

**PLANNING COMMISSION  
REGULAR MEETING**

**TUESDAY, DECEMBER 17, 2013  
7:30 P.M.**

The meeting was called to order with Mr. Bob Owens presiding.

**MEMBERS PRESENT:**

Bob Owens, Chairman  
Bill Fitzgerald, Vice Chairman  
David Cosnek, Board Member  
Fred Lutz, Board Member  
Charles Kyle, Board Member  
Tom McDermott, Township Solicitor  
Shawn Wingrove, EIT  
Laura Ludwig, Township Community Development Director  
Cheryl Cherico, Recording Secretary

**MEMBERS ABSENT:**

Kevin Brett, P.E., Township Engineer

**OTHERS PRESENT:**

Joseph Teodori, Teodori Enterprises  
Jeff Scott, Oakdale Road

**UNFINISHED BUSINESS:**

A motion was made by Mr. Chuck Kyle, seconded by Mr. Fred Lutz, to approve the minutes from the November 19, 2013, meeting. Motion carried.

**NEW BUSINESS:**

1. **Application 2013-31 – Teodori Subdivision Plan** – Application for a minor subdivision of one lot into two lots on 155.234 acres of land on the north side of Old North Branch Road just west of North Branch Road and the consolidation of the newly formed lot with an existing adjacent lot in an R-2 Suburban Residential Zoning District

Mr. Owens asked a representative to approach the Board.

Mr. Teodori and Mr. Scott approached the Board.

Mr. Teodori said he had been working with Ms. Ludwig, going back and forth on different options. He said Mr. Scott agreed to consolidate which should ease the access issues. He said he

believes they are just down to the issue of having Mr. Scott's existing parcel surveyed with the consolidation plan. He asked Mr. Scott if he was comfortable with that plan.

Mr. Scott said yes, he is comfortable with having his parcel surveyed and consolidating the two parcels.

Mr. Teodori said he believed they had done everything needed and hoped they would receive approval.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final minor subdivision of one lot into two lots on 155.234 acres of land on the north side of Old North Branch Road just west of North Branch Road and the consolidation of the newly formed lot with an existing, adjacent lot in an R-2 Suburban Residential Zoning District. This district also has a Planned Residential Development (PRD) Overlay.
2. Table 2 in Section 204.3 of the Township's Zoning Ordinance #360 outlines the residential zoning district area and bulk regulations. In the R-2 Zoning District, the front building setback is 30 feet, side setback is 15 feet, and rear setback is 35 feet. These building lines should be shown on the plan to correspond to the new lot configuration.
3. To my knowledge, the current owner of the property, Teodori Enterprises, is selling the approximate 60 acre site shown as Parcel B on the plan to Jeff Scott. The Scott Family has been farming this land for years and years through a handshake type of agreement with Mr. Teodori. They would now like to own it to continue to farm it and raise feed for their cows. Farming, specifically a farm without a retail store, is a permitted use in the R-2 District. The lot must be a minimum of 10 acres, which it is.
4. According to my discussions with Mr. Teodori, the remaining 95 acres will be marketed as a potential residential development site.
5. To my knowledge, the buyer of Parcel B has no intentions of building on the lot and will continue to farm it. At this time, there are also no definite plans for building on the remaining acreage being marked for potential residential use. As such, the applicant has requested several waivers / modifications and/or deferments to the Township's Subdivision and Land Development Ordinance #226, including the following:
  - A. Section 303.1.(c).(16). of the Subdivision and Land Development Ordinance (SALDO) #226 requires a boundary survey by a professional land surveyor. The applicant has requested a waiver to this requirement. However, this is not a typical waiver request that the Planning Commission will recommend approval of to the Board of Supervisors. The lots involved should be surveyed accurately and should be depicted as accurately as possible on the plan.

