TOWNSHIP OF INDIANA

PLANNING COMMISSION

AUGUST 24, 2022

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

The roll was called and Planning Commission Members present were Lisa Lachina, Patrick Miller, Michael Rouggie, and Daniel Taylor. David Geahry did not attend. Also in attendance were Code Enforcement Officer Jeffrey S. Curti, Recording Secretary Jacquelyn Rouggie, Township Engineer Daniel Slagle from Nichols & Slagle Engineering, and Solicitor Gavin Robb from Tucker Arensberg.

APPROVED

MEETING MINUTES OF JUNE 22, 2022

Mr. Miller made a motion, seconded by Ms. Lachina, to approve the June 22, 2022, regular meeting minutes as presented. Motion carried unanimously.

DEVELOPMENT PROPOSALS

FOX CHAPEL ESTATES - PLANNED RESIDENTIAL DEVELOPMENT (PRD) - Tentative Approval - Minor Modifications to Prior Approved Plan

Commission Members previously recommended approval of a plan to combine two parcels into one, totaling 22.83 acres, and then subdivide the property into 15 lots containing 70 Townhouse Units and 1 lot containing a 30 Unit Condominium Building, for a total of 16 lots and 100 dwelling units. The parcels are located on the east side of Dorseyville Road, 0.3 miles north of the intersection with Fox Chapel Road. The properties are zoned "MDR" Medium Density Residential. David Lucci, of Victor-Wetzel Associates, was present, as well as Attorney Anthony Cosgrove of Dillon McCandless King Coulter and Graham L.L.P., to represent the Applicant, Fox Chapel Estates, LP.

As part of their previous recommendation, Commission Members said they would like the Developer to consider installing a playground area for children, add an extra mailbox Cluster Box Unit (C.B.U.) for the Townhouses, and to make sure all lighting is "Dark Sky Compliant". Members also recommended that the Board of Supervisors advertise the plan for a Public Hearing to be held on August 9, 2022, at 6:00 pm, prior to the next Supervisor's meeting.

However, since that time, the Developer made minor modifications to the plan, that required a new presentation to the Planning Commission showing the updated Development. Mr. Lucci presented a letter to the Commission Members, dated August 8, 2022, summarizing the proposed changes.

Mr. Lucci did a Power Point presentation of the revised plan. He showed where a playground was added between Buildings #14 and #15. He also showed the emergency access location. He said due to the steepness of the topography, the emergency access on the south end of the property will not work. The emergency access point was relocated to the southwest corner of the site. Mr. Lucci said a fenced dog park was added in the southeastern open space area and a half-mile walking trail

is proposed throughout the open space areas linking the various facilities together. He said the extra C.B.U. box for the Townhouses has been added and said all lighting will be “Dark Sky Compliant”.

Mr. Lucci said since the Commission last saw the plans, that one of the Townhouse units, previously known as Building #15, and consisting of 6 units, is being eliminated and replaced with (3) two-family duplex units (now Buildings #15, #16, and #17) to increase the variety of housing types. Mr. Lucci said the number of housing units will remain at 100 units.

In his letter, Mr. Lucci said they have confirmed with their builder the price points for the three housing types: Two family duplexes will range from $450,000-$500,000, Townhouse units from $400,000-$600,000, and Garden Apartment units in the condominium will range from $300,000 to $400,000.

Mr. Miller asked if the access road will be paved; Mr. Lucci said it will not. Mr. Miller asked if they still plan to add a gate to the access road; Mr. Lucci said yes. Mr. Taylor asked who will maintain the access road, such as for snow/ice control. Mr. Lucci suggested the Township.

Mr. Lucci said he just learned today that the Developer wishes to make another modification to the plan. He would like to remove two more Townhouse units, and replace them with (3) more duplexes and a single family dwelling. He said the total number of dwelling units in the plan will still remain at 100. There will be: 57 townhouses, (6) duplexes, (1) single family dwelling, and the 30-unit condominium building.

