# TOWNSHIP OF INDIANA

# PLANNING COMMISSION

**FEBRUARY 27, 2019**

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, Lisa Lachina, Pat Miller, and Michael Rouggie. David Geahry did not attend. Also in attendance were Code Enforcement Officer Jeffrey S. Curti, Recording Secretary Jacquelyn Rouggie, and Engineer Robert Herring, P.E./Project Manager from Nichols and Slagle Engineering.

APPROVED

## REORGANIZATION MEETING MINUTES OF JANUARY 23, 2019

***Mr. Rouggie made a motion, seconded by Mr. Miller, to approve the January 23, 2019, Reorganization Meeting Minutes as presented. Motion carried unanimously.***

Mr. Ceponis said the applicant for Richmont Estates Planned Residential Development - (PRD) - Final Approval (Phase 1 & 2) asked to be taken off the Agenda for tonight's meeting so they would have more time to address the outstanding items in the Engineer's review letter. They plan to come back at a future meeting.

## DEVELOPMENT PROPOSALS

### REVISED JARG ACRES (ENNIS) PLAN OF LOTS - SIMPLE SUBDIVISION

Commission Members were presented with a subdivision plan consisting of one lot (1.4363 acres) into Lot 2A (0.3693 acres) and Lot 2B (1.0670 acres). The subdivision proposes to create two separate lots for an existing two-family dwelling. The property is located on the eastern side of Middle Road, approximately 1.0 mile south of the intersection with Harts Run Road. The property is zoned "MDR" Medium Density Residential. The applicant and property owner Willis Ashton Ennis was present.

Mr. Ennis said he recently purchased the property adjacent to where he lives. He wants to subdivide it into 2 lots. He said he wants to divide the existing two-family dwelling along a party wall. Mr. Ennis indicated he is pursuing this subdivision so that he can purse upgrading the existing "frame shed" into living quarters which he can rent out. Mr. Curti asked what the structure is that is shown in the rear of the plan. Mr. Ennis said it is a 500 sq. ft. shed. Mr. Ceponis asked if there is a deck. Mr. Ennis said there is, but he would like to raze the existing shed and deck. Mr. Ceponis asked why the plan is referred to as the "Jarg Acres Plan"; Mr. Herring said that was what it was called when it was originally subdivided years ago.

Mr. Herring said the plan submitted tonight is unique. He said the applicant wants to subdivide the property through the existing house and each side of the house will be on a different lot. He said he feels that even if the subdivision would allow for renting and the frame shed, the nature of retrofitting a party wall in an existing structure may lead to other problems.

Mr. Herring reviewed the engineer's letter dated February 18, 2019. He asked if there are any natural/artificial features on the property that may impact the subdivision; Mr. Ennis said no. Mr. Herring requested the right-of-way width of Middle Road be shown on the plan. He also asked that the spelling of "Hiawatha Drive" be corrected and the right-of-way be shown for it as well. Mr. Herring said that the Survey Note #1 on the plan indicates no title search was done by the surveyor; he said all existing and proposed easements must be shown on the plan. Mr. Herring said access easements need provided for both owners or separate driveways must be installed.

Mr. Herring said it needs to be shown whether the utility hookups will be shared or separated for each unit. Mr. Ennis said the house was originally constructed to be a barn in the 1930's but was then converted into a single family home. Mr. Herring said the review letter from the Allegheny County Department of Economic Development needs provided. Mr. Curti said a copy of the application and plans were sent to the County from his office on January 25, 2019, but a response letter has not yet been received. Mr. Herring said the bearing and distance for the eastern property line needs shown and a directional arrow be provided for each bearing.

Mr. Herring said it appears the setbacks shown on the drawing are incorrect. He said one area shows a structure only 2' from the property line. Mr. Curti said there may not have been setbacks back when the structure was originally built; he said he can discuss this with the Township Solicitor. Mr. Herring said the final plans must be sealed and signed by the person qualified to prepare them. He asked if there are any protective covenants running with the land; Mr. Ennis said not that he is aware of. Mr. Herring said the certifications need to be updated as per the Engineer's review letter.

Mr. Herring said the submitted plan appears to indicate that the existing pipe monuments located on the northern property lines are offset from the actual property line. He asked that this be confirmed and they be removed and/or relocated. Mr. Herring said the Sewer Authority shown on the plan is incorrect; it should be "Middle Road #2 Sewer District". Mr. Herring said the note regarding environmental matters as spelled out in the Township's SALDO needs added.

