

**NORTH FAYETTE TOWNSHIP
PLANNING COMMISSION**

**REGULAR MEETING
TUESDAY, JUNE 21, 2016
7:30 P.M.**

The meeting was called to order with Vice Chairman Chuck Kyle presiding.

MEMBERS PRESENT:

Chuck 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, Recording Secretary

MEMBERS ABSENT:

Dave Cosnek, Chairman

OTHERS PRESENT:

Dan Hall, Pointe West
Doug Kane, Epcon Communities
Ali Morrison, 252 West Allegheny Rd.
Mike Morrison, 252 West Allegheny Rd.

UNFINISHED BUSINESS:

A motion was made by Mr. Bill Fitzgerald, seconded by Mr. Fred Lutz, to table approval of the minutes from the May 17, 2016 meeting. Motion carried.

NEW BUSINESS:

1. **Application 2016-08 – Orel Plan of Lots – Revision No. 2 – Lot Line Relocation Plan**
– Application for preliminary and final minor subdivision involving a lot line relocation between two lots located at 252 and 254 West Allegheny Road on 2.550 acres of land in an R-2 Suburban Residential Zoning District. (Allegheny County Lot and Block Numbers 691-E-3 and 691-E-14).

Mr. Kyle asked a representative to approach the Board.

Ms. Ali Morrison and Mr. Mike Morrison approached the Board.

Mr. Kyle asked is there anything they would like to tell the Board about the lot line revision.

Ms. Morrison said they are splitting the property with her mother. She said in the future when or if her mother would sell her property, Ms. Morrison's new neighbor would not have the property next to her.

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

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 located at 252 and 254 West Allegheny Road on 2.550 acres of land in an R-2 Suburban Residential Zoning District (Allegheny County Lot and Block Numbers 691-E-3 and 691-E-14).
2. There are several existing non-conformances that should be noted on the plan, including the lot width of Lot 2R, the front yard setback of Lot 2R, and Lot 2R being an existing flag lot.
3. There is a typo/ mislabeling on the plan identifying West Allegheny Road as State Route 978, which is incorrect. This item should be corrected as to identify it as West Allegheny Road. It is a Township owned Road, No. 865.
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 review letter dated June 3, 2016.
7. Refer to any comments from the Township Solicitor.
8. The Planning Division of the Allegheny County Department of Economic Development did receive a copy of the application. To date, we have not received any comments from them.
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 for preliminary and final minor subdivision filed by Michael Morrison involving a lot line relocation between two lots located at 252 and 254 West Allegheny Road is complete, pending the resolution of the above minor items.

As such, it is my recommendation that the Planning Commission make a motion to approve the application to the Board of Supervisors, contingent upon all items being addressed in LSSE's review letter dated June 3, 2016 and this review letter dated June 9, 2016.

Ms. Ludwig made additional comments.

Ms. Ludwig said the Board had her letter dated June 9, 2016. She stated that she was on vacation the previous week and as a result did not issue a new review letter. She said however, the applicant's engineer/surveyor did submit a revised plan that cleared up the one minor comment she had which was a mislabeling of West Allegheny Road as State Route 978. She said she has not received any comments from the County, the signature clauses are per the County's standards. She said her recommendation to the Planning Commission would be to approve the application to the Board of Supervisors. She said the Board can leave out the contingencies, since all of the items have been addressed. She said it would be a motion to approve, unless the Board has any further questions.

Mr. Kyle asked is that contingent on LSSE's new letter dated today June 21, 2016.

Ms. Ludwig responded there were no issues in that letter.

Mr. Kyle asked so everything is good.

Ms. Ludwig responded yes, everything is good. She said all of the minor items have been cleared up.

Mr. Kyle responded ok.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Subdivision Plan Application, dated April 2016, last revised June 13, 2016 by Gibson-Thomas Engineering Co., as received by our office June 14, 2016. The plan proposes the lot line relocation between two existing lots. The properties are located at 252 and 254 West Allegheny Road and are zoned R-2 – Suburban Residential District.

Previous comment may be found in our letter dated June 3, 2016.

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) with the resolution of the above noted items.

