

**PLANNING COMMISSION  
REGULAR MEETING**

**TUESDAY, NOVEMBER 19, 2013  
7:30 P.M.**

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

**MEMBERS PRESENT:**

Bob Owens, Chairman  
David Cosnek, Board Member  
Fred Lutz, Board Member  
Charles Kyle, Board Member  
Tom McDermott, Township Solicitor  
Kevin Brett, P.E., Township Engineer  
Shawn Wingrove, EIT  
Laura Ludwig, Township Community Development Director  
Cheryl Cherico, Recording Secretary

**MEMBERS ABSENT:**

Bill Fitzgerald, Vice Chairman

**OTHERS PRESENT:**

Pierce Richardson, K & L Gates  
Dale Wachter, Wachter Willis Consulting  
Al Winkler, JR Gales & Assoc.  
Bob Grimm, North Fayette Township Manager  
Jerry Kudowski, GAI Consultants, Inc.  
Joe Teodori, Teodori Enterprises  
Barry Stein, Barry Stein Real Estate

**UNFINISHED BUSINESS:**

Mr. Owens asked for a motion to approve the minutes from the October 15, 2013, meeting.

A motion was made by Mr. Fred Lutz, seconded by Mr. Dave Cosnek, to approve the minutes from the October 15, 2013, meeting. Motion carried.

**NEW BUSINESS:**

- 1. Application 2013-25 – West Peripheral Hotels** – Application for preliminary and final non-residential land development on two lots totaling 6.1 acres of land located at the end of

Sutherland Drive in a B-2 General Commercial Zoning District. Note: This property is located in both North Fayette Township and Robinson Township. (Resubmittal from last month)

Mr. Owens asked a representative to approach the Board.

Mr. Kudowski approached the Board. He said he believed the application was complete and hoped the Planning Commission would move it forward to the Board of Supervisors.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final non-residential land development on two lots totaling 6.1 acres of land located at the end of Sutherland Drive in a B-2 General Business Zoning District.
2. Please Note: This property is located in both North Fayette Township and Robinson Township and is going through land development approval in both municipalities.
3. The rezoning of the subject property in North Fayette from split-zoned I-2/B-2 to only B-2 was approved on October 22, 2013 at the regularly scheduled Board of Supervisors Meeting after the public hearing. No one present at the hearing expressed any opposition to the proposed zoning change.
4. The proposed land development consists of two hotels, including a Fairfield Inn and a Towne Place Suites (Marriott's version of an extended stay hotel). The portion of the property in Robinson Township is zoned Unified Commercial Development (UCD)/C-3. The Towne Place Suites is located partially in North Fayette and partially in Robinson while the Fairfield Inn is located entirely in Robinson Township. The hotels will be accessible via a private right-of-way (Rudow Blvd) off of Sutherland Drive in Robinson Township.
5. Once the Towne Place Suites is built, there will be approximately 15 or so acres left to be developed on the North Fayette parcel, about 8 or 9 acres of which are likely usable given the topography of the site.
6. There are no bars, restaurants, and/or banquet or meeting facilities in either hotel. Thus, the parking requirements for a motel/hotel are the only relevant parking requirements that need to be met on the site. Per the plans submitted, the hotel in North Fayette meets the parking requirements outlined in Zoning Ordinance # 360.
7. According to the applicant, revised E&S plans have been forwarded to the Allegheny Conservation District (ACCD) that note the additional disturbed acreage to the existing NPDES permit for the development and to add TMI Hospitality Inc. as a co-applicant. This item is still pending and the applicant has noted they will forward the ACCD approval letter once received.

8. Per Section 502 of the Subdivision and Land Development Ordinance (SALDO) #226, the development is required to be serviced by public water and sewer. The applicant originally wanted to run the water and sewer through the Municipal Authority of the Township of Robinson. However, North Fayette Township did not want to relinquish its rights, nor did WACMA, so the applicant and developer have agreed to extend the existing water and sewer from Scott Station Road (off of Montour Run Road) to the site. Both the water and sewer availability letters are still pending. The Township will schedule a meeting with the applicant and their engineer to discuss the details and go over the construction details and standards for the sewers.
9. Per Sections 310 and 311 of the SALDO, the developer will be required to post a security/performance bond and enter into a developer's agreement with the Township. This item is still pending and can be addressed as the project review progresses, and can be noted as a contingency of the project's approval.
10. Per Section 803 of the Stormwater Management Ordinance #355, the developer must enter into a stormwater maintenance agreement with the Township and must also pay a fee, to be determined, into the Township's stormwater facility maintenance fund. These items are still pending and can be addressed as the project review progresses, and can be noted as a contingency of the project's approval.
11. Per the Allegheny County Subdivision and Land Development Ordinance, all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans. The plans submitted did contain both seals. Please make sure the plan for recording also has both the embossed and ink seals.
12. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
13. Refer to any comments from the Township Engineer per LSSE's letter dated November 12, 2013.
14. Refer to any comments from the Township Solicitor.
15. Refer to any comments from the Allegheny County Department of Economic Development per their letter dated September 12, 2013. I have not received any further comments from the County to date, although the revised plans were submitted to them for their review and comment.
16. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the application looks to be complete, pending the approval letter from the Allegheny County Conservation District concerning the NPDES permit, the water and sewer

availability letters from WACMA and the Township, the signing of the developer's agreement and stormwater maintenance agreement, posting of the performance bond, and payment of the stormwater maintenance fee.

Ms. Ludwig suggested that the Planning Commission recommend to the Board of Supervisors to approve the plan contingent upon all items being addressed in her review letter and LSSE's review letter dated November 12, 2013.

Mr. Brett made the following comments:

We have completed our review of the above referenced Land Development application documentation, dated September 30, 2013, last revised November 8, 2013 prepared by GAI Consultants, Inc., as received by our office November 11, 2013. The Land Development application proposes construction of two hotels. The property is located at the end of Sutherland Drive, and is Zoned B-2 – General Business and Airport Zoning Overlay in North Fayette Township. The property is located within both North Fayette Township and Robinson Township.

Previous comments may be found in our letters dated September 16, 2013 and October 11, 2013. The items in *italics* are previous comments, which have not been resolved as of the date of this letter.

The scope of our review is limited to the portion of the development located within North Fayette Township.

