TOWNSHIP OF INDIANA

PLANNING COMMISSION

OCTOBER 25, 2017

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, Recording Secretary Jacquelyn Rouggie, and Engineer Robert Herring, P.E./Senior Designer from Nichols and Slagle Engineering.

Mr. Tranquill noted there were students in the audience from the Fox Chapel Area High School, observing the meeting for one of their classes. He explained the Planning Commission is a recommending body to the Board of Supervisors. He said the Planning Commission's job is to ensure proper land use, and that plans presented for their review abide by the Township's Ordinances.

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REGULAR MEETING MINUTES OF SEPTEMBER 27, 2017

Mr. Rouggie made a motion, seconded by Mr. Geahry, to approve the September 27, 2017, Regular Meeting Minutes as presented. Motion carried unanimously.

DEVELOPMENT PROPOSALS

McKAMISH - Simple Subdivision

Commission Members were presented with a subdivision consisting of two lots resulting in three lots: Lot 1 (4.215 acres), Lot 2 (1.155 acres), and Lot 3 (2.634 acres). The properties are located on the western side of Dorseyville Road, approximately 100' south of the intersection of Dorseyville and Rawlins Run Roads. The property is zoned "MDR" Medium Density Residential. David Housley, Project Manager with Gateway Engineers, was present to represent the applicant David McKamish.

Mr. Housley explained this is a consolidation of two lots owned by David and Linda McKamish, and then a subdivision creating three lots. He said the McKamish's may sometime in the future build a new home on Lot 2. The McKamish's currently live in the home located on Lot 1 and rent the house located on Lot 3.

Mr. Herring reviewed the Engineer's letter dated October 16, 2017. Mr. Housley provided revised plans to Mr. Herring addressing the comments in the letter. Mr. Herring asked if there are any natural and/or artificial features that may impact this subdivision; Mr. Housley said there are none. Mr. Herring asked if the locations of

all existing and proposed easements are shown. Mr. Housley said they are. Mr. Herring asked if they plan to extend the proposed sanitary sewer easement across Lot 2 and terminate the utility easement on the private street that serves the existing homes. Mr. Housley said he feels there is no need to extend this for Lot 1 because it already exists. Mr. Herring agreed. Mr. Herring asked if Mr. Housley confirmed the Deed Book Volume for the existing 25' access easement; Mr. Housley said he did. Mr. Herring asked that the location of all existing and proposed utilities on the plan be shown. Mr. Housley said they are. Mr. Herring said there is currently no home on Lot 2 so there is no need to show the easements to this vacant lot until they intend to build.

Mr. Herring said the review letter from the Allegheny County Economic Development (ACED) needs to be provided. Mr. Curti said a copy of the application and plans was sent from his office for them to review on October 11, 2017; Mr. Housley said he sent a copy to them as well. The ACED has not yet responded. Mr. Housley said the mailing address of the property owners David and Linda McKamish are now on the new plans. Mr. Herring asked if there are any protective covenants running with the land; Mr. Housley said there are none.

Mr. Herring said the location of all existing and proposed survey monuments need to be shown. Mr. Housley said he previously spoke to the Township's Engineer Dan Slagle about this. Mr. Housley said monuments from an older subdivision were used. Mr. Herring said a note needs to be added to the plan documenting the deed book volume and page numbers of the survey monuments. Mr. Housley said the proposed use and utility table have been added to the plan. Mr. Housley said the note regarding wetlands, water runoff, and environmental matters as stated in the Township's SALDO, Section 1266.03(F) has been added to the plan.

Mr. Herring said the private street shall comply with the requirements in the Township SALDO, Section 1268.03A(k) or a separate access easement for each lot needs provided. Mr. Herring noted each Lot abuts Dorseyville Road. He asked if they plan to provide access to Dorseyville Road for each lot. Mr. Curti questioned why this is being brought up. He said he spoke with Mr. Slagle about this. The private road already exists and has for many years. Mr. Herring said the Ordinance requires the private street must be reconstructed to Township standards. The extent of the upgrades depends on the number of lots located on the private street after the subdivision is approved. Mr. Curti said since this private road is existing this is a moot point. Mr. Herring asked if the cartway centered in the proposed private street right-of-way has been provided; Mr. Housley said it has. Mr. Housley said the note has been put on the plan that there shall be no further subdivision of the Lots shown on plan. He said the verbiage regarding the private street not being the obligation of the Township has also been added. Mr. Herring said a street sign indicating the private road's name (Highlander Drive) needs erected; Mr. Housley said there is already one at the entrance to the roadway. Mr. Ceponis suggested a "Private Road Agreement" be created. Mr. Housley said he can recommend this

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to the McKamish's. Mr. Herring said every lot shall be provided with adequate access for the use of public safety vehicles. Mr. Housley said they do and it is noted on the plan. Mr. Herring asked them to provide a copy of the Allegheny County Highway Occupancy Permit that was issued for Highlander Drive for its access off of Dorseyville Road, which is owned by the County. Mr. Housley said he contacted the County regarding this and was told they only keep copies of the HOP's for 7 years and they then discard them. Mr. Curti noted the road has been there for about 40 years or so. Mr. Herring said if a house is built on Lot 2, then the County should be notified. Mr. Herring asked if any existing access easements would be violated as a result of the subdivision; Mr. Housley said no.

