

**NORTH FAYETTE TOWNSHIP
PLANNING COMMISSION**

**REGULAR MEETING
TUESDAY, SEPTEMBER 15, 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
Bill Fitzgerald, Board Member
Fred Lutz, Board Member
Tom McDermott, Township Solicitor
Shawn Wingrove, EIT
Laura Ludwig, Township Community Development Director
Cheryl Cherico, Recording Secretary

MEMBERS ABSENT:

Bob Owens, Board Member

OTHERS PRESENT:

Joe Pulice, Pulice Enterprises Inc.
Leon Chiri, Fayette Farms
Brenda Sebring, Fayette Farms
Kim Gales, JR Gales & Associates

UNFINISHED BUSINESS:

A motion was made by Mr. Bill Fitzgerald, seconded by Mr. Fred Lutz, to approve the minutes from the August 18, 2015 meeting. Motion carried.

NEW BUSINESS:

- 1. Application 2015-19 – Pulice Enterprises Inc. Non-Residential Minor Land Development** – Application for preliminary and final non-residential minor land development on 0.869 acres of land located at 7055 Steubenville Pike in a B-2 General Business Zoning District (Allegheny County Lot and Block # 412-P-2).

Mr. Cosnek asked a representative to approach the Board.

Ms. Gales & Mr. Pulice approached the Board.

Ms. Gales said Mr. Pulice owns this property and the buildings on the property to the east of this one. He said it is an existing house and he plans to convert it into a pet grooming facility. She said there is an existing driveway that comes up to the left side of the house that would be used as the main driveway and then parking spaces, including handicapped parking, would be added to the front as required. She said they are proposing an underground, gravel sump for the stormwater and the sanitary sewer is already installed. She said they are also proposing to make a roughly 14' cut along the rear of the property to make it more level.

Ms. Gales said time is of the essence to get the business up and operating as quickly as possible. She said the business owner would be going to the Zoning Hearing Board next week for the Special Exception use of the property. She said Mr. Pulice is agreeable to not ask for modifications to the bufferyards as was originally intended and would be complying with the ordinance except for the vicinity of the driveway. She said Mr. Pulice would still like to request a modification regarding the Geotechnical Report because this is what he does for a living and he knows the area is all shale so there wouldn't be a problem with stabilization. She said it is about 5,000 yards of dirt which would take approximately a couple of weeks of work and he didn't believe the 2-1 slope would be a problem. She said they would be submitting plans to PennDOT for the change in use and to Allegheny County Conservation District.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final minor land development on 0.869 acres of land located at 7055 Steubenville Pike in a B-2 General Business Zoning District (Allegheny County Lot & Block Number 412-P-2).
2. Mr. Joe Pulice, of Pulice Enterprises, is looking to make improvements to the subject property. He owns the adjacent property that has the two commercial buildings on it.
3. The potential tenant is a pet grooming business and is scheduled for a hearing before the Zoning Hearing Board later this month for a Special Exception for a Kennel.
4. The applicant is required to plant a Bufferyard B around the perimeter of the property. Bufferyard B is a 25-foot bufferyard and contains a single row of plantings which is to be comprised of a mixture of 30% deciduous and 70% evergreen trees. In addition, a row of lower level evergreen shrubs or hedges shall also be planted at a minimum height of 4 feet. The applicant has requested a modification to the Bufferyard B requirements asking for some relief.

The applicant is proposing not to plant trees along Old Steubenville Pike in order to maintain site distance and to increase the tree spacing from 15 feet to 30 feet along the easterly property line. The applicant is requesting full relief from planting the required Bufferyard B along the driveway. The proposed modifications to the Bufferyard requirements would require the applicant to submit a conditional use application as this would be considered a deviation from the requirements. Section 27-206.3.F. of the ordinances states the following:

“Deviations by Conditional Use. Deviations from the requirements of subsection .3, Appendix 27-A, and/or Table 27-5 shall be permitted only as a conditional use in accordance with the requirements of Section 27-703..BBB. of this Chapter.”

It is my recommendation that the applicant plant the required Bufferyard B. If the applicant does wish to continue to pursue a modification to the Bufferyard requirements, he should submit a Conditional Use application that can be reviewed at next month’s Planning Commission meeting. The deadline to apply for October is next Tuesday, September 22nd.

5. In regard to the access drive being in the front Bufferyard, I would consider that an existing nonconformance as that access drive, while not paved, is visibly present and has been in existence for some time. I believe it is shown on the Existing Conditions Plan.
6. The applicant has requested a waiver from the sidewalk requirement in Section 404.2.A. of the Township’s Subdivision and Land Development Ordinance, Chapter 22 of the Township’s Code of Ordinances, Ordinance No. 418. Section 404.2.A. requires that a sidewalk be installed along all street frontages of the lot for which development is proposed for all minor land developments. If granted, Mr. Pulice will be required to pay a fee-in-lieu for the actual cost of construction of the sidewalk, as reviewed and approved by the Township Engineer. Gales did provide an estimate for the sidewalk construction of \$4,165.
7. The applicant has also requested a waiver from the requirement to submit a Geotechnical Report as outlined in Section 103.D.(2).(i). of the Township’s Grading Ordinance, Chapter 9 of the Township’s Code of Ordinances, Ordinances No. 418.
8. The applicant’s engineer, Gales & Associates, did provide a resubmittal of the plans for this proposed minor land development on the afternoon of Thursday, September 10th that is still under review by LSSE.
9. There is one outstanding third-party review item – a letter of adequacy from the Allegheny County Conservation District.
10. Refer to any comments from the Township Engineer per LSSE’s review letter dated September 1, 2015.
11. Refer to any comments from the Township Solicitor.
12. The Planning Division of the Allegheny County Department of Economic Development did receive a copy of the application. The Planning Division did provide a review letter dated September 3, 2015 noting they reviewed the plans and did not have any comments at the time.
13. 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.

In summary, the following waiver/modification requests have been submitted:

- Section 404.2.A. of the Subdivision and Land Development Ordinance which requires that a sidewalk be installed along all street frontages of the lot for which development is proposed for all minor land developments. Applicant is required to pay the fee-in-lieu as approved by the Township Engineer.
- Section 103.D.(2).(i). of the Township's Grading Ordinance which requires the submission of a Geotechnical Report.