The following listing presents unresolved/non-compliant items identified during our review for conformance to the Township of North Fayette's Zoning Ordinance (No. 360), Subdivision and Land Development Ordinance (No. 226), and Stormwater Management Ordinance (No. 355):

#### Zoning

1. The Ordinance requires that no erosion may occur. (Section 908.) **Previous Comment:** *A Soil Erosion and Sedimentation Control Plan Narrative has not been provided. Documentation that the Soil Erosion and Sedimentation Control Plan has been reviewed and approved by the Allegheny County Conservation District (ACCD) has not been provided. Provide documentation that the plan has been included as a revision to the existing NPDES Permit and that the Developer has become a co-permittee on the existing permit. Status: Pending.*

#### Land Development

1. The Ordinance requires a Soil Erosion and Sedimentation Control Plan be provided. (Section 303.2.(c).) **Previous Comment:** *A Soil Erosion and Sedimentation Control Plan Narrative has not been provided. Documentation that the Soil Erosion and Sedimentation Control Plan has been reviewed and approved by the Allegheny County Conservation District (ACCD) has not been provided. Provide documentation that the*

*plan has been included as a revision to the existing NPDES Permit and that the Developer has become a co-permittee on the existing permit. Status: Pending.*

2. The Ordinance requires the development be served by public water. (Section 502.) **Previous Comment:** *A water service availability letter has not been provided. Previous Comment:* *The Applicant's consultant has indicated an availability letter will be forwarded upon receipt. Status: No change.*
3. The Ordinance requires the development be served by public sanitary sewers. (Section 502.) **Previous Comment:** *A sewer service availability letter has not been provided. Previous Comment:* *The Applicant's consultant has indicated an availability letter will be forwarded upon receipt. Status: No change.*
4. The Ordinance requires the posting of a Completion Bond. (Section 310.) **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 bond amount. Previous Comment:* *The Applicant's consultant has indicated a completion bond will be submitted upon approval of the plans. Status: Pending.*
5. The Ordinance requires a Development Agreement. (Section 311.) **Previous Comment:** *The Developer should contact the Township Solicitor to initiate the preparation of the Development Agreement. Status: Pending.*
6. The Ordinance requires the site grading to comply with the Township Grading Ordinance. (Section 603.1.) **Previous comment:** *The following comments are made after a review per the Township Grading Ordinance:*
  - A. The Ordinance requires a Soil Erosion and Sedimentation Control Plan be provided. (Section 11.(e).) **Previous Comment:** *A Soil Erosion and Sedimentation Control Plan Narrative has not been provided. Documentation that the Soil Erosion and Sedimentation Control Plan has been reviewed and approved by the Allegheny County Conservation District (ACCD) has not been provided. Provide documentation that the plan has been included as a revision to the existing NPDES Permit and that the Developer has become a co-permittee on the existing permit. Status: Pending.*

#### Stormwater Management

1. The Ordinance requires the Stormwater Management Report be sealed by a professional engineer. (Section 402.B.16.) **Previous Comment:** *The PCSM Report has not been sealed by a Professional Engineer. Address PCSM for each municipality individually. Provide a separate BMP maintenance plan for each municipality. Previous Comment:* *PCSM has not been addressed separately for each municipality. Provided confirmation that the proposed BMPs located in North Fayette are adequate for the portion of the proposed plan in North Fayette. A maintenance plan has not been provided for each*

*municipality.* **Status: Pending.** The Developer should contact the Township Solicitor regarding development of the three party BMP maintenance agreement.

2. The Ordinance requires a Soil Erosion and Sedimentation Control Plan be provided. (Section 701.) **Previous Comment:** *A Soil Erosion and Sedimentation Control Plan Narrative has not been provided. Documentation that the Soil Erosion and Sedimentation Control Plan has been reviewed and approved by the Allegheny County Conservation District (ACCD) has not been provided.* **Status: Pending.**
3. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 803.C.1.) **Previous Comment:** *A copy of the signed and recorded Stormwater Maintenance Agreement (sample attached) has not been provided.* **Status: Pending.**
4. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 803.D.1.a., and 902.C.) **Previous Comment:** *Not provided.* **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 application, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (No. 360), Subdivision and Land Development Ordinance (No. 226), and Stormwater Management Ordinance (No. 355). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

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

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISOR FOR THE WEST PERIPHERAL HOTEL NON-RESIDENTIAL LAND DEVELOPMENT APPLICATION ON TWO LOTS TOTALING 6.1 ACRES OF LAND LOCATED AT THE END OF SUTHERLAND DRIVE IN A B-2 GENERAL BUSINESS ZONING DISTRICT, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED NOVEMBER 12, 2013, AND THE TOWNSHIP'S REVIEW LETTER DATED NOVEMBER 18, 2013.**

<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>BOB OWENS</b>	<b>YES</b>

- 2. Application 2013-26 – West Peripheral Hotels Subdivision Plan** – Application for preliminary and final subdivision of one lot into three lots and a lot line relocation on 33.022 total acres of land at the end of Sutherland Drive in a B-2 General Commercial Zoning District. Note: This property is located in both North Fayette Township and Robinson Township.

Mr. Owens asked a representative to approach the Board.

Mr. Kudowski approached the Board. He asked that the Planning Commission if they would move this application forward to the Board of Supervisors.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final subdivision of two lots into four lots and a lot line relocation on 33.022 total acres of land at the end of Sutherland Drive in a B-2 General Business Zoning District.
2. Please Note: This property is located in both North Fayette Township and Robinson Township and is going through the subdivision and land development approval process in both municipalities.
3. The rezoning of the subject property in North Fayette from split-zoned I-2/B-2 to only B-2 was approved on October 22, 2013 at the regularly scheduled Board of Supervisors Meeting immediately following the public hearing. No one present at the hearing expressed any opposition to the proposed zoning change.
4. Per Section 502 of the Subdivision and Land Development Ordinance (SALDO) #226, the development is required to be serviced by public water and sewer. The applicant originally wanted to run the water and sewer through the Municipal Authority of the Township of Robinson. However, North Fayette Township did not want to relinquish its rights, nor did WACMA, so the applicant and developer and have agreed to extend the existing water and sewer from Scott Station Road (off of Montour Run Road) to the site. This item is still pending and the plans submitted have not been revised to show the new lines. The Township will schedule a meeting with the applicant and their engineer to discuss the details and go over the construction details and standards for the sewers. The sewer and water availability letters are still pending.
5. The easements shown on the subdivision plan need to be revised to reflect the water and sewer lines being run from North Fayette and not Robinson.
6. Per the Allegheny County Subdivision and Land Development Ordinance, all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans. The plans submitted only contained the ink seal. Please make sure the plan for recording has both the embossed and ink seals on it.

7. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
8. Refer to any comments from the Township Engineer per LSSE's letter dated November 12, 2013.
9. Refer to any comments from the Township Solicitor.
10. Refer to any comments from the Allegheny County Department of Economic Development per their letter dated October 3, 2013. I have not received any further comments from the County to date, although the revised plans were submitted to them for their review and comment.
11. 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. The applicant also previously agreed that any fees associated with the rezoning of the property should be taken out of the subdivision escrow, as opposed to the separate escrow for land development.

