

**NORTH FAYETTE TOWNSHIP
PLANNING COMMISSION**

**REGULAR MEETING
TUESDAY, MAY 17, 2016
7:30 P.M.**

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

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Chuck Kyle, Vice Chairman
Bob Owens, Board Member

OTHERS PRESENT:

Matt Dickun, 6 Commerce Dr. Pittsburgh, PA 15239
Don Housley, R.F. Mittal & Associates
DJ Housley, R.F. Mittal & Associates
Gary Ross, 111 Pleasant Rise Dr. McDonald, PA 15057

UNFINISHED BUSINESS:

A motion was made by Mr. Fred Lutz, seconded by Mr. Bill Fitzgerald, to approve the minutes from the April 19, 2016 meeting. Motion carried.

NEW BUSINESS:

1. **Application 2016-06 PRD – Princeton Place PRD** – Application for Tentative Approval of a Planned Residential Development consisting of 63 single-family residential lots on 53.95 acres of land on Seabright Road in an R-2 Suburban Residential/ Planned Residential Development (PRD) Overlay District (Allegheny County Lot and Block Number 913-S-1).

Mr. Cosnek asked a representative to approach the Board.

Mr. Don Housley from R.F. Mittal Associates approached the Board.

Mr. Don Housley said he will give the Board a quick overview to bring everyone up to date to where they are now and then he will go into more detail. Mr. Housley referred to his drawings and said this was the original Princeton Place Plan they were working on as little as 5 years ago. He said this was the original use by right type subdivision and there were 72 lots involved. He said Seabright Road is located here and Seabright subdivision is located here where the homes are already built. He said they had a single entrance into the plan and they came up to 2 cul-de-sacs that go up on top of a very large hill. He said they then came between those 2 streets down into a valley and then back up the other side and they were maintaining a green space in the middle for environmental reasons.

Mr. Don Housley then said the new plan that is being brought to the Board this evening changes that concept. He said what they have done now is again Seabright Road is still there, they still have a single entrance into the plan. He said pointing out on the drawings that it is all flood plain and wetlands near the entrance. He said there is only one entrance that is an existing roadway that they are trying to reutilize that was used when they did coal stripping. He said the existing culvert will need to be replaced and they are putting 3 major pipes in with a side pipe. He said what they did was relocated the configuration of the lots still maintaining the green space which now is much larger in the back and they shortened the length of the roads. He said if you recall the other road came way up and the other came up to here with a cross road in between. He said they eliminated that and pulled it back, the reason being the entire area up on the top has been heavily deep mined and that is a problem for home builders today.

Mr. Don Housley said the application that they are looking at now is for a Tentative PRD Approval. He said it has all been changed and there are bufferyards and all of that now comes into play. He said they currently have a roadway that he has driven but not recently. He said it was left over from the old strip mine. He said the intent is to use it and mow out the area for active recreation around it, and leave most of it alone which is still heavily wooded. He said that it is a really nice heavily wooded area. He said they will utilize that area along that roadway that will give a circular path with access to 2 access points that will give residents a nice circular walk around.

Mr. Don Housley said they have received 2 reviews from the Township engineer. He said the latest one they received, they have completed the revision work. He said in fairness the engineer has not had time to look at them. He said he gave the engineer updated drawings tonight. He said these drawings are updated compared to what the Board received before. He said if the Board would like to reference back to the updated drawings to make sure that any of the comments have been addressed. He said these are the most recent and updated sections.

Mr. Don Housley said whatever you would like we can address items comment by comment or there are several modifications needed to make the plan work. However the Board would like to address them.

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

Ms. Ludwig made the following comments.

I have reviewed the revised application submitted for a Planned Residential Development (PRD) and my comments are as follows:

1. This is an application for Tentative Approval of a Planned Residential Development consisting of 63 single-family residential lots on 53.95 acres of land on Seabright Road in an R-2 Suburban Residential/ Planned Residential Development (PRD) Overlay District (Allegheny County Lot and Block Number 913-S-1).
2. This application is an updated version of a previously submitted application for Princeton Place involving a residential subdivision consisting of 72 single-family home lots. The layout and design has been altered and the number of lots has reduced by nine (9) to 63 total lots.
3. This application is subject to the Township's Traffic Impact Fee Ordinance. The total traffic impact fee for the proposed development is \$63,000. As with other residential subdivisions and PRDs within the Township, this fee will be due at the time of issuance of a building permit for each house. It could also be paid by the developer in full as part of the developer's agreement.
4. A Bufferyard B is required around the perimeter of the PRD per Section 607.8.B. of the Zoning Ordinance. It was the applicant's stance that a bufferyard was not required as this pertains to single-family residential units. However, it is clear in the ordinance, within the PRD language specifically, that a PRD should be required around the perimeter of the site. I have spoken with the applicant about this issue and they are going to modify the plan to provide the required Bufferyard B.
5. The applicant has requested the following waivers/modification from the Township's Zoning Ordinance, Chapter 27 of the Township's Code of Ordinances, Ordinance No. 418:
 - Section 607.7.A. of the Ordinance which requires vehicular access to the PRD to be at a minimum of two points. In lieu of the second access for the PRD, the plan leaves a connection point for access to and from the site via the neighboring westerly parcel.
6. The applicant has requested the following five (5) waivers/ modifications from the Township's Subdivision and Land Development Ordinance, Chapter 22 of the Township's Code of Ordinances:
 - Section 307 of the Ordinance which requires a Phase One Environmental Study for the property.
 - Section 404.2. of the Ordinance which requires sidewalks to be installed along all street frontages for all land development projects. Please note: The applicant still needs to submit a cost estimate for the sidewalk installation so we can approve and verify the amount for the required fee in lieu of for the sidewalk. Also, this is for the section of sidewalk to be installed along Seabright Road. There will be interior sidewalks within the community.
 - Section 405 which requires street lighting to be installed. The applicant has requested a waiver to provide yard lamps on each lot.