Mr. Miller made a motion, seconded by Mr. Ceponis, recommending approval of the McKamish Simple Subdivision as long as the outstanding items listed in the Engineer's letter dated October 16, 2017, are satisfactorily addressed. The items to be addressed include:

1. ***Provide the review letter from the Allegheny County Department of Economic Development.***
2. ***Add the note on the plan documenting the deed book volume and page numbers of the survey monuments.***
3. ***Provide the seal and signature of the engineer, surveyor, or other qualified person responsible for preparing the plan.***

Motion carried unanimously.

WELLINGTON PLAN OF LOTS - MULTIPLE SUBDIVISION

Commission Members were once again presented with a subdivision/consolidation plan consisting of four lots into Lot 1 (3.873 acres), Lot 2 (1.050 acres), Lot 3 (2.600 acres), Lot 4 (1.028 acres), Lot 5 (into 1.000 acres), Lot 6 (0.879 acres), Lot 7 (10.037 acres) and construction of a cul-de-sac on Campbell's Run Road. Lots 1, 2, 3, and a portion of Lot 7 are located within Fox Chapel Borough and Lots 4, 5, 6, and the other portion of Lot 7 are located within Indiana Township. A new private lane (Equestrian Lane) is proposed to be built off of Campbell's Run Road and is located within 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 properties in Indiana Township are zoned "MDR" Medium Density Residential. David Kalina, P.L.S., from North Hills Engineering, and Steve Victor from Victor-Wetzel and Associates, were present, as well as Danielle Katz, Company President of the applicant, Pittsburgh Land Company.

Mr. Ceponis said he would be recusing himself from any vote on the Wellington plan of lots as it could possibly be perceived as a conflict of interest. Mr. Tranquill said when this revised, updated plan was submitted to the Commission for review at the September, 2017 meeting, a lot of items needed to be completed as a result of the

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Engineer's review letter and the Planning Commission recommended the plan be tabled. Mr. Kalina said since that time, another review was done and a lot of the items have been addressed and revised plans have been submitted. Mr. Herring questioned what has been changed with the portion in Fox Chapel Borough. Mr. Victor said the plan was tabled by Fox Chapel because of outstanding issues and they also want to address the tree issue again. Mr. Victor explained Fox Chapel has very strict restrictions on trees being removed/replanted in the Borough. Mr. Herring said Campbell's Run Road begins in Fox Chapel Borough off of Fox Chapel Road and then continues into Indiana Township. It is marked as "Old Indian Trail" at the entrance. Mr. Herring said there is no record of Fox Chapel Borough adopting this portion of Campbell's Run Road. Mr. Victor said the road is very old. Mr. Herring said "Old Indian Trail" (Campbell's Run Road) needs formally adopted by Fox Chapel Borough. Mr. Victor said they would like Indiana Township to approve and sign off on the plan, and then they will have Fox Chapel Borough sign off on the plan once they get their approval. He said this request should be considered a 3rd party approval. Mr. Kalina suggested they put a "Release for Recording" clause on the plan so Indiana Township can approve it now and then the plan can be held until the conditions are satisfied. Mr. Herring said plans can not be held off while waiting for 3rd party approvals. However, he advises that Fox Chapel Borough's approval of the proposed subdivision plan is required to demonstrate public access to the lots. Providing public access in not a 3rd party approval. Mr. Victor said he feels Campbell's Run Road has always been a public roadway; it is just referred to as "Old Indian Trail" by name only now. Mr. Curti said the Township wants proof from Fox Chapel Borough that this roadway is considered public and not private. Mr. Victor said Lots 1, 2, and 7 will have access off of Equestrian Lane and only Lot 3 will have access off of Old Indian Trail. He said there will not be more than 4 lots using the private road. Mr. Victor asked if Indiana Township considers its portion of Campbell's Run Road to be public; Mr. Curti said yes. Ms. Katz said she has a 17-page legal document from Fox Chapel Borough indicating the Borough recognizes Campbell's Run Road as a public road as well. She forgot to print a copy of it to bring to the meeting tonight. Mr. Tranquill asked who is maintaining Campbell's Run Road. Mr. Victor said nobody right now.