At this time, Ms. Ludwig said the application looks to be complete, pending the minor changes to be made to the plan for recording involving the setbacks, the water and sewer availability letter, and the easements being revised on the plan.

Ms. Ludwig recommended that the Planning Commission make a recommendation to the Board of Supervisors to approve the West Peripheral Subdivision plan, contingent upon all items being addressed in her review letter and LSSE's review letter dated November 12, 2013.

Mr. Brett made the following comments:

We have completed our review of the above referenced Subdivision Plan application documentation, dated August 30, 2013, last revised October 21, 2013 prepared by GAI Consultants, Inc., as received by our office November 11, 2013. The Subdivision application proposes the creation of four lots from two existing lots. The property is located at the end of Sutherland Drive, and is Zoned B-2 – General Business and Airport Zoning Overlay in North Fayette Township. The property is located within both North Fayette Township and Robinson Township.

The scope of our review is limited to the portion of the subdivision located within North Fayette Township.

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

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

### Zoning

1. The Ordinance requires a 30' front building setback, 20' side building setback where not adjoining residential districts and a 30' side building setback where not adjoining residential districts. (Section 204.3.A.) **Previous Comment:** *Building setback lines have not been shown on the subdivision plan.* **Status:** **A 30' side setback is shown on the plan and in the zoning data table where a 20' side setback is required.**

### Land Development

1. The Ordinance requires building lines be shown on the plan. (Section 303.1(c).(16). and 306.(g).(8).) **Previous Comment:** *Building setback lines have not been shown on the subdivision plan.* **Status:** **A 30' side setback is shown on the plan and in the zoning data table where a 20' side setback is required.**
2. The Ordinance requires the development be served by public water. (Section 502.) **Previous Comment:** *A water service availability letter has not been provided.* **Status:** **The applicant's consultant has indicated an availability letter will be forwarded once received from WACMA. Pending.**
3. The Ordinance requires the development be served by public sanitary sewers. (Section 502.) **Status:** *A sewer service availability letter has not been provided.* **Status:** **The applicant's consultant has indicated an availability letter will be forwarded once received from the Township. Pending.**
4. The Ordinance requires the location, width and purpose of all existing and proposed easements be shown on the plan. **Status:** **The proposed sanitary sewer and water service easements as shown on the revised land development plans dated November 8, 2013, are not shown on the Recording Plan.**

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

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

**A MOTION WAS MADE BY Mr. DAVE COSNEK, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE APPLICATION FOR PRELIMINARY AND FINAL SUBDIVISION OF TWO LOTS INTO FOUR LOTS AND A LOT LINE RELOCATION ON 33.022 TOTAL ACRES OF LAND AT THE END OF SUTHERLAND DRIVE IN A B-2 GENERAL BUSINESS ZONING DISTRICT, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE’S REVIEW LETTER DATED NOVEMBER 12, 2013, AND THE TOWNSHIP’S REVIEW LETTER DATED NOVEMBER 18, 2013.**

<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>BOB OWENS</b>	<b>YES</b>

3. **Application 2013-27- Fayette Farms Plan of Lots No. 5** – Application for residential land development of 25 residential lots on 10.83 acres of land in an R-2 Suburban Residential Zoning District in a Planned Residential Development (PRD) Overlay District. (Phase 5 of Fayette Farms)

Mr. Owens asked a representative to approach the Board.

Mr. Winkler approached the Board. He pointed to plans and explained to the Board that this phase would be the last Fayette Farms phase on this side of Donaldson Road. He said this would connect Saddle Ridge Drive and offer another entrance and exit point for residents of the road.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final subdivision and PRD approval on 10.83 acres of land to be divided into 25 lots on Saddle Ridge Drive in an R-2 Suburban Residential Zoning District with a PRD Overlay District.
2. The Board of Supervisors granted tentative PRD approval with conditions on January 27, 2004 for the overall plan.
3. The applicant received two modifications as part of the tentative PRD approval:
  - o Section 1501.4- To allow a 6,000 square foot lot for patio homes
  - o Section 1506.2 – To allow a front yard setback of 20 feet for the Townhouse and Patio Section of the development
  - o NOTE: No patio homes are associated with Phase 5 of the development.
4. As part of the tentative PRD approval, the applicant submitted the copy of the “Declaration of Covenants, Conditions and Restrictions for the Fayette Farms Plan of Lots”.

5. As part of the tentative PRD approval, the applicant submitted feasibility of proposals for water supply, sanitary sewers, and utilities from the providers of the service. This is located in the Development Impact Report dated September 2003 by McMillen Engineering.
6. As part of the tentative PRD approval, the applicant submitted a Stormwater Report dated June 2003 and updated October 2003 by McMillen Engineering. Phases 1 through 7 of Fayette Farms were included in the original Stormwater Plan submitted. The applicant's engineer should provide a letter stating and confirming that Phase 5 is consistent with the original plan. This letter should include the engineer's signature and seal.
7. As part of the tentative PRD approval, the applicant submitted Geotechnical Investigation dated July 14, 2003 and Geotechnical Investigation dated October 23, 2003 and revised January 12, 2004, both prepared by ACA Engineering, Inc.
8. As part of the tentative PRD approval the applicant submitted a Pavement Investigation for Donaldson Road dated August 4, 2003 and a Pavement Evaluation for Donaldson Road dated November 24, 2003 both by ACA Engineering, Inc.
9. As part of the tentative PRD approval, the applicant submitted a Traffic Impact Study for Fayette Farms dated July 2003 by HRG Engineering along with a follow up letter and information dated September 22, 2003. HRG Engineering submitted a letter in reference to Donaldson Road Traffic Counts dated November 25, 2003.
10. The Township entered into a Maintenance Agreement for and Grant of Access Easement to Stormwater Facilities for Fayette Farms Phases 1 through 7 in July of 2007.
11. The Township entered in to an Agreement Regarding the Maintenance and Repair of Donaldson Road on May 21, 2004.
12. The applicant is proposing 25 single-family lots as part of this phase of the Fayette Farms development.
13. The following items were conditions in the Tentative Approval that need to be completed:
  - a. Financial Security is required for each phase of development. The Developer must submit an itemized development costs spreadsheet to be reviewed and adjusted where needed by the Township Engineer to reflect the cost as if it was put out to bid.
  - b. The developer will need to enter into a developer's agreement with the Township for Phase 5.

NOTE: You can recommend approval this evening, pending that these items will be completed.