- Section 504.3.D. which requires there to be a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet.
 - Section 504.4.B. which requires the centerline distance of permanent cul de sac streets to be no less than 250 feet in length and no greater than 600 feet in length.
7. The applicant also requested a waiver from Section 401 of the SADO which requires roadway monuments and lot corner markers. However, the plan proposed to install 8 roadway concrete markers as well as iron pins at the site. Thus, it seems the applicant is satisfying the requirement.
 8. There are several 3rd party items left to address including the approval of the sewage facilities planning module, the approval of the NPDES permit from the County Conservation District, and the posting of security and signing of agreements.
 9. There are also some plan related items to address, including adding setbacks to the plans and also a seal from a registered engineer.
 10. A copy of the application and plans were forwarded to the Planning Division of the Allegheny County Department of Economic Development (ACDED) for their review and comment. No comments have been received to date from ACDED.
 11. Refer to any comments from the Township Engineer in LSSE's most recent review letter dated May 9, 2016.
 12. Refer to any comments from the Township Solicitor.
 13. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the application is complete, pending the resolution of the items noted above and the granting of the requested waivers and modifications.

It is my recommendation that the Planning Commission recommend to the Board of Supervisors to make a motion to set the public hearing date for this application. That hearing will likely be on June 28th. You should also make recommendations on whether to approve or deny the various modification and waiver requests, as follows:

- Section 607.7.A of the Zoning Ordinance, and;
- Sections 307, 404.2., 405, 504.3.D, and 504.4.B. of the Subdivision and Land Development Ordinance.

In addition, if so inclined, the Board could recommend a contingent approval of the overall application, pending all items are addressed in LSSE's review letter dated May 9th and this review letter dated May 13th.

Ms. Ludwig made additional comments.

Ms. Ludwig said the Board has her review letter dated May 13, 2016. She said that she gave Mr. Housley a copy of that review letter this evening. She said a couple of things to note in the review letter. She said the traffic impact fee for residential is usually \$1000.00 per unit. She said that would be \$63,000.00 and that is usually paid by the builder upon issuance of the building permit per lot. She said it is a little different with residential than commercial. She said the bufferyard is something they have addressed in the resubmittal they have provided this evening. She said that she and Mr. Wingrove did get a brief moment to look at that and it looks like it will suffice, they have the required bufferyard beyond the perimeter behind the homes and are using existing vegetation in some of the other areas. She said if you look on sheet 28 of the set you will see that on there. She said that was the one really large outstanding comment that she had and LSSE had since the last time. She said her letter also does note several of the waiver or modification requests. She said there is one that is needed from the zoning ordinance, that is Section 607.7.A and that is in regards to the vehicular access only having the one connection in and out. She said it is important to note that there is area left for a possible future connection to the upper lot above.

Mr. Don Housley asked if he may comment.

Mr. Don Housley referred to the drawings. He said Seabright road is located here. He said this is the proposed entryway. He said their last lot line is in this location. He said it is their intention to give the entire parcel of ground to the municipality. He said the problem is that if this parcel is ever developed the same issue exists, crossing streams, going through wetlands is incredibly difficult and near impossible to permit. He said they will provide future developers with a crossing here. He said they will have the same issue, they will only be granted one crossing. He said they will have a crossing and then they will be able to cross between the two, and that will be the second crossing. He said there is no development on either side of this project all the way up as far as you can go and all the way down to North Branch Road or all the up to Route 22 there is no actual development on this side of the road. He said there is nothing to connect into that would provide a second entrance. He said they have plenty of width and lots of property line but he said they cannot cross that it is just on permissible.

Ms. Ludwig said the intent and idea then is that adjacent parcel which is 25 acres and is vacant the other 25 acre parcel right next to that one owned by the same person, totaling 50 acres, if it were ever be developed, that would be a connection between the two plans. She said eventually they would get the two ways into and out of the PRD.

Mr. Fitzgerald asked how many lots are currently proposed for this plan.

Mr. Don Housley responded 63.

Mr. Fitzgerald asked how many lots were in the last plan.

Mr. Don Housley responded 72.

Ms. Ludwig said as long as we leave that note when they actually go through for final land development and get the subdivision plan and everything approved we leave a note there about that access and right of way.

Mr. Cosnek asked does that take affect at a certain acreage, a certain number of lots.

Ms. Ludwig said no that's just in general.

Mr. Cosnek asked so there is nothing as far as continuing flow through the plan or having the access at one end as long as they have two accesses to the main road is the requirement.

Ms. Ludwig responded yes.

Mr. Cosnek said if the land where they are proposing the Township could require them to utilize that or that would benefit them to make that their second access.

Ms. Ludwig responded correct.

Ms. Ludwig said there are also several waivers and modifications from the subdivision and land development ordinance as well. She said Section 307 which requires the Phase One Environmental Study for the property. She said they are requesting a waiver on that item. She said also Section 404.2 of the SALDO which requires sidewalks. She said one thing they will have to do is submit a cost estimate for that, which hasn't been done yet. She said then that would be their fee they would pay, the fee in lieu that we now require.

Mr. Don Housley asked if he could expand on that.

Mr. Don Housley said they are not objecting to sidewalks within the plan. He said there are double sidewalks throughout all of the streets all the way down to the intersection where the last two lots are. He said the issue is that they wish not to place the sidewalks from that intersection to Seabright Road. He said there is a creek coming through there and it is filled up with a top. He said that in itself isn't desirable but they could probably get it in there but then it is a sidewalk that leads to nowhere and there are no sidewalks anywhere on Seabright Road. He said there is no place to put a sidewalk because of the stream and wetlands this could never be expanded and a sidewalk be created in that area. He said they are asking from this intersection they will put crosswalk in and from there down they are asking for relief from that requirement.

Mr. Fitzgerald asked if you are going to pay the Township anyway to not have sidewalks, then why would you not run them to the beginning of the plan. He said if someone's car breaks down at the bottom of the hill and then they are walking up the road with no sidewalks.

Mr. Don Housley said they did discuss it and the concern is that there are kids that play and now have a sidewalk that takes them down to a main arterial roadway that would not be wanted. He said is gives them preaccess down to that point and there concern is that they would be giving them access down there. He said there are arguments in both directions and they are not trying to avoid the cost.

Mr. Fitzgerald said he knows they are not trying to avoid the cost they are going to give up the money anyway.

Mr. Dickun asked would the Board consider a sidewalk in that location on one side only.

Mr. Fitzgerald said he thinks one side would be better than none.

Ms. Ludwig said yes, she agreed.

Mr. Fitzgerald said he lives in a plan where the sidewalk go down to a street where you wouldn't want your kids to go. He said when you say sidewalk to nowhere, you are making a sidewalk to nowhere themselves, it stills stops in the development. He said so it only makes sense if they put it on one side at least there would be access if it were needed.

