

**NORTH FAYETTE TOWNSHIP  
PLANNING COMMISSION**

**REGULAR MEETING  
TUESDAY, DECEMBER 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  
Bob Owens, Board Member  
Tom McDermott, Township Solicitor  
Shawn Wingrove, EIT  
Laura Ludwig, Township Community Development Director  
Debbie Midgley, Deputy Recording Secretary

**OTHERS PRESENT:**

Sandra E. Welty, 7321 Noblestown Road, Oakdale  
Dale Watcher, Watcher-Willis Consulting, L.P.  
James Sperdute, Sperdute Land Surveying

**UNFINISHED BUSINESS:**

A motion was made by Mr. Bill Fitzgerald, seconded by Mr. Fred Lutz, to approve the minutes from the November 17, 2015 meeting. Motion carried.

**NEW BUSINESS:**

1. **Application 2015-27 – Welty Plan of Lots – Lot Consolidation Plan** – Application for preliminary and final minor subdivision involving the consolidation of three lots into one lot on 0.26 acres of land located at 7321 Noblestown Road in a V – Village Zoning District. (Allegheny County Lot and Block Numbers 491-E-28, 491-E-29, and 491-E-30)

Mr. Cosnek asked a representative to approach the Board.

Ms. Sandra E. Welty, approached the Board.

Mr. Cosnek asked Ms. Welty if she would like to say anything.

Mr. Cosnek said we can go straight to the comments.

Ms. Welty said she needs help.

Ms. Welty stated obviously she needs the lot consolidation done. She stated that she has some issues with her existing/past surveyor. There are some items that needed to be completed by this evening and he did not do them. So he passed this whole thing over, and referred her to a new survey firm. She spoke to them briefly that morning and they want to recharge her for work that has already been done. Ms. Welty states that she needs help in getting this done. She is hoping she can get a contingency at some point until things that need done get finished in the next couple of weeks.

Ms. Welty said she spoke with Dale Wachter from Wachter-Willis, who was at the meeting that night and that maybe she will hire him.

The Board reviewed the comments made by Mr. Wingrove and Ms. Ludwig.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Subdivision Plan, dated June 8, 2015, prepared by Carlisle & Associates, LLC, as received by our office November 17, 2015. The plan proposes the consolidation of three lots (Lot and Block # 491-E-27, 491-E-28 and 491-E-29). The properties are located with frontage along Noblestown Road and Short Street, and are Zoned V – Village 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 minimum lot area of 8,700 square feet. (Section 205.3.A.) **Status: A zoning table should be added to the plan indicating the required and provided bulk and area requirements of lots within the V – Village District.**
2. The Ordinance requires a 15-foot minimum front yard building setback. (Section 205.3.A.) **Status: Building setback lines have not been shown on the plan. The single family dwelling and accessory structure are located within the required front yards. This is an existing non-conformance.**
3. The Ordinance requires a 10-foot minimum side yard building setback. (Section 205.3.A.) **Status: Building setback lines have not been shown on the plan.**

#### Subdivision

1. The Ordinance requires a boundary survey shall include the total tract. The total plan area, in acreage shall be stated on the plan. (Section 302.B. and 315.J) **Status: The plan should provide a tabulation of the existing and proposed lot areas for the three lots.**

2. The Ordinance requires the proposed name of the subdivision. (Section 302.B. and 315.J) **Status: It appears the proposed name located on the plan differs from the application filed with the Township. The plan name is not noted clearly identified on the plan.**
3. The Ordinance requires front yard, side yard and rear yard setback lines. (Section 302.J.) **Status: Setback lines have not been shown on the plans.**
4. 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 plan should indicate that the subject properties are located within the V – Village Zoning District.**
5. The Ordinance requires a location map. (Section 302.N.) **Status: Not provided.**
6. 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.**
7. The Ordinance requires accurate locations of all existing and recorded streets intersection the boundaries of the tract of land. (Section 315.B) **Status: Show the location of each adjacent roadway right-of-way including right-of-way widths for Noblestown Road and Short Street.**
8. The Ordinance requires location, type and size of all monuments and lot markers. (Section 315.I) **Status: Lot corner markers have not been shown on the plan.**
9. The Ordinance requires approval/review certificates and signature places for the Allegheny County Department of Economic Development and the Allegheny County Department of Real Estate. (Section 315.M.(6).) **Status: Not provided. All certificates and signature places must be provided as noted in the Allegheny County Subdivision and Land Development Ordinance.**

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.