Solicitor Robb said these changes are considered “minor modifications” to the original plan since the number of dwelling units have not changed. The developer’s lawyer, Mr. Cosgrove, said the purpose of doing this recent change is to comply with Section 700 of the Township’s Ordinance to add more variety of housing types to the plan. Mr. Curti said revised plans showing these modifications need to be submitted.

Chairman Rouggie opened up the meeting for Public Comment. Nobody asked to speak.

Mr. Miller made a motion, seconded by Mr. Taylor, to recommend tentative approval of the Indiana Trails PRD plan, with the minor modifications and changes that have been proposed. Motion carried unanimously.

FIRST REVISION OF THE MUNSCH PLAN OF LOTS - SUBDIVISION

Commission Members were presented with a plan to subdivide a 1.344 acre lot into Lot 1-RR (0.372) and Lot 2 (0.972 acres), which will be added to existing Lot 1R, of an adjacent parcel they already own. The parcel is located on the western side of Bruno Drive, approximately 1,000' south of the intersection with Blue Run Road. The property is zoned “VR” Village Residential. Terry Siefers, PLS, of Gen3 Surveying is the Applicant, and also represents the property owners Daniel and Ashley Masci Munsch.

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Mr. Siefers said the parcel to be subdivided is known as 115 Bruno Drive; they wish to subdivide it into two parcels. The existing house on Lot #1 in the front will remain; Lot #2 in the rear is going to be combined with Lot 1R in the Munsch's property on Robinson Lane.

Mr. Slagle said since his initial review letter dated August 17, 2022, new plans have been submitted, and the applicant has addressed most of his comments. Mr. Slagle asked if there are any natural and/or artificial features not shown that could impact this subdivision. Mr. Siefers said no; there is only a wooded area, which is already shown. Mr. Siefers said he has taken care of all easements. Mr. Slagle asked if there is public water to the existing home; Mr. Siefers said there is and it is shown on the drawings. Mr. Slagle said the Developer has complied with all comments from the Allegheny County Department of Economic Development in their review letter dated August 11, 2022.

Mr. Slagle said this subdivision involves combining one of the lots that is zoned "VR" with a lot that is zoned "LDR". He said due to this, a note should be put on the plan that this area will never be built on. Mr. Siefers said this area is very steep and narrow, and is not able to be built on anyways. Mr. Rouggie asked if there is public sewage to the home; he was told there is not. Mr. Taylor said he feels it is confusing with the way the lots numbered, i.e. 1-R, 1-RR, etc. He asked if they could change the lot numbers to be more clear. Mr. Siefers said this can be fixed. Mr. Curti said a road is shown to be on Lot 1R; Mr. Taylor asked if Lot 1R is the same as Lot 1-R. Mr. Siefers said this is a mistake and he will correct it on the plans.

Chairman Rouggie opened up the meeting for Public Comment. Rich Miller of 145 Bruno Drive asked where the closest public sewers are located; Mr. Siefers showed him and said they are near 109 Bruno Drive. Mr. Curti said the line shown is for public sanitary sewers. Mr. Curti said there is no public sewage on the "older" area of Bruno Drive for the homes that are not part of the Walnut Woods Plan. Craft Pittsburgh indicated they plan to provide access to public sewage to the properties on Bruno Drive. He also said public sewage ends at the other end of Bruno Drive, where it intersects with Republic Avenue. Mr. Siefers said he has a paper indicating there is public sewage on Bruno Drive. Mr. Rouggie and Rich Miller said public sewage is not currently available for the majority of the existing homes on Bruno Drive. Mr. Slagle said Mr. Siefers could be referring to a private grinder pump; he asked that verbiage regarding the utilities be put on the plan.

Mr. Taylor made a motion, seconded by Ms. Lachina, to recommend approval of the First Revision to the Munsch Plan of Lots - Subdivision, as per the items listed in the Engineer's review letter dated August 17, 2022, with clarification of the available utilities and Lot Numbers be provided. Motion carried unanimously.

