

TOWNSHIP OF INDIANA PLANNING COMMISSION

SEPTEMBER 28, 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, David Geahry, Pat Miller, Michael Rouggie, and Cecil Tranquill. Also in attendance were Code Enforcement Officer Jeffrey S. Curti and Recording Secretary Jacquelyn Rouggie. Township Engineer Daniel Slagle from Nichols and Slagle Engineering arrived at 6:10 pm.

REGULAR MEETING MINUTES OF JULY 17, 2016

Mr. Geahry made a motion, seconded by Mr. Rouggie, to approve the July 27, 2016, Regular Meeting Minutes as presented. Motion carried unanimously.

DEVELOPMENT PROPOSALS

FOREST VIEW PLAN (REVISION OF 3 LOTS - SUBDIVISION)

The Planning Commission Members were presented with a subdivision consisting of amending the front building setback line from 40' to 30' for Lots 6, 7, and 12. The site is located on the northwest side of Rich Hill Road, approximately 330' south from the intersection Cove Run Road. The property is zoned "MDR" - Medium Density Residential. Tom Churchick from Forest View Associates was present to represent the Developer.

Mr. Tranquill asked why they want to make this change to these three lots. Mr. Churchick said due to the steepness of the rear yards, by gaining an extra 10' of land in the front it will provide space for a larger back yard. These are the last three lots that have not sold in the plan. They would like to get the lots sold so they can use the funding to complete the final items listed in the Engineer's letter from 2014. Mr. Tranquill asked if there are any interested buyers. Mr. Churchick said on at least one of the lots. Mr. Tranquill noted the other properties in the plan have a 40' front yard set back but they were able to sell. Mr. Churchick said the extra 10' set back will not be noticeable because of the way the lots are situated.

Mr. Curti said he thought at first they would be able to obtain a variance for this request from the Zoning Hearing Board, but the Township Solicitor recommended the plan be brought in as a Subdivision instead. Mr. Curti said two years ago, front yard setbacks in this Zoning District was changed from 40' to 30' in the Township's updated Zoning Ordinance. Mr. Geahry said it appears that Lot 12 is unbuildable. Mr. Churchick said it could be worked out for a home to fit within the building envelope. Mr. Miller asked if the current residents in the plan were notified of this request. Mr. Churchick said no. Mr. Curti confirmed that neighboring property owners are not required to be notified for a subdivision request as per the PA MPC.

Mr. Slagle asked if there is an existing H.O.A. Mr. Churchick said not yet. Mr. Slagle said R.F. Mitall & Associates, Inc. submitted a response letter to his review letter dated September 22, 2016 and submitted new plans. Mr. Slagle reviewed his letter. He asked if there are any natural/artificial features on the property that may impact this subdivision. Mr. Churchick said there are not. He said a letter of approval needs provided from the Allegheny County Department of Economic Development. Mr. Curti said a copy of the application and the plans was mailed to them on September 13, 2016 for their review. A response letter has not yet been received. The seal and signature of the engineer, surveyor, or other qualified Professional responsible for preparing the plan needs to be on the final approved plan.

Mr. Slagle said the Forest View Plan was originally approved by the Township on January 25, 2005. He said the last items in his "Final Matters" letter dated March 13, 2014 need to be taken care of. Mr. Slagle asked when they plan to finish these items. Mr. Churchick explained due to financial issues, they are not yet able to complete these items. However, if they can sell the last 3 lots, they will be financially able to finish the plan. Mr. Slagle asked how long Mr. Churchick thought it would take to sell the lots. Mr. Churchick said with the 30' front yard setbacks, the lots would be more desirable and he feels they should sell a lot quicker. Mr. Slagle said the plan is "incomplete" right now but they do have bonds in place to ensure it gets completed. Mr. Slagle said he would like to see the plan finished, have a firm schedule in place of when it will be completed, and provide validated bonds. He said the existing Developer's Agreement could be revised to include this schedule. Mr. Curti asked if there could be a 'condition' included in the Municipal Lien Letter that is requested prior to a lot being sold stating verbiage about the final matters needing to be completed with the funds from the sale. Mr. Curti said he cannot see how a sale date can be pinpointed. Mr. Slagle said it could be added to the Developer's Agreement that upon the sale of the first two of the three remaining lots (Lots 6 and 7), that the Developer agrees to complete the outstanding matters. The Planning Commission discussed placing a time restriction on the completion of the outstanding items and agreed that 3 years would be reasonable. If the Final Matters are not completed within this schedule, the Township will pull the bonds and complete the project unless the Township grants an extension. Mr. Churchick agreed that Lots 6 and 7 could sell very quickly, but that Lot 12 is more of an issue with its layout.

Mr. Rouggie made a motion, seconded by Mr. Miller, recommending approval of the Forest View Plan of Lots (Revision of 3 Lots) - Subdivision, conditioned upon the outstanding items listed in the Township Engineer's letter dated September 22, 2016, are satisfactorily addressed. The outstanding items include:

1. **Provide approval letter from the Allegheny County Department of Economic Development for the proposed subdivision.** (A copy of the Subdivision Application and the plan was mailed to them by the Township Code Enforcement Office on September 13, 2016 for their review.)
2. **Provide the seal and signature of the engineer, surveyor, or other qualified Professional responsible for preparing the plan on the final approved plan.**
3. **Enter into an acceptable amendment to the 'Developers Agreement' for the Forest View Plan with the associated updated Bonds that includes a firm schedule for the completion of the outstanding issues for taking over the Plan upon the sale of the first two of the three remaining vacant lots owned by the Developer (Lots #6, #7, and #12).**

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 July 27, 2016 regular meeting.

ADJOURNMENT

Mr. Geahry made a motion, seconded by Mr. Ceponis, to adjourn the September 28, 2016, Planning Commission Regular Meeting. Motion carried unanimously.

The meeting was adjourned at 6:34 p.m.

Jacquelyn A. Rouggie, Recording Secretary