

**NORTH FAYETTE TOWNSHIP  
PLANNING COMMISSION**

**REGULAR MEETING  
TUESDAY, OCTOBER 20, 2015  
7:30 P.M.**

The meeting was called to order with Chairman David Cosnek presiding.

**MEMBERS PRESENT:**

David Cosnek, Chairman  
Charles Kyle, Vice Chairman  
Fred Lutz, Board Member  
Tom McDermott, Township Solicitor  
Shawn Wingrove, EIT  
Laura Ludwig, Township Community Development Director  
Debbie Midgley, Deputy Recording Secretary

**MEMBERS ABSENT:**

Bill Fitzgerald, Board Member  
Bob Owens, Board Member  
Cheryl Cherico, Recording Secretary

**OTHERS PRESENT:**

Terry Palmer, Ashford Partners  
Tom Cenna, Hampton Technical Associates  
Kim Gales, J.R. Gales & Associates  
Brenda Sebring, Sebring & Associates/ Fayette Farms  
Mary O'Leary, Mahoney Road  
William O'Leary, Mahoney Road  
David LaPearle, PVE Sheffler  
Bill Patrick, CJL Engineering

**UNFINISHED BUSINESS:**

A motion was made by Mr. Chuck Kyle, seconded by Mr. Fred Lutz, to appoint Debbie Midgley as the Deputy Recording Secretary for the remainder of 2015.

A motion was made by Mr. Fred Lutz, seconded by Mr. Chuck Kyle, to approve the minutes from the September 15, 2015 meeting. Motion carried.

## **NEW BUSINESS:**

- 1. Application 2015-12 – O’Leary Plan of Lots** – Application for preliminary and final minor subdivision involving a lot line relocation on 5.62 acres of land located at 239 Mahoney Road in the R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block #s 590-K-71 and 590-K-70). **(Resubmittal)**

Mr. Cosnek asked a representative to approach the Board.

Mr. Dave LaPearle of PVE Sheffler approached the Board. He stated the Mr. and Mrs. O’Leary were also in attendance (property owners).

Mr. LaPearle said that he had received both Ms. Ludwig’s comment letter and Mr. Wingrove’s comment letter regarding the revised subdivision plan for the lot line relocation. He stated the overlap issue between the Holmes family and the Zitko family was the reason for the latest revision to the plan and the resubmittal. He said that the overlap issue is now settled thanks to additional surveying of the properties. He stated the proper acreage has been added to the plan. He said they had received comments from Allegheny County Economic Development and made all recommended revisions. He said they are seeking a recommendation for final approval this evening.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final minor subdivision involving a lot line relocation on 5.62 acres of land located at 239 Mahoney Road in the R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block #s 590-K-71 and 590-K-70).
2. This application was previously recommended for approval at the July 21, 2015 Planning Commission meeting. At that meeting, the main topic was the overlap area issue / portion of land shown on the plan that was noted as being owned by both the Zitko’s and the Holmes’ families. At that time, the County Department of Real Estate recommended that a quit claim deed was the best option to address the issue. The plan was recommended for approval contingent upon a note being added to the plan about the quit claim deed.
3. In my discussions with the applicant’s surveyor Mr. Dave LaPearle, they have continued to experience unforeseen complications due to the small property overlap between Zitko & Holmes. Unfortunately, all of these issues end up delaying and complicating the original & simple effort by the O’Leary’s with Mrs. Zitko to revise the lot line between their two properties. The Township agreed to allow the applicant to resubmit a revised plan that would include the overlap resolution with the adjoining Holmes property, and any certain signatures from them and/or their Bank, all on one plan.
4. Thus, the revised plan up for review and approval at this month’s Planning Commission meeting notes that the Parcel B overlap area, which totals about 4,590 square feet, will be conveyed from Holmes to Zitko.

5. Refer to any comments from the Township Engineer per LSSE's review letter dated October 2, 2015.
6. Refer to any comments from the Township Solicitor.
7. To date, I have not received any additional review comments from the Planning Division of the Allegheny County Department of Economic Development.
8. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the O'Leary Plan of Lots preliminary and final minor subdivision application involving a lot line relocation on Mahoney Road is complete and there are no outstanding items to address. Thus, I recommend that the Planning Commission recommend to the Board of Supervisors that the O'Leary Lot Line Relocation Plan be approved.

Ms. Ludwig said after she had completed her review letter, she received a comment letter from the Allegheny County Department of Economic Development. She stated the County had some minor issues with the wording of the signature clauses, which to her understanding have been addressed with Mr. LaPearle's revised plan that was emailed earlier in the afternoon.

Ms. Ludwig said her recommendation would be to approve the O'Leary Lot Line Relocation plan this evening.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated May 19, 2015, last revised September 21, 2015, prepared by PVE Sheffler, LLC, as received by our office May 21, 2015. The plan proposes a lot line relocation between two existing lots. The properties are located at 239 Mahoney Road and 251 Mahoney Road, and are Zoned R-3 – Medium Density Residential District

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, conforms to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22).

Mr. Wingrove said he did review the updated plan that was emailed and he had nothing further to add. He said there are no outstanding issues.

Mr. Cosnek asked if anyone had any comments or questions. Hearing none, he asked for a motion on the application.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. CHUCK KYLE, AND CARRIED TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE O'LEARY LOT LINE RELOCATION PLAN.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

- 2. Application 2015-18 PRD – Fayette Farms Revised Tentative PRD (2<sup>nd</sup> Revision) –** Application for revised tentative approval of a Planned Residential Development (PRD) on 325.94 acres of land to consist of 639 total residential lots on Donaldson Road in a R-2 Suburban Residential/ PRD Zoning District.

Mr. Cosnek asked a representative to approach the Board.

Ms. Gales approached the Board. She said as long as the Board was okay with it, she would not do a full additional presentation but would proceed with the main outstanding items left to be addressed from last month's meeting.

Ms. Gales said in regard to the bufferyards, Mr. Wingrove and Ms. Ludwig met with Mr. Chiri on-site to discuss the issue. She said during this meeting they determined that the newer phases of the development have ample bufferyards and that those buffers will be maintained as part of the newer phases. She said the last issue to discuss is the sidewalk.

Ms. Sebring asked if Mr. McDermott wanted to speak in regard to the sidewalks.

Mr. McDermott said that under the current ordinance there is a requirement to construct sidewalks, or under justifiable circumstances the Board can grant a waiver of that which comes with a requirement to pay a fee-in-lieu, which is based on the submitted estimate that is accepted by the Township Engineer. Mr. McDermott asked if it was possible to define the particular stretch of area where the sidewalks would be placed.

Ms. Sebring presented a map showing the area in question.

Ms. Gales said that since the Planning Commission last saw the plans, the phase of townhomes along Donaldson Road has been eliminated. She said they are now down to 639 units total in the PRD. She said the Phases on the other side of Donaldson Road would now be numbered Phases 9 and 10. Ms. Gales stated the stretch of Donaldson Road they were talking about, for the sidewalks, would be in front of those phases.

Ms. Ludwig clarified that it would not be all the way down Donaldson Road.

Mr. McDermott asked from where to where along Donaldson Road.

Ms. Sebring said from Pattridge Lane to the end of Phase 10 on the south side of Donaldson Road.

Ms. Ludwig confirmed that was the correct area in question from Pattridge to where Phase 10 ends along Donaldson.

Ms. Ludwig said she wanted to clarify that the Township cannot retroactively go back and require sidewalks to be installed along Donaldson Road for any of the phases that have already been completed. Thus, no sidewalks will be installed along the north side of the road as part of future development.

Ms. Sebring said that what they would like is that the possible resolutions be that there could be sidewalks, a fee-in-lieu of the sidewalks, or the ability to look at a trail system. She said the trail system may be more conducive because after the site visit that occurred, everyone acknowledges that because of the site distance, terrain, etc., people walking along sidewalks on Donaldson would be quite difficult. She said the trail system may be a better feature because it could link with the entrance to Donaldson Park that has been added as part of Phase 10.

Ms. Ludwig asked if sidewalks would be put in along Donaldson Road in the areas she and Mr. Wingrove had discussed with Mr. Chiri.

Ms. Sebring said no. She said she thought the whole idea was to create connectivity to the Park, and that would be achieved through the creation of the trail system. She said the trail system would be more conducive to usage and benefit for the residents than a mile of sidewalk. She stated the terrain is suitable for a trail system.

Mr. Cosnek asked if there were any sidewalks planned to come off of Heritage Drive.

Ms. Gales said Heritage Drive has internal sidewalks.

Mr. Cosnek asked if there were plans in place to help bring residents from the other side of Donaldson across the road so they could also have access to the trails and Park.

Ms. Sebring said the trail system is a recent idea and that the trails, along with the issue of getting folks across Donaldson Road over to Phases 9 and 10 and the trail, would need to be approved by the Board of Supervisors. So, if that is what is required, they'll have to do something there.

Mr. Kyle said he thought that for any of the lots in Phase 11 that abut Donaldson Road, there would be sidewalks installed.

Ms. Sebring said that was not the case anymore as Phase 11 has been eliminated from the plan. She stated that Phases 9 and 10 would have internal sidewalks that would connect to the entrance of the proposed trail system.

Mr. Kyle said he was thinking from their previous discussions on the issue there were to be some sidewalks installed along certain lots in Phases 9 and 10 that had frontage on Donaldson.

Ms. Sebring apologized and said that was correct, certain lots in those Phases would have sidewalks. She said the trail system would connect Phases 9 and 10.

Ms. Gales said she believed that when Mr. Chiri met with the Township staff that he had agreed to install sidewalks along some of those lots.

Ms. Ludwig said the Board has copies of the revised plans which do show sidewalks in Phase 9 along lot numbers 901 and 949 and in Phase 10 along lot numbers 1001, 1062, 1063, and 1064. She said there is a hashing on the plan and that the hashing shows where those future sidewalks are to be located.

Ms. Gales stated that was correct.

Mr. Lutz asked if the area in between Phases 9 and 10 was all open space.

Ms. Gales said yes.

Mr. Lutz asked if that is where the trail will be located to get over to the Park.

Ms. Gales said yes. She said that is a much safer option than installing sidewalks along the roadway.

Ms. Ludwig said the concept of an internal trail system is similar to the conservation easement proposed between Bright Oaks and the Hollow Oak Land Trust for their use of the open space in that community. She said the Township could approach the Land Trust to see if they might be interested in this trail system as well, should Mr. Chiri or the HOA want to explore that option. She said it would probably be the HOA's responsibility to maintain the trails unless something else was arranged. She said Hollow Oak does a lot of really cool things with trails, nature preservation, wetlands, etc. She said they've done a lot of great work in Moon Township and she is excited to have them in North Fayette soon.

Mr. McDermott said the concept that he and Ms. Sebring had discussed was as the ordinance stands, the Board can approve a modification on the sidewalks but the ordinance requires the fee-in-lieu of. He said the Township would have the ability to accept in-kind alternatives acceptable to the Township. He said what the concept would be, to fashion it into a motion, would be to agree to grant the waiver, either a) with the payment of the standard fee or b) in lieu of the fee, reaching an agreement acceptable to the Board of Supervisors for the construction of an enhanced system of trails as well as some minor sidewalks and crossings as necessary to make it work to achieve connectivity to the Township Park in such locations and built to standards acceptable by the Township.

Mr. McDermott said to put it in layman's terms, they would either pay the fee-in-lieu and submit the estimate for it or the alternative would be that an agreement is reached to come up with an interconnectivity trail plan that everybody likes and the Township is acceptable of and agreeable to.

Mr. McDermott said the only reason he put in the thing about minor sidewalks and crossings was to make sure it left that open in terms of the overall design of the trails.

Mr. McDermott said he is not talking about building lengths of sidewalks. He said maybe it does not involve cutting in thousands of feet of sidewalk along Donaldson Road but perhaps maybe

there would be a need to cut some turn or curve the design to make the trail system work. He said it could really be part of the overall trail construction, just a concrete portion of the trail. He asked if that made sense to everyone.

Ms. Sebring said it did but that she and Mr. McDermott did not talk sidewalks specifically, only trails. She said it seemed reasonable as the trail is going to have to work and be functional. She said they did not want to see sidewalks to nowhere and they certainly don't want to build trails to nowhere either.

Mr. Kyle asked if the trail concept was for the portion that extends from Phase 9, Lot 949 to Phase 10, Lot 1001.

Ms. Ludwig said yes technically. She then asked if Phase 6 had sidewalks.

Ms. Gales said yes, internally there are sidewalks in Phase 6.

Ms. Ludwig asked to confirm there are no sidewalks proposed along Donaldson for Phase 6.