Mr. Wingrove made additional comments.

Mr. Wingrove said he had nothing further to add. He said as Ms. Ludwig mentioned, LSSE issued an updated letter last week dated June 17, 2016. He said there are no outstanding issues.

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

A MOTION WAS MADE BY MR. FRED LUTZ, SECONDED BY MR. BOB OWENS AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS THE APPLICATION FOR THE OREL PLAN OF LOTS 2016-08 REVISION NO. 2- LOT LINE RELOCATION PLAN FOR PRELIMINARY AND FINAL MINOR SUBDIVISION INVOLVING A LOT LINE RELOCATION BETWEEN TWO LOTS LOCATED AT 252 AND 254 WEST ALLEGHENY ROAD ON 2.550 ACRES OF LAND IN AN R-2 SUBURBAN RESIDENTIAL ZONING DISTRICT. (ALLEGHENY COUNTY LOT AND BLOCK NUMBERS 691-E-3 AND 691-E-14).

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	BOB OWENS	YES

2. **Application 2016-09 – Pointe West Phase 12 B** – Application for preliminary and final residential land development involving the creation of 24 lots on 16.285 acres of land in an R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block Number 584-B-101).

Mr. Kyle asked a representative to approach the Board.

Mr. Doug Cain with Epcon Communities approached the Board. He said this is an extension of Dupont Drive and Pointe West Phase 12B to create 24 lots on either side of Dupont Drive.

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

Ms. Ludwig made the following comments.

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

1. This is an application for preliminary and final subdivision and residential land development submitted by Scarmazzi Homes involving the creation of 24 single-family lots on 16.285 acres of land in an R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block Number 584-B-101).
2. This application includes a revised set of plans for Phase 12B of Pointe West/ the Courtyards at the Preserves. The original set of plans for Phase 12B was reviewed and approved by the Planning Commission in July 2015. That application called for 19 single-family lots. The new revised application under consideration and review calls for 24 lots and reduces the lot sizes to accommodate the additional 5 units.
3. It is my understanding that Epcon Builders and Communities wants to continue to build additional patio homes along Dupont Drive, similar to what they built in Phases 13 and what they are currently building in Phase 14 of Pointe West along Hill Place Drive. The patio homes are continuing to sell quickly and are a popular and in high-demand. The single-family homes that Dan Ryan Builders have been constructing up on Dupont Drive are selling much more slowly and they do not want to keep building there.
4. The Township Zoning Hearing Board granted several variance requests at its meeting on April 28th, including variances related to the lot widths (variance approved for 60 foot width vs. the required 80 feet), overall lot sizes (8,500 square feet vs. the required 12,000 square feet), and the minimum side yard setback (8 feet vs. the required 10 feet). A copy of the ZHB's approval letter is enclosed.
5. The applicant has requested a waiver from Section 504.3.C. of the Township Subdivision and Land Development Ordinance (SALDO), Chapter 22 of the Township's Code of Ordinances, Ordinance No. 418, which requires roadway vertical curves have a minimum length of 250 feet. The applicant's plan provides for a 100 foot vertical curve. The applicant has requested a waiver from Section 504.3.C. of the SALDO to reduce the minimum vertical curve length to 100 feet. Please note that part of your recommendation this evening should involve a motion to take action on this request. We approved the same waiver request last time they went through this process. To keep it cleaner, I would prefer we reapprove this waiver request.
6. At the meeting on July 21st, we should verify with the applicant and the applicant's engineer that a sidewalk is to be installed along Dupont Drive and confirm no waiver request is necessary for that item. As LSSE mentions in their letter, it looks as if it is provided but it is hard to see the hatching on the plan.
7. The applicant submitted a geotechnical report from years ago that was reviewed by LSSE and deemed to be adequate. Thus, a waiver is no longer necessary for this item.
8. In regard to the E&S approvals, the applicant has stated that Phase 12B is part of their previous approval granted by the Allegheny County Conservation District on March 31, 2014 which included Phases 11-13. A copy of ACCD's letter is enclosed.

