

**NORTH FAYETTE TOWNSHIP
PLANNING COMMISSION**

**REGULAR MEETING
TUESDAY, SEPTEMBER 20, 2016
7:30 P.M.**

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

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Bob Owens, Board Member

OTHERS PRESENT:

Craig Hennemuth, Hennemuth Metal Fabricators
Brett Barker, Hennemuth Metal Fabricators
Kris Beil, Bear Construction
Mike Salai, Wind Ridge Engineering
Don Housley, R.F. Mitall & Associates
Matt Dickun, Princeton Place

UNFINISHED BUSINESS:

A motion was made by Mr. Fred Lutz, seconded by Mr. Bill Fitzgerald, to approve the minutes from the August 16, 2016 meeting. Motion carried.

NEW BUSINESS:

- 1. Application 2016-13 & 2016-16 – Hennemuth Metal Fabricators Land Development and Lot Line Relocation Plans** – Application for preliminary and final non-residential land development involving the construction of an approximate 60,000 square foot industrial warehouse and office building and an application for preliminary and final residential subdivision involving a lot line relocation between

two lots on 72.185 acres of land on the corner of North Branch Road and Oakdale Road in an I-1 Light Industrial Zoning District (Allegheny County Lot and Block #s 587-M-2 and 587-G-1).

Mr. Cosnek asked a representative to approach the Board.

Mr. Hennemuth approached the Board and said that the two gentleman here with him may have comments. He said that what Mr. Cosnek said about the application is correct.

Mr. Salai from Wind Ridge Engineering approached the Board. He said based on the meeting from the previous month and consultation with the Planning staff they made corrections to the lot line and submitted the corrections a few weeks ago for them to be ready for recommendation of approval to the Board of Supervisors.

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

Ms. Ludwig made the following comments.

I have reviewed the application submitted for preliminary and final residential subdivision and the resubmitted application for preliminary and final non-residential land development and my comments are as follows:

1. This is an application for preliminary and final non-residential land development involving the construction of an approximate 60,000 industrial warehouse and office building and an application for preliminary and final residential subdivision involving a lot line relocation between two lots on 72.185 acres of land on the corner of North Branch Road and Oakdale Road in an I-1 Light Industrial Zoning District (Allegheny County Lot and Block #s 587-M-2 and 587-G-1).
2. Please note these parcels, specifically 587-M-2 and 587-G-1 (only the portion south of North Branch Road) were rezoned from R-2 Suburban Residential/PRD Overlay to I-1 Light Industrial on July 17, 2014 per the request of the previous property owner, Mr. Joseph Teodori.
3. In regard to the lot line relocation plan, the plan conforms to the Township's Ordinances as submitted and there are no issues. The applicant and applicant's engineer should remember that all signatures on the final plan for recording should be in blue ink and the stamp and embossed seal of the engineer are necessary on the final plan for recording as well.

The remaining comments are specific to the land development application.

4. The applicant provided a letter from David E. Wooster and Associates. Inc. dated August 2, 2016 concerning trip generation calculations for the proposed project. The letter states that the number of trips generated in the evening peak hour is 64 total trips. Because the proposed land development does not exceed the threshold of 100 or more peak hour trips, additional traffic analyses are not warranted nor is the applicant required to pay a traffic impact fee.

5. The applicant has requested a waiver to Section 404.2. of the Subdivision and Land Development Ordinance, Chapter 22 of the Township Code of Ordinances, Ordinance No. 418 as amended, which requires sidewalks to be installed along street frontages for all land development projects. The applicant should provide a cost estimate for the sidewalks that can be reviewed by LSSE.

In regard to the sidewalks, typically, applicants provide a cost estimate and are required to pay a fee in lieu of for the sidewalks. The applicant's engineer must still provide a cost estimate for the sidewalk that will be reviewed by the Township engineer. It is important to note that the Township will work with Mr. Hennemuth to determine the final fee in lieu of amount as well as payment arrangements.