Ms. Gales said that was correct.

Ms. Ludwig asked to confirm that those living in Phase 6 would have access to the Park as part of the proposed trail system.

Mr. McDermott asked for the applicant to verify the specific locations and areas where the applicant is proposing to not build sidewalks.

Ms. Gales said along Phase 6 and the open space in between Phases 9 and 10, along Donaldson, are areas where there will be no sidewalks.

Mr. McDermott said in consideration for granting that waiver, it would be conditioned upon either a) paying the fee per the ordinance or b) the Board agreeing to accept, in lieu of the fee, a proposal to build interconnecting trails within the plan and ultimately to the Township Park.

Mr. Cosnek asked in Phase 6, where it meets Donaldson at Rosemarie Lane, what is the possibility of going from there to the Phase 9 entrance. He said that would connect the Phase 6 folks to the trail. He suggested moving the sidewalk to accommodate that need.

Mr. Kyle asked how they would define that.

Ms. Sebring said that what Mr. Cosnek was saying was they would do sidewalks from here to here (pointing to a map) from Highpointe Drive on the southerly side to a place that would line up with Rosemarie Lane where it intersects with Donaldson Road. And then again they would repeat that pattern from Southfield Drive, still on the southerly side, to Raymond Drive and would not have a sidewalk on the southerly side in front of lots 1062, 1063, 1064, or 1061.

Ms. Sebring said they would also not have a sidewalk to the west of Highpointe Drive.

Mr. Kyle asked if there would be a system of trails that would connect where those two sidewalks end.

Ms. Sebring said yes.

Mr. Kyle said he was agreeable to that. He said it will tie the community together nicely.

Mr. McDermott asked if the applicant could get a marker out to highlight specifically where the sidewalks will be installed along Donaldson.

Ms. Gales highlighted the locations on an 11 x 17 copy of the master plan using green highlighter.

Mr. McDermott marked it as "Planning Commission Exhibit A" and dated it 10-20-2015.

Mr. Cosnek asked if Ms. Ludwig wanted to go over her letter.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig made the following comments:

1. This is an application for a revised tentative approval of a Planned Residential Development (PRD) on 325.94 acres of land to consist of 639 total dwelling units along Donaldson Road in an R-2 Suburban Residential/ PRD Overlay Zoning District.
2. The PRD plans have been revised from what was submitted last month. Phase 11, which was to consist of 24 townhomes, has been eliminated and turned into 2.8691 acres of open space. Thus, the increase in the total number of units associated with the revision to the PRD is now a total of 91 additional units.
3. The original tentative PRD for Fayette Farms was approved by the Township Board of Supervisors on January 27, 2004. Planning Commission members received a copy of the written decision of the Board at last month's meeting. The plan consisted of 330 acres of land and 548 total dwelling units. The plan was approved with a mixture of lot sizes, broken down as follows:
  - A total of 74 lots with a width of 105 feet,
  - A total of 47 lots with a width of 90 feet,
  - A total of 215 lots with a width of 80 feet,
  - A total of 88 lots with a width of 50 feet, and
  - A total of 124 lots with a width of 26 feet (townhome lots).
4. Under the original approval from January 2004, there were 84.7 total acres of open space provided, or approximately 25% of the total development. The minimum under Zoning Ordinance No. 360 was 20%.

5. There are eight (8) modification requests that have been submitted by the applicant. Similar requests for modifications were granted under the previous tentative PRD approval and/or for individual Phases. The following is a summary of the modification requests submitted by Fayette Farms, LP from the Township's Zoning Ordinance, Chapter 27 of the Township's Code of Ordinances, Ordinance No. 418, for the proposed revision:

- Section 205.3. and 607.2.D. of the Zoning Ordinance requires a minimum lot area of 7,200 square feet for single family lots. *The applicant has requested a modification to allow a minimum lot area of 6,000 square feet.*
- Section 205.3. of the Zoning Ordinance requires a minimum lot width of 80 feet for single-family dwellings and 20 feet for townhomes. *The applicant has requested a modification to allow a 50 foot minimum lot width.*
- Section 205.3 of the Zoning Ordinance requires a 10 foot side yard setback for each side yard within the PRD. *The applicant has requested a modification to use 5 foot or 0 foot and 10 foot minimum side yard setbacks.*

In addition, the applicant has requested the following modifications from the Township's Subdivision and Land Development Ordinance, Chapter 22 of the Township's Code of Ordinances, Ordinance No. 418:

- Section 404.2. requires sidewalks to be installed along all streets frontages of the lot for which development is proposed in all major land developments. *The applicant has requested a modification to this requirement to not install sidewalks along certain sections of Donaldson Road. The revised plan show sidewalks along some portions of frontage along Donaldson Road but not all frontage. The applicant would be required to pay a fee in lieu for any sidewalks waived.*
- Section 504.2.E. requires horizontal curve centerline radii shall be a minimum of 150 feet. *The applicant has requested a modification of this requirement.*
- Section 504.3.C. requires the minimum length of vertical curve for all streets to be 250 feet. *The applicant has requested a modification of this requirement.*
- Section 504.3.D. requires there be a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet. *The applicant has requested a modification of this requirement.*
- Section 504.4.B. requires cul-de-sac streets shall be no greater than 600 feet in length. *The applicant has requested a modification of this requirement.*

After discussing the issue at length with both Tom McDermott and Shawn Wingrove, we believe that the modification requests should be handled at the overall PRD level if at all possible as it will be easier to manage and will involve less modification requests at the time that each phase is approved. If makes sense to do it now, if they know they are needed now at the macro level, let's just handle it now.

6. In regard to lot widths and side setbacks, the following modifications were granted for these requirements in previous phases:

- Phase 1C – Townhomes along Raymond Drive – 50 foot lot widths

- Phase 2C – Beginning of Heritage Drive and Village Circle – 50 foot lot widths and 5 foot side yards or 0 feet and 10 feet side yards (patio only)
- Phase 2-C-2 – Raymond Drive Single Family Homes – 55 foot lot widths
- Phase 3C – Heritage Drive – 50 foot lot widths for patio homes and 5 foot side yards or 0 feet and 10 feet side yards (patio only)

7. Under the previous Zoning Ordinance, Ordinance No. 290, which was the current ordinance at the time the original Fayette Farms tentative PRD was approved, bufferyards were not required for single-family residential dwellings. Section 1202.1 of Ordinance No. 290 states “Bufferyards shall be required in conjunction with the development of any property, except with the development of single family residential dwellings.”

We discussed the bufferyard issue at length during the September 15<sup>th</sup> Planning Commission meeting. Under the previous zoning ordinance, bufferyards were not required along the perimeter or within the plan. After meeting with Mr. Chiri and Shawn from LSSE and driving around the Fayette Farms PRD together, we determined the buffering of the perimeter of the PRD can be met by using existing vegetation and topography. The areas of vegetation to remain in Phases 6, 7, 8, 9, and 10 should be identified and labeled as bufferyard areas on the PRD plan. These notes should be added to the final plans prior to the Board of Supervisors approving the PRD revision. No modifications are necessary in relation to the buffer.

8. Sidewalks and how to handle the potential sidewalk waiver request was also discussed at length at last month’s meeting. Sidewalks have been added to the plans along Donaldson Road but only associated with Phases 9 and 10. While I understand the arguments that the applicant has for not wanting to put in the full sidewalk along that side of Donaldson Road, from a planning perspective, the possible connection of these two phases with an additional sidewalk along that side of Donaldson Road is key for connectivity within the community as well as to Donaldson Park.

There are no sidewalks provided along the frontage of lots on Donaldson associated with Phase 6. Overall, I think there is less of a need for sidewalks along that side of the road, since it does not exist in the older, completed phases.

It is important to note that we cannot go back in time and make Fayette Farms LP put in sidewalks for Phases that are already completed. However, connecting the proposed sidewalks associated with Lots 901 and 949 in Phase 9 and the proposed sidewalks along Lots 1001, 1062, 1063, and 1064 in Phase 10 is critical as that would allow for residents living in not only Phase 10 but also Phases 9, 6, 2-C-2, 1-C, 3-C, and 2-C to walk safely to the Township’s Donaldson Park from within the existing sidewalk system within the community.

The Planning Commission could recommend approval of the sidewalk modification, making reference to the Phase Indexing Plan which outlines the locations for where sidewalks are or aren’t to be located. According to the Subdivision and Land Development Ordinance (SALDO) as it is written, the applicant would still need to pay a fee in lieu for any sidewalks not constructed.

9. The connection to Donaldson Park from Phases 9 and 10 was discussed last month. A note has been added to the PRD Phasing Index Plan noting a 15 foot right-of-way for pedestrian access to North Fayette Park.
10. In regard to Traffic Counts and Traffic Studies, as of the date of this letter, I have not received updated traffic count information associated with the increase in units. I hope to receive that information in time for us to review and discuss at the meeting next week. It is an absolute necessity to have the information available for the public hearing on the 27<sup>th</sup>.
11. A copy of the application and plans was forwarded to the Planning Division of the Allegheny County Department of Economic Development (ACDED) for their review and comment. No comments have been received to date from ACDED for the overall tentative PRD plan.
12. Refer to any comments from the Township Engineer per LSSE's review letter dated September 3, 2015.
13. Refer to any comments from the Township Solicitor.

At this time, the revised tentative PRD application filed by Fayette Farms, LP looks to be complete, pending discussion of the sidewalks and the submittal of the additional traffic information requested from the applicant. I recommend that the Planning Commission make a few motions related to the application this evening. The first motion is to recommend to the Board of Supervisors as to whether to approve or deny the applicant's modification requests to the following sections of the Zoning Ordinance – 205.3 and 607.2.D. – and the following sections of the Subdivision and Land Development Ordinance – 404.2., 504.2.E., 504.3.C., 504.3.D., and 504.4.B. Lastly, the final motion is to recommend to the Board as to whether to approve or deny the Revised Tentative PRD application.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Revised Tentative Planned Residential Development, dated October 12, 2015, prepared by J.R. Gales & Associates, Inc., as received by our office October 14, 2015. The plan proposes revisions to the previously approved planned residential development with to result in a total of 663 total units on 330 acres. The property is located along Donaldson Road, and is Zoned R-2 – Suburban Residential District, and is within the PRD – Planned Residential Development Overlay District.

Previous comments may be found in our letter dated September 3, 2015.

The plan has been reviewed for general conformance to the previous PRD approval, dated January 27, 2004. With resolution of the following items and modification requests, the plan will generally conform to the previous PRD approval:

1. The Ordinance requires a minimum lot area of 7,200 square feet for single family lots. (Section 205.3. and 607.2.C.(1).(a).) **Previous Comment:** *The applicant has requested a modification to allow a minimum lot area of 6,000 square feet. A similar modification was granted for the previous Tentative PRD approval.* **Status: Pending modification determination.**

2. The Ordinance requires a minimum lot width of 80-feet for single family dwellings and 20-feet for townhouse units measured from the front principal building setback line. (Sections 205.3.) **Previous Comment:** *The applicant has requested a modification to allow a 50-foot minimum lot width.* **Status: Pending modification determination.**
  
3. The Ordinance requires a 10-foot side yard building setback for each side yard within the PRD zoning district. (Sections 205.3.) **Previous Comment:** *The applicant has requested a modification to the requirement to use 5-foot or 0-foot and 10-foot minimum side yard setbacks. A similar modification was granted for the previous Tentative PRD approval.* **Status: Pending modification determination.**
  
4. The Ordinance requires all streets be construction to the specifications of the North Fayette Township Subdivision Ordinance. (Section 607.7.E.) **Status: The following comments are provided per a review of the roadway design requirements presented in the Subdivision and Land Development Ordinance:**
  - A. The Ordinance requires horizontal curve centerline radii shall be a minimum of 150 feet. (Section 504.2.E). **Previous Comment:** *The applicant has requested a modification of the requirement.* **Status: Pending modification determination.**
  
  - B. The Ordinance requires the minimum length of vertical curve for all streets shall be 250 feet. (Section 504.3.C). **Previous Comment:** *The applicant has requested a modification of the requirement.* **Status: Pending modification determination.**
  
  - C. The Ordinance requires there shall be a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet. (Section 504.3.D). **Previous Comment:** *The applicant has requested a modification of the requirement.* **Status: Pending modification determination.**
  
  - D. The Ordinance requires cul-de-sac streets shall be no greater than 600 feet in length. (Section 504.4.B). **Previous Comment:** *The applicant has requested a modification of the requirement.* **Status: Pending modification determination.**
  
5. The Ordinance requires a Traffic Impact Study for subdivisions that will generate, on average, 100 or more peak hour trips on any adjacent street. (Section 312.) **Previous Comment:** *A Traffic Impact Study was submitted during the initial PRD approval. A statement from the developer's Traffic Consultant should be provided indicating whether the proposed revisions to the PRD are a substantive change to the original study.* **Status: No change.**

In addition, the following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27) for PRD approval that should be addressed at the time of final approval of each phase:

1. The Ordinance requires bufferyard plantings be provided based on the use of adjacent properties. (Section 206.3, 607.8.B, and Section 607.10.D.(9).) **Previous Comment:** *A Landscaping Plan has not been provided for the revised PRD. Bufferyard B is required*

*along the perimeter of the PRD and Bufferyard C is required along Donaldson Road and should be incorporated into final plans for each phase. Status: No change.*

2. The Ordinance requires sidewalks be provided in accordance with the requirements of the North Fayette Township Subdivision and Land Development Ordinance. (Section 607.7.B.) **Status: The following comments are provided per a review of the sidewalk requirements presented in the Subdivision and Land Development Ordinance:**

- A. The Ordinance requires sidewalks be provided along all street frontages of the lot for which the development is proposed in all major land developments. (Section 404.2.). **Previous Comment:** *Sidewalks are required along the frontage of all plan streets. The applicant has requested a modification to the requirement to not install sidewalks along Donaldson Road. Proposed sidewalks should be included in the final plans for submitted for each phase.* **Status: The plans have been revised to propose sidewalks along Donaldson Road along the frontage of Phases 9 and 10 only.**

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, will generally conform to the previous Tentative PRD approval, with resolution of the above noted items. The applicant should note that the plan must meet all requirements for a Final PRD and Land Development at the time of final approval of each phase. Additional comments may be made following a review of the Final Land Development plans for conformance to the Township Zoning Ordinance, Subdivision and Land Development Ordinance, Grading Ordinance and Stormwater Management Ordinance.