Mr. Wingrove made additional comments.

Mr. Wingrove stated they did provide a comment letter dated December 4, 2015. He said that there are decent amount of comments on here especially for a simple subdivision plan.

Mr. Wingrove said the concept of the plan, three lots into one, is no big issue. It meets the ordinances. He said there are no new issues as far as applying for the zoning ordinance or any variances that would be needed.

Mr. Wingrove stated as you can tell from the letter, there are a lot of comments with plan presentation, all required data that needs to be on the plan. The right of way width, the location map, even basic stuff.

Mr. Wingrove said there is a lot of stuff missing. He stated that aside from the concept of the plan, he thinks it needs rounded into shape presentation wise.

Ms. Ludwig made the following comments:

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

1. This is an application for preliminary and final minor subdivision involving the consolidation of three lots into one lot on 0.26 acres of land located at 7321 Noblestown Road in a V – Village Zoning District (Allegheny County Lot and Block Numbers 491-E-28, 491-E-29, and 491-E-30).
2. The owner of the three parcels, Ms. Sandra Welty, is currently in the process of renovating the house located at 7321 Noblestown Road. The consolidation of the lots will allow her to add a garage onto the home but still remain within the required side and rear yard setbacks of the Village District.
3. There are several minor issues with the plan, mostly items that need to be added to it, so that it conforms to and complies with both the Zoning Ordinance and the Subdivision and Land Development Ordinance. These include but are not limited to the following: a zoning table should be added noting the lot size, lot width, zoning district, etc.; the front, side, and rear yard setbacks need to be shown on the plan; a floodplain note should also be added indicating if the property is located in a floodplain and identifying the FEMA map number for the flood map the property can be found; a location map should be included on the plan; and the location, size, and type of all lot markers and monuments should be shown on the plan.
4. 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.
5. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
6. Refer to any comments from the Township Engineer per LSSE's letter dated December 4, 2015.
7. Refer to any comments from the Township Solicitor.

8. A copy of the lot consolidation plan was submitted to the Planning Division of the Allegheny County Department of Economic Development (ACDED). To date, they have not provided a review letter or any comments.
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 application can be considered complete, pending the resolution of the items stated in this review letter and LSSE's review letter. Therefore, I recommend that the Planning Commission make a motion to recommend that the Board of Supervisors approve the Welty Lot Consolidation Plan, contingent upon all items being addressed in this review letter dated December 14, 2015 and LSSE's review letter dated December 4, 2015.

Ms. Ludwig made some additional comments.

Ms. Ludwig said she would agree with Mr. Wingrove's comments.

She said there is just a lot of the normal stuff missing from the plan. Even simple things like the location map, the front, side and rear yard setbacks. She said she knows Sandy pretty well, as she is rehabbing the house located at 7321 Noblestown Rd. and Sandy has been in to the office with her architect several times. Obviously Sandy has a building permit for all the work. Sandy needs this lot consolidation to happen so that she can pour the foundation and everything for the garage that will be attached to the home. Right now it would fall onto one of these other lots. Obviously it would be encroaching on that. Sandy really needs the consolidation to take place. So it's just one of those really tough scenarios. Ms. Ludwig said if Sandy is going to work with Mr. Wachter here or whomever else to prepare a new plan that she would definitely want to see that. Laura stated she would like to see that happen before the Board would recommend any approvals. She said that the Board of Supervisors meets tomorrow, so there is no hope in getting on their agenda tomorrow. She said they will meet again in January per their normal schedule that would be the second or fourth Tuesday in January. She said Planning Commission will fall in the middle of those meetings. She said she doesn't know how that fits in with Sandy's time frame.