9. There are a few outstanding items that still need to be addressed. However, these items are typical third party items and include the developer's agreement, posting of the performance bond, the stormwater maintenance agreement, and payment of the stormwater management fee. The Planning Commission can recommend approval this evening contingent upon these items being addressed.
10. Refer to any comments from the Township Engineer per LSSE's review letter dated June 3, 2016.
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. To date, we have not received any comments from them.
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.

At this time, the preliminary and final subdivision and land development application filed by Scarmazzi Homes for Pointe West / the Courtyards at the Preserves Phase 12B looks to be complete.

I recommend that the Planning Commission make a recommendation to take action on the waiver request submitted by the applicant to Section 504.3.C. of the SALDO to reduce the minimum vertical curve length from 250 feet to 100 feet. In addition, the Planning Commission should make a recommendation to the Board of Supervisors to approve Scarmazzi Homes' final subdivision and land development application for Phase 12B contingent upon all items being addressed in LSSE's review letter dated June 3, 2016 and the Township's review letter dated June 9, 2016.

Ms. Ludwig made additional comments.

Ms. Ludwig said in reference to her letter dated June 9, 2016 there are a few items she would like to note for the record. She said the Zoning Hearing Board did grant several variances as requested by the applicant, most were related to lot widths, lot sizes and sideyard setbacks. She said she enclosed a copy of the Zoning Hearing Board's decision letter when she emailed the Planning Commission her review letter. She said those items have been addressed. She noted they were a variance because it is not a PRD there, otherwise the applicant would have gone before the Planning Commission for waiver requests. She said the variances were granted and Epcon is continuing with Phase 12B. She said the Township had approved Phase 12B for Dan Hall and George Wagner when they were going to build the standard single family two story homes. She said that type of home is not selling as well and the developer decided to switch to the patio homes by Epcon, which are selling very rapidly. She said the Township did approve this phase before, this is revisiting and redoing that previously approved phase.

Ms. Ludwig said there is one waiver request. She said that was clarified and the applicant resubmitted, so the applicant does not need a sidewalk waiver, because they are installing sidewalks.

Ms. Ludwig said there is one waiver to the Township's Subdivision and Land Development Ordinance. She said it is a waiver request for Section 504.3.C of the SALDO which reduces the minimum vertical curve length from 250 feet to 100 feet. She said it was approved as part of the old phase, and she would like to reapprove it as part of this phase to keep everything clear. She said it was approved for the other application for this phase and other phases within Pointe West as well.

Ms. Ludwig said she did think of one other thing as she was attaching the NPDES letter saying the applicant had the renewal. She said the name of the permittee may need to be switched to Scarmazzi Homes or Epcon and not Dan Hall and George Wagner. She said she thinks that since Epcon is taking over at least add them as a co-permittee.

Mr. Dan Hall said they will do whatever is necessary, with co-permittee or change the name.

Ms. Ludwig said she will talk to the Conservation District on how they would want to approach that and for Mr. Hall, Mr. Wagner and Epcon to decide how they would like to approach that.

Ms. Ludwig said LSSE did issue a revised letter dated June 17, 2016 and also LSSE put together the project Bonding Summary. She said the only issues outstanding at this point are third party items, such as developer's agreement and stormwater agreement. She said she recommends approval contingent upon those items being addressed. She said approval contingent upon her letter and LSSE's letter.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Residential Land Development Plan, dated May 2016, last revised June 8, 2016, prepared by Wind Ridge Engineering Co., as received by our office June 13, 2016. The subdivision plan proposes the creation of 24 single-family residential lots as Phase 12B of the existing Pointe West (Preserves) Plan. The properties are located along Dupont Drive, and are Zoned R-3 – Medium Density Residential District.

A previous submission was submitted for Phase 12B in May 2015 and proposed creation of 19 single family residential lots. Previous comments regarding this phase may be found in our letters dated June 3, 2016, July 17, 2016, June 30, 2015 and June 3, 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) and Stormwater Management Ordinance (Chapter 19):

Preliminary and Final Major 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.**

Stormwater Management

1. 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.* **Status: Pending.**
2. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 803.4.1.a., and 902.3.) **Previous Comment:** *Not provided.* **Status: Pending.**

The plans have been reviewed for conformance to the Township Ordinance standards for a Preliminary Major Subdivision Plan Application 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), Subdivision and Land Development Ordinance (Chapter 22) and Stormwater Management Ordinance with resolution of the above noted items.

