TOWNSHIP OF INDIANA

PLANNING COMMISSION

MARCH 28, 2018

A regular meeting of the Indiana Township Planning Commission was called to order at 6:00 p.m. by Chairman Thomas Ceponis 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, Recording Secretary Jacquelyn Rouggie, and Engineer Robert Herring, P.E./Senior Designer from Nichols and Slagle Engineering.

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NEW BUSINESS

At the February 28, 2018 Planning Commission Reorganization Meeting, Patrick Miller was voted in as Vice Chairman of the Planning Commission. At the request of Mr. Miller, the Planning Commission entertained nominations for Vice Chairman.

Mr. Rouggie made a motion, seconded by Mr. Geahry, to accept Mr. Miller's resignation as Vice Chairman of the Planning Commission, and to appoint Mr. Tranquill as Vice Chairman for 2018. Motion carried unanimously.

REORGANIZATION MEETING MINUTES OF FEBRUARY 28, 2018

Mr. Rouggie made a motion, seconded by Mr. Geahry, to approve the February 28, 2018, Reorganization Meeting Minutes as presented. Motion carried unanimously.

DEVELOPMENT PROPOSALS

EMMERLING ICE CREAM - REVISED SITE PLAN

Commission Members were presented with a site plan consisting of creating a drive-through addition to the existing structure, a new roadway access from Cove Run Road and the addition of 36 gravel parking spaces. The site is located west of the intersection of State Route 910 and Cove Run Road. The property is zoned "C" Commercial. The applicant and owner, Mike Boros, was present.

Mr. Boros said the drive-through will be located on the left side of the building, and will be changed to be "exit-only" onto Cove Run Road. He said a new entrance/exit is proposed further down Cove Run Road. The existing entrance/exit on Route 910 will remain. He said most of the existing parking spaces located on the left side of the building will be eliminated; only two spaces will remain. He said additional parking spaces are proposed on other areas of the property. Mr. Boros said no parking will be allowed in front of the building except handicapped parking. He said they currently have 19 spaces but plan to add additional parking for a total of 36

spaces. Mr. Curti suggested signage be added to the Cove Run Road exit to show it is “out only”. Mr. Tranquill asked if there is an entrance on Route 910; Mr. Boros said yes. Mr. Geahry asked about the catch basin in the corner of the property. Mr. Boros said they plan to tie into the existing storm sewer system. Mr. Curti said he felt the system could handle the additional flow. Mr. Tranquill noted a picnic area is being added as well.

Mr. Herring said they received a response letter from Hampton Technical Associates addressing the items in the Township Engineer’s initial review letter dated March 22, 2018, but did not receive updated plans.

Mr. Herring reviewed the Engineer’s letter from March 22nd. He said the locations of all existing and proposed easements need shown on the plans. He said if there are any existing and/or artificial features that may impact the site, they also need to be shown. He also said a cross section of the proposed parking area needs to be put on the plan. Mr. Herring said screening must be provided between properties that are commercial and residential. Mr. Boros said the property located on the other side of Cove Run Road is on the same lot as the Ice Cream site, but it is zoned “MDR - Medium Density Residential” and it is a vacant, wooded area. Mr. Herring asked if additional storage is proposed. Mr. Boros said no; he plans to use the existing, screened enclosure. Mr. Herring said landscaping needs provided near the proposed parking area. Also, a photometric lighting plan needs to be provided and additional lighting needs put in the parking area.

Mr. Herring said the applicant is proposing to add a second access driveway on Cove Run Road. A site distance triangle, which is compliant to PennDOT standards, needs to be put on the plan. Mr. Herring asked if Mr. Boros plans to make the existing exit only drive onto Cove Run Road more narrow. Mr. Boros said he plans to keep it at a width of 20'. Mr. Herring inquired about proper signage based on the proposed traffic patter.

Mr. Herring continued reviewing the Engineer’s comments, and said any land from which natural cover is removed, regardless of its slope, must be graded and seeded within a reasonable time period. He also said the material, size and slope information needs to be shown on the plan, as well as the existing storm sewers. If any springs are encountered during construction, they must be piped into the storm sewer system or extended to a natural water course. Mr. Herring said the maximum lot coverage in this zoning district is 50%; Mr. Curti said this pertains to structures only. Mr. Herring said a note needs added to the plan that the actual lot coverage of the structures will not exceed the maximum 50% coverage. Mr. Herring said all handicapped parking areas must be ADA compliant. Mr. Herring said all parking lot markings, stripings, directional and circulation signs need shown on the plan must meet PennDOT specifications. Mr. Herring asked if any additional signage is proposed. Mr. Boros said no more business signs are being added, only directional signage.

