TOWNSHIP OF INDIANA

PLANNING COMMISSION

JANUARY 26, 2022

A reorganization meeting of the Indiana Township Planning Commission was called to order at 6:00 p.m. by Senior Member Patrick Miller with the Pledge of Allegiance. The meeting was recorded on audio cassette.

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

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REORGANIZATION

Mr. Miller made a motion, seconded by Mr. Taylor, to re-appoint Michael Rouggie as Chairman for 2022, and turned the gavel over to him. Motion carried unanimously.

Mr. Miller made a motion, seconded by Mr. Geahry, to appoint Daniel Taylor as Vice Chairman. Motion carried unanimously.

Mr. Geahry made a motion, seconded by Mr. Taylor, to appoint Pat Miller as Board Secretary. Motion carried unanimously.

Mr. Miller made a motion, seconded by Mr. Taylor, to re-appoint Jacquelyn Rouggie as Recording Secretary. Motion carried unanimously.

MONTHLY MEETING DATES

Mr. Taylor made a motion, seconded by Mr. Geahry, that monthly meeting dates remain the same: the fourth Wednesday of each month at 6:00 pm, with the exception of the November meeting, which will be held on November 16th due to the Thanksgiving Holiday, and the December meeting, which will be held on December 21st due to the Christmas Holiday. Motion carried unanimously.

MEETING MINUTES OF SEPTEMBER 22, 2021

Mr. Taylor made a motion, seconded by Mr. Geahry, to approve the September 21, 2021, regular meeting minutes as presented. Motion carried unanimously.

DEVELOPMENT PROPOSALS

THE COURTYARDS AT HIDDEN FALLS - MULTIPLE SUBDIVISION

Commission Members were presented with a plan to combine three parcels, totaling 24.1 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. The properties are zoned “MDR” Medium Density Residential. The Applicant, Brett J. Schultz, Vice President of 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 back in 1996, these properties were going to be developed into Wilmar Manor, which consisted of 130 multi-units, townhouses, etc. He said the roadways were put in; however, no homes were ever built in Indiana Township. He said there was an issue with the Developer getting public sewage from Fox Chapel Borough at that time. He said the development was seen by the Indiana Township Zoning Hearing Board on September 15, 2021, and waivers were requested. The following waivers were granted by the Zoning Hearing Board: Reduction of the front yard setback from 30' to 20', and reduction of the side yard setbacks from 20' to 12.5', with chimney encroachments. Mr. Schultz said they are proposing to build 52 single family dwellings. He said some will be slabs on grade and some will have basements. The approximate lot size ranges from 7,300 - 15,000 sq.ft. He said the homes will be serviced by Fox Chapel Water Authority and Deer Creek Drainage Basin Authority. Mr. Miller asked what the price point will be. Mr. Schultz said most will be in the upper $400's, but some may range up to $700,000. Mr. Schultz said they also plan to create an HOA; he said there was no HOA in the existing plan for years for the adjacent homes that were built in Fox Chapel Borough. Mr. Miller asked if the existing residents living there will be included in the new HOA; Mr. Schultz said he would like them to be a part of it. This way, the grass, open space, snow removal, etc. would all be done by one entity in both plans.

Mr. Curti asked if the roadways will be public. Mr. Schultz said they will, and he plans to bring them up to Township Roadway Standards. Mr. Geahry asked how many detention basins are being proposed. Mr. Schultz said there will be one large basin, which was already constructed back in 1996; it will be cleaned out and brought back to good working condition.

Mr. Schultz explained that his company, Weaver Homes, develops the property, builds the homes, and also sells them; they do not use any outside builders. He said once the development is complete, the open spaces are turned over to the HOA. He said the HOA will have some slight restrictions, i.e. permissible paint colors in the plan, etc. He said they currently are constructing a site named Mill Creek in Middlesex Township, which is very similar to this one. He said they are contemplating building a Community Garden in the Open Space.

Mr. Slagle said Mr. Schultz, Mr. Curti, and himself have had several advisory meetings regarding this multi-subdivision. He said they submitted their plans to the Township and himself on January 13th. He said the original “Wilmar Manor” plan was a Planned Residential Development (PRD), and it was comprised of 198 apartments and townhouses. The Developer received approval of the PRD by the Township back then. However, only the portion in Fox Chapel Borough was actually built. He said four years ago, a company called “The Waters” presented a plan for these properties. However, the Developer changed their mind and withdrew their

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plans. He said the plan that the Courtyards at Hidden Falls is proposing is 1/4 of the density of the original Wilmar Manor plan.