Mr. Wingrove made additional comments.

Mr. Wingrove said LSSE's most recent review letter is dated June 17, 2016. He said there are only three comments left, all administrative items. He said because this plan originally came through last year all the technical review, stormwater, etc., had been reviewed before and nothing changed with this plan. He said relatively two comments are left here.

Mr. Kyle asked if anyone had any further questions or comments. Hearing none he asked for a motion on the waiver request.

Mr. Owens asked if the Board would want to add comments in reference to the name change on the permit.

Ms. Ludwig responded that is an administrative item and not necessary.

Mr. McDermott responded the same.

Mr. Owens said he wasn't sure if it needed to be referenced in the motion.

Mr. Cain said that it will all be taken care once everything is approved. Epcon will take care of changing of the names into Epcon's name for permitting access.

Mr. Hall said that Epcon is already a co-permittee on Phase 14 and Phase 13. He said it will be strictly administrative.

Mr. Kyle asked for the motion on the waiver request.

A MOTION WAS MADE BY Mr. FITZGERALD, SECONDED BY Mr. BOB OWENS, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER REQUEST TO SECTION 504.3.C. OF THE SUBDIVISION AND LAND DEVELOPMENT TO REDUCE THE MINIMUM VERTICAL CURVE LENGTH FROM 250 FEET TO 100 FEET.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	BOB OWENS	YES

Mr. Kyle asked for a motion of the application.

A MOTION WAS MADE BY MR. BILL FITZGERALD, SECONDED BY MR. BOB OWENS, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE APPLICATION 2016-09-POINTE WEST PHASE 12B- FOR PRELIMINARY AND FINAL RESIDENTIAL LAND DEVELOPMENT INVOLVING THE CREATION OF 24 LOTS ON 16.285 ACRES OF LAND IN AN R-3 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT (ALLEGHENY COUNTY LOT AND BLOCK NUMBER 584-B-101), CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN THE TOWNSHIP'S REVIEW LETTER DATED JUNE 9, 2016 AND LSSE'S REVIEW LETTER DATED JUNE 17, 2016.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	BOB OWENS	YES

COMMENTS:

Mr. Kyle asked if there were any further comments or discussion.

Ms. Ludwig said she had two quick comments. The Planning Commission has two applications for the July 19, 2016 meeting. She has not had the opportunity to sort through them yet, she will do that in the morning.

Ms. Ludwig said the only other comment is that next Tuesday, June 28, 2016 at 7:00pm is the Princeton Place PRD Public Hearing, and everyone is invited to attend and also the LERTA Public Hearing to establish the LERTA District. She said the hearings will begin at 7:00pm prior to the regular Board of Supervisors meeting at 7:30pm.

Mr. Kyle asked if there were any further comments.

Mr. Fred Lutz said a few months ago the Planning Commission discussed the sidewalks at The Pointe. He said he recalls the Planning Commission asking the Supervisors to look at that and get something started. He asked if anything has been done in reference to that.

Ms. Ludwig said the Township has looked at it very preliminary in terms of cost, and if we can and should assess the property owners to get the sidewalks installed at The Pointe. She said they have not yet made any decisions on how they are going to move forward. She said that she can bring it up to the Board of Supervisors at the July 20, 2016 Workshop meeting and talk to the Board a little bit more about the sidewalks.

Mr. Lutz said before we know it, a year will have gone by since it was discussed.

Ms. Ludwig said it is a goal in the Township's Comp Plan to put the sidewalks at The Pointe. She said there have been a lot of other things going on with the opening of the Community Center, and all of the improvements at the Township building that have taken more focus. She said that now would be a good time to revisit that conversation.

Mr. Lutz said he doesn't think they are that busy.

Ms. Ludwig asked who the Board, or her.

Mr. Lutz said the whole Township.

Ms. Ludwig is ok.