Ms. Ludwig stated she wanted to make sure the Planning Commission was aware of the other modifications/waivers that would be part of any recommendations made this evening. She reviewed the modifications as discussed in her review letter dated October 15, 2015. She said there are three modification requests related to the zoning ordinance and five related to the subdivision and land development ordinance. She reviewed each of them. She stated she would let Mr. McDermott chime in on the language for the sidewalk waiver given the discussion regarding the internal trail system.

Ms. Sebring asked if she could make a comment. She said with respect to the connectivity of the sidewalks, what was just discussed about the shifting of the sidewalks may suffice.

Mr. McDermott said he would phrase the motion in a way to state to forego sidewalks along Donaldson Road except in those areas that are depicted on Exhibit A. He stated that was the concept he was trying to get at.

Mr. Lutz asked if they are not building any more townhomes in Fayette Farms, can the modification request pertaining to the 0 foot to 10 foot side yard setback be withdrawn.

Mr. Cosnek agreed stating he was also inclined to think that would not apply.

Ms. Gales said no, that would not be the case as there are still a few townhome buildings to be constructed along Raymond Drive. She said there are about three lots left so it would still apply.

Mr. Cosnek asked within that specific waiver request if it could be defined that the 0 foot to 10 foot side yard setback applied to townhomes only.

Ms. Ludwig said yes, they could set that condition.

Mr. Lutz said he would agree to that if the condition was for townhomes only.

Mr. Cosnek said in regard to the cul-de-sac modification request, where it says no greater than 600 feet in length, are they able to define what the new length would be or perhaps a certain length not to exceed. He said if they grant it as worded, it could be any length.

Mr. Wingrove said they could define it as “as shown on the plan.” He said all of those modification requests related to the lengths, curves, radii, etc. could be conditioned as labeled and shown on the master plan.

Ms. Gales said they have a number of existing cul-de-sacs that are already over the 600 foot length limit.

Mr. Cosnek asked if Ms. Ludwig was finished with her comments.

Ms. Ludwig said she had one additional comment in relation to the traffic / trip generation information. She stated her overall recommendations would be to recommend approval to the Board of the modification requests as well as the tentative revised PRD application. She also reminded everyone that the public hearing is scheduled for the 27<sup>th</sup> at 7:00pm.

Mr. Kyle asked if Ms. Ludwig’s recommendation took into account Allegheny County’s comments regarding the changes in the lot sizes and the density impact.

Ms. Ludwig stated the County’s comments have been noted and are in the file. She said she just wanted to make sure the Board had a copy of the County’s comments. She said she did not think their comments resulted in any actual changes being needed to the plan. She said the numbering of the phases has been adjusted, which makes sense as the phases will be numbered as they are built.

Ms. Ludwig said her only other comment is regarding the traffic information. That information still needs to be submitted and reviewed. She said her recommendation would be to approve the application, contingent upon the additional traffic information being submitted and reviewed by the Township’s traffic engineer. She said that information is needed in time for the public hearing on October 27<sup>th</sup>.

Mr. Cosnek clarified that the condition regarding the traffic report being submitted should be part of the PRD application.

Ms. Ludwig said that was correct.

Mr. Kyle stated the modifications should be in a separate motion.

Ms. Ludwig said yes, that was correct.

Ms. Sebring asked what would happen if the traffic information was not ready in time for the public hearing.

Ms. Ludwig said that the traffic information is critical and should be submitted as soon as possible as it should be discussed at the public hearing.

Ms. Sebring said there seems to be some confusion with HRG, the Township's traffic engineer, as to what additional traffic information needs to be submitted. There was a discussion on what traffic information was or was not required to be submitted.

Ms. Ludwig said Darren from HRG sent an email to Matt Radinovich outlining the additional items needed. She said she thought there were some items on the list that were not necessary. She said all that the applicant needs to submit is a trip generation analysis noting the impact of the additional 91 units. She said she would touch base with Darren from HRG.

Ms. Sebring asked if the Board would consider making a recommendation tonight to approve the application, subject to the additional traffic information being submitted.

Ms. Sebring said she was confused by Darren's email. She said the developer already contributes in several different ways to help with improvements needed along Donaldson Road.

Ms. Ludwig said that it should just be a matter of Mr. Radinovich using the ITE green manual for trip generation counts. She said all she is looking for is the trip generation numbers and for a conclusion that there is no substantive or significant impact from the additional 91 units on the original PRD traffic study. She said no counts are needed for North Branch and Donaldson Road. She also said there is no need for a peak hour signal warrant or a left turn warrant review at Donaldson Road, as stated in Darren's email.

Ms. Sebring said ok. She said that makes sense as they are already committed to making certain off-site improvements and are already contributing \$1,000 into a fund for every unit.

Ms. Ludwig said she had not talked to Darren yet but she would clarify all of the items discussed with him on what is and is not needed for the additional traffic information.

Mr. Kyle asked if all that was needed for the public hearing was the trip generation counts and the other items, if necessary, could be addressed at a later time.

Mr. McDermott said yes, or perhaps they will not need to be addressed at all.

Ms. Sebring said she is glad that everyone was on the same page now in terms of the traffic information.

Mr. Cosnek asked Mr. Wingrove if he had any additional comments.

Mr. Wingrove stated he did not have much further, as most of the items in LSSE's letter had been discussed. He said the applicant did resubmit and cleaned up all of the plan presentation notes.

Mr. Cosnek asked for a motion on the modification requests for the PRD plan.

There was a brief discussion on how to group the various modification requests and Mr. McDermott suggested a freestanding motion on the sidewalks.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE MODIFICATION REQUESTS TO SECTIONS 205.3. AND 607.2.D. OF THE ZONING ORDINANCE, CONDITIONED UPON THE 0 FOOT AND 10 FOOT SIDE YARD SETBACKS BEING APPLICABLE TO TOWNHOMES ONLY.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE MODIFICATION REQUESTS TO SECTIONS 504.2.E., 504.3.C., 504.3.D., AND 504.4.B. OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, AS SHOWN ON THE PHASING INDEX PLAN DATED AUGUST 10, 2015 WITH A REVISION DATE OF OCTOBER 9, 2015.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

Mr. Cosnek asked Mr. McDermott to read the motion on the sidewalks.

Mr. McDermott stated that for the purposes of the motion, he wanted to describe that what was marked as "Planning Commission Exhibit A," dated 10-20-15, is a copy of the Phasing Index Plan with a revision date of 10-19-15, sheet 2 of 10, is highlighted with green highlighter showing sections along Donaldson Road that would be sidewalked.

Mr. McDermott stated that before they do a second, he wanted to read over the motion to make sure everyone understood it and was comfortable with it. He read over the motion.

Ms. Sebring did ask what they meant by overall plan and if that would apply to past phases (pointed to map of the development but specifically to the northerly side of Donaldson Road).

Ms. Ludwig said they would not be going back retroactively to require sidewalks along Donaldson Road for any phases that have already been completed.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECOMMEND APPROVAL OF THE MODIFICATION PER SECTION 22-404 TO WAIVE THE REQUIREMENT OF SIDEWALKS ALONG CERTAIN LENGTHS OF DONALDSON ROAD - i.e., EXCEPT ALONG THOSE LENGTHS DEPICTED IN GREEN IN “PC EXHIBIT A” UPON WHICH SIDEWALKS SHALL BE CONSTRUCTED - CONDITIONED UPON EITHER (A) PAYMENT OF THE REQUIRED FEE PER 404.5, OR (B) IN LIEU OF SUCH FEE, AGREEMENT ACCEPTABLE TO THE TOWNSHIP BOARD OF SUPERVISORS PROVIDING FOR THE CONSTRUCTION OF AN ENHANCED SYSTEM OF TRAILS TO CREATE INTER-CONNECTIVITY WITHIN THE OVERALL PLAN AND TO PROVIDE CONNECTIVITY BETWEEN THE PLAN AND THE TOWNSHIP PARK, IN SUCH LOCATIONS AND BUILT TO STANDARDS ACCEPTABLE TO THE BOARD OF SUPERVISORS.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE REVISED TENTATIVE FAYETTE FARMS PRD APPLICATION, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE’S REVIEW LETTER DATED OCTOBER 19, 2015 AND THE TOWNSHIP’S REVIEW LETTER DATED OCTOBER 15, 2015, AND CONTINGENT UPON THE ADDITIONAL TRAFFIC INFORMATION BEING SUBMITTED AND REVIEWED.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

- 3. Application 2015-15 – Fayette Farms Phase 6 – Application for preliminary and final residential development involving a 10 lot residential subdivision on 6.5024 acres of land located on the corner of Donaldson Road and Pattridge Lane in a R-2 Suburban Residential / Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 798-N-253).**

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig’s review comments were as follows:

I have reviewed the application submitted for preliminary and final subdivision and residential land development and my comments are as follows:

1. This is an application for preliminary and final subdivision and residential land development involving the creation of 10 lots on 6.5024 acres of land located on the corner of Donaldson Road and Patridge Lane in an R-2 Suburban Residential Zoning District / Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 798-N-253).
2. Please note the application has now been renumbered back to Phase 6 (from Phase 8). This makes sense as the phases should be numbered in the order they are completed.
3. The original tentative Fayette Farms PRD called for townhomes in this location. Fayette Farms LP, as part of the pending revision to the tentative PRD, is proposing to build 10 single family homes in this location instead.
4. There are eight modification requests that have been submitted by the applicant as part of the revised tentative PRD approval for Fayette Farms that will apply for final approval of Phase 6 as well. Similar requests for modifications were granted under the previous tentative PRD approval and/or for individual Phases. The following is a summary of the modification requests submitted by Fayette Farms, LP from the Township's Zoning Ordinance, Chapter 27 of the Township's Code of Ordinances, Ordinance No. 418, for the proposed revision:
  - Section 205.3. and 607.2.D. of the Zoning Ordinance requires a minimum lot area of 7,200 square feet for single family lots. *The applicant has requested a modification to allow a minimum lot area of 6,000 square feet.*
  - Section 205.3. of the Zoning Ordinance requires a minimum lot width of 80 feet for single-family dwellings and 20 feet for townhomes. *The applicant has requested a modification to allow a 50 foot minimum lot width.*
  - Section 205.3 of the Zoning Ordinance requires a 10 foot side yard setback for each side yard within the PRD. *The applicant has requested a modification to use 5 foot or 0 foot and 10 foot minimum side yard setbacks.*

In addition, the applicant has requested the following modifications from the Township's Subdivision and Land Development Ordinance, Chapter 22 of the Township's Code of Ordinances, Ordinance No. 418:

- Section 404.2. requires sidewalks to be installed along all streets frontages of the lot for which development is proposed in all major land developments. *The applicant has requested a modification to this requirement to not install the sidewalks. We would require the applicant to pay a fee in lieu and submit a cost estimate for this work.*
- Section 504.2.E. requires horizontal curve centerline radii shall be a minimum of 150 feet. *The applicant has requested a modification of this requirement.*
- Section 504.3.C. requires the minimum length of vertical curve for all streets to be 250 feet. *The applicant has requested a modification of this requirement.*
- Section 504.3.D. requires there be a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet. *The applicant has requested a modification of this requirement. The plans submitted show a grade of 6% for Rosemarie Lane.*

- Section 504.4.B. requires cul-de-sac streets shall be no greater than 600 feet in length. *The applicant has requested a modification of this requirement. The plans submitted show an approximate length of the cul-de-sac of 700 feet.*

If the above aforementioned modification requests are entertained and approved as part of the tentative revised PRD approval, it is my understanding we do not need to make another recommendation on them as part of Phase 6. It is my recommendation they be handled at the PRD level.