At this time, the application is incomplete pending discussion and resolution of the Bufferyard requirements. I recommend that we discuss this issue during the meeting and come to a resolution. As such, I recommend that the Planning Commission reject the application as administratively incomplete.

Ms. Ludwig said one of her biggest comments concerned the bufferyard requirements. She said if Mr. Pulice is so inclined to plant what would be required, that is what she was hoping for because she didn't believe there were any cases for hardships if they would have gone before the Zoning Hearing Board for a variance of any of the requirements. She said even for a Conditional Use, the Board would want to see specific reasons why an applicant would want to deviate from the requirements. She said obviously the Township can work with Mr. Pulice when he is actually planting and help pick out types of trees and shrubbery that would be best for that lot. She said she knew that one of his concerns was about the trees or shrubbery getting too tall creating a problem with site distance especially along the front. She said again, the Township could work with him on that when the time comes.

Ms. Gales said she forgot to mention that they did want to request a modification for the sidewalk to pay a fee in lieu of construction.

Mr. Fitzgerald said Ms. Gales had said they weren't requesting any modifications and then stated that they were requesting modifications so he was planning to touch on that.

Ms. Ludwig said one of Lennon Smith's original comments concerned the access drive and she wanted to note that the driveway isn't paved, but has been there for many years and is an existing non-conformance. She said as for the sidewalk waiver that was just mentioned, he would be required to pay the fee in lieu of construction and they did provide a cost estimate which was \$4,165. She said the Township Engineer would need to review that and make sure that estimate is in line. She said the last item is the waiver of the Geotechnical Report and analysis and she would defer to Mr. Wingrove on that one.

Mr. Fitzgerald asked why they don't have to do the Geotechnical Report.

Ms. Ludwig said they are asking to not have to do that report. She said the Board would need to ask the applicant for what the reasons are for not supplying that report.

Mr. Pulice said he has been doing excavating since 1989. He said they dug out the property to the left of this site and there were no issues there so he feels comfortable with the work he has planned on the site. He said it isn't major work and is not a major cut, they would only be bringing the contour of the left side of the property over to match the right side of the property. He said it would be a three or four foot cut at the front and then a 2-1 pitch along the back and

bring it down to the bank and plateau it in case he ever wanted to put a building back there in the future. He said it is all shale throughout the entire property.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Minor Land Development, dated August 7, 2015, last revised September 3, 2015, prepared by J. R. Gales & Associates, Inc., as received by our office September 11, 2015. The Land Development application proposes construction of a bituminous parking lot at an existing veterinary clinic and grading at the rear of the property. The property is located at 7055 Old Steubenville Pike (S.R. 3066) and is zoned B-2 – General Business District.

Previous comments may be found in our letter dated September 1, 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), Subdivision and Land Development Ordinance (Chapter 22), Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (No. 427):

Zoning

1. The Ordinance requires Bufferyard B to be planted for all uses within B-2 Districts adjoining any B Districts. (Section 206.) **Previous Comment:** *The proposed driveway encroaches into the bufferyard along the eastern property line. Additionally, bufferyard plantings have not been provided in this location. The applicant has requested relief from the requirement to plant Bufferyard B along the eastern property line as Pulice Enterprises, Inc owns the adjoining lot. Complete relief from provision of this bufferyard required a Variance as granted by the Zoning Hearing Board. Modification of the bufferyard requires Conditional Use approval per Section 206.3.3.* **Status: The applicant has proposed installation of modified bufferyard plantings on the Plan. The applicant must obtain approval through a Conditional Use or Variance for these modifications.**
2. The Ordinance requires access drives entering State highways are subject to a highway occupancy permit (HOP) issue by the Pennsylvania Department of Transportation (PennDOT). (Section 303.2.E.) **Previous Comment:** *Provide documentation that a HOP has been issued by PennDOT for the driveway onto S.R. 3066.* **Status: Pending.**

Minor Land Development

1. 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, deemed adequate by the Allegheny County Conservation District (ACCD) has not been provided.* **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 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 Steubenville Pike.* **Status:** **The applicant has requested a waiver to allow payment of a fee in lieu of installation of the sidewalk.**

Grading

1. The Ordinance requires a Grading Permit. (Section 103.1.) **Previous Comment:** **Not provided. Status: No change.**
2. The Ordinance requires a geotechnical report be provided. (Section 103.D.(2).(i).) **Previous Comment:** *Not provided.* **Status: No change. The applicant has requested a waiver of this Ordinance requirement.**
3. The Ordinance requires the top and bottom edges of all graded slopes shall be at least three feet from adjoining property lines and rights-of-way in order to permit natural rounding of the slope edges without encroachment on abutting property. (Sections 103.2.K.(2).) **Previous Comment:** *The proposed grading continues onto the eastern property which is also owned by Pulice Enterprises, Inc. When submitted, the grading permit application should include both properties.* **Status: A grading permit has not been submitted.**

Stormwater Management

1. The Ordinance allows developments with less than 5,000 square feet of proposed impervious surface to complete a Small Project Stormwater Management Plan Application. (Section 402.2.) **Previous Comment:** *The following comments are provided per a review of the Small Project Stormwater Management Plan Application:* **Status: The application has been revise to include a complete stormwater management plan in lieu of the Small Project Stormwater Management Plan Application. The following comments are provided per a review of the plan for conformance to the Township Stormwater Management Ordinance:**
 - a. The Ordinance requires the 1-, 2-, 5-, 10-, 25- 50- and 100-year design storm frequencies be used for analysis of runoff. (Sections 502.B.(1).) **Status: Analysis of the 1- and 50-year design storms has not been submitted. Also, the rainfall depths used in the report do not match those required by Ordinance.**
 - b. 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.) **Status: The plan proposes use of a gravel sump to address the increase in 2-year water volume. The calculations in the report take credit for the volume of water to be infiltrated, however, the detail in the plans indicates that an impervious barrier is to be installed around the sump. Provide clarification of the intent of infiltration at the site. Indicate how the area below the outfall pipe is to dewater. Additionally, the plan proposes use of the same BMP capacity to address both rate and volume controls. Routing calculations should not include the volume reduction**

capacity below the outfall pipe. Finally, the plan proposes greater than the permissible 25% non-structural BMP volume through planting of new trees.