Mr. Don Housley said that he would request that the sidewalk stop at the state road right-of-way. He said he thinks the Township engineer will agree that the state will never permit them to build into their right-of-way. He said it would have to be stopped at the Seabright Road right-of-way.

Ms. Ludwig said at that point the fee in lieu will probably just be for along the frontage along Seabright Road. She said if they are just going to put it on one side.

Mr. Fitzgerald said there they just saved them some money.

Mr. Don Housley said ok.

Ms. Ludwig said there are three more waivers modifications to the SALDO, 405 which requires street lighting to be installed. She said they are doing yard lamps on each lot. She said that a lot of residential developers have done that in the past instead of the larger street lamps on the streets. She said it is just every house has a yard lamp.

Mr. Lutz asked if there is a photocell on each.

Mr. Don Housley said it is the Townships financial responsibility for the street lamps. He said the Township gets billed for them, the maintenance and electric.

Mr. Cosnek asked who maintains the yard lamps, would that be the property owner.

Ms. Ludwig said yes.

Mr. Cosnek asked who enforces that the home owner maintains them.

Mr. McDermott said it would be the property maintenance code.

Ms. Ludwig agreed and said if there is an HOA they would enforce.

Mr. Don Housley said there will be an HOA.

Mr. McDermott said the Township can require that it be one of the items in the HOA. He said just like the ponds, amenities, generally it would be one of the obligations of the HOA.

Mr. Don Housley said that sounds fine.

Ms. Ludwig said then there is Section 504.3D which requires there to be a level area on each street within no grade shall exceed a maximum of 5% for a minimum distance of 100 feet. She said she believes they exceed that.

Mr. Don Housley said what occurs in that condition is they actually graded this out on the plans to show it the Board.

Mr. Don Housley approached the Board with the plans.

Mr. Don Housley said he would like to show the Board what occurs if they do this leveling grade in that area (referencing the plans). He said to put that leveling area through this intersection, this is the grading that has to occur, this is almost level area. He said all they are trying to do is get up on to the level area with the street. He said here are two foot contours and you can see that this lot would sit 18 to 20 feet above the street. He said it causes an extremely excessive amount of grading there and it just doesn't warrant it. He said I understand the cost to the developer is irrelevant, but he doesn't believe the Township would want to end up with bad lots. He said that would not be good, they don't sell well, they have a tendency to have slopes that aren't maintained it just becomes a maintenance issue. He said the other place we will talk about for a modification is down here (referencing the plans). The ordinance requires a 405 foot vertical curve, it is close to 360 feet, pretty close to the same. He said for them to raise the street which is what happens when you elongate the curve there are wetlands on both sides that are impacted by that. He said so he will talk about that in a little bit. He said while he had the drawings there he wanted to show that to the Board.

Mr. Don Housley said back to the original modification. He said there are massive amounts of grading that has to occur to get that straight intersection by that code. He said what occurs (referencing the plans) this is Seabright Road the blue and the green are the same the leveling grade that is being talked about is in this area here. He said this is what they are proposing, a nice easy roll up following the existing grade which is this red dotted line so it will come right up, so the lots stay real nice and on grade through there. He said at this point they are all one in the same, and you can see how they come back together. He said this is the cut they are talking about here that occurs and what they end up doing to get to this level area, you come off and go very steep down to level off and then there is a roll off again so there are two rolls that create sight distance issues. He said and that with the massive cut. He said so they end up at the same place they are not cheating the system of anything like that they are just avoiding that massive cut which creates the bad lots.

Mr. McDermott asked what is the grade on the road.

Mr. Don Housley said 11.2%.

Mr. Cosnek asked what is the maximum.

Mr. Wingrove said 12%.

Mr. Don Housley said that is what they are looking at, that is the reason for the request.

Mr. Cosnek asked is that requirement at the intersection, is that what we are looking at.

Mr. Wingrove responded yes. He said this is one of the things discussed in the past that the current SALDO also conflicts with the construction details they are working on fixing. He said this is one of those items, of the leveling area coming into an intersection. He said so they have seen this waiver request before for similar reasons that Mr. Housley noted. He said that in some situations the buildable area basically is greatly diminished by these leveling areas which is something they are looking at to coordinate between the two standards.

Ms. Ludwig said the final modification request is Section 504.4.B which requires the centerline distance of permanent cul de sac streets to be no less than 250 feet in length and no greater than 600 feet in length. She said they are asking for a modification to exceed the maximum.

Mr. Don Housley (referencing the plans) said that would be for this street alone the difference in elevation between these two he believes to be 50 feet. He said so it doesn't make sense to try and make that connection it would be too steep. He said they are asking for it to be left the way it is.

Ms. Ludwig said the only other items are third party items at this point, NPDES permits approval from the Conservation District, Developer's agreement, things of that nature and that will all be part of the final land development when they submit for approval for phase 1 and phase 2 of the project.

Mr. Don Housley said one was missed, the concrete monuments.

Ms. Ludwig said that doesn't actually have to be a waiver because it is noted where the roadway monuments and markers are on the plan. She said that she and Mr. Wingrove discussed it and don't believe that waiver is necessary. She said essentially they already provided it.

Mr. Don Housley said alright.

Ms. Ludwig said other than that they have cleared up the bufferyard issue, there are several motions that need to be made. The first to set a public hearing date to actually have the hearing for the PRD. The second motions would be related to the waiver request that were discussed, waivers and modifications, one to the zoning ordinance and five to the SALDO and then the overall recommendation to the Board of Supervisors on whether to approve or deny the application. She said otherwise everything is good. She said this is just the PRD so just like with Fayette Farms they have to come for each phase for final approval. She said now that the stormwater issues and such are addressed, it will make it much easier when they come back for final approval. She said less of a punch list then.

Mr. Don Housley said the bufferyard is not a resistance thing it was a misinterpretation. He said the ordinance states Bufferyard B is required as is shown on Appendix A, when you go to Appendix A it didn't require bufferyard between single family and single family, he said they are single family visit, single family so they didn't need one. He said in fact the ordinance says Bufferyard B is required it is irrelevant whether it is single to single or not, so once they realized their error they went ahead and showed it, so they have the bufferyard all along here and down here where the lots are. (referencing the plans)

Mr. Fitzgerald asked is that what you said was on page 28 of the plans. He said page 28 does not exist on this set of plans or on this other set of plans here.