5. Refer to any comments from the Township Engineer per LSSE's review letter dated September 3, 2015.
6. Refer to any comments from the Township Solicitor.
7. The Planning Division of the Allegheny County Department of Economic Development did receive a copy of the application. ACDED provided a review letter dated September 3, 2015. A copy of it is attached.
8. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the final subdivision and land development application filed by Fayette Farms LP for Phase 6 is complete, pending the outcome of the public hearing for the tentative PRD revision and subsequent Board of Supervisor's decision on tentative PRD revision as well as the various modification requests submitted. In addition, other pending items include the completion of the Phase 6 developer's agreement, posting of the performance bond, the completion of the stormwater maintenance agreement, and the payment of the stormwater maintenance fee. As such, I recommend that the Planning Commission make a motion to the Board of Supervisors to approve the application, contingent upon all items being addressed in LSSE's review letter dated September 3, 2015 and this review letter dated October 15, 2015 and contingent upon the approval of the tentative PRD revision for Fayette Farms.

Mr. Wingrove's review comments were as follows:

We have completed our review of the above referenced Preliminary and Final Subdivision, dated June 10, 2015, last revised August 17, 2015 prepared by J. R. Gales & Associates, Inc., as received by our office August 21, 2015. The subdivision proposes the creation of 10 lots and one open space parcel. The property is located along proposed Rosemarie Lane South of Raymond Drive, R-2 – Suburban Residential District, and PRD – Planned Residential Development Overlay District.

Previous comments may be found in our letter dated July 10, 2015. Please note that the initial submittal and our previous letter identify this at Phase 6. Due to the current PRD revision, the subject development has been retitled as Phase 8.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

### Zoning

1. The Ordinance requires a minimum lot area of 7,200 square feet for single family lots. (Sections 205.3.) **Previous Comment:** *The zoning table identifies the proposed minimum lot area as 6,000 SF per lot. Lot 602 is the smallest proposed lot at 6,063 SF. A modification was granted for this item in the past. The approved tentative PRD proposes townhouses for Phase 6. Because the single-family lots proposed as part of the current application are not consistent with the approved tentative PRD, the PRD must be revised. As part of the PRD revision process, the applicant may request a minimum lot area modification for the new single family lots.* **Status: The applicant has requested a modification of this requirement as part of a revised PRD application. Pending.**
2. The Ordinance requires a minimum lot width of 80-feet for single family dwellings measured from the front principal building setback line. (Sections 205.3.) **Previous Comment:** *The zoning table identifies the proposed minimum lot width as 50-foot. A modification was granted for this item in the past. The approved tentative PRD proposes townhouses for Phase 6. Because the single-family lots proposed as part of the current application are not consistent with the approved tentative PRD, the PRD must be revised. As part of the PRD revision process, the applicant may request a minimum lot width modification for the new single family lots.* **Status: The applicant has requested a modification of this requirement as part of a revised PRD application. Pending.**
3. The Ordinance requires a 10-foot side yard building setback for each side yard within the PRD zoning district. (Sections 205.3.) **Previous Comment:** *The zoning table identifies the proposed minimum side yard setbacks as 5-foot or 0-foot and 10-foot. A modification was granted for this item in the past. The approved tentative PRD proposes townhouses for Phase 6. Because the single-family lots proposed as part of the current application are not consistent with the approved tentative PRD, the PRD must be revised. As part of the PRD revision process, the applicant may request a minimum lot width modification for the new single family lots.* **Status: The applicant has requested a modification of this requirement as part of a revised PRD application. Pending.**
4. The Ordinance requires a buildable area analysis be provided. (Section 501.1.) **Previous Comment: Not provided. Status: The applicant has indicated that a buildable area analysis has been provided with the revised PRD submittal; however, LSSE has not received it.**

### Subdivision

1. The Ordinance requires the Developer execute a Development Agreement. (Section 209.) **Previous Comment:** *The Developer must contact the Solicitor to initiate the preparation of the Development Agreement.* **Status: Pending.**

2. The Ordinance requires existing and proposed easements be shown on the plan. (Section 302.M.) **Previous Comment:** *An easement has not been provided for the storm sewers or detention facility on the southern side of Donaldson Road.* **Status: No change.**
3. The Ordinance requires sidewalks be provided along all street frontages for major land developments. (Section 404.2.B.) **Previous Comment:** *Sidewalks have not been provided along the frontage of Donaldson Road.* **Status: The applicant is requesting a modification of the requirement.**
4. The Ordinance requires there be a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet at street intersections. (Section 504.2.D.) **Previous Comment:** *The profile located on Sheet 3 shows Rosemarie Lane to have a 6% grade within 100 feet of the intersection with Donaldson Road.* **Status: The applicant has requested a modification of this requirement.**
5. The Ordinance requires the minimum length of vertical curves be 250 for all streets. (Section 504.3.C.) **Previous Comment:** *The plan proposes a vertical curve with a length of 80 feet.* **Status: The applicant has requested a modification to this requirement.**
6. The Ordinance requires cul-de-sac streets shall be no greater than 600 feet in length. (Section 504.4.B.) **Previous Comment:** *The proposed cul-de-sac street is approximately 700 feet in length.* **Status: The applicant has requested a modification to this requirement.**

#### Stormwater Management

1. The Ordinance requires stormwater management for the development be addressed for all earth disturbance activities. (Section 106.A.) **Previous Comment:** *Documentation that this phase is consistent with the original Stormwater Management Report for the development has not been provided. Provide calculations demonstrating the land cover conditions for the area tributary to Detention Pond #9 as currently proposed and corresponding information from the previous report, along with the design information for the pond.* **Status: The certification page and narrative refer to the Municipality of Bethel Park. Please revise accordingly.**
2. The Ordinance requires an access road of at least 15' wide be provided for all stormwater detention facilities. (Section 601.2.D.(7).) **Previous Comment:** *An access road has not been provided for the proposed pond.* **Status: No change.**
3. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 803.3.A.) **Previous Comment:** *A copy of the signed and recorded Stormwater Maintenance Agreement has not been provided. The applicant should contact the Township Solicitor regarding the agreement, if an agreement for the facility serving the subject Phase has not already been executed.* **Stated: No change.**
4. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 803.4.1.a., and 902.3.) **Previous Comment:** *Not provided. The applicant should contact the Township regarding payment, if this has not been previously provided for the proposed facility.* **Status: No change.**





Ms. Ludwig said that if the Board recalled Clover Group's senior housing land development application from earlier this year, Mr. Bashioum, the neighboring property owner, agreed to the easement buffer with Clover. She said as part of that Clover agreed to give him a portion of their land that he has always maintained. She said what is shown on the plan is making that agreement between Mr. Bashioum and Clover official.

The Board reviewed the comments of Ms. Ludwig, Mr. Wingrove, and the submitted comments of Ms. Kay Pierce from Allegheny County Department of Economic Development.

Ms. Ludwig had the following comments:

1. This is an application for preliminary and final minor subdivision involving a lot line relocation between two lots on 10.19 acres of land located at 7430 Steubenville Pike in a B-2 General Business Zoning District (Allegheny County Lot and Block Numbers 496-A-1 and 496-B-5).
2. This plan as presented includes a lot line relocation between the Clover site and the neighboring property owned by Mr. and Mrs. Bashioum. This area being added to the Bashioum's property is in exchange for the side yard buffer easement area shown on the plans which was needed to meet the landscaping requirements for the land development associated with Clover Group's senior garden apartments to be constructed on the 10+ acre lot.
3. There are several minor revisions and additions that need to be made to the plan, all of which are fairly minor in nature, and are as follows:
  - The required front, side, and rear setbacks should be added to the plan on Parcel B which is the Bashioum's property,
  - The proposed name of the subdivision needs to be added to the title block of the plan,
  - A north arrow needs to be added to the plan,
  - The current zoning classification, which is B-2 General Business, should be added to the plan, and
  - A note regarding whether or not the property is located in a flood zone also needs to be added.
4. Refer to any comments from the Township Engineer per LSSE's review letter dated October 2, 2015.
5. Refer to any comments from the Township Solicitor.
6. To date, I have not received any review comments from the Planning Division of the Allegheny County Department of Economic Development.
7. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the Clover Communities North Fayette LLC preliminary and final minor subdivision application involve a lot line relocation at 7430 Steubenville Pike is complete, pending the resolution of the minor edits and additions noted herein. Thus, I recommend that the Planning Commission recommend to the Board of Supervisors that the Clover Communities North Fayette LLC Lot Line Relocation Plan be approved.

Ms. Ludwig said there were a couple of minor issues with the plan, including adding some setbacks to the plan, etc. She said her recommendation would be to recommend approval of the application, contingent upon those items being addressed.

Mr. Wingrove had the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated September 22, 2015 prepared by Hampton Technical Associates, Inc, as received by our office September 28, 2015. The plan proposes the lot line relocation between two existing lots. The properties are located along the northern side of Steubenville Pike (S.R. 3066), and are Zoned B-2 – General Business District.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette’s Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

Zoning

1. The Ordinance requires a 20-foot minimum front yard building setback. (Section 205.3.) **Status: The front yard building setback line has not been shown for Parcel B. The dwelling encroaches within the front yard building setback. This is an existing non-conformance.**
2. The Ordinance requires a 30-foot minimum side yard building setback when not adjoining a residential district. (Section 205.3.) **Status: Side yard building setback lines have not been shown for Parcel B.**
3. The Ordinance requires a 30-foot minimum rear yard building setback when not adjoining a residential district. (Section 205.3.) **Status: The rear yard building setback line has not been shown for Parcel B**

Subdivision

1. The Ordinance requires the proposed name of the subdivision. (Section 302.B.) **Status: It appears the proposed name of the subdivision has been left blank in the title block.**
2. The Ordinance requires the zoning classification of the area to be subdivided be identified on the subdivision plan. (Section 302.K. and 306.B.) **Status: The zoning district in North Fayette has not been identified on the plan.**
3. The Ordinance requires the plan include a north arrow. (Section 302.L.) **Status: Not provided.**

4. The Ordinance requires the plan to include areas subject to periodic flooding, as identified on the current Flood Insurance Rate map for the Township issued by the Federal Emergency management Agency. (Section 302.T.) **Status: If the subject development is outside of the FEMA defined floodplain, a note indicating such should be added to the recording plan.**

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, will conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22) with the resolution of the above noted items.

Ms. Pierce's comments were as follows:

We received the above referenced application on September 28, 2015. Comments on the plan are provided in the enclosed checklist and in this letter. Please note that while ACED has reviewed the plan for compliance with the items on the checklist to the extent possible, final responsibility for ensuring that the plan is prepared to the standards required and that all information on the plan is current, correct, and complete is the landowner's and the landowner 's agent.

Checklist Item #1: According to the County's records Catholic Institute of PGH is the owner of existing tax parcel 496-A-1, not Clover Communities North Fayette LLC. Presumably, Clover Communities North Fayette LLC is in the process of obtaining the property. Whatever the case may be, at the time the plan is submitted to us for signing the title to parcel 496-A-1 must be in the name of whoever is identified as landowner in the landowner clauses. If it is Clover Communities North Fayette LLC, the deed that names them as landowner must be referenced in the title clause.

Checklist Item #5: The bearing is missing on the northwesterly lot line of proposed Parcel B. An overall distance (101.60') has been provided on the northerly boundary of proposed Parcel B; the distance on the interior segment of the lot line must be provided as well.

It is very difficult to distinguish the interior lot line between Parcels A and B from the "buffer easement" line. Using a heavier line weight for the lot line would help. An area calculation has been provided for the buffer easement area. Why?

Checklist Items #6b & c: The area chart for the proposed subdivision includes "R/W" areas for both Parcels A and B. However, no such areas have been identified on the plat of the proposed subdivision. If the intent is to dedicate land to the right-of-way of Steubenville Pike, the areas of dedication must be called out on the plan and completely described (e.g.,with distances, bearings, curve data, etc.).

