

**NORTH FAYETTE TOWNSHIP
PLANNING COMMISSION**

**REGULAR MEETING
TUESDAY, JULY 19, 2016
7:30 P.M.**

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

MEMBERS PRESENT:

Dave Cosnek, Chairman
Chuck Kyle, Vice Chairman
Bill Fitzgerald, Board Member
Fred Lutz, Board Member
Tom McDermott, Township Solicitor
Shawn Wingrove, EIT
Laura Ludwig, Township Community Development Director
Debbie Midgley, Recording Secretary

MEMBERS ABSENT:

Bob Owens, Board Member

OTHERS PRESENT:

Bill Moldovan, CEC
Ryan Klousnitzer, CEC
Bob Jagger, Pittsburgh Botanic Garden
Christine Koebly, Pittsburgh Botanic Garden

UNFINISHED BUSINESS:

A motion was made by Mr. Bill Fitzgerald, seconded by Mr. Chuck Kyle, to approve the minutes from the May 17, 2016 meeting. Motion carried.

A motion was made by Mr. Chuck Kyle, seconded by Mr. Fred Lutz, to approve the minutes from the June 21, 2016 meeting. Motion carried.

NEW BUSINESS:

1. **Application 2016-10 – Pittsburgh Botanic Garden Auto Garden** – Application for preliminary and final non-residential land development involving the installation of a 130 vehicle parking lot, referred to as the Auto Garden, on 3.9 acres of land in a CE Civic & Education Zoning District. (Allegheny County Lot and Block Number 333-C-120-0-1).

Mr. Cosnek asked a representative to approach the Board.

Mr. Bob Jagger approached the Board, he is a Board Member on the Board of Directors for the Pittsburgh Botanic Garden. He said also tonight they are represented by Christine Koebley who is the interim President and Chief Operating Officer of the Botanic Gardens. He said they also have representatives here tonight from Civil and Environmental Consultants.

Mr. Jagger said they are here tonight for the Garden. He said they opened in 2014 with the former Allegheny County Maintenance Facility that they converted into the Bayer Welcome Center and across the street they converted the old house that was there into the their Administrative Building. He said the Garden was again opened in 2014. He said they have approximately 60 acres of Botanic Garden, a revamped and cleaned up Lotus pond and the Dogwood meadow, which they offer to their guests and members as well as the Bayer Welcome Center which is a venue for weddings and corporate events. He said that Christine Koebley is at the Garden on a daily basis and she would like to talk about the overall master plan. He said then Bill Moldovan and Ryan Klousnitzier from CEC will get into the details of the proposed 130 space parking lot, with some of the waiver requests that they have.

Ms. Koebley approached the Board. She said (referring to the plans) this is the new Master Plan, here is the parking lot they are speaking about, the Bayer Welcome Center, the Administration Building, and the area here is the area of the Garden that has been developed. She said there are 3 miles of hiking trails, the Lotus pond that they took back from the brink of acid mine drainage death and turned that into a beautiful area that will be the future centerpiece of a Japanese style garden. She said there are also the meadows and a children's garden of the 5 senses that is underway as well. She said the future plans are a visitor center, a canopy walk, a tower, and lots and lots of different features. She said she is showing a revamped vision of what the future at the Gardens looks like. She said there has been a lot of successes since they opened in August of 2014. She said in 2015 they had over 15,000 guests come to the Garden, and are continuing to have a good year so far in 2016. She said that the parking lot would really help them expand their operations. She said she has some statistics to share so that the Board can relate that to the number of cars and where they get into a little of an uncomfortable situation with parking. She said on Mother's Day they held a Mother's Day Brunch that was attended by approximately 150 people, and then during that same day they had regular attendance to the Garden, which ended the day with approximately 600 guests to the Garden. She said that was tremendous but parking was very tight. She said they also hold an annual plant sale that is a fundraiser, over 400 people attended. She said they receive funding from the Regional Asset District and they also sponsor a free admission day every year where everyone can come to the Garden at no charge, trying to make the Garden accessible for everyone. She said in 2015, over 600 people attended. She said they are having that same event on October 7, 2016 and will make due, but expanded parking would certainly help in making that day successful. She said as Mr. Jagger said the renovation of the Bayer Welcome Center has been another very nice part of their earned revenue model. She said they have weddings there and last year they had about 25 weddings, this year they have over 50 weddings. There are some weekends that are booked for Friday, Saturday and Sunday. She said looking into the remainder of 2016 and 2017 and already inquires for 2018, so again having those events and regular visitors to the Garden the parking becomes limited. She said they have some other events in planning, a Cider Festival in the fall, a Dogwood Festival in the spring. She said another part of their operation is education and a very important part of their program is having children come on field trips. She said they have had over 1000 children that they served in the last

year. She said they have also partnered with CCAC on some Adult programming. She said that just gives the Board some of the high level statistics about the need for additional parking.