- c. The Ordinance requires the discharge of stormwater be to a well-defined drainage course. (Sections 801.G) **Status: The plan proposes discharge of the level spreader to the S.R. 3066 right-of-way. Documentation that PennDOT has no objection to this discharge must be provided.**
 - d. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 803.4.1.a., and 902.3.) **Status: Not provided.**
 - e. The Ordinance requires provision of a copy a recorded Post Construction Stormwater Management Plan record drawing. (Sections 805.) **Status: The applicant should note the requirement for provision of a recorded PCSM record drawing prior to issuance of an occupancy permit.**
2. 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 regarding execution of the agreement.* **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) Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (No. 427). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

Mr. Wingrove said he didn't intend to dismiss anything that Mr. Pulice mentioned, but it would be Lennon Smith's recommendation that the waiver for the Geotechnical Report not be granted. He said it would be in the best interest of conforming to the ordinance that a Geotechnical Report be provided. He said it was discussed briefly before the meeting with the applicant and he just wanted to clarify that it would not need to be the full phone book style Geotechnical Report but something that would show the representative soils on site with some sort of field testing and test pits with recommendations for the fill placement especially with that 2-1 fill slope on the back of the property. He said it could be a lighter report but it would still need to be a Geotechnical Report prepared by an engineer.

Mr. Wingrove said the above comments from Lennon Smith were prepared today after a resubmittal last Thursday or Friday. He said there was a revision to the stormwater plan that was submitted with the resubmittal and there are only a few minor technical items left. He said there are no other issues aside from the waiver for the sidewalk, the Geotechnical Report which was just discussed, and it sounds like the bufferyard issue has gone away.

Ms. Gales said they would address Mr. Wingrove's comments that were received today. She said those comments were mainly related to stormwater, and they would be submitting a grading permit as soon as they receive approval for a special exception.

Ms. Pierce submitted the following comments:

We received the Pulice Enterprises, Inc. Non-Residential Land Development application on August 24, 2015. My staff has reviewed the plans and does not have any comments at this time.

Ms. Ludwig said her recommendation for motion this evening would be to act on the sidewalk waiver and then the Board could recommend approval pending resolution of the comments in Lennon Smith's letter dated today as well as the Township's letter dated yesterday.

Mr. Fitzgerald asked if Ms. Ludwig was recommending that the Board approve this application.

Ms. Ludwig said yes, pending final review and approval by Lennon Smith. She said there are just a couple of minor stormwater items at this point in addition to the pending submittal and review of the Geotechnical Report.

Mr. Kyle asked if they should deny that request separately.

Mr. McDermott said if they are making a specific request for a waiver and they have, then the Board needs to take action.

Mr. Fitzgerald asked if the application is considered incomplete and the Board approves parts of it, how much further are they getting down the road. Or, is everything going to be contingent upon the geotechnical report and all of the pieces coming into place.

Mr. McDermott said yes, they could recommend approval contingent.

Ms. Ludwig said or the Board could have them come back next month.

Mr. Cosnek asked if the geotechnical report would come in and be reviewed in time for the next meeting. He said it would actually have to be submitted within the next two weeks.

Ms. Ludwig said yes, it would in order to provide adequate time for review.

Ms. Gales said she didn't see a problem with providing that document within the next two weeks.

Mr. Kyle asked if they approved subject to an acceptable geotechnical report would there be another reason to make them come back next month.

Mr. Wingrove said the geotechnical report is important, but it would not greatly alter the plan. He said they may need to adjust the slope behind them if they would receive poor results. As far as grading the parking lot, the entrance and the main part of the plan, he said he didn't believe

there would be much risk there. He said they would need to see it and review to confirm that, but it is more of a follow up to be sure everything is in line.

Mr. Cosnek said the motions this evening would be to take care of the waiver request for the geotechnical report, to deny that, and also the waiver request on the sidewalks, and then the overall plan.

Ms. Ludwig said that was correct.

Mr. Fitzgerald said the overall plan would be contingent on the geotechnical report and other review comments. The Board would need to give a waiver for the sidewalks. . .

Mr. Kyle said and deny the request for waiving the geotechnical report. And to approve the overall plan contingent upon a successful geotechnical report being submitted.

Mr. McDermott said the application is technically incomplete as it stands; but based on what Mr. Wingrove has said, the Board could do the motions that were just mentioned, a motion to act on the geotechnical report waiver, a motion to act on the sidewalk waiver, and a motion to accept the application as complete upon receipt and confirmation of an adequate geotechnical report and any outstanding issues. He said this way it would be deemed filed complete when that occurs and the applicant wouldn't have to come back to Planning Commission next month.

Mr. Cosnek asked if there were any further questions or comments. Hearing none, he asked the Board for a motion on the sidewalk modification.

A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL OF THE MODIFICATION ON SIDEWALKS TO PAY A FEE IN LIEU OF SIDEWALK INSTALLATION.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	DAVE COSNEK	YES

Mr. Cosnek asked for a motion on the waiver for a geotechnical report.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO DENY A WAIVER FOR THE REQUIRED GEOTECHNICAL REPORT.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	DAVE COSNEK	YES

Mr. Cosnek asked for a motion on the application.

Mr. Fitzgerald asked if they needed to make a motion on the bufferyard.

Mr. McDermott said he believed they withdrew the request for a modification of the bufferyard.

Ms. Gales said yes, that was correct.

Mr. McDermott said the applicant agreed to go with the standard requirements in the ordinance for the bufferyard.

Mr. Kyle said he thought he heard them say except for the front part of the property.

Mr. Fitzgerald said that is the part where Ms. Ludwig was saying the Township would work with the applicant.

Mr. Kyle asked if that was satisfactory to the Township.

Mr. Cosnek asked if that was because that is an existing driveway.