14. I would recommend any motions on this application include recommending approval of modification to the Tentative PRD Plan.
15. Refer to any comments from the Township Engineer per LSSE's review letter dated November 12, 2013.
16. Refer to any comments from the Township Solicitor.
17. 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 application looks to be complete, pending some minor changes to the plan details so they are consistent with the Township's minimum construction standards. As such, she recommended the Planning Commission make a motion recommending that the Board of Supervisors approve the modification to the Tentative PRD Plan and approve Fayette Farms Plan of Lots Phase 5, contingent upon all items being addressed in her review letter and LSSE's review letter dated November 12, 2013, including the execution of the developers agreement and posting of the financial security.

Mr. Brett made the following comments:

We have completed our review of the above referenced Preliminary and Final Subdivision, dated October 10, 2013, last revised November 18, 2013, prepared by J.R. Gales & Associates, Inc., as received by our office November 19, 2013, via email. The subdivision proposes the creation of twenty-five lots and one parcel. The property is located at the end of Saddle Ridge Drive, R-2 – Suburban Residential District, and PRD – Planned Residential Development Overlay District.

Previous comments may be found in our letter dated November 12, 2013. The items in *italics* are previous comments, which have not been resolved as of the date of this letter.

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

#### Subdivision

1. The Ordinance requires a Completion Bond. (Sections 306.(e). and 310) **Previous Comment:** *Not provided. An itemized quantity takeoff and unit price cost estimate has not been provided for review.* **Status: The applicant's consultant has indicated a cost estimate will be provided following approval of the owner. Pending.**
2. The Ordinance requires a Developer's Agreement. (Section 311.) **Previous Comment:** *The Developer should contact the Township Solicitor to initiate the preparation of the Development Agreement.* **Status: Pending.**

3. The Ordinance requires sidewalks be installed in accordance with the Township Construction Standards. (Section 504). **Previous Comment:** *The Township Minimum Construction Standards require 5' wide sidewalk. 4' wide sidewalks have been provided.* **Status: 5' width walks have been provided. The Ordinance requires a 4' minimum separation between the sidewalk and edge of curb. A 3.5' spacing is now 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 plan, as submitted, will conform to the Township of North Fayette's Zoning Ordinance (No. 360), and Subdivision and Land Development Ordinance (No. 226) with resolution of the above noted items.

Mr. Owens asked if the Board had any further comments or questions. Hearing none, he 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 THE MODIFICATION TO THE TENTATIVE PRD PLAN FOR FAYETTE FARMS AND A & R DEVELOPMENT COMPANY'S APPLICATION FOR RESIDENTIAL LAND DEVELOPMENT OF 25 RESIDENTIAL LOTS ON 10.83 ACRES OF LAND IN AN R-2 SUBURBAN RESIDENTIAL ZONING DISTRICT IN A PLANNED RESIDENTIAL DEVELOPMENT (PRD) OVERLAY DISTRICT, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED NOVEMBER 12, 2013, AND THE TOWNSHIP'S REVIEW LETTER DATED NOVEMBER 18, 2013.**

<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>BOB OWENS</b>	<b>YES</b>

4. **Application 2013-28 – James and Christine Sorbara Conditional Use Application –** Application for a Conditional Use for a High Intensity Medical Office at 600 Market Place Drive in a B-1 Neighborhood Commercial Zoning District.

Mr. Owens asked a representative to approach the Board.

Mr. Stein approached the Board. He explained to the Board that this would be a medical office with three separate practices within it, OB-GYN, pediatrics and internal medicine. He said they are affiliated with Weirton Medical Center in West Virginia.

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

Ms. Ludwig made the following comments:

1. This is an application for a conditional use for a high intensity medical office at 600 Market Place Drive in a B-1 Neighborhood Commercial Zoning District.
2. According to my conversations with the project architect, there will be a total of 11 exam rooms in the proposed Weirton Medical Center North Fayette/Imperial Satellite Office. There will be three separate practitioners – an OB-GYN, a Pediatrician, and Internal Medicine. The OB-GYN's office will have three exam rooms, the Pediatrician's office will have four exam rooms, and the Internal Medicine Office will have four exam rooms. Each office will be "by appointment only" and will not accept walk-in patients.
3. A Dollar Store previously occupied the space that the proposed Medical Center will be renovating and utilizing. The applicant submitted a trip generation comparison, prepared by David E. Wooster and Associates, for the proposed medical office. According to this comparison, the former Dollar Store generated 52 PM peak hour trips. By comparison, the proposed high intensity medical office will generate a total of 29 PM peak hour trips, which is 23 trips less than the former Dollar Store.
4. Per Table 6. Parking and Loading. in Article III of the Township's Zoning Ordinance #360, a medical office requires 3 parking spaces per exam room plus 1 space per employee during peak shift. The applicant needs to verify that there are enough spaces in the parking lot provided to meet the parking requirements for the existing Shop n' Save grocery store and the proposed new high intensity medical office. The parking requirement for a food and grocery store is 1 space per every 300 square feet of gross floor area. Based on my examination of the site plan and an aerial image of the property from Google maps, there are about 255-270 parking spaces provided. Again, the applicant needs to provide the calculation of spaces needed for Shop n' Save and the Medical Office to confirm the parking needs of both businesses are met within the parking spaces provided on site.
5. Refer to any comments from the Township Engineer in LSSE's review letter dated November 11, 2013.
6. Refer to any comments from the Township Solicitor.

At this time, Ms. Ludwig recommended that the Planning Commission recommend to the Board of Supervisors that they make a motion to set a public hearing date for this conditional use application. Should the Planning Commission so desire, she said they may also make a motion to the Board of Supervisors as to whether to approve or deny the conditional use application itself.

Mr. Brett made the following comments:

We have completed our review of the above referenced Conditional Use application, dated October 14, 2013, as received by our office November 7, 2013. The Conditional Use application proposes a Medical Office, High Intensity within the CE Zoning District. The property is located along at 600 Market Place Drive, and is Zoned B-1 Neighborhood Commercial District.

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.

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

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS TO SET A PUBLIC HEARING DATE FOR JAMES AND CHRISTINE SORBARA’S APPLICATION FOR A CONDITIONAL USE FOR A HIGH INTENSITY MEDICAL OFFICE AT 600 MARKET PLACE DRIVE IN A B-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT.**

<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>BOB OWENS</b>	<b>YES</b>

Mr. Owens asked for a motion on the application.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR JAMES AND CHRISTINE SORBARA’S APPLICATION FOR A CONDITIONAL USE FOR A HIGH INTENSITY MEDICAL OFFICE AT 600 MARKET PLACE DRIVE IN A B-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT.**

<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>BOB OWENS</b>	<b>YES</b>

**5. Application 2013-29 – Revision No. 6 to RIDC Park West Plan No. 3 – Application for a minor subdivision of one lot into lots on 16.328 acres of land at 3000 Park Lane Drive in a B-2 General Business Zoning District.**

Mr. Owens asked a representative to approach the Board.

