

**NORTH FAYETTE TOWNSHIP  
PLANNING COMMISSION**

**REGULAR MEETING  
TUESDAY, JULY 21, 2015**

The meeting was called to order at 7:30 p.m. with Mr. Dave 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  
Joshua Callender, EIT  
Laura Ludwig, Township Community Development Director  
Patrick Connors, Community Development Intern  
Cheryl Cherico, Recording Secretary

**MEMBERS ABSENT:**

None

**OTHERS PRESENT:**

Dan Hall, Pointe West LP  
William O'Leary, 239 Mahoney Road  
Mary O'Leary, 239 Mahoney Road  
David LaPearle, PVE Sheffler  
Kurt Meeske, Clover Group/Landcaster Land, LP.

**UNFINISHED BUSINESS:**

Mr. Cosnek asked for a motion to approve the minutes from the June 16, 2015, meeting.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. BILL FITZGERALD, TO APPROVE THE MINUTES FROM THE JUNE 16, 2015, MEETING. MOTION CARRIED.**

**NEW BUSINESS:**

- 1. Application 2015-11 – Pointe West / Preserves Phase 12B** – Application for preliminary and final subdivision and residential land development involving the creation of 19 lots on

7.123 acres of land located along Dupont Drive in the R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block # 584-C-75).

Mr. Cosnek asked a representative to approach the Board.

Mr. Hall approached the Board.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final subdivision and residential land development involving the creation of 19 lots on 7.123 acres of land located along Dupont Drive in the R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block # 584-C-75).
2. 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.
3. 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.
4. Based on my discussions with Shawn Wingrove of LSSE last week, it seems as if the applicant has cleared up most of the remaining stormwater management items from last month.
5. 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.
6. 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.
7. Refer to any comments from the Township Engineer per LSSE's review letters dated June 3, 2015, June 30, 2015, and July 17, 2015.
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 preliminary and final subdivision and land development application filed by Pointe West LP for Phase 12B looks to be complete.

Ms. Ludwig recommended 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 Pointe West LP’s final subdivision and land development application for Phase 12B contingent upon all items being addressed in LSSE’s review letter dated July 17, 2015 and the Township’s review letter dated July 20, 2015.

Mr. Callender made the following comments:

We have completed our review of the above referenced Residential Land Development Plan, last revised July 6, 2015, prepared by Wind Ridge Engineering Co., as received by our office July 6, 2015, and July 17, 2015 via email. The subdivision plan proposes the creation of 19 single-family residential lots. The properties are located along Dupont Drive, and are Zoned R-3 – Medium Density Residential District.

Previous comments may be found in our letter dated 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):

Zoning

- 1. The Ordinance does not allow erosion. (Section 909.) **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 revision to the existing NPDES Permit has been issued for Phase 12B have not been provided.* **Previous Comment:** *The Soil Erosion and Sedimentation Control Plan is currently under review. Pending. The applicant states that Phase 12B is in a currently permitted area and does not required a revision to the NPDES permit.* **Status: A copy of the active NPDES permit approval should be submitted.**

Preliminary and Final Major Subdivision.

- 1. The Ordinance requires a Completion Bond for the proposed 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: No change.**

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 roadway vertical curves have a minimum length of 250 feet. (Section 504.3.C.) **Previous Comment:** *The plan proposes a vertical curve of 100 feet.* **Status: The applicant has requested a waiver to reduce the minimum vertical curve length to 100 feet.**

#### Grading

1. The Ordinance requires submission of a grading permit application. (Section 103.1.) **Previous Comment:** *Not provided.* **Status: No change.**

#### 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. Additional comments may be made, and we reserve the right to comment further pending submission of revised plans.

Mr. Cosnek asked if it could all be done in one motion or if they needed to do separate motions for the waiver and the application.

Ms. Ludwig said it should be two separate motions with a recommendation on the waiver first and then a recommendation on the overall plan.

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

**A MOTION WAS MADE BY Mr. BOB OWENS, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF**

**SUPERVISORS FOR A WAIVER REQUEST TO REDUCE THE MINIMUM VERTICAL CURVE LENGTH FROM 250 FEET TO 100 FEET.**

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

Mr. Cosnek asked for a motion on the application.

