

**NORTH FAYETTE TOWNSHIP  
PLANNING COMMISSION**

**REGULAR MEETING  
TUESDAY, SEPTEMBER 16, 2014  
7:30 P.M.**

The meeting was called to order with Mr. Bill Fitzgerald presiding.

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

Bob Owens, Chairman  
Kevin Brett, P.E., Township Engineer

**OTHERS PRESENT:**

Dan Hall, Pointe West L.P.  
Tyler Hall, Pointe West L.P.

**UNFINISHED BUSINESS:**

A motion was made by Mr. Dave Cosnek, seconded by Mr. Chuck Kyle, to approve the minutes from the August 19, 2014, meeting. Motion carried.

**NEW BUSINESS:**

- 1. 2014-16 - Pointe West Plan Phase No. 14** – Application for final subdivision and land development for Phase 14 of the Pointe West Plan along Hill Place Drive that proposes the creation of 31 residential lots and an open space parcel on 7.4 acres of land zoned R-3 Medium Density Residential.

Mr. Fitzgerald asked a representative to approach the Board.

Mr. Dan Hall approached the Board.

Mr. Fitzgerald said the applicant attended last month's meeting and went over all of the items. He asked Mr. Hall if he received the latest review letters from Ms. Ludwig and Mr. Wingrove.

Mr. Hall said yes.

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

Ms. Ludwig made the following comments:

1. This is an application for residential land development of 31 residential lots and one open space parcel on 7.4 acres of land in an R-3 Medium Density Residential Zoning District.
2. Per Section 22-307 of the Township's Subdivision and Land Development Ordinance, Chapter 22 of the Township's Code of Ordinances, Ordinance No. 418, a phase one environmental assessment is required. The applicant has submitted a waiver request for this item in a letter dated August 19, 2014. As discussed at last month's meeting, the engineers feel comfortable recommending this waiver request be granted.
3. Section 22-504.3.C. of the Township's SALDO requires the minimum length of roadway vertical curves to be 250 feet. The applicant has submitted a waiver request for this item in a letter dated August 19, 2014. As discussed at last month's meeting, the engineers did not have any issues with this waiver request being recommended for approval.
4. Per Section 22-504.4.B. of the Township's SALDO, cul-de-sacs should be no greater than 600 feet in length. The applicant has submitted a waiver request for this item in a letter dated August 19, 2014. As discussed at last month's meeting, the engineers did not have any issues with this waiver request being recommended for approval.
5. Per Section 22-209 of the SALDO, the applicant is required to enter into a Developer's Agreement with the Township for any public improvements associated with the development. In addition, Section 22-208 requires the applicant to post a completion bond for these improvements. The agreement and posting of security for improvements can be coordinated with Township staff and the Township Solicitor and can be part of a contingent approval.
6. Section 19-803.3. of Chapter 19, the Stormwater Management Ordinance, of the Township's Code of Ordinances, Ordinance No. 418, requires that a Stormwater Maintenance Agreement be signed and recorded and that a payment be made to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. The agreement and payment into the fund can be coordinated with Township staff and the Township Solicitor and can be part of a contingent approval.

7. Refer to any comments from the Township Engineer per LSSE's most recent letter dated September 15, 2014.
8. Refer to any comments from the Township Solicitor.
9. The Planning Division of the Allegheny County Department of Economic Development reviewed the application. Please refer to ACDED's letter dated August 27, 2014. Most of the County's comments are minor in nature and all items have been addressed in the updated version of the plans.
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, the applicant will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the application looks to be complete, pending approval of the E&S plans and NPDES permit revision by the Allegheny County Conservation District as well as the pending recommended approval of the waiver requests. In addition, a signed developer's agreement and posted security as well as a signed stormwater maintenance agreement and payment into the maintenance fund are also pending and can be part of a contingent approval.

The Planning Commission should make recommendations to the Board of Supervisors regarding the following waiver requests to Chapter 22, the Subdivision and Land Development Ordinance, of the Township Code of Ordinances, Ordinance No. 418:

- Section 22-307 – Phase One Environmental Assessment
- Section 22-504.3.C. – Roadway Vertical Curve Minimum Length
- Section 22-504.4.B. – Cul-De-Sac Length

Ms. Ludwig said the Board could recommend approval of the waiver requests all in one motion if they were so inclined. She recommended that the Planning Commission recommend to the Board of Supervisors to approve Pointe West LP's application for final major subdivision and final residential land development, contingent upon all items being addressed in LSSE's review letter dated September 15, 2014 and the Township's review letter dated September 16, 2014.