Mr. Slagle reviewed his letter dated January 24, 2022. He said the Site Information Table shown on the plan needs updated to remove the PRD section. He said originally he thought that Parcel ID #437-D-50 appeared that it will become landlocked as a result of this plan. However, since that time the Developer found there is an Easement Agreement for this parcel with the Hofer family, and they will be keeping it. Mr. Slagle said a copy of the tentative purchase agreements for the site needs to be provided by the Developer. He continued that a Geotechnical Engineer must be on-site during development and a Final Report will need submitted. Mr. Slagle said letters from all applicable utilities regarding their ability to service the plan need submitted.

Mr. Slagle said a Stormwater Management Plan, along with access driveways to the facilities, needs to be provided. Mr. Slagle said the existing ones need to be brought up to compliance. He also said they plan to build rain gardens. He said the Township does not take over rain gardens. Mr. Rouggie asked if the rain gardens are separate from the detention basins. Mr. Schultz said they are. Mr. Taylor asked if the facilities will be fenced. Mr. Slagle said yes. Mr. Schultz said they prefer not to fence in the rain gardens. However, he said he is willing to fence in the detention basin. Mr. Rouggie asked if the detention basins are located in Fox Chapel or Indiana. Mr. Schultz said the large basin is located in both municipalities. He said the smaller ones are only in Indiana Township. Attorney Prather said since the basin was built back in 1996 as part of Wilmar Manor, he felt technically Fox Chapel Borough should service it. He said both rain gardens will be located in Indiana Township. He said due to the terrain in the area, they cannot make them bigger and into a detention basin instead of rain gardens. Mr. Curti said the inlet on the existing large detention basin is located in Indiana Township; however, he said the outlet is in Fox Chapel Borough. He questioned who is responsible for the basin. Mr. Slagle suggested the Developer get something in writing from Fox Chapel Borough that they plan to take over this basin. Mr. Schultz said it is already in Fox Chapel's name. Mr. Slagle said gabion walkways need provided for access during storm events.

Mr. Slagle continued with his review letter. He said tabulation needs added regarding the proposed use of the property and which utilities are going to service it. He said a review letter from the Allegheny County Department of Economic Development needs provided. Ms. Rouggie said the plans were sent to the ACDED on January 11, 2022, via mail and email. Mr. Slagle said if there is more than one acre of earth disturbance, approval of the NPDES Permit is needed from the ACCD/PaDEP. He said a planning module approving connection to the public sewer system needs provided. Mr. Slagle said a Highway Occupancy Permit needs provided from Allegheny County for Dorseyville Road, since it is a County owned roadway. He does not think one was ever obtained for the Wilmar Manor plan. Mr. Slagle reviewed the section of the SALDO regarding screening between commercial/industrial areas and residential areas. However, he said planted barriers are not needed if natural and/or man made barriers exist. He said this area

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is already heavily wooded and he does not feel additional screening will be needed.

Mr. Slagle said all road names need to be added to the plan. He said the maximum grade for new roadways that are 25' from an intersection is 3%. He said the grade at each end of the spur of the proposed Rock Creek Road needs to be softened. Mr. Slagle said the minimum horizontal curve radius is 200' for a through street. He suggested the Developer request a waiver for a cul-de-sac road standard of 125' based on creating a secondary access for Rock Creek road. He said the Hidden Falls Point roadway approaching the cul-de-sac has a horizontal curve radius exceeding 200' as well, and needs to be softened. He also asked that a 25' buffer area be provided between the cul-de-sac and Indiana Township's border with Fox Chapel Borough. Mr. Schultz asked if the buffer can be in the right-of-way. Mr. Slagle said this is something they can work out later. Mr. Slagle said the Road Detail Sheet needs to be updated to state the roadway under drain shall be on both sides for new roads and a 2" final overlay needs placed over all roadways. Mr. Slagle said reinforced concrete pipes shall be used under the paved portion of all streets. He also described how all roof collector lines must be constructed and tested.

Mr. Slagle said even though 75% of the land has already been stripped, a Tree Survey needs to be done. Also, the Developer needs to pay $300/displaced tree for all large diameter trees that are removed. Mr. Slagle said an approval letter from the local Fire Chief needs provided approving the fire hydrant locations. Fire hydrants shall not be placed more than 500' from each proposed structure.

Mr. Slagle said street lights MAY be required along all new public roadways based on plans with housing densities in excess of 50 lots. He said the Planning Commission needs to make a recommendation to the Board of Supervisors whether they feel street lights should be provided. Mr. Slagle pointed out that by requiring street lights, it could create glare on the existing homes. Mr. Taylor said glare could also be placed on the adjacent Beechwood Farms property. Mr. Schultz said he can discuss this with Beechwood Farms. Concrete monuments shall be installed at all outside boundary corners and wherever else required by the Township's Ordinance.