Mr. Richardson approached the Board. He explained to the Board that they want to subdivide in order to market and sell the newly created lot for future development.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final minor subdivision of one lot into two lots on 16.238 acres of land at 3000 Park Lane in a B-2 General Business Zoning District.
2. Table 3 in Section 204.3 of the Township's Zoning Ordinance #360 outlines the non-residential zoning district area and bulk regulations. In the B-2 Zoning District, the front building setback is 30 feet, side setback is 20 feet, and rear setback is 30 feet (since the property adjoins other B-2 zoned properties). These building lines should be shown on the plan.
3. To my knowledge, this subdivision is taking place so that the newly created lot, parcel 22B, can be marketed and sold for potential development. As of right now, there are sketch plans to build a hotel on the site but this is in the preliminary conceptual planning stages at this point. The potential developer will be subject to the land development approval process once the project gets to that point.
4. According to my discussions with Pierce Richardson, who represents the owner, parcel 22B will remain as it is shown on the plan until land development occurs. Thus, the employees working in the large office building on Parcel 22A will be able to utilize the existing parking spaces provided on Parcel 22B.
5. In regard to parking, the existing office building located on Parcel 22A requires 527 parking spaces (1 space for every 200 square feet of office area – the total building is 105,315 square feet). There are about 592 parking spaces provided right now on both lots. If necessary once Parcel 22B is developed, additional parking could be installed on Parcel 22A. This parking information should be added to the plan.
6. The applicant has requested the following deferments until the potential parcel goes through land development:
  - A. Section 306.B. of the Zoning Ordinance requires all parking spaces to be located a minimum of 10 feet from any adjoining lot line. The proposed lot line intersects the existing parking spaces between Parcels 22A and 22B. The applicant has asked that this be deferred until Parcel 22B goes through the land development approval process.
  - B. Section 502 of the Township's Subdivision and Land Development Ordinance (SALDO) #226 requires sanitary sewer service be provided to each lot. Typically, the applicant should submit documentation that the Planning Module has been approved by DEP. Since there is no proposed building yet for the site, the applicant has asked to defer this to the land development approval process.

- C. Section 502 of the SALDO requires each lot to be serviced by public water. Typically, applicants submit a water availability letter from WACMA to satisfy this requirement. Again, the applicant has requested a deferment until the parcel goes through the land development approval process.
  - D. Section 504(b) of the SALDO requires sidewalks along the full frontage of arterial or collector streets. The applicant has requested that this item be deferred until the time the newly created parcel goes through the land development approval process.
7. Per the Allegheny County Subdivision and Land Development Ordinance, all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans. The plans submitted only contained the ink seal. Both should be included on the plan for recording.
  8. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
  9. Refer to any comments from the Township Engineer per LSSE's letter dated November 11, 2013.
  10. Refer to any comments from the Township Solicitor.
  11. 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 application looks to be complete, pending the minor changes to be made to the plan for recording in relation to the setbacks and other notations regarding the deferments.

Ms. Ludwig said the Planning Commission should recommend that Section 306.B. of the Zoning Ordinance and Sections 502 and 504(b) of the SALDO be deferred until land development. Further, she recommended that the Planning Commission make a motion to recommend that the Board of Supervisors approve Revision No. 6 to RIDC West Plan No. 3, contingent upon all outstanding items being addressed in this review letter and LSSE's review letter dated November 11, 2013.

Mr. Brett made the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated October 29, 2013 prepared by Mackin Engineering Company, as received by our office November 7, 2013. The plan proposes the creation of two lots from one existing lot. The property is located at 3000 Park Lane Drive, and is Zoned B-2 – General Business.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (No. 360), and Subdivision and Land Development Ordinance (No. 226):

### Zoning

1. The Ordinance requires all lots meet minimum dimensional requirements. (Section 204.3.A.) **Status: A zoning data table showing required and proposed area and bulk regulations has not been provided.**
2. The Ordinance requires a 30' minimum front principal building setback. (Section 204.3.A.) **Status: The 30' front building setback has not been shown for Parcel 22A.**
3. The Ordinance requires a 20' minimum side yard building setback. (Section 204.3.A.) **Status: Side yard building setbacks have not been provided for the proposed lot line dividing Parcel 22A and Parcel 22B. 25' side yard setbacks are shown for the existing parcel.**
4. The Ordinance requires a 30' minimum rear yard building setback. (Section 204.3.A.) **Status: 25' rear yard setbacks are shown.**
5. The Ordinance specifies the minimum number of parking spaces required for each land use category. (Section 301.D.) **Status: Provide tabulation confirming an adequate amount of parking spaces remain on Parcel 22A to service the existing building.**
6. The Ordinance requires all parking spaces be located a minimum of 10 feet from any adjoining lot line. (Section 306.B.) **Status: The proposed lot line intersects existing parking spaces.**

### Subdivision

1. The Ordinance requires areas subject to periodic flooding be identified on the plan. (Section 303.1.(c).(3).) **Status: The limit of the 100-year flood plain, as determined by FEMA mapping, has not been shown on the plan. If the proposed subdivision plan does not lie within this area, a note should be added to the plan indicating such.**
2. The Ordinance requires that final building lines be shown on the Recording Plan. (Sections 303.1.(c).(16) and 306.(g).(8).) **Status: The front building line is not shown for Parcel 22A. Side setback lines are not shown for the proposed lot line between Parcel 22A and 22B. Revise side and rear setback plans to meet Zoning Ordinance requirements as noted in Items 2 and 3, above.**
3. The Ordinance requires monument and lot markers per Section 501. (Sections 306.(g).(15)., and 501.) **Status: Lot corner markers have not been identified for existing lot lines.**

4. The Ordinance requires sanitary sewer service be provided to each lot. (Section 502.) **Status: Provide documentation the Planning Module has been approved by the DEP.**
5. The Ordinance requires each lot be served by public water. (Section 502.) **Status: A water service availability letter has not been provided.**
6. The Ordinance requires sidewalks along the full frontage of arterial or collector streets. (Section 504.(b).) **Status: Not provided. The Applicant may provide a note indicating the required sidewalks will be provided at the time of application for a building 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 (No. 360), and Subdivision and Land Development Ordinance (No. 226). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

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

**A MOTION WAS MADE BY Mr. DAVE COSNEK, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS TO DEFER THE FOLLOWING REQUIREMENTS UNTIL THE NEWLY CREATED PARCEL GOES THROUGH THE LAND DEVELOPMENT APPROVAL PROCESS:**

- 1. SECTION 306.B. OF ZONING ORDINANCE #360, WHICH REQUIRES ALL PARKING SPACES TO BE LOCATED A MINIMUM OF 10 FEET FROM ANY ADJOINING LOT LINE.**
- 2. SECTION 502 OF THE TOWNSHIP'S SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) #226, WHICH REQUIRES SANITARY SEWER SERVICE BE PROVIDED TO EACH LOT.**
- 3. SECTION 502 OF THE SALDO, WHICH REQUIRES EACH LOT TO BE SERVICED BY PUBLIC WATER.**
- 4. SECTION 504(b) OF THE SALDO, WHICH REQUIRES SIDEWALKS ALONG THE FULL FRONTAGE OF ARTERIAL OR COLLECTOR STREETS.**

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



When the Forestbrooke Subdivision Plan was approved and started construction (2003-2004), it would have been subject to the former Zoning Ordinance #290, which called for a 35 foot front setback. The 35 foot setback should remain, and be noted as such per the original recorded plan, including the date.