- B. Sections 306.(g).(15). and 502 of the Subdivision and Land Development Ordinance (SALDO) #226 requires the location, type, and size of all monuments to be identified on the plan. The applicant has requested a waiver to this requirement. Please note: this is not a typical waiver request that the Planning Commission will recommend approval of to the Board. The lots involved should be surveyed accurately and should be depicted as accurately as possible on the plan.
  - C. Section 502 of the Township's SALDO requires sanitary sewer service be provided to each lot. Typically, the applicant should submit documentation that the Planning Module has been approved by DEP. Since there is no proposed building for the site, the applicant has requested this requirement be deferred until the parcel goes through the land development approval process.
  - D. Section 502 of the SALDO requires each lot to be serviced by public water. Typically, applicants submit a water availability letter from WACMA to satisfy this requirement. Again, the applicant has requested a deferral to this requirement until either parcel goes through the land development approval process.
  - E. Section 504(b) of the SALDO requires sidewalks along the full frontage of arterial or collector streets. The applicant has also requested that this item be deferred until the time the parcels involved would go through the land development approval process (should they ever be developed).
6. The plans have been revised from last month to address the requirement for the newly created Parcel B to have frontage on a public street. The updated and revised plans show the consolidation of Parcel B with an adjacent, existing lot that is owned by the Scott Family, identified as Allegheny County Lot and Block Number 588-C-2. An accurate survey of the adjacent lot, 588-C-2, should also be completed and depicted on the plan.
  7. Per the Allegheny County Subdivision and Land Development Ordinance, all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans. The plans submitted only contained the ink seal. Both should be included on the plan for recording.
  8. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
  9. Refer to any comments from the Township Engineer per LSSE's letter dated December 12, 2013.
  10. Refer to any comments from the Township Solicitor.
  11. Refer to any comments from the Allegheny County Department of Economic Development per ACDED's review letter dated November 22, 2013.
  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 application looks to be complete, pending the minor changes to be made to the plan for recording in relation to the setbacks and other notations regarding the monument and lot markers and survey for Parcel # 588-C-2.

The Planning Commission should make a recommendation as to whether to approve or deny the applicant's waiver and deferment requests. Ms. Ludwig said she recommended the Planning Commission deny the waiver requests related to the survey and boundary markers but approve the requests for deferments in Sections 502 and 504(b) of the SALDO.

Additionally, she recommended that the Planning Commission approve the application this evening, contingent upon all items being addressed in LSSE's review letter dated December 12, 2013 and the Township's review letter dated December 17, 2013. The application will not go before the Board of Supervisors until the changes have been made and reviewed by the Township Engineer. The Board of Supervisors' next regular meeting is on Tuesday, January 14<sup>th</sup> at 7:30pm. This gives the applicant ample time to make the necessary changes to the Plan and still be on the agenda for the next meeting.

Ms. Ludwig said that Mr. Teodori was correct that the consolidation does solve the discussion from last month regarding access and whether to do an easement or whether to consolidate. After talking with both gentlemen, it was determined that consolidation was the cleanest and easiest way to do it. She said Mr. Teodori and Mr. Scott were initially hoping to ask for a waiver to the survey requirement. She didn't know if the Board typically has granted that in the past or if she should make a recommendation that they make an exception here. She said she believed they would want it to be as accurate as possible and the county would also want it as accurate as possible. She said she thought the Board could recommend approval tonight contingent upon that being addressed. She said since the next Supervisor's meeting won't be until January 14, they would have almost a full month to resolve this. She said there would be some warmer weather soon and hopefully they would be able to get out and get the survey done before that meeting. There were a couple of minor setback issues still outstanding per Lennon Smith's most recent review letter. She said the applicant did resubmit this morning and she would defer to Mr. Wingrove to comment on that.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated November 11, 2013, last revised December 5, 2013 prepared by Triangle Engineering & Planning Service, Inc., as received by our office December 9, 2013. The original plan proposed the subdivision of one lot into two lots. The plan has been revised to consolidate Parcel B, as proposed in the original plan with an adjacent lot. The revised plan now constitutes a lot line relocation. The property is located with frontage along North Branch Road and Old North Branch Road, and is Zoned R-2 – Suburban Residential and in the Planned Residential Development Overlay.

Previous comments may be found in our letters dated November 11, 2013 and November 22, 2013. The items in *italics* are previous comments, which have not been resolved as of the date of this letter.

The following listing presents unresolved/non-compliant items identified during our review for conformance to the Township of North Fayette's Zoning Ordinance (No. 360) and Subdivision and Land Development Ordinance (No. 226):

### Zoning

1. The Ordinance requires a front yard setback of 30 feet, side yard setback of 15 feet and rear yard setback of 35 feet. (Section 204.3.A.) **Previous Comment:** *Building setback lines have not been shown on the plan.* **Previous Comment:** *Provide a 15' side yard setback for Parcel B where the 30' front yard setback is shown. As this lot line does not lie contiguous with a street right of way line, it shall be considered a side yard.* **Status:** **Setback lines for Parcel B have not been revised to correspond to the new lot configuration. A side yard setback should be provided in Parcel B along the southern lot line (adjacent to Parcel A). A rear yard setback should be provided in Parcel B along the western lot line (adjacent to the Lutz, Stevens and Kress properties).**

