

# TOWNSHIP OF INDIANA PLANNING COMMISSION

MARCH 23, 2016

A regular meeting of the Indiana Township Planning Commission was called to order at 6:00 p.m. by Chairman Cecil Tranquill with the Pledge of Allegiance. The meeting was recorded on an audio cassette.

The roll was called and Planning Commission members present were Thomas Ceponis, Pat Miller, Michael Rouggie, and Cecil Tranquill. David Geahry did not attend. Also in attendance were Code Enforcement Officer Jeffrey S. Curti, Recording Secretary Jacquelyn Rouggie, Robert Herring, E.I.T./Senior Designer, from Nichols and Slagle Engineering and Township Engineer Daniel B. Slagle, P.E., from Nichols and Slagle Engineering.

## **REGULAR MEETING MINUTES OF FEBRUARY 24, 2016**

*Mr. Rouggie made a motion, seconded by Mr. Ceponis, to approve the February 24, 2016, Regular Meeting Minutes as presented. Motion carried unanimously.*

Mr. Tranquill noted there was a copy of a letter in their packets that the Board of Supervisors tabled the Valley Lane - Simple Subdivision at their meeting on March 8, 2016. He asked why. Mr. Curti said he heard the property owners have some issues they need to sort out before asking for the Board's approval.

## **DEVELOPMENT PROPOSALS**

### **NELSON-SEIBERT - SIMPLE SUBDIVISION**

Commission Members were presented with a subdivision consisting of a lot line revision between Lot 2 (1.881 acres) and Lot 3 (0.5000 acres) into Lot 2R (1.686 acres) and Lot 3R (0.695 acres). The Seibert's plan to purchase Lot 3R from the Nelson's. The site is located on the western side of Rosedale Road, approximately .1 miles north of the intersection with Jacoby Road. The property is zoned "MDR" Medium Density Residential. Surveyor Bill Whye was present to represent the applicants John and Nancy Nelson.

Mr. Tranquill said this appears to be a lot line revision. Mr. Curti said it is, but the "blanket" term used for all of these types of revisions is "Subdivision". Mr. Tranquill asked why they are subdividing the property. Mr. Whye said the Seibert's wish to purchase a portion of the Nelson property so they can enlarge their own property. He said revised drawings were sent to Nichols & Slagle Engineering addressing the comments in his letter dated March 9, 2016. It was noted a copy of the subdivision plan and application was sent by the Township Code Enforcement Office to Kay Pierce from the Allegheny County Department of Economic Development on March 8, 2016. The Township received a response letter from her on March 18, 2016.

Mr. Herring said a lot of the items in the Engineer's letter dated March 9, 2016 were addressed in the new plans. He reviewed items that remain outstanding. Mr. Herring asked if there are any natural and/or artificial features not shown on the plan that may impact the subdivision. Mr. Whye said there are not. Mr. Herring said it needs to be noted on the plan that Rosedale Road is a private street. He said the existence of a 33' right-of-way for Rosedale Road or private deeds providing public access need to be provided. Mr. Whye said this is now on the plan. Mr. Herring said deed book and volume numbers need to be put on the plan. The locations of all existing and proposed easements are now on the plan. Mr. Herring said no physical boundary for the floodplain is shown. The location of the FEMA Zone AE floodplain needs to be put on the plan, as shown on the FIRM map attached to the Engineer's letter.

The required certifications per the requirements in the Allegheny County SALDO need provided and/or revised. It was noted that Ms. Pierce stated the same thing in her letter. Mr. Herring said once the plan is approved, a copy of the plan with the seal and signature of the engineer, surveyor or other qualified professional responsible for preparing the plan needs to be submitted for the Township's file.

Mr. Slagle said the plan shows Rosedale Road as having a 25' right-of-way. He asked if it is actually 25' or 33'. Mr. Whye said Rosedale Road is a private lane and he feels they can have any size right-of-way. Mr. Curti asked Mr. Whye to provide the Township with six copies of the new, revised plans.