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR PRELIMINARY AND FINAL SUBDIVISION AND RESIDENTIAL LAND DEVELOPMENT OF POINT WEST PRESERVES PHASE 12B CONTINGENT UPON ALL OUTSTANDING COMMENTS IN THE TOWNSHIP ENGINEER'S REVIEW LETTER DATED JULY 17, 2015, AND THE TOWNSHIP COMMUNITY DEVELOPMENT DIRECTOR'S REVIEW LETTER DATED JULY 20, 2015, BEING ADDRESSED.**

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

- 2. Application 2015-12 – O’Leary Plan of Lots** – Application for preliminary and final minor subdivision involving a lot line relocation on 5.62 acres of land located at 239 Mahoney Road in the R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block #s 590-K-71 and 590-K-70).

Mr. Cosnek asked a representative to approach the Board.

Mr. LaPearle approached the Board. He said last month, they had a presentation and the issue primarily revolved around an unexpected and unfortunate overlap of property on the northeasterly corner of the Zitko property. Ultimately, he said he ended up speaking with the Allegheny County Department of Real Estate and received their review of the situation. He said they took the individual deeds and agreed with his findings of the unintentional overlap of the deed descriptions and they recommended a quick claim deed be prepared between the landowner Holmes across the street and the Zitko Family. If that could be worked out and eventually recorded, he said the county felt that would be the fair and proper resolution of the overlap issue. He said they are in the midst of finalizing that effort. In the meantime, the O’Leary family raised a question for a minor revision on the width of the parcel, width of the sliver of land between them and the Zitko property, that it be increased in width by 10’. He said he went ahead with that revision and provided the Township with those plans. Ultimately, he believed all of the minor review questions had been resolved with the exception of the quick claim deed. He asked the Board for conditional approval based on the filing of a proper document and or quick claim deed for the issue of the property description overlap.

The Board reviewed the comments of Ms. Ludwig. Lennon Smith, Souleret Engineering, Inc. did not have any additional review comments from last month's meeting.

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final minor subdivision involving a lot line relocation on 5.62 acres of land located at 239 Mahoney Road in the R-3 Medium Density Residential Zoning District (Allegheny County Lot and Block #s 590-K-71 and 590-K-70).
2. At last month's meeting, the application was tabled so that the applicant and the applicant's surveyor could do more research on how to best address the overlap area / portion of land shown on the plan that was noted as being owned by the Zitko's and the Holmes' families. In my discussion with Mr. LaPearle of PVE Sheffler today, the County Department of Real Estate has recommended that a quit claim deed is the best option to address the issue. A note will need to be added to the plan about the quit claim deed.
3. In my discussion with Mr. LaPearle today, he also mentioned that Mrs. O'Leary and Mrs. Zitko have agreed to move the lot line over another 10 feet. Thus, the new area being added to the O'Leary parcel will be 30 feet wide instead of 20 feet. This should be fine provided the lots still meet all dimensional requirements as outlined in the Zoning Ordinance. However, I want to make sure LSSE has time to review the revised plan to make sure it conforms with our ordinances. Thus, you can recommend a contingent approval this evening.
4. Refer to any comments from the Township Engineer per LSSE's review letter dated June 3, 2015.
5. Refer to any comments from the Township Solicitor.
6. 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, Ms. Ludwig said the O'Leary Plan of Lots preliminary and final minor subdivision application involving a lot line relocation on Mahoney Road is complete, provided a note regarding the quit claim deed is added to the plan and upon LSSE's review of the revised plan moving the lot line over another 10 feet. Thus, she recommended that the Planning Commission recommend to the Board of Supervisors that the O'Leary Lot Line Relocation Plan be approved, contingent upon all items being addressed in this review letter.

Mr. Kyle asked if Lennon Smith, Souleret had reviewed the new plans yet.

Mr. Callender said he saw the plans today. He said the only thing that changed was the lot line moved over, but according to the ordinance, it still meets the lot width and the lot area. He said the only concern would be that it would get recorded with the quit claim deed and then it should be okay.

Mr. Kyle asked if the approval should be contingent on two things.

Mr. McDermott said the Board could recommend approval subject to final review of the revised plan and final Board approval subject to having the quick claims filed. He asked if there was a plan notation that notes what is going on with those.