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Mr. Herring said if any material is hauled to or from the site, a roadway bond will be required. Mr. Boros said no hauling is planned other than gravel being added for the parking areas. Mr. Herring asked if there are any protective covenants running with the land; Mr. Boros said no. Mr. Herring said the final plans must be sealed and signed by a professional engineer, surveyor, or other qualified person preparing the plan. Mr. Herring said a Stormwater Management Plan needs to be submitted. If the site has less than 3,000 square feet of impervious area, only a "simplified" submission is required. Mr. Herring said the owner must enter into a Developer's Agreement with the Township and post all appropriate bonds.

Mr. Tranquill asked if any additional landscaping is being planned. Mr. Boros said some shrubbery on both sides of the property near the roadways is being considered to be added. Mr. Ceponis asked if a storm sewer outlet is being proposed across Cove Run Road. Mr. Boros said they plan to tie into the existing storm sewer system. Mr. Herring pointed out that the property is located on both sides of Cove Run Road. Mr. Curti said when the Boros' purchased the land, PennDOT had them install a new pipe to divert the water away from Route 910 and over to the Cove Run Road side of the property.

Mr. Herring said there is additional information needed from their Engineer. He suggested the plan be tabled and re-submitted next month. Mr. Boros said they are in the process of completing all of the needed items now, and feels that they will be ready to present new plans prior to the next Board of Supervisors meeting. Mr. Tranquill said he feels if they think they can complete the outstanding issues prior to the April Board meeting, then the plan should be approved with the conditions noted. Mr. Herring said they appear to be close to having the items completed, but the Engineer will still need sufficient time to review the plans prior to the Board meeting. Mr. Curti asked if they submit new plans by next Wednesday, if that would give the Engineer enough time complete a review of the updated plans. Mr. Herring noted that a Stormwater Management Plan has not yet been submitted for review. Mr. Curti said the Stormwater facilities are already in place, and were approved by the Engineer when they first built the store. Mr. Curti said they are only tying into the existing system and adding some additional catch basins, so he does not feel there will be much to review. Mr. Curti said if Mr. Boros is not ready to submit the updated plans in time, the Board can always table the plan until their next meeting.

Mr. Tranquill made a motion, seconded by Mr. Rouggie, recommending approval of the Emmerling Ice Cream - Revised Site Plan as long as the outstanding items listed in the Engineer's letter dated March 22, 2018, are satisfactorily addressed. The items to be addressed include:

1. ***Provide the locations of all existing and proposed easements on the plan.***

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2. ***Indicate any natural and/or artificial features that may impact the site plan.***
3. ***Provide a cross section of the proposed parking area.***
4. ***Provide additional landscaping near the proposed parking area.***
5. ***Provide a photometric lighting plan and add additional lighting in the parking area.***
6. ***Provide a site distance triangle for the proposed access driveway on Cove Run Road, which must be compliant with PennDOT standards.***
7. ***Add the material, size and slope information, and show the existing storm sewers on the plan.***
8. ***Add a note that the actual lot coverage of the structures on the property will not exceed the 50% maximum.***
9. ***Show all parking lot markings, stripings, directional and circulation signs on the plan. Be sure they meet PennDOT specifications and are ADA compliant.***
10. ***Provide the seal and signature of the engineer, surveyor, or other qualified person responsible for preparing the plan on the final set of drawings.***
11. ***Provide a Stormwater Management Plan. Note that only a "simplified" submission for the Stormwater Plan needs submitted since the site has less than 3,000 square feet of impervious area.***
12. ***The Developer shall enter into a Developer's Agreement and post all appropriate bonds.***

Motion carried unanimously.

RICHMONT ESTATES - PLANNED RESIDENTIAL DEVELOPMENT (PRD) - Tentative Approval (2nd/Revised Submittal)

Commission Members were once again presented with a revised tentative approval request for a development known as Richmont Estates. This PRD consists of the development of Parcel 726-L-322 (12.7 acres) and a majority of Parcel 726-L-312 (21.2 acres) into 55 lots. The PRD is comprised of 45 single-family houses and 10 townhouse structures (52 dwelling units), for a total of 97 dwelling units. The properties are located off of Rich Hill Road, approximately 0.4 miles north of the intersection with Jacoby Road. The property is zoned "MDR" Medium Density Residential. Steven Victor, ASLA and partner at Victor-Wetzel Associates, was present to represent the applicant, Leslie Road Associates, LLC.

Mr. Tranquill said the plan was tabled at the last Planning Commission meeting due to a large number of items needing to be addressed according to the Township Engineer's review. Mr. Victor said they have had time to address many of the concerns since that time and new plans were submitted for review.

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Mr. Herring reviewed the Township Engineer's letter dated March 22, 2018. He said approval from Marley Ventures, LLC to relocate the existing gas line needs to be provided and the plan needs updated to show the location of the new gas line and easement. He asked what their plans are for the line. Mr. Victor said it is not a significant line; it is only a 2" line running down their property. They plan to run it down the road right-of-way and to the detention basin. He showed the location of it on the drawing. He said he spoke with the Township Engineer Dan Slagle over the phone, and he said he is okay with the proposed new placement. Mr. Victor said he feels this is the easiest location.