Ms. Ludwig said it should be the sheet numbered 28 of 40.

Mr. Fitzgerald said sheet 25, 29, 27, 26, 25 of 40. He said it is not on any of them.

There was a discussion regarding the page number.

Mr. D.J. Housley approached the Board with the larger set of plans to show the planted bufferyard and existing vegetation to be used to meet ordinance requirements.

Mr. Don Housley (referencing the large set of plans) said what they are going to do is collect their topsoil and build an earthen mound around the outside perimeter. He said it will be 4 foot in height it will start out near the property line come up and go 4 foot across and then down the other side. He said they will plant pine trees along the top of that, at this point they proposing some kind of spruce tree so it will be nice and dense and thick, it will grow wide and high to get a nice buffer across. He said this is the little detail of it. He said their roof drain system which these houses will connect into run about there. He said so it will be just outside the edge of that and then they also have a 30 foot perimeter buffer, a setback buffer from any construction so the roof drains protect it along with the bufferyard itself. He said it's all been put in there, again it wasn't resistance to the request it was a misunderstanding, Ms. Ludwig pointed it out and there are no issues. He said that is the latest correction. He said I apologize for it not being on the smaller set of plans.

Mr. Fitzgerald said when Mr. Housley mentioned it he went to the set of plans to look and the page was not there.

Mr. Don Housley said he understands. He said if they would like the full size set he can leave with it with the Board.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Tentative Planned Residential Development, dated March 22, 2016, last revised May 3, 2016, prepared by R.F. Mitall & Associates, Inc., as received by our office May 5, 2016. The plan proposes the creation of 63 single family lots on a 53.95 acre parcel. The property is located along the northern side of Seabright Road (S.R. 3063), and is Zoned R-2 – Suburban Residential District, and is within the PRD – Planned Residential Development Overlay District.

Previous comments may be found in our letter dated May 5, 2016.

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

Zoning

1. The Ordinance requires the site shall be serviced by public water and public sewers approved by the PA DEP. (Section 607.2.A.(2).) **Previous Comment:** *A water service availability letter has not been provided.* **Status: Pending.**

2. The Ordinance requires vehicular access to the PRD be at a minimum of two points. (Section 607.7.A.) **Previous Comment:** *The plan proposes only one vehicular access point.* **Status:** **The Applicant has requested a modification of this requirement. In lieu of the second access for the current PRD, the plan leaves a connection point for access to and from the adjacent westerly parcel at the time of its development.**
3. The Ordinance requires structures at the perimeter of the PRD be set back at least 30 feet from the rear lot line. (Section 607.7.A.) **Previous Comment:** *The required setback has not been shown for Lots 1-14.* **Status:** **The original comment incorrectly referenced Section 607.7.A. Per Section 607.8.A, structures on the perimeter must be set back at least 30 feet from the rear lot line and neighboring to protect their privacy and amenity.**
4. The Ordinance requires the perimeter of the PRD shall be screened at a minimum by Bufferyard B in accordance with Section 27-206. (Sections 607.8.B.) **Previous Comment:** *A landscaping plan showing the required and proposed bufferyards has not been provided.* **Status:** **The response letter indicates that the applicant believes that bufferyard screening is not required as there are no provisions for such in Table 27-5 of Section 206. The requirements for PRD applications (as noted in Section 607.8.B.) do, however, specifically require Bufferyard B at the perimeter of all PRDs.**

Subdivision and Land Development

1. The Ordinance requires a Completion Bond in the amount of 110% of the cost of the required improvements. (Section 208.) **Previous Comment:** *An itemized quantity takeoff and unit price cost estimate should be provided for review at the time of application for final approval. The cost estimate will aid in the determination of the required bond amount.* **Status:** **Item to be addressed at the time of final approval. Pending.**
2. The Ordinance requires a Development Agreement be executed with the Township. (Section 209.) **Previous Comment:** *The Developer should contact the Township Solicitor to initiate the preparation of the Development Agreement at the time of application for final approval.* **Status:** **Item to be addressed at the time of final approval. Pending.**
3. The Ordinance requires certification and seal of the registered landscape architect, engineer or surveyor who prepared the plat. (Section 302.C.) **Previous Comment:** *The construction plans have not been sealed.* **Status:** **No change.**
4. The Ordinance requires front, side and rear yard setbacks be shown. (Section 302.J.) **Previous Comment:** *The required side and rear setback lines have not been shown on the plan.* **Status:** **No change. Side and rear yard setback lines should be graphically shown on the plan.**
5. The Ordinance requires a Phase One Environmental Site Assessment be provided. (Section 307.) **Previous Comment:** *Not provided.* **Status:** **The Applicant has requested a waiver of this requirement.**

6. The Ordinance requires a Soil Erosion and Sedimentation Control Plan. (Section 318.) **Previous Comment:** *The Erosion and Sedimentation Control Plan (Sheet ES1) has not been include in the drawing set received by LSSE. Documentation that the Allegheny County Conservation District (ACCD) has reviewed, approved, and included the revision to the existing NPDES Permit has not been provided.* **Status: Pending.**
7. The Ordinance requires roadway monuments and lot corner markers. (Section 401.) **Previous Comment:** *Not provided.* **Status: The Applicant has requested a modification/waiver of this requirement. The plan proposes to install 8 roadway concrete monuments and iron pin monuments will be placed on all perimeter boundary corners of the property. The response also indicates that property corners will be set for each lot after construction of each home. This should be noted on the recording plan.**
8. The Ordinance requires sidewalks be provided along all street frontages for all land developments. (Section 404.2.) **Previous Comment:** *Sidewalks are not proposed along Sovereign Court in front of Parcel B. Also, sidewalks are not proposed along Seabright Road.* **Status: The Applicant is requesting a waiver to this requirement. A cost estimate for use in determining the required fee in lieu of provided sidewalks should be provided for review.**
9. The Ordinance requires that each lot be served by public sanitary sewers approved by the PADEP (Section 402.). **Previous Comment:** *Provide documentation that a sewage facilities planning module has been approved for the site.* **Status: Pending.**
10. The Ordinance requires street lighting be provided. (Section 405.) **Previous Comment:** *Not provided.* **Status: The Applicant has requested a waiver to this requirement. The response letter indicates a single post lamp will be installed with the construction of every home in the plan. A note indicating such should be included on the plans.**
11. The Ordinance requires the developer and/or landowner shall install Township-approved street name signs at all street intersections. (Section 406.). **Previous Comment:** *Street signs have not been shown on the plans.* **Status: No change. The response letter indicates signs have been added to the site plan; however, proposed signage has not been shown on the plans.**
12. The Ordinance requires there shall be a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet. (Section 504.3.D.). **Previous Comment:** *The applicant has requested a modification of this requirement.* **Status: Pending.**
13. The Ordinance requires the centerline distance of permanent cul-de-sac streets shall be no less than 250 feet in length and shall be no greater than 600 feet in length. (Section 504.4.B.). **Previous Comment:** *The applicant has requested a modification of this requirement.* **Status: Pending.**