Mr. LaPearle said since they don't have the actual quick claim document, once that occurs, his intent is to put the volume and page on a small notation on the final drawing that would be signed by everyone.

Mr. McDermott said that would be perfect.

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

**A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR PRELIMINARY AND FINAL MINOR SUBDIVISION INVOLVING A LOT LINE RELOCATION CONTINGENT UPON FINAL REVIEW OF THE PLAN BY THE TOWNSHIP ENGINEER AND SUBJECT TO RESOLUTION OF THE BORDER OVERLAP ISSUE BY QUICK CLAIM DEED PRIOR TO FINAL BOARD APPROVAL.**

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

- 3. Application 2015-14 CU – Speedy Furniture Conditional Use Application –** Conditional use application for a pole sign filed by JSAuth Holdings (DBA Speedy Furniture of Robinson) to add a sign panel onto an existing pole sign located at 700 Chauvet Drive in a B-2 General Business Zoning District (Allegheny County Lot and Block # 412-J-4).

Mr. Cosnek asked a representative to approach the Board.

No representative was present.

Mr. Lutz asked where Speedy Furniture would be located.

Ms. Ludwig said it is right next to Goodyear over near Target on Chauvet Drive. She said the additional panels are already up. She said they were caught by the Township and are now being made to follow the formal approval process. Apparently, Goodyear owns the pole sign itself because it is on their property, and the owner of Speedy Furniture thought it was okay to just add the panels. She said they now know otherwise and are going through this process.

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

Ms. Ludwig made the following comments:

1. This is an application for a conditional use for a pole sign filed by JSAuth Holdings (DBA Speedy Furniture of Robinson) to add a sign panel onto an existing pole sign located at 700 Chauvet Drive in a B-2 General Business Zoning District (Allegheny County Lot and Block # 412-J-4).
2. Per LSSE's review letter dated June 30, 2015, the applicant still needed to provide several items including additional specifics and dimensions of the sign, a landscape plan for the base of the sign, and the adjacent property owner information. Please note that all of these outstanding items have been submitted for the Township's review.
3. Please note that the applicant, Speedy Furniture, has already installed the additional sign panel on the pole sign. Our Building Code Official contacted them regarding this violation and they are now retroactively going through the appropriate approval process to add the panel onto the pole sign.
4. Please note that with the Speedy Furniture panel added onto the existing pole sign, the total area of the pole sign is still under the maximum square footage of signage allowed per Table 27-1 of the Township's Zoning Ordinance, Chapter 27 of the Township's Code of Ordinances, Ordinance No. 418, which is 80 square feet for more than one business. The total square footage of the sign will be approximately 74 square feet.
5. The current owner of the pole sign is Goodyear. Goodyear is aware of this application and supports it, as they originally granted Speedy Furniture with permission to add onto their sign. Unbeknownst to Speedy Furniture, they also need the Township's okay to do this. Hence, they have submitted the conditional use application that is now under review.
6. The applicant is proposing to add onto an existing pole sign which is located on Chauvet Drive at the Pointe at North Fayette shopping area. This pole sign dates back to the original approval and construction of the lot in question. The businesses located along Chauvet Drive are somewhat hard to see from Summit Park Drive, hence the need for the additional signage.
7. Overall, the Township does not see any issues with the request as proposed. They submitted an adequate landscape plan for around the perimeter of the sign. The new landscaping bed around it will look nicer than what is there now, as landscaping was not a requirement when the pole sign was installed.
8. Please refer to comments from LSSE in their review letter dated June 30, 2015.

At this time, the conditional use application filed by JSAuth Holdings looks to be complete. Ms. Ludwig recommend that the Planning Commission make a recommendation to the Board of Supervisors to set a public hearing date for Speedy Furniture's Conditional Use Application. In addition, the Planning Commission can make a recommendation to the Board as to whether to approve or deny the application.