Ms. Ludwig stated if the Planning Commission would be willing, given that the overall concept is good. Perhaps it could be recommended for approval, deeming it complete. And then recommend an approval contingent on those items being addressed in Lennon Smith's letter. She said at least it would get to the Board two weeks earlier. Providing that Dale could do a new plan that is cleared by Lennon Smith. Ms. Ludwig said that it is really up to the Board.

Ms. Ludwig said it is a difference of two weeks. She said she doesn't know how that two weeks affects Ms. Welty time wise with her project and what she has going on. She said it's unfortunate her current/former surveyor didn't fix these items for her. And that they charged her. Ms. Ludwig said she understands the bind that Ms. Welty is in.

Ms. Ludwig said she wants to make sure the Township has a plan that conforms to all ordinances though.

Ms. Welty said she agrees with all of that.

Ms. Welty said if we could get all of that done in a timely fashion prior to next meeting, if something could be approved on a contingency that would be wonderful.

Mr. McDermott asked what Ms. Welty's hopeful time frame is for starting things.

Ms. Welty said things have been started. She said what they are getting into right now is the addition, which would be the kitchen.

Ms. Welty said she spoke to her contractor. She said what she is concerned about is the addition butting up against the next lot. If that is the case she doesn't want to continue framing and so on if she doesn't have anything approved yet.

Ms. Ludwig said from the Townships' stand point, from the building perspective, the Township knows that the application is in process and will get approved. It's just a matter of Ms. Welty getting a clear plan.

Ms. Ludwig said it still would be a little bit at Ms. Welty's own risk though. She said Ms. Welty could move forward with the work she would think. Ms. Ludwig said it has already been permitted. She asked Ms. Welty if that was correct.

Ms. Welty responded yes that is correct.

Ms. Ludwig said the Township knows in good faith Ms. Welty is moving along with this plan. Ms. Ludwig said she knows that it will get approved in January. She said from the Township's stand point, the Township would not issue a notice of violation that says Ms. Welty is building this addition and that it is encroaching on a setback, since she already owns the other lots, and is in the process of consolidating them.

Ms. Welty said that is her only concern.

Ms. Ludwig said that she thinks that would be ok. She said the Township would be ok with Ms. Welty moving forward, knowing Ms. Welty is getting someone else on board that is going to do a good plan for her.

Ms. Ludwig said the application would be rejected as administratively incomplete. She said the Township would consider it a resubmittal.

Ms. Ludwig said the resubmittal would be due two weeks prior to the meeting date, in early January.

Mr. Wingrove said he would review the resubmittal.

Mr. Cosnek asked if Ms. Welty would still have to come back for the January meeting.

Ms. Ludwig said yes, Ms. Welty would have to come back in January.

Mr. McDermott said for Ms. Welty's purposes, it is just a matter of semantics, as far as administratively incomplete or not. It does not affect her time line. It actually doesn't start the

Township's shot clock. He said the Township has a ninety day shot clock which she will be well within and that shot clock starts once they declare her application to be complete.

Ms. Welty responded ok.

Mr. McDermott said that is why they don't technically recommend an approval until it is declared complete. He said that at the same time, the Township doesn't slow her down necessarily, as the Township can accept the process and the way the permit is with procedural infirmities and accept and advise accordingly.

Ms. Ludwig agreed with Mr. McDermott.

Mr. McDermott asked Ms. Ludwig if whether based on that, could the Planning Commission make a contingent motion to allow for something to go to the Board of Supervisors.

Ms. Ludwig said she thinks the Planning Commission should see a new plan first. She said that would be her preference, just to make sure.

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

Hearing none, Mr. Cosnek asked for a motion to reject the application as administratively incomplete at this time.