14. The Ordinance requires all streets intersecting a State highway be subject to approval of PennDOT. (Section 504.5.F.) **Previous Comment:** *Provide documentation of an approved HOP for the proposed connection to Seabright Road.* **Status: Pending.**
15. The Ordinance requires permits be obtained from DEP for construction or changes in a watercourse as required by DEP and the Corps of Engineers. (Section 511.G.(2).) **Previous Comment:** *The applicant has submitted documentation that a PASPGP-4 has been issued from the USAC of Engineers. The expiration date of the permit is June 30, 2016. Provide clarification as to whether the permit is to be extended.* **Status: Pending.**

Stormwater Management

1. The Ordinance requires a Stormwater Maintenance Agreement be signed and recorded. (Section 803.3.A.) **Previous Comment:** *A copy of the signed and recorded Stormwater Maintenance Agreement has not been provided. A Stormwater O&M Agreement will also be required for each on-lot BMP. The applicant should contact the Township Solicitor regarding the agreement, at the time of final approval.* **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:** *The amount of the Fund contribution will be determined upon approval of the plan, at the time of final approval.* **Status: Pending.**

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

The plan, as submitted, does not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22) Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (No. 427) for Tentative PRD approval. The applicant should note that the plan must meet all requirements for a Final PRD and Land Development at the time of final approval of each phase. Additional comments may be made following a review of the Final Land Development plans for conformance to the Township Zoning Ordinance, Subdivision and Land Development Ordinance, Grading Ordinance and Stormwater Management Ordinance.

Mr. Wingrove made some additional comments.

Mr. Wingrove said LSSE provided a review letter dated May 9, 2016. He said Ms. Ludwig covered most of the items in Zoning review and Subdivision review. He said as Ms. Ludwig noted there is a lot left in here, administrative, third party items, such as is seen in final approval. He said the waivers that have been noted, the only thing to add is for stormwater they have submitted everything up front, they have reviewed the stormwater plan. He said they have no outstanding technical comment that relates to stormwater. He said the only two items left are the administrative items, the O&M Agreement and the payment of the fee. He said for phase 1 that is all that needs cleaned up and is an advantage which is nice.

Mr. Cosnek asked if anyone had any further questions or comments.

Mr. Don Housley asked Ms. Ludwig on the O&M Agreement for the stormwater, if he remembers correctly doesn't the Township have a standard.

Ms. Ludwig said yes she along with Mr. McDermott, himself and Mr. Dickun would work together on those agreements. She said there is a standard draft.

Mr. Don Housley said that is fine. He didn't want Mr. Dickun hiring someone to create an agreement.

Mr. McDermott said in fact he can send him a template.

Mr. Don Housley said that would be great if it could be emailed to him and then he will have Mr. Dickun's people start to put it together.

Mr. Cosnek said the first item of business would be a motion to set the public hearing for this application.

A MOTION WAS MADE BY MR. BILL FITZGERALD, SECONDED BY MR. FRED LUTZ, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO SET A PUBLIC HEARING ON THE PRINCETON PLACE PRD APPLICATION.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Mr. Cosnek asked for a motion on the waiver requests.

A MOTION WAS MADE BY MR. FRED LUTZ, SECONDED BY MR. BILL FITZGERALD, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE THE WAIVER REQUEST TO SECTION 607.7.A OF THE ZONING ORDINANCE WHICH REQUIRES VEHICULAR ACCESS TO THE PRD TO BE A MINIMUM OF TWO POINTS, IN LIEU OF THE SECOND ACCESS FOR THE PRD, THE PLAN LEAVES A CONNECTION POINT FOR ACCESS TO AND FROM THE SITE VIA THE NEIGHBORING WESTERLY PARCEL.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Mr. Cosnek asked if the motion to request the waiver for Section 307 of the Ordinance is withdrawn. He asked if this is correct.

Mr. Don Housley said in 1972, 1977 the prior owner purchased the property and owned it through the phase of the strip mining operation done by the Petraglia's. He said part of the strip mining application requires all of those environmental studies. He said he is unable to get copies, and knows they were done because they couldn't have had the strip mine without them. He said since then the Petraglias sold the land to Mr. Matt Dickun's father Bernard Dickun through a company called Seabright Land Company who then later, prior to his demise, transferred it to his own ownership. He said they are now working under the Estate of B.N. Dickun. He said there has been no change in ownership, they have had control of the land. He said also to point out there is still an active mine pond being worked there. He said if there were any issues there it would have shown up because the water is heading towards the creek. He said they are very comfortable that there is no environmental issue.

Mr. Fitzgerald asked if the Township is comfortable, if the study was done in 1977 or thereabouts.

Mr. McDermott asked if this is being financed by the bank that is requiring environmental certifications.

Mr. Matt Dickun responded he doesn't believe so.

Mr. McDermott said the basic review that is asked is a basic phase one environmental, which he understands is a pretty modest exercise.

Ms. Ludwig said what Mr. Don Housley just spoke about in regards to the ownership history, is a part of the study.

Mr. Fitzgerald asked does ownership history necessarily make it ok.

Ms. Ludwig said that is a piece of the overall assessment. She said they are not looking for some full blown phase one environmental assessment here, it is probably something they could piece together fairly quickly and still meet that requirement. She said it is not a full blown study like boring holes, testing soils or anything like that. She said it's more of a property history type thing.

Mr. Fitzgerald said if there is no documentation now other than word of mouth and knowing when people change and move and die then they will have no record. He said if it would be something relatively simple that they could put together then it would be in the best interest to take care of it.