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BLUE RUN DEVELOPMENT - PLANNED RESIDENTIAL DEVELOPMENT (PRD) - Tentative Approval

Commission Members were presented with a plan consisting of combining 4 parcels into one tract, totaling 23.69 acres, and then subdivide the property into 47 lots. The parcels are located between Blue Run Road and Bruno Drive, approximately 1,000' from its intersection with Blue Run Road. The properties are zoned “MDR” Medium Density Residential. Project Manager Grant Shiring with PVE, LLC was present to represent the Applicant, Craft General Pittsburgh.

Mr. Shiring said in December, 2021, the Applicant requested the zoning of the properties be changed from “LI - Light Industrial” to “MDR - Medium Density Residential”. He said they have since been working with the utility companies, the PA DEP, etc. on the various items that need to be addressed. He presented poster boards of the properties showing the plans for the development. He said they originally proposed only one point of access for the plan off of Bruno Drive. He said based on suggestions from the Township, they are now proposing 2 points of access: one on Bruno Drive and another on Blue Run Road, near its intersection with State Route 910. He said 47 lots are being proposed. Mr. Lucci said they have 9 acres of open space, which complies with the Township Ordinance requirements. He said they plan to protect the steep slopes on the property. There are 3 streams located on the property, but no wetlands. He said the plan will not impact any of the existing streams; he said they are providing a 35' buffer away from the streams. He said the plan will have a 25' tree-lined buffer around it. He said 3 detention facilities are proposed. He said they have gotten an easement to tie into the existing Sanitary Sewers. They also plan to add an additional line for the public sewage serving Bruno Drive. Mr. Curti said he does not think the location they show for the public sewage line will help the residents of Bruno Drive to tie into the public sewage system. Mr. Shiring said they would add a new easement at the opposing end of the plan. He is working with Deer Creek Drainage Basin Authority for the public sewers and in obtaining the NPDES Permit, which is ready to be submitted.

Mr. Shiring said they are asking for two ***waivers*** from the PRD requirements for the plan. They would like the side yard set backs to be reduced from 15' to 5' and the distance between the homes be reduced from 25' to 10'. He said when the Developer originally came in to request the lots to be re-zoned, they were seeking for the Zoning to be changed to “VR - Village Residential”. He said the proposed waivers are what is required in a “VR” zoning district. However, after opposition to that request, they changed their zoning request to be an “MDR” zoning district with the assumption that these waivers would be approved. They had preferred the “VR” zoning district so they could build the number and size of units they were proposing. Mr. Shiring said he feels they are consistent to what was discussed during the Zoning Change Request. Mr. Miller asked what the width of the lots will be; Mr. Shiring said 65'. Mr. Miller said that would make the size of the home to be only 45' wide. Mr. Rouggie said he had concerns with the requested waivers; he said they are basically requesting to build homes on lots consistent with the size of lots in a “VR” zoning district in an “MDR” zoning district. He said he feels this is too dense. Mr. Curti suggested the developer consider increasing the waiver for the side yard setbacks to be increased from 5' to 10'. He said this will help for any “bump outs” for items like fireplaces or bay windows. Mr.

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Rouggie asked where the Blue Run Road access will be located; Mr. Shiring showed him on the plan.

Mr. Slagle said with this being a PRD, they could request a mixture of types of units, such as townhouses. The density of the various types of homes was discussed. Mr. Slagle said if townhouses were proposed, they could double the number of homes to the plan. He said they could also add quad units, etc. However, the developer decided to stay with all Single Family Dwellings (SFD's) to reduce the density. Mr. Slagle said the developer met with members of the HOA of the adjacent Walnut Woods plan numerous times. He said the residents residing in the area said they preferred having only SFD's; the Planning Commission Members agreed they are more harmonious to the existing homes in the neighborhood.

Mr. Slagle said the 4 pieces of properties total more than the 10 acre requirement for a PRD. He said quite a few property owners are involved with ownership of the 4 parcels; Mr. Shiring said they plan to purchase all 4 lots and combine them into one.