**A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO REJECT THE WELTY PLAN OF LOTS-LOT CONSOLIDATION APPLICATION AS ADMINISTRATIVELY INCOMPLETE.**

<b>ROLL CALL:</b>	<b>BILL FITZGERALD</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>
	<b>BOB OWENS</b>	<b>YES</b>

Ms. Ludwig said the due date for January's meeting for resubmittals is January 5<sup>th</sup>, since the Township has already seen the plan and reviewed it at least once.

Ms. Ludwig said the Planning Commission meeting is January 19<sup>th</sup>. She said provided the plan is ok on January 19<sup>th</sup>, it would get approved by the Board of Supervisors the following week on January 26<sup>th</sup>.

Ms. Welty responded ok.

Ms. Ludwig said that the Township has been working with Ms. Welty. She said that the Township knows Ms. Welty has been working on this. She said it would be fine for Ms. Welty to continue with the plan.

Ms. Welty responded ok.

Ms. Ludwig said to Ms. Welty if her contractor would like to call her that would be fine. She said that she will also talk to Mike Saville in the morning.

2. **Application 2015-28 – Powell-Housley Lot Line Relocation Plan** – Application for preliminary and final minor subdivision involving a lot line relocation between two lots on 7.228 acres of land located at 216 Gay Street and 11 Sitarik Road in an R-R Rural Residential Zoning District. (Allegheny County Lot and Block Numbers 585-H-1 and 585-R-2)

Mr. Cosnek asked a representative to approach the board.

Mr. Wachter approached the Board.

Mr. Wachter said he is representing the Powell-Housley Plan. He said it is a lot line revision. He said Mr. Powell has agreed to sell or cut off a third of an acre to the Housleys. He said it will become a continuous piece onto the Housley's existing lot where the Housley's house exists.

The Board reviewed the comments made by Mr. Wingrove and Ms. Ludwig.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Subdivision Plan, dated November 4, 2015, last revised December 7, 2015, prepared by Wachter-Willis Consulting, LP, as received by our office December 10, 2015. The plan proposes the lot line relocation between two existing lots (Lot and Block # 585-H-1 and 585-R-2). The properties are located with frontage along Sitarik Road between Gay Street and North Road. The properties are Zoned R-R Rural Residential District.

Previous comments may be found in our letter dated November 20, 2015.

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 made additional comments.

Mr. Wingrove said LSSE did actually provide two review letters, the first dated November 20<sup>th</sup> and the most recent December 11<sup>th</sup>.

Mr. Wingrove said the first letter noted a couple of existing nonconformances, just for notation's sake.

Mr. Wingrove said the only other tangible comment is that the new ordinance requires for subdivisions that front Township roadways that do not have the required right of way to donate that right of way, basically. He said it was a 33 foot right of way and that the applicant gave the extra 7 ½ feet on their side and revised a new plan to show that. He said that cleared up that item.

Mr. Wachter asked how new is that requirement? He said he knows a year ago he did the Mancini-Powell subdivision and did not do that.

Mr. Wingrove said he checked on that. That was one of the last plans reviewed before the new subdivision ordinance was adopted.

Mr. Wachter said ok. He didn't question it, just did it.

Mr. Wingrove said the ordinance is very recent.

Mr. Wachter said ok, that's all.

Mr. Cosnek asked Mr. Wingrove if all the issues were resolved.

Mr. Wingrove said yes, nothing outstanding.

Ms. Ludwig made the following comments.

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

1. This is an application for preliminary and final minor subdivision involving a lot line relocation between two lots on 7.228 acres of land located at 216 Gay Street and 11 Sitarik Road in an R-R Rural Residential Zoning District. (Allegheny County Lot and Block Numbers 585-H-1 and 585-R-2)
2. There are several **existing non-conformances** on the plan, including the following:
  - Section 205.3.A. of the Zoning Ordinance requires a minimum lot area of 80,000 square feet. Lot No. 17 REV does not meet the minimum lot size requirements for the R-R district. This is an existing non-conformance.
  - Section 205.3.A. of the Zoning Ordinance also requires a minimum lot width of 200 feet. Lot No. 17 REV does not meet this requirement and only has a width of about 50 feet along Gay Street. This is an existing non-conformance.