Mr. Ryan Klausnitzer with CEC approached the Board. He said as Ms. Koebley mentioned with all the events the Garden has especially the weddings and people leaving at night, having a parking lot that is well light and accessible to the guests would be a bonus for the Garden and all the events that they have. (Mr. Klausnitzer referred to the proposed plan while speaking.) He said also the proposed lot has a bus drop off circulation so that the busses with students can come in and drop off. He said what they are proposing is a parking lot, what they are calling an Auto Garden, a one-way circulation with 130 spaces. He said this would satisfy any of the existing Welcome Center users that they would have as far as needs for parking and the future patrons of the Visitors Center that they would build would also accommodate that as well. He said what they are showing is a one-way and that they are proposing a new entrance off of Pinkerton Run Road coming in. He said they would do a one-way circulation with angled spaces, they would circle around and use the existing parking lot that is there with a little bit of reconfiguration with some ADA spaces and actually use the current entrance which is now an in and out, they would convert that to an “out only” onto to Pinkerton Run Road. He said with that being said they submitted to the Planning Commission and to LSSE and to Ms. Ludwig for approval of this along with a few waiver requests.

Mr. Klausnitzer said to give the Board an idea, they drew a quick section of the plan so that the Board could see what they are asking for. He said (referring to the plans) they took a hard look at the grading and how this proposed layout would work, to really try and minimize the disturbance of the existing features around there. He said they did tree surveys to try and avoid cutting down large trees. He said they really tried to tweak the grading to try and fit this parking lot and nestle it in as best they could. He said in the existing section here that is cut right through by the Visitors Center, here is the existing parking lot, the new lot, the proposed stormwater pond and where it ties back in. He said that will lead into why they are asking for some of the waiver requests.

Mr. Klausnitzer said that one of the first waiver requests they are asking for is a waiver to the requirement to have a boundary survey by a professional surveyor. He said this sight is currently owned by Allegheny County as is over 1600 acres, and to perform that survey would be very costly and time consuming, and is something the Garden hasn't taken on at this time. He said they are asking for a waiver of that requirement.

Mr. Klausnitzer said one of the questions that has been brought up is the proximity to other residences around. He said where the parking lot would be located has over a 1000 feet to any neighboring property owner.

Mr. Klausnitzer said Mr. Bill Moldovan will come up and speak about the 2 additional waiver requests that are related to the stormwater.

Mr. Bill Moldovan with CEC approached the Board. He said the 2 waivers they are requesting from the Township are in relation to stormwater management, stormwater management pond grading as well as the requirements for freeboard which is the distance between the high water elevation going through the emergency spillway and the top of the berm.

Mr. Moldovan said the first is a waiver to use 2.1:1 slopes of the embankment side of the stormwater management pond instead of 2.5:1, which is a Township construction standard. He

said they discussed this with Mr. Wingrove from LSSE and they sighted the fact that they are using 2.1:1 slopes for their plans they are submitting to the Allegheny County Conservation Districts and they are getting the 2.1:1 slope approved. He said one of the requirements that was mentioned in the letter from LSSE was that CEC hadn't submitted the Geotechnical Report. He said they are going to submit that and it is in the process of being prepared. He said one of the points of discussion in that report will be CEC's engineer stating that they are comfortable with the 2.1:1 fill slopes on that embankment with material on site and subgrade material.

