# TOWNSHIP OF INDIANA

# PLANNING COMMISSION

**FEBRUARY 23, 2022**

A 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 David Geahry, Lisa Lachina, Patrick Miller, Michael Rouggie, and Daniel Taylor. 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.

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## MEETING MINUTES OF JANUARY 26, 2022

***Mr. Miller made a motion, seconded by Mr. Taylor, to approve the January 26, 2022, reorganization meeting minutes as presented. Motion carried unanimously.***

## DEVELOPMENT PROPOSALS

### BRUSCO - LOT LINE REVISION (SIMPLE SUBDIVISION)

Commission Members were presented with a lot line revision of two adjoining properties of approximately 0.27 acres. The properties are located along Rich Hill Road, approximately 800' feet from its intersection with Cove Run Road. The properties are zoned "MDR" Medium Density Residential.

Mr. Slagle said he spoke with the Applicant's Engineer, Ken Howard with Bankson Engineers, who prepared the plans, right after they were submitted on February 7, 2022. Mr. Slagle said other than just a few minor changes that needed to be made, the plans were good. Mr. Howard made the changes and resubmitted new plans. Mr. Slagle said he prepared a review letter dated February 8, 2022, recommending approval of the proposed lot line revision. Mr. Curti said his office sent a copy of the plans to the Allegheny County Conservation District on February 8, 2022, but has not heard back from them yet. Mr. Slagle said the applicant, Rose Brusco, was requesting a change to the lot lines between her property and her daughter's, Kim Lemaster and her husband, to eliminate an encroachment of a shed and driveway. An exact amount of property, 0.277 acres, is being exchanged between the property owners, and no new building lots are being created with this lot line revision. Mr. Taylor asked if there is any indication that the Lemasters agreed with this switch. Mr. Slagle said there is an area on the recording plan for the Lemasters to sign off on the "signature page" which gets notarized and recorded by the County Department of Real Estate. If the Lemasters did not sign this sheet, the lot line revision could not occur.

***Mr. Taylor made a motion, seconded by Mr. Geahry, recommending the BRUSCO - LOT LINE REVISION (SIMPLE SUBDIVISION) be approved. Motion carried unanimously.***

**THE COURTYARDS AT HIDDEN FALLS - MULTIPLE SUBDIVISION**

Commission Members were once again presented with a plan to combine two parcels, totaling 23.7183 acres, and subdivide the property into 52 single family dwelling units. The parcels are located south of the intersection of Harts Run and Dorseyville Roads, along Dorseyville Road. The properties are zoned "MDR" Medium Density Residential. The Applicant, Brett J. Schultz, Vice President of The Courtyards at Hidden Falls, LP, was present, as well as Matthew Prather, Esquire, with Sebring & Associates, and Michele Van Balen with Piatt Sotheby's Realty.

Mr. Schultz said that he just received the Engineer's latest review letter, dated February 23, 2022, at tonight's meeting. However, he said the Planning Commission had received revised plans in their Meeting Packets prior to tonight's meeting. Mr. Schultz said since the last Planning Commission meeting in January, revisions have been made to this plan. He said the "eyebrow" street has been eliminated and it is now a straight roadway. He said they are still proposing to build 52 units. He said the overall plan has not changed very much from what the Planning Commission was presented with at their January meeting.

Mr. Slagle said he has been working with Mr. Schultz on his revisions. He also gave a brief history of the plan from when it was submitted in 1996 as the Wilmar Plan; he said at that time, it was approved as a PRD. He said Mr. Schultz' plan is not a PRD, but a multi-subdivision plan. Mr. Slagle said by eliminating the "eyebrow" in the road, the radius has been softened to 125'. He said the original Wilmar Plan, which was approved, consisted of 198 lots. Mr. Slagle said he also likes the "through-street" that is being presented instead of a cul-de-sac. He said the entrance has been made wider where the mailbox clusters will be located. He said they have also eliminated the original "island" concept within the plan. Mr. Slagle asked if the Commission Members were happy with them eliminating the "eyebrow" and proposing the 125' radius curve. They said they were. They also said they like the wider, off-street pull off area being proposed. Members agreed they like the new incoming road, Hidden Falls Court, leading to Hidden Falls point. Mr. Schultz showed them where the new "Rock Creek Road" will be. Members said they like this better than a cul-de-sac. Mr. Slagle said he feels it creates a more fluid design, and adds many good features to the plan.

Mr. Slagle reviewed his letter dated February 23, 2022. He said 3 lots appear to have lot widths less than 60', and he asked that the Developer verify all lot widths are in conformance with the 60' variance requirement granted by the Zoning Hearing Board. He said the County name needs corrected to "Allegheny" on Page R.101. Mr. Slagle said a Final Geotechnical Report for the proposed site will be required during the Final Approval process and a Geotechnical Engineer must be on-site during the building process to be sure that the proper measures are taking place.