Mr. Callender made the following comments:

We have completed our review of the above referenced Conditional Use application, dated June 13, 2015, as received by our office June 26, 2015. The Conditional Use application proposes to add a sign cabinet for Speedy Furniture on an existing sign pole for Goodyear. The property is located 700 Chauvet Drive, and is Zoned B-2 – General Business 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):

Zoning

1. The Ordinance requires a written statement showing compliance with applicable express standards and criteria for the conditional use. (Section 701.D.(1).(b).) **Status: A narrative demonstrating compliance with the standards of Section 703.00.(2) has not been provided.**
2. The Ordinance requires a map showing and identifying all lots within 200 feet of the lot for which conditional use approval is requested and a list of the names and addresses of the owners of these lots from the most recent records of the Allegheny County Tax assessor’s Office. (Section 703.D.(1).(c).) **Status: Not provided.**
3. The Ordinance requires landscaping shall be planted at the base of each pole sign. The landscape shall be equivalent to 200 percent of the sign face. Plant material shall include a variety of shrub and ground cover. (Section 703.00.(3).) **Status: A plan showing existing and proposed landscaping has not been provided.**
4. The Ordinance requires maximum area of 60 square feet for signs mounted on a pole for 1 business and 80 square feet for more than 1 business. (Section 1007.1.A.) **Status: The area of the existing Goodyear signs has not been provided.**
5. The Ordinance requires maximum height of 25-feet at the top and 12-feet minimum at the bottom of pole mounted signs. (Section 1007.1.A.) **Status: The heights of the existing and proposed signs have not been provided.**

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 application, as submitted, does not conform to the Township of North Fayette’s Zoning Ordinance (Chapter 27). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

Mr. Cosnek asked if LSSE would need to review any additional items before making a recommendation.

Ms. Ludwig said for Conditional Uses, they typically don't need to review anything else. She said it would just need to go through the public hearing process where all of the checklist items are taken care of through the Conditional Use criteria.

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

**A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. FRED LUTZ, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO SET THE PUBLIC HEARING DATE FOR THE SPEEDY FURNITURE CONDITIONAL USE TO ADD A SIGN PANEL ONTO AN EXISTING POLE SIGN.**

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

Mr. Cosnek asked if they grant conditional use for the sign, was Speedy Furniture going to state that they are in North Fayette Township.

Ms. Ludwig said they could only hope so. She said their actual business name is (DBA Speedy Furniture of Robinson). She said this is not in Robinson, it is in North Fayette and that could be brought up at the hearing.

Mr. Cosnek asked the Board for a recommendation on the application.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR CONDITIONAL USE FOR SPEEDY FURNITURE TO ADD A SIGN PANEL ONTO AN EXISTING POLE SIGN.**

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

- 4. Application 2015-15 – Fayette Farms Phase 6 – Application for preliminary and final residential development involving a 10 lot residential subdivision on 6.5024 acres of land located on the corner of Donaldson Road and Patridge Lane in an R-2 Suburban Residential/Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 798-N-253).**

Mr. Cosnek asked a representative to approach the Board.

No representative was present.

Ms. Ludwig said the applicant was not planning to attend.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final subdivision and residential land development involving the creation of 10 lots on 6.5024 acres of land located on the corner of Donaldson Road and Patridge Lane in an R-2 Suburban Residential Zoning District / Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 798-N-253).
2. There are several items that need to be clarified with the applicant including modification requests, stormwater management related items, required bufferyard plantings, and the overall revisions to the previously approved tentative PRD for Fayette Farms. The previously approved tentative Fayette Farms PRD proposes townhomes for this phase while single-family lots are now shown. The proposed lot sizes for the 10 lots that are part of Phase 6 are smaller than the minimum lot area of 7,200 square feet that is outlined in the Township's Zoning Ordinance, Chapter 27 of the Township Code of Ordinances, Ordinance No. 418. The proposed lots for Phase 6 are also only 50 feet wide and the required 10 foot sideyard setback is not provided. In the past, we have granted modifications in similar situations for previous phases of Fayette Farms. We must go through the formal process to grant any modifications for this Phase as well.
3. I have spoken with Mr. Leon Chiri of Fayette Farms LP/ A&R Building Company regarding the need to submit an application to revise the previously approved tentative PRD Plan for Fayette Farms. A revision to the PRD must be made prior to Phase 6 being submitted for land development approval. Mr. Chiri has agreed to submit the application to revise the PRD and overall Master Plan for Fayette Farms. We have a meeting scheduled on August 4<sup>th</sup> to discuss this process. It will be very similar to what Bright Oaks just went through for their sixth building that is part of their Phase 3.
4. Refer to any comments from the Township Engineer per LSSE's review letter dated July 10, 2015.
5. Refer to any comments from the Township Solicitor.
6. 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.
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, they will be billed for any remaining fees owed and asked to replenish the escrow account.