Mr. Moldovan said the second waiver is the 2 foot freeboard over the high-water elevation going to the emergency spillway. He said the Township requirement for that freeboard is 2 feet. He said if the primary spillway in the stormwater management pond which would be in the box in the culvert coming out if that were to be completely clogged or no water going to that pipe the water elevation going through the emergency spillway would be approximately 4 inches. He said they have approximately 12.5 feet of space between the top of the spillway and on top of the berm. He said they are looking at providing 1.19 feet of freeboard at the emergency spillway whenever it is passing the designed storm. He said once again DEP standards and also the Allegheny County Conservation District standards call for a 1 foot freeboard which is their standard practice and they are in excess of the Allegheny County and DEP standard. He said these are the 2 waivers that they are requesting from the Planning Commission for this project.

Mr. Klausnitzer said he would like to add that the reason they are requesting the 2.1:1 slope, is that they looked at the 2.5:1 and they looked at making the freeboard 2 feet, by doing these slight adjustments (referring to the plans) you can see the existing elevation of the topography there. He said there is a stream that is about 50 feet here and they would be within the stream buffer and a 2.5:1 slope would basically take them into that stream and they are trying to avoid that at all costs. He said also with adjusting the freeboard, if they would do the 2 feet that does play with to where the berm is slightly and would also continue to chase grade the entire way. He said they are trying to minimize the vegetation disturbance in the area for the aesthetics of the Garden and also to preserve the stream buffer that is in the valley there.

Mr. Moldovan said this covers the components of the Land Development Application response letter and if there are any questions feel free to ask.

Mr. Cosnek asked if there were any questions. Hearing none, 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 non-residential land development involving the installation of a 130 vehicle parking lot, referred to as the Auto Garden, on 3.9 acres of land in a CE Civic & Education Zoning District. (Allegheny County Lot and Block Number 333-C-120-0-1).
2. Based on my conversations with the Botanic Garden staff and representatives from CEC, the project engineer, the purpose of this parking expansion project is to provide additional parking for the existing Welcome and Event Center. Since it's opening in 2015, the Botanic Garden has become a popular place for weddings and other social events and gatherings. As such, the

parking expansion will provide additional space for existing users of the current facilities but also some additional parking to accommodate future growth plans of the Garden within their overall Master Plan.

3. Section 404.2. of the Township's Subdivision and Land Development Ordinance (SALDO) requires that sidewalks be installed along all street frontages for all land development projects. The Botanic Garden was granted a sidewalk waiver when the Welcome Center and Office Renovation Project went through the land development approval process and was approved back in 2012. The sidewalk waiver was granted on July 24, 2012. Since the Auto Garden is an expansion to help meet the parking needs of the Welcome Center, this approval can carry over for purposes of the present instant application. However, for future land development projects that fall under the overall Master Plan for the Garden, it may be a requirement to install sidewalks or pay the fee in lieu of.
4. The applicant has requested several modification requests or waivers from the Township's SALDO and Stormwater Management Ordinance, as follows:
 - Section 302.A. of the SALDO which requires a boundary survey by a surveyor. There are no adjacent property owners in the vicinity of this project as the County owns several hundred acres (approximately 1,600), part of which are leased by the Botanic Garden.
 - Section 403.C.(9). of the Stormwater Management Ordinance which requires 2 feet of freeboard within the emergency spillway when passing the 100 year storm.
 - Section 601.11.A. which requires slopes to not exceed a 2.5:1 slope along the pond embankments. The proposed plans provide for a 2.1:1 slope along the southern embankment.

I have spoken with Shawn Wingrove from LSSE regarding the above waiver / modification requests and he does not have a problem with them. We can discuss further at the upcoming meeting and Mr. Wingrove can elaborate in more detail at that time.

5. There are a few outstanding items that still need to be addressed, including the submittal of a Geotechnical Report and a stability analysis for the proposed retaining wall. Once submitted, LSSE will review these items and issue an updated review letter. These items will have to meet the satisfaction of the Township Engineer.
6. There are also several third party items left to address, including 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.
7. Refer to any comments from the Township Engineer per LSSE's review letter dated July 7, 2016 and July 14, 2016.
8. Refer to any comments from the Township Solicitor.
9. 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.

10. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the application filed by the Pittsburgh Botanic Garden for the proposed Auto Garden is complete, pending the submittal of the geotechnical analysis and retaining wall stability analysis, granting of the requested waivers/modifications, execution of the necessary agreements, and posting of the security for the improvements.