6. In regard to grading of the site, the applicant is required to submit a grading permit application from the Township as it over the threshold of exemptions from requiring a grading permit in the Grading Ordinance, Chapter 9 of the Township Code of Ordinances, Ordinance No. 418, as amended. The applicant has indicated they will submit the application.
7. The bufferyard issues and easement concerns from last month have all been addressed in the revised plans submitted and the bufferyards shown on the plans do conform with the Zoning Ordinance. The easements are no longer necessary due to the lot line relocation.
8. The NPDES permit was issued for the project. See attached for a copy of the Allegheny County Conservation District's approval letter.
9. All pending items remaining are third party items, include the signing of the developer's agreement and stormwater maintenance agreement as well as the posting of the performance bond as security and payment of the required stormwater management fee. These are typical third party items that are part of a contingent approval.
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 letters dated September 13, 2016 (one for land development and one for the lot line relocation).
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 submittal of the grading permit application, cost estimate for the sidewalk to determine the fee in lieu of, and the resolution of the third party items mentioned.

Therefore, it is my recommendation that the Planning Commission recommend approval of the application filed by Bear Construction, Inc. for the Hennemuth Metal Fabricators non-residential

land development, contingent upon all items being addressed in LSSE's review letters dated September 13, 2016 and the Township's review letter dated September 16, 2016.

Ms. Ludwig made some additional comments.

Ms. Ludwig said the Board has her letter dated September 16, 2016 and that the applicant was provided a copy of the letter as well. She said right now there are not too many outstanding items. She said when they submitted the Lot Line Relocation, that cleared up some of the issues that were discussed at the meeting in August in regards to the bufferyard and the easements for access drives and utilities. She said those issues have been cleared up with that plan and LSSE has no issues with Hennemuth's Lot Line Relocation plan.

Ms. Ludwig said in regard to the Land Development application there are some small outstanding items. She said they submitted their cost estimate for the fee in lieu for the sidewalk waiver and LSSE is reviewing that and will issue a letter either confirming that amount or that it needs to be a different amount. She said one of the standard third party items usually is the NPDES permit, but that has been issued. She said they submitted the Grading Permit application this evening, which is needed for the file for the actual Grading Permit Placard. She said at this point, the items are complete for the most part. She said she would recommend a contingent approval upon all items being addressed in the review letters. She said the Board will have to make a motion on the sidewalk waiver as well. She said there will be 2 motions, 1 for the Lot Line Relocation plan which is Application 2016-16 and then the Land Development plan which is Application 2016-13 and with the Land Development Application should be the motion for the Sidewalk Waiver to section 404.2. of the SALDO and contingent upon them paying the fee in lieu of.

Mr. Hennemuth said whenever they were here for last month's meeting there was a little bit of stumbling over the sidewalk and it is a sore thumb with a number of them. He said he thought that a group from the Planning Commission was going to discuss the issue among themselves as to how wise or unwise it would be to even have a sidewalk there. He asked is that correct.

Mr. Cosnek said the sidewalk is part of the current Ordinance. He said it is something that can be discussed but won't affect the action on the requirement of the sidewalk at this point in time.

Ms. Ludwig said unfortunately for Mr. Hennemuth, the way the Ordinance is written, it says the Township will grant a waiver but, the fee in lieu must be paid. She said there is not a lot of flexibility in how the Township can alter that requirement the way the Ordinance is written right now.

Mr. Fitzgerald asked if Mr. Hennemuth can show the Board where the sidewalks would be on the drawings.

Mr. Hennemuth said yes he can and he understands the Board is asking roughly where the building will be located. He asked if the Board realizes the terrain that is adjacent to there, it's ridiculous. He asked the Board if they had a map of the property.

Mr. Fitzgerald said yes they do.

Mr. Salai said (referring to the plans) basically they are talking about the entire frontage.

Mr. Hennemuth said (referring to the plans) this is North Branch Road coming down there and there is the bridge and the building is roughly going to be in this area here and if they go down and look at the road along there it's ridiculous, it's a sidewalk to no where. He said he knows the fee proposed is \$20,000 some dollars which, he said he would bend over to pickup a penny and he'll bend over to pickup \$22,000. He said no one in the Township owes him anything, but he would think the Township would be happy to have a business in their community that will bringing workers into the Township and then he is imposed with a hideous law like that for \$22,000, he just thinks it's ridiculous. He said if they take a look at the land down through there and how it comes off the road it just isn't feasible. He said he knows they are saying it doesn't have to be feasible but we can give them the money but he thinks anyone in reality would be looking at this the same way he is looking at it if it were happening to them with a personal home, personal life, or your own business they would be scratching their heads, he just knows it, thanks.