Ms. Ludwig said yes, the Township can help them pick trees that would satisfy the requirement and also satisfy the applicant's concerns.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. CHUCK KYLE, AND CARRIED TO ACCEPT THE APPLICATION FOR PULICE ENTERPRISES INC. FOR PRELIMINARY AND FINAL NON-RESIDENTIAL MINOR LAND DEVELOPMENT AS COMPLETE UPON RECEIPT AND CONFIRMATION OF AN ADEQUATE GEOTECHNICAL REPORT BEING RECEIVED AND RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS CONTINGENT UPON ALL OUTSTANDING COMMENTS LISTED IN THE TOWNSHIP ENGINEER'S REVIEW LETTER DATED SEPTEMBER 15, 2015, AND THE TOWNSHIP'S COMMUNITY DEVELOPMENT DIRECTOR'S REVIEW LETTER DATED SEPTEMBER 14, 2015 BEING SATISFIED.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	DAVE COSNEK	YES

- 2. Application 2015-18 PRD – Fayette Farms Revised Tentative PRD (2nd Revision) –** Application for revised tentative approval of a Planned Residential Development (PRD) on 325.94 acres of land to consist of 663 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, Mr. Chiri, and Ms. Sebring approached the Board.

Ms. Gales displayed the Plan for the Board. She said as the Board is aware, Fayette Farms has been going on since 2004. She said the original PRD approval was for 548 units and they are requesting to increase that by 115 units for a total of 663 units. She said the allowable density is 5.5 units per acre. She said the original design had a variety of lot widths with open space of 84.7 acres. She said this revised plan allows for 82.5 acres of open space which amounts to roughly the same percentage of open space at 25 percent. She said the modifications that were granted in 2004 included allowing the 7,200 square foot lot size to decrease to 6,000 square foot. The 80' lot width requirement for family dwellings was approved for 50' lot widths and 20' per townhouses and the 10' side yard modification was granted for 5' or 0' and 10' for the townhouses and there were also some carriage homes that were approved in 2004 when Steve Victor had come through the process.

Ms. Gales said the one highlighted sheet that she presented to the Board shows a horizontal center line indicating a 150' minimum. She said since the ordinance has been rewritten, the street design standards are what we are asking for in the ordinance and it is conflicting in the horizontal center line in one section 22-504 that states 150' and in the street design standards, it is 100'. She said the same goes for the vertical curve of 250' in the one section that goes to 50' in the design standards. She said the third one is the maximum leveling grade from 100' distance at 5% to 25' at 6%. She said after talking to her staff and to Mr. Wingrove that everyone would concur with those modifications.

Mr. Wingrove said yes. As Ms. Gales mentioned, there are some discrepancies between the standards in the SALDO and the standards in the Construction Standards. He said those are details for the Township to correct and get them so they line up. He said in the meantime, they are asking for basically a modification to comply with the Construction Standards rather than the requirements in the SALDO which are slightly less restrictive. He said as the Township Engineers looked at it, the staff didn't see any true issues with following those standards.

Ms. Gales said under the previous PRD, bufferyards were not even in the ordinance as a requirement so she was asking if they would be in agreement to do it phase by phase as they come to the final phases of the final design drawings. In regards to the setbacks, she said Phase 1C which was townhouses had 50' lot widths, Phase 2C had 50' lot widths with a 5' side yard or 0' and 10' for patio homes only. She said 2C2 was also approved with a 55' lot width. She said Heritage Drive was approved for the 50' lot widths and most of them have been built between the 55' and 60' range. She said currently Mr. Chiri is building Phase 5. She pointed to the drawing and said these Phases have been labelled Phase 6 and Phase 7, not to confuse things from when they came in before with 5, 6, 7 and the current Phase was 8. She said they were in agreement to provide a walking trail to Donaldson Park. She said the traffic study would be updated to include the 115 extra counts.

Ms. Sebring said she had mentioned to Ms. Ludwig before the meeting that they could do the bufferyards on a phase by phase basis and the sidewalk requirements on a phase by phase basis as well.

Ms. Gales said moving forward, the Phase 8 is more the 55' lot widths, Phase 6 are currently laid out at 70' and above, Phase 7 goes back into the 55' and 60' lot widths, Phase 9 would be back to 60' lot widths, and Phase 11 goes into about 70' lot widths. She showed a Google Earth map and explained that the younger people are buying the smaller houses on smaller lot widths. She

said there is a lot of green space in between what's built, in the backyards with trees and the smaller lot size seems to be the demand now. She commented the townhouses have not had a demand. She said at the very beginning, the custom built spec homes moved very slowly. She said that is the reason for coming back to revise the PRD.

Mr. Fitzgerald said she talked a lot about the lot widths and how they have all of these varying lots. He asked about the side yards and what would the distance be between the houses.

Ms. Gales said it would be between 5' and 10'.

Mr. Chiri said 0' would be for a duplex, the wall between the two units. He said there would be 10' from the outside wall and then another duplex. He said he hasn't built any of those and probably never will.

Mr. Fitzgerald asked if that would be jointly 20' in between the two buildings.

Mr. Chiri said no, it would be 10' between the buildings.

Mr. McDermott said it would be 10' of building separation.

Ms. Sebring said that was correct and that it would be 5', the boundary line and then another 5', or it would be 0' to the boundary line and then 10'.

Mr. Cosnek said the 0' would be for the townhomes or patio style homes that they're not looking to do anymore.

Mr. Chiri said no, the 0' would have been for duplexes, meaning they'd start one building on the lot line, do a duplex and then have 10' and then do another one on the lot line. He said there would still be 10' between the buildings.

Mr. Fitzgerald said but they are not doing that type of development or duplexes as part of this.

Mr. Chiri said that was correct.

Mr. Fitzgerald said they are now requesting to make it 10' from one wall to the next wall with the property line 5' in between.

Mr. Chiri said yes, what they currently have is 5' and 5'. He said they were asking to maintain that same modification.

Ms. Gales said basically instead of a 10' side yard, it would be 5'.

Mr. Chiri said there won't be any 0' setbacks.

Ms. Gales said except for the small townhouses that aren't built yet in Phase 1C and in Phase 10 that was part of the original approval. She said there are two or three buildings that were never built.

Mr. Kyle asked if the 10' separation between the buildings was all in Phase 2C.

Mr. Chiri said 1C, 2C, 3C and 2C2 are all at 10' between the buildings.

Ms. Ludwig said it would be all of the lots along Village Drive, Heritage Drive, and Raymond Drive.

Mr. Kyle asked if they really only need that where there is a 50' lot widths, the 70' lot widths are okay.

Mr. Chiri said that is correct, they are okay with the 70' lot widths.

Mr. Fitzgerald asked how many would be 50' lot widths.