***Mr. Miller made a motion, seconded by Mr. Rouggie, recommending approval of the Nelson-Seibert - Simple Subdivision, conditioned upon the outstanding items listed in the Township Engineer's letter dated March 9, 2016, are satisfactorily addressed. The items outstanding include:***

- 1. Indicate on the plan that Rosedale Road is a private street. Also, verify the existence of a 33' right-of-way on Rosedale Road or deeds providing public access.***
- 2. Provide the location of the FEMA Zone AE floodplain on the plan, as shown on the FIRM map attached to the Engineer's letter.***
- 3. Provide the seal and signature of the engineer, surveyor, or other qualified Professional responsible for preparing the plan.***
- 4. Provide/revise the required certifications per the requirements in the Allegheny County SALDO.***
- 5. Provide the Township with six (6) revised copies of the new plan.***

***Motion carried unanimously.***

### **MONARCH MINE - SITE PLAN**

Commission Members were presented with a site plan consisting of making repairs and adding additions to the existing wastewater treatment system for the Cheswick Ash Disposal Site. The site is located at the end of Duquesne Light Lane, approximately .1 miles north of the intersection with Little Deer Creek Road. The properties involved are zoned "LI" Light Industrial and "VR" Village Residential. Brian Deah, Drawing Office Manager, and Steve Temoff, Senior Project Manager, were present from DRA Taggart, who is the applicant. NRG is the owner of the properties.

Mr. Deah said they plan to upgrade the existing mine water facility to ensure cleaner water is discharged. Mr. Tranquill asked if this is a Federal mandate. Mr. Deah said it is; he said the DEP ordered NRG to make these changes.

The Engineer reviewed the plans and prepared a comment letter dated March 11, 2016. Mr. Herring said since that time, revised plans were submitted to the Engineer which addressed a lot of his concerns. Mr. Herring said property lines on the overall plan need provided and they also need to include the total acreage of the parcel proposed for development. Mr. Herring asked who officially owns the properties. Mr. Deah said the name on the properties are "Orion Power Midwest LP"; however, Orion Power is a subsidiary of NRG. Mr. Herring said the plant is located on three different parcels and all are owned by NRG. Mr. Herring said proof needs to be provided as to how Orion is a subsidiary of NRG. Mr. Herring asked if any grading is planned. Mr. Deah said nothing major is proposed to be done to the contour of the land.

Mr. Herring said the location, dimension, and purpose of all existing/proposed easements need provided, if there are any. Also, the location of "Duquesne Light Lane" (private road) and "Little Deer Creek Road" need shown. Mr. Herring said a visual barrier or landscape screen must be provided and maintained by the Owner or lessees of a property located between any commercial/industrial districts and contiguous residential districts. Also, show the vegetation on the plan. Mr. Deah said they plan to add some additional screening. Mr. Herring asked if there are residential structures in the area. Mr. Deah confirmed there are. Mr. Herring asked if the elevations are different between the two areas. He said cross-sections between the structures and the facility should be provided. Mr. Curti stated that in the 21 years he has worked for the Township, he has not received any complaints about the existing facility. Mr. Deah said they plan to build another new, smaller tank on the site. Mr. Herring asked how tall it will be. Mr. Deah said about 19'. There is also an existing 23' clarifying tank on the site, which they plan to upgrade. Mr. Ceponis asked if they process mine water. Mr. Deah said they do; it comes from underground. Mr. Ceponis asked how soon this project needs to be completed. Mr. Deah said as soon as possible. He said land water is also being treated.

Mr. Herring said the location of all proposed lighting facilities, if any, needs to be shown. Approval from the Allegheny County Conservation District and the NPDES is required. Mr. Herring said no building construction can take place within 50' of the edge of a natural water course unless approved by the DEP. Mr. Deah said none is proposed. Mr. Herring asked what hours of construction are they proposing. Mr. Deah said Monday through Friday from 7:00 am to 5:00 pm.

Mr. Herring said once the plan is completed, a copy of the plan with the seal and signature of the engineer, surveyor or other qualified professional responsible for preparing the plan needs to be submitted for the Township's file. Mr. Herring said the Owner shall enter into a Developer's Agreement and post a bond, escrow, or account approved by the Township Solicitor as to form and content, or such other security as may be permitted by the Municipalities Planning Code, in the amount of one hundred and ten percent (110%) of the estimated cost of the infrastructure improvements.

Mr. Curti said the Township needs six copies of the newly submitted plans. Mr. Slagle said he and Mr. Herring looked at old plans from the original site, which were dated 1997. He said the print shows the properties were owned at that time by Duquesne Light Company, Bessemer and Lake Erie and one other entity, for a total of three parcels. Mr. Slagle said he feels that after the Site Plan is approved by the Board of Supervisors, the Developer should submit a consolidation plan to combine the three existing parcels into one unified property as a condition of the Developer's Agreement. Mr. Curti said they would basically just have to remove all of the interior lines and make it one parcel.