Mr. McDermott said if Mr. Don Housley recalls they responded similarly to the recent request in the same regard and again the phase one environmental is fairly modest in context as far as expense. He said aside from the ownership history, they will then be documenting your observations of the land and unless those observations for instance "I saw an old tank" would lead to other things then that would be the end of it.

Mr. Don Housley said if it is an issue they will do the study.

Mr. Cosnek said so the proper procedure here would be they are withdrawing that request, and the Board does not have to do anything.

Ms. Ludwig responded correct, no action needs to be taken on that waiver.

Ms. Ludwig said the Board can probably consolidate the other four requests for the SALDO together on one motion to save time if the Board would like.

Mr. Fitzgerald said with the sidewalk waiver being one of the requests, tentatively are they planning on running a sidewalk down one side of the road.

Mr. McDermott said the Board can fashion their motion accordingly. He said they can revise the modification request to request exemption from the requirement to install a sidewalk on each side, from point A to point B, or whatever that is.

Mr. Don Housley said including along Seabright Road. He said they will submit that prior to the Board of Supervisors meeting and Public Hearing.

Mr. Cosnek said the waiver request for Section 404.2. of the Ordinance which requires sidewalks to be installed along all street frontages for all land development projects, with the understanding that applicant will submit a cost estimate for the sidewalk installation to be approved and verify the amount for the required fee in lieu of the sidewalk. Also, the waiver will include not having to install the sidewalk along Seabright Road and only install a sidewalk on one side of the street between Seabright Road and the first intersection.

Mr. Cosnek asked for a motion on the waiver request.

A MOTION WAS MADE BY MR. BILL FITZGERALD, SECONDED BY MR. FRED LUTZ, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER REQUEST TO SECTION 404.2. OF THE SUBDIVISION & LAND DEVELOPMENT ORDINANCE WHICH REQUIRES SIDEWALKS TO BE INSTALLED ALONG ALL STREET FRONTAGES FOR ALL LAND DEVELOPMENT PROJECTS, WITH THE UNDERSTANDING THAT APPLICANT WILL SUBMIT A COST ESTIMATE FOR THE SIDEWALK INSTALLATION TO BE APPROVED AND VERIFY THE AMOUNT FOR THE REQUIRED FEE IN LIEU OF THE SIDEWALK. ALSO, THE WAIVER WILL INCLUDE NOT HAVING TO INSTALL THE SIDEWALK ALONG SEABRIGHT ROAD AND ONLY INSTALL A SIDEWALK ON ONE SIDE OF THE STREET BETWEEN SEABRIGHT ROAD AND THE FIRST INTERSECTION.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Mr. Cosnek asked for a motion on the waiver request to Section 405 which requires street lighting to be installed. The applicant is requesting a waiver to provide yard lamps on each lot, with the understanding that the maintenance will be included in the HOA.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER REQUEST TO SECTION 405 OF THE SUBDIVISION & LAND DEVELOPMENT ORDINANCE. WHICH REQUIRES STREET LIGHTING TO BE INSTALLED. THE APPLICANT IS REQUESTING A WAIVER TO PROVIDE YARD LAMPS ON EACH LOT, WITH THE UNDERSTANDING THAT THE MAINTENANCE WILL BE INCLUDED IN THE HOA'S DUTIES.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Mr. Cosnek asked for a motion on the waiver request to Section 504.3.D which 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.

A MOTION WAS MADE BY MR. FRED LUTZ, SECONDED BY MR. BILL FITZGERALD, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER REQUEST TO SECTION 504.3.D OF THE SUBDIVISION & LAND DEVELOPMENT ORDINANCE WHICH 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.

Mr. Cosnek asked for a motion on the waiver request to section 504.4.B which requires the centerline distance to permanent cul de sac streets to be no less than 250 feet in length and no greater than 600 feet in length.

Mr. Cosnek asked for clarification on the length.

Mr. Fitzgerald responded 660.

Mr. DJ Housley said 1,752 feet altogether. He asked do you mean the long one.

Mr. Cosnek asked is that from intersection to cul de sac.

Mr. DJ Housley said that is from centerline of Seabright Road to the radius point in the cul de sac on the long side.

Mr. Cosnek said from the intersection would be considered a turn.

Mr. Don Housley said he can give the Board an exact number.

Mr. DJ Housley said that number is 1,138 feet.

Mr. Don Housley said the overall street is 1,700 feet. That would be from Seabright Road.

Mr. Fitzgerald said that is correct. He said so it is no greater than 600 feet, you are better than almost doubling it.

Ms. Ludwig said this similar waiver has been requested and approved for other PRD's in the Township. She said Fayette Farms, Springhill Drive.

Mr. Cosnek said he recalls a discussion about the cul de sac middle blocked that ends up being a maintenance issue with the road crews.

Mr. McDermott said if they would like to talk to the Department of Public Works between now and either their approval or generally. He said he knows elsewhere they have communities that have required, so the future owner complains about it, they buy into it, but later they won't like it. He said they have put snowplow easements, if they would temporarily have to stockade snow.

Mr. DJ Housley said they did include that in the cul de sacs.

Mr. McDermott said so you have included that already, that helps them out.

Mr. Cosnek said so we have approved something similar to this.

Ms. Ludwig said yes, pretty sure in Fayette Farms.

Mr. Fitzgerald said these gentleman have to come back anyway, is that correct. He said if this is something of concern shouldn't it be looked into. He asked are we that comfortable with it.

Ms. Ludwig said she really doesn't have a problem with it. She said she can look into it further. She said think about Springhill Drive, and others in Fayette Farms. She said she is sure it has been granted since she has been with the Township.

Mr. Don Housley said Seabright Plan has streets longer than that.

Ms. Ludwig said Springhill Drive by far is 3 times the size of that.

Mr. DJ Housley asked when it comes to plowing too, as your plow trucks going down the road the snow is pushed to the side so it isn't like they have to stop after so many feet and turn and push the snow.

Mr. Cosnek said these cul de sacs originally came about because they didn't want people to drive the full length of the road if they found they were on the wrong road to turn around.

Mr. McDermott said he knows the easements help. He said he knows the DPW particularly dislike the types that have islands in the middle.

Mr. Cosnek asked so there are snowplow areas at the end of these cul de sacs.

Mr. Don Housley responded yes all three.

Mr. Cosnek said he is ok with it the way it is.