Mr. Kyle said it would be some of the lots in red on the drawing, Phase 7 and 9.

Ms. Gales said it would be Phase 7, 8 and 9.

Mr. Kyle said those would all be 50' lots with a 10' separation, no different than what has been done under the current PRD.

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

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 663 total dwelling units along Donaldson Road in an R-2 Suburban Residential/ PRD Overlay Zoning District.
2. The original tentative PRD for Fayette Farms was approved by the Township Board of Supervisors on January 27, 2004. A copy of the written decision of the Board is provided as an attachment to this letter. 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).
3. 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%.
4. There are eight 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 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.*
- 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.*

5. 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)

6. 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." From a planning perspective, I

think we need to discuss the possible addition of bufferyards to the plans on a phase by phase basis per our current ordinance requirements. For example, any lots with frontage along Donaldson Road should be provided with a buffer if possible to help with noise from traffic along Donaldson Road and to also provide some additional safety and aesthetics. I think this can be evaluated as final plans are submitted for each phase.

7. Given the proximity of the lots in Phases 9 and 11 to Donaldson Park, the Township would like to explore the option with Fayette Farms LP to provide access to the Park from the community via a walking trail. One possible connection could be between lots 1136 and 1137 of Phase 11, which would connect near the amphitheater of the Park. A connection of some sort would also be needed between Phases 9 and 11. The walking trail would be a wonderful amenity to provide the future residents of these Phases with access to the Park and future Community Center. It would also be a selling feature for any buyers with children or pets! LSSE provided a sketch plan to show where this potential trail could be added. This concept can be discussed in more detail as the public hearing date approaches.
8. In regard to Traffic Counts and Traffic Studies, I think it is in our best interest to get an updated letter from the applicant's traffic engineer to verify the impact of the additional 115 homes proposed in this proposed revision to the PRD. This should arrive at least two weeks prior to the public hearing date so that it can be reviewed and evaluated to the satisfaction of the Township Engineer.
9. 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.
10. Refer to any comments from the Township Engineer per LSSE's review letter dated September 3, 2015.
11. Refer to any comments from the Township Solicitor.
12. 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 revised tentative PRD application filed by Fayette Farms, LP looks to be complete, pending discussion of the modification requests submitted by the applicant. I recommend that the Planning Commission make three motions related to the application this evening. The first motion is to recommend to the Board of Supervisors to set a public hearing date for the Fayette Farms Revised Tentative PRD application. The second 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.

Ms. Ludwig said she didn't believe the Township had a strong opinion on the specific lot sizes. She said those widths were granted as part of previous phases of the development on a phase by

phase basis and that from what she understands of what's happening in the real estate market right now those seem to be the lot sizes that are selling. She said people like those and genuinely when she drives by and through the community it is a nice community and a nice place to live. She said that some of the lots are closer together in certain sections but she does not have any issues with the proposed lot sizes as they are consistent with previous approvals. She said it makes sense from a market standpoint and seems to be what is happening in other communities, including Ohio Township and other areas where there are a mix of housing types (townhomes, patio homes, and single family homes) and income levels within a community.

Ms. Ludwig said one of her other concerns is the traffic count information. She said she would like to see an updated traffic count statement, prepared by a traffic engineer, submitted prior to the public hearing.

Ms. Sebring said she did make arrangements for that to happen.

Ms. Ludwig said that is good, as they are talking about a difference of 115 units and most households do have two cars, sometimes more if they have teenage and young adult children.

Ms. Ludwig asked that the updated traffic information be submitted two weeks prior to the public hearing, by October 13th, so that she and the Township Engineer would have time to review and comment on it.

Ms. Sebring said that the description of what they want is in LSSE's letter.

Ms. Ludwig said that was correct. She said it does not need to be another full blown traffic study but could rather be in the form of a letter from the traffic engineer.

Ms. Ludwig said she wanted to talk from a planning perspective about making connections from Fayette Farms to Donaldson Park. She said LSSE prepared a map that shows a potential connection. She said the revision to the PRD provides a great opportunity to connect the residents that will live in Fayette Farms, specifically Phase 11 and also Phase 9 if possible, with walking trail access over to the Park and the new Community Center that is under construction. She said in the packets she provided, LSSE prepared a very preliminary sketch idea after toying with a couple different options about how to approach the connection. She said they settled on a recommendation to make the connection between Lots 1136 and 1137 as that seemed to be the best and quickest connection. She said she thinks the trail access to the Park from Fayette Farms will be a huge selling point for all of those homes for anyone who has families, pets, etc. to have access to the Park.

Ms. Ludwig asked Mr. Chiri if he was okay with that location or if he wanted to discuss other options.

Mr. Chiri said he was okay with that location and thought it made a lot of sense.

Ms. Ludwig said she wanted to talk a little bit more about when the proper time is to address the sidewalk waiver and bufferyard. She said she wanted Mr. McDermott to chime in on the issue of the waivers/modifications too and when the best time is to handle them, whether it is with the

PRD revision as a whole or on a phase by phase basis. She asked Ms. Sebring why they were leaning towards the phase by phase approach.

Ms. Sebring said the way the ordinance reads with respect to the bufferyards, it seems like it should be handled as each phase is designed. She said it would give them a better opportunity to examine what would or wouldn't work in regard to sidewalks and buffers. She said at this point to make a global statement that they are not doing sidewalks for the remaining phases or along Donaldson Road and that they request a waiver and pay a fee in lieu, they are not prepared to say that yet. She said the same goes for the buffer around the perimeter. She said from her observation with respect to the perimeter, there are different locations with different conditions and some are already tree lined. She said at this point she is not sure what buffers would be suitable and where.

Mr. McDermott said from a global planning perspective if Ms. Sebring was talking about existing vegetation being adequate versus whether you have a bufferyard or not, that involves accepting existing conditions as a buffer versus whether you should have a buffer or not. He said one thing they did look at is whether the Donaldson and perimeter buffers touch upon multiple phases, which they do. He said is it something where on a macro level the Commission wants to make a call on it and govern it phase by phase as opposed to whether they would decide they are not inclined to waive the bufferyard requirements in regard to the perimeter. If they do it on a phase by phase, they could buffer one phase and not another depending on the phase.