Ms. Ludwig said when she met with Mr. Chiri, the developer, she had advised him that the Tentative PRD should be revised first and for him to decide what phases would be in what order. She said Phase 6 is actually Phase 11 from the plan as it is now. She said a week and a half later, she received this application. She said she thought maybe it wasn't that big of a change since it

was only going from townhouses to single family houses and would still be roughly the same footprint. When looking at what modifications would be needed in terms of lot width etc., she said she didn't want to go through all of that without going through the whole public process similar to what Bright Oaks went through when they revised their PRD to phase in the sixth building. Ms. Ludwig said it makes the process cleaner and from a public standpoint, because there really needs to be a public hearing before those types of modifications could be granted.

At this time, Ms. Ludwig said the final subdivision and land development application filed by Fayette Farms LP for Phase 6 is incomplete and missing several items, including stormwater management related items, a formal list of modifications requests, required bufferyard plantings, and the submission of an application to revise the previously approved Tentative Fayette Farms PRD.

As such, Ms. Ludwig recommended that the Planning Commission reject the application as administratively incomplete. The applicant should submit an application to revise the previously approved PRD. Once the revision to the PRD is approved, Fayette Farms LP can resubmit for final approval of Phase 6.

Mr. Callender made the following comments:

We have completed our review of the above referenced Preliminary and Final Subdivision, dated June 10, 2015, prepared by J.R. Gales & Associates, Inc., as received by our office June 26, 2015. The subdivision proposes the creation of 10 lots and one open space parcel. The property is located along proposed Rosemarie Lane South of Raymond Drive, R-2 – Suburban Residential District, and PRD – Planned Residential Development Overlay District.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

### Zoning

1. The Ordinance requires a minimum lot area of 7,200 square feet for single family lots. (Sections 205.3.) **Status: The zoning table identifies the proposed minimum lot area as 6,000 SF per lot. Lot 602 is the smallest proposed lot at 6,063 SF. A modification was granted for this item in the past. The approved tentative PRD proposes townhouses for Phase 6. Because the single-family lots proposed as part of the current application are not consistent with the approved tentative PRD, the PRD must be revised. As part of the PRD revision process, the applicant may request a minimum lot area modification for the new single family lots.**
2. The Ordinance allows a maximum density of the entire development of 6.1 units per acre. (Section 205.3 and 607.B.) **Status: The density of the development must be shown on the Recorded Plan.**
3. The Ordinance requires a minimum lot width of 80-feet for single family dwellings measured from the front principal building setback line. (Sections 205.3.) **Status: The zoning table identifies the proposed minimum lot width as 50-foot. A modification was granted for**

**this item in the past. The approved tentative PRD proposes townhouses for Phase 6. Because the single-family lots proposed as part of the current application are not consistent with the approved tentative PRD, the PRD must be revised. As part of the PRD revision process, the applicant may request a minimum lot width modification for the new single family lots.**

4. The Ordinance requires a 10-foot side yard building setback for each side yard within the PRD zoning district. (Sections 205.3.) **Status: The zoning table identifies the proposed minimum side yard setbacks as 5-foot or 0-foot and 10-foot. A modification as granted for this item in the past. The approved tentative PRD proposes townhouses for Phase 6. Because the single-family lots proposed as part of the current application are not consistent with the approved tentative PRD, the PRD must be revised. As part of the PRD revision process, the applicant may request a minimum lot width modification for the new single family lots.**
5. The Ordinance requires adequate sight distance be provided for each driveway. (Section 306.4.) **Status: Indicate the required and provided sight distance at the connection of Rosemarie Drive and Donaldson Road.**
6. The Ordinance requires a buildable area analysis be provided. (Section 501.1.) **Status: Not provided.**
7. The Ordinance requires 40% of the total site area be reserved as open space. (Section 607.4.A) **Status: Provide a tabulation of the open space dedicated to date and the running total of area developed.**
8. **The Ordinance requires that 35% of the total required open space must be less than 25% slope. (Section 607.4.C.) Status: Provide a tabulation of the slope of the open space dedicated to date and the running total of area developed.**
9. The Ordinance requires the perimeter of the PRD shall be screened at a minimum by Bufferyard B in accordance with Section 206. (Section 607.8.B.) **Status: A landscaping plan has not been provided showing the proposed and required bufferyard plantings on open Space #6.**
10. The Ordinance requires Bufferyard C along all primary roadways. All landscaping with the primary roadway bufferyard should comply with the landscape palettes defined in Table 27-10 of the Ordinance. (Section 609.3.B.) **Status: The plan abuts Donaldson Road, a Primary Roadway. A landscaping plan showing the proposed and required bufferyard plantings has not been provided.**
11. The Ordinance does not allow erosion. (Section 908.) **Status: A Soil Erosion and Sedimentation Control Plan has been provided. Provide documentation that the NPDES permit is active for the current Phase.**