It is my recommendation that the Planning Commission make a recommendation to take action on the waiver/ modification requests submitted by the applicant to Section 302.A. of the Subdivision and Land Development Ordinance and Sections 403.C.(9). and 601.11.A. of the Stormwater Management Ordinance.

In addition, the Planning Commission should make a recommendation to the Board of Supervisors to approve the application, contingent upon all items being addressed in LSSE's review letter dated July 14, 2016 and the Township's review letter dated July 15, 2016, including the submittal of the Geotechnical Report and retaining wall stability analysis pursuant to review and approval by the Township Engineer.

Ms. Ludwig made some additional comments.

Ms. Ludwig said the Board has her letter dated July 15, 2016. She said that Mr. Moldovan and Mr. Klausnitzer did a great job of going through the waiver requests. She said she would like to touch on the requests briefly.

Ms. Ludwig said the first request, Section 302.A. of the SALDO which requires the boundary survey, typically when someone has a lot consolidation or a subdivision plan and it is a smaller area that is a waiver the Township typically does not grant. She said that in this case because the parcel is so large and they are leasing all of the acreage from the County it isn't really necessary to do the survey. She said it is over a 1,600 acre parcel, there is a lease on part of that acreage, which is a long term lease with the County for the Garden and it also includes Settler's Cabin Park. She said it is a very large parcel. She said it really isn't necessary, and is fine with granting that waiver. She said it would be very costly for the Garden, given the parcel is so large.

Ms. Ludwig said the other waivers Section 403.C.(9) of the Stormwater Management Ordinance requiring the 2 feet of freeboard for the emergency spillway, and then Section 601.11.A in regards to the slope. She said she will let Mr. Wingrove comment more on those 2 requests, if he has anything more.

Ms. Ludwig said they noted the Geotechnical Report needs to be submitted. She said at this point there are some third party items remaining.

Ms. Ludwig said her recommendation would be to approve the application contingent upon review of the Geotechnical Report and third party items.

Ms. Ludwig said she would also recommend approval to the Board for the 3 waiver requests, 1 to the SALDO and 2 to the Stormwater Management Ordinance.

Ms. Ludwig asked if there were any questions.

Mr. Cosnek asked if 3 waivers was correct.

Ms. Ludwig responded yes 1 waiver to the SALDO for the boundary survey and the 2 waivers in regards to the Stormwater Management Ordinance. She said there aren't many requests for that as often.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Land Development Plan, dated June 21, 2016, last revised July 13, 2016, prepared by Civil & Environmental Consultants, Inc., as received by our office July 13, 2016. The plan proposes the construction of a 130 stall parking lot for a future Visitor Center. The property is located with frontage along the western side of Pinkerton Run Road, and is Zoned CE – Civic and Education District.

Previous comments may be found in our letter dated July 7, 2016

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 Ordinance (Chapter 9) and Stormwater Management Ordinance (No. 427):

Land Development

1. The Ordinance requires a Completion Bond in the amount of 110% of the cost of the required improvements. (Sections 208.) **Previous Comment:** *An itemized quantity takeoff and unit price cost estimate has not been provided for review. The cost estimate will aid in the determination of the required Completion Bond amount.* **Status: Pending.**
2. The Ordinance requires the Developer execute a Development Agreement. (Section 209.) **Previous Comment:** *The Developer must contact the Solicitor to initiate the preparation of the Development Agreement.* **Status: Pending.**
3. The Ordinance requires boundary survey by a surveyor. The plan shall include the total tract with the total plan area, in acreage shown on the plan. (Section 302.A.) **Previous Comment:** *Not provided.* **Status: The applicant has requested a waiver.**
4. 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), and that the NPDES Permit has been issued have not been provided.* **Status: Pending.**

5. The Ordinance requires sidewalks be provided along all street frontages for all land developments. (Section 404.2.) **Previous Comment:** *Sidewalks have not been provided along Pinkerton Road. Sidewalks or pedestrian improvements should be installed to the satisfaction of the Township.* **Status:** **A waiver was granted to release the applicant from the requirement to provide sidewalks under the previous land development approval.**