Mr. Cosnek said thank you.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Subdivision Plan Application, dated August 2016, prepared by Wind Ridge Engineering Co., as received by our office September 8, 2016. The plan proposes the lot line relocation between two existing lots. The property is located southwest of the intersection of Oakdale Road and North Branch Road, and is Zoned I-1 – Light Industrial 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.

The plan, as submitted, conforms to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22). Additional comments may be made, and we reserve the right to comment further pending submission of revised plans.

We have completed our review of the above referenced Land Development Plan Application, dated July 2016, last revised August 29, 2016, prepared by Wind Ridge Engineering Co., as received by our office September 8, 2016. The plan proposes the construction of a 60,000 square foot metal fabricating facility with associated parking areas and stormwater management facilities. The property is located southwest of the intersection of Oakdale Road and North Branch Road, and is Zoned I-1 – Light Industrial District.

Previous comments may be found in our letter dated August 12, 2016 and July 26, 2016.

The following listing presents unresolved/non-compliant items identified during our review that do not conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22), Grading Ordinance (Chapter 9) and Stormwater Management Ordinance (No. 427):

Zoning

1. The Ordinance requires access drives entering a State highways are subject to a highway occupancy permit issued by PennDOT. Said permits and approvals shall be obtained prior to commencement of any construction activity. (Section 303.E) **Previous Comment:** *Provide documentation of an approved HOP for the proposed connection to North Branch Road.* **Status: Pending.**

Major Land Development

1. The Ordinance requires a Completion Bond in the amount of 110% of the cost of the required improvements. (Sections 208.) **Previous Comment:** *An itemized quantity takeoff and unit price cost estimate has not been provided for review. The cost estimate will aid in the determination of the required Completion Bond amount.* **Status: Pending.**
2. The Ordinance requires the Developer execute a Development Agreement. (Section 209.) **Previous Comment:** *The Developer must contact the Solicitor to initiate the preparation of the Development Agreement.* **Status: Pending.**
3. The Ordinance requires a Soil Erosion and Sedimentation Control Plan. (Section 318.) **Previous Comment:** *Soil Erosion and Sedimentation Control Plan has not been provided. Documentation that the Soil Erosion and Sedimentation Control Plan has been reviewed, deemed adequate by the Allegheny County Conservation District (ACCD) and that the NPDES Permit has been issued has not been provided.* **Status: Pending.**
4. The Ordinance requires sidewalks be provided along all street frontages for all land developments. (Section 404.2.) **Previous Comment:** *Not provided. Previous Comment: The applicant has requested a waiver of the requirement. The Ordinance requires a fee in lieu of installation of sidewalks be provided if the requirement to install same is waived. A unit price cost estimate for the sidewalks must be provided for review of use in establishing the fee in lieu of.* **Status: Pending.**

Grading

1. The Ordinance requires a Grading Permit. (Section 103.1.) **Previous Comment:** *A grading permit application should be filed with the Township.* **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. The applicant should contact the Township Solicitor regarding the agreement.* **Status: Pending.**
2. The Ordinance requires payment to the Stormwater Facility Maintenance Fund for privately owned and maintained facilities. (Sections 803.4.1.a. and 902.3.) **Previous Comment:** *The amount of the Fund contribution will be determined upon approval of the plan.* **Status: Pending.**

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

The plan, as submitted, will conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22) and Stormwater Management Ordinance with the resolution of the above noted items.

Mr. Wingrove made some additional comments.

Mr. Wingrove said LSSE provided 2 review letters, one for the Subdivision Plan/Lot Line Relocation Plan and one for the Land Development application and their comments mirror what Ms. Ludwig presented to the Board a few moments ago. He said no outstanding comments on the Subdivision Plan, it conforms with the Ordinance. He said the Land Development Plan is down to basically third party items and administrative items. He said since last month's Planning Commission meeting the other outstanding items have been cleaned up with regards to Ordinance conformance. He said that Mr Hennemuth is in as good of shape Ordinance wise as they can be.

Mr. Cosnek asked if anyone had any further questions or comments. Hearing none, he said there are 2 motions to consider this evening.