Subdivision

1. The Ordinance requires a Completion bond in the amount 110% of the cost of the required improvements. (Sections 208.) **Status: 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.**
2. The Ordinance requires the Developer execute a Development Agreement. (Section 209.) **Status: The Developer must contact the Solicitor to initiate the preparation of the Development Agreement.**
3. The Ordinance requires existing and proposed easements be shown on the plan. (Section 302.M.) **Status: An easement has not been provided for the storm sewers or detention facility on the southern side of Donaldson Road.**
4. The ordinance requires a phase one environmental assessment. (Section 307.) **Status: Not provided.**
5. The Ordinance requires an infrastructure demand statement be provided. (Section 314.) **Status: Not provided.**
6. The Ordinance requires lot corner markers be provided. (Section 315.I.) **Status: Not provided.**
7. The Ordinance requires sidewalks be provided along all street frontages for major land developments. (Section 404.2.B.) **Status: Sidewalks have not been provided along the frontage of Donaldson Road.**
8. The Ordinance requires subdivisions to lay out as a street on the plat the additional amount of land necessary so that the distance from the centerline of the street to the edge of the right-of-way abutting the proposed development is one-half the right-of-way width required by the Township Construction Standards. (Section 504.1.I.) **Status: A 50' right-of-way is required for local roads. Revise the plan to provide the required 25' half right-of-way width for Donaldson Road along the proposed subdivision.**
9. The ordinance requires there be a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet at street intersections. (Section 504.2.D.) **Status: The profile located on Sheet 3 shows Rosemarie Lane to have a 6% grade within 100 feet of the intersection with Donaldson Road.**
10. The Ordinance requires the minimum length of vertical curves be 250 for all streets. (Section 504.3.C.) **Status: The plan proposes a vertical curve with a length of 80 feet.**
11. The Ordinance requires cul-de-sac streets shall be no greater than 600 feet in length. (Section 504.4.B.) **Status: The proposed cul-de-sac street is approximately 700 feet in length.**
12. The Ordinance requires all permanent cul-de-sacs shall be designed with a snow removal easement at the terminus. The easement shall extend outward from the street right-of-way and be a minimum of 50 feet in width and 10 feet in depth. (Section 504.4.F.) **Status: A snow removal easement has not been provided on the plans.**

## Stormwater Management

1. The Ordinance requires stormwater management for the development be addressed for all earth disturbance activities. (Section 106.A.) **Status: Documentation that this phase is consistent with the original Stormwater Management Report for the development has not been provided. Provide calculations demonstrating the land cover conditions for the area tributary to Detention Pond #9 as currently proposed and corresponding information from the previous report, along with the design information for the pond.**
2. The Ordinance requires all calculations, assumptions and criteria used in the design of the storm sewer system. Drainage facilities shall be designed to contain the energy gradeline for the peak flow rate within pipes and structures. (Section 403.C.(1).) **Status: The calculations indicate a surcharge of the HGL in Inlet 1, Inlet 2 and MH 1.**
3. The Ordinance requires stormwater ponds be enclosed by a fence of at least 4' in height. (Section 601.2.D.(4).) **Status: A fence has not been provided for the proposed pond.**
4. The Ordinance requires an access road of at least 15' wide be provided for all stormwater detention facilities. (Section 601.2.D.(7).) **Status: An access road has not been provided for the proposed pond.**
5. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 803.3.A.) **Status: 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.**
6. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 803.4.1.a., and 902.3.) **Status: Not provided. The applicant should contact the Township regarding payment, if this has not been previously provided for the proposed facility.**

## General

1. The plan proposes installation of a storm sewer crossing Donaldson Road. The Developer should contact the Township regarding a Street Opening Permit.