It may be necessary to show proposed Parcel B at a larger scale so that all of the information needed to describe the parcel is completely legible.

Checklist Item #8: Complete contact information must be provided on the plan for both landowners.

Checklist Item #9: As a reminder, recording a plan of subdivision in and of itself does not convey title to property. After the plan is recorded a deed conveying the title to a portion of existing Parcel A from Clover Communities North Fayette LLC to the Bashioums must be recorded. This should be done as soon after the plan is recorded as possible; until the deed is recorded the title will remain with Clover Communities North Fayette LLC. The deed must also be recorded in the current year (2015) to ensure that the property will be re-assessed as shown on the plan in the following year (2016).

#### Other Comments

North arrows must be provided on the plan for both the plat of the property and the site location map

Clover Communities North Fayette LLC: The owner adoption, notary acknowledgement and title clauses all have a space where the landowner's name is to be inserted. The space does not appear to be big enough, however, given the length of the landowner's name. Since the information is required, the landowner should coordinate with their surveyor to make sure it is provided on the copy of the plan submitted for recording. As a reminder, all information required to be provided within a clause must be typed or lettered so that it is completely legible.

As noted above, the deed book volume and page number of Clover Communities North Fayette LLC's deed must be provided in the title clause at the time the plan is submitted to us for signing.

Edward N. and Joyce B. Bashioum: The Bashioums' names must also be typed or lettered in their owner adoption clause.

Stuebenville Pike is a State Route. As per the Municipalities Planning Code (MPC), Art. V, Sect. 508(6), any plat which will require access to a road under the jurisdiction of Penn DOT may not be finally approved "unless that plat contains a notice that a highway occupancy permit is required pursuant to section 420 of the act of June 1, 1945 (P.L. 1242, No. 428), known as the "State Highway Law," before driveway access to a State highway is permitted."

The plan title in the title block is incomplete, and the part that has been provided is different than the plan title in the owner adoption and title clauses. According to the clauses, the title of the plan is "Clover Communities - Bashioum Lot Line Relocation Plan". Whatever the intended title of the plan may be, it must be cited correctly, completely, and consistently every place it appears on the plan.

If you have any questions please feel free to contact William McClain at 412-350-1361 or via email at [wmcclain@alleghenycounty.us](mailto:wmcclain@alleghenycounty.us).

Mr. Wingrove stated that LSSE's comments were most related to plan presentation and did not involve anything that would change the substance of the plan. He said all in all, they look to be in pretty good shape.

Ms. Ludwig stated that Commission could recommend approval, contingent upon all items being addressed in LSSE's review letter dated October 2, 2015 and the Township's letter dated October 15, 2015.

Mr. Cosnek asked if anyone had any comments or questions. Hearing none, he asked for a motion and recommendation on the application.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL OF THE CLOVER COMMUNITIES NORTH FAYETTE LLC LOT LINE RELOCATION PLAN TO THE BOARD OF SUPERVISORS, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED OCTOBER 2, 2015 AND THE TOWNSHIP'S REVIEW LETTER DATED OCTOBER 15, 2015.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

**6. Application 2015-21 – Imperial Business Park Final Land Development Plan – Lots 10A & 10B** – Application for final non-residential land development located on two lots totaling 19.10 acres of land on Crown Court in an I-1 Light Industrial / Planned Non-Residential Development (PNRD) Overlay Zoning District (Allegheny County Lot and Block Number 690-N-1).

Mr. Cosnek asked a representative to approach the Board.

Mr. Terry Palmer, owner of the Imperial Business Park, approached the Board. He said that in 2010 they received approval of the Imperial Business Park master plan. He said subsequent to that they have received approval for two buildings. He said they have completed one and are finishing the second one right now. He said lots 10A & 10B are the next phase of the development. He said they are proposing two 100,000 square foot warehouse buildings which will be very similar to the ones being constructed right now.

Mr. Cenna from Hampton Technical Associates, the applicant's engineer, stated that he received comments from Mr. Wingrove of LSSE. He said he brought with him an updated set of plans for Mr. Wingrove and Ms. Ludwig.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig had the following comments:

I have reviewed the application submitted for final land development and my comments are as follows:

1. This is an application for final non-residential land development located on two lots totaling 19.10 acres of land on Crown Court in an I-1 Light Industrial / Planned Non-Residential Development (PNRD) Overlay Zoning District (Allegheny County Lot and Block Number 690-N-1).
2. The tentative PNRD Plan for Imperial Business Park was approved by the Township Board of Supervisors on November 9, 2010. A copy of the written decision is attached to this letter. Several modification requests were granted as part of the overall tentative PNRD approval and are as follows:
  - Maximum building setback beyond 50 feet,
  - Sidewalks on one side of the street with the provision of crosswalks at all intersections,
  - One principal entrance / point of ingress and egress,
  - Provision of Fire Department connections along the paved parking areas and where available the provision of fire truck access drives,
  - Lots 2, 3, 6, 7, 8, 9 and 10 will not have frontage on a public street, and
  - Use of existing trees on the site as part of the bufferyard. Note: Some will be spaced greater than the required distance. Township to perform an on-site inspection after the development is completed to see if any additional landscaping needs to be added. If so, the developer will be required to add trees/landscaping as recommended by the Township.
3. Additional information needs to be added and/or corrected in the Zoning Table on the Plans. Lot coverage needs to be added and minor changes are needed in the notes in the Zoning Table to make sure the information matches the proper zoning district, which is Light Industrial or I-1.
4. This week the applicant's engineer from Hampton Technical Associates provided some of the missing items, including a copy of the original Phase One Environmental Report prepared by SE Technologies, the buildable area analysis, the infrastructure demand statement, and the letter from the Allegheny County Conservation District (ACCD) noting the NPDES approval for the site.
5. Other outstanding items are as follows:
  - Elevation drawings of the buildings,
  - Preliminary building floor plans,
  - Landscaping details to verify the number of trees to be planted vs. what is required, and
  - Storm sewer calculations.

It is my understanding the applicant intends to bring these additional items to Tuesday night's meeting. They are aware that the Township, Planning Commission, and Township Engineer may not have adequate time to review these revisions and updates on Tuesday night.

6. In regard to the Bufferyard, the approved plans for the Imperial Business Park PNRD show a Bufferyard A to be planted in the open space area along the Southern PNRD boundary. We

need to see documentation that Bufferyard A has been planted. Existing vegetation can be used, if applicable, to meet this requirement.

7. Refer to any comments from the Township Engineer per LSSE's review letter dated October 9, 2015.
8. Refer to any comments from the Township Solicitor.
9. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the final land development application for Lot 10 in Imperial Business Park is administratively incomplete as we are still waiting on several items to review and provide comment on. It is my recommendation that the Planning Commission reject the application as administratively incomplete.

Mr. Wingrove had the following comments:

We have completed our review of the above referenced Land Development Plan Application, dated September 22, 2015 prepared by Hampton Technical Associates, Inc., as received by our office September 28, 2015. The plan proposes the construction of two 100,000 square foot buildings with associated parking areas and stormwater management facilities. The property is located along the southern side of International Drive, and is Zoned B-2 – General Business District, I-1 – Light Industrial District, and PNRD – Planned Non-Residential Development Overlay District.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22), Grading Ordinance (Chapter 9) and Stormwater Management Ordinance (Chapter 19):

#### Zoning

1. The Ordinance requires lots in each district to meet the minimum dimensional requirements shown in Table 27-3. (Section 205.3.) **Status: The provided zoning table indicates that the property is located in the I-1 Zoning District; however, the values shown in the table are for the I-2 Zoning District.**
2. The Ordinance requires a 100-foot maximum building height in PNRD. (Section 205.3.) **Status: The zoning table does not provide the proposed building height of the structures.**
3. The Ordinance requires maximum lot coverage of 80% in PNRD. (Section 205.3.) **Status: The zoning table does not provide the proposed lot coverage.**
4. The Ordinance requires Bufferyard A to be planted for all uses adjoining any R District. (Section 206.3.) **Status: Provide documentation that Bufferyard A has been planted**

**in the open space area along the southern PRND boundary as shown in the approved tentative PNRD Plan.**

5. The Ordinance requires at least one deciduous tree be planted for each 750 square feet of gross lot area occupied by the building footprint. (Section 207.1.C) **Status: The landscaping requirements table located on Sheet L.101 indicates that only 159 trees are proposed out of the 267 required deciduous trees.**
6. The Ordinance requires 1 parking space/2 employees on peak shift for warehouses. (Section 302.D.) **Status: The table located on Sheet C.101 indicates that warehouses require 1 parking space/2000 square feet of gross floor area. Provide documentation that adequate parking is provided for the anticipated amount of warehouse workers.**
7. The Ordinance requires a buildable area analysis be provided. (Section 501.1.) **Status: Not provided.**

Major Land Development

1. The Ordinance requires a Completion Bond in the amount of 110% of the cost of the required improvements. (Sections 208.) **Status: An itemized quantity takeoff and unit price cost estimate has not been provided for review. The cost estimate will aid in the determination of the required Completion Bond amount.**
2. The Ordinance requires the Developer execute a Development Agreement. (Section 209.) **Status: The Developer must contact the Solicitor to initiate the preparation of the Development Agreement.**
3. The Ordinance requires front, side and rear yard setback lines be shown on the Plan. (Section 302.J.) **Status: Not provided.**
4. The Ordinance requires the plan to include areas subject to periodic flooding, as identified on the current Flood Insurance Rate map for the Township issued by the Federal Emergency management Agency. (Section 302.T.) **Status: If the subject development is outside of the FEMA defined floodplain, a note indicating such should be added to the plan.**
5. The Ordinance requires a Phase One Environmental Site Assessment. (Section 307.) **Status: Not provided.**
6. The Ordinance requires preliminary building floor plan(s) including square footage of development, type of rooms, door locations, window locations and service area(s). (Section 308.D.) **Status: Not provided.**
7. The Ordinance requires building elevation drawings. (Section 309) **Status: Not provided.**
8. The Ordinance requires an infrastructure demand statement be provided. (Section 314.) **Status: Not provided.**

9. The Ordinance requires a Soil Erosion and Sedimentation Control Plan. (Section 318.) **Status: Soil Erosion and Sedimentation Control Plan has not been provided. Documentation that the Soil Erosion and Sedimentation Control Plan has been reviewed, deemed adequate by the Allegheny County Conservation District (ACCD) and that the NPDES Permit has been issued has not been provided.**

#### Grading

1. The Ordinance requires a Grading Permit. (Section 103.1.) **Status: A grading permit application should be filed with the Township.**
2. The Ordinance requires a minimum of 3 cross sections of grading be provided at 50-foot intervals. (Section 103.D.(2).(i).) **Status: Not provided.**

#### Stormwater Management

1. The Ordinance requires all calculations, assumptions and criteria used in the design of the storm sewer system, including hydraulic and energy gradelines for the storm sewers. (Sections 403.C.(1).) **Status: Calculations have not been provided for the proposed storm sewers.**
2. The Ordinance requires plans and profiles of all storm sewers be provided. (Section 403.C.(2).) **Status: Not provided.**

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22) and Stormwater Management Ordinance. Additional comments may be made, and we reserve the right to comment further pending submission of revised plans.

The Applicant must provide a detailed written response to each item noted in this letter along with the plan re-submittal.

Ms. Ludwig stated that there are some minor items and some not so minor items that need to be addressed with the application. She said the revised set of plans and the storm sewer calculations were just submitted this evening. She said LSSE would need time to review them for conformance to the Township's ordinances. She said some of the other bigger items are the elevation drawings and the landscaping details. She said some of her comments in the letter that are more minor in nature involve setbacks and certain things being shown on the plan.

Ms. Ludwig said she gave the Board a copy of the Board of Supervisor's original approval of the master plan from back in 2010, more to make reference to any modification requests that were granted to the overall PNRD plan for the Business Park.

Ms. Ludwig asked the applicant to discuss the landscaping details and the bufferyards, as those were two of her main concerns, since the Business Park does abut Fayette Farms.

Mr. Cenna said they chose to put the bufferyard up higher because the grade slopes up (he pointed the map noting the contours). He said if they put the trees down any lower they would not really buffer anything. He said they are proposing to construct a mound along there and then plant on top of it to hide the two warehouse buildings.

Mr. Cenna said they have taken the trees that are required based on the square footage of the building and scattered them out across the site. He said they are required to have an additional 108 trees on the plan.

Ms. Ludwig asked if the revised plans did provide all 267 trees as required.