4. The frame barn located on Lot No. 67A encroaches on the 10 foot side setback. The proposed revised lot line should be revised slightly so that this accessory structure no longer encroaches on the 10 foot side setback. If the line cannot be moved, the applicant will need to apply for a variance from the Zoning Hearing Board.
5. Per the Allegheny County Subdivision and Land Development Ordinance, all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans. The plans submitted did not contain either seal. These should be added to the plan for recording.
6. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
7. Refer to any comments from the Township Engineer per LSSE's letter dated November 11, 2013.
8. Refer to any comments from the Township Solicitor.
9. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, Ms. Ludwig said the application looks to be complete, pending the minor changes to be made to the plan for recording. She recommended that the Planning Commission make a motion to recommend that the Board of Supervisors approve the Recktenwald/Pinkerton Subdivision Plan contingent upon all outstanding items being addressed in this review letter and LSSE's review letter dated November 11, 2013.

Mr. Brett made the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated November 1, 2013 prepared by Wachter-Willis Consulting, LP, as received by our office November 7, 2013. The plan proposes a lot line relocation between two existing lots. The properties are located at 108 Crosswinds Court and 250 Mahoney Road, and are Zoned R-3 – Medium Density.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette's Zoning Ordinance (No. 360), and Subdivision and Land Development Ordinance (No. 226):

#### Zoning

1. The Ordinance requires a 20' minimum front yard setback. (Section 204.3.A.) **Status: A 35' setback is shown for Lot No. 67-REV along Crosswinds Court.**
2. The Ordinance requires a 10' minimum side yard setback for accessory structure. (Section 204.3.A.) **Status: The frame barn on Lot No. 67-REV encroaches into the side yard. Relocation of the lot line as shown requires a variance or the line would need to be 10' off the frame barn.**

Subdivision

1. The Ordinance requires the seal of the registered engineer or surveyor who prepared the plat. (Section 303.1.(c).(3).) **Status: The plan has not been sealed.**
2. The Ordinance requires the final building lines be shown on the Recording Plan. (Sections 303.1.(c).(16) and 306.(g).(8).) **Status: The plan shows a 35' front yard setback for Lot No. 67-REV where a 20' setback is required. The existing frame barn on Lot No. 67-REV encroaches into the 10' side yard setback.**
3. The Ordinance requires sidewalks along the full frontage of arterial or collector streets. (Section 504.(b).) **Status: Not provided. The Applicant's Consultant has requested, in writing, a waiver to this requirement as is applies to the frontage on Lot No. 1 along Mahoney Road.**

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

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (No. 360), and Subdivision and Land Development Ordinance (No. 226). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

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

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE REQUEST OF GERALD RECKTENWALD TO WAIVE THE REQUIREMENTS OF SECTION 504.c. OF THE TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE #226 WHICH REQUIRES SIDEWALKS TO BE INSTALLED ALONG LOCAL STREETS WITHIN RESIDENTIAL SUBDIVISIONS.**

<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>BOB OWENS</b>	<b>YES</b>

Mr. Owens asked for a motion on the application.

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE MINOR SUBDIVISION APPLICATION FOR A LOT LINE RELOCATION AT 108 CROSSWINDS COURT/250 MAHONEY ROAD ON 4.364 ACRES OF LAND ON TWO LOTS IN AN R-3 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE’S REVIEW LETTER DATED NOVEMBER 11, 2013, AND THE TOWNSHIP’S REVIEW LETTER DATED NOVEMBER 18, 2013.**

<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>BOB OWENS</b>	<b>YES</b>

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

Mr. Owens asked a representative to approach the Board.

Mr. Teodori approached the Board. He explained to the Board that they want to subdivide the property to sell part of the land, approximately 60 acres, to Jeff Scott for farming and retain the rest for possible development. He said the Scott family has been farming the property for years. He said the smaller portion would remain undeveloped land and would only be used for farming purposes, while the larger lot would be for a potential residential development.

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

Ms. Ludwig made the following comments:

1. This is an application for preliminary and final minor subdivision of one lot into two lots on 155.234 acres of land on the north side of Old North Branch Road just west of North Branch Road in an R-2 Suburban Residential Zoning District. This district also has a Planned Residential Development (PRD) Overlay.
2. Table 2 in Section 204.3 of the Township’s Zoning Ordinance #360 outlines the residential zoning district area and bulk regulations. In the R-2 Zoning District, the front building setback is 30 feet, side setback is 15 feet, and rear setback is 35 feet. These building lines should be shown on the plan.

3. To my knowledge, the current owner of the property, Teodori Enterprises, is selling the approximate 60 acre site shown as Parcel B on the plan to Jeff Scott. The Scott Family has been farming this land for years and years through a handshake type of agreement with Mr. Teodori. They would now like to own it to continue to farm it and raise feed for their cows. Farming, specifically a farm without a retail store, is a permitted use in the R-2 District. The lot must be a minimum of 10 acres, which it is.
4. According to my discussions with Mr. Teodori, the remaining 95 acres will be marketed as a potential residential development site.
5. To my knowledge, the buyer of Parcel B has no intentions of building on the lot and will continue to farm it. At this time, there are also no definite plans for building on the remaining acreage being marked for potential residential use. As such, the applicant may request several waivers / modifications and/or deferments to the Township's Subdivision and Land Development Ordinance #226, including the following:
  - A. Section 502 of the Township's Subdivision and Land Development Ordinance (SALDO) #226 requires sanitary sewer service be provided to each lot. Typically, the applicant should submit documentation that the Planning Module has been approved by DEP. Since there is no proposed building for the site, the applicant may ask to defer this to the land development approval process.
  - B. Section 502 of the SALDO requires each lot to be serviced by public water. Typically, applicants submit a water availability letter from WACMA to satisfy this requirement. Again, the applicant may request a deferment until either parcel goes through the land development approval process.
  - C. Section 503 of the SALDO requires all newly created lots to have frontage on a public street. Parcel B does not have frontage on a public street and is currently landlocked as shown on the plan. There are a few options as to how to deal with the lack of frontage issue:
    - a. How is Mr. Scott currently accessing the property? Is there already an easement in place?
    - b. If no easement is in place, an easement will need to be shown on the plan that is sufficient enough in size and width that a road could be put in in the future, should it be needed.
    - c. Another option would be to consolidate the newly created Parcel B with lot 588-M-1 owned by the Warren and Jeffrey Scott, as this existing lot has frontage on Oakdale Road.