These existing non-conformances have all been identified and noted as such on the plan.

3. 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.

4. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
5. Refer to any comments from the Township Engineer per LSSE's letter dated November 20, 2015 and December 11, 2015. In their original review letter, LSSE did have one comment on the right-of-way widths and some additional portion of land to be noted within the right-of-way to meet the Township's standards. This issue has been addressed with the applicant's resubmittal and as noted in LSSE updated review letter.
6. Refer to any comments from the Township Solicitor.
7. A copy of the lot line relocation plan was submitted to the Planning Division of the Allegheny County Department of Economic Development (ACDED). To date, they have not provided a review letter or any comments.
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 application is complete and there are no pending issues to address. Therefore, I recommend that the Planning Commission make a motion to recommend that the Board of Supervisors approve the Powell-Housley Lot Line Relocation Plan.

Ms. Ludwig made some additional comments.

Ms. Ludwig said she really doesn't have much to add. She said Mr. Wingrove's letter noted that the two existing non-conformances and the right of way issues were addressed.

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

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BOB OWENS, AND CARRIED, TO RECOMMEND APPROVAL OF THE POWELL-HOUSLEY LOT LINE RELOCATION PLAN TO THE BOARD OF SUPERVISORS**

<b>ROLL CALL:</b>	<b>BILL FITZGERALD</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>
	<b>BOB OWENS</b>	<b>YES</b>

3. **Application 2015-29 – 9<sup>th</sup> Amended Plan to the Re-Subdivision of Lots 174 & 175 in the Fayette Farms Plan 1 – Phase 1** – Application for final minor subdivision involving the re-subdivision of 0.48 acres of land from one lot into four lots on Raymond Drive in the Fayette Farms community located in an R-2 Suburban Residential Zoning

District/Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 798-P-62).

Mr. Cosnek asked a representative to approach the Board.

Mr. Jimmy Sperdute approached the board.

Mr. Sperdute is with Sperdute Land Surveying. He said he prepared the plan for Ryan Homes. NVR is the land owner. This is the last townhome building on Raymond Drive that Ryan has built. He said he is asking for recommendation for approval to subdivide that lot into 4 units, similar to what he has done in the past.

The Board reviewed the comments made by Mr. Wingrove and Ms. Ludwig.

Mr. Wingrove made the following comments.

Mr. Wingrove said no comments. He said LSSE reviewed the plan and issued a review letter dated November 20<sup>th</sup>. He said as with previous applications they've seen, these applications are pretty straight forward. He said Mr. Sperdute has carried forward everything they have done before and everything is in good shape.

Ms. Ludwig made the following comments.

I have reviewed the materials submitted in reference to the above application and my comments are as follows:

1. This is an application for preliminary and final subdivision for a re-subdivision of 0.48 acres of land from one lot into four lots on Raymond Drive in the Fayette Farms community located in an R-2 Suburban Residential Zoning District/Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 798-P-62).
2. The townhouse units involved with this re-subdivision are currently under construction. The lots are being subdivided into the four individual townhouse units so that they can be sold to prospective buyers.
3. The building layout and unit number conforms to the approved PRD plan for Fayette Farms.
4. Refer to any comments from the Township Engineer per LSSE's review letter dated November 20, 2015.
5. Refer to any comments from the Township Solicitor.
6. A copy of the subdivision plan was forwarded to the Planning Division of the Allegheny County Department of Economic Development (ACDED). To date, they have not provided a review letter or any comments.

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, the applicant will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the application is complete and there are no pending issues to address. It is my recommendation that the Planning Commission make a motion to make a recommendation to the Board of Supervisors to approve the Fayette Farms 9<sup>th</sup> amended plan of the Re-subdivision for Lots 174 & 175.

Ms. Ludwig made some additional comments.

Ms. Ludwig said the Township has seen this a couple of times now, especially recently it seems as they are finishing up the townhomes on Raymond Drive.