Mr. Herring said the subdivision proposes to subdivide the existing structure along a party wall. He asked them to indicate whether the wall has any openings, doors, etc. He also asked that Mr. Curti confirm that this is in conformance with the

APPROVED

Building Code. Mr. Ennis indicated there was only one opening in the attic that needs to be closed in. Mr. Curti said he will need to inspect the structure.

Mr. Herring said according to the Zoning Ordinance, a two family dwelling is a Permitted Use on a "single lot" containing two dwelling units, each which is totally separated from the other unit, and connected by a party or common wall extending from ground-to-roof. He said this proposed subdivision may not comply with the requirements of the intended use. Mr. Herring suggested Mr. Curti speak to the Township Solicitor regarding this. Mr. Herring also said the minimum lot area in an "MDR Zoning District" is ½ acres. However, Lot 2A is only .37 acres in size. It needs to be increased.

Mr. Herring said he feels there are a lot of items that need to be addressed with legal counsel on this plan. Mr. Rouggie questioned Section 302A regarding the party walls. Mr. Herring said two dwellings are not permitted to be on one lot. Mr. Curti said it appears he is just putting each dwelling on its own lot. Mr. Herring said he recommends the plan be tabled.

***Mr. Rouggie made a motion, seconded by Ms. Lachina, recommending the REVISED JARG ACRES (ENNIS) PLAN OF LOTS - SIMPLE SUBDIVISION be tabled until further information can be clarified by the Township Solicitor, and also to give the Applicant additional time to address the outstanding items in the Engineer's review letter dated February 18, 2019.***

***Motion carried unanimously.***

**COCO-CEDAR RUN PLAN OF LOTS #2 - SIMPLE SUBDIVISION**

Commission Members were presented with a subdivision plan consisting of lot line revisions resulting in Lot 1 (4.2524 acres), Lot 2 (5.4663 acres), Lot 3 (9.1944 acres) and Parcel A (51.1887 acres). The subdivision neither increases nor decreases the number of lots currently in existence. The property is located on the eastern side of Cedar Run Road, approximately 0.2 mile north of the intersection with Church Lane. The property is zoned "AG" Agricultural. The applicants and property owners Steve and Michael Coco were present.

Steve Coco said the properties involved are all owned by family members - himself, his brother, and his parents. They are doing this subdivision to revise lot lines to adjust the property sizes and relocate some of the out buildings to different parcels. Mr. Herring said he spoke with their surveyor today and received updated plans; most of the items in the Engineer's review letter have been addressed.

Mr. Herring reviewed the Engineer's letter dated February 18, 2019. He asked if there were any natural and/or artificial features on the property that could impact the subdivision; Steve Coco said no. Mr. Herring said the review letter from the

APPROVED

Allegheny County Department of Economic Development needs provided. Mr. Curti said a copy of the application and plans were sent to the County from his office on January 30, 2019, but a response letter has not yet been received. Mr. Herring said the "Zoning Information" table needs revised to reflect the correct building setback requirements for the "AG - Agricultural" Zoning District. Mr. Herring said the final plans must be sealed and signed by the person qualified to prepare them. Mr. Herring asked if there are any protective covenants running with the land; Steve Coco said no. Mr. Herring said side lines of lots shall be approximately right angles to streets and suggested the northeastern property line for Lot 2 be revised/adjusted to provide additional distance from the driveway. Steve Coco indicated that this property line is unchanged from the existing configuration, and requested to keep it as-is due to the location of a private well.

Mr. Herring said the remaining items are very minor and can be handled prior to the Board of Supervisors meeting. Mr. Curti agreed.

***Mr. Miller made a motion, seconded by Mr. Rouggie, recommending approval of the COCO-CEDAR RUN PLAN OF LOTS #2 - SIMPLE SUBDIVISION, provided the outstanding items listed in the Engineer's letter dated February 18, 2019, are satisfactorily addressed. The items to be addressed include:***

1. ***Comply with any comments from the Allegheny County Department of Economic Development, upon receipt.***
2. ***Revise the "Zoning Information" table to reflect the correct building setback requirements for the "AG - Agricultural" Zoning District.***
3. ***The final set of plans must be sealed and signed by an engineer, surveyor, or other qualified person who prepared them.***

***Motion carried unanimously.***

**CROWELL LITTLE DEER CREEK PLAN OF LOTS - SIMPLE SUBDIVISION**

Commission Members were presented with a subdivision plan consisting of the consolidation of Parcel No. 957-B-389 (0.6664 acres) and Parcel No. 1084-P-309 (0.9037 acres) into Lot 1 (1.5701 acres). The property is located on the eastern side of Little Deer Creek Road, across the street from the intersection with Crawford Run Road. The property is zoned "VR" Village Residential. The applicants and property owners Dave and Kathy Crowell were present.