Grading

1. The Ordinance requires a geotechnical report be provided. (Section 103.D.(2).(i).) **Previous Comment:** *Not provided.* **Status:** **The applicant has indicated preparation of the geotechnical report is underway.**
2. The Ordinance requires a design sealed by a professional engineer must be provided for retaining walls, including a stability analysis and global stability analysis. (Section 103.H.(1).(b).) **Previous Comment:** *Not provided for the proposed retaining walls.* **Status:** **No change. Resolution of item pending submission of geotechnical report and wall design.**

Stormwater Management

1. The Ordinance requires all information relative to the design and operation of emergency spillways. (Sections 403.C.(9).) **Previous Comment:** *Township Standard details require 2 feet of freeboard in the emergency spillway when passing the 100-yr storm. The required freeboard has not been provided.* **Status:** **The applicant has requested a waiver.**
2. The Ordinance requires conformance to the Township Construction Standard. (Sections 601.11.A.) **Previous Comment:** *Per the Township's details, slopes greater than 2.5:1 on pond embankments shall not be allowed. The plan proposes 2:1 slopes for the southern embankment.* **Status:** **The applicant has requested a waiver.**
3. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 803.3.A.) **Previous Comment:** *A copy of the signed and recorded Stormwater Maintenance Agreement has not been provided. The applicant should contact the Township Solicitor regarding the agreement.* **Status:** **Pending.**
4. The Ordinance requires the owner shall convey to the Township easements and/or rights-of-way to assure access for periodic inspections by the Township and maintenance, if required. (Section 803.3.A.(2).) **Previous Comment:** *Stormwater easements have not been provided for the detention pond.* **Status:** **The applicant has requested a waiver. A note on the plans granting the Township access for inspections will address this item.**
5. 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:** *The amount of the Fund contribution will be determined upon approval of the plan.* **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), Subdivision and Land Development Ordinance (Chapter 22), Grading Ordinance (Chapter 9) and Stormwater Management Ordinance (No. 427), with resolution of the above noted items. This Land Development application is for the construction of a parking lot only. Additional comments may be made at the time of the Land Development Application for the proposed building. We reserve the right to comment further pending submission of revised plans.

Mr. Wingrove made some additional comments.

Mr. Wingrove said LSSE's most recent letter dated July 14, 2016 some of the comments echoed what Ms. Ludwig mentioned. He said most of the items left are administrative items. He said he agrees with Ms. Ludwig's assessment of the boundary survey waiver. He said the engineers at CEC make a good case for the 2 stormwater waivers they are requesting, limiting the disturbance, not cutting down trees they don't need to, trying to fit the typography here without negatively impacting existing vegetation and streams nearby. He said in this scenario it would be appropriate, the one caveat should the Board so be inclined that the Geotechnical Report once submitted supports that the 2.1:1 slopes are appropriate, are stable in this location for this embankment specifically. He said other than that Ms. Ludwig mentioned the only non-third party, non-administrative item left for the Applicant is the submission of the Geotechnical Report.

Mr. Cosgrove asked if the Retaining Wall Stability Analysis still needs to be submitted.

Mr. Wingrove said that will partially be included in the Geotechnical Report, the Analysis and then the final design with issuance of the Grading Permit. He said before the Grading Permit is issued they will have a complete retaining wall design submitted for review.

Mr. Cosnek said for the 2.1:1 versus the 2.5:1 that is being submitted to the County for approval, is the Township assured that The Garden will get that approval from the County.

Mr. Wingrove said The Garden's submission for their NPDES permit, from that the County will review the pond for functioning of water quality requirements and NPDES requirements and their standards which are as mentioned the 2.1:1 slopes and 1 foot of freeboard. He said there would not be a waiver from the County. He said if The Garden gets their permit issued from the County, which they should, those items would come out in a wash. He said the only waivers necessary are from the Township, because for these 2 specific items the typical Township requirements are more stringent than the County.

Ms. Ludwig said the NPDES items are a third party item that are approved contingent upon. She said the Township does not allow applicants to get on the Agenda for the Board of Supervisors until the Township has the NPDES approval in hand. She said by the point it gets to the Board of Supervisors the only pending items left are perhaps, Developer's Agreements, Stormwater Agreement, Posting a Bond, those type of items. She said it won't continue to the Board of Supervisors without the NPDES approval.

Mr. Cosnek asked if anyone had any further comments or questions. Hearing none, he said they will act on the waiver requests.

Mr. Cosnek asked for a motion on the waiver request to Section 302.A. of the Subdivision and Land Development Ordinance.