Mr. Cosnek asked for the first motion on the Lot Line Relocation and Subdivision Plan.

A MOTION WAS MADE BY Mr. FRED LUTZ, SECONDED BY Mr. CHUCK KYLE, AND CARRIED TO RECOMMEND APPROVAL OF THE APPLICATION FOR THE HENNEMUTH METAL FABRICATORS LOT LINE RELOCATION AND SUBDIVISION PLAN TO THE BOARD OF SUPERVISORS.

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

Mr. Cosnek asked Ms. Ludwig the second motion would be to approve the waiver request for the sidewalk.

Ms. Ludwig said that is correct.

Mr. Fitzgerald asked has there been a dollar value given for the fee in lieu.

Ms. Ludwig said the cost estimate that Mr. Hennemuth submitted is \$4 per square foot and comes to \$22,100.00. She said as was mentioned at the August Planning Commission meeting there are a number of different ways that can be structured, it doesn't have to be a fee paid all at once, it can

be worked out in payment plans to lessen the impact. She said as the Ordinance is written the Township's hands are tied.

Mr. McDermott asked if he could explain. He said the Township is not the only one to have this Ordinance actually. He said you cannot get a waiver unless you physically cannot put a sidewalk in and in that case the money to the sidewalk fund is made to make the general vicinity in the area more walkable or use for general sidewalk purposes, that is the structure of the Ordinance. He said the reason for that is if the Board recalls, there was a run on folks that were making economic decisions as opposed to engineering decisions regarding the sidewalks and because of that it takes money out of the equation number one. He said number two it funds the larger municipal purpose, either build the sidewalks or if a sidewalk can't be done then that money is used for walkability and connectivity and that is a legislative matter.

Mr. Fitzgerald said he understands it isn't something the Planning Commission can change, they basically would have to go to a higher court which would be the Board of Supervisors, where they would have the ability to discuss it, where the Planning Commission isn't in a position to change the rules, the rules are the rules. He asked if that was correct.

Mr. McDermott said that is correct, although the Board of Supervisors can't either under the current Ordinance, the Board of Supervisors could change the Ordinance if they wish.

Ms. Ludwig said the Township would have to do a formal amendment to that Ordinance to add some sort of language.

Mr. Cosnek said the Planning Commission is to make a recommendation to the Board of Supervisors to approve the request for a waiver.

Ms. Ludwig said yes and it would be contingent upon the fee in lieu being paid, as determined and approved by the Township Engineer.

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

A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. BILL FITZGERALD, AND CARRIED, TO RECOMMEND TO THE BOARD OF SUPERVIORS APPROVAL OF THE WAIVER TO SECTION 404.2. OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE SUBJECT TO THE FEE IN LIEU OF BEING PAID, AS REVIEWED AND APPROVED BY THE TOWNSHIP ENGINEER.

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

Mr. Cosnek asked for a motion on the application.

A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL OF THE APPLICATION FILED BY BEAR CONSTRUCTION, INC. FOR THE HENNEMUTH METAL FABRICATORS NON-RESIDENTIAL LAND DEVELOPMENT TO THE BOARD OF SUPERVISORS, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTERS DATED SEPTEMBER 13, 2016 AND THE TOWNSHIP'S REVIEW LETTER DATED SEPTEMBER 16, 2016.

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

2. Application 2016-14 – Princeton Place Plan – Phase 1 – Application for preliminary and final residential subdivision related to Phase 1 of the approved Princeton Place PRD Plan involving the subdivision of 37 lots on 53.95 acres of land located along 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, President of Triangle Engineering, approached the Board, and introduced Mr. Matt Dickun the owner and developer of Princeton Place.

Mr. Housley asked Mr. Dickun if he is the Executor of the Estate.

Mr. Dickun said he is the Executor of the Estate of Bernard Dickun.

Mr. Housley said he does not have anything to present this evening. He said he is here to get approval on the first Phase, 37 lots of the preliminary approved 63 lot development. He said they received 2 review letters, one from LSSE and one from the Township. He said the items are all third party items, expect for a couple of minor notes, one a note on the Subdivision Plan of which prior to the meeting this evening all of the third party items are either complete or in the final application process of completion. He said he showed Ms. Ludwig a stamp from PennDot where they wanted a check to record their Highway Occupancy Permit application. He said the only item that is truly outstanding is the next item on the agenda tonight to approve their application for sanitary sewage. He said all items have been addressed that the Township Engineer and the Township have requested.