Mr. Slagle reviewed his letter dated August 19, 2022. He asked that the location of any landslide prone areas be shown. Mr. Shiring said there are none; a Geotechnical Report was done. Mr. Slagle said the overall open space area minus the detention basin and wetland areas must be met. Mr. Shiring said they comply with the Township Ordinance. Mr. Slagle asked for service availability letters to be provided from all of the public utilities. Mr. Shiring said they are working on getting them. He added that public water and sewage is available to the plan. Mr. Slagle said the agreements and covenants as set forth by the HOA will need to be provided during final approval. Mr. Slagle said they already submitted a narrative as to why they feel their PRD Plan is in compliance and harmonious to the existing neighborhood.

Mr. Slagle said since a modification of the side yard setbacks and spacing between the homes has been requested, some of the sheets in the plans will need to be updated. Mr. Slagle asked that the developer identify all areas of "Pittsburgh" Red Clay Beds; Mr. Shiring said none were found on the property. Mr. Slagle said the zoning types on the adjacent properties need put on Sheet C-200. Mr. Slagle said two sewer spurs are being proposed. He also asked that the details for the utility location for the water and gas be put together, and the sanitary and electric be put together as well. Mr. Shiring said they met with the Authority, and they indicated they are 1,200' away. Mr. Slagle said they need to separate the various utilities. Mr. Slagle said the subsurface condition for prior coal activities show that the overburden is 600'.

Mr. Slagle said all service lines shall be installed prior to any paving or must be bored; no roadway cuts are allowed. Mr. Slagle said their Stormwater Management Plan is currently being reviewed. He also asked that a gabion walkway be used for each detention facility to allow for access during storm events. Mr. Slagle said tabulation regarding the proposed use and utilities need to be added to the plan. He also said a copy of the review letter from the Allegheny County Department of Economic Development needs to be provided; Ms. Rouggie indicated the plans were submitted to them both electronically and sent by hard copy on August 11, 2022 from the Code Enforcement Office. Mr. Slagle said the Allegheny County Conservation

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District/PaDEP approval of the NPDES for earth disturbances in excess of one acre will be needed. Approval of the planning module to connect to the existing public sewer system must be submitted prior to the start of construction.

Mr. Slagle continued with his review letter and summarized Section 500 of the Township Ordinance regarding requirements for Public Streets, Storm Sewers and Drainage Facilities, and the Protection of Trees and Woodlands. He said the fee for the Township's Tree Replacement Fund is estimated to be $167,760.00. Mr. Slagle said a letter needs to be provided from the local fire chief approving the proposed fire hydrant locations; Mr. Curti said he will meet with him. Mr. Slagle said street lights are required in all plans that have over 50 homes; he said since they are only proposing 47 lots, this requirement will be up to the Township to decide if they want them. He said this same requirement applies to sidewalks within the plan. He said all monuments shall be installed at the outside boundary corners of the plan.

Mr. Slagle said according to Chapter 700 of the Township Ordinance, a Recreational Fee of $825/dwelling unit will be required to be paid in lieu of providing recreational facilities. Also, a Traffic Roadway Impact Fee of $1,686/dwelling unit will need to be paid. A Special Stormwater Management Fund in the amount of $16,000 for each Detention Basin will be required to be posted.

Mr. Slagle summarized his review letter by highlighting the comments of what will be required during Final Approval, including the Developer entering into an acceptible Developer's Agreement with the Township, posting all Bonds, and paying all Fees prior to construction.