A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF THE WAIVER REQUEST TO SECTION 302.A. OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE WHICH REQUIRES A BOUNDARY SURVEY BY A SURVEYOR.

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

Mr. Cosnek asked for a motion on the waiver request to Section 403.C.(9) of the Stormwater Management Ordinance.

Mr. McDermott asked Mr. Cosnek if he would like to make that request subject to the conditions expressed by the Township Engineer.

There was a discussion among the Board and Ms. Ludwig and Mr. Wingrove.

Mr. Kyle said the Geotechnical Report just relates to the 2.1:1 slope.

Mr. Wingrove said just to the steeper slopes.

Mr. Cosnek asked for a motion on the waiver request to Section 403.C.(9). of the Stormwater Management Ordinance.

A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF THE WAIVER REQUEST TO SECTION 403.C.(9). OF THE STORMWATER MANAGEMENT ORDINANCE WHICH REQUIRES 2 FEET OF FREEBOARD WITHIN THE EMERGENCY SPILLWAY WHEN PASSING THE 100 YEAR STORM.

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

FRED LUTZ

YES

Mr. Cosnek said on the next waiver request the way he understood it is that the Township's restrictions are more stringent than the County and The Garden meets the County's requirement for the slope.

Mr. Fitzgerald said they are efforting to meet the County.

Mr. Wingrove said the Township's specific requirements are 2.5:1 on an exterior embankment, inside the pond they meet the requirements which are 3:1. He said that is separate from anything that the County would review. He said just within the bubble of the Township, the standard details call for 2.5:1, The Garden is requesting 2:1:1.

Mr. Cosnek asked if everyone understood.

Mr. Fitzgerald asked if this were contingent upon the Geotechnical Report.

Mr. Kyle said that was what he understood.

Mr. Wingrove and Ms. Ludwig said yes.

Mr. Cosnek asked for a motion on the waiver request to Section 601.1.11.A. of the Stormwater Management Ordinance, contingent upon the Geotechnical Report being submitted and reviewed and approved by the Township Engineer.

A MOTION WAS MADE BY MR. CHUCK KYLE, SECONDED BY MR. FRED LUTZ, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVIORS THE APPROVAL OF THE WAIVER REQUEST TO SECTION 601.11.A. OF THE STORMWATER MANAGEMENT ORDINANCE WHICH REQUIRES SLOPES TO NOT EXCEED A 2.5:1 SLOPE ALONG THE POND EMBANKMENTS, CONTINGENT UPON THE GEOTECHNICAL REPORT BEING SUBMITTED AND REVIEWED AND APPROVED BY THE TOWNSHIP ENGINEER.

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

Mr. Cosnek asked for a motion on the application.

A MOTION WAS MADE BY MR. BILL FITZGERALD, SECONDED BY MR. CHUCK KYLE, AND CARRIED TO RECOMMEND APPROVAL OF THE PITTSBURGH BOTANIC GARDEN AUTO GARDEN APPLICATION FOR PRELIMINARY AND FINAL NON-RESIDENTIAL LAND DEVELOPMENT INVOLVING THE INSTALLATION OF A 130 VEHICLE PARKING LOT TO

THE BOARD OF SUPERVISORS, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED JULY 14, 2016 AND THE TOWNSHIP'S REVIEW LETTER DATED JULY 15, 2016, INCLUDING THE SUBMITTAL OF THE GEOTECHNICAL REPORT AND RETAINING WALL STABILITY ANALYSIS PURSUANT TO REVIEW AND APPROVAL BY THE TOWNSHIP ENGINEER.

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

Mr. Jagger asked Ms. Ludwig for clarification on their application not going before the Board of Supervisors until The Garden receives their NPDES Permit from the County.

Ms. Ludwig said that is correct.

Mr. Jagger asked if they can go before the Board of Supervisors contingent upon that approval.

Ms. Ludwig said the Township does not do that.

Mr. Jagger said the County is taking a long time to review plans. He said their plans have been submitted to them, they just don't have the NPDES Permit yet.

Ms. Ludwig said yes she understands, the Township does need the NPDES Permit before going before the Board of Supervisors.

COMMENTS:

Ms. Ludwig said this is more of an informational item, the next item. She said that it should really go under comments and not official business or new business. She said she would like to make note of that for the record.