Mr. Herring said during final approval, all covenants, easements, rights-of-way and/or any other restrictions proposed to be imposed upon need shown on the plans. He said the required side yard setback for an MDR District is 15'; the applicant is requesting a waiver for the side yard setback to be only 12.5'. Mr. Geahry asked if this is only in the area where the single family homes are located; Mr. Victor said yes. Mr. Herring said the required building separation distance is 25'; the Applicant is requesting a waiver on this to have a 20' building separation in six locations within the townhouse area of the plan. Mr. Victor said all townhouses will be sprinklered and the end units will be made of fire retardant materials. Mr. Herring said a 25' buffer of land is required around the perimeter of the site in which no development may take place. He said the Applicant is requesting a waiver/modification of this provision for proposed grading within the buffer area near Lots 101, 113 through 118, and 145. Mr. Herring said no construction or disturbance will be permitted within these areas if granted and this must be documented in the Homeowner's Agreement.

Mr. Herring said the bearing and distance information for Lot/Block #726-L-312 (the Moline's property) needs to be put on the final plans. He also said a subdivision plan will be required for the Moline property. Mr .Herring said no more than 25% of slope areas between 25% to 40% may be disturbed. He said the Applicant is requesting a waiver modification from this provision of 43% due to the relocation of the Stormwater Management Facility to re-route the water to the Jacoby Road area. Mr. Herring asked if a final Geotechnical Report will be provided. Mr. Victor said yes, and they will follow the suggestions of the Geotechnical Engineer. Mr. Herring said they must address any concerns that come up with "Pittsburgh" Red Clay Beds. Mr. Herring said no development or disturbance is allowed on slopes exceeding 40%. He said the Applicant is requesting a waiver on this due to the detention basin placement.

Mr. Herring continued with the review letter, and said a minimum horizontal radius of 125-degrees is required at the intersections of roadways. He said the Applicant is requesting a 90-degree horizontal radius for a portion of the roadway on Curtis Court. Mr. Victor showed an image of the 90-degree proposal on a Power Point shot. Mr. Herring said a waiver is required because the proposed layout is not a true intersection. He said the Township Engineers requires that the radius be at

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125-degrees. Mr. Victor said when this issue was presented to the Planning Commission last month, they indicated that they preferred the 90-degree radius better.

Mr. Herring said a letter needs to be submitted from the local Fire Chief approving the hydrant locations. He said the grading or clearing of more than 25% of a site requires a tree survey; for every tree removed, three replacement trees must be planted. He said the Applicant is requesting a waiver on this due to the dense number of trees that would need to be replanted. Mr. Victor said there is no more room for the required number of trees and it physically cannot be done. They estimate rather than replanting 2,800 trees that 2,000 trees could be planted. Mr. Victor said they are proposing more street trees than required by the Township Ordinance. Mr. Herring said all proposed improvements shall comply with Chapter 1270 of the SALDO. He also said a road bond must be posted if material is hauled to or from the site.

Mr. Herring said the Review Letter from the Allegheny County Department of Economic Development needs provided. Mr. Curti said they have not heard back yet since his Department's submittal to them on February 16, 2018; he said it is getting close to their 45-day response requirement. Mr. Herring said approval of the NPDES Permit from the Allegheny County Conservation District/PaDEP needs submitted. He also said a General Permit for the proposed filling activities in the upper reaches of Stream WC-2 and WC-3 needs provided. Mr. Herring said the applicant needs to schedule the proposed offsite storm sewer work to take place in conjunction with the Township's Jacoby Road project or provide in-kind reimbursement. Mr. Victor said he will coordinate this with the Township.

Mr. Herring said the Owner must pay a Traffic Impact Fee of $1,100 per dwelling unit to the Township. Also, in lieu of providing recreational facilities, the Owner must pay a Recreational Fee of $750 per dwelling unit to the Township. Mr. Victor said they are aware of these fees. Mr. Herring said the Developer must enter into a Developer's Agreement and post all appropriate bonds.

Mr. Herring reviewed the Engineer's Preliminary Stormwater Management Plan letter dated March 22, 2018. He said ACCD/PADEP approval of the E&S Control Plan/NPDES Permit needs to be provided. Infiltration tests need submitted showing the design infiltration rate is adequate at each proposed detention basin. Mr. Herring said the storm sewer collection system design shall be reviewed during Final Plan approval. He also said the detention impoundment must be designed and constructed under the direction of a licensed, professional geotechnical engineer. Mr. Victor said this is being done by Hampton Technical Associates.