Mr. Rouggie asked if the mail will be delivered to each home, or if they will have a C.B.U. cluster. Mr. Slagle said he is not sure for SFD's. Mr. Shiring said usually they will not deliver to each individual home anymore; this is a new postal regulation. Mr. Rouggie said if they do have C.B.U. cluster(s), he feels there should be adequate lighting for them. He also said he would like to see a pull off area provided near the C.B.U.'s and near any areas where children will get on/off their school bus. Mr. Taylor said on Sheet C-300 it shows lots encroaching into the buffer area. They need to revise this; nothing is allowed to be in the buffer area. Mr. Taylor said due to a previous Court decision, he thought that PRD's cannot be all SFD's. He thought that more of a "variety" of homes need to be built in PRD's. Solicitor Robb said Mr. Taylor is referring to the Fox Chapel Estates PRD, where the final ruling was that the Court wanted more of a variety of homes in that plan. He said that is not always the case. The homes need to be harmonious to the existing neighborhood. He said Land Use Decisions vary; they could include various types of housing or just different varieties of home-styles. He said it is up to the Courts, if this case is challenged. Mr. Shiring said they could provide townhouses, but the neighbors that live in the area, as well as the Planning Commission Members, have stated in the past that they prefer to have SFD's, since that is what is already in the area. Mr. Rouggie said he thought they were mandated to provide different types of housing in PRD's. Solicitor Robb said no; it varies from development to development, and court case to court case. Mr. Taylor said he feels now is the best time to address this. Mr. Curti said the narrative the developer provided says their proposed homes will be harmonious to the existing neighborhood.

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Mr. Shiring said he agrees; that was what they were told as well. They prefer not to add townhouses or other types of housing units to this plan.

Mr. Miller asked if they agree to change the requested waiver they are requesting to increase the 5' for side yard setbacks to 10', as well as to increase the distance between homes to be 20'. Mr. Shiring said yes. Mr. Taylor asked if there will be street lights in the plan. Commission Members said they do not feel they are necessary throughout the plan, but there should be lighting in the mailbox area. Mr. Taylor asked if there are street lights in the existing Walnut Woods Plan/Bruno Drive area. Dennis DiBon of 339 Blue Run Road, who is also the President of the Walnut Woods HOA, said their HOA requires each home to just have a lamp post. There is no above ground street lights. Mr. Rouggie said all lighting must be "Dark Sky Compliant".

Chairman Rouggie opened the meeting up for Public Comment. Solicitor Robb reminded everyone present of the rules for speaking. They must be residents and/or tax payers in Indiana Township, and each person will be given 5 minutes to speak.

Dennis DiBon said in Walnut Woods, they have mailboxes and the post office delivers mail to each home. Mr. Rouggie said Walnut Woods is an older plan; he said he has heard this has changed with the Post Office and they are only using C.B.U.'s in new developments.

Rich Miller, of 145 Bruno Drive, said he feels the new proposed SFD's are harmonious to the existing homes in the area. He said he feels that the Fox Chapel Estates PRD was "case specific". He said he reviewed the Courts decisions and also the "Findings of Facts and Conclusion" in that case. He asked if the wording in the Township Ordinance could be changed. Solicitor Robb said developers cannot be stopped in presenting their plans, as long as they follow the Township Ordinances. Mr. Miller said as far as the requested waivers that have been requested, they are now agreeing to 10' side yard set backs. He said he feels that they should be 15' - 20' side yards. Mr. Rouggie said he feels that the SFD's are harmonious to the existing area. He said there are no other townhouses in this area, nor does he think they would be a good fit for this area.

Brett Vukmir, of 110 Deer Run Lane, questioned the calculation of having 47 SFD's. She said this count was originally based on the 5' side yard setback and 10' distance between them that was requested as a waiver. She asked if the amount would stay the same. Mr. Shiring said it would; they can still built 47 homes with the new waivers. Ms. Vukmir asked what the lot count would be if they followed the setbacks of a regular "MDR" development. Rich Miller said that would only change the size of the home that would fit on a lot. Mr. Shiring said a home could only be 44' wide at the most, and the home would have to be longer. Rich Miller asked if the Planning Commission can require a certain size of a home. Solicitor Robb said no, as long as they abide by the setbacks. Ms. Vukmir questioned the location of the 25' buffer around the development. Mr. Shiring pointed it out for her.