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

Ms. Ludwig made the following comments.

I have reviewed the application submitted for final residential subdivision and land development and my comments are as follows:

1. This is an application for preliminary and final residential subdivision related to Phase 1 of the approved Princeton Place PRD Plan involving the subdivision of 37 lots on 53.95 acres of land located along Seabright Road in an R-2 Suburban Residential/ Planned Residential Development (PRD) Overlay District. (Allegheny County Lot and Block Number 913-S-1)
2. On July 20, 2016, the North Fayette Township Board of Supervisors approved the Princeton Place PRD. A copy of the findings of fact, conclusions of law, and decision is enclosed with this letter.
3. The following modification was granted from the Zoning Ordinance as part of the July 20th, 2016 approval.
 - Section 607.7.A. which requires vehicular access to the PRD to be at a minimum of two points. *The applicant is granted a modification to this requirement and in lieu of the second access for the PRD, will provide a connection point to and from the adjacent westerly parcel through an easement. This connection is identified as Parcel C on the Approved Plans.*
4. The following modifications were granted from the Subdivision and Land Development Ordinance as part of the PRD approval granted on July 20th, 2016:
 - Section 404.2. which requires sidewalks to be installed along all street frontages for all land development projects, with the understanding that the applicant will submit a cost estimate for the sidewalk and pay the required fee in lieu of. This modification request includes not having to install the sidewalk along Seabright Road and to only install the sidewalk along on one side of the street between Seabright Road and the first intersection in the development. *This modification request was granted under the condition that the applicant pay the required fee in lieu of for any frontages where sidewalks are not to be provided; and further provided that the final revised Approved Plan shall depict, and the final HOA Covenants must clearly provide, that the above single-side sidewalk from the Seabright Road to the first intersection, as well as all other Developmental sidewalks that are not the individual homeowner's responsibility under the HOA, shall be Common Elements under the perpetual maintenance of the Developer and its successor HOA.*
 - Section 405 which requires street lighting to be installed. The applicant has requested a waiver to provide yard lamps on each lot, with the understanding that the maintenance will be within the Princeton Place HOA's duties. *This waiver request was granted provided that yard lamps are provided on each lot and are maintained by the HOA.*
 - Section 504.3.D. requiring a level area on each street within which no grade shall exceed a maximum of 5% for a minimum distance of 100 feet. The applicant has asked

for a waiver from this requirement, as the grade will reach 11.2% in certain areas within the plan.

- 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. The applicant has requested a waiver to this requirement, as one of the streets within the plan will reach 1,700 feet in length.
5. In regard to grading of the site, the applicant is required to submit a grading permit application from the Township as it over the threshold of exemptions from requiring a grading permit in the Grading Ordinance, Chapter 9 of the Township Code of Ordinances, Ordinance No. 418, as amended. The applicant must submit this application so that LSSE can issue the grading permit placard. No plans will need to be included as they are already on file.
 6. A cost estimate for the improvements as well as a separate cost estimate for the sidewalks should be provided by the applicant's engineer. These will be reviewed by the Township Engineer and will assist in determining the final performance bond amount required and the fee in lieu of for the portion of sidewalks not being installed.
 7. There are several third party items that remain outstanding, including the water service availability letter, ACCD's approval of any modifications to the original NPDES permit, the issuance of the HOP permit by PennDOT for the driveway, approval of the Sewage Facilities Planning Module by DEP, the signing of the Developer's Agreement and Stormwater Management Agreement, posting of the performance bond for the improvements, and paying the stormwater fee. In addition, ACCD still needs to approve the NPDES permit for the townhomes. Please note: We do not place applications on the Board of Supervisor's agenda for approval until ACCD approves the E&S plans.
 8. Refer to any comments from the Township Engineer per LSSE's review letter dated September 9, 2016.
 9. Refer to any comments from the Township Solicitor.
 10. The Planning Division of the Allegheny County Department of Economic Development did receive a copy of the application. To date, we have not received any comments from them.
 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, the application for Phase 1 of Princeton Place is complete, pending the resolution of the above noted items and the third party items listed in LSSE's review and the Township's review. As such, it is my recommendation that the Planning Commission make a recommendation to the Board of Supervisors to approve the application for Princeton Place Phase 1, contingent upon all items being addressed in LSSE's review letter dated September 9, 2016 and the Township's review letter dated September 16, 2016.