Mr. McDermott said he would like to specifically have the minutes reflect that it is not for review tonight, it has not been presented for review. He said Ms. Ludwig can explain that it is administratively incomplete. He said the clarification in the agenda is that it is really under item 6, comments.

Ms. Ludwig said yes it is more of an informational item, not an official item under new business.

Mr. Cosnek said are they just going to talk about Bright Oaks Phase 3.

Ms. Ludwig said yes, they are administratively incomplete. She said if you read through her letter, the Township still does not have the biggest missing link of the puzzle, which is the signed Conservation Easement between Bright Oaks and Hollow Oak. She said Bright Oaks is working on tweaking some of the open space areas, anything that is for utilities or infrastructure, the stormwater ponds, since they will be maintained and owned still by AR Building or Bright Oaks,

those being separate from the conservation areas that will be trails and nature and other things. She said they are ironing out that right now, she believes the agreement itself, they have gone through a couple rounds of edits and it is very close to complete. She said she did not want them to be an official agenda item until the Township sees the completed agreement. She said Bright Oaks is aware of that. She said her recommendation is to reject their application as administratively incomplete.

Mr. McDermott said it actually has been by the administration, as is the practice of the Board of Supervisors, they ratify Ms. Ludwig decision, acknowledge them, and immortalize them by doing a motion.

Mr. Cosnek asked they could do a motion for that.

Mr. Fitzgerald said to Mr. Cosnek that Ms. Ludwig is moving it to comments, essentially it doesn't need a type of motion at all, because Ms. Ludwig is deeming it not fit to come before the Planning Commission.

Mr. Cosnek said ok, thank you.

Mr. Fitzgerald asked if there was anything else.

Ms. Ludwig said she has one more item, she would like to follow up on Mr. Lutz's comments from last month's meeting about the sidewalks at The Pointe. She said she was a little taken off guard by the comment and should have thought about some of the work that she did do in relation to that. She said she put in their packets 2 copies of Grant Applications that were submitted for funding for the project there. She said one was a multi-modal application that was completed in the summer of 2014. She said the Township did not receive those funds. She said earlier this year, late last year rather, December 2015, she also applied for the TAP funds, which is the Transportation Alternatives Program through PennDOT. She said they were to make those announcements in June and she has not heard back, so she doesn't know if that was awarded to the Township or not. She said the Board of Supervisors has not had their workshop meeting yet, they combine all their meetings in July and it is scheduled for tomorrow. She said she does plan on bringing this up to the Board. She said what it boils down to is, the overall vision for that area and the plan and schematic design that is included in the Comp Plan showed that as a shared bike pedestrian lane, so not sidewalks specifically but a shared bike and pedestrian lane. She said the bigger picture is, trying to get funding to make that project a reality. She said part of the Township's match for those grants was the assessment. She said the Township can apply for grant funds and use that for the Township's local match. But, if the Township goes ahead and just puts sidewalks in, they can't use it as a match. She said the Township would have to change that Master Plan and the Comp Plan and get rid of the dedicated bike-pedestrian lane. She said she isn't sure that is something the Township would want to do. She said obviously it is up for more discussion, but there is a bigger picture here than just rushing to put sidewalks in. She said she knows they are sorely needed but the bigger picture is really the shared bike-pedestrian lane and all of the other improvements, the street scape improvements, creating the islands, getting it down to the one lane so there can be the dedicated bike-pedestrian lane. She said she has been working on it, she submitted those 2 grant applications that were a lot of work and it is very competitive to get that funding nowadays. She said this is a very good project and is still holding out hope that the Township is awarded that funding. She said she will talk to the Board of Supervisors and see if they want to move forward

with doing some sort of assessment at some point instead. But again, then that uses the local match and we'd need to come up with another local match to get that funding.

Ms. Ludwig asked if there were any questions.

Mr. Fitzgerald asked are you talking about pedaling.

Ms. Ludwig said no "peds" as in pedestrian and also a bike lane.