***Mr. Rouggie made a motion, seconded by Mr. Ceponis, recommending approval of the Monarch Mine - Site Plan, conditioned upon the outstanding items listed in the Township Engineer's letter dated March 11, 2016, being satisfactorily addressed. The outstanding items include:***

- 1. Provide property lines on the overall plan and include the total acreage of the parcel proposed for development.***
- 2. Provide location, dimensions, and purpose of all existing/proposed easements, if any. Indicate the location of "Duquesne Light Lane" (private) and "Little Deer Creek Road".***
- 3. A planted visual barrier or landscape screen shall be provided and maintained by the Owner or lessees of a property located between any commercial/industrial districts and contiguous residential districts. Show vegetation on the plan.***
- 4. Indicate the location of all proposed lighting facilities, if any.***
- 5. Provide the seal and signature of the engineer, surveyor, or other qualified Professional responsible for preparing the plan.***

- 6. The Owner shall enter into a Developer's Agreement and post a bond, escrow, or account approved by the Township Solicitor as to form and content, or such other security as may be permitted by the Municipalities Planning Code, in the amount of one hundred and ten percent (110%) of the estimated cost of the infrastructure improvements.**
- 7. Provide the Township with six (6) revised copies of the new plan.**
- 8. After the Site Plan is approved by the Board of Supervisors, the Developer shall submit a consolidation plan to combine the existing parcels into one unified property as a condition in the Developer's Agreement.**

**Motion carried unanimously.**

### **WELLINGTON PLAN OF LOTS - MULTIPLE SUBDIVISION**

Commission Members were presented with a subdivision consisting of six lots and removing lot lines to create: Lot 3 (10.326 acres), Lot 4 (1.027 acres), Lot 5 (1.000 acres) and Lot 6 (0.879 acres). Lot 3 is partially located in both Fox Chapel Borough and Indiana Township. Correspondingly, the private access road in Fox Chapel Borough is being eliminated and replaced by a new private road (Equestrian Way) to serve three reconfigured lots in Fox Chapel Borough. The subdivision is located on the southern side of Campbell's Run Road, approximately 1.4 miles west of the intersection with Guys Run Road. The property is zoned "MDR" Medium Density Residential. Landscape Architect Steven Victor of Victor-Wetzel Associates and Engineer David Kalina from Liadis Engineering were present, as well as Danielle Katz who is one of the owners of Pittsburgh Land Company, who is the applicant and owner of the lots.

Mr. Tranquill asked if they have met with Fox Chapel yet. Mr. Victor said they plan to present their proposal to Fox Chapel in April. He said these lots were originally part of the Enclave V Plan, which was built about 25 years ago. Mr. Tranquill asked if Campbell's Run Road was open at that time. Mr. Tranquill asked how far the plan is from the intersection of Guys Run Road. Mr. Victor said about 800'. Mr. Tranquill asked how many lots were originally proposed. Mr. Victor said 6 lots; 2 ½ in Fox Chapel and 3 ½ in Indiana Township. He said Lot 3 is 10 acres in size and will be located in both Indiana Township and Fox Chapel Borough. Mr. Curti said he understands this will be the lot owned by Danielle Katz; he said the house itself will be located in Indiana Township.

Mr. Ceponis asked if Lots 4, 5, and 6 will be accessed from Campbell's Run Road. Mr. Victor said Lot 3 is going to be accessed by using Equestrian Way. Mr. Tranquill asked if Equestrian Way will come off of Fox Chapel Road; he was told it will. Mr. Victor showed a copy of the plan. He said a cul-de-sac will be located at the end of Lot 6 in Indiana Township. He said he met with the Indiana Township Road Foreman and he indicated the turn around would be sufficient. Mr. Ceponis said this is a tough piece of ground to develop due to the topography. He said he feels using Equestrian Way would be the best way to access the lots. Mr. Ceponis said there are sewer easements

shown across Lots 4, 5 & 6. Mr. Victor said they already exist. Mr. Ceponis asked if the sewage will flow from Fox Chapel into Indiana Township. Mr. Victor said a detention basin already exists but changes are proposed. Mr. Tranquill said the topography appears to be very steep. Mr. Victor said the Lots in Indiana Township are less steep than the ones in Fox Chapel.

Mr. Herring reviewed the Engineer's letter dated March 15, 2016. He asked if there are any natural and/or artificial features that may impact this subdivision. Mr. Victor said there are not. He said the locations of all existing and proposed easement need to be put on the plan. The locations of all existing and proposed utilities also need shown. Mr. Victor said all utilities will come from the Enclave III, except sewage. Mr. Herring said the 20' access easement to the detention facility needs to be labeled. Also, a signed and recorded access easement from Advantage Health Harmarville for the reconstruction of Campbell's Run Road needs to be obtained. Mr. Victor said they have a verbal agreement at this time; Mr. Herring said it needs to be a written agreement.