Mr. McDermott said the other school of thought from the Township's perspective is that where the buffer is macro in nature, it is not a phase specific buffer line. He said then that conversation may need to occur at the tentative PRD level to put in place permanently the ultimate thoughts whether on a macro plan level the perimeter should be buffered or not. He said whether it is considered a waiver or an acceptance of vegetation in kind or not could be handled on a phase specific basis.

Ms. Sebring said she is not opposed to saying as a general condition of the tentative approval that they will comply with the buffer requirements unless a specific waiver is granted. She said she envisioned they would address it at this stage. She said the areas of the perimeter are so different that one cannot make a general statement because of the size of the plan and the terrain to the rear of some of the perimeter areas. She said there are places where a buffer may not be appropriate. She said she thinks it is hard to say the entire perimeter should be a certain bufferyard.

Mr. McDermott said that on a global level the Commission and the Board have an ability to look at it. He said it's a question as to whether they wish there to be some bufferyard along those perimeters. He said if the inclination is that there should be some sort of buffer there, he said it could come down to whether to accept in kind or existing buffers or not on a phase by phase basis. He said if the Commission wants to say as a permanent feature of this plan there should be buffering along Donaldson and the perimeter, it would be appropriate to handle that now. He said if it is handled the way it was suggested, where they'd say a bufferyard shall be required unless modified on a phase by phase basis. He said then they would be punting it to the phase by phase basis.

Mr. Fitzgerald asked if it would be correct to say that the Commission wants the buffer and that the applicant has to comply. He said that if they go into a certain phase a few years from now, if the developer would want some type of waiver then, they could come back and ask the Board to look at the issue again. He asked Mr. McDermott if that would be possible for the applicant to do.

Mr. McDermott said yes but that he wanted the Commission to use care with how they phrase that. He said if what he's saying is that in one particular phase a waiver or modification is to accept one type of buffer over another type of buffer.

Mr. Fitzgerald asked what if they won't accept any modifications and note the applicant needs to be compliant with the bufferyard specifications as they are written. He said depending on the plans and what they are doing, they could come back and ask for a modification. He asked Mr. McDermott if that was correct or not.

Mr. McDermott said if he's okay with allowing the applicant the opportunity at each phase to request a phase specific modification, then, yes, it would be okay.

Mr. Fitzgerald asked what if they don't allow the applicant to do that and instead require them to meet the specifications.

Ms. Sebring said she thought what Mr. McDermott was trying to say was if they proceed down the road to get the modification for this requirement that they don't have to come back again to modify the master plan.

Mr. McDermott agreed with Ms. Sebring's statement.

Mr. Fitzgerald said that's where he is in a gray area then because so far he can see that with these widths and everything else, if he is correct, the applicant is getting an extra 115 units out of that same land. He asked Ms. Ludwig if that was correct.

Ms. Ludwig said yes, that was correct.

Mr. Fitzgerald said the applicant is getting more units, but what is it for the Planning Commission to say they want to forego something or do something different. He said they tell people that have come before them that they are not compliant with a buffer but then they come back and say they'll put some additional trees in but they still don't come into compliance. He said they're both in it from different sides and that sure the Township wants them to build but the Commission want to make sure that they are compliant with whatever the standards are and what is best for the Township, not what's going to save the applicant a couple extra plantings or dollars.

Mr. Chiri stated he is not looking to save money. He said he is looking to get things done feasibly and correctly. He said anything he has ever agreed to with the Township he has always fulfilled.

Mr. Fitzgerald said he is not saying that he has not fulfilled his obligations. He said there have been times when it has become an issue when other applicants are not compliant. He said he is looking at how the Commission can best protect the Township's interests.

Mr. Chiri said this is supposed to be a partnership.

Mr. Fitzgerald said he understood that.

Ms. Sebring asked if she could make a suggestion. She said in the screening section of the ordinance, it reads "if topographical or other barriers are not sufficient to assure the privacy of the PRD and abutting lots, the following requirement will be imposed..." She said she wanted to raise that there is a qualification and there is not an absolute requirement under the ordinance for a buffer.

Ms. Ludwig asked what page in the ordinance the sentence Ms. Sebring read was on.

Ms. Sebring said page 27-87 within the PRD regulations. Ms. Sebring said there is a qualification already in the ordinance.

Mr. Kyle said the piece he wanted to understand was that the applicant has made modification requests on the PRD that the Commission may not be inclined to grant because they are global but they'd be willing to look at them at individual phases. He said, for example, maybe a certain phase may make sense to have sidewalks or another phase may not. Mr. Kyle asked if they were hurting themselves by denying them in the PRD and allowing them later or can they not do that.

Mr. Kyle said he thought if they denied their request for modification in the PRD that they'd entertain the request on a phase by phase basis.

Mr. McDermott said if the Commission would globally deny it at the tentative approval level and said there will be no modifications of the sidewalks or buffers, then the applicant could not ask for that in a particular phase. He said if the Commission would change their minds and consider allowing a modification later, then the applicant would have to go back and go through the tentative PRD revision process again. He said what he was trying to get at earlier was, and he said is not suggesting it but rather putting it out there, if the Board was of a mind right now that it did not want there to be any modifications of any bufferyards in any phase of the development then, and only then, it would be appropriate right now at the tentative approval level to include in the decision that they don't want that. He said if, on the other hand, they want to maintain a flexible approach where you want to look at both of the issues on a phase by phase basis then they would not entertain it at a global level but instead in the specific phase.

Mr. Kyle asked what the Commission would do then at the global level. He asked if they would just not address it.

Mr. McDermott said yes. He said to say they have to comply with all ordinance requirements under a particular phase unless there is a modification granted in a particular phase.

Ms. Sebring said what she would request on the sidewalks that they would say sidewalks are required as provided by the ordinance unless there is a waiver in that specific phase. She said on

the buffer she is probably comfortable that there isn't waiver because of the way the ordinance is written. She asked if the Township read that section the same way as she did. She said it already sets it up and says if topographical or other barriers are not sufficient to assure the privacy of the PRD and abutting lots, the following requirement will be imposed. She said her point is topographically, in some phases in the rear, a buffer would not work.

Mr. Chiri said he agreed with Ms. Sebring's comment that in certain areas buffers would not work.

Mr. McDermott said he wanted to digest that statement in the ordinance a little bit more.