Mr. Herring continued with the letter and said the storm sewer for the entire length of discharge from SWM Basin #2 to the discharge point on Jacoby Road needs to be provided. Mr. Victor showed the pipe they designed; he said they are following

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the contours of the land. However, there will be swales created in some areas and they are proposing that the pipe be open. Mr. Victor said he spoke to the Township Engineer Dan Slagle regarding this. He said the Homeowner's Association will own the detention basins, and the Township will inspect the swale areas. Mr. Curti said he agrees with the Engineer that swales can be difficult, due to clogging of debris, etc. He feels the entire line should be in enclosed pipe. Mr. Geahry asked if the area is steep. Mr. Victor said it is about 2% - 3% at the swale, and it would be 2' - 3' deep. Mr. Curti said he feels they should pipe it all at 3' deep. Mr. Geahry said he agrees. Mr. Herring asked why they are proposing an open swale in lieu of stormwater pipe. Mr. Victor said for BMP (Best Management Practices) reasons and also to save money. Mr. Geahry asked who will own the pipe and also inspect it. Mr. Curti asked how many feet of swale is being proposed. Mr. Victor said about 400'; he also said he is unsure of the pipe size they will use. Commission Members discussed this and agreed they feel the entire pipe should be enclosed to prevent debris and other items getting into the proposed open swale area.

Mr. Herring continued with the review letter and said Stormwater inlets upgradient of all proposed street intersections, on both sides of the streets, need to be provided. Mr Herring said they need to indicate how the stormwater runoff for Lots 126 - 134 and Lots 101 - 108 will be handled with respect to the proposed dwelling units. Mr. Herring said an HOA owned and operated Detention Basin needs to have an approved O&M plan, bylaws, officers, and financial structure in-place prior to being accepted by the Township. Also, the ownership and maintenance of the Basins needs to be determined. Mr. Victor said he spoke with Mr. Slagle and he said the Township will own and maintain the facilities. Mr. Herring said ownership can be discussed when the plan is reviewed by the Board of Supervisors. Mr. Curti said the Township usually prefers not to own the facilities, but they do usually end up cleaning them out when needed. Mr. Victor said the ownership of the underlying land needs to be determined, not just the ownership of the basins. Mr. Herring concluded the review letter by saying the Owner must establish a Special Stormwater Facility Management Fund of $5,000/basin to defray the cost s of the Township inspecting and maintaining the facilities for a period of 10 years.

Mr. Rouggie asked if the Planning Commission can send the plan to the Board with recommendations on it; he said a lot of issues seem to be up in the air at this point. Mr. Tranquill noted the applicant is seeking "tentative" approval at this point. Mr. Curti said a lot of the outstanding items are 3rd party items, which take a while to get. Commission Members agreed one of their biggest concerns is the open swale issue of the pipe. Mr. Tranquill said Lot #8 appears to be located on a very severe slope and said he was concerned about stability. Mr. Victor said no building will take place on the steep slope areas. Mr. Tranquill said there is not much of a back yard. He is also concerned that the Applicant is asking for 7 waivers from the Ordinance requirements, especially the request for smaller side yard setbacks. Mr. Ceponis suggested the Commission consider each waiver individually and discuss which are rationale. Mr. Curti said he feels the Developer is trying to fit in as many homes as

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they can and still try to maintain the requirements of a PRD. He said he is okay with the waiver on the building separation for the townhouses because they will be sprinklered. He noted that since the first submittal of the plan, the Developer has done some modifications to what they were originally requesting, such as increasing the size of the setback waivers. Mr. Victor said the Ordinance requires 20% of open space, and the plan has more than double of that requirement. Mr. Tranquill said he figures there will be about 15 acres of open space, but that it is unattractive and steep.

Mr. Ceponis said he feels due to the topography of the land, some revisions are needed. He said he feels they should discuss each waiver individually. Mr. Herring reviewed the waivers. He said Waiver 1 is the reduction of 12.5' setbacks in the single family home area. Waiver 2 is also proposing a reduction in the building separation in the townhouse area. Commission Members and Mr. Curti said they are okay with these two waivers. They noted the request has been increased since their first submittal. A discussion was held about why these are needed. Mr. Victor said if the waiver is not granted for the single family homes, they would have to be very narrow homes in size. Mr. Herring indicated the development could have wider lots in lieu of narrow homes. Mr. Curti said Waiver 3 is about grading within the buffer zone. Commission Members agreed they are fine with this waiver. Mr. Curti said Waiver 4 and 5 regarding the slope is something the Township requested to divert water away from the McDade Lane area of the plan. Mr. Curti said Waiver 6 is about the horizontal radius of the roadway. Mr. Herring said the Township Engineer requires the horizontal curve be kept at 125-degrees. If a true intersection is not designed, a precedent can be set for future developers. Mr. Ceponis said he prefers the horizontal curve to be 90-degrees, as requested by the Developer. He said he thinks it gives the plan a more “neighborhood-type” of feel. Mr. Curti agreed, saying there is a merit in having the 90-degree curve; it is easier to maintain the roadway. A discussion was held amongst the Members. Mr. Tranquill asked if a “stop” sign could be installed. Mr Victor said one could be in. Mr. Victor said he feels the 90-degree radius would calm traffic concerns as well. Mr. Ceponis asked if the access road to the basin would be gated. Commission Members and Mr. Curti agreed this would be a good idea. The Members continued discussing the 90-degree waiver, and were all in agreement that they prefer it better than having a 125-degree horizontal radius. Mr. Herring said Waiver 7 is about the tree density. Mr. Miller asked what the proposed caliper is for the trees. Mr. Victor said an arborist suggested they plant trees 10' on center rather than larger trees. He said the street trees will have a 3" caliper.