Mr. Slagle said that in lieu of providing recreational facilities, the Developer will be required to pay the Township Recreational Fee of $825.00/unit. Mr. Slagle said the Developer said he proposed to plant a garden at the end of the roadway, which could be used for public or private use. A Traffic Impact Fee of $1,686.00/dwelling unit must also be paid by the Developer. The Developer is also required to contribute $16,000/basin for the Special Purpose Stormwater Management Fund.

A Township/State/County roadway bond must be posted if material is hauled to or from the site. Mr. Slagle asked if there are any protective covenants running with the land. Mr. Schultz said not that he is aware of; his Attorney Prather confirmed there are none. Mr. Slagle said a signature and seal on the final plan is needed. Mr. Slagle said it is his understanding that the HOA shall own and maintain the open space areas. He said they will also be responsible for the on-going maintenance

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of the lawn areas located within the public rights-of-way. Mr. Slagle said by having sidewalks on both sides of the roadways, a strip of land will be created that must be cut by the HOA. Mr. Slagle said the Developer must enter into a Developer's Agreement with the Township, as approved by the Township Solicitor, and post all bonds and pay all applicable fees.

Mr. Slagle said this is the first submittal to the Planning Commission of this Development, and he feels there are still a lot of items that need taken care of. He suggested the Planning Commission table the plan until its February meeting. Mr. Rouggie questioned mail delivery in the Development. Mr. Schultz said there is an "island" near the entrance to the plan that could be used for the mailbox clusters, and he showed the location on the plan. Mr. Schultz said he believes they deliver mail to the existing homes that are in Fox Chapel Borough instead of requiring mailbox clusters, as they do now. Mr. Taylor said he does not feel this is a fair practice of the postal service. Mr. Taylor said there is a Stormwater Management fee of $16,000/basin that is required to be posted for the maintenance of each Detention Basin. He asked if there is a Fee that must be posted if rain gardens are used instead. Mr. Slagle said this could be worked out with the Developer. Mr. Rouggie said he feels rain gardens are just an accessory use instead of being Detention Basins. Mr. Slagle said the Developer will have to provide reports on how the rain gardens are working out. A discussion was held regarding the use of Detention Basins vs. rain gardens, how they work, and how they are monitored by the DEP. They also discussed who will be required to maintain each type.

Mr. Taylor asked about the wetlands that were found on the land. Mr. Schultz they plan to keep them where they are and protect them the best they can. Mr. Slagle said back in 1996, when Wilmar Manor was first built, there were no wetlands. However, over the years and with the property being vacant, the wetlands were actually created by the Hofer's, who own the land, with the activities being done on the land. Mr. Slagle said now there are some small, 8' diameter wetlands. He said he feels the DEP will work with them on the ones that were created. Mr. Schultz said they received drawings from the County Conservation District for ideas on how they can be utilized.

Chairman Rouggie asked if there were any comments from the audience members. Jon Neumann, of 222 Chatham Lane, asked what will be planted in the garden that the Developer plans to create. Mr. Schultz said it could be used for a variety of things, such as flowers, various plants, vegetables, etc. Mr. Schultz said there will be four or six beds. He said they will be fenced in. Mr. Taylor asked what type of fence will be used. Mr. Schultz said they are thinking of using some type of fencing that is about 6' high. Jonathan Spatz, of 436 Church Lane, asked what wattage of power is going to be supplied to each unit. Mr. Schultz said probably 200 amps; he said this will be determined by Duquesne Light. Mr. Spatz asked if certain provisions have been looked into for solar panels. Mr. Schultz said this will be up to each individual home owner. Chuck Rice, a resident of O'Hara Township, said he toured another facility being built by Weaver Homes and he said he was very impressed with it. It is located in Middlesex Township. He said personally, he and his wife are looking into "downsizing" and are in favor of the types of developments

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that Weaver Homes is proposing. He said he feels more of these types of plans are needed in the area.

Mr. Taylor made a motion, seconded by Mr. Geahry, recommending TABLING "THE COURTYARDS AT HIDDEN FALLS - MULTIPLE SUBDIVISION" at this time due to the large amount of items that need to be addressed in the Engineer's review dated January 24, 2022.

Motion carried unanimously.

OLD BUSINESS

SALDO Update

Mr. Slagle said a lot of revisions have been made to the proposed "AMENDED" version of the Township's current SALDO (Ordinance #391). He said one area that needs further discussion is possible changes to "Section 500.06h - Protection of Trees and Woodlands". He read portions of this section. Mr. Slagle stated that Mr. Taylor submitted an email to him, Mr. Curti, and Commission Members with his comments and suggestions for changes to this section. Mr. Rouggie asked if this section pertains to PRD's only. Mr. Slagle said no; it pertains to any development. Mr. Taylor said he recommends that one tree be replaced for every 1/3 of an acre of property.

Mr. Slagle said previously, when the "Foxlane at Hartwood PRD" was presented, he did some re-thinking of this section of the current SALDO. He said this land was extremely dense with trees. He said all proposed plans differ; some are densely populated with trees, some are minimal, and some are basically like a field or meadow with no trees. He feels all of these circumstances should be taken into consideration. Mr. Rouggie said he agreed; the terrain in the Township varies greatly in tree density. He said he feels there is no "one size fits all" way to calculate the number of trees to be replaced or planted.

Mr. Slagle reviewed the numbers of tree replacement as it currently is stated in the SALDO. He said developers will be encouraged to properly timber their properties. Mr. Slagle said the Township recently upgraded its "Timbering Ordinance". He said after logging any property, anyone wishing to develop it must wait five (5) years. However, he indicated that the Township's Solicitor said any proposed fee must be reasonable with its allowances to property owners and developers.

Mr. Slagle suggested to use the calculations in the current SALDO, and divide the number in the tree survey by 10, which he feels would be reasonable for all types of land. Mr. Rouggie asked what happens if the land to be developed has no trees at all. Mr. Slagle said the proposed calculations would require the developer to plant 3 trees per lot or 3 trees per 1/4 acre for PRD's with one common parcel. Mr. Curti said with Mr. Slagle's current calculations, it would result in 12 trees/acre to be in place. Mr. Taylor suggested a maximum dollar figure could be set for the price of the Tree Replacement Fund. Mr. Slagle said there can be big differences between the terrain of different parcels. He said the main idea is that all developers be treated equally when calculating tree replacements and plantings. Mr. Slagle

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also added that after a plan is approved, there is no way to control the trees being kept or removed by the new owner.

Chris Capone of 3606 Windsor Court, questioned the calculations that were done for the previously proposed Foxlane plan, and whether a wrong approach is being considered. He suggested a number be selected, whether the land is a meadow, somewhat wooded, or extremely wooded. Mr. Rouggie asked how this could be decided. Mr. Taylor questioned how a court would look at this idea; he said it appears that when a plan gets challenged in court, the court seems to lean towards helping out the developer. A discussion was held regarding the various options involved when calculating tree replacement and costs. Mr. Curti said he feels the proposed calculation would be a good solution for all of the various developments proposed.

Mr. Taylor suggested the Audubon Society could be contacted to get an idea of different tree species and what their values are. Mr. Curti said he was advised by the Township Solicitor that a value should not be put on a specific tree species.

Mr. Slagle said calculations could be made now, then if it seemed to not be working, they could always be adjusted in the future if needed. Mr. Taylor said perhaps the Fee portion could be adjusted annually in the Township's Fee Schedule Resolution. Mr. Slagle and the Planning Commission Members were not opposed to this idea.

Mr. Capone said in the Hartwood Meadows Phases IV/V plan, he felt significant changes could have been done. Mr. Capone also questioned who decides where the money that is received from the Tree Replacement Fund is used. A discussion was held regarding various ideas and possible uses. Jon Neumann, of 222 Chatham Lane, said people love their trees. He said he feels a mechanism needs to be in place to protect them. Mr. Rouggie said sometimes the removal and/or addition of trees can be a major factor for a developer when deciding where to build and the costs that may be involved. Mr. Neumann said he is a newly elected Township Supervisor, and he would be willing to meet with the Township Solicitor to discuss these various items with him. Mr. Slagle said discussions have already been held with the Township Solicitors and what impacts tree replacement could be involved, as well as ways to avoid the Township's decisions being challenged in Court. Mr. Slagle said he likes the idea of the Fee Structure being able to be adjusted each year, if needed. Mr. Slagle said he also like the idea of the calculations being based on acreage for PRD's. Mr. Neumann said the Borough of Fox Chapel is VERY stringent on trees, and their removal and replacement. He suggested that Fox Chapel's Ordinance be reviewed and possibly considered.

Mr. Taylor made a motion, seconded by Mr. Miller, recommending approval of the final "AMENDED" version of the Township's Subdivision and Land Development Ordinance (SALDO), which incorporated comments from the Planning Commission Members, Solicitor, Engineer, Code Enforcement Officer, and Township residents. Motion carried unanimously.

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The Planning Commission requests that the Board of Supervisors review the final draft SALDO and Construction Standards, make any revisions, and advertise the SALDO for a public hearing to be held for any further public comments.

CORRESPONDENCE

2021 PLANNING COMMISSION ANNUAL REPORT

Each Commission Member received a copy of the Planning Commission's Annual Report for 2021.

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 September 22, 2021 regular meeting.

ADJOURNMENT

Mr. Geahry made a motion, seconded by Mr. Miller, to adjourn the January 26, 2022, Planning Commission Reorganization Meeting. Motion carried unanimously.

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

Jacquelyn A. Rouggie
Recording Secretary

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