Mr. Herring continued saying all subsurface conditions, including information about past and possible future coal mining activity, needs to be indicated. Mr. Kalina said he will provide information regarding this. The names and current ownership of each existing lot within the proposed subdivision plan that are located in both Indiana Township and Fox Chapel Borough need to be placed on the plan. Mr. Victor said Pittsburgh Land Company owns all 18 acres of land. Mr. Kalina said the County tax records show this ownership. The seal and signature of the engineer, surveyor, or other qualified person responsible for preparing the plan needs to be put on the drawings. It was noted the Stormwater Management Plan is currently being reviewed by the Engineer.

Mr. Herring said the location and type of all proposed survey monuments on the plan need shown. Mr. Kalina said there will be iron pins placed in each corner. The Zoning Table needs to be revised to state: "MINIMUM REAR YARD SETBACK = 20 FEET". The required tabulation regarding the proposed use and utilities that will service the subdivision needs added to the plan. Also, a note needs put on the plan regarding the Township will not undertake any responsibility with stormwater runoff, wetlands, etc. as spelled out in the Township's SALDO in Section 1266.03(F).

Mr. Herring said complete roadway design information for the proposed Campbell's Run Road Extension in accordance with Section 1268.03 of the Township SALDO needs provided. Also, it needs to be indicated who will own the roadway. Mr. Victor said the Public Works Foreman said there is already a solid base on the roadway, it just needs a final coating added. Mr. Herring said details on all of this need to be provided, including whether the roadway will be widened or lengthened. Mr. Curti said the road is currently barricaded. Mr. Herring said a cleaner delineation of where the roadway is good and where it is deteriorated needs to be established. Mr. Victor said Campbell's Run Road will no longer be used.

A note needs put on the plan that the Township does not assume any obligations with respect to private streets, as spelled out in the "Private Street" Section of the SALDO. Mr. Herring asked if Campbell's Run Road will be public or private. Mr. Victor said public and it will be renamed Old Indian Trail. Mr. Curti said all proposed addresses will need to be validated by the Code Enforcement Office.

Approval and/or comments of the subdivision plan needs to be provided by the Allegheny County Department of Economic Development. Mr. Curti said a copy of the plans and the application was submitted to Kay Pierce on March 10, 2016 but the Township has not heard back from them yet. If there are any protective covenants running with the land, they need to be provided. Mr. Victor said there are none right now. He said eventually there will be ones for Equestrian Way and the Homeowner's Association after it is formed. Mr. Herring questioned the future use of Lot 3 in regard to livestock, especially if horses are permitted in this Zoning District. Mr. Curti said a Special Exception is required by the Township's Zoning Hearing Board. Two horses for every 3 acres are permitted. He was unsure about Fox Chapel's regulations.

For the lots located in Indiana Township, the Owner shall enter into a Developer's Agreement and post a bond, escrow, or account approved by the Township Solicitor as to form and content, or such other security as may be permitted by the Municipalities Planning Code, in the amount of one hundred and ten percent (110%) of the estimated cost of the infrastructure improvements.

Mr. Slagle said a copy of the Environmental Report that was done by Fox Chapel needs to be provided. It also needs to be confirmed that the easements across Lots 5 and 6 will remain. Mr. Slagle said the roads will need to comply with the Township's Road Standards as they are currently worded. Mr. Kalina asked if in lieu of the existing conditions, such as rights-of-way, and the cartway being substandard, if relief of these current standards can be requested from the Township since only 3 houses will use the roadway and it will not be a thruway. The Township requires a 24' wide roadway with wedged curbs. Mr. Slagle said the minimum cartway is 21' wide. Mr. Tranquill asked if Campbell's Run Road will end at Lot 6. Mr. Ceponis questioned the "moderate clay" note on the plan for Lot 5. Mr. Victor said this is listed for consideration only. Mr. Ceponis asked if the area is slide prone. Mr. Victor said it is not. Mr. Miller asked if the roadway can be continued. Mr. Victor said only if drastic measures are done. Mr. Curti said Campbell's Run Road is already a Township-owned roadway. He said after Hurricane Ivan, a portion of Campbell's Run Road way got wiped out and it is currently blocked off. He said the Township originally tried to use gates to block off this area, but due to the remote location, they kept getting torn down. The Township then put up permanent "Jersey barriers" to close off the roadway. Mr. Curti noted that the plans were signed by Steve Liadis and stamped as being done by North Hills Engineering. He was told that Liadis Engineering now owns North Hills Engineering.