The plans have been reviewed for conformance to the Township Ordinance standards only. The review is based on surveys and drawings prepared by others and assume this information is correct and valid as submitted. Independent confirmation of adequacy or applicability of surveys, design data or procedures has not been provided.

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

Mr. Fitzgerald said he personally didn't think these kinds of applications should even make it on the agenda if the applicant doesn't have everything together better than this, because they aren't prepared. With that being said, there was some discussion amongst a few Board members before the meeting about the proposal for the width of the lots and he wanted to turn it over to Mr. Lutz.

Mr. Lutz asked where they were coming up with this 55' lot width. He said years ago, Hankey Farms was built with 60' lots and people complained then that they were too small. Now they are going to 55' lots.

Ms. Ludwig said it seems to be the norm and these smaller lots are somewhat market driven.

Mr. Lutz said he didn't agree with that.

Ms. Ludwig said she believed that was what developers would tell the Board.

Mr. Lutz said of course a developer is going to say that because they are going to get two extra lots on an acre.

Ms. Ludwig said people are buying them though. She said this type of development is happening in other communities.

Mr. Lutz said not that many communities.

Ms. Ludwig said she was visiting with friends in Grove City, Ohio outside of Columbus and it was a very nice community with townhomes and single family homes but the houses were close together.

Mr. Lutz asked if she could explain what it meant on the plans where it said minimum side yard 5' or 0' and 10'. He asked if that meant they could literally put the house on the property line on one side and have 10' on the other.

Mr. Cosnek said that is what it says.

Mr. Lutz said that was ludicrous.

Ms. Ludwig said she knew they had granted modifications for other things like this in the past, but those were townhomes. She said it is possible they just didn't update the table appropriately.

Mr. McDermott said it sounded more like a townhome thing.

Mr. Lutz said it shows houses right here on the drawing with the lots. He said this Township is going backwards when it comes to development instead of forwards.

Mr. Fitzgerald said there are going to be issues. He said even in his neighborhood, there was an issue where an easement had to be granted to put a storm sewer through. When houses are that close, equipment, trucks, etc. can't get through if a property owner would decide to landscape their backyard. He said if there would be vegetation on both sides of the houses, it creates obstacles if there isn't much distance between them.

Mr. Owens asked if they could even weigh in some kind of public safety factor against building that close together.

Mr. Lutz said he wouldn't vote for a plan like that, not at 55'. He said let them revise it.

Ms. Ludwig said the Board isn't approving anything tonight. She said that was the whole point that it should be rejected as administratively incomplete and they need to revise the PRD. She said they need to have a public hearing and Fayette Farms residents would probably attend and decisions would be made from there.

Mr. Fitzgerald said the Board understands that, they just wanted to share some thoughts since it was on the table. He said when Ms. Ludwig is in conversations with these people, she can let them know what the Board thinks about this.

Mr. Owens said it just sounds really bad to him, way too tight.

Mr. McDermott said they should be made aware that they are going to have the burden of convincing the Board why they should approve this.

Ms. Ludwig said she could give the applicant that message. She said there is a meeting with them on Aug. 4 to talk about the process and she can share the Board's thoughts at that time.

Mr. Owens asked what would be the magic number.

Ms. Ludwig said there are minimum requirements in the ordinance now, minimum lot size.

Mr. Owens asked what that minimum lot size is.

Mr. McDermott said there is some creativity allowed with the PRD.

Ms. Ludwig said with sewers, the minimum lot area is 7,200 square feet for single family and 5,000 for all other lots in a PRD. She said the lot width for single family is typically 80'. She said with the R-1 and R-2, it would be bigger. She said in the R-1 it would be 150' lot width and R-2 would be 100' lot width.

Mr. Lutz said to tell them to design it for a PRD or don't bother coming back.

Ms. Ludwig said okay, she would share those thoughts with them.