Karen Knutson of 6 Edgehill Drive, said she feels the 90-degree radius would be bad for the “Feng Shui” for the end townhomes. She said she feels it is risky to set precedents. She said a loop and swerve curve would be better. She does not agree with the waiver on the trees; she said she feels more trees could be preserved if they lessen the number of townhouses proposed. She said BMP for the stormwater would be to not have a swale. She also said she felt the Stormwater

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Management Plan was insufficient. Mr. Herring agreed about the swale issue. Mr. Herring said the storm sewers are designed to keep the down stream residents from getting deluged with water during storms. Mr. Victor said as far as the tree replacement, the entire site is already heavily wooded. The density requirement in the Ordinance physically cannot be met. He explained why they are proposing the plan this way. If the waivers are not granted, the homes would have no yards, etc. due to the topography of the land. Mr. Curti said it has become a continual fight to adhere to the Township's SALDO, and it really needs to be updated to address current situations. He felt sections of it were not well thought out when it was created. Mr. Rouggie agreed that to have yards, waivers need to be granted. Mr. Tranquill said he is concerned the development will be too crowded. Mr. Ceponis said he disagrees with Mr. Tranquill. Mr. Tranquill said he feels they are trying to jam too many homes into the plan and he does not feel it has good looking appeal to it. Mr. Curti said the plan is very similar to the existing Estates of Rural Ridge Plan, which also has both single family homes and townhouses and it is a PRD as well. Ed Banks of 3697 Saxonburg Boulevard, questioned the size of the seedlings. Mr. Victor said they met with an arborist and discussed this. That was how the calipers and types of trees were determined. Mr. Banks said what percentage of trees might be lost. Mr. Victor said the arborist determined the loss rate to be around 20%. Mr. Banks said he is concerned that deer will eat that small of a tree. He said the smallest trees will be about 1". Mr. Ceponis noted the smallest caliper tree are street trees and will be located inside the plan.

Mr. Geahry made a motion, seconded by Mr. Rouggie, recommending approval of the Richmont Estates - Planned Residential Development (PRD) - Tentative Approval (2nd/Revised Submittal) as long as the outstanding items listed in the Engineer's letters dated March 22, 2018, are satisfactorily addressed. The items to be addressed include:

1. ***Provide approval from Marley Ventures, LLC to relocate the existing gas line and update the plan to show the location of the newly relocated gas line and easement.***
2. ***Provide the covenants, easements, and/or any other restrictions proposed to be imposed upon the use of land, buildings, and structures. Include all proposed/existing easements or rights-of-way for the public utilities.***
3. ***The required side yard setback in an "MDR" zoning district is 15'. The Applicant is requesting a waiver for a side yard setback of 12.5'.***
4. ***The required building separation distance is 25'. The Applicant is requesting a waiver on this to have a 20' building separation in six locations within the townhouse area of the plan.***
5. ***A 25' buffer of land is required around the perimeter of the development site, in which no development may take place. The Applicant is requesting a waiver/modification of this provision for proposed grading***

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within the buffer area near Lots 101, 113 through 118, and 145. No construction or disturbance will be permitted within these areas if granted. This shall also be noted in the Homeowner's Agreement.

6. ***Provide the bearing and distance information for Lot/Block #726-L-312 (the Moline's property) for Final Plan approval.***
7. ***A subdivision plan will be required for the Moline property during Final Plan approval.***
8. ***No more than 25% of slope areas between 25% to 40% may be disturbed. The Applicant is requesting a waiver modification from this provision of 43%. This is due to the relocation of the Stormwater Management Facility to re-route the water to the Jacoby Road area.***
9. ***No development or disturbance is allowed on slopes exceeding 40%. The Applicant is requesting a waiver on this due to the detention basin placement.***
10. ***A Final Geotechnical Report must be provided at the time of Final Approval.***
11. ***A minimum horizontal radius of 125-degrees is required at the intersections of roadways. The Applicant is requesting the horizontal radius at Olive-tree Street and John's Court to be 90-degrees.***
12. ***A letter is required to be submitted from the local Fire Chief approving the hydrant locations.***
13. ***The grading or clearing of more than 25% of a site requires a tree survey. For every tree removed, three replacement trees must be planted. The Applicant is requesting a waiver on this due to the dense number of trees that would need to be replanted. They estimate rather than replanting 2,800 trees that 2,000 trees could be planted.***
14. ***The Review Letter from the Allegheny County Department of Economic Development needs provided.***
15. ***Approval of the NPDES Permit from the Allegheny County Conservation District/PaDEP needs submitted.***
16. ***A General Permit for the proposed filling activities in the upper reaches of Stream WC-2 and WC-3 needs provided.***
17. ***Schedule the proposed offsite storm sewer work to take place in conjunction with the Township's Jacoby Road project or provide in-kind reimbursement.***
18. ***The Owner shall pay a Traffic Impact Fee of $1,100 per dwelling unit to the Township.***
19. ***In lieu of providing recreational facilities, the Owner must pay a Recreational Fee of $750 per dwelling unit to the Township.***
20. ***The Developer shall enter into a Developer's Agreement and post all appropriate bonds.***
21. ***Provide ACCD/PADEP approval of the E&S Control Plan/NPDES Permit.***
22. ***Provide infiltration tests at each proposed detention basin to verify the design infiltration rate is adequate.***