A MOTION WAS MADE BY MR. FRED LUTZ, SECONDED BY MR. DAVE COSNEK, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER REQUEST TO SECTION 504.4.B OF THE SUBDIVISION & LAND DEVELOPMENT ORDINANCE WHICH REQUIRES THE CENTERLINE DISTANCE TO PERMANENT CUL DE SAC STREETS TO BE NO LESS THAN 250 FEET IN LENGTH AND NO GREATER THAN 600 FEET IN LENGTH.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Mr. McDermott said as a point of information going back to the sidewalks, he asked are the lands adjacent to the sidewalk going down to Seabright Road common area.

Mr. Don Housley responded yes.

Mr. McDermott said he just wanted to make sure, and would want to review the HOA documents, mainly they are reviewed for retention pond responsibility, things like the lampposts, he said he would want to include the sidewalk maintenance adjacent to the common area.

Mr. Don Housley said they have submitted a template type with the original application. He said Ms. Ludwig does not have an extra copy and he will gladly submit one.

Mr. Cosnek asked do they need to act on the waiver request to Section 401.

Ms. Ludwig said no Section 401 is not necessary.

Mr. Cosnek asked are there any other actions they need to take.

Ms. Ludwig said the only thing now is the overall application.

There was a discussion on the cul de sac waiver.

Mr. Cosnek asked for a motion on the overall application.

A MOTION WAS MADE BY MR. BILL FITZGERALD, SECONDED BY MR. FRED LUTZ TO RECOMMEND TO THE BOARD OF SUPERVIORS

CONTINGENT APPROVAL OF APPLICATION 2016-06 PRD – PRINCETON PLACE PRD – APPLICATION FOR TENTATIVE APPROVAL OF A PLANNED RESIDENTIAL DEVELOPMENT CONSISTING OF 63 SINGLE-FAMILY RESIDENTIAL LOTS ON 53.95 ACRES OF LAND ON SEABRIGHT ROAD IN AN R-2 SUBURBAN RESIDENTIAL/PLANNED RESIDENTIAL DEVELOPMENT (PRD) OVERLAY DISTRICT (ALLEGHENY COUNTY LOT AND BLOCK NUMBER 913-S-1) PENDING ALL ITEMS ARE ADDRESSED IN LSSE’S REVIEW LETTER DATED MAY 9, 2016 AND THE TOWNSHIP’S REVIEW LETTER DATED MAY 13, 2016.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Ms. Ludwig said for your information the Public Hearing will probably be June 28, 2016.
Mr. Don Housley asked 7:00pm.

Ms. Ludwig responded yes, she will confirm with them later.

Mr. Don Housley said they will modify the plans and show the new sidewalk.

Ms. Ludwig said yes and also the cost estimate.

Mr. Don Housley said he will also get the extra copy of the HOA, he will send a copy directly to Mr. McDermott.

COMMENTS:

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

Ms. Ludwig said there are three items to address.

Ms. Ludwig said the first item is the Wireless Communication Facilities Ordinance.

Ms. Ludwig said they have been working with the Cohen Law Group on this Ordinance. She said a couple of years ago, really over the last two years or so, they call it the “attack of the mini Cell Tower” and companies are putting these mini Cell Towers all over communities. She said this will address where Wireless Communication Antennas are placed and also address the mini Cell towers. She said what Cohen Law Group has recommended is they should go on major, heavier travelled roadways, they shouldn’t go within neighborhoods. She said the purpose of this Ordinance is to help regulate those things. She said Wireless Communication Antennas Towers would still be a Conditional Use and that wouldn’t change, but this regulates some of the other items where these mini Cell Towers can be placed. She said so they just don’t pop up all over the community. She said she and Bob Grimm went through a couple of rounds of drafts with Natausha from Cohen Law Group. She said it has been sent to the County and is under review with them as well. She said the motions that would be made this evening would to set a Public Hearing date to

review the Ordinance and also to recommend approval to the Board of Supervisors. She said the Board of Supervisors have already reviewed the proposed Ordinance.

Mr. Cosnek asked there are two motions.

Ms. Ludwig said yes.

Mr. Fitzgerald said he has not looked it over to be honest.

Mr. Cosnek said he has not either.

Mr. Fitzgerald asked when it was sent.

Ms. Ludwig said she sent it on Friday along with the review letters.

Mr. Fitzgerald said he has not had any time to look it over, so he doesn't really know anything that is in it to be honest.

Ms. Ludwig said she just gave a very cursory review of what the Ordinance is. She said they are hoping to have the Public Hearing on June 14, 2016.

Mr. Cosnek asked this is to minimize the use of these.

Ms. Ludwig said this is to help regulate where they can be located.

Mr. McDermott said they were showing up some place across the country and set up crude apparatus and next thing that happens they are in your front yard. He said this is designed to type things up in a way the Township can regulate.

Ms. Ludwig said it would allow them, in certain areas and along certain roadways, but not within communities, neighborhoods, or developments.

Mr. Fitzgerald asked are they trying to enhance their own signal or is this a commercial installation of some kind.

Mr. McDermott said they are using this technology to basically fill in their little gaps in coverage, it's almost like this Xfinity thing where they have a network wifi thing going, they are using a combination of these mini nodes in their towers to complete their web. He said some of these they allow them in places that require them to go on top of a telephone pole as opposed to something that looks like an A frame thing in front of your yard.

Ms. Ludwig said to think within some of the newer subdivisions where some of the utilities are located but they are hidden by small green boxes. She said these are much larger, that is why we want to limit where they are placed.

Mr. Cosnek said to Ms. Ludwig if you have done the study and Cohen Law Group prepared it, I wouldn't have any objection to it. He said we can make the recommendation to have the Board of Supervisors set a date for the Public Hearing.

Mr. Cosnek asked for a motion to set a Public Hearing date.

A MOTION WAS MADE BY MR. BILL FITZGERALD, AND SECONDED BY MR. FRED LUTZ, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO SET A PUBLIC HEARING DATE TO REVIEW THE WIRELESS COMMUNICATION FACILITIES ORDINANCE.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Mr. Cosnek asked for a motion on the Wireless Communication Facilities Ordinance.