Mr. Tranquill asked what the expected time frame for the project is. Mr. Victor said the plan still needs to be reviewed by Fox Chapel Borough as well. He is estimating nothing will be done until at least the Fall of 2016. Mr. Herring asked the applicant if she was okay with the Planning Commission tabling the plan for now since SO many items need addressed. Mr. Victor said that is fine with them. Mr. Kalina pointed out they still have to receive approval from Fox Chapel Borough as well. Mr. Tranquill said he would rather not have the Planning Commission table the plan, but send it to the Board of Supervisors and have them formally table the plan. Mr. Victor said if the plan goes to the Board, they will probably ask for a time extension instead of a formal table motion. Mr. Curti said extension letters will need to be submitted by the applicant if this is the case. Mr. Victor said he cannot see them being ready by the April Board of Supervisors' meeting to submit to them, but possibly for the May meeting. Mr. Ceponis asked if they would be recommending approval of only the 3 ½ lots located in Indiana Township or the entire plan. Mr. Slagle said the entire subdivision plan.

***Mr. Ceponis made a motion, seconded by Mr. Miller, recommending Preliminary and Final Approval of the Wellington Plan of Lots - Multi-subdivision, conditioned upon the outstanding items listed in the Township Engineer's letter dated March 15, 2016, being satisfactorily addressed. Also, with time extensions considered by the Board of Supervisors. The outstanding items include:***

- 1. Provide the locations of all existing and proposed easements on the plan.***
- 2. Provide locations of all existing and proposed utilities. The 20' access easement to the detention facility needs labeled. Also, provide a signed and recorded access easement from Advantage Heath Harmarville for the reconstruction of Campbell's Run Road.***
- 3. Indicate the names and current ownership of each existing lot within the proposed subdivision plan that are located in both Indiana Township and Fox Chapel Borough.***
- 4. Provide the seal and signature of the engineer, surveyor, or other qualified Professional responsible for preparing the plan.***
- 5. Provide the location and type of all proposed survey monuments on the plan.***
- 6. Revise the Zoning Table to show: "MINIMUM REAR YARD SETBACK = 20 FEET".***
- 7. Provide the tabulation regarding the proposed use and utilities that will service the plan.***
- 8. Add the note to the plan regarding the Township will not undertake any responsibility with stormwater runoff, wetlands, etc. as spelled out in the Township's SALDO in Section 1266.03(F).***
- 9. Provide complete roadway design information for the proposed Campbell's Run Road Extension in accordance with Section 1268.03 of the Township's SALDO. Also indicate who will have ownership of the roadway.***

10. ***Add a note on the plan that the Township does not assume any obligations with respect to private streets, as spelled out in the "Private Street" Section of the SALDO.***
11. ***Provide approval of the Subdivision Plan by the Allegheny County Department of Economic Development. (A copy of the Plan and Application was sent to them on March 10, 2016 for their review and comment.)***
12. ***Provide a copy of the Environmental Report that was done for Fox Chapel Borough.***
13. ***Confirm that easements across Lots #5 and #6 will remain.***
14. ***Indicate subsurface conditions, including information about past and future coal mining activity.***
15. ***As per the Township's Zoning Ordinance, if horses are requested, approval must be granted from the Zoning Hearing Board as a "Special Exception", since this property is located in an "MDR" zoning district.***
16. ***Comply with Indiana Township Road Standards regarding widths and depths.***
17. ***The Owner shall enter into a Developer's Agreement and post a bond, escrow, or account approved by the Township Solicitor as to form and content, or such other security as may be permitted by the Municipalities Planning Code, in the amount of one hundred and ten percent (110%) of the estimated cost of the infrastructure improvements.***

***Motion carried unanimously.***

#### **LETTER OF RECOMMENDATION TO BOARD OF SUPERVISORS**

Each Commission Member received a copy of the Planning Commission's Letter of Recommendation sent to the Board of Supervisors, which was written as a result of the Commission's February 24, 2016 regular meeting.

#### **ADJOURNMENT**

***Mr. Miller made a motion, seconded by Mr. Rouggie, to adjourn the March 23, 2016, Planning Commission Regular Meeting. Motion carried unanimously.***

The meeting was adjourned at 7:15 p.m.

***Jacquelyn A. Rouggie, Recording Secretary***