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23. ***The storm sewer collection system design shall be reviewed during Final Plan approval.***
24. ***The detention impoundment must be designed and constructed under the direction of a licensed professional geotechnical engineer.***
25. ***The storm sewer for the entire length of discharge from SWM Basin #2 to the discharge point on Jacoby Road needs provided. The Planning Commission recommends the ENTIRE pipe be enclosed to prevent debris, etc. from getting into the proposed open swale area.***
26. ***Provide Stormwater inlets upgradient of all proposed street intersections, on both sides of the streets.***
27. ***Indicate how the stormwater runoff for Lots 126 - 134 and Lots 101 - 108 will be handled with respect to the proposed dwelling units.***
28. ***An HOA owned and operated Detention Basin shall have an approved O&M plan, bylaws, officers, and financial structure in-place prior to acceptance by the Township. Also, ownership and maintenance of the Basins needs to be determined.***
29. ***The Owner must establish a Special Stormwater Facility Management Fund of $5,000/basin to defray the cost s of the Township inspecting and maintaining the facilities for a period of 10 years.***

Motion carried, with Mr. Miller casting a negative vote.

FOX CHAPEL ESTATES - PLANNED RESIDENTIAL DEVELOPMENT (PRD) - PHASE I - Final Approval

Commission Members were once again presented with an application for Final Approval of Phase I of the Fox Chapel Estates PRD. The entire project consists of the development of Parcel 620-P-379 (13 acres) and Parcel 620-J-114 (9.35 acres) into 20 lots containing 91 dwelling units (townhouses). Phase I consists of 13 lots and 62 dwelling units. The properties are located east of Dorseyville Road, approximately 0.3 miles north of the intersection with Fox Chapel Road. The property is zoned “MDR” Medium Density Residential. Steven Victor, ASLA and partner at Victor-Wetzel Associates, was present to represent the applicant, Fox Chapel Estates, LP.

Mr. Victor said they received “tentative approval” from the Board of Supervisors. However, during the appeal that was held, Judge James ordered that Phase I - Final Approval be brought back to the Planning Commission again. Also, Mr. Curti said some changes have been made to the plan since the Commission last saw it. Mr. Curti said the same group that appealed the first “tentative approval” by the Board of Supervisors have also filed an appeal against the second approval. However, the Applicant wanted to take the risk and resubmit to the Planning Commission Final Approval of Phase I to keep things moving.

Mr. Victor showed a Power Point presentation of the updated final plan for Phase

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I. He said more trees have been added in the landscaping plan. Mr. Tranquill asked what type of townhouses are being proposed. Mr. Victor said the same three types they have been proposing all along, and described them again in detail. Mr. Herring asked if the buildings are in a different location than in the original submittal; Mr. Victor said no, they just shifted slightly. Mr. Victor said Phase II is still being held up due to the situation with the servicing of the sanitary sewers.

Mr. Herring reviewed the Engineer's letter dated March 21, 2018. He said in order to make the language stronger and to follow the "Findings of Fact", Note #2 on Sheet 1 needs amended to comply with the wording about the waiver of 25' to 20' to include that each townhouse will be sprinklered and the end units shall be treated with fire resistant siding. Mr. Curti said this is also a requirement of the Building Code. Mr. Herring said the covenants, easements, and/or any other restrictions proposed to be imposed upon the use of land, buildings, and structures needs to be provided. Also, HOA protective covenants shall include restrictions on development within the grass strips located between driveways and O&M of the sidewalks and trees. Verbiage should also be included allowing the Township to have access to the proposed stormwater facilities. Mr. Herring said a copy of the final Homeowners Agreement and Covenants needs to be provided.

Mr. Herring continued and said Allegheny County approval of the Dorseyville Road entrance road MUST be provided prior to final approval. Mr. Victor said he will submit the application for this soon. Mr. Herring reminded this is extremely important for approval of the Development. Mr. Victor said he is aware of this, and said he understands that if the County does NOT approve the entrance at Dorseyville Road, the project cannot be done. Mr. Herring said the Developer has opted to pay the $750/unit recreational fee in lieu of providing recreational areas. Mr. Herring said a land hook needs provided between Parcel #620-P-379 and 620-J-114 to illustrate the intent to consolidate the two lots. All bearings, distance and radius information as specified in the Engineer's letter must be provided. Mr. Herring said a Geotechnical engineer must be on site to certify all proper fill compaction/keyway installation/benching is being followed. At the conclusion of the project, prior to the release of any bonding, a signed/sealed Geotechnical Investigation Report must be submitted. Mr. Herring said a report that does not say "preliminary" and that is signed and sealed needs provided.