Mr. Palmer said they really struggled with the trees because of the topography of the site and how much lower the Business Park sits from Fayette Farms. He said they had no problem with the additional trees and would put them wherever the Township wanted them to. He said he felt like it would take decades for the trees to mature though. He said they are open to further suggestions but that it was their suggestion to create an earthen mound that is 8-10 feet high with a plateau and then plant on top of it and on the sides. He said it was not really the number of trees that they were arguing but really how much value would come from those trees given the topography of the site. He said he wants the screening to be effective.

Mr. Cenna said he realized it was a bit barren which is why they are proposing to put in all the trees in hopes that natural succession will take over in time.

Mr. Cenna said he was aware of the buffers that were approved as part of the original PNRD plan and that they just wanted to fill in the space in between those areas where there are openings now.

Mr. Palmer said there was a roadway that was originally going to go down on the side and around Lot 10 and that has since been eliminated as they did not want too much traffic coming around the building. He said they were trying to keep the traffic on the one side, trying to be considerate of the neighbors in Fayette Farms. He said the truck traffic would not be able to go any further than a certain point, as shown on the plan.

Ms. Ludwig said she was satisfied with the updates they made in regard to the landscaping and the bufferyard. She said it was sufficient. She said she would defer to Mr. Wingrove on some of the other items.

Mr. Wingrove stated LSSE's only review letter was dated October 9, 2015. He said there were a handful of comments in it. He said the plan is generally in conformance with the PNRD master plan and that none of LSSE's comments were really earth shattering or plan changing.

Mr. Wingrove said he did get a chance to glance through Hampton Tech's response letter and it states that everything has been addressed. He said this is one of those cases where there is a resubmission the night of the meeting and everything looks okay but there is still a need to make sure everything is taken care of before the Board of Supervisors' approval. He said this is probably one of those scenarios where LSSE should take another look and get a clean letter out.

Mr. Kyle asked if Mr. Wingrove was saying he preferred to defer judgment at this point.

Mr. Wingrove said that in reading through the letter from Hampton Tech and seeing what is here, generally, he is fairly confident that they addressed everything. He said nothing on LSSE's letter was really plan changing. He said the landscaping needed to be added and based on their presentation tonight it seems that has been addressed. He said stormwater was addressed ahead of time. He said they had some minor calculations to submit but nothing that would change the plan. He said without looking at the whole set of plans and the full resubmittal, it is hard to tell if all of the items have been addressed. He said he could not say that for sure. He said based on the severity of the comments, he said he thinks it is probably a safe bet that they probably addressed everything. He said it's up to the comfortability of the Board as to if they wanted to see them come back or not.

Ms. Ludwig said if the Commission did make a contingent recommendation this evening, it would not go before the Board until it is ready and LSSE has time to review the resubmittal to make sure all items have been addressed. She said if LSSE's reviews it between now and the Board's meeting next Tuesday and there are still outstanding items, it would not be placed on the Board's agenda. She said it would have to wait until their next meeting. She said, again, it is up to their comfortability level.

Mr. Kyle asked that if the Board does not approve them today, then they have to come back next month and it delays their project.

Ms. Ludwig said yes, that was correct.

Mr. Kyle asked if that delay would negatively impact the applicant.

Mr. Palmer said the delay would impact them. He said they have a relationship with the Township and have worked a lot with them and that he will certainly follow through and do what is required.

Mr. Wingrove stated that as he further looked through the plans, he did not see anything that if it wasn't addressed it would significantly change the plans that the Board has seen tonight. He said the general layout of the site should not change based on LSSE's remaining comments.

Mr. McDermott said to follow up on Ms. Ludwig's comments, the Commission has in the past made recommendations to approve not only subject to but also subject to it not being placed on the Board of Supervisor's agenda until such time as that occurs.

Mr. Cosnek said he thought the Board was okay with that.

Mr. Cosnek asked if anyone had any other comments or questions. Hearing none, he asked for a motion and recommendation on the application.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL OF THE IMPERIAL BUSINESS PARK FINAL NON-RESIDENTIAL LAND DEVELOPMENT APPLICATION FOR LOTS 10A & 10B, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S LETTER DATED OCTOBER 9, 2015 AND THE TOWNSHIP'S LETTER DATED OCTOBER 16, 2015 AND CONTINGENT UPON RECEIPT OF LSSE'S UPDATED, CLEAN REVIEW LETTER AND THAT THE**

**APPLICATION SHOULD NOT BE PUT ON THE BOARD'S AGENDA UNTIL SUCH TIME AS THE UPDATED LETTER IS RECEIVED.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

- 7. Application 2015-22 – RIDC Park West Lots 11 & 12 – Lot Line Relocation Plan –** Application for preliminary and final minor subdivision involving a lot line relocation between two lots, lot numbers 11 and 12, located at 35 Summit Park Drive in a B-2 General Business Zoning District (Allegheny County Lot and Block Number 497-B-1).

Mr. Cosnek asked a representative to approach the Board.

Mr. Patrick approached the Board.

Mr. Patrick stated he did not have a full size set of the plans to show the Board but that they should have received an updated smaller set of the plans. He said they resubmitted after receiving LSSE's initial review letter. He stated they received the comment letters and feel that they have addressed all of the items. He said they added the FEMA note onto the plan and touched up the certification documents and signature clauses.

Mr. Patrick explained there was a mishap with their resubmittal. He stated they updated the plan and sent over their response letter but mistakenly attached the old version and not the updated version of the plan. Mr. Patrick had a half scale version of the revised plan to give to the Board. He said he would point out the things that were changed. He stated they added the FEMA note that it was not in the floodplain, fixed up the review certification section, and also provided the building lot breakdown.

Mr. Patrick said there are two adjacent lots owned by PNC Financial Services and they are looking to add a small overflow parking lot that is relative to the construction of the switch gear upgrades and the electrical generator project. He said the parking lot was not part of their grading permit application submittal to the Township for the generator project because they thought they would be able to handle the construction vehicle traffic without the additional lot but they have not able to do so. He said so the plan is to put a 20 car temporary construction lot in and then at the end of the construction, they would make it a permanent overflow parking lot. He said in order to do that, they had to move the lot line between lots 11 and 12.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig had the following comments:

1. This is an application for preliminary and final minor subdivision involving a lot line relocation between two lots, lot numbers 11 and 12, located at 35 Summit Park Drive in a B-2 General Business Zoning District (Allegheny County Lot and Block Number 497-B-1).
2. There are several minor edits and changes that need to be made to the plan, as follows:

- Provide a tabulation of the total lot area on the plan,
  - Identify and note the Zoning District on the plan, which is B-2 General Business, and
  - Add the floodplain note on the plan.
3. Refer to any comments from the Township Engineer per LSSE's review letter dated October 2, 2015.
  4. Refer to any comments from the Township Solicitor.
  5. Per the Allegheny County Subdivision and Land Development Ordinance (SALDO), all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans.
  6. In addition, the County's SALDO requires that all signatures be made in *permanent navy blue ink or felt tipped pen*.
  7. To date, I have not received any additional review comments from the Planning Division of the Allegheny County Department of Economic Development.
  8. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the RIDC Park West Lot Line Relocation Plan for Lots 11 and 12 is complete, pending the resolution of the minor items noted in this review letter and LSSE's review letter. Thus, I recommend that the Planning Commission recommend to the Board of Supervisors that the RIDC Park West Lot Line Relocation Plan be approved, contingent upon all items being addressed in this letter and LSSE's review letter dated October 2, 2015.

Mr. Wingrove had the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated September 22, 2015, no revision date, prepared by CJL Engineering, as received by our office October 16, 2015, via email. The plan proposes the lot line relocation between two existing lots. The properties are located along the northern side of Summit Park Drive, and are Zoned B-2 – General Business District.

Previous comments may be found in our letter dated October 2, 2015.

The following listing presents unresolved/non-compliant items identified during our review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

## Subdivision

1. The Ordinance requires the certification and seal of the professional land surveyor that prepared the recording plan. (Section 315.M.(1).) **Previous Comment:** *The recording plan has not been sealed.* **Status: The final plan for recording must be sealed. Pending.**
2. The Ordinance requires approval/review certificates and signature places for the Township Planning Commission, the Township Board of Supervisors, the Township Engineer, Allegheny County Department of Economic Development and the Allegheny County Department of Real Estate. (Section 315.M.(5). and 315.M.(6).) **Previous Comment:** *All certificates and signature places shall be provided as prescribed in the Allegheny County Subdivision and Land Development Ordinance. Revise each certification block accordingly.* **Status: No change. Certification blocks have not been revised to match the standards identified by the County. Additionally, spaces for the required seals have not been provided.**

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, will conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22) with the resolution of the above noted items.

Ms. Ludwig stated she knows there was some confusion regarding what is the proper version of the plan that was resubmitted but she said the comments were very minor in nature in terms of adding the FEMA note, the tabulation of the lot area, etc. She said it was her recommendation to recommend approval tonight contingent upon the items being addressed in LSSE's review letter and the Township's review letter.

Mr. Patrick stated that the plan that he showed the Board would be the one that would get the final signatures, stamps, and seals on it and that would get submitted for recording.

Mr. Kyle asked if the motion would be subject to receipt of the correct plan.

Ms. Ludwig said that they could do it that way or just say contingent upon all items being addressed in the review letters.

Mr. Wingrove said he did look at the correct version of the revised plan that was emailed this morning and it did look as if the applicant had cleaned everything up.

Mr. Kyle asked if LSSE needs an original paper copy of the resubmittal.

Mr. Wingrove said they would still need an original paper copy of the revised plan.

Mr. Patrick stated that is the one that they will provide. He said his hope for this evening would be for them to approve the revised plan. He would get back to the office tomorrow and send out that plan with the proper signatures, stamps, etc.

Mr. Cosnek asked if anyone had any comments or questions. Hearing none, he asked for a motion and recommendation on the application.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECOMMEND APPROVAL OF THE RIDC PARK WEST LOTS 11 & 12 LOT LINE RELOCATION PLAN, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED OCTOBER 19, 2015 AND THE TOWNSHIP'S REVIEW LETTER DATED OCTOBER 16, 2015.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

- 8. Application 2015-23 – PNC Summit Central Plant – North Parking Lot Construction –**  
Application for preliminary and final non-residential land development for additional parking at 35 Summit Park Drive in the RIDC Park West Plan of Lots in a B-2 General Business Zoning District (Allegheny County Lot and Block Number 497-B-1).

Mr. Cosnek asked a representative to approach the Board.

Mr. Patrick approached the Board. He said on the smaller plan that he showed the Board, there is about a 270 x 120 foot deep lot that would be comprised of 20 additional parking spaces with access from the rear of the existing property. He said there is a bit of a slope back there so the access would come transversely across to the 20 space parking lot.

Mr. Patrick said in regard to some of the review comments received from Mr. Wingrove and Ms. Ludwig, they had inadvertently did not address landscaping in their original submittal. He said their second submission did address, point by point, all of the comments in both Mr. Wingrove's and Ms. Ludwig's review letters.

Mr. Patrick showed the site plan and pointed to the location on the plans where the additional parking lot comprised of 20 spaces would be located. He then pointed to the Post Construction Stormwater Management Plan and said it shows where they are proposing to place their stormwater controls. He said the parking lot would be a flat slope longitudinally from side to side and then a transverse slope from the front to the back, so downslope at 5% where everything would sheet flow off the lot into a rock line encatchment area that would have an eight inch flat storage pipe at the bottom of that with a yard drain on either side. He said there would be an outflow pipe coming from that to a level spreader that is located adjacent to the northern property line.

Mr. Patrick said one of the review comments was that they were initially creating a point source discharge and they addressed that by installing the level spreader so that once the area filled up with water, they would then have sheet flow coming off of that that would exit downslope.

Mr. Patrick stated that the surrounding parcel is also owned by PNC, so they are not dumping stormwater onto an adjoining property owner. He said they are showing on the next plan, the landscaping plan, bufferyards B and D, and that those buffers are in compliance with the zoning requirements. He said they provided a pretty extensive list of shrubbery to be planted. He stated they provided a landscape table which shows the sizes and species of the plants proposed.

Mr. Patrick said there is a pretty severe slope to the east and rather than show the bufferyard at the property line which is going to be many feet difference in elevation, they are proposing to put it up closer to the top so that it does in fact act as a screen buffer, which is typically what a landscape buffer is needed for. He said it is a pretty steep slope and it's a fair distance away so it did not make a lot of sense for them to put it at the property line where it would typically go. He said they thought it would be more effective where they placed it up closer to the drive.