Mr. Herring reviewed the Engineer's letter dated October 16, 2017. He said the applicant must provide a copy of the approval letter from Fox Chapel Borough adopting Campbell's Run Road (Old Indian Trail) as a public road for legal review. He said a signed/recorded access easement from Advantage Health Harmarville Rehabilitation Corp. for the consideration of Campbell's Run Road needs provided. Mr. Victor said the Agreement is currently being reviewed by the applicant's lawyers, who are located out of state. Mr. Herring said this can be considered a 3rd party approval. Mr. Herring said their Stormwater Management Plan is currently under review by the Township Engineers for its compliance with the Township's Ordinances. Mr. Herring said a seal and signature of the engineer, surveyor, or other qualified person responsible for preparing the plan needs submitted on the final plan.

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Mr. Herring said a minimum right-of-way width of 50' and a minimum roadway width of 24' needs provided for Campbell's Run Road. Mr. Kalina said Fox Chapel only requires a 22' cartway, with 12" wedged curbs. The developer would like to request a ***waiver*** of the 24' requirement of Indiana's and provide a 22' cartway. Mr. Curti said last month the developer told them Fox Chapel's minimum cartway width was 21'. Mr. Kalina said he may have been wrong. Mr. Herring said the engineer is okay with this waiver request. Mr. Curti noted the portion affected only serves 3 lots and 22' is adequate for emergency vehicles. Mr. Kalina said stormwater inlets along Campbell's Run Road are now being provided 300' from the highest point of the roadway.

Mr. Herring said it was indicated by Fox Chapel Borough's Engineer in a letter dated April 11, 2016 that Old Indian Trail is considered neither a public or a private road. Mr. Herring said public access for the entire length of the roadway needs provided. Ms. Katz tried to show Mr. Herring the email she said she has from Fox Chapel regarding the roadway being public on her cell phone, but Mr. Herring indicated the document in its entirely shall require legal review. She was asked to forward the email to Ms. Rouggie for the Township's review. Ms. Katz said she needs to make sure it is not attorney/client privileged information, and if not, will forward it on. Mr. Victor indicated they would be able to provide a copy of the document. Ms. Katz said she had a print out of the letter at the September Planning Commission but forgot to produce it.

Mr. Herring said a copy of the NPDES Permit approval for earth disturbances of more than one acre needs provided. Mr. Herring said it is the Township's understanding that the entirety of Campbell's Run Road is to be publically dedicated and maintained by Fox Chapel Borough and Indiana Township, respectively. The applicant must enter into an acceptable Developer's Agreement as prepared by the Solicitor and post all appropriate bonds.

Mr. Herring noted that there were no major changes made to the plan since it was presented to the Planning Commission in September. Mr. Kalina agreed. Mr. Victor said on November 13th, they are scheduled to have the plan reviewed by the Fox Chapel Environmental Advisory Committee regarding the tree issues. And on November 20th, the Fox Chapel Planning Commission and Board are scheduled to review the plan. Mr. Tranquill asked if the Indiana Township Planning Commission can send it on to its Board for review prior to Fox Chapel's review. Mr. Herring said yes, but the major item is that the letter be produced stating that Fox Chapel acknowledges their portion of Campbell's Run Road (Old Indian Trail) for the Township's legal review. Ms. Katz asked why they cannot just refer to Fox Chapel Borough's Liquid Fuel Map that is provided by PennDOT to prove it is considered to be a public roadway. Mr. Herring indicated that the legal document, or public acceptance by Fox Chapel Borough, shall be required to prove public access to the proposed lots in Indiana Township.

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Mr. Miller made a motion, seconded by Mr. Rouggie, recommending approval of the Wellington Plan of Lots - Multiple Subdivision as long as the outstanding items listed in the Engineer's letter dated October 16, 2017, are satisfactorily addressed. Also, the legal document from Fox Chapel regarding Campbell's Run Road needs provided for legal review by the Township Solicitor. The items to be addressed include:

1. ***The applicant must provide a copy of the approval letter or legal document from Fox Chapel Borough adopting Campbell's Run Road (Old Indian Trail) as a public road for legal review.***
2. ***Provide signed/recorded access easement from Advantage Health Harmarville Rehabilitation Corp. for the construction of Campbell's Run Road.***
3. ***Provide the seal and signature of the engineer, surveyor, or other qualified person responsible for preparing the plan.***
4. ***Provide a minimum right-of-way width of 50' and a minimum roadway width of 24' for Campbell's Run Road. The developer is requesting a waiver on this and would like the cartway to be 22' with 12" wedge curbs, per Fox Chapel Borough Standards.***
5. ***Provide NPDES Permit approval for the earth disturbances greater than one acre.***
6. ***Enter into an acceptable Developer's Agreement as prepared by the Solicitor and post all appropriate bonds.***

Motion carried with Mr. Ceponis abstaining.

CORRESPONDENCE:

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 September 27, 2017, regular meeting.

ADJOURNMENT

Mr. Rouggie made a motion, seconded by Mr. Geahry, to adjourn the October 25, 2017, Planning Commission Regular Meeting. Motion carried unanimously.

The meeting was adjourned at 7:00 p.m.

Jacquelyn A. Rouggie, Recording Secretary

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