### Subdivision

1. The Ordinance requires a boundary survey by a registered professional land surveyor. (Section 303.1.(c).(1).) **Status:** A boundary survey had not been provided for Tax Parcel 588-C-2.
2. The Ordinance requires the final building lines be shown on the Recording Plan. (Sections 303.1.(c).(16) and 306.(g).(8).) **Previous Comment:** *Not provided.* **Previous Comment:** *Provide a 15' side yard setback for Parcel B where the 30' front yard setback is shown. As this lot line does not lie contiguous with a street right of way line, it shall be considered a side yard.* **Status:** **Setback lines for Parcel B have not been revised to correspond to the proposed lot configuration. A side yard setback should be provided in Parcel B along southern lot line (adjacent to Parcel A). A rear yard setback should be provided in Parcel B along the western lot line (adjacent to the Lutz, Stevens and Kress properties).**
3. The Ordinance requires the location, type, and size of all monuments. (Sections 306.(g).(15)., and 501.) **Previous Comment:** *Existing lot corner markers have been identified on the plan. The applicant has requested a waiver of the requirement to install lot corner markers for the proposed lots.* **Status:** **No change.**
4. The Ordinance requires sanitary sewer service be provided to each lot. (Section 502.) **Previous Comment:** *Provide documentation the Planning Module has been approved by the DEP.* **Status:** The applicant has requested a waiver of this requirement.
5. The Ordinance requires each lot be served by public water. (Section 502.) **Status:** **A water service availability letter has not been provided. Status: The applicant has requested waiver of this requirement.**
6. The Ordinance requires each lot have frontage on a public street (Section 503.) **Previous Comment:** *Parcel B does not have frontage on a public street.* **Previous Comment:**

*No change. Revise the plan to show or reference a recorded access easement extending through any of the adjacent lots, providing legal access to Parcel B from a public street.*  
**Status: The plan has been revised and now proposes consolidation of Parcel B with an adjacent lot, creating frontage for all lots. The title block lists the Tax Parcels included in this subdivision as 587-H-2 and 588-M-1, however, the plan and recording clauses refer to Tax Parcels 587-H-2 and 588-C-2. Revise the title block accordingly. Also Plat Note 4 on Sheet No. 1 refers to adjoining Parcel C. Parcel C is no longer shown on the plan. Please revise the note accordingly.**

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 (No. 360), and Subdivision and Land Development Ordinance (No. 226). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

Mr. Wingrove said he did a quick glance of the resubmittal before the meeting and it appeared that they did take care of the setback issue and the correction of the note in Item 6. He said as Ms. Ludwig mentioned, they are basically down to the survey.

Mr. Owens asked if anyone had any further comments or questions. Hearing none, he asked the Board for a motion.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE TEORDORI SUBDIVISION PLAN CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED DECEMBER 12, 2013, AND THE TOWNSHIP'S REVIEW LETTER DATED DECEMBER 17, 2013.**

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

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS TO DEFER UNTIL THE LAND DEVELOPMENT PROCESS FOR EITHER LOT, SECTION 502 OF THE TOWNSHIP'S SALDO REQUIRING SANITARY SEWER SERVICE AND PUBLIC WATER BEING PROVIDED TO EACH LOT AND SECTION 504(b) REQUIRING SIDEWALKS:**

<b>ROLL CALL:</b>	<b>BILL FITZGERALD</b>	<b>YES</b>
	<b>DAVE COSNEK</b>	<b>YES</b>
	<b>FRED LUTZ</b>	<b>YES</b>

**CHUCK KYLE**  
**BOB OWENS**

**YES**  
**YES**

**COMMENTS:**

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

Ms. Ludwig said she had a quick comment on the Comprehensive Plan. She hoped the Board had an opportunity to take a look at their copies.

Mr. Owens said yes, it was very impressive.

Ms. Ludwig said she just completed the economic development chapter which was pretty extensive and talks about everything the Township would like to do at the Pointe and sidewalk improvements, etc. She said the only other real big chapter left is Parks and Recreation and then the whole plan can be put together. She would like for the Steering Committee to meet in January and February. She said they would probably get the whole draft a few days before the meeting in January but it would give them an opportunity to talk about the chapters that they have already read. She said it would be difficult to talk about the whole plan in one meeting so this would break it up. She said the tentative schedule is: A completed draft by mid-January; time for review, editing and changes in February; put it on display and send it out to the county, neighboring municipalities and the school district by early March; hold a special Planning Commission public meeting in late March; and the Board of Supervisors would have it for approval in April, after the Board holds its own public hearing.

**ADJOURNMENT:**

**A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO ADJOURN THE MEETING AT 7:47 P.M.**

Respectfully submitted,

Cheryl Cherico  
Planning Commission Recording Secretary