Ms. Ludwig read the section below the one in question: "...shall be imposed in all places where there are buildings, structures, or parking areas within 100 feet of the PRD's perimeter lot line."

Ms. Sebring said she was not sure they even needed a modification request for buffers.

Mr. McDermott said he wanted to digest it a bit because actually when we get into that it is not talking about just the perimeter but buffering within the plan itself when it talks about different types of dwelling units within the site shall be in accordance with that. He said he did agree there appears to be some sort of discretion in there. He said punting it to the phases is what Ms. Sebring was talking about doing.

Ms. Sebring said that would be agreeable because the topography, the lot width, the lot size, side yards, and everything are all different in every phase from what is required and that what is desirable may also be different. She stated that as Mr. Chiri said, at the scale of this development, they are not there saving dollars. She said it is a matter of what's appropriate.

Mr. Cosnek said he understood. He asked if the Commission needed to entertain a waiver request then.

Ms. Sebring said the way she reads it, they don't need a waiver on the buffers. She said that if Mr. McDermott interprets the ordinance differently than she does, then it needs to be discussed.

Mr. McDermott said he is not necessarily saying that. He said he wants some time to digest and take a closer look at it.

Ms. Sebring said she would like the flexibility phase by phase. She said she thinks that makes sense because otherwise if they put it as a cardinal rule, they cannot change it without going back through PRD modification process. She said the process is not cheap and it can be time consuming.

Ms. Ludwig said she would be okay with entertaining the option of a phase by phase approach.

Mr. Kyle asked how the Commission would approve it being that it is commented on in the letters.

Ms. Ludwig stated that the bufferyards were not one of the modification requests on the list.

Mr. Fitzgerald asked if it was possible to make the motion for the public hearing but then table the application until they figure out exactly how the Township would like to approach this.

Mr. McDermott said yes, they can do that.

Ms. Gales asked when the public hearing would be set then.

Ms. Ludwig said the Board would make the motion to set the public hearing at their meeting next Tuesday the 22nd. She said because of advertising requirements the hearing would probably be 4th Tuesday in October, which is October 27th. She said three weeks are needed from the time the motion is made to advertise for the hearing.

Ms. Sebring asked for a summary of what that means. She asked if they were tabling the motion for the public hearing.

Mr. McDermott said no, it is the opposite. He said in all these cases what the Planning Commission does routinely is they always make a recommendation to move forward to the public hearing and they either make a recommendation to recommend ultimate approval at that same time or they withhold judgement on that and by the time they have the hearing the Commission has another opportunity to review and discuss. He said the Commission will always pass along to have the public hearing but then withhold judgement on the final recommendation as to whether it should be approved or not.

Ms. Sebring said the reason for tabling tonight is to determine whether we want to do the buffer and sidewalks phase by phase.

Mr. Kyle said yes to get that clarification.

Ms. Gales asked to confirm that the Planning Commission meeting in October would be on October 20th.

Ms. Ludwig said that was correct.

Mr. McDermott said that timeframe allows for the legal advertising and also allows to have the applicant come back if the Commission wants to uphold legal judgement on the ultimate recommendation until that time as well.

Mr. Kyle asked to confirm that the applicant would not lose any time under that scenario.

Mr. McDermott said that was correct, they would lose no time. He said if the Board of Supervisors gave authorization on Tuesday, the Township could not get it into the newspaper in time to have a two successive-weeks gap before the next meeting.

Mr. Kyle said that they should take action and make a recommendation to set the public hearing date.

Ms. Gales asked to hit on a couple of other items, particularly with Mr. McDermott present. She said she wanted to discuss LSSE's letter, item 3.A. on the second to last page, in regard to redoing the entire boundary survey that was prepared by McMillan.

Mr. McDermott said he understood there was some discussion the last time they met at the Township building to spare that necessity and that Mr. Chiri was going to search through his files to see if he could find the original survey.

Ms. Sebring said she found the October 7, 2003 Planning Commission minutes where they acknowledged that a boundary survey prepared by a registered professional land surveyor and a topographical survey of the proposed subdivision by a registered professional engineer had been submitted.

Mr. Wingrove said the intent of the comment was not for a new survey. He said the way the review letter was set up for the PRD review was that they had a handful of comments for the PRD revision, most of them were redundant to what Ms. Ludwig already mentioned but include the modifications, the traffic report, and then a note to review the planning module as well due to the increase in the number of total housing units.

Ms. Ludwig said the planning module would be on next month's Planning Commission agenda.

Mr. Wingrove said the next set of comments in LSSE's letter included a list of items that should be addressed at the time of final approval, including the acreage, density, etc. for phases moving forward.

Ms. Gales said that was not a problem and that is what they have been doing since they took over as the project's engineer, to do each phase by phase.

Ms. Sebring said they should be good on the boundary survey comment because the overall perimeter has not changed.

Mr. Wingrove said that comment was not meant to ask them to resurvey the boundary.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Revised Tentative Planned Residential Development, dated August 10, 2015, prepared by J.R. Gales & Associates, Inc., as received by our office August 21, 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.

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 all lots conform to bulk and area requirements. (Section 205.3 and 607.2.D.) **Status: A zoning data table should be added to the plan to list the required**

bulk and area requirements of lots within the PRD, including notation of modifications granted.

2. 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).) **Status: 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.**
3. 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.) **Status: The applicant has requested a modification to allow a 50-foot minimum lot width.**
4. The Ordinance requires a 10-foot side yard building setback for each side yard within the PRD zoning district. (Sections 205.3.) **Status: 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.**
5. The Ordinance allows a maximum dwelling density of 6.1 units per acres. (Sections 205.3. and 607.2.B.(1).) **Status: The narrative indicates that the density is below the permitted amount. A tabulation of the proposed density should be shown on the PRD plans.**
6. 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). **Status: The applicant has requested a modification of the requirement.**
 - B. The Ordinance requires the minimum length of vertical curve for all streets shall be 250 feet. (Section 504.3.C). **Status: The applicant has requested a modification of the requirement.**
 - 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). **Status: The applicant has requested a modification of the requirement.**
 - D. The Ordinance requires cul-de-sac streets shall be no greater than 600 feet in length. (Section 504.4.B). **Status: The applicant has requested a modification of the requirement.**
7. The Ordinance requires a PRD sites shall be serviced by public water and public sewers approved by the Pennsylvania Department of Environmental Protection. (Section 607.2.A.(2).) **Status: The applicant has submitted a Planning Module application to address the proposed increase in number of lots. LSSE will review the Planning Module and issue comments under separate cover.**