A MOTION WAS MADE BY MR. FRED LUTZ, SECONDED BY MR. BILL FITZGERALD, AND CARRIED TO RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF THE WIRELESS COMMUNICATION FACILITIES ORDINANCE.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Ms. Ludwig said the second item is a zoning amendment. She said a couple of years ago FEMA required all the of Allegheny County Municipalities to adopt a new Floodplain Management Ordinance. She said the Township did that and it was approved in September 2014. She said the Township has always had within the Township Zoning Ordinance the Floodplain Overlay. She said that limits certain things you can put there, and the two contradict each other. She said the newer Ordinance, which the Board of Supervisors wants to go with, the Floodplain Ordinance, which is a stand alone ordinance, allows certain developments within the flood plain provided certain criteria is met. There is an entire list of criteria that needs to be met. She said whereas the Floodplain Overlay within the Zoning Ordinance will just say something can't be built. She said they would like to eliminate and repeal the Floodplain Overlay from the Zoning Ordinance because the Township now has the stand alone Floodplain Management Ordinance. She said it is just eliminating that section from the Zoning Ordinance so the two aren't contradicting one another anymore.

Mr. Cosnek asked the same two motions need to be made.

Ms. Ludwig responded correct.

Mr. Cosnek asked for a motion to set a Public Hearing date.

A MOTION WAS MADE BY MR. BILL FITZGERALD, SECONDED BY MR. FRED LUTZ, AND CARRIED TO RECOMMEND TO THE BOARD OF SUPERVISORS TO SET A PUBLIC HEARING DATE ON THE ZONING

and approved on the Township wide level for those areas, but a developer will still have to go to the County and the School District to apply on a project-by project basis. She said two potential projects that would go through fairly quickly and try to get this would be the development on Park Lane and Summit Park Drive and also Summit Park Drive. She said the Elmhurst Group and Burns Scalo would be two developers that would likely apply for this later this year.

Mr. Fitzgerald asked what is so distressed about that land they are working on. He said when you look at the Township if you drive down the road all the way through Route 22 all those buildings there, which some of those pictures are here. He said the Township is shooting themselves in the foot by telling people that unless, lets say there is a pizza shop in an old house, unless you want to bring it up to code it has to be a pizza shop otherwise the Township puts people through the wringer. He said there is someone that had a karate place and the only people that go in there is the karate guy. He said well you know when Master Lou died the guy basically had a piece of property he couldn't get any rent out of. He said he means he likes the idea the Township is doing it and he thinks it's a good idea and he did have a chance to look through it. He really doesn't think the LERTA is going to reduce the potential crime that may exist if the Township has some old buildings which is some of the stuff that was in the proposal. He said which he did peruse it ever so slightly, he thinks the Township has to do some other things in addition to the LERTA that might enhance growth or other people that want to come into the Township and take over some of these distressed properties. He said Burns Scalo isn't one of those people, ok they can get their money. He said he gets it.

Ms. Ludwig said it would be a tax abatement and it is in the early stages of the process. She said the deteriorated area designation has to be done before the Township can actually do the LERTA legislation itself. She said it would probably be set up gradual, so like 20, 40, 60, 80, and 100 percent over a five year period or something. She said this will not only help people that want to develop vacant lots, if someone wants to come in and rehab a building, they would be eligible for this as well.

Mr. Fitzgerald said he gets that.

Ms. Ludwig said so it's not just for new development and the Board of Supervisors really wanted to leave it open to not just say ok so it's just for these certain parcels. She said they wanted to leave it broader for that reason.

Mr. Fitzgerald said that makes sense.

Ms. Ludwig said this is only a piece of the puzzle, this hopefully will help to encourage some reuse of some vacant buildings and lots.

Mr. Fitzgerald said to bring corporations in here and get tax abatements, ok it's a win. He said that doesn't address lots that aren't as offensive as some of the properties that exist in the Township, which the Township is not doing anything to help themselves with at all. He said the Township should be doing more.

Ms. Ludwig said she agrees, and some of those might be in residential zones or village districts. She said this if for commercial and industrial properties only.

Mr. Cosnek asked what is the School District's reason for not being included.

Ms. Ludwig said they wanted to be able to review on a project by project basis. She said they want to see what the developer is doing. She said the School District is the largest piece of the puzzle in terms of taxes .She said the School District has to approve a LERTA, just like the Township. She said the developer, for example Jim Scalo, would have to go before the School District for his project up at Park Lane and tell them this is what he is doing and he can say the Township has approved his LERTA, but he is coming before the School District now, just as he would go before the County. She said the County requires them to go before them on a project-by-project basis as well.

Mr. McDermott said the County does an Ordinance for every single project.

Mr. Fitzgerald said how discriminate can the School District be, they get the lion's share of the money anyway.

Ms. Ludwig said yes they do.

Mr. McDermott said they also have different development goals than the community.

Ms. Ludwig said she agrees.

Ms. Ludwig said the School District wants details, details, details and the Township is trying to be broader with the approach. She said the School District wants to get into the nuts and bolts, for example, with a build to suit deal, but the developer does not have tenants yet. She said the Township wants to offer a tax abatement. She said she understands why the School District wants to do it that way, that's the School District's right. She said approving the Township wide LERTA will help applicants and make it a smoother process anyway. She said that is why the Township is moving forward with it.

Ms. Ludwig asked if there are any other questions.

Mr. Cosnek said he has none. He did not get a chance to look through it.

Mr. Fitzgerald asked Mr. Cosnek is he comfortable with moving forward or would he like some time to review the material.

Mr. Cosnek said no at this point he is ok with going through with it based on what has been put into putting it together. He said he is ok with it.

Mr. Fitzgerald asked Mr. Lutz if he was ok with it.

Mr. Lutz responded yes.

Mr. Cosnek asked for a motion to set a Public Hearing date.

A MOTION WAS MADE BY MR. FRED LUTZ, SECONDED BY MR. BILL FITZGERALD, AND CARRIED, TO RECOMMEND TO THE BOARD OF

SUPERVISORS TO SET A PUBLIC HEARING DATE ON THE PROPOSED LERTA DISTRICT-DESIGNATION OF STUDY AREA/LERTA DISTRICT AS AN AREA IN NEED OF REDEVELOPMENT/A DETERIORATED AREA.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Mr. Cosnek asked if there were any further questions or comments.

Hearing none, he asked for a motion to adjourn.

ADJOURNMENT:

A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED, TO ADJOURN THE MEETING at 8:33 PM.

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| ROLL CALL: | DAVE COSNEK | YES |
| | BILL FITZGERALD | YES |
| | FRED LUTZ | YES |

Respectfully submitted,

Debbie Midgley
Planning Commission Recording Secretary