Prior to granting the modification/waiver to this requirement, one of the options listed above will need to be addressed on the plan.

D. Section 504(b) of the SALDO requires sidewalks along the full frontage of arterial or collector streets. The applicant may request that this item be deferred until the time the parcels involved would go through the land development approval process (should they ever be developed).

Note: The applicant must submit a letter in writing noting what modifications/waivers and/or deferments they are seeking in relation to this application.

6. Per the Allegheny County Subdivision and Land Development Ordinance, all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans. The plans submitted only contained the ink seal. Both should be included on the plan for recording.
7. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
8. Refer to any comments from the Township Engineer per LSSE's letter dated November 11, 2013.
9. Refer to any comments from the Township Solicitor.
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, Ms. Ludwig said the application is incomplete, pending the minor changes to be made to the plan for recording in relation to the setbacks and other notations regarding modifications/waivers and deferments. The lack of frontage on a public street of the newly created Parcel B is a concern. Access to Parcel B needs to be addressed on the plan. Furthermore, the applicant must submit a list of modification and/or deferment requests in writing to the Township.

There was a brief discussion among Board members about how the smaller parcel would be accessed since it does not have frontage on the public street. If an easement needed to be recorded on the larger part for access, it would take up a lot of land that could be used for the development plan. The Board suggested that Mr. Teodori check with Mr. Scott to see if he would be interested in consolidating the smaller parcel with his existing property.

Mr. Teodori said he would need to check to see if there is an existing easement agreement on the property. He said he would also consult with Mr. Scott about the possibility of consolidating his parcels to eliminate the need to provide an easement to the property.

Ms. Ludwig recommended that the Planning Commission reject the application as administratively incomplete. The applicant can resubmit for next month's Planning Commission meeting on Tuesday, December 17<sup>th</sup> at 7:30pm. Applications are due by 5pm on Tuesday, December 3<sup>rd</sup>.

Mr. Brett made the following comments:

We have completed our review of the above referenced Subdivision Plan Application, dated November 11, 2013 prepared by Triangle Engineering & Planning Service, Inc., as received by our office November 7, 2013. The plan proposes the subdivision of one lot into two lots. The property is located with frontage along North Branch Road and Old North Branch Road, and is Zoned R-2 – Suburban Residential and in the Planned Residential Development Overlay.

The following listing presents items identified during our initial review that do not conform to the Township of North Fayette’s Zoning Ordinance (No. 360), and Subdivision and Land Development Ordinance (No. 226):

Zoning

1. The Ordinance requires a front yard setback of 30 feet, side yard setback of 15 feet and rear yard setback of 35 feet. (Section 204.3.A.) **Status: Building setback lines have not been shown on the plan.**

Subdivision

1. The Ordinance requires a boundary survey of the proposed subdivision. (Section 303.1.(c).(1).) **Status: The plan and application indicate the subdivision consists of Tax Parcels 587-H-2 and 588-M-1, however, the plan appears to propose a subdivision of Tax Parcel 587-H-2 only. If Parcel B is intended to be consolidated with Tax Parcel 588-M-1 (Lands N/F W.W. Scott Jr.), the plan should be revised accordingly.**
2. The Ordinance requires existing watercourses be shown on the plan. (Section 303.1.(a).(9).) **Status: Not provided.**
3. The Ordinance requires areas subject to periodic flooding be identified on the plan. (Section 303.1.(a).(10).) **Status: The limit of the 100-year flood plain has not been shown on the plan. If the site is not located within the 100-year floodplain, a note indicating such should be added to the plan.**
4. The Ordinance requires the final building lines be shown on the Recording Plan. (Sections 303.1.(c).(16) and 306.(g).(8).) **Status: Not provided.**
5. The Ordinance requires a notation that access to a State highway shall only be authorized by a highway occupancy permit issued by the Pennsylvania Department of Transportation under Section 420 of the State Highway Law (P.L. 1242, No. 428 of June 1, 1945). (Section 306.(g).(15).) **Status: Parcel A has frontage along S.R. 0978. Revise the recording plan to include this note.**

6. The Ordinance requires the location, type, and size of all monuments. (Sections 306.(g).(15)., and 501.) **Status: Not provided.**
7. The Ordinance requires sanitary sewer service be provided to each lot. (Section 502.) **Status: Provide documentation the Planning Module has been approved by the DEP.**
8. The Ordinance requires each lot be served by public water. (Section 502.) **Status: A water service availability letter has not been provided.**
9. The Ordinance requires each lot have frontage on a public street (Section 503.) **Status: Parcel B does not have frontage on a public street.**
10. The Ordinance requires sidewalks along the full frontage of arterial or collector streets. (Section 504.(b).) **Status: Not provided. The Applicant may provide a note indicating the required sidewalks will be provided at the time of application for a building 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 (No. 360), and Subdivision and Land Development Ordinance (No. 226). Additional comments may be made and we reserve the right to comment further pending submission of revised plans.

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

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO REJECT THE APPLICATION FOR THE TEODORI SUBDIVISION PLAN AS ADMINISTRATIVELY INCOMPLETE.**

<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>BOB OWENS</b>	<b>YES</b>

8. **Application 2013-18 – Municipal Complex Improvements – Public Works Building – Revised Approval** – Application for preliminary and final non-residential land development for an emergency services facility, public building, and park and playground on 21.08 acres of land located at 400 North Branch Road in a TC Town Center Zoning District.

Mr. Owens asked a representative to approach the Board.

Mr. Grimm approached the Board. He explained that due to financial constraints, the land development plan has changed for the public works building. He said the bids came in much higher than anticipated so they had to go back to the drawing board. He said the new plan consists of the building in the back that is located adjacent to the sled riding hill be torn down and a new public works garage be constructed at that site that would be able to house public works vehicles and equipment. He said the garage in front of that building that is currently being used for the ambulance service, public works vehicles and a public works break room would be modified and turned into the mechanics garage area that would include a paint booth. He said a small addition would be added to that building to create offices for Public Works and Operations staff. He said the existing mechanics area would temporarily be converted to an emergency services area. Eventually, he said the police and ambulance service would move to the existing community center (old library) facility.