Ms. Ludwig made some additional comments.

Ms. Ludwig said the Board has her review letter dated September 16, 2016 and would like to highlight a few things in the letter. She said all of the modifications that are necessary were approved as part of the overall PRD and they do not need to reapprove any of those modifications this evening. She the applicant does need to submit a grading permit application the same as the last applicant. She said that she forwarded that to Mr. Housley.

Mr. Housley said yes Ms. Ludwig did and the application is signed and complete along with a check to the Township.

Ms. Ludwig said the grading permit application was one of the outstanding items.

Ms. Ludwig said she has clarification on the third party item from Mr. Housley in regards to their Conservation District approval, their NPDES permit from their previous applications is still valid, so the letter of adequacy is all the Township will get from the Conservation District, a new permit will not be issued. She said they are clear with the Conservation District as well.

Ms. Ludwig said a couple of third party items were submitted to her this evening, including a note from the Army Corp of Engineers, the water service letter, the letter of adequacy and the submission to PennDot with the fee to record their Highway Occupancy Permit.

Ms. Ludwig said her recommendation to the Board would be to recommend to the Board of Supervisors to approve the Princeton Place Plan Phase 1 Residential Land Development Application, contingent upon all items being addressed in both review letters.

The Board reviewed the comments of Mr. Wingrove.

We have completed our review of the above referenced Land Development Application, dated August 23, 2016, prepared by R.F. Mitall & Associates, Inc., as received by our office August 29, 2016. The plan proposes the creation of lots as Phase 1 of the proposed 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 made during review of the Tentative Planned Residential application may be found in our letter dated May 24, 2016, May 20, 2016 and May 5, 2016. The items in *italics* are a previous comment, which has not been resolved as of the date of this letter.

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.**

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: No change.**
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: 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 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: No change. An Erosion and Sedimentation Control Plan has not been provided nor has documentation of ACCD's approval of the NPDES Permit.**
5. 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: A cost estimate for use in determining the required fee in lieu of installing sidewalks must be provided for review.**
6. 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.**
7. 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.**
8. 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.**

Grading

1. The Ordinance requires a Grading Permit. (Section 103.1.) **Status: A grading permit application should be filed with the Township.**

Stormwater Management

1. The Ordinance requires conformance to the Township Construction Standard. (Sections 601.11.A.) **Status: The plan proposes two storm sewer segments in excess of 20%. Per the Township's Standard Details, concrete anchors must be provided for the sections of pipe located between STM CO2 and STM CO1 and CO4 and STM MH 12. The profiles should show the location of the concrete anchors or provide a note indicating the required spacing.**
2. 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.**
3. 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.**

General

1. As noted in the Findings of Fact, Conclusions, and Decision of the Board of Supervisors, dated July 20, 2016, the plans should include appropriate notes on the recording plan indicating all Open Space will remain as Preserved Open Space in perpetuity and the perpetual preservation of the proposed Open Space in its natural state, with no uses other than for the internal trail system, recreation open space, and nature preservation.

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

The plan, as submitted, will conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), Subdivision and Land Development Ordinance (Chapter 22) Grading, Excavation and Fill Ordinance (Chapter 9) and Stormwater Management Ordinance (No. 427) with resolution of the above noted items.

Mr. Wingrove made some additional comments.

Mr. Wingrove said LSSE issued a review letter dated September 9, 2016 and as Mr. Housley and Ms. Ludwig mentioned most items have been addressed and the big items were addressed during the tentative approval, including stormwater comments. He said the content of LSSE's letter, a bit of redundancy here with Ms. Ludwig is mostly the third party items, the Administrative

Developers Agreement, O&M Agreement and like the last applicant they are in the best position they can be as far as compliance with the Ordinance.

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

Mr. Cosnek asked if the plans have been modified to show the sidewalks per the discussion at the last meeting with Princeton Place.