Mr. Patrick said one of the other requirements was a set of three cross sections so they added a sheet to show what the slopes are, which they have already talked about. He said there are several other sheets in the plan set but he did not put them all on the board to show them this evening. He said Mr. Wingrove and Ms. Ludwig would have a set of those.

Mr. Patrick said again, they did receive a pretty lengthy review letter but they tried to address everything point by point in their resubmittal. He said his hope would be to leave tonight with an approval as the contractor is already on site for the generator project and they need a space to put the waste material for right now. He said it would be greatly appreciated if that would be considered.

The Board reviewed the comments of Ms. Ludwig and Mr. Wingrove.

Ms. Ludwig had the following comments:

I have reviewed the application submitted for preliminary and final non-residential land development and my comments are as follows:

1. This is an application for preliminary and final non-residential land development for additional parking at 35 Summit Park Drive in the RIDC Park West Plan of Lots in a B-2 General Business Zoning District (Allegheny County Lot and Block Number 497-B-1).
2. The applicant's engineer, CJL Engineering, submitted a revised set of digital plans this morning that should hopefully address a majority of the housekeeping items in terms of the zoning table and missing information in it, the lot coverage, the buildable area analysis, bufferyards, etc.
3. CJL Engineering also provided a revised set of stormwater calculations this morning, which still need to be reviewed by LSSE.
4. The applicant has submitted the following waiver requests from the Township's Subdivision and Land Development Ordinance, Chapter 22 of the Township's Code of Ordinances, Ordinance No. 418:
  - Section 307 which requires the submittal of a Phase One Environmental Study,

- Section 314 which requires an infrastructure demand statement, and
  - Section 404.2.A. which requires that a sidewalk be installed along all street frontages of the lot for which development is proposed for all land developments. If the sidewalk waiver is granted, the applicant would be required to pay a fee in lieu for the actual cost of construction and provide a cost estimate that would be reviewed and approved by LSSE.
5. The applicant has submitted the following waiver request from the Township's Grading Ordinance, Chapter 9 of the Township's Code of Ordinances, Ordinance No. 418:
    - Section 103.K.(2). which requires that the top and bottom edges of graded slopes be at least 3-feet from adjoining property lines.
  6. The applicant has submitted the following waiver request from the Township's Stormwater Management Ordinance, Ordinance No. 427:
    - Section 601.H. which requires the submittal of a geotechnical report for the construction of stormwater facilities.
  7. Refer to any comments from the Township Engineer per LSSE's review letter dated October 8, 2015.
  8. Refer to any comments from the Township Solicitor.
  9. To date, I have not received any review comments from the Planning Division of the Allegheny County Department of Economic Development.
  10. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the non-residential land development application submitted for PNC Summit Central Plant's North Parking Lot Construction at 35 Summit Park Drive is incomplete, pending the resolution of the items listed in this letter and LSSE's letter dated October 8, 2015. I do anticipate that LSSE will prepare an updated review letter prior to Tuesday's upcoming meeting. Thus, by that time, the application may be ready for recommended approval and to take action on the various waiver requests. For now, I am recommending that the Planning Commission reject the application as administratively incomplete.

Mr. Wingrove had the following comments:

We have completed our review of the above referenced Land Development Plan Application, dated September 22, 2015, last revised October 15, 2015, prepared by CJL Engineering, as received by our office October 19, 2015. The plan proposes the construction of 20 parking spaces for construction workers for the existing generator project. The parking lot will remain after construction to serve as an overflow parking for the existing building. The property is located at 35 Summit Park Drive, and is Zoned B-2 – General Business District.

Previous comments may be found in our letter dated October 8, 2015.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22), Grading Ordinance (Chapter 9) and Stormwater Management Ordinance (Chapter 19):

#### Zoning

1. The Ordinance requires Bufferyard B to be planted for all uses within B-2 Districts adjoining any B Districts. (Section 206.3.) **Previous Comment:** *Bufferyard B has not been provided along all property lines. Also, provide a detail for Bufferyard B as illustrated in Appendix 27-A.* **Status: The plan proposes installation of the hedgerow for Bufferyard B to be installed through the bio-retention basin. Additionally, a light pole is shown to be installed within the bio-retention basin.**
2. The Ordinance requires Bufferyard D to be planted around the parking area perimeter for all uses within B-2 Districts. (Section 206.3.) **Status:** *Bufferyard plantings have not been provided along the entire perimeter of the proposed parking lot. Also, provide a detail for Bufferyard D as illustrated in Appendix 27-A.* **Status: The plan proposes installation of Bufferyard D plantings in the bio-retention basin.**
3. The Ordinance requires each tree shall be presumed to shade a circular area having a minimum radius of 15-feet. There must be sufficient trees so that 20% of the area occupied by parking spaces shall be shaded. (Section 207.2.B.(2).(h)) **Previous Comment:** *A tabulation of the amount of parking area space to be shaded has not been provided.* **Status: The shading calculation includes shaded area in the drive aisle to reach the 20% minimum. Revise the calculation to include only the parking space area.**

#### Major Land Development

1. The Ordinance requires a Completion Bond in the amount of 110% of the cost of the required improvements. (Sections 208.) **Previous Comment:** *An itemized quantity takeoff and unit price cost estimate has not been provided for review. The cost estimate will aid in the determination of the required Completion Bond amount.* **Status: Pending.**
2. The Ordinance requires the Developer execute a Development Agreement. (Section 209.) **Previous Comment:** *The Developer must contact the Solicitor to initiate the preparation of the Development Agreement.* **Status: Pending.**
3. The Ordinance requires a Phase One Environmental Site Assessment. (Section 307.) **Previous Comment:** *Not provided.* **Status: A written waiver request has been submitted.**
4. The Ordinance requires an infrastructure demand statement be provided. (Section 314.) **Previous Comment:** *Not provided.* **Status: A written waiver request has been submitted.**

5. The Ordinance requires a Soil Erosion and Sedimentation Control Plan. (Section 318.) **Previous Comment:** *Documentation that the Soil Erosion and Sedimentation Control Plan has been reviewed and deemed adequate by the Allegheny County Conservation District (ACCD) has not been provided. ACCD has notified the Township that the combination of work across the site may constitute a modification to an existing NPDES permit. Provide documentation that the total disturbance as the site is not greater than one acre and that this issue has been resolved with ACCD. Also, the plan shows installation of silt socks outside of the Limit of Disturbance. Revise the Limit of Disturbance accordingly. Additionally, silt socks are proposed to be installed on adjacent property.* **Status: Pending.**
  
6. The Ordinance requires sidewalks be provided along all street frontages for all land developments. (Section 404.2.) **Previous Comment:** *Not provided.* **Status: A written waiver request has been submitted. For consideration of the waiver, the applicant should submit a cost estimate for the Township's review in setting the fee in lieu of installation of sidewalk.**

#### Grading

1. The Ordinance requires a geotechnical report be provided. (Section 103.D.(2).(i).) **Previous Comment:** *Not provided.* **Status: A geotechnical report prepared for a generator replacement project being completed concurrently at the site. The applicant should provide a statement from the person responsible for preparation of this report that the findings and recommendations found therein are applicable and appropriate for the subject project.**
  
2. The Ordinance requires the top and bottom edges of all graded slopes shall be at least 3-feet from adjoining property lines. (Section 103.K.(2)) **Previous Comment:** *As proposed, the grading will result in the bottom edge of the slope to be on the property line or into the adjacent property.* **Status: A written waiver request has been submitted.**

#### Stormwater Management

1. The Ordinance requires the maximum rate of runoff is no greater after development than prior to development activities and also requires control of post-construction stormwater impacts and compliance with state water quality requirements through BMPs including replication of pre-construction stormwater infiltration conditions. (Sections 502.A.(1). and 804.C.) **Previous Comment:** *Provide completed worksheets for the DEP BMP Manual demonstrating compliance with State water quality and quantity requirements.* **Status: The plan proposes use of non-structural BMPs to address 75% of the required control volume. Only 25% of the control volume may be addressed with non-structural BMPs. Also, the report uses the entire capacity of the bioretention basin the water volume calculations. This capacity is also used in the routing calculations to address rate control. The same BMP capacity cannot be used to address both rate and volume control unless the facility dewater through infiltration in less than 24 hours.**
  
2. The Ordinance requires geotechnical report be provided for the construction of all stormwater facilities. (Sections 601.H.) **Status: Infiltration test results must be provided**

*to confirm the infiltration rates used in the report calculation. Status: Field measured infiltration rates must be used if infiltration BMPs are proposed to address water quantity.*

3. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 803.3.A.) **Previous Comment:** *A copy of the signed and recorded Stormwater Maintenance Agreement has not been provided. The applicant should contact the Township Solicitor regarding the agreement. Status: Pending.*
4. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 803.4.1.a. and 902.3.) **Previous Comment:** *Not provided. Status: Pending.*

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22) and Stormwater Management Ordinance. Additional comments may be made, and we reserve the right to comment further pending submission of revised plans.

The Applicant must provide a detailed written response to each item noted in this letter along with the plan re-submittal.

Ms. Ludwig stated that she did have some additional comments. She referenced her review letter, noting the various waiver requests submitted by the applicant. She said one of the waiver requests was for Section 307 of the subdivision and land development ordinance which requires that a Phase One Environmental Report be submitted. She stated she was comfortable with granting the waiver as the site is located in a developed area and they already have a building and parking area on the site now.

Ms. Ludwig said the next waiver request was for Section 314 of the SALDO which requires that an infrastructure demand statement be submitted. She said there is a checklist of about 8 or 9 items that the infrastructure demand statement must include. She said this is usually a paragraph or two and certainly no more than a page. She said her recommendation for this waiver request would be that the applicant withdraw the request and submit the narrative to fulfill the requirement.

Mr. Patrick said they would be able to prepare the infrastructure demand statement.

Ms. Ludwig said the final SALDO waiver is on the sidewalk requirement, Section 404.2.A., which requires sidewalks along all street frontages of the lot. She said if the applicant is not willing to put them in, then they must pay the fee in lieu. She said she was not sure if PNC was aware of this requirement or prepared to pay the fee in lieu.

Mr. Patrick said they have not yet had that discussion with PNC at this point. He said he wanted to wait and feel the Board out on how strict or lenient they might be on this requirement. He asked if they would be open to hearing the reasons why they did not include a sidewalk on the plan, not so much in PNC's thinking but from his own perspective.

Mr. McDermott asked if he could intercept that for a second. He asked if he wanted to state the reasons why he thought they should not be required to construct a sidewalk.

Mr. Patrick said, yes, that was what he was going to discuss.

Mr. McDermott said the Planning Commission does not have discretion on the consequence of the waiver, which would be the fee in lieu of.

Mr. Patrick asked if the fee was dollar for dollar, so if it was estimated to be this many thousands of dollars, and they opted to not build it, then the Township would require that amount to be paid as the fee in lieu.

Mr. McDermott said it is a reasonable estimate calculation. He said just as with the developer's agreement and any improvements made as part of that, the engineer would submit their proposed cost estimate and it would be subject to the Township engineer's review. He said if they submit an estimate that is acceptable to the Township, then they would recommend that amount as the fee in lieu. He said if what they submit does not pass the laugh test, then the engineer may not recommend that amount but provide a more accurate amount for it.

Mr. Patrick asked knowing where the parcel is located, and what surrounds it, he said he understands the theory as to why the Township is looking to start having developers install sidewalks because the site is somewhat close to a very developed commercial area, but seeing where the property is located, almost on the extreme edge of the development, it is a bit of a distance to get to where the current developed area is. He said that is not to say that things cannot build up in between. He asked that those circumstance be considered. He reiterated he is not speaking for PNC as they may be fine with it. He said he would like to share the logic behind the requirement so he can share that with them.

Mr. Kyle said the Commission had some discussions on the location of the property and what the intent of it is and the problem they have is that the way the ordinance is written today, they don't have a choice. He said they can grant the waiver but with the granting of the waiver the only option is the estimate of the sidewalk and payment of the fee. He said they have discussed the location and of all the areas throughout the Township that need sidewalks, this is an area where they want to see sidewalks the most. He said even if they were to grant the waiver, from the Township's standpoint, this is probably an area where they will start to look at actually creating the situation so that people have the opportunity to walk in that area, including people staying at the hotels.

Mr. Patrick stated the lot right next to PNC is vacant.

Ms. Ludwig said there is a developer that is looking at that property. She said the Township has had discussions with them and they are agreeable to installing sidewalks. She said they are very open to it and want the future employees of the building to be able to walk to eat and do other

things. She said eventually there might be more of a place for the sidewalk in front of PNC's property. Ms. Ludwig stated there could be some flexibility as to when the sidewalk would need to be installed at PNC's site.