Mr. Cosnek 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. BILL FITZGERALD, AND CARRIED, TO REJECT THE APPLICATION FOR PRELIMINARY AND FINAL RESIDENTIAL DEVELOPMENT FOR FAYETTE FARMS PHASE 6 AS ADMINISTRATIVELY INCOMPLETE.**

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

- 5. Application 2015-16 – Senovich Farm Plan of Lots No. 3** – Application for preliminary and final lot consolidation of two lots into one lot on 79.183 acres of land located at 600 North Branch Road in an R-2 Suburban Residential / Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 796-L-5).

Mr. Cosnek asked a representative to approach the Board.

No representative was present.

Ms. Ludwig said she didn't know where Mrs. Senovich was this evening because she had been in constant communications with her. She said Mr. & Mrs. Senovich own the Crown Hill Orchard on the corner of Kelso and North Branch Roads and they are purchasing some additional land from Mr. Senovich's brother. She said they want to consolidate to add that additional acreage to their existing property which is in the Township's Agricultural Security Area (ASA).

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final subdivision involving a lot consolidation of two lots into one lot on 79.183 acres of land located at 600 North Branch Road (corner of North Branch and Kelso Roads) in an R-2 Suburban Residential Zoning District / Planned Residential Development (PRD) Overlay Zoning District (Allegheny County Lot and Block # 796-L-5).
2. Per my conversation last week with Shawn Wingrove of LSSE, all comments listed in LSSE's review letter dated June 30, 2015 have been addressed and there are no remaining outstanding items.
3. Refer to any comments from the Township Engineer per LSSE's review letters dated June 30, 2015 and July 13, 2015.
4. Refer to any comments from the Township Solicitor.
5. 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.

6. 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.
7. In addition, the County's SALDO requires that all signatures be made in *permanent navy blue ink or felt tipped pen*.
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, Ms. Ludwig said the Senovich Lot Consolidation Plan looks to be complete. She recommended that the Planning Commission make a recommendation to the Board of Supervisors to approve the Senovich Plan of Lots No. 3 Lot Consolidation Plan.

Mr. Callender made the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated May 2015, last revised July 1, 2015 prepared by Wind Ridge Engineering Company, as received by our office July 9, 2015. The plan proposes the consolidation of two lots (Lot and Block # 796-L-5 and 796-S-2). The properties are located along North Branch road and Kelso Road and are Zoned R-2 – Suburban Residential District.

Previous comments may be found in our letter dated June 30. 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. Cosnek asked if anyone had any further comments or questions. Hearing none, he asked the Board for a motion on the application.

**A MOTION WAS MADE BY Mr. BOB OWENS, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR PRELIMINARY AND FINAL LOT CONSOLIDATION FOR THE SENOVICH FARM PLAN OF LOTS NO. 3.**

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

6. **Clover Group/Lancaster Land, LP** – Sewage Facilities Planning Module.

Mr. Cosnek asked a representative to approach the Board.

Mr. Meeske approached the Board.

Ms. Ludwig said this was one of the steps in the sewage facilities planning module approval process. She said the Board has seen these before where the applicant submits a draft to DEP and then DEP usually has comments and then the applicant has to get adjacent municipal authorities to comment and provide letters. She said as part of the process, there is a checklist and one item on the list is Planning Commission approval for the module.

Mr. Cosnek said so the Board's action would be to approve the planning module.

Mr. McDermott said yes, upon the recommendation of the Township Engineer.

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

**A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. BOB OWENS, AND CARRIED, TO APPROVE THE CLOVER GROUP/LANCASTER LAND, LP SEWAGE FACILITIES PLANNING MODULE CONTINGENT UPON THE RECOMMENDATION OF THE TOWNSHIP ENGINEER.**

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

**COMMENTS:**

Mr. Cosnek asked if there were any comments or questions about anything.

Ms. Ludwig said there are two new applications for next month that were submitted today. She said one is a resubmittal for Pointe West and the Township for the revised land swap for the stormwater pond down on North Road, and the other is a subdivision plan.

Ms. Ludwig said she hadn't heard anything from Tonidale lately so they are probably just revisiting everything as a whole and Bright Oaks did not resubmit yet.

**ADJOURNMENT:**

**A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO ADJOURN THE MEETING AT 8:12 P.M.**

Respectfully submitted,

Cheryl Cherico  
Planning Commission Recording Secretary