Mr. Wingrove said yes sidewalks on one side going down the new Sovereign Court and then they submitted the cost estimate for the fee in lieu of for the other side and the frontage on Seabright Road.

Ms. Ludwig said the language to that affect is included in the PRD decision, and a separate waiver is not needed for that.

Mr. McDermott said that in the Plan documents the HOA definition will be clear that the sidewalks that are there will be the responsibility of the HOA.

Mr. Cosnek asked for a motion on the application.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO RECOMMEND APPROVAL OF THE PRINCETON PLACE PHASE 1 APPLICATION TO THE BOARD OF SUPERVISORS, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED SEPTEMBER 9, 2016 AND THE TOWNSHIP'S REVIEW LETTER DATED SEPTEMBER 16, 2016.

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

3. Princeton Place Sewage Facilities Planning Module - Application for approval of the Princeton Place Sewage Facilities Planning Module which involves the addition of 63 new EDUs that will be serviced by the South Fayette Municipal Authority via the Robinson Run Stage 1 Interceptor.

Mr. Cosnek asked Ms. Ludwig to clarify the action the Board would take on item 3 of the agenda the Princeton Place Sewage Facilities Planning Module.

Ms. Ludwig said the Board would make a motion to approve the Module, the Township has the component 4A that the Planning Agency has to complete which she has filled out. She said it asks certain things, is there a municipal comprehensive plan, municipal zoning ordinance, does the plan conform to the ordinances and that needs to be included. She said in order for her to sign it, the Planning Agency, which is the Planning Commission, needs to approve it as well. She said that LSSE has seen it, Mr. Bob Grimm has seen it and The Township has incorporated the flow rates

as LSSE determined. She said it is pretty much complete, it will go before the Board of Supervisors at their meeting next week as well and they will finalize everything.

Mr. Cosnek said it is a motion that the Board does, not a recommendation.

Ms. Ludwig said yes, a motion.

Mr. Cosnek asked for a motion on the Princeton Place Sewage Facilities Planning Module.

A MOTION WAS MADE BY Mr. CHUCK KYLE, SECONDED BY Mr. FRED LUTZ, AND CARRIED, TO APPROVE THE PRINCETON PLACE SEWAGE FACILITIES PLANNING MODULE.

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

4. Application 2016-15 – North Fayette Township Volunteer Fire Department Plan of Lots No. 2 – Lot Line Consolidation Plan – Application for preliminary and final minor subdivision involving a lot line consolidation on 4.59 acres at 7876 Steubenville Pike in an R-4 Higher Density Residential Zoning District (Allegheny County Lot and Block Numbers 589-C-15 and 589-C-16).

Mr. Cosnek asked a representative to approach the Board.

Mr. Cosnek said there is no representative present.

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

Ms. Ludwig made the following comments.

I have reviewed the application submitted for preliminary and final minor subdivision involving a lot consolidation plan and my comments are as follows:

1. This is an application for preliminary and final minor subdivision involving a lot consolidation from two lots to one lot on 4.59 acres at 7876 Steubenville Pike in an R-4 Higher Density Residential Zoning District (Allegheny County Lot and Block Numbers 589-C-15 and 589-C-16).
2. Incorrect building setbacks were shown on the original plan submitted. The setbacks must conform to our current standards for setbacks in the Zoning Ordinance, Chapter 27 of the Township Code of Ordinances, Ordinance No. 418, as amended, for R-4 Zoning Districts,

which is 20 feet in the front, 10 feet on the sides, and 25 feet in the rear. The setbacks were corrected in the updated plan submitted.

3. Per the Allegheny County Subdivision and Land Development Ordinance (SALDO), all paper plans submitted for recording must have both the embossed and ink seal of the PA licensed surveyor who prepared the plans. The plan submitted did not contain the seal. The final plan for recording must have both seals on it.
4. In addition, the County's SALDO requires that all signatures be made in permanent navy blue ink or felt tipped pen.
5. Refer to any comments from the Township Engineer per LSSE's review letter dated September 2, 2016.
6. Refer to any comments from the Township Solicitor.
7. The Planning Division of the Allegheny County Department of Economic Development did receive a copy of the application. To date, we have not received any comments from them.
8. Please note: the applicant is responsible for all engineering, legal, and other related review fees associated with this application and if the escrow deposit is depleted, they will be billed for any remaining fees owed and asked to replenish the escrow account.