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Ed Banks of 3697 Saxonburg Boulevard, said if homes had "bump outs", they could end up being only 15' from a neighboring home if both homes had them. He asked if fire retardant materials will be used to construct the homes. Mr. Shiring said they must abide by the International Building Code. Mr. Banks said he would like fire retardant materials used for building the homes. Mr. Curti said not many bay windows are usually installed on the side of a home. He asked that the developers submit pictures of the homes that are being proposed. Mr. Curti said fireplaces are more likely to be on the side of a home, and had concerns if two homes both had fireplaces on the side of their house, they could be very close if they were side by side. Rich Miller asked if the public will be permitted to see pictures of the proposed housing types when submitted. Mr. Curti said yes; they would be public knowledge.

Mr. Rouggie asked what is the next step for the Planning Commission to follow. Mr. Slagle said he feels confident that the items listed in his review letter can be met by the developer. He said they can recommend approval of the plan based on his review letter, or they can "table" or "deny" the plan. A discussion was held about what would be the best thing to do at this point. Mr. Robb pointed out that the developer is only asking for "tentative" approval of the plan at this point. But, he said he feels the Planning Commission has expressed a number of concerns. Mr. Shiring said if items such as fireplace chimneys, the various types of homes that can be built in the plan, etc. are main issues, this could really hold up the development. Mr. Rouggie said he feels there is no resistance to the plan being entirely made up of SFD's. He said he feels there are other details that still need buttoned up before he feels comfortable sending it to the Board of Supervisors. Mr. Robb said that is fine; however, an extension letter will be needed to be submitted by the applicant. Mr. Shiring asked if a Public Hearing can be set for before the next Board of Supervisors' meeting on September 13th. Mr. Curti said it is not possible, due to restraints on timing issues with getting approval from the Board of Supervisors' for advertising the Public Hearing. A brief discussion was held about when would be a good time for the Public Hearing to be held.

Mr. Taylor made a motion, seconded by Ms. Lachina, recommending TABLING the "BLUE RUN DEVELOPMENT PLANNED RESIDENTIAL DEVELOPMENT (PRD) - Tentative Approval" so the Developer can address the outstanding items in the Engineer's review letter dated August 19, 2022. Motion carried unanimously.

OLD BUSINESS

SALDO - UPDATE

Mr. Slagle said the Planning Commission previously received a packet of information regarding edits to the SALDO regarding the Tree Replacement Fee to review, based on a request from Board of Supervisor Jonathan Neumann to simplify the new "Tree Replacement Fee" calculation. Mr. Slagle put together a "Summary Sheet" comparing what is currently in the Ordinance, and what is being proposed by Mr. Neumann. At their last meeting, Planning Commission Members said they were not ready to make a recommendation at that time and wanted to review it further.

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Township Supervisor Jonathan Neumann, of 222 Chatham Lane, described how he feels his calculations are easier and cleaner. Solicitor Robb said this is just a minor change to the existing SALDO and can be changed yearly with the Fee Schedule Resolution, if needed. This way, the SALDO would not have to be totally "re-opened" and the whole process start again. Mr. Banks asked if this fee amount can be adjusted yearly, if needed. Mr. Robb said yes. Mr. Neumann said he would like to commend resident Christopher Capone for helping him in doing the calculations.

A conversation was held regarding the proposed Fee change, and the "pros" and "cons". It was ultimately agreed that there was not much difference in what was proposed by Mr. Neumann and what is currently in the SALDO. Plus, Mr. Neumann's suggestion of a "flat" fee, that could be adjusted yearly, seemed like the best way to proceed rather than changing the actual SALDO itself.

Mr. Taylor made a motion, seconded by Mr. Miller, recommending APPROVAL of the Update to the Conservation and Environmental Fund fee calculation based on the Tree Fee methodology, as proposed by Township Supervisor Jonathan Neumann, with a flat $30.00 fee. Motion carried unanimously.

CORRESPONDENCE

LETTER OF RECOMMENDATION

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 June 22, 2022 regular meeting.

ADJOURNMENT

Ms. Lachina made a motion, seconded by Mr. Miller, to adjourn the August 24, 2022, Planning Commission Regular Meeting. Motion carried unanimously.

The meeting was adjourned at 7:45 p.m.

Jacquelyn A. Rouggie
Recording Secretary

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