8. 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.) **Status: 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.**

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).) **Status: 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.**
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.). **Status: 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.**
3. The Ordinance requires all data required for a preliminary plan as specified by the Township Subdivision Ordinance. (Section 607.10.D.(1).) **Status: The following comments are provided per a review of the preliminary plan requirements presented in the Subdivision and Land Development Ordinance and are to be provided with the final plan submittal:**
 - A. The Ordinance requires a boundary survey prepared by an engineer or surveyor, including the total land area on the plan. (Section 302.A.) **Status: A tabulation of total acreage has not been shown on the plan.**
 - B. The Ordinance requires the plans be sealed. (Section 302.C.) **Status: Only the Title Sheet has been sealed.**
 - C. The Ordinance requires front, side and rear yard setbacks be shown. (Section 302.J.) **Status: A zoning data table listing setback requirements should be added to the plan.**
 - D. The Ordinance requires the layout of lots showing scaled dimension, lot number and areas for each lot be provided. (Section 302.G.) **Status: The overall site plan shows**

only the PRD perimeter lot line. Provide a plan showing parcel information for each lot within the PRD.

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.

Mr. Cosnek asked if anyone had any further comments or questions. Hearing none, he asked for a motion to recommend that the Board of Supervisors schedule a public hearing.

A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED, TO RECOMMEND THE BOARD OF SUPERVISORS SCHEDULE A PUBLIC HEARING.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	DAVE COSNEK	YES

Mr. Cosnek asked for a motion on the application.

Mr. McDermott said the Commission did not need to take action on the application but if they want to just to document it that they could make a motion to table the application and all recommendations and other substantive considerations related to the application.

Ms. Sebring asked if it was possible to limit the reason for tabling the application to the two issues – sidewalks and buffers.

Mr. McDermott said no, the Township did not want to do that.

Mr. Cosnek asked for a motion to table the application.

A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED, TO TABLE A MOTION ON THE APPLICATION UNTIL THE OCTOBER PLANNING COMMISSION MEETING.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	DAVE COSNEK	YES

Mr. McDermott clarified that the decision to table the application until the next Planning Commission would not cost the applicant any additional time.

3. Application 2015-15 – Fayette Farms Phase 8 – 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). **(Resubmittal – Previously Numbered Phase 6)**

Mr. Cosnek said there was no reason to proceed with this application since the tentative PRD was not approved.

Mr. McDermott said they have agreed to dual track the applications but as a technical matter the application date of the phase doesn't begin until the day of the PRD approval, even though we're tracking them together. He said we could move on to the next application and consider Phase 8 as a discussion item, but it has to get pushed along through the process after the PRD approval. He said Phase 8 cannot be approved, or even technically applied for, until the PRD revision is approved. He said it is not unproductive to get into the nuts and bolts of it even though you would not make a formal recommendation. He said one of the challenges would be that the application for Phase 8 is premised upon the grant of those things.

Ms. Gales said they would rather accept the tabling for the Phase 8 application.

Ms. Ludwig asked if tabling the application was the correct language or if it should just be pulled from the agenda.

Mr. McDermott said it is equally appropriate to discuss the modifications at a macro level as they relate to Phase 8. So, if everyone has a few more minutes and could stay, that is appropriate but is not required. He said the application is technically not filed anyway so no one is losing or gaining anything either way.

Ms. Gales said they were comfortable with tabling the application.

Comments of Ms. Ludwig, Mr. Wingrove, and the submitted comments of Ms. Pierce from Allegheny County Department of Economic Development were reviewed.

Ms. Ludwig's review comments were 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 Pattridge 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 was previously titled Phase 6 but has been revised based on the revised tentative PRD application submitted. Thus, it is now Phase 8.

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 8 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 8.

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 8 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 8 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 September 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.**

General

1. **Previous Comment:** *The plan proposes installation of a storm sewer crossing Donaldson Road. The Developer should contact the Township regarding a Street Opening Permit.* **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, will conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22) with resolution of the above noted items. Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

Ms. Pierce submitted the following review comments:

We received the Fayette Farms Phase 6 Resubmittal application on August 25, 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.

- It appears that all of the items on the enclosed checklist have been addressed satisfactorily.

Site Plan

The application is for Fayette Farms Phase 6. (It is a resubmittal of the application we received on 27 June 2015, but were unable to review within the mandated MPC time limit.) However, the plans referenced Phase 8; for example, on covers sheets and in title blocks, in the owner adoption, title and mortgagee consent clauses on the subdivision record plan, and on other materials such as the Stormwater Management Study. This error should be corrected wherever it appears.

The proposed open space is primarily a graded 2:1 slope. How will it be used to benefit the future residents of the PRD? At a minimum, the Township should require the graded slope to be revegetated with more than just a seeding mix. A reforestation plan that includes trees and shrubs would at least provide a pleasing landscape feature, and as the plants develop over time will also help with stormwater management. We further recommend that the Township adopt minimum standards to address the quality –not just the quantity – of land designated as open space in any planned development, where open space is intended to balance the permitted increases in density of development.

The developer is requesting a modification of the requirement to provide sidewalks along Donaldson Road. If granted, how will this impact the Township's long-term plans to provide for safe pedestrian connectivity in the Township? We note that North Fayette is a Live Well Community. Encouraging and enabling people to walk more can also help promote community health.

We saw only one fire hydrant on the plans, which is located at the intersection of Donaldson Road and Rosemarie Drive. If this is the hydrant that is closest to the Phase 6 development, will it provide sufficient protection?

Mr. Cosnek asked if anyone had any comments or questions. Hearing none, he asked for a motion to table discussion and a recommendation for Fayette Farms Phase 8.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO TABLE DISCUSSION AND A MOTION ON FAYETTE FARMS PHASE 8.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	DAVE COSNEK	YES

COMMENTS:

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

There were none.

ADJOURNMENT:

A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED, TO ADJOURN THE MEETING AT 8:40 P.M.

Respectfully submitted,

Cheryl Cherico
Planning Commission Recording Secretary