At this time, the application for preliminary and final minor subdivision filed by the North Fayette Volunteer Fire Department is complete.

As such, it is my recommendation that the Planning Commission make a motion to recommend approval of the application to the Board of Supervisors, contingent upon all items being addressed in LSSE's review letter dated September 2, 2016 and this review letter dated September 16, 2016.

Ms. Ludwig made some additional comments.

Ms. Ludwig said the Board has her letter dated September 16, 2016, there was one minor issue that needed to be addressed with some of the setbacks. She said they did resubmit a plan and LSSE has seen it and it still needs a signature from Mr. Kevin Brett. She said she isn't sure where Mr. Wachter is. She said she sent Mr. Wachter a copy of her letter on Friday and he replied that he would be here, she is not sure why he isn't here.

Ms. Ludwig said it is her recommendation to recommend approval to the Board of Supervisors.

Mr. Wingrove made the following comments.

We have completed our review of the above referenced Subdivision Plan Application, dated August 2016 by Wachter-Willis consulting, LP, as received by our office August 29, 2016. The plan proposes the consolidation of two existing lots into one lot. The property is located at 7876 Steubenville Pike are zoned R-4 High Density Residential District.

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

Subdivision

1. The Ordinance requires a minimum 20 foot front yard building setback and 25 foot rear building setback. (Section 205.3.A.) **Status: The plan shows a 50 foot front yard building setback and 20 foot rear building setback. The plan notes that the setbacks are shown per the original recorded plan; however, the setbacks must conform to the current Zoning Ordinance. Revise the plan accordingly.**
2. The Ordinance requires the certification and seal of the professional land surveyor that prepared the recording plan. (Section 315.M.(1).) **Status: The final plan for recording must be sealed.**

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

The plan, as submitted, will conform to the Township of North Fayette's Zoning Ordinance (Chapter 27), and Subdivision and Land Development Ordinance (Chapter 22) with the resolution of the above noted items.

Mr. Wingrove made some additional comments.

Mr. Wingrove said LSSE issued a review letter dated September 2, 2016. He said they have received a revised plan, everything conforms now, there are no issues to the plan, they will submit the final Mylar for the seal, and that it is in good shape.

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

Mr. Cosnek asked for a motion on the application.

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO RECOMMEND APPROVAL OF THE NORTH FAYETTE TOWNSHIP VOLUNTEER FIRE DEPARTMENT PLAN OF LOTS NO. 2 LOT LINE CONSOLIDATION TO THE BOARD OF SUPERVISORS, CONTINGENT UPON ALL ITEMS BEING ADDRESSED IN LSSE'S REVIEW LETTER DATED SEPTEMBER 2, 2016 AND THE TOWNSHIP'S REVIEW LETTER DATED SEPTEMBER 16, 2016.

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

COMMENTS:

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

Ms. Ludwig said she has been working on the Zoning Ordinance amendments, a complete rewrite of the zoning ordinance that she is working on in sections. She said Patrick, an intern with the Township in the summer of 2015, helped her with research. She said she makes some progress and then it sits, she proposed to the Board of Supervisors at the Workshop meeting last week to move ahead with a round of revisions now and then do another round later this year or early next year to complete it. She said that way they can fix some things that the Township knows and she has looked into like the landscape islands, added uses to the uses table, some new definitions, where they will be permitted as by right, conditional, etc. She said the Planning Commission should be seeing those revisions shortly within the next couple of weeks. She said she has to put them into ordinance format, so the County can kickoff the process and start their review. She said she wanted to give the Board a heads up to be looking out for round 1 of what will be 2 to 3 revisions to the ordinance to get it all complete. She said she would rather do it piece meal and get what she has done so far, completed and work on it in chunks. She said a lot of municipalities do this.

A general discussion took place in reference to the sidewalk ordinance and potential changes that could be made to address the Planning Commission’s concerns.

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

ADJOURNMENT:

A MOTION WAS MADE BY Mr. BILL FITZGERALD, SECONDED BY Mr. CHUCK KYLE, AND CARRIED, TO ADJOURN THE MEETING at 8:16 PM.

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

Respectfully submitted,

Debbie Midgley
Planning Commission Recording Secretary