Mr. McDermott stated it does go beyond PNC's application. He said as the Board stated, there have been some conversations in context about sidewalks and things that we already approved in the past that we cannot catch through this requirement but perhaps through other methods. He said this is a location where presently there are no sidewalks but in the near future they may be.

Mr. Kyle said they view the sidewalk as an amenity that they would like to have in that area, even for the people that work on site there, it would give them the ability to safely walk to a restaurant.

Mr. McDermott said looking forward the Township may do the front assessments of the property owners in the commercial area to be able to put in sidewalks. He said if they got a waiver and paid the fee in lieu of, the Township would not be knocking on their door later to collect the front assessment. He said it would probably be cheaper now than as part of the front assessment. He said he knows it's a short window but there could be a conversation about doing some sort of hybrid arrangement. He said right now the Commission's recommendation would have to be to waive the requirement subject to the fee in lieu. He said Planning Commission is a recommending body but that the Board of Supervisors also does not have much discretion in this matter due to the way the ordinance is currently written.

Mr. Patrick asked if the Board tonight denied the sidewalk waiver request, it would go to the Supervisors in a week.

Mr. McDermott said if the Planning Commission denies the waiver request, PNC would be required to install the sidewalk.

Ms. Ludwig stated she thought for purposes of tonight's meeting, the Commission would make a recommendation that the waiver be granted, provided that the fee in lieu is paid.

Mr. Patrick asked if they turned in an estimate, would it be for the full frontage along Lot 12.

Mr. Wingrove said yes, it would be the full frontage of the subject parcel.

Mr. Patrick said, for example, if that was estimated at 500 feet and it was going to cost \$5,000 and LSSE agreed with that estimate, than that would be fee that would need to be paid.

Mr. McDermott said that was correct. Mr. McDermott said at both this level and at the Board level, the granting of the waiver, by definition, includes payment of the fee in lieu at whatever level that is determined.

Mr. Patrick asked if it was possible to make a recommendation on the sidewalk waiver request until he gets the opportunity to discuss the issue with PNC.

Mr. McDermott said although a waiver request would be granted, that does not mean that they would have to accept it. He said they could give it back. Thus, they could decide to either to

accept the waiver and pay the fee in lieu or decide to just install the sidewalk and not pay the fee. He recommended to preserve their rights, they should probably just ask for the waiver.

Mr. Kyle said just to be specific, the waiver does not affect Lot 11, only Lot 12.

Ms. Ludwig said that was correct.

Mr. Patrick stated that is why he asked that question earlier, as Lot 11 has a lot more frontage.

Mr. Wingrove said that, in reference to where the sidewalk is needed, they are only talking Lot 12 since that is where the parking lot is being constructed. He said the land development application submitted does not involve Lot 11.

Ms. Ludwig said back to the waiver requests, there is another waiver related to the grading ordinance, section 103.K.(2)., which requires the top and bottom edges of graded slopes be at least three feet from adjoining property lines. She said she is fine with this request as PNC owns the adjacent property.

Ms. Ludwig said the last waiver request was related to Section 601.H. of the stormwater management ordinance. She said she thinks this waiver request is not required. She said provided they would submit what they need to, they should be okay. She said they are not asking for a full Geotech report for the construction of the stormwater facilities but instead for them to provide some infiltration calculations based on what they are showing on their plans.

Ms. Ludwig said that her recommendation this evening would be to recommend approval contingent upon the items being addressed in the review letters and that it does not go before the Board until they are.

Mr. Wingrove said there were just a couple of things that he wanted to note, mainly a couple of technical things that need to be cleaned up. He said in regard to the stormwater, he said there needs to be some changes to the bioretention area, to address both rate and volume controls and some tweaks to the layout. He said the other concern he has is in regard to the bufferyard landscaping. He said it is shown as going through the bioretention basin. He said there seems to be a conflict there. He said there is a hedge row going through and some bufferyard plantings. He said the logistics of that did not make sense to LSSE. He said he wanted to make sure the details work out so that the basin functions properly. He said they may need to take a different approach there to make sure they address all of the stormwater items in LSSE's letter.

Mr. Wingrove said he did understand the tight time frame and schedule for the project. He said the Board could make a contingent recommendation this evening, depending on their comfortability level, and those items could get cleaned up between now and when it goes before the Board of Supervisors. Mr. Wingrove said while the form of the basin may change, he did not think that it would significantly change the plan that the Board saw today.

Mr. Patrick stated that he thought there was room to move the bioretention area around without having to move the plantings.

Mr. Kyle asked if the bufferyard would still work then or if there would be issues with it.

Mr. Wingrove said that would be something they would have to work out how to configure their stormwater BMP and their bufferyard in conjunction without conflicting with each another. He said he thinks that falls into the same category of adjusting the technical issues with the stormwater facility, configuring how to make it work without having the bufferyard bisect it. He said the issue is not so much as it's in bufferyard but that the hedges and trees are planted in the middle of the facility. He said there are many options they can go with to resolve these issues. He said they can fix the trees, leave the parking lot as it is, and just alter their stormwater system.

Mr. McDermott said he wanted to comment on one additional item. He said that even though the lots are owned by the same entity, the plan calls for drainage onto the adjacent parcel.

Mr. Patrick stated that they would not be increasing the amount of stormwater flow onto the lot any more than what drains there currently. He said the amount of discharge would not increase.

Mr. McDermott said his only concern would be that even though they have a commonality of ownership, it is technically two different parcels so they should have a drainage easement from themselves to themselves onto that other property. He said while what Mr. Patrick said may be true, and while the owners being the same may agree with that today, there could be arguments between the future owner of Lot 11 as to whether they are being inappropriately drained upon without rights.

Mr. Patrick asked what Mr. McDermott would want to see and how would it need to be executed.

Mr. McDermott said he has seen this type of situation handled on the plan document.

Mr. Wingrove said now would be the time to address it as the other lot line relocation plan is coming through concurrently with the land development application.

Mr. McDermott said they could note the drainage easement on the lot line relocation plan.

Mr. Cosnek asked if that was on the lot line relocation plan that was discussed prior to this application.

Mr. McDermott said yes.

Mr. Cosnek asked if they had to go back to that application and make a revised motion on it.

Mr. McDermott said to be formal about it, they could redo the motion to say subject to the plan reflecting a note on the drainage easement.

Mr. Kyle said he would like to reopen that item to make that recommendation. He said that seemed like the best way to handle it.

Mr. McDermott said adding the note on the plan is much easier than getting attorneys involved to write an easement agreement.

Mr. Cosnek asked how that should be worded and if they should drop back to that to revise the motion.

Mr. McDermott suggested continuing with the motions for the land development application and then go back to the motion on the lot line relocation plan.

Mr. McDermott said, although it may be redundant, since the drainage involves the plan we are talking about right now, the motion for the land development should note that as a condition as well.

Mr. Cosnek said they should first address the modification requests and asked if they should group them by ordinance as they did the last time.

Ms. Ludwig said yes, he could do that. She reminded him that the applicant did agree to submit the infrastructure demand statement.

Mr. Patrick asked if that request came off the list or if it should be denied.

Ms. Ludwig said no, she thought that since they withdrew it and were going to submit the required statement that it would not be included.

Mr. McDermott said that was correct.

Mr. Patrick said to please consider the request for the waiver for the infrastructure demand statement withdrawn then.

Mr. Cosnek asked if anyone had any other comments or questions. Hearing none, he asked for a motion and recommendation on the waivers.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE WAIVER REQUESTS SUBMITTED BY PNC TO SECTIONS 307 AND 404.2.A. OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, PROVIDED THAT THE FEE IN LIEU BE SUBMITTED FOR THE SIDEWALKS.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE WAIVER REQUEST SUBMITTED BY PNC TO SECTION 103.K.(2). OF THE GRADING ORDINANCE.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>

Mr. Cosnek said they do not need to make a motion on the stormwater waiver request.

Mr. Wingrove said that was correct. He said to be clear on the infiltration testing, the configuration of it does not fall under the ordinance. He said infiltration is not used to address volume control. He said if the plan was revised to use infiltration testing, to use that to help with volume control, then the testing would be needed. He said that was the point on that comment in LSSE’s letter.

Mr. Patrick asked if something would come in writing to them based on the recommendations and comments made tonight.

Mr. Wingrove said yes. He said LSSE reviewed the resubmission from yesterday and issued a new letter dated today. He said that was in the mail to them. He said he could send it to Dan Small via email tomorrow.

Ms. Ludwig stated that Mr. Small could call either Mr. Wingrove or her if he had any questions.

Mr. Patrick asked how soon they would like to have the new round of comments of addressed so they could be reviewed prior to next week’s Supervisors meeting.

Ms. Ludwig said they would like the revised letter and plans by Friday morning.

Mr. Cosnek asked if anyone had any other comments or questions. Hearing none, he asked for a motion and recommendation on the application.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL OF THE PNC SUMMIT CENTRAL NON-RESIDENTIAL LAND DEVELOPMENT APPLICATION FOR THEIR NORTH PARKING LOT CONSTRUCTION, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE’S REVIEW LETTER DATED OCTOBER 20, 2015 AND THE TOWNSHIP’S REVIEW LETTER DATED OCTOBER 16, 2015 AND CONTINGENT UPON THE ADDITION OF THE NOTE REGARDING THE DRAINAGE EASEMENT FOR LOT 11 BEING ADDED TO THE PLAN.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

Mr. Cosnek said going back to the motion on item number 7, which was the Application 2015-22 – RIDC Park West Lots 11 & 12 – Lot Line Relocation Plan, he asked for a motion to reconsider the recommendation to approve.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECONSIDER THE RECOMMENDATION TO APPROVE APPLICATION 2015-22.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
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<b>FRED LUTZ</b>	<b>YES</b>
<b>DAVE COSNEK</b>	<b>YES</b>

Mr. McDermott said in regard to that item, he said it would be appropriate to consider a motion to reapprove it with the same conditions that they previously approved it, but adding one additional condition that would include the appropriate drainage easement on Lot 11 on the plan to accommodate the drainage it will be receiving from Lot 12.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL OF APPROVAL OF THE RIDC PARK WEST LOTS 11 & 12 LOT LINE RELOCATION PLAN, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE’S REVIEW LETTER DATED OCTOBER 19, 2015 AND THE TOWNSHIP’S REVIEW LETTER DATED OCTOBER 16, 2015 AND CONTINGENT UPON THE APPROPRIATE DRAINAGE EASEMENT BEING ADDED TO THE PLAN TO ACCOMMODATE THE DRAINAGE LOT 11 WILL BE RECEIVING FROM LOT 12.**

<b>ROLL CALL:</b>	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>

**COMMENTS:**

Mr. Cosnek asked if anyone had any questions or comments about anything.

Mr. Patrick asked when the contractor could actually start to use the lot. He asked if the contractor could start stripping the topsoil and moving the materials from the temporary generator lot to the new parking area.

Mr. McDermott said not in the context of this approval but there have been instances where the Township has taken earth disturbance permits as part of other land development applications.

Ms. Ludwig said PNC does have a grading permit for the work involving the temporary generators. She said they may be able to amend the current grading permit that they already have to account for the additional area. She said that she and Mr. Wingrove could work with him and Dan on that.

Mr. Wingrove said they may not be able to get the okay on everything but that they may be able to frame it so they can at least start putting dirt there. He said he and Ms. Ludwig would sort through the logistics of that tomorrow and they would be in touch with him.

Mr. Patrick said that would work but stated the PNC folks are extremely anxious. He said they’d like to get some pavement on that lot before the end of the paving season. He said every day this time of year is critical.

Ms. Ludwig said that she would talk to Shawn in more detail about what the Township is comfortable doing and would be in touch with Mr. Patrick and Mr. Small.

Mr. Wingrove said to answer his question regarding can they start moving dirt tomorrow, he said no, but, the Township may be able to allow them to do any of the earth moving work prior to the Board's approval of the project.

Mr. Patrick said that would be great.

Mr. Cosnek asked if there were any other questions or comments.

Mr. McDermott said he wanted to bring up on more item. He said if the Commission wanted to do so they could make it a 30 second note to voice their collective desire to have the Township administration and Board start looking at a master plan for causing sidewalks to occur at the Pointe along Summit Park Drive and other areas.

The Commission members all agreed that is important and the Board and Township staff should start to address it and look into it further.

Mr. Cosnek asked if there were any other questions or comments. Hearing none, he asked for a motion to adjourn.

**ADJOURNMENT:**

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ AND CARRIED, TO ADJOURN THE MEETING AT 9:29 P.M.**

Respectfully submitted,

Laura Ludwig  
Community Development Director/ Secretary