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

Ms. Ludwig made the following comments:

1. This is a revised application for final non-residential land development for an emergency services facility, public building, and park and playground on 21.08 acres of land located at 400 North Branch Road in a TC Town Center Zoning District. Please note: The Planning Commission recommended approval of the original plan to the Board of Supervisors on April 16, 2013 and the Board of Supervisors approved it on April 23, 2013.
2. This revised application involves the construction of a new 13,000 square foot public works building that will feature an 11,000 square foot garage and 2,000 additional square feet of cold storage. The revised plans also convert the current smaller Public Works Garage and EMS Garage to the mechanic's area along with offices for Public Works and Support Operations. A portion of that building will be torn down and a 4,588 square foot addition will be constructed that includes 1,240 square feet of office space and 3,348 square feet for the mechanics. (Note: Original plans called for a new 22,964 square foot Public Works Building, which included a storage area for the public works trucks and equipment and a mechanics area to service the Township's fleet of vehicles).
3. This application also involves the relocation of the volleyball court and several playgrounds/play areas on site.
4. The municipal complex improvement plans include an area for "township personnel only." This is meant to keep the public works vehicles and police vehicles separate from the residents and youth athletics that utilize the public areas – fields, playgrounds, pavilions, etc. – of the township complex. Thus, it is mainly for safety purposes and to separate municipal and public uses.
5. The plans provide a walking trail through the property for use by residents. This will be similar to the walking trail at Donaldson Park. This will be a great asset to the Township.

6. In the revised set of plans, the sled riding hill will remain for use by residents during the snowy winter months. The Township plans to landscape at the top of the hill so it is not as deep and steep.
7. Section 204.3.A. of Township Zoning Ordinance #360 allows a maximum height of 20 feet for accessory structures. A variance was granted to the Township by the Zoning Hearing Board on April 25, 2013.
8. Section 403.H.(1). of the Zoning Ordinance requires a minimum of 75% glazing of the first floor of the front façade of a building. A variance was granted to the Township by the Zoning Hearing Board on April 25, 2013.
9. The Township was granted the following waivers as part of their original approval, which do not need to be reapproved as part of the revised approval:
  - a. The Township was granted a waiver to Section 310 of the SALDO which requires a bond to be set in the amount of 110% of the cost of the required improvements.
  - b. The Township was granted a waiver of Section 311 of the SALDO which requires a Development Agreement be executed.
  - c. The Township was granted a waiver to Section 803.C. of the Stormwater Management Ordinance # 355 which requires a Stormwater Maintenance Agreement be executed.
  - d. The Township was granted a waiver to Section 803.D. of the Stormwater Ordinance which requires a Stormwater Maintenance Fund be established.
10. The original set of Erosion and Sediment Control Plans were submitted to the Allegheny County Conservation District and were approved on August 28, 2013. LSSE will send a copy of the revised plans to ACCD for their files and re-approval, if deemed necessary.
11. Refer to any comments from the Township Engineer per LSSE's review letter dated November 14, 2013.
12. Refer to any comments from the Township Solicitor.

At this time, Ms. Ludwig said the revised application looks to be complete. She recommended that the Planning Commission make a recommendation to the Board of Supervisors to approve the Township's revised application for non-residential land development for the municipal complex improvements, including the new Public Works building, at 400 North Branch Road.

Mr. Brett made the following comments:

We have completed our review of the above referenced Land Development application documentation, dated March 2013, revised November 2013, prepared by Lennon, Smith, Souleret Engineering, Inc. The Land Development application proposes a revision to a

previously approved plan. The plans have been revised to reflect the new proposed layout of the Public Works Building and Mechanic's Area. The property is located at the intersection of Donaldson Road with North Branch Road, and is Zoned TC – Town Center District.

The following listing presents unresolved/non-compliant items identified during our review for conformance to the Township of North Fayette's Zoning Ordinance (No. 360), Subdivision and Land Development Ordinance (No. 226), Grading Ordinance (No. 194), and Stormwater Management Ordinance (No. 355):

### **Zoning**

1. The Ordinance requires a minimum of 75% glazing of the first floor of the front façade. (Section 403.H.(1).) **Status: A variance was granted for this item at the Zoning Hearing Board's April 25, 2013 meeting.**

### **Land Development**

1. The Ordinance requires a bond in the amount of 110% of the cost of the proposed improvements. (Section 310.) **Status: As the Applicant is the Township, a waiver of this Ordinance requirement was granted.**
2. The Ordinance requires a Development Agreement be executed. (Section 311.) **Status: As the Applicant is the Township, a waiver of this Ordinance requirement was granted.**

### **Stormwater Management**

1. The Ordinance requires a Stormwater Maintenance Agreement be executed. (Section 803.C.) **Status: As the Applicant is the Township, a waiver of this Ordinance requirement was granted.**
2. The Ordinance requires a Stormwater Maintenance Fund be established. (Section 803.D.) **Status: As the Applicant is the Township, a waiver of this Ordinance requirement was granted.**

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, will conform with the resolution of the items noted to the Township of North Fayette's Zoning Ordinance (No. 360), Subdivision and Land Development Ordinance (No. 226), Grading Ordinance (No. 194), and Stormwater Management Ordinance (No. 355).

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

**A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. DAVE COSNEK, AND CARRIED, TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS FOR THE TOWNSHIP OF NORTH FAYETTE'S REVISED APPLICATION FOR FINAL NON-RESIDENTIAL LAND DEVELOPMENT FOR AN EMERGENCY SERVICES FACILITY, PUBLIC BUILDING, AND PARK AND PLAYGROUND ON 21.08 ACRES OF LAND LOCATED AT 400 NORTH BRANCH ROAD IN A TC TOWN CENTER ZONING DISTRICT, CONTINGENT UPON ALL OUTSTANDING ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED NOVEMBER 14, 2013, AND THE TOWNSHIP'S REVIEW LETTER DATED NOVEMBER 18, 2013.**

<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>BOB OWENS</b>	<b>YES</b>

**COMMENTS:**

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

Ms. Ludwig said she wanted to inform the Board that she now has seven chapters of the Comprehensive Plan finished. She plans to have a draft available by mid-January and the entire plan should be completed by the end of May, 2014. She asked Board members if they wanted her to send copies of what was complete at this point. The Board members said yes.

**ADJOURNMENT:**

**A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BOB OWENS, AND CARRIED, TO ADJOURN THE MEETING AT 8:36 P.M.**

Respectfully submitted,

Cheryl Cherico  
Planning Commission Recording Secretary