Mr. Wingrove made the following comments:

We have completed our review of the above referenced Final Major Subdivision Plan, dated June 2014, last revised August 7, 2014 and Residential Land Development Plan dated July 2014, last revised September 9, 2014 prepared by Wind Ridge Engineering Co., as received by our office September 12, 2014. The subdivision plan proposes the creation of 31 single-family residential lots, and an Open Space parcel in Phase 14. The properties are located along Hill Place Drive, and are Zoned R-3 – Medium Density Residential District.

Previous comments can be found in our letters dated September 12, 2014, August 13, 2014 and August 4, 2014.

The following listing presents unresolved/non-compliant items identified during our review for conformance to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22):

### 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 14 have not been provided.* **Status: Pending.**

### 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: The applicant's consultant has indicated that an itemized cost estimate will be provided. 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 a phase one environmental assessment. (Section 307.) **Previous Comment:** *Not provided.* **Status: The applicant's consultant has submitted a written waiver request.**
4. The Ordinance requires the erosion and sedimentation control plan be filed with the Allegheny County Conservation District. (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 revision to the existing NPDES Permit has been issued have not been provided.* **Status: Pending.**
5. 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. The applicant's consultant has indicated that a 250 foot vertical curve may create ponding issues. The applicant should provide a written waiver request.* **Status: The applicant's consultant has submitted a written waiver request.**
6. The Ordinance requires cul-de-sacs be no greater than 600 feet in length. (Section 504.4.B.) **Previous Comment:** *The plan proposes a cul-de-sac greater than 600 feet in length. The applicant's consultant has indicated the cul-de-sac length has been*

*previously approved. The applicant should provide a written waiver request. Status: The applicant's consultant has submitted a written waiver request.*

### Stormwater Management

1. 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. 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), and Subdivision and Land Development Ordinance (Chapter 22) for a Major Subdivision Plan Application with resolution of the above noted items. Additional comments may be made, and we reserve the right to comment further pending submission of revised plans.

Mr. Wingrove said as for the waivers that Ms. Ludwig mentioned, the Phase One Environmental Assessment was discussed at last month's meeting and Lennon, Smith Souleret Engineering, Inc. has no issues with that request. The Vertical Curve was also discussed briefly last month. The intent of the ordinance is to make sure that sufficient site distance exists. Even though this curve is shorter than what the ordinance requires, he said the applicant's engineer has shown that adequate site distance exists so there is no safety issue. The final one is the Cul-De-Sac. He said the new ordinance requires cul-de-sacs be shorter than 600 feet in length. The proposed cul-de-sac is near 900 feet in length. He said it is as it was proposed in the preliminary approval for this, so again, the engineer's office would recommend the Planning Commission consider granting that waiver.

Ms. Ludwig said she wanted to note one more item. She said they typically don't forward the application and put it on the Board of Supervisor's agenda until the Township gets that information from the Conservation District that everything has been approved. She said if that approval would come in before next Tuesday, it could move to the Board next week. If it doesn't come in before the next Supervisor's meeting, it would have to wait until a meeting after it would be received. She said the applicant has been in talks with the Conservation District and everything is close to being complete.

Mr. Hall said they are down to very minor items.

Mr. Fitzgerald said his only comment was that the letter from the county stated that it looked like the applicant was spotting some top soil where they would have to take down trees.

Mr. Hall said if they can do anything better than that, they will. He said those trees are a buffer zone between the two developments so they would do everything possible to save a tree. He said if they have a better location for the top soil, they would use it.

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

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECOMMEND APPROVAL OF THE WAIVER REQUESTS FOR SECTION 22-504.4.B FOR CUL-DE-SAC LENGTH, SECTION 22-307 FOR THE PHASE 1 ENVIRONMENTAL STUDY AND SECTION 22-504.3.C FOR ROADWAY VERTICLE CURVE MINIMUM LENGTH TO THE BOARD OF SUPERVISORS.**

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

Mr. Fitzgerald called for a motion on the application.

**A MOTION WAS MADE BY Mr. Mr. DAVE COSNEK, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR FINAL SUBDIVISION AND LAND DEVELOPMENT FOR POINTE WEST PLAN PHASE NO. 14 CONTINGENT UPON ALL OUTSTANDING ITEMS LISTED IN THE TOWNSHIP COMMUNITY DEVELOPMENT DIRECTOR'S REVIEW LETTER DATED SEPT. 16, 2014, AND THE TOWNSHIP ENGINEER'S REVIEW LETTER DATED SEPT. 15, 2014, BEING ADDRESSED.**

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

**COMMENTS:**

Mr. Fitzgerald asked if there were any comments or questions about anything. There were none.

**ADJOURNMENT:**

**A MOTION WAS MADE BY MR. DAVE COSNEK, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO ADJOURN THE MEETING AT 7:46 P.M.**

Respectfully submitted,

Cheryl Cherico  
Planning Commission Recording Secretary