Mr. Fitzgerald said yes and a bike lane. He said in the simplest form, there are people climbing up and down hills at the Pointe and everywhere else. He said if instead of shooting for the stars and having bike lanes, which would invite more people to come in on their bikes, they have the trails for their bikes. He said he understands there are a lot of people that like to ride their bikes on the road, wouldn't almost be like putting the Township in a box and trying to create too much versus the minimum. He said the Township has to start someplace, little steps before big steps. He said you can see where sidewalks are needed, by tracks within grassy areas.

Ms. Ludwig said absolutely, the "desire paths" is what they are called, and she does not disagree with that at all. She said there is a Master Plan and a vision for that area, that was talked about at several community meetings leading up to the approval of the Comprehensive Plan, that the Township is trying to stick to that overall vision, of getting that bike/ped lane shared lane there, if that's not a feasible thing and the Township doesn't want to waste their time on that anymore, then maybe the Township needs to look into just putting sidewalks there. She said there is more thought that needs to go into that to determine what the better way to go is.

Mr. Fitzgerald said he can remember a statement when the developer stood in the Township meeting room and was asked about having the 5 restaurants at the Pointe and they all come out of the same point. He said the question was asked "why didn't you create another entrance to get in there?" and the developer said, "We didn't think it was going to be this congested." He said when they built that place whatever their vision was then, it wasn't very clear as to what it was going to turn into.

Ms. Ludwig said the Board of Supervisors also did not require them to put sidewalks in back then. She said who knew that was going to be a huge issue.

Mr. Fitzgerald said let alone not even having sidewalks. He said he remembers before the streetlight was up there, the restaurants were clamoring for the Police to come there and manually move the cars because there were fist fights there with traffic. He said the whole thing wasn't planned out real well as far as he can see.

Ms. Ludwig said with Burns Scalo coming through for land development approval, probably in August for the September meeting. She said Burns Scalo will be putting sidewalks there, that will be a start. She said that will be the first set of sidewalks, they will be at the corners of Park Lane and Summit Park Drive, on both sides there.

Mr. Lutz asked where would the bike lane be.

Ms. Ludwig said it was going to be from Quinn Drive, the left lane, where a lane of traffic would be taken away from Quinn Drive on where it gets a little less congested and that was to become the dedicated bike/ped lane.

Mr. Fitzgerald asked from Quinn Drive on out the back.

Mr. McDermott asked how do the bikes get to there.

Ms. Ludwig said it would go the whole way down to the trail.

Mr. Fitzgerald said that would be insane, to take away a lane there.

Mr. Lutz asked if a lane would be taken away.

Ms. Ludwig said she can't remember if it starts at Quinn Drive or Chauvet Drive, but yes that is correct.

Mr. Lutz said it really doesn't make a difference.

Mr. Fitzgerald said that would be insanity.

Mr. Lutz said a lane is going to be taken away from there from clear down to the bike trail.

Ms. Ludwig said yes, that is part of the Comp Plan.

Mr. Fitzgerald said that would be ill advised.

Mr. Lutz said yes that would, he would drop the bike lane.

Mr. Fitzgerald said that doesn't make sense, if you go to the Pointe on the weekend, the light in front of NTB is red literally every single time you come up to it and is stacked up with cars in both lanes. He said all that traffic would be pushed all the way back up to the main intersection between Sam's Club and Walmart and the restaurants and everything else, it would just lock up there unbelievably.

Ms. Ludwig said it is already locked up, up there. She said that is what she always experiences, the back log at Andrew Drive. She said she is not there the same time some of the Board may be, since she doesn't live in the Township. She said the light at Andrew Drive is where she experiences the most jamming of traffic. She said she has not ever experienced it going the other direction. She said she has experienced Cliff Mine Road backups at rush hour.

Mr. Fitzgerald said he lives down at the bottom of the hill and experiences backups everyday, even there in front of Home Depot, those people are waiting for the people coming down the hill where Burns and Scalo are going in, stop signs are there and those people have to wait for that stop sign, so you will be pushing all that traffic into 1 lane.

Ms. Ludwig said that part of it would be perhaps having LSSE look at more traffic analysis or HRG the traffic engineer look at that more closely in terms of its effects. She said this was in the Comp Plan that was approved a few years ago.

Ms. Ludwig said that is all she has at this time.

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

ADJOURNMENT:

A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO ADJOURN THE MEETING at 8:09 PM.

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

Respectfully submitted,

Debbie Midgley
Planning Commission Recording Secretary