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Mr. Slagle said letters from all of the applicable utilities need provided stating their ability to service the site without roadway cuts. Mr. Slagle said in the original Wilmar Plan, all utilities were installed except public sewage in the Indiana Township portion. However, the plan was officially approved by the Township back at that time. Mr. Slagle said the existing road system was never formally taken over by the Township. Mr. Schultz said he met with Fox Chapel Water Authority and they indicated they will not have to do any cuts in the roadway. Mr. Curti said when Wilmar Manor was originally approved back in 1996, a Developer's Agreement was executed but confirmed the roads were never formally taken over by the Township. Mr. Slagle asked how they plan to tie into the DCDBA Sewer system. Mr. Schultz showed him on the plan and also presented a letter from DCDBA with their ability to service the plan.

Mr. Slagle continued reviewing his letter and said a tabulation regarding the Proposed Use and Public Utilities need put on the final plans. He also said a review letter from the Allegheny County Department of Economic Development needs to be provided. Mr. Curti said copies of the plan were sent to the County by his office back on January 11, 2022, but they never heard back from them. Their 30 day review period has now passed. Mr. Slagle said approval from the ACCD/PaDEP of the NPDES Permit is needed for earth disturbances in excess of one acre. He said documentation of the proper relocation of the existing wetlands needs provided. Approval of the Planning Module to connect to the existing public sewer system shall be provided prior to starting construction.

Mr. Slagle said a copy of the Highway Occupancy Permit needs provided from Allegheny County for the entrance into the Plan off of Dorseyville Road, which is a County-owned roadway. Mr. Schultz said he is working on finding a copy of the original Permit. If he cannot find it, he said he will re-submit an application to the County. Mr. Slagle said screening needs provided between commercial and residential properties, unless natural and/or physical barriers exist. He summarized the ordinance requirements. As-Built data for all of the existing utilities, including storm sewers to be dedicated to the Township, needs to be provided. Mr. Schultz showed him which sheets of the plan this is shown on. Mr. Slagle said "Road Detail Sheet DET.101" shall be updated regarding the roadway under drain and final overlay. He explained the requirements of the construction of roof collector lines. Mr. Slagle said if the grading or clearing of more than 50% of trees for the purpose of construction is done, the Developer must pay a Tree Reforestation Fee of $300/displaced tree. Mr. Slagle said a tree survey documenting all large diameter trees needs to be provided.

Mr. Slagle said an approval letter from the Fire Chief for the location of all proposed fire hydrants is needed. Fire hydrants shall not be placed further than 500' from each existing structure, and their location needs to be documented on the plans. Mr. Slagle said monuments must be placed as stated in the Ordinance. He said in lieu of providing recreational facilities, the Developer must pay a Recreational Fee of $825.00/dwelling unit. A Traffic Roadway Impact Fee of $1,686/unit must also be paid. The Developer must establish a Special Stormwater Management Fund of $16,000 for each detention basin to cover inspections of the facilities by the

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Township. If material is hauled to or from the site, a roadway bond must be secured. The final plans must be stamped and signed by a qualified professional. Mr. Slagle said it his understanding that the HOA shall own and maintain the open space areas, and will be responsible for the ongoing maintenance of the lawn areas located within the public rights-of-way. Mr. Slagle said the Developer must enter into a Developer's Agreement that is acceptible to the Township Solicitor, and post all required bonds.

Mr. Slagle then reviewed his Preliminary Stormwater Management Plan Review letter dated February 23, 2022. Mr. Slagle said ACCD/PADEP approval of the E&S Control/NPDES Plan is needed. A discussion was held regarding the depth of the pipe being used. Mr. Slagle said a 10' wide compacted gravel access road is shown extending to Rain Garden #2 and to the Detention Basin. He asked that a road also be provided for Rain Garden #1. Mr. Slagle said a fence must be erected around the Detention Facility, but the rain gardens do not need to be fenced in. Mr. Slagle said all storm sewers under the roadways shall be constructed of RCP pipes. All new and existing storm sewer profiles need provided.

