TOWNSHIP OF INDIANA

PLANNING COMMISSION

FEBRUARY 28, 2024

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

Mr. Rouggie welcomed the new Planning Commission Members: Peter Blume from District #1 (Dorseyville) and Preston Moore from District #3 (Rural Ridge).

The roll was called and Planning Commission Members present were Peter Blume, Preston Moore , Michael Rouggie, and Daniel Taylor. Also in attendance were Code Enforcement Officer Jeffrey S. Curti, Township Engineer Daniel Slagle from Nichols & Slagle Engineering, and Solicitor Gavin Robb from Tucker Arensberg.

Mr. Rouggie said since there is no Recording Secretary present, that anyone wishing to speak clearly state their name and addresses.

Mr. Rouggie turned the gavel over to Solicitor Robb.

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REORGANIZATION

Mr. Taylor made a motion, seconded by Mr. Blume, to re-appoint Michael Rouggie as Chairman for 2024. Motion carried unanimously.

Solicitor Robb said only nