TOWNSHIP OF INDIANA

PLANNING COMMISSION

JUNE 22, 2022

The regular meeting of the Indiana Township Planning Commission was called to order at 6:15 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.

APPROVED

MEETING MINUTES OF MAY 25, 2022

Mr. Taylor made a motion, seconded by Mr. Geahry, to approve the May 25, 2022, regular meeting minutes as presented. Motion carried unanimously.

DEVELOPMENT PROPOSALS

FOX CHAPEL ESTATES - PLANNED RESIDENTIAL DEVELOPMENT (PRD) - Tentative Approval

Commission Members were presented with 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. Steven Victor, of Victor-Wetzel Associates, was present, as well as Attorney Don Graham of Dillon McCandless King Coulter and Graham L.L.P., to represent the Applicant, Fox Chapel Estates, LP.

Mr. Victor presented Commission Members and members of the audience with printouts of a Power Point presentation that he had planned to show visually; however, he could not due to technical difficulties. Mr. Victor said since the last Planning Commission Meeting, the Applicant recently decided to rename the plan the “Indiana Trails Planned Residential Development (PRD)”. He then reviewed the copies of the slides. He said at the entrance area, the road was 27' wide, but it has been reduced to 24' wide to allow for a pull-off area for 4 parking spaces on each side of the roadway. He said the sidewalks have now been extended down to Dorseyville Road. He said another C.B.U. (mailbox cluster) has been added; one to service the condominium residents and another for the people residing in the townhouses along Darcey Court. He said they planned to have an Emergency Access out of the plan between Lots #4 and #5, over to the adjacent access road leading to the Fox Chapel Authority Water Tower, but found out it was on private

property. He said the Emergency Access is now on their own property between Lots #6 & #7. He stressed this roadway is to be used in the event of an emergency only.

Mr. Victor said at their first presentation, they were not yet sure how the Garden Style Building was going to be used, but they have decided it is going to be upscale condominiums and not rental units. He also said that the "MDR" zoning district allows for duplexes as well, if they would wish to do those. Mr. Victor said presenting the plan as a PRD, there is less impact on land disturbance and more open space. Mr. Victor read their updated "Plan Narrative". He said no modifications to the Township's Ordinances are being requested. He said there will be a swimming pool, various recreational facilities, etc. within the development.

Mr. Victor showed an architectural rendering of the latest plan for the condominium building. He said it will be a 3-story building and will have an underground garage. He explained the materials, color tones, and stone foundation of what they were planning to use. He said a Fitness and Community Area is being proposed where the "bump-out" area is shown. It can be used by all residents of the plan, not just those residing in the condo. Mr. Victor said plenty of parking area is being provided near this area. Mr. Taylor asked how much area is being left as open space, not counting the 3 Detention Basins. Mr. Victor said 11.4 acres, which exceeds the Township's requirements. Mr. Taylor asked if they considered adding space for the younger children living in the development, such as a playground area. Mr. Victor said this type of development does not normally attract families with younger children, but he said space could be added for a play area if requested by the Township. Mr. Victor said the sidewalks provide walking areas in lieu of trails. Mr. Taylor asked if lighting is proposed for the C.B.U.'s. Mr. Victor said they will be located under a shelter. Mr. Taylor asked if the developer spoke with the school district about having school busses enter into the plan. Mr. Victor said they have not; he said it is the school's decision. Mr. Taylor suggested school busses could enter into the plan for younger aged children, and older children could catch their school bus at the entrance to the plan on Dorseyville Road.

Mr. Slagle said this plan was re-submitted on June 8, 2022, and a review letter was prepared dated June 14, 2022. He said some of the items listed in his letter were taken care of during "tentative" approval, and the others will be addressed during "final" approval.

Mr. Slagle reviewed his letter dated June 14, 2022. He said sight distance triangle easements for both the proposed entrance and access road to detention Basin No. 3 need provided. Mr. Victor said these will be part of the final plans. Mr. Slagle said they will need a Highway Occupancy Permit from the State. Mr. Slagle questioned how the management structure/ownership for the proposed Condominium-complex will be configured. He said the HOA needs to have protective covenants that include restrictions of development on the grass strips located between driveways. Mr. Victor said the actual condo units will be sold but the land underneath them will not. A discussion was held regarding the fee structures of the units, and how they will be investments rather than rental units.

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Mr. Slagle continued reviewing his letter. He asked if the Township heard anything back from the Allegheny County Department of Economic Development. Mr. Curti said plans were sent to them via mail and electronically from his office back on May 13, 2022, but they have not received any comments. He said this has been typical with large developments. Mr. Slagle said they need to discuss the fire hydrant locations with the local Fire Chief. Mr. Curti said he will work with them too. Mr. Slagle said all of the street lights need to be "Dark Sky Compliant". The various fees that will need to be paid by the Developer were discussed. He also said the Developer will be required to enter into a Developer's Agreement with the Township and post all Bonds.

Mr. Taylor asked what the dimension of the condo building will be. Mr. Victor said approximately 65' x 200'. He said he just received plans from the architect, but he said 9 of the proposed units will be 2 bedrooms with 1 ½ bathrooms. Mr. Taylor asked how they plan to keep outsiders from using the Emergency Access Road. Mr. Victor said it could be chained, fenced, or gated; they can do whatever the Township prefers. Mr. Curti said he would like it to be a locking gate and keys could be provided to all of the EMS providers. Mr. Rouggie questioned the lighting within the plan; Mr. Victor showed him the lighting sheet in the plans and explained them.

Mr. Curti noted that the emergency access near the Fox Chapel Water Authority is now off of the plans. He said he did talk to the property owner that owned the private land that provides an easement to the Water Tower. Mr. Curti said he noticed townhouses #13 a, b, and c are not shown as being offset. Mr. Victor said he is not sure why they aren't but will be sure they have 2' offsets. Mr. Curti asked what the price point of the units are going to be. Mr. Victor said this is something he still needs to find out from the builder. Mr. Taylor said three styles of townhouses are being proposed. He asked how many will be of each type. Mr. Victor said they plan to have 17 of the Wexford style, 18 of the Thornwood style, and 35 of the Carolina style. Mr. Curti said the Emergency Access between Lots #6 and #7 should be incorporated with the ones on Lots #5 and #6. He said it would make it easier to use and also provide better site distance onto Fox Chapel Road. Mr. Victor said if they did this, the proposed Recreation Area would need to be moved. He also said he would need to check into the steepness of the grade of the roadway.

Chairman Rouggie said Public Comments will now be accepted. He said each person has five minutes to speak, and they must be residents or property owners of Indiana Township. Solicitor Robb said the next step will be for the Planning Commission to make a recommendation to the Board of Supervisors, and a Public Hearing will be held prior to any formal action being taken. He asked that the audience address the Planning Commission members only, not the Developer. Mr. Robb said it is the roll of the Commission to review all comments and to be sure the development is in compliance with the Township's Codes. He said the Planning Commission can recommend approval or denial of the plan to the Board of Supervisors. He said when the Public Hearing is held, residents can express their concerns to the Board of Supervisors at that time.

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Matt Gouwens of 54 Ridgeland Drive, asked about geotechnical features. He said he had concerns regarding drainage and how his property will be affected from the Development.

Emily Gouwens of 54 Ridgeland Drive, said she feels that PRD's are just a scheme developers use to jam as many homes into an area as possible. She read the definition of a PRD from the Township's Ordinance. She feels this is why they are not submitting the plan as a multi-subdivision. She said she has also studied the Township's Comprehensive Plan. She said she does not feel the plan is harmonious to the area. Ms. Gouwens said the residents do not want the development to be built. She said the Township is making weak attempts at not just saying "NO" to the development being built. She said even though the Planning Commission is just a recommending body, they are the first important step when a development is proposed. She said the Township needs to ensure that the rules are followed. She said the plan now being proposed is even worse than the one this developer proposed in this area years ago. She feels a PRD should not be allowed.

Gregg Schaffer of 100 Indian Drive, said he lives across the street. He said he does not feel the plan is compatible to traffic; he said commercial traffic is already starting to use the residential roadways. He asked what will prevent someone from buying a condo, then renting it out to someone else. He also said he feels the Emergency Exit will be broken into and used by people anyways.

Nadia Weidner of 231 Highview Avenue, said she does not feel the residents' questions are being answered. She asked how they can guarantee what type of people will purchase the homes; she said she feels families will. She expressed concerns regarding increased traffic, and she does not feel the development would be good for the area. She added she felt the newly constructed nearby Harmony Senior Home is an eyesore. She said developers are destroying the forests and ecosystems.

Solicitor Robb reminded everyone that the Township did not request the Developer to propose this. He said it is the Township's job to ensure that the Developer follows all of the Ordinances.

Doug Golubic of 1941 Fox Chapel Road, said he is concerned with the speed limit being followed on Fox Chapel Road. He said people drive too fast in the area now. He said he is also concerned with the sight distances when entering the roadway, and how the increased traffic will affect it. He said his driveway is located on a dangerous bend on the roadway.

Hardie Burgan of 107 Valley Lane, said he also owns 111 Valley Lane, which is vacant land. He said he is a Volunteer Fireman with the Dorseyville VFD. He asked if a Traffic Study is being done. He also said Fairview Elementary School is already overloaded with children. He said he feels the developer is just looking at the best way to make the most money.

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Ben Rathfon of 2022 Olivetre Drive, said he lives in the newly built Richmont Estates Development. He said his new home already has a lot of issues and he said there are a lot of problems in the development he lives in, including issues with the sidewalks, trees, etc. He said a walking trail was promised but never put in. He said the developer and builder of his plan is the same one as Indiana Trails. Mr. Rathfon asked about all of the Code Issues and asked if Mr. Curti is the Code Enforcement Officer. Mr. Curti said he is. Mr. Rathfon said a lot of his neighbors are finding problems in their homes, including electrical issues, the builder changing things that were originally proposed, etc.

Dawn Wang of 4040 Park Place, said she cares about the school systems. She said she likes growth but feels communities should be built to be harmonious to the area where they are located. She said she previously lived in a development that had a condo unit and it was rental dependant. She also asked about sewage issues and if a lift station is required. She said these issues were never addressed. She also said clear cutting land creates run off issues. She said she just would like the developer to follow the zoning laws.

Joe Bursick of 1955 Fox Chapel Road, said he used to live in Aspinwall and moved to Indiana Township to stay in the Fox Chapel School District. He said 100 new dwelling units will attract families. He said he does not feel the development is harmonious to the Township. He also asked about the other large vacant fields in the area, and said he is concerned that more developers will come in and want to develop them as well.

Elaine Root of 114 Rawlins Run Road, asked if the Zoning of the parcels are “MDR” or “PRD”. Mr. Robb explained that the plan is a PRD (Planned Residential Development) located in an “MDR - Medium Density Residential” Zoning District. Ms. Root expressed concerns with increased noise, traffic, etc. She said she did not care for the presentation made by the developer’s representative. She said she feels he’s just another “shyster” trying to make money. Mr. Robb asked Ms. Root to be respectful to the developer.

Donna Ludwig of 32 Oak Knoll Drive, said at the last meeting, the developer said they had not decided on a builder. She asked how the plan can be considered to be following the Township’s Comprehensive Plan when price points are not being given for the homes. She is also concerned with how the school district will benefit from the Development and said she feels the Developer should be required to meet with the School Board Members. She also said the Traffic Studies, Geographical Studies, etc. are old and should be updated.

Jonathan Spatz of 436 Church Lane, said he feels the Planning Commission can do a better job than they have been doing. He said he has been recruiting people throughout the Township for something. Mr. Spatz said the Estates of Rural Ridge Development is located in an “MDR” zoning district. Mr. Curti corrected him and said it is in a “VR - Village Residential” zoning district but it is also a PRD. Mr. Spatz said he feels the proposed development could be less dense.

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Steve Funk of 1900 Fox Chapel Road, said he has concerns with traffic also, especially at the intersection of Highview and Fox Chapel Roads. He said with the recent economy going down, he feels people may not be able to afford to buy these new homes. He is concerned they will just end up as rental homes.

Kyle Rusche of 22 Oak Knoll Drive, said he agrees the development is not harmonious to the area, and feels it just does not make sense to have this level of development. He said he feels the lot sizes should be larger. He said he is not against development, but he is in favor of Single Family Dwellings being built. He said there are a lot of slopes and hills on the property.

Stephen Miloser, of 837 Dorseyville Road, said his mother Laverne Miloser owns 1913 Fox Chapel Road, where the easement for the water tank is located. He expressed concerns about the Emergency Access Road, and asked who will maintain it. Mr. Curti said the road will be opened up only if needed in the case of an emergency. Mr. Curti explained to Mr. Miloser that his mother's property is no longer part of the Emergency Access Road.

Linda Massarelli of 5 Pine Creek Drive, said she has concerns about the intersection of Fox Chapel and Dorseyville Roads. She said the Police never patrol the area. She said the road is very dangerous in the wintertime. She said even though there is a stop sign at the intersection, people do not bother to stop. She said the Township will not take care of the problem. She said if the property known as the "Flaccus Property" at this intersection is developed, it will become a mess. She also said she feels the idea of building townhouses and condos will cause the area to become "trashy".

Lucy Klimko of 9 Pine Creek Drive, said a stop sign is needed at Oak Knoll Drive and Fox Chapel Roads; she said she has been asking the Township for one for years. She said 20 years ago, a study was done and it was warranted that one was needed. She said the police officers never patrol the area; they are all hanging out at the nearby "Jack's Service Station". She said the wildlife habitat in the fields are being destroyed. She said she knows where Ms. Lachina lives but cannot afford to live in a secluded area like she does. Ms. Klimko asked about the trees being replaced and how diseases are going to be controlled. She said the supposed "green space" is unusable; it is all slopes. She said the Township is being ruined and is going to become a community like Penn Hills.

Solicitor Robb asked Mr. Victor if he had any comments he wished to make. Mr. Victor said no. Mr. Robb clarified that the Planning Commission Members are not elected officials; they are volunteers. Mr. Taylor said as for speeding and stop sign concerns, residents need to speak to the Board of Supervisors. There is nothing the Planning Commission can do. He said he got Ms. Gouwens letter and said he appreciates her voicing her concerns. However, he pointed out that the Zoning of the property did not change; it is still zoned "MDR - Medium Density Residential". Mr. Taylor said if a plan is denied, it must clearly be stated why it does not meet the criteria of the Township's Ordinances. He said the Township cannot just deny a Development because "people do not like it". The other Planning Commission

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Members said they agree with Mr. Taylor. Mr. Rouggie said he understands peoples' concerns; he said he is a Township resident too. Township resident Ms. Gouwens stood and started to speak again; Chairman Rouggie reminded her that the Public Comment period is now closed. He said rules need to be followed. Mr. Geahry said he feels they will follow through with what is required and meet the criteria. Mr. Slagle pointed out that the developer requested no waivers from the Township's requirements. Mr. Taylor said he would still like to see a play area added for the children. Mr. Slagle said his review letter covers all of the technical issues that need to be addressed.

Mr. Rouggie and the rest of the Commission Members discussed the options they need to consider when making a motion.

Mr. Geahry made a motion recommending APPROVING the "INDIANA TRAILS PLANNED RESIDENTIAL DEVELOPMENT (PRD) - Tentative Approval" with the condition that the outstanding items in the Engineer's review letter dated June 14, 2022 are addressed. The Planning Commission would also like the Developer to consider installing a playground for children, add an extra mailbox Cluster Box Unit (C.B.U.) for the Townhouses, and make all lighting "Dark Sky Compliant".

Mr. Curti asked Mr. Victor to check into the slope to Detention Basin #3 for grading purposes in exploring an alternate access. Mr. Curti also asked that the offset of Lot #13 a, b, and c be changed to have 2' offsets.

Mr. Taylor seconded Mr. Geahry's motion also recommending that the Board of Supervisors advertise for a Public Hearing to be held prior to the next Board of Supervisor's Regular Meeting, in accordance with the Township's Zoning Ordinance for PRD's.

Ms. Lachina said she has reservations in not knowing what the price points of the homes are going to be. Mr. Taylor asked if the School District needs to be notified. Mr. Robb said the Board of Supervisors cannot deny a plan because of concerns that the School District may have.

Mr. Geahry, Mr. Taylor, Mr. Rouggie, and Mr. Miller voted "YES". Ms. Lachina voted "NO". The motion to recommend approval of the plan carried with a "4 to 1" vote.

OLD BUSINESS

SALDO UPDATE

Mr. Slagle said at the last Board of Supervisor's meeting, Board Supervisor Jonathan Neumann presented a new "Tree Replacement Fee" calculation for Section 500 of the Township's SALDO to be made regarding the payment amount. Mr. Slagle said he put together a "Summary Sheet" comparing what is currently in the Ordinance, and what is being proposed by Mr. Neumann. Planning Commission Members were given copies of these items for consideration, as requested by the Board of Supervisors, for their comment. Mr. Slagle reviewed both

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scenarios, and said basically, in the end, the amount of the "Tree Replacement Fee" would be the same.

Mr. Slagle asked the Planning Commission Members to look through the two options, and make a recommendation to the Board of Supervisors. Mr. Rouggie said this was already discussed when the last amendment to the SALDO was made. Mr. Slagle said the idea was brought up again at the last Board Meeting. Mr. Slagle suggested the Planning Commission review the information that was presented to them, then make a formal recommendation to the Board of Supervisor's at their next meeting. Commission Members agreed to do so; they said they were unprepared to make a recommendation at this point.

ADJOURNMENT

Mr. Geahry made a motion, seconded by Mr. Taylor, to adjourn the June 22, 2022, Planning Commission Regular Meeting. Motion carried unanimously.

The meeting was adjourned at 8:17 p.m.

Jacquelyn A. Rouggie
Recording Secretary

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