Mr. Lutz said he doesn't want to point out any one person.

Ms. Ludwig said ok.

Mr. Fitzgerald said since we are discussing sidewalks that was one of the hot buttons of this Board, that The Township was not letting people not put the sidewalks in and now we are charging people to not put the sidewalks in, so maybe that cash should be earmarked towards The Pointe.

Ms. Ludwig said it is put into a fund specifically for sidewalks. She said anyone that pays that fee as part of their developer's agreement the check is given to Dave Lodovico and Carol and that is put into an escrow account for sidewalks.

Mr. Owens asked you can take money from one place to another.

Ms. Ludwig said yes you can, it goes into a fund. She said once it is collected by the Township we can't then go back and ask for it again. She said as a second class Township, it is her understanding,

we can assess a property owner with some sort of assessment and say that we want them to put the sidewalk in. She said but if we have collected that fee from said property owner and it is put into that escrow account we can't come back later, regardless of how we used the funds that they paid us, and say" hey you need to put your sidewalk in now, here is your assessment."

Mr. McDermott said we can use, in fact must use, the funds that are received for those for other things, they could be sidewalks, other connectivity trail type things. He said it is almost like the tree thing where they are giving the money instead of the trees.

Mr. Owens said the only thing he thinks is sort of strange and he thinks it is in front of Tractor Supply, there is a sidewalk to nowhere. He said it does absolutely nothing, unless they disagree. He said he understands putting sidewalks in, but in his opinion that's worthless.

Mr. McDermott said that was before this new Ordinance that allowed them to pay a fee in lieu. He said he doesn't believe that Tractor Supply asked for a waiver.

Ms. Ludwig said they did not.

Mr. Fitzgerald said no they wanted waivers on fencing the retention pond and that sort of thing. He said what comes first the chicken or the egg, someday the sidewalks to nowhere someday get connected. He said there was a bridge built over in North Side that was the bridge to nowhere.

Everyone agreed.

Mr. McDermott said even under this new Ordinance with the fee in lieu of, it is not as simple as hey we don't want to put in sidewalks here is your money. He said as a Board you have denied some because you believe there should sidewalks installed. He said the only reason for taking the money is to take that out of a factor and them asking for it. He said they know they are not wanting money or serious debt, they may pick up a couple of nickels because of calculations. He said the reason for the money fee is to take that out of their calculus in deciding whether they wish to seek the waiver, when the Board considers whether they want to grant a waiver, they should deny it even if they are willing to hand you a bunch of dough if you believe there should be sidewalks there.

Mr. Fitzgerald said yes we just did that at the last meeting.

Mr. McDermott said yes.

Mr. Owens said just a thought.

Mr. McDermott said they do not meet tomorrow, but it could be brought up and see whether there are ways to escalate that.

Ms. Ludwig said she can talk it about at the staff meeting, and at the upcoming Workshop meeting.

Mr. Kyle asked if the business owners have been approached and is curious whether they want them or not. He said he would think that would be a good thing for them, to have foot traffic.

Ms. Ludwig said she thinks they would get mixed views, some in favor and some adamantly against. She said has spoken to the Property Management Company at The Pointe a few times, not only about sidewalks, also about biking trails and some of the improvements the Township has a grand scheme plan for along Summit Park Drive. She said they responded “with that is the worst plan we’ve ever seen”, “and it doesn’t make sense to make traffic worse”. She said she responded to that with a request to give it a chance. She said that they look at things differently than a Planner does. She said they absolutely hated the dedicated bike/ped lane thing.

Mr. McDermott said oddly enough don’t you think the person that owns the Mall would be loving the fact that there is a traffic jam right in front of his Mall. He said that more people are trying to get there.

Ms. Ludwig said that she thinks one thing that will help there is when Burns Scalo, who is going before the Zoning Hearing Board in July for some variances on landscaping and parking and things, She said when Burns Scalo put those buildings in on the corner of Summit Park and Park Lane, it is key they do not ask for a sidewalk waiver and they install the sidewalks. She said that then that would be the start of something and would be perfect timing to go to some of the other places and talk about sidewalk installation.