She stated that the townhome units that are under construction and close to completion and ready to sell that they have to do this so that they can sell them individually. She said it is part of the process.

Ms. Ludwig says she has no other comments.

Ms. Ludwig says that at this time we can deem the application complete. We can make a recommendation to approve it to the Board of Supervisors.

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

**A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. BOB OWENS, AND CARRIED, TO RECOMMEND APPROVAL OF THE FAYETTE FARMS 9<sup>TH</sup> AMENDED PLAN OF THE RE- SUBDIVISION OF LOTS 174 & 175 TO THE BOARD OF SUPERVISORS.**

<b>ROLL CALL:</b>	<b>BILL FITZGERALD</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>
	<b>CHUCK KYLE</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>
	<b>BOB OWENS</b>	<b>YES</b>

**COMMENTS:**

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

Ms. Ludwig said she really did not have anything more. She said she would like to thank all of the Planning Commission Board members for another year of service. She said their time and commitment as volunteers is valued by her and the rest of the Township staff. She said she really appreciates it and Happy Holidays and Merry Christmas.

Mr. Cosnek said reciprocal from the Board to you.

Ms. Ludwig said thank you.

Mr. Fitzgerald said thank you to Ms. Ludwig for providing him with the information on the townhome width and information he asked. He said he received it the other day.

Mr. Fitzgerald said he spoke to Mr. McDermott briefly prior to tonight's meeting.

Mr. Fitzgerald said while he was reading through it, the thing that came to his mind was, the volume of green space, open space, whatever they want to call it. As Bright Oaks changes their plan the numbers have to roll. He said there seems to be some questions as to what they are. He thinks it would be wise of the Township to look back to the original plan with 6 buildings what they had. Then they changed from townhomes to apartments. That is when they changed and said this is what we are going to have. Since they have come back a couple of times. He would like to see the calculations, if Ms. Ludwig could look those up.

Ms. Ludwig said yes she can look those up. She said she can show him the original plan, the one that was approved and then was revised. She said she knows from the most recent when they added the sixth building it was the 34.9877 number.

Mr. Fitzgerald said something doesn't seem right because they are putting in another building in the space that is going up.

Ms. Ludwig said yes she agrees and doesn't know where they are going the number 40.

Mr. Fitzgerald said that is a good point.

Ms. Ludwig said we will have to get that information from Gales & Associates. She said she doesn't know where they are getting that number from.

Mr. Fitzgerald said wouldn't that be in the minutes from the meetings that they had.

Ms. Ludwig said that 40 is a totally new number on the new plan that the Board just saw last meeting. She said the 34.9877 is what she recalls from their revision earlier this year. She said that is what is in the written decision that the Board of Supervisors approved.

Mr. McDermott said that number was taken off the legend on their plans.

Ms. Ludwig said now their legend on the plan with their total calculations had it the 40.125 acres of open space. She said she doesn't know how the number went up.

Mr. Fitzgerald said how can you put more buildings in there and have that number go up.

Ms. Ludwig said we will have to get together with Gales on that and ask for clarification.

Mr. Fitzgerald agreed.

Ms. Ludwig said she is not sure why they did not resubmit. She said she doesn't know if they were frustrated. She said they can at least revise the tentative PRD, they just can't move forward with Phase 6 yet. She said she doesn't know if they are frustrated because the subdivision has to

take place, or if Hollow Oak on their end is somewhat delayed. She said or perhaps they thought it's not going to move forward. She said maybe they thought there was no point in coming until January.

Ms. Ludwig said she is hopeful they will come in January. She said next week is the deadline for new applications, although they are a resubmittal. She will talk to them, and keep the Board posted.

Mr. Cosnek asked with there were any further comments.

There were none.

**ADJOURNMENT:**

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BOB OWENS AND CARRIED, TO ADJOURN THE MEETING at 7:52 PM.**

Respectfully submitted,

Debbie Midgley  
Deputy Secretary of the Planning Commission