Mr. Geahry asked if they were combining the two properties to expand their existing business. Mr. Curti said Elwood's Pub is located on Lot 1 and is in a "VR - Village Residential" Zoning District. He said it is permitted here as a Conditional Use. Mr. Herring asked why they want to combine the lots. Mr. Crowell said to increase the front parking area to allow for better access to the entrance of the pub. Mr. Curti said by removing the lot line between the two parcels it will help avoid any setback

APPROVED

issues in the future if they wish to expand.

Mr. Herring reviewed the Engineer's letter dated February 20, 2019. He said a larger scale location map needs provided to show the additional roadways near the subdivision. He asked if there were any natural and/or artificial features on the property that could impact the subdivision; Mr. Crowell said no. Mr. Herring asked them to provide a 50' right-of-way (25' centerline) for portions of the property that abut Little Deer Creek Road, which is a state owned roadway. Mr. Herring said this is not a requirement, but a request. Mr. Crowell said he is fine with providing this.

Mr. Herring said the locations of all existing and proposed monuments need shown on the plan. He said the location of the driveway needs put on the plan. Mr. Herring said the location of all existing and proposed utilities also need to be put on the plan. He said it appears there are two separate sanitary sewer lines near Little Deer Creek. Mr. Crowell agreed there are. Mr. Curti explained one was an old one that is no longer used; he said the other is a newer one that was installed and is active. Mr. Herring asked that the location of the FEMA Zone A Floodplain and Floodway be shown on the plans in accordance with the FIRM map. He noted there are no structures located within this floodplain.

Mr. Herring said the review letter from the Allegheny County Department of Economic Development needs provided. Mr. Curti said a copy of the application and plans were sent to the County from his office on February 13, 2019, but a response letter has not yet been received. Mr. Herring asked that the distance for bearing N29°50' 10" E be confirmed. Mr. Herring asked that the building setback lines be shown on the plan. He said the final set of plans must be sealed and signed by the qualified person that prepared them. He asked if there were any protective covenants running with the land; Mr. Crowell said no.

Mr. Herring said the property owner's address needs to be revised to reflect the correct address on the plan. Mr. Herring said the location of the transition point between bearing/distance and arc for the right-of-way along the eastern border needs provided. He said the area table needs revised so that the existing area equals the proposed area (68,399 sq. ft.). Mr. Herring said the tabulation needs put on the plan showing the Proposed Use and the names of the utilities that service the property need to be added. The note from the Township's SALDO regarding environmental matters, wetlands, etc. needs to be added.

Mr. Herring asked what the use is of the existing "Brick and Block Building" and an unnamed building on Parcel 1084-P-303; he said only one principal structure can be located on a parcel. Mrs. Crowell said it is a vacant cottage and a garage. Mr. Curti said the cottage is not occupied; they use it for extra storage. Mr. Herring asked that they have their surveyor check the rear property corner near the adjacent Norkevicus Plan of Lots to make sure there are no differences.

APPROVED

Mr. Curti asked Mr. Herring if he felt it would be difficult for the Crowell's to address these issues in time for the March Board of Supervisor's meeting. Mr. Herring said he felt most of the issues are minor in nature and could be easily addressed. Mr. Herring recommended approval of the plan to the Planning Commission.

***Mr. Rouggie made a motion, seconded by Ms. Lachina, recommending approval of the CROWELL LITTLE DEER CREEK PLAN OF LOTS - SIMPLE SUBDIVISION, provided the outstanding items listed in the Engineer's letter dated February 18, 2019, are satisfactorily addressed. The items to be addressed include:***

1. ***Provide a larger scale location map to show the additional roadways near the subdivision.***
2. ***Provide a 50' right-of-way (25' centerline) for portions of th e property that abuts Little Deer Creek Road (SR1015).***
3. ***Provide the location of the existing driveway on the plan.***
4. ***Provide the location of all existing and proposed utilities on the plan.***
5. ***Provide the location of the FEMA Zone A Floodplain and Floodway on the plans in accordance with the FIRM map.***
6. ***Comply with any comments from the Allegheny County Department of Economic Development, upon receipt. (Sent by Township Code Enforcement Office on February 13, 2019)***
7. ***Confirm the distance for bearing N29° 50' 10"E.***
8. ***The final set of plans must be sealed and signed by an engineer, surveyor, or other qualified person who prepared them.***
9. ***Revise the recording certifications in accordance with the Engineer's comments.***
10. ***Revise the owners' address on the plan to be "163 Little Deer Creek Road, P. O. Box 79, Rural Ridge, PA 15075".***
11. ***Provide the location of the transition point between bearing/distance and arc for right-of-way along the eastern border.***
12. ***Revise the area table so that the existing area equals the proposed area (i.e., 68,399 sq. ft.)***
13. ***Provide the tabulation on the plan regarding the Proposed Use and add the names of the utilities that service the properties.***
14. ***Provide the note about the environmental matters, wetlands, etc. as defined in Section 1266.03 (F) of the Township's SALDO.***
15. ***Have the surveyor check the rear property corner near the Norkevicus Plan of Lots to make sure there are no differences.***

***Motion carried unanimously.***

APPROVED

**HORVITZ PLAN NO. 2 - SUBDIVISION**

Commission Members were presented with a subdivision plan consisting of the subdivision of Lot 38 (7.05 acres) and Lot 169 (20.56 acres) into Lot 1 (3.0055 acres), Lot 2 (6.3979 acres), Lot 3 (3.0019 acres) and Lot 4 (15.2092 acres). The property is located on the southern side of Church Lane, approximately 0.3 miles north of the intersection with Saxonburg Blvd. The property is zoned "AG" Agricultural. Brian Almeter from Fahringer, McCarty, Grey, Inc. was present to represent the applicants and property owners Morris and Adriane Horvitz.

Mr. Almeter said the two properties currently have a home on each lot. He said the property is zoned Agricultural. He said they originally planned to subdivide both lots into four lots, but since receiving the Engineer's review letter, decided to revise the plan to only have three lots due to the Township's standards on private streets. Lot 1 would have the new home, Lot 2 would have the older farm house, and Lot 3 will be a vacant parcel. He said they plan to combine Lots 2 and 4 on the originally submitted plans into one lot. By doing this, they will maintain the existing shared driveway in lieu of upgrading to a private street, as required by the Township's SALDO. Mr. Herring said he ONLY heard of the change this morning, prior to tonight's meeting. Mr. Almeter showed Commission Members a copy of the newly revised 3-lot subdivision.

Mr. Herring reviewed the Engineer's letter dated February 18, 2019. He asked if there are any natural and/or artificial features that may impact this subdivision. He asked that the existing facilities be shown on the plan as per the aerial photograph the Engineer provided. Mr. Almeter showed improvements that were made near the shed and said he added them to the new plan. Mr. Herring asked if the applicant would be willing to provide a 50' right-of-way (25' from centerline) for portions of property that abut Church Lane. He noted this is only a request of the applicant, not a requirement. He said the location of Church Lane needs shown on the plan, as well as the private street right-of-way for Ridgehaven Lane (private road) which abuts Lot 3. Mr. Herring said it appears Lot 3 may infringe onto Ridgehaven Lane. Mr. Almeter said this is now fixed on the new plans.

Mr. Herring said the locations of all existing and proposed easements on the plan need to be shown; Mr. Almeter said they are on the new, revised plan. Mr. Herring said the General Note #2 regarding the surveyor never being provided with a title report needs removed. He asked what the purpose of the existing easement marked "United States of America Drainage Easement" is. Mr. Almeter said it was used as a drainage easement many years ago for the old NIKE site.

Mr. Herring said sanitary sewer service shall be extended to Lot 2. He asked they differentiate between the existing and proposed sanitary sewer easements. Mr. Almeter said DCDBA provided them with this. Mr. Curti said somebody needs to extend the sewer in the future and will make it much cleaner. Mr. Curti said the

APPROVED

sanitary sewer does not extend across the full face of the property; it is just an easement. He asked if the new house is tied in. Mr. Almeter said it is; it is currently on a privately owned line. Mr. Herring said it shows on the Utility Table that the sewage is public; Mr. Almeter said it is. Mr. Herring said the new Lot 3 cannot get public sewage unless it is extended. Mr. Curti said it is a 500' extension to get to Lot 3. Mr. Herring asked if DCDBA will require the owner to extend the sewer across the full face of the property. Mr. Almeter indicated he will coordinate this with DCDBA.

Mr. Herring said the review letter from the Allegheny County Department of Economic Development needs provided. Mr. Curti said a copy of the application and plans were sent to the County from his office on February 13, 2019, but a response letter has not yet been received. He said the final set of plans must be sealed and signed by the qualified person that prepared them. He asked if there were any protective covenants running with the land; Mr. Almeter said no.

Mr. Herring said the (first) submitted plan indicates that the existing survey monuments located near bearing N65°50' 42"W are offset from the actual property line. He asked they confirm this understanding and remove/relocate the erroneous pipe monuments from the plan and in the field. Mr. Herring asked if they plan to remove them or keep them. Mr. Almeter said they plan to keep them to show the historical ones and the new ones. Mr. Herring said the “Tabulation of Areas” table needs revised to indicate equal acreage between the existing and proposed lot configuration. Mr. Herring said the Proposed Use and Utility table needs put on the plan, and letters from all public utilities as to their ability to service the lots needs provided. Mr. Herring said specifically the sewer service. Mr. Curti asked if the home located on Lot 2 has public water. Mr. Herring said it does. Mr. Herring said the note from the Township’s SALDO regarding environmental matters, wetlands, etc. needs to be added.

Mr. Herring said he talked to Mr. Almeter prior to the meeting tonight. He said two houses can share a driveway. He said this is why they changed the subdivision to only be 3 lots instead of 4. Therefore, Chapter 1268.03B - Private Streets as referenced in the Engineer’s letter no longer pertains to the plan and was not reviewed at the Planning Commission meeting by Mr. Herring. Mr. Curti said the original Lot 3 had frontage on Church Lane to use for access. He said he felt the 4 lot subdivision would have worked. He said there are less than 5 lots so a public street would not be required. Mr. Herring said they would not have had to have a public roadway, but they still would have to meet Township Standards for a private street. Mr. Herring asked if it was confirmed with PennDOT that Lot 3 has viable access. Mr. Almeter said yes. Mr. Herring asked if it can meet the required site distance. Mr. Curti said Church Lane is straight in that area, and could easily meet PennDOT’s requirements.

APPROVED

Mr. Herring said a 100' buffer spacing needs provided between the AG Zoning District and any adjacent conflicting districts. He said it also must be screened in accordance to the SALDO's requirements. Mr. Herring said the AG zoned property is surrounded by "VR - Village Residential" properties. Mr. Herring said the property was zoned "AG" during the Zoning Map Change because of the Horvitz' intent to have horses. Mr. Curti said he will discuss the buffer situation with the Township Solicitor. Mr. Curti said Lot 3 would not be an issue if they do not have horses if a home is built there. Mr. Almeter agreed.

Mr. Herring said the property has an existing fence which would be located on (former) Lots 1, 2, and 4. It needs to be indicated who the final the owner of the fence will be or the fence must be removed. It cannot run across separate lots. Mr Almeter said if the lots are sold, the fence would be removed at that time.

Mr. Rouggie questioned the sanitary sewer easement and whether it is limited to the one property. Mr. Herring said it would be allowed to be extended to the other lots. Mr. Rouggie asked if the easement would be covered; Mr. Herring said it would. Mr. Ceponis asked if this will affect the two existing homes. Mr. Almeter said no; they both have public sewage through DCDBA. Mr. Herring said this will need to be verified by DCDBA and also added to the plan. He would like the sewer service extended to the full extent of the plan. Mr. Almeter said DCDBA already owns the easement. Mr. Curti said they need to meet with DCDBA regarding the extension of the easement; it is up to them if they want it exteded. However, Mr. Curti said he feels the easement should be extended to Lot 2.

Martin Matisz of 207 Church Lane asked if they can further subdivide the property since it is in a "AG" zoning district. Mr. Curti said the minimum lot size in an "AG" zone is 3 acres so they would need to meet that restriction. Ed Banks of 3697 Saxonburg Boulevard also asked if they could subdivide further. Mr. Curti said yes; it they meet the Ordinance requirements.

Mr. Herring said due to the buffer issue, sewer service questions, and now changing from a 4 lot subdivision to a 3 lot subdivision, the application should be tabled.

***Mr. Rouggie made a motion, seconded by Mr. Miller, recommending the HORVITZ PLAN NO. 2 - SUBDIVISION be tabled until the newly revised three lot subdivision can be reviewed, and also due to the large number of outstanding items in the Engineer's letter dated February 18, 2019.***

***Motion carried unanimously.***

APPROVED

## 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 23, 2019 regular meeting.

### PLANNING COMMISSION ANNUAL REPORT (2018)

Each Commission Member received a copy of the Planning Commission's Annual Report for 2018.

## ADJOURNMENT

***Ms. Lachina made a motion, seconded by Mr. Rouggie, to adjourn the February 27, 2019, Planning Commission Regular Meeting. Motion carried unanimously.***

The meeting was adjourned at 7:17 p.m.

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

APPROVED