Mr. Fitzgerald said PNC right beside there, has been tearing that front yard up and replacing it, tearing it up again and replacing it.

Ms. Ludwig said PNC is updating their generators.

Mr. Fitzgerald said PNC has been tearing up that front yard and putting money back in there constantly, we should have them put sidewalks in. He said the sidewalk things is quite apparent where they belong.

Ms. Ludwig said that project did not require land development approval. She said if they would come back to Planning Commission for something we could perhaps discuss it.

Mr. Owens said one time on the Usenick property PTI was talking about building something there.

Ms. Ludwig asked do you mean off of Cliff Mine Enlow Road.

Mr. Owens said yes, and they were talking about putting walkways over to The Pointe at one point in time. He said that may have been about three or four years ago.

Ms. Ludwig asked when the assisted living was looking to build there.

Mr. Owens said yes, maybe that’s what it was.

Ms. Ludwig said she isn’t sure how it could be done because there would probably need to be easement agreements from other property owners. She said she isn’t quite sure until she can look at a map, she isn’t sure that the property abuts directly to The Pointe, there may be a property or two in between. She said it is something to consider.

Mr. Owens said it was brought up a few years ago.

Ms. Ludwig said there have been numerous people that call about that property. She thinks there are a lot of mine subsidence issues.

Mr. Fitzgerald said while we are discussing The Pointe, what is the name of the road that goes up toward Latitude 40.

Ms. Ludwig said Quinn.

Mr. Fitzgerald said yes, Quinn. He said that intersection should be milled down and it is like going through the ocean.

Ms. Ludwig said yes it is on the list to repair.

Mr. Wingrove said it is part of this year's paving program. He said the Board awarded it last week. He said within the next couple of months, that will be fixed and they will do a spot where you would be travelling towards Findlay Township away from Robinson Township those lanes going in that direction by the second entrance to Home Depot not the first entrance where you drive up to the cul-d-sac, the other entrance that is the access drive there. He said it is bumpy and wavy there at the bus stop. He said they will repair those two lanes heading towards Park Lane. He said then the whole area going towards Latitude 40 and Old Navy that intersection there.

Mr. Fitzgerald said it has been a mess for a couple of years.

Mr. Wingrove said yes it has.

Ms. Ludwig said it just gets worse, the busses are what do that.

Mr. Fitzgerald said also the tie in that was done for the piece of property that did all the development on.

Ms. Ludwig said yes Elmhurst when they did the grading.

Mr. Fitzgerald said that is falling apart by the day.

Ms. Ludwig said she knows and that is more of a Public Works and LSSE issue than Community Develop.

Mr. Fitzgerald said isn't that the Township's road and if they didn't put it in correctly they need to be told.

Ms. Ludwig said she agrees.

Mr. Wingrove said there were some issues there where they did their crossing that needed to be repaired. He said that patch in place is by no means permanent.

Mr. Fitzgerald said no it has been coming apart only after a couple of weeks.

Mr. Wingrove said they owe a lot of work to the Township to rectify that area.

Mr. Fitzgerald said that's a good thing.

Mr. Kyle asked if there were any further comments.

Mr. Owens asked down at the end of North Branch, Hennemuth. He asked if they started doing something down there, drilling.

Ms. Ludwig said she hasn't heard anything. She said nothing that required any Township approvals.

Mr. Owens said he heard they were doing some drilling or something.

Ms. Ludwig asked testing, like holes.

Mr. Owens said drilling probably core samples.

Ms. Ludwig said no she hasn't heard from the Hennemuths or his engineer. She said she spoke with Mr. Hennemuth when he was looking at various properties throughout Township, so she believes he has a general idea of what all he needs to do, so far he hasn't called her.

Mr. Kyle asked if there were any further comments. Hearing none, he asked for a motion to adjourn.

ADJOURNMENT:

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO ADJOURN THE MEETING at 7:57 PM.

ROLL CALL:	CHUCK KYLE	YES
	BILL FITZGERALD	YES
	FRED LUTZ	YES
	BOB OWENS	YES

Respectfully submitted,

Debbie Midgley
Planning Commission Recording Secretary