Mr. Rouggie asked if Rain Gardens can be provided in lieu of Detention Basins. Mr. Slagle said the Developer must construct things in accordance with Act 167. A discussion was held regarding the use of rain gardens vs. detention basins, and also how they are accessed. Mr. Slagle said the legal transfer of the Fox Chapel Borough easement to Indiana Township is needed if the detention basin is going to be owned, operated, and maintained by Indiana Township. Attorney Prather indicated his research would allow the detention basin easement to be transferred to the Township. Mr. Schultz provided Mr. Slagle with copies of the easement agreement which was reviewed by the Township Solicitor. Mr. Schultz said the ownership is already recorded. Mr. Slagle said a small corner of the property at the entrance road is located in Fox Chapel Borough and was dedicated to the developer of Wilmar Manor. Mr. Slagle asked whether Fox Chapel Borough owns the walking trail leading to the Detention Facility as well. Attorney Prather said back in 1982, the Hofer's dedicated this small easement to Fox Chapel Borough. Mr. Slagle asked if it was ever recorded. Mr. Prather said he believes it is in a deed.

Mr. Taylor asked who is responsible for the existing Detention Facility. Mr. Slagle said he does not trust HOA's being responsible for their maintenance. He said he would rather see them owned by the Township and the Township Public Works Department maintain them. Mr. Curti pointed out the existing Facility is located half in Indiana Township and half in Fox Chapel. He asked who is responsible if a tree falls into the basin, etc. Mr. Curti said he feels the HOA should be held responsible for maintaining it. Mr. Taylor said it is up to the Board of Supervisors who will own and maintain the facility. Mr. Curti said he feels both municipalities should work together to maintain the facility, but doubts that Fox Chapel Borough would assist.

A discussion was held regarding the MS4 Stormwater issues and the requirements that are involved. Mr. Schultz said he thought the $16,000 that is posted for the Detention Basin could be used to defray costs involved with damages. Mr. Slagle said the $16,000 is in favor of the Township. He said more money could be posted

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than just the $16,000, if needed. He said maintenance costs can get very pricey.

Mr. Taylor asked about the properties where the Rain Gardens are located, and how they can prevent anything from being built in them. Mr. Schultz said easements will be put in place, and each Homeowner will be notified.

Mr. Taylor questioned the lighting proposed on each house. He feels a "dark sky compliant" concept would be better, especially because of the close proximity to Beechwood Farms. He thinks the lights should be filtered down and/or turned off during the night hours. Mr. Schultz said lighting can be controlled with programming. Mr. Slagle said motion detectors could also be looked into. Mr. Taylor asked about putting solar power units on the homes. Mr. Schultz said that would be up to the Homeowner. He said he is not opposed to solar power, but he said he does not build homes with solar panels. Mr. Taylor said solar panels are known to be a hazardous waste, and their life expectancy is usually only about 10 years. He said he feels something permitting the use of solar panels should be included in the Developer's Agreement. Mr. Curti said a lot of solar panels are "stand alone", and not put in when a house is originally built. They also need to be constructed in such a way as to not present hazards to first responders who are unaware of their presence. Attorney Prather said a lot of developments do not permit solar panels being installed at all. A discussion was held on different ways to control the use of solar panels. Most agreed that having the verbiage in the HOA's rules is the best way to go about controlling them.

Mr. Geahry asked if the homes will be built on slabs. Mr. Schultz said most of them will be, but some will have basements. Mr. Geahry questioned the price range of the homes. Mr. Schultz said they could vary anywhere from the upper $400's to $700k. He said they offer a broad variety of home styles.

Mr. Curti said he went on an "on-site" tour with Mr. Schultz to a couple of his developments. He said he was impressed with how nicely they were built. Mr. Miller asked if grinder pumps will be used. Mr. Schultz said yes. The Commission discussed the use of grinder pumps.

Mr. Rouggie asked if there were any questions from members of the audience. Jon Neumann of 222 Chatham Lane said he is a Township resident, and also a newly elected member of the Township's Board of Supervisors. He said he currently uses solar power at his home, and he is very happy with his system. He feels the Developer should not restrict residents from having the option to utilize solar panels. Mr. Neumann offered his services to speak to the various fire departments regarding the safety of solar panels and share it with the Commission Members.

***Ms. Lachina made a motion, seconded by Mr. Taylor, recommending TABLING "THE COURTYARDS AT HIDDEN FALLS - MULTIPLE SUBDIVISION" at this time due to the outstanding items that need to be addressed in the Engineer's review letters dated February 23, 2022.***

***Motion carried unanimously.***

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## OLD BUSINESS

### ZONING ORDINANCE UPDATE

Mr. Taylor asked what the current status is regarding making updates to the current Zoning Ordinance. Mr. Slagle said he and Mr. Curti have had meetings to work on the Planned Residential Development (PRD) Section of the Ordinance. Mr. Taylor said he feels changes and updates also need to be made to other sections of the Ordinance as well.

## 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 January 26, 2022 reorganization meeting.

## ADJOURNMENT

***Mr. Geahry made a motion, seconded by Mr. Taylor, to adjourn the February 23, 2022, Planning Commission Regular Meeting. Motion carried unanimously.***

The meeting was adjourned at 7:05 p.m.

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

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