Mr. Herring said the proposed gravel cul-de-sac shall be allowed for a period not to exceed 3 years from the date of the plan's approval, or it must then be paved in accordance with Township Standards. The locations of all proposed signs need to be put on the plan. A letter from the local Fire Department regarding the adequacy of fire protection and hydrant location needs to be submitted. Mr. Herring said all utility street crossings must have the backfill put in as required. Open-cutting of the asphalt surface after construction is prohibited. Core borings may be needed to be presented to show the depth of the road pavement prior to acceptance of the roads by the Township. Driveways within the plan must be constructed to conform to the

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grade of the finished shoulders; Mr. Victor said this is not a problem. Mr. Herring said approval from Deer Creek Drainage Basin Authority for the proposed sanitary sewer design needs to be provided.

Mr. Herring said in accordance with the outline of the Findings of Fact, Conclusions, and Decision of the Board of Supervisors granting Tentative Approval of the Fox Chapel Estates PRD, certain conditions were previously set and agreed to. These include:

- No structures shall be placed in the buffer yard areas associated with Units 56, 57, 58, 61, and 91.
- All buffer yard trees and reforestation trees shall be planted once grass is established or as soon as practical thereafter, but no later than the next planting season. The Developer shall replace any trees that die prior to final completion of the development.
- There shall be no grading or removal of any living trees within 200' from the Fox Chapel Road cartway until Phase 2 receives final approval.
- It is expressly conditioned that the spur shown does not imply connectivity or authorization of a potential through-street from the site.

  (Mr. Miller questioned the condition of adjacent property owner Ron Mantia tying into the property. Mr. Victor and Mr. Curti agreed this is an item that will be addressed in Phase 2)
- Each unit shall have two parking spaces in the garage and two parking spaces in the driveway.

Mr. Herring continued with the Engineer's review letter and said approval from the Allegheny County Conservation District/PaDEP of the NPDES Permit for the E&S Control Plan needs to be provided. Mr. Victor said he thinks this has already been applied for. Mr. Herring said the Owner must establish a Special Stormwater Facility Management Fund of $5,000/basin to defray the costs of the Township inspecting and maintaining the facilities for a period of 10 years. Also, the Owner shall pay the required Township Traffic Impact Fee of $1,100/unit. Mr. Herring said the Developer's Engineer must provide a Phase 1 Construction Cost estimate. Mr. Victor said he was waiting to have the Engineer do this until after the outcome of tonight's meeting. Mr. Herring said under approval of Phase 1, no development may take place within 200' of Fox Chapel Road and all proposed construction shown on the drawings associated with Phase 2 need to be removed. Mr. Victor showed the area in question on the plan. Mr. Herring said the Applicant has agreed to add two gazebos, five sitting benches, and one picnic area with two picnic tables, along with associated parking, to the plan; these need to be shown on the construction drawings. The Developer shall enter into a Developer's Agreement and post all appropriate bonds.

Mr. Herring then reviewed the Engineer's letter for the Stormwater Management Plan Review. He said the proposed stormwater facilities will be owned and operated by the HOA. However, easements must be provided for each facility for

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the Township's access. Mr. Victor agreed to this. Mr. Herring said Allegheny County approval for the proposed storm sewer tie-ins along Dorseyville Road needs to be provided. Mr. Victor said this will be part of the Highway Occupancy Permit with the County. Mr. Herring said the roof leader lines for Lot 3 are proposed to be located beneath the asphalt cul-de-sac; they need to be moved to be under the yard. A separate collector line from CB25 that runs outside the asphalt area also needs to be provided.

Mr. Tranquill asked if DCDBA will be servicing the sewers; Mr. Victor said they will be in Phase 1. Mr. Victor said due to the Act 537 plan, the development was split down the middle as to who would provide service to each phase. Mr. Victor said no major modifications were made to the plan since the Planning Commission previously seeing it. He also said they did receive "tentative approval" of the entire plan by the Board of Supervisors. Mr. Tranquill said he still is upset about the plan being named "Fox Chapel Estates" when it is in fact in Indiana Township. Mr. Ceponis agreed; he said the plan is not located in the Borough of Fox Chapel. He said he would like the Developer to consider changing the name of the plan.

Mr. Herring said he feels the plan should be "tabled" by the Planning Commission; there are many outstanding items that need to be addressed. Mr. Ceponis asked how they plan to gain access to the gazebo; Mr. Victor showed him the location, and also pointed out where the picnic areas and other items that were added will be located. Mr. Victor said the Post Office wants there to be a mail collection system instead of having mail delivery to each unit in the plan. Ed Banks also said that the name of the plan may be confusing because the former "Rich Hill Mobile Estates" recently renamed their mobile home park "Fox Chapel Village". He said this could be confusing for fire fighters and emergency personnel. Mr. Tranquill asked how many items are still outstanding. Mr. Herring said about 6 to 10 items. Mr. Curti said he feels it is just a matter of fine-tuning at this point. Mr. Victor said he feels they are items that can easily be handled. If not, the Board of Supervisors can always table the plan until they are completed.

Mr. Tranquill made a motion, seconded by Mr. Rouggie, recommending approval of the Fox Chapel Estates - Planned Residential Development (PRD) - Phase 1 - Final Approval as long as the outstanding items listed in the Engineer's letters dated March 21 and 22, 2018, are satisfactorily addressed. The items to be addressed include:

1. ***Revise Note #2 on Sheet 1 to comply with the wording about the waiver of 25' to 20' to include that each townhouse will be sprinklered and the end units shall be treated with fire resistant siding.***
2. ***Provide the covenants, easements, and/or any other restrictions proposed to be imposed upon the use of land, buildings, and structures. HOA protective covenants shall include restrictions on development***

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within the grass strips located between driveways and O&M of the sidewalks and trees. Verbiage should also be included allowing the Township to have access to the proposed stormwater facilities.

3. ***A copy of the final Homeowners Agreement and Covenants needs to be provided.***
4. ***Allegheny County approval of the Dorseyville Road entrance road MUST be provided prior to final approval.***
5. ***The Developer has adopted to pay the $750/unit recreational fee in lieu of providing recreational areas.***
6. ***A land hook needs provided between Parcel #620-P-379 and 620-J-114 to illustrate the intent to consolidate the two lots. All bearings, distance and radius information as specified in the Engineer's letter must be provided.***
7. ***A Geotechnical engineer must be on site to certify all proper fill compaction/keyway installation/benching is being followed. At the conclusion of the project, prior to the release of any bonding, a signed/sealed Geotechnical Investigation Report must be submitted.***
8. ***The proposed gravel cul-de-sac shall be allowed for a period not to exceed 3 years from the date of the plans approval, or it must then be paved in accordance with Township Standards.***
9. ***Provide the locations of all proposed signs on the plan.***
10. ***Submit a letter from the local Fire Department regarding the adequacy of fire protection and hydrant location.***
11. ***Driveways must be constructed to conform to the grade of the finished shoulders.***
12. ***Provide approval from Deer Creek Drainage Basin Authority for the proposed sanitary sewer design.***
13. ***No structures shall be placed in the buffer yard areas associated with Units 56, 57, 58, 61, and 91.***
14. ***All buffer yard trees and reforestation trees shall be planted once grass is established or as soon as practical thereafter, but no later than the next planting season. The Developer shall replace any trees that die prior to final completion of the development.***
15. ***There shall be no grading or removal of any living trees within 200' from the Fox Chapel Road cartway until Phase 2 receives final approval.***
16. ***It is expressly conditioned that the spur shown does not imply connectivity or authorization of a potential through-street from the site.***
17. ***Each unit shall have two parking spaces in the garage and two parking spaces in the driveway.***
18. ***Provide Allegheny County Conservation District/PaDEP approval of the NPDES Permit for the E&S Control Plan.***
19. ***The Owner must establish a Special Stormwater Facility Management Fund of $5,000/basin to defray the costs of the Township inspecting and maintaining the facilities for a period of 10 years.***

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20. ***The Owner shall pay the required Township Traffic Impact Fee of $1,100/unit.***
21. ***The Developer's Engineer must provide a Phase 1 Construction Cost estimate.***
22. ***Under approval of Phase 1, no development may take place within 200' of Fox Chapel Road. All proposed construction shown on the drawings associated with Phase 2 need to be removed.***
23. ***The Applicant has agreed to add two gazebos, five sitting benches, and one picnic area with two picnic tables, along with associated parking, to the plan. These need to be shown on the construction drawings.***
24. ***The Developer shall enter into a Developer's Agreement and post all appropriate bonds.***
25. ***The proposed stormwater facilities will be owned and operated by the HOA. Easements must be provided for each facility for the Township's access.***
26. ***The roof leader lines for Lot 3 are proposed to be located to be beneath the asphalt cul-de-sac; they need to be moved to be under the yard. A separate collector line from CB25 that runs outside the asphalt area also needs to be provided.***

Motion carried unanimously.

CORRESPONDENCE:

Nothing was submitted.

ADJOURNMENT

Mr. Rouggie made a motion, seconded by Mr. Tranquill, to adjourn the March 28, 2018, Planning Commission Regular Meeting. Motion carried unanimously.

The meeting was adjourned at 8:07 p.m.

Jacquelyn A. Rouggie, Recording Secretary

APPROVED