funding may be able to be secured through partnerships with established organizations. The Friends of the Riverfront and the Allegheny Land Trust are two organizations with identified interests in the area and a track record of success with local private funders. Foundations have a strong preference for funding capital projects. As a result, the hardest part of the trail plan will be to develop a business plan to support ongoing maintenance.

Funding Operations

Most of the identified funding sources prefer or are restricted to capital projects. The easier task may be to raise the funds for acquisition and development. The challenge will be to maintain ongoing operations and stewardship. Fortunately, trails are comparatively low cost maintenance facilities. In other communities, more than adequate stewardship is accomplished through a public/private partnership; public work crews reinforced by volunteers and 'friends groups'.

Nonetheless, some preliminary ideas for sharing costs for ongoing care and improvements have been proposed. For instance, as mentioned in the section on Trail Operation, Maintenance, and Security, some thought has been given to a Regional Recreational Authority. Revenue could come from small contributions from municipalities and the County, leases of riverfront dock or access points, user fees, and memberships. The jurisdiction for such a Regional Recreational Authority could stretch from the Allegheny River, including both the land and water trails, from the City to Freeport. A detailed and well-researched business plan would have to be prepared to market the concept to all potential stakeholders.

VII. Public Participation

The Feasibility Study has been developed through a series of meetings over a period of three years with the Quality Community Project. In addition, there were three presentations to the Penn Hills Planning Commission. These were public meetings with public notice. A letter with a follow-up phone call was provided to the riverfront landowners. A meeting was held at the Penn Hills Municipal Building Council Chambers to discuss the maintenance and security issues of the trail with Howard Davidson, Director, Department of Planning, Moe Rayan, Director of Public Works, and Michelle Brimmer, Department of Parks and Recreation was held on Wed. October 9, 2002. The maps and drawings of the Feasibility Study were displayed at community meetings and events throughout 2002.

VIII. Recommendations

The primary next implementation step is to pursue acquisition of a trail easement from the Allegheny Valley Railroad and adjacent property owners. Since the Alle-Kiski Revitalization Corporation has established negotiations with the railroad and has consummated a sales agreement, it is recommended that the community support this effort and ask that the riverfront below Oakmont be included in the negotiations. The Alle-kiski Revitalization Corporation has agreed to act as a 'broker'. As those negotiations, the Penn Hills community should encourage further volunteer activities and

organize for trail construction and maintenance. The second phase of implementation would be triggered by the easement acquisition and would be to finish engineering and fundraising and follow-through to construction.

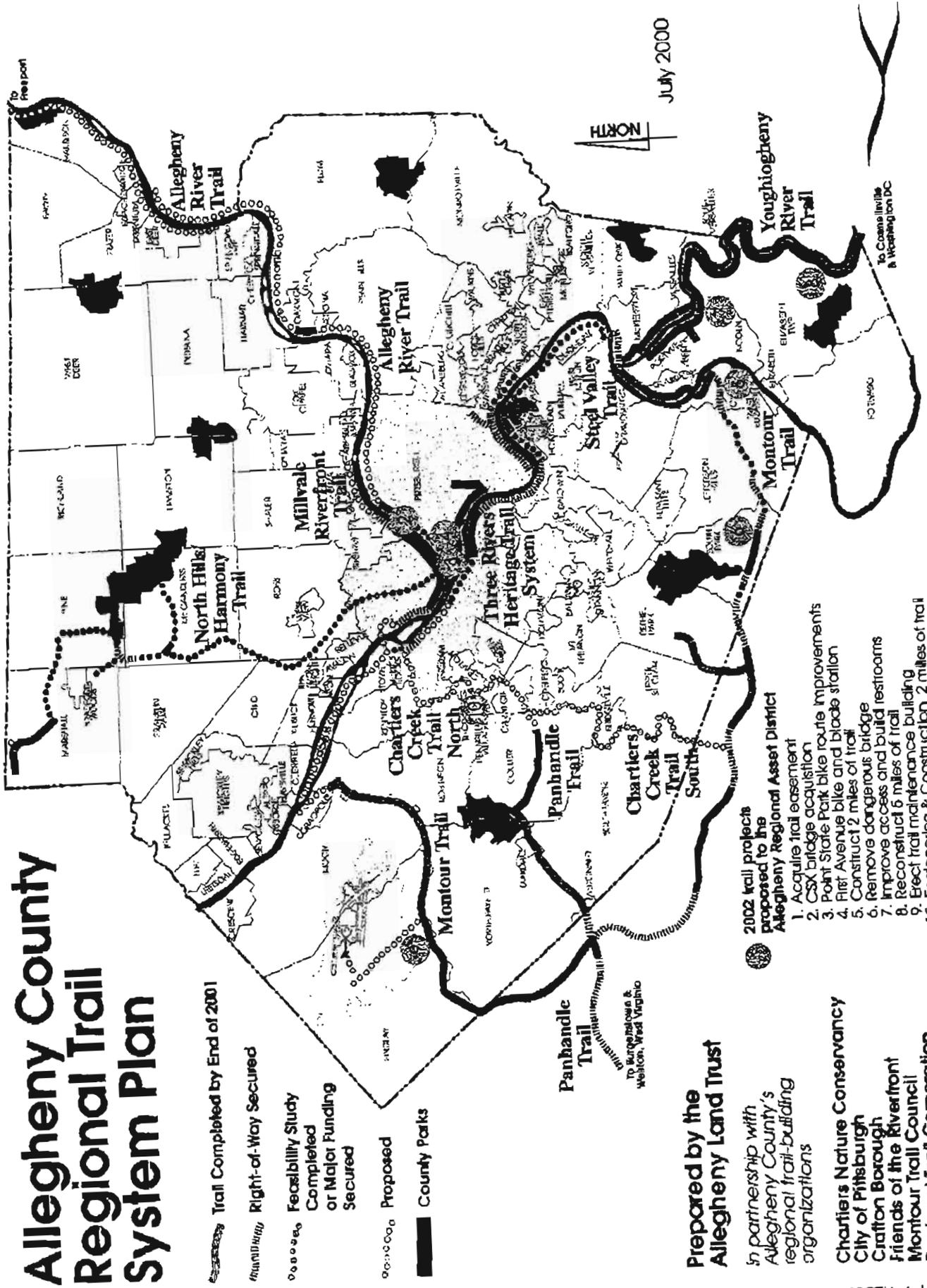
Short term, Phase One, implementation steps include:

1. Complete Boulevard landscaping improvement projects, using signs to promote the QCP and the project;
2. Use volunteers to identify vegetation to clear to open up vistas in the spring of 2003;
3. Plant fast-growing natives to discourage the growth of invasives;
4. Form a management committee to continue analysis of funding opportunities and the assumption long term care responsibilities;
5. Participate in the Allegheny River Conservation Plan, Allegheny Water Trail, and Pittsburgh-to-Harrisburg Greenway studies;
6. Complete or have completed a review of the Allegheny Valley Railroad's property claim and a title search of riverfront properties through Penn Hills;
7. Submit a Pennsylvania Byways Interest Form to PennDOT and identify the characteristics that make the Boulevard eligible for Byways status;
8. Approach the County and adjoining municipalities to prepare an application to have Allegheny River Boulevard designated as a Scenic Byway;
9. Support the efforts of the Alle-Kiski Revitalization Corporation to negotiate with the Allegheny Valley Railroad and request a sales agreement for the purchase of an easement;
10. Identify a small 'demonstration' project to trigger interest and convene a group;
11. Prepare proposals to DCNR for acquisition, trail design and development of a demonstration project or the trail as negotiations advance.

APPENDIX ONE

**Maps of Regional Trail Systems and County
Resolution expressing support for a trail system.**

Allegheny County Regional Trail System Plan



Trail Completed by End of 2001

Right-of-Way Secured

Feasibility Study Completed or Major Funding Secured

Proposed

County Parks

Prepared by the Allegheny Land Trust

In partnership with Allegheny County's regional trail-building organizations

- Charliers Nature Conservancy
- City of Pittsburgh
- Crafton Borough
- Friends of the Riverfront
- Montour Trail Council
- Regional Trail Corporation
- Steel Industry Heritage Corp.

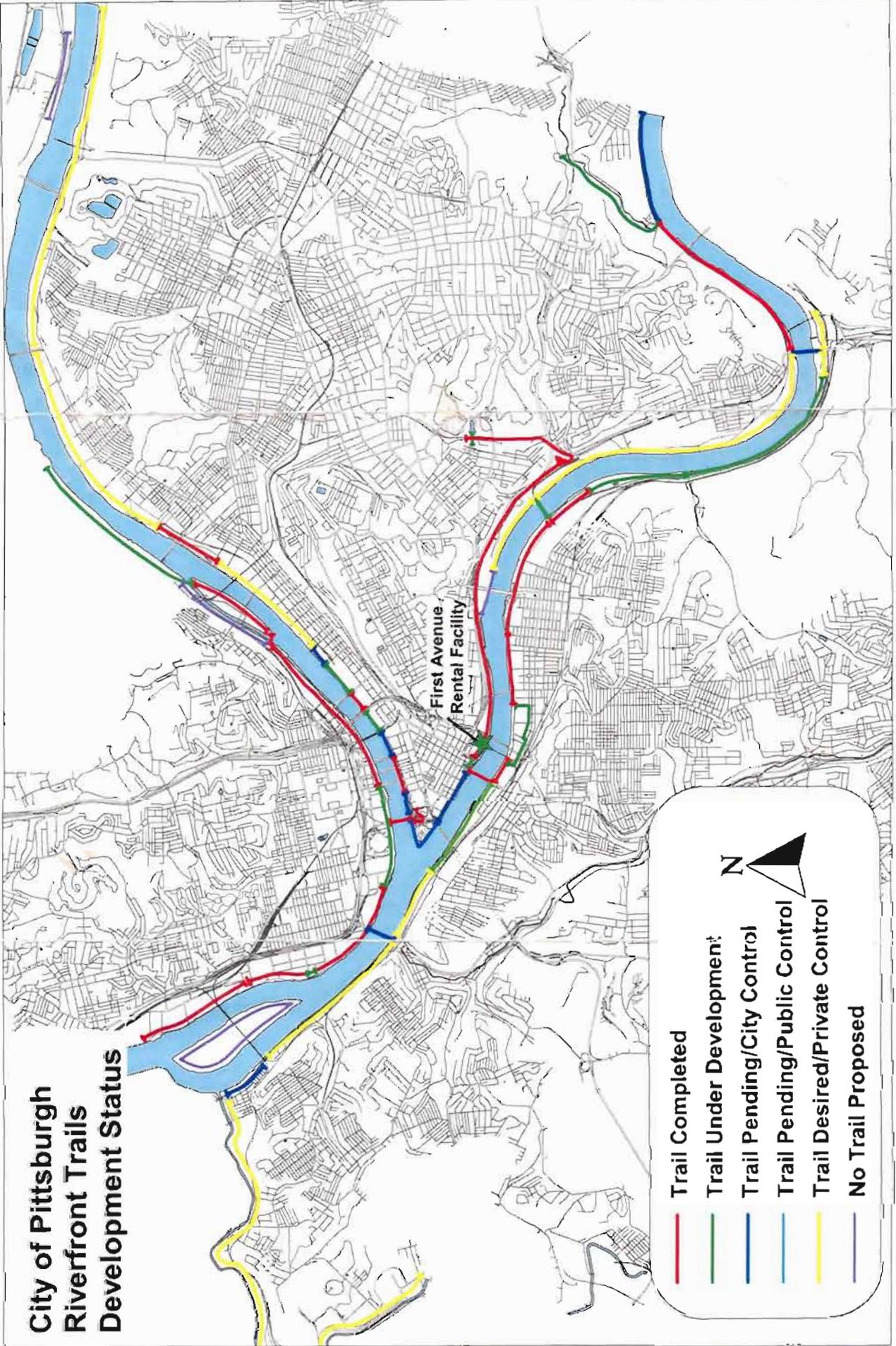
2002 trail projects proposed to the Allegheny Regional Asset District

1. Acquire trail easement
2. CSX bridge acquisition
3. Point State Park bike route improvements
4. First Avenue bike and blade station
5. Construct 2 miles of trail
6. Remove dangerous bridge
7. Improve access and build restrooms
8. Reconstruct 6 miles of trail
9. Erect trail maintenance building
10. Engineering & Construction 2 miles of trail

July 2000



City of Pittsburgh Riverfront Trails Development Status



No. 8-01

RESOLUTION

Establishing policy of Allegheny County to designate property along riverfronts and regional trails for trail use.

Whereas, our region has a rich history and tradition of riverfront use for economic and recreational uses, and

Whereas, Allegheny County has extensive riverfront property extending along existing and proposed trails through all corners of the county and accessible to our residents, and

Whereas, Allegheny County recognizes that it has a regional trail system, as set forth by the Trails Committee of the Allegheny Land Trust ("Regional Trail System"), that extends across multiple municipalities and benefits the entire County, and

Whereas, quality of life is one of the leading factors in attracting a talented and high level workforce needed to grow our region economically, and

Whereas, hiking and biking trails improve the quality of life of a region.

Be it resolved by the Council of Allegheny County as follows:

Section 1.

It is the policy of Allegheny County to designate for trail use a portion of all land and development property located on or adjacent to riverfronts or the Regional Trail System.

Section 2.

It is the policy of Allegheny County to include trail construction and public access to trails as necessary criteria for County approval of funding requests and decisions regarding any federal, state, or county funds managed or brokered by the County on behalf of municipalities for parcels that are located on or adjacent to riverfronts or the Regional Trail System.

SECTION 3. *If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.*

SECTION 4. *Any Resolution or Ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.*

Enacted in Council, this 20th day of February, 2001,

Council Agenda No. 0085.

John P. DeFazio
President of Council

Attest: _____
John Mascio
Chief Clerk of Council

Approved as to form: _____
Terrence McVerry
County Solicitor

Chief Executive Office February 26, 2001.

Approved: _____
James C. Roddey
Chief Executive

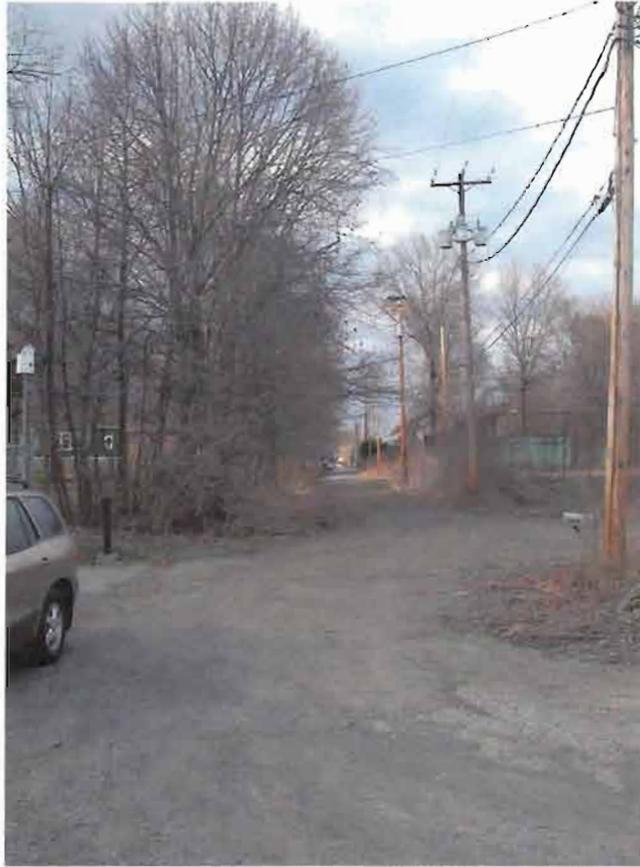
Attest: _____
Victoria A. Spence
Executive's Secretary

APPENDIX TWO

Riverfront/Trail Corridor Images



A potential obstacle exists as the railroad bends around behind the McDonald's and Fiore Mirror and Glass. A berm comes close to the track. An option would be to use the other side of the tracks...however a crossing must be included in the Quigley Creek area.



A riverfront trail would need to become a Class III Bikeway (“Share the Road”) on the streets of Verona, starting with Arch Street



The other option is to remain parallel to the AVRR through Verona. More width exists on the left side (River side) of the railroad tracks.

Verona End of the Study Area



At the Verona end, the trail could connect to Arch Street if it could cross private property behind Fagen's building Supply. The area is wooded and slopes steeply. Some grading would be necessary.



The Western End of the Study Area

The access from the end of the frontage road and continuing onto property currently owned by the Buncher Company



The alternative would be to parallel the existing railroad tracks adjacent to AVRR





The trail could only continue by connecting to the frontage road that passes Brilliant Marina and the Pittsburgh Water and Sewer Authority Facility.

APPENDIX THREE

Scenic Byway

Application Forms

PENNSYLVANIA BYWAYS APPLICATION



A. Nominated By (Agency): _____
Contact Person: _____
Address of Contact Person: _____
Telephone: _____ Fax: _____ Email: _____

B. Name of Road: _____
Location of Road: _____
Beginning Terminus: _____ Ending Terminus: _____
Approximate Length of Proposed Byway: _____

Circle the intrinsic quality(s) associated with the proposed Byway:

Scenic Historic Cultural Recreational Archaeological Natural

C. List resources along the route that support the intrinsic quality(s) circled above. (Attach separate sheets)

D. List additional resources along the corridor. (Attach separate sheets)

E. How would the proposed Byway complement other regional economic and community development strategies (such as the region's long range plan)? (Attach a separate sheet)

F. Attach resolutions of support from the municipalities and counties along the proposed Byway. Resolutions shall include a statement indicating the municipality's intent to uphold the designation.

G. Attach letters of support from applicable Metropolitan Planning Organizations and/or Local Development Districts and Tourism Promotion Agency(s).

H. Attach letters of support from members of the PA General Assembly whose districts are bisected by the proposed Byway.

I. If the Byway is on the Interstate System, Federal-Aid Primary (FAP) or National Highway System (NHS):

Attach an ordinance or ordinances demonstrating how the erection of new signs, displays or devices will be prohibited on the Byway in conformance with 23 U.S. Code §131(s). If using an existing ordinance, attach a resolution reflecting consent to enforce the prohibition set forth above and not to revise the ordinance without the prior written approval of the Department. Failure to do so may result in revocation of the designation.

(A copy of a model ordinance and other Byways material are available at www.dot.state.pa.us. Select **Special Interest Areas**, then **PA Byways**.)

If you are unsure if the Byway is on any of the designated systems, contact the Pennsylvania Byways Coordinator by calling: 717-787-0782 or e-mailing: PAByways@state.pa.us. You may also contact the Byways Coordinator for a copy of a Model Ordinance or for clarification regarding any requirements.

The applicant certifies that this application, information and documentation therein or required by the Department is accurate pursuant to 18 Pa. C. S. §4904, relating to false swearing to authorities.

_____ (Municipality)

By: _____
Title: _____ Date _____

_____ County, Pennsylvania

ORDINANCE NO. ____ - 20__

**AN ORDINANCE TO REGULATE OUTDOOR ADVERTISING DEVICES
ALONG THE ROUTE ____ CORRIDOR AND TO DESIGNATE ROUTE ____ A
SCENIC BYWAY**

Be It Ordained and Enacted by the Board of Supervisors/Borough Council of _____, and it is hereby Enacted and Ordained by the authority thereof as follows:

Section 1 - Title. This Ordinance shall be known as the "Route ____ Scenic Byway Ordinance."

Section 2 - Purpose. The purpose of this Ordinance is to accommodate the "Scenic Byway" designation along the Route ____ corridor by prohibiting certain advertising devices along Route ____ in accordance with the parameters set forth in state and federal law, and to enable state or federal funding to be obtained to preserve the natural beauty of this highway and to promote the public welfare.

Section 3 - Definitions. As used in this Ordinance the following words shall have the meaning ascribed:

Erect means to construct, build, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or customary maintenance and repair of a sign or sign structure.

Municipality or Municipal shall mean _____ and its Board of Supervisors/Borough Council or designated representatives.

Outdoor advertising device shall mean any outdoor sign, display, light, figure, painting, drawing, message, plaque, poster, billboard or other thing which is designed, intended or used to advertise or inform.

Owner shall mean any person vested with ownership, legal or equitable, sole or partial, of any property located in the Township.

Person shall include any individual, association, public or private corporation for profit or not for profit, partnership, firm, trust, estate, or any other legal entity whatsoever which is recognized by law as the subject of rights and duties. Whenever used in any clause prescribing and imposing a penalty or imposing a fine or imprisonment, the term "person" shall include the members of an association, partnership or firm and the officers of any local agency or public or private corporation.

Responsible Persons means all persons in possession or control of real estate by reason of a lease, contract or other legal right or claim, and all persons performing work for the owner or person responsible.

Section 4 - Prohibition. No outdoor advertising device, as defined, may be erected by any owner, person responsible or other person:

- A. Within 660 feet of the nearest edge of the right-of-way of Route ____; or
- B. More than 660 feet from the nearest edge of the right-of-way if the sign is visible from the main-traveled way of Route ____ and the purpose of the sign is that its message be read from the main-traveled way of Route ____, except as follows:
 - (1.) The official signs and notices which are required or authorized by law and which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131 (relating to control of outdoor advertising);
 - (2.) Outdoor advertising devices advertising the sale or lease of the real property upon which they are located;
 - (3.) Outdoor advertising devices advertising activities conducted on the property on which they are located, including devices which display a message that may be changed at reasonable intervals by electronic process or remote control; and
 - (4.) Directional signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions and other points of interest to the traveling public which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131.

Section 5 - Existing Devices. All outdoor advertising devices constructed and existing on the effective date of this Ordinance, which would be prohibited under this Ordinance, shall be permitted except that if the device shall not be used for advertising for a period of one year or shall become dilapidated, the device shall be removed.

Section 6 - Landowner Responsibility. For purposes of this Ordinance, the person or persons holding legal title to property on which a person is maintaining a condition of premises in violation of this Ordinance shall be subject to the remedies, penalties and liability imposed by enforcement of the Ordinance.

Section 7 - Notice of Violation. Whenever a condition constituting a violation of this Ordinance is found to exist, the Municipality or its designated representative shall cause written notice to be served upon the owner(s) of the subject premises, as well as other persons responsible for the outdoor advertising device. Service of this notice may be made by personal delivery to the Owners, and other Persons Responsible, or by mailing the notice to their last known address by certified mail. The notice shall identify the subject property and owner(s), or other Persons Responsible, describe the conditions of the property which constitute the violation, set forth the applicable section(s) of the Ordinance, and set forth a reasonable time to correct or remedy the violation.

Section 8 - Remedies for Violation. Violation of this Ordinance may result in any one or more of the following actions:

- A. the Municipality may order the removal of outdoor advertising devices installed or constructed in violation of the provisions of this Ordinance;
- B. the Municipality may institute proceedings before the District Justice or in a court of law to recover penalties and costs as provided in this Ordinance;
- C. the Municipality may institute an action in equity or at law, to abate the violation and obtain such other relief as is appropriate.

The remedies provided herein for the enforcement of this Ordinance, or any remedy provided by law, shall not be deemed mutually exclusive; rather they may be employed simultaneously or consecutively, at the option of the Municipality.

Section 9 - Penalty. Any person who violates or permits the violation of this Ordinance shall, upon being found liable therefore in a civil enforcement proceeding, pay a fine in an amount not to exceed \$100 for each violation, together with all court costs including reasonable attorney's fees, incurred by the Municipality. Each day a violation shall continue shall constitute a separate violation except for periods of time allowed by the Municipality for correction or elimination of the violation. No judgment shall be imposed until the date of the determination of a violation by the court.

Section 10 -- State Byway Program. If the roadway is designated a Byway by the Commonwealth of Pennsylvania, Department of Transportation, the Municipality shall enforce the prohibitions set forth in this Ordinance and shall not revise this Ordinance without the prior written approval of the Department. Failure to do so may result in revocation of the Byway designation.

Section 11 - Repealer. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

Section 12 - Severability. The provisions of this Ordinance shall be severable, and if any provisions hereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as legislative intent that this Ordinance would have been enacted had such unconstitutional, invalid or illegal provision not been included herein.

Section 12 - Effective Date. This Ordinance shall become effective five (5) days after enactment.

Ordained and Enacted this ____ day of _____, 20__, by the Board of Supervisors/Borough Council of _____.

Municipality

By: _____

By: _____

By: _____

Attest:

By: _____
Secretary

What are Intrinsic Qualities?

Intrinsic Quality means scenic, historic, recreational, cultural, archaeological, or natural features that are considered representative, unique, irreplaceable, or distinctly characteristic of an area.



Archaeological

Archaeological quality involves those characteristics of the scenic byway corridor that are physical evidence of historic or prehistoric life that are visible and capable of being inventoried and interpreted.



Cultural

Cultural quality is evidence and expressions of the customs or traditions of a distinct group of people. Cultural features include, but are not limited to, crafts, music, dance, rituals, festivals, speech, food, special events, and vernacular architecture that are currently practiced.



Historic

Historic quality encompasses legacies of the past that are distinctly associated with physical elements of the landscape, whether natural or manmade, that are of such historic significance that they educate the viewer and stir an appreciation of the past.



Natural

Natural quality applies to those features in the visual environment that are in a relatively undisturbed state. These features predate the arrival of human populations, and may include geological formations, fossils, landforms, water bodies, vegetation and wildlife.



Recreational

Recreational quality involves outdoor recreational activities directly associated with, and dependent upon, the natural and cultural elements of the corridor's landscape.



Scenic

Scenic quality is the heightened visual experience derived from the view of natural and manmade elements of the visual environment.

APPENDIX FOUR

Schematic Design Plan

PROPOSED TRAIL ROUTE

PARKING

CREEK

ROAD

RAIL

POINTS OF INTERESTS

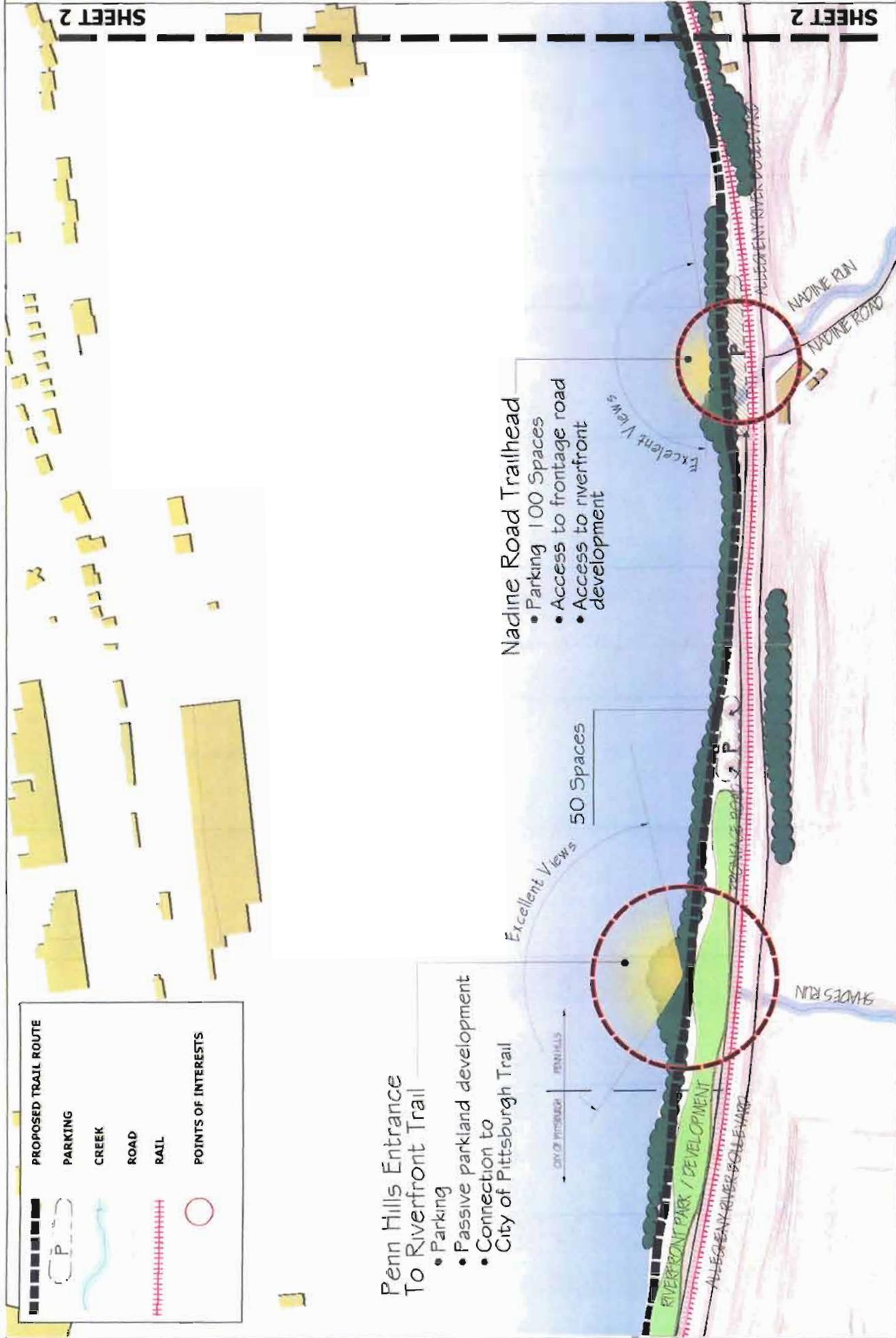
Penn Hills Entrance To Riverfront Trail

- Parking
- Passive parkland development
- Connection to City of Pittsburgh Trail

Excellent Views
50 Spaces

Nadine Road Trailhead

- Parking 100 Spaces
- Access to frontage road
- Access to riverfront development



PROPOSED TRAIL ROUTE

PARKING

CREEK

ROAD

RAIL

POINTS OF INTERESTS

Private Residences
Ownership issues need to be resolved

Restaurant / Commercial

River Overlook
Deck overlook set on top of hill
Keep natural vegetation

Sandy Creek Point

- Parking 75 Spaces
- Rest rooms
- Lighthouse focal point
- Observation deck
- Dock - crew access

Excellent Views

Excellent Views





APPENDIX FIVE

Sandy Creek Parklet Concept Plan

APPENDIX SIX

Riverfront Trail Cross Sections



SECTION LIMITED SPACE BETWEEN TRACK AND TOP OF HILL



BETWEEN TRACK AND TOP OF HILL

SECTION AT RESTAURANT.
 1/4" = 1'-0"

APPENDIX SEVEN

Letter sent to Property Owners in the Corridor

March 5, 2003

Dear

The purpose of this letter is to request your input on a Bicycle Trail Corridor Feasibility Study that is being prepared on behalf of the Friends of the Riverfront and the Penn Hills Quality Community Project. The Study examines the feasibility of a bicycle route or trail from Verona to Washington Boulevard in the City of Pittsburgh and presents a set of recommendations for further action.

The Study being researched and drafted by Chambers Design Associates and myself is preliminary and oriented toward soliciting community input and public opinion. The recommendations include, among other things:

- (1) Complete Allegheny Boulevard landscaping improvements at Sandy Creek Road and the overlooks;
- (2) Identify invasive vegetation along the top of banks that should be removed to open up vistas and provide more opportunity for native plant growth;
- (3) Seek official Scenic Byway status for Allegheny Boulevard;
- (4) Further legal and engineering study to define the viability of a trail that shares the Allegheny Valley Railroad Corridor; and,
- (5) Identify small 'demonstration' landscaping or river access projects to energize and empower citizen involvement.

The Feasibility Study is scheduled for presentation to Penn Hills Planning Commission on March 27 at 7:00 pm at the Penn Hills Municipal Building. You are encouraged to attend. I will also attempt to contact you the week of March 10 to discuss the Study with you and address any additional questions you may have. Please do not hesitate to contact me with any questions or comments in the interim.

I look forward to talking with you.

Sincerely,

John Stephen

John W. Stephen

VIA FACSIMILE

March 24, 2003

Mayor Leonard Brennan
Verona Borough
736 E. Railroad Ave.
Verona, PA 15147

Dear Mayor Brennan,

The purpose of this letter is to request your input on a Bicycle Trail Corridor Feasibility Study that is being prepared on behalf of the Friends of the Riverfront and the Penn Hills Quality Community Project. The Study examines the feasibility of a bicycle route or trail from Verona to Washington Boulevard in the City of Pittsburgh and presents a set of recommendations for further action.

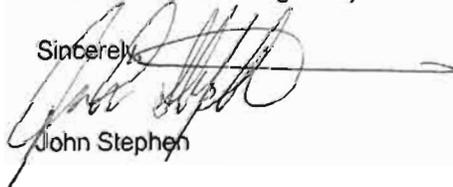
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- (5) Identify small 'demonstration' landscaping or river access projects to energize and empower citizen involvement.

The Feasibility Study is scheduled for presentation to Penn Hills Council on March 27 at 7:00 pm at the Penn Hills Municipal Building. You are encouraged to attend. I will also attempt to contact you in advance of the presentation to discuss the Study with you and address any additional questions you may have. Please do not hesitate to contact me with any questions or comments in the interim.

I look forward to talking with you.

Sincerely,



John Stephen

APPENDIX EIGHT

Minutes of Planning Commission Presentation

PENN HILLS PLANNING COMMISSION

Minutes of February 28, 2002

- Present:** Al Papa, Jr. Trent Griffith, John Joyce, and David Moore
- Absent:** Sara Kuhn
- Minutes:** The minutes for the January 22, 2002 meeting were approved 4-0.

Chairperson Al Papa, Jr. opened the meeting with the presentation of the Friends of the Riverfront.

FRIENDS OF THE RIVERFRONT

Meg Balsamico of the Planning Department of Penn Hills introduced John Stephens and Todd Chambers of the Friends of the Riverfront. Meg explained to the audience that the Planning Department has been working with QCP Infrastructure on the riverfront study. Back in 1999 we submitted a grant application to DCNR for a feasibility study for a rail trail along the Allegheny River Quarter of Penn Hills. We contracted John Stephens who is the Director of the Riverfront. Mr. Stephens along with Todd Chambers, who is from Chambers Design Associates and is a registered landscape architect, presented the program this evening for the Planning Commission and the interested citizens of Penn Hills.

John Stephens showed the Planning Commission along with interested residents of Penn Hills the progress the Friends of the Riverfront and Chambers Design Associates have made with the riverfront study project. This is a study for a bikeway and riverfront access. The plan is from the City of Pittsburgh and a growing trail up to Highland Park and then continuing along the shores of the Allegheny River and connecting up to Penn Hills. Mr. Stephens stated that the organizations were working with other areas on the Allegheny to connect to an Allegheny Water Trail and integrating even Nine Mile Island into this program. There is a major master plan called The Pittsburgh /Harrisburg Greenway funded by DCNR for that whole stretch which will follow the old path of the Mainline Canal. AlliKiski Revitalization Corporation is working with QCP and hoping to expand all the way up to the AlliKiski Region. Mr. Stephens and Mr. Chambers have been walking the whole riverfront trying to identify places of opportunity and designer uses for potential trails.

Minutes of Planning Commission Meeting 2-28-02

Mr. Chambers stated that they plan to design a riverfront with biking, hiking, boating, picnics and walkers all along the riverfront. Plans are in the drawings for restaurants and some parking spots along the riverfront. With the plan, they feel that they can put Trails in between the river and the railroad tracks. The trails can be right at the edge of the riverbank with a buffer between. The trail would be 8 foot and would put a barrier or guardrail for safety. This all would be discussed with the railroad and this is only in the planning stages. Mr. Chambers also spoke of parking areas at Nadine Road. A lot of these plans have to be looked into by the DEP and the Corp of Engineers.

After Mr. Stephens and Mr. Chambers gave their presentation, they asked the audience if they or the Planning Commission had any questions? Janice McAndrews of 1724 Overlook Drive asked about the safety. Ms. McAndrews stated that the traffic is really bad in the last few years.

Howard Davidson answered her question with a question! Mr. Davidson asked, "If there is a lot of traffic on Allegheny River Blvd., do you think bikers would not want to use this trail? Or do you think they will have difficulties finding a parking space? Mr. Davidson says that hikers and bikers will find a space in the shopping center.

Ms. McAndrews just wants to emphasize that we have to make this project safe for the people and she doesn't know how this can be done with all the traffic on the boulevard. Other concerns are children falling in the river.

Mr. Davidson stated that this project would be getting the bikers off the road, as they are always on the boulevard biking now. This trail will only improve all these situations that you are talking about. As for parking, some hikers and bikers will park at Highland Park and bike or hike or walk the trails along the boulevard.

Clifford Berschneider of Yosemite Drive stated that if you are a biker why do you need some place to park? You have a 20 or 30-mile trail and most people bike about 5 or 10 miles.

Ms. McAndrew asked the question as to where the money was coming from to fund this project?

Mr. Davidson answer was that Penn Hills would not be funding this project and that it would be tax free to Penn Hills. We have applied for Federal money for the landscaping. Who is involved in the project is the QCP organization which some of the Planning Commission Members belong to as well as several citizens in the audience tonight. There also is an application in with the Federal Government for the two stone turnouts in Penn Hills. It is more of a regional issue and we feel that is why the State and Federal Government should support this issue. There may come a time when they ask Penn Hills Council to match with a share and we will deal with that issue when we get there.

Minutes of Planning Commission Meeting 2-28-02

Clifford Berschneider stated that he was 86 years old and can remember the beauty of Allegheny River Boulevard when he was a boy of 6 years old. He stated that we should look ahead and bring back the beauty of this area.

Al Papa, Jr. the Chairperson of the Planning Commission stated that they are very much in favor of the project and want to see it move forward. We would like Friends of the Riverfront to come back and give us a progress report.

SITE PLAN 384/RULLO SCHULTHIES GAS WELL/SK OPERATING/LOT AND BLOCK 445-K-324

Sam Kimmel, President of S K Operating was representing his company and stated that he gave a revised Site Plan to the Planning Department on January 17, 2002 and Mr. Blackwell, from the Planning Department agreed that he revised his site plan which included the access road, well site, pipe lines, topsoil storage, and any other proposed clearing of vegetation was all corrected.

Mr. Joyce then made a motion to approve the conditional use with the following conditions:

1. That drilling be permitted on a twenty-four (24) hour basis; however, should complaints result from drilling which are not resolved amicably by SK Operating, Inc., the drilling will be prohibited from the hours of 6:00 p.m. and 6:00 a.m.
2. That a maintenance bond in favor of the Municipality of Penn Hills be provided by the applicant for travel on local roadways.

Mr. Joyce also made the motion to approve the site plan portion of this request.

This was approved 4-0.

SITE PLAN NO 383/JOSEPH D'ANDREA OFFICE/STORAGE BUILDING/140 PURITY ROAD

Joseph D'Andrea owner of the property at 670 Rodi Road, represented himself. Mr. D'Andrea stated that the Planning Department is picking on him.

Al Papa stated that he knows that there is a little ill feeling and we want to resolve this issue tonight. Mr. Papa says that there are some landscaping issues and this is what we are trying to resolve this evening. Mr. D'Andrea planted trees that did not comply with Penn Hills.

Mr. Blackwell stated that whenever a site plan comes before the Planning Department and Commission we look at the plan before us and we say that if it looks nice and it is good for the community, we will recommend approval but this plan was written on the plan and it wasn't installed. If the landscaping is not on the plan, we have to fall back on the ordinance.

PENN HILLS PLANNING COMMISSION MEETING

Minutes of March 27, 2003

Present: Al Papa, Jr., Sara Kuhn, Trent Griffith, and David Moore

Absent: Michael Fanzo

Minutes: Minutes were approved for the November 21, 2002 meeting with Sara Kuhn and David Moore abstaining 2-0.
Minutes were approved for the January 23, 2003 meeting 4-0.

DISCUSSION: FRIENDS OF THE RIVERFRONT-JOHN STEPHEN

John Stephen, Consultant, representative of the Riverfront and Todd Chambers, Landscape Architect, gave a presentation on where this project stands. Mr. Stephens gave a follow up of the Riverfront trail and presented a draft of the trails on behalf of the Quality Community Project. In a few weeks, Mr. Stephens stated that Friends of the Riverfront would present the final plans to Penn Hills and if it is up to the Community to apply for additional funding from DCNR for this project.

Trail one will come up from the city and the city is very active in developing these trails and their title is the Pittsburgh to Harrisburg-Greenway Project. This goes up the Allegheny to the Kiski and then up over the mountains to Harrisburg. This project is on hold until a decision is made on the transits system-Maglev. Allegheny Valley Railroad is quite involved in this project but they may have future usage of the land if Maglev goes through.

Mr. Stephens stated that the Community should apply for the Scenic Byways Status, which would help with encouraging more presentations in other local communities on the riverfront. He will continue to work with the Allegheny Valley Railroad on not only the property ownership but issues on new crossings on the trails and new barriers.

Todd Chambers presented the diagram of the trails and explained where they would have the barriers, fences and where they could put more of a park type atmosphere. Mr. Chambers showed parking areas and where you could create overlooks or points of interest along the trails. Plans for a dock, observation tower, and other decks to observe the riverfront.

David Moore questioned the turnarounds on the boulevard for parking.

Minutes for March 27, 2003 Planning Commission Meeting

Mr. Chambers stated that they could be used for parking but they have not been studied.

Howard Davidson brought the Planning Commission up to date that the Rotary Club and QCP takes care of one of the turnarounds and they just received a grant for \$115,000 to restore the stone and \$85,000 for the landscaping and will combine these two together to do this project. Mr. Davidson also asked anyone in the audience who would be interested in QCP projects to call the Planning Department for they are always looking for volunteers

Howard Davidson stated that this will be brought to Council for a presentation in the near future and will be brought to the state and hopes the public will get involved with this by volunteering.

Al Papa asked if the Planning Commission could propose a resolution along with the Chamber of Commerce.

Howard Davidson will draw one up at the appropriate time.

Alexander Greenhill spoke about traffic in the area.

Leo Sweeney told about the beautiful trails around Allegheny County such as the one in Little Boston and hoped that we would have the same type of river trails. He also volunteered to join QCP and help with the projects.

SUBDIVISION DECESARE PROPERTY AT 115 RITZLAND ROAD LOT AND BLOCK 369-C-364

The applicant is requesting subdivision approval to create separate parcels for a home at the corner of Frankstown and Ritzland Road and half of a duplex on Ritzland. Richard Territ was not available tonight and the owner of the property is in Florida.

Al Papa, Jr. stated that with Mr. Territ fine reputation and with the Planning Department's recommendation the Planning Commission feels confident to approve this subdivision with the following conditions:

That the installation of sidewalks be waived.

The Planning Commission approved this subdivision 4-0.

SITE PLAN 428 NOBLE PROPERTIES AT 251 HULTON ROAD LOT AND BLOCK 367-N-145

The applicant, Carmen Noble of 251 Hulton Road, spoke and gave photos to the Planning Commission of property all over Penn Hills that has violations and nothing was done about these properties. His point, he stated, was that most people are in violation.

Minutes for Planning Commission March 27, 2003

Mr. Papa said that the question is if you build this garage does that eliminate the ten (10) parking spaces?

Mr. Noble answer was that was why he was building the garage to put the cars in the garage.

For this particular property, Mr. Papa stated that you have to have parking spaces.

Sara Kuhn asked if there was a dog grooming business on his property? The property we are talking about is a residential home and do you have a renter in this home? Mrs. Kuhn also wanted to know why there is ten (10) parking spaces if we do not have a business in there and it is residential now?

Mr. Noble answer was no and it has not been there in the last twelve (12) years. The dog grooming was a previous owner years ago. There is a renter in the home but no business in the basement as it was years ago. Mr. Noble states that there is still ten (10) parking places when this detached garage is built.

Christopher Blackwell states that there is no new business there but it is zoned for business just as the Penn Hills Shopping Center has a vacant Ames and you could not build a garage in the middle of that parking lot. Mr. Blackwell states that you cannot say that you have no business in the building and he wants to build a commercial garage to store equipment. The only way he could build a garage would be for the residents that live in the building. He could put an office there with the garage but he still needs parking spaces and there is no place to have the parking spaces.

Mr. Noble states that he has room for ten (10) parking spaces and the Planning Department says that in the plans there is no room for parking spaces.

Trent Griffith stated that if you bring a new blue print and we can look at it the application would have to be withdrawn until we have something in black and white to look at. Mr. Griffith says that what is holding this up is the number of parking spaces. Mr. Noble says that he has the spaces and the Planning Department says that the plans show he does not. Mr. Griffith said, "Prove it and we will pass it".

Carmen Noble withdrew his application and will return with proof of the ten parking spaces.

SITE PLAN 429 GUPTA GAS WELLS 1&2 HUNTLEY AND HUNTLEY, INC. AT 234 LOTT ROAD LOT AND BLOCK 635-L-227

Attorney Steve Ralph represented Huntley and Huntley, Inc. Mr. Ralph asked if the Planning Commission or the audience had any questions and no one had questions.

Site Plan 429 was approved with the following conditions:

APPENDIX NINE

Minutes of Quality Community Project Meetings

QCP Meeting Notes Re: ARB Rail Trail Study

QCP meetings were held on the following dates to discuss the Feasibility Study:

June 12, 2001
September 20, 2001
November 29, 2001
August 6, 2002
October 9, 2002
October 19, 2002
February 19, 2003

The consultant, John Stephen, Friends of the Riverfront and Todd Chambers, Chambers Design Associates, provided QCP members with information, updates and progress reports. In addition to the meetings that the consultant attended, regular monthly QCP meetings were held throughout the term of the grant and updates on the progress of the study were given by Meg Balsamico, Project Coordinator for the Feasibility Study, to those in attendance. There is a large amount of support for this project and the overall response for the rail trail was favorable. The members of QCP were asked to submit their comments to the Planning Department as soon as possible. The following people were in attendance at the meetings:

1. Howard Davidson – Director, Penn Hills Planning Department/QCP
2. Christopher Blackwell – Principal Planner, Penn Hills Planning Department/QCP
3. Meg Balsamico – Planner, Penn Hills Planning Department/QCP
4. Gerry Nosal – Penn Hills Department of Public Works/QCP
5. Bill Trisch – QCP Member
6. Howard Burton, Police Chief, Penn Hills Police Department
7. Frank Pasqualino – QCP Member
8. Dan Stampo – QCP Member
9. Ed Zullo – QCP Member
10. Russ Reaghard – Volunteer Fireman, Rosedale Fire Department
11. Nancy Hines – QCP Member
12. John Stephen – Friends of the Riverfront
13. Todd Chambers – Chamber Design Associates
14. Moe Rayan – Penn Hills Public Works Department
15. Dan Miller – Director, Penn Hills Parks and Recreation Department
16. Michelle Brimmer – Activities Coordinator, Penn Hills Parks and Recreation
17. Elouise Brookey – QCP Member
18. Vi Scaringi – QCP Member
19. Justine Masi – QCP Member
20. Judy Buzzard – QCP Member
21. Christine Davis – Historical Consultant, Christine Davis Consultants
22. Al Papa – Chairman, Penn Hills Planning Commission/QCP
23. Ron Kohler – QCP Member
24. Karen Rafalko – QCP Member

25. Ed Mandell – Director, Penn Hills Library
26. Doris Ketterer – QCP Member
27. Diane Fitzhenry – Municipal Clerk, Municipality of Penn Hills, QCP Member
28. Daniel Fitzhenry – QCP Member

In addition, presentations of the study were held at the following Penn Hills Planning Commission meetings:

February 28, 2002

March 27, 2003

Both meetings were open to the public and the official minutes from the meeting are attached. The Planning Commission members are as follows:

Al Papa, Jr., Chairman
Sara Kuhn, Vice Chairwoman
David Moore, Member
Trent Griffith, Member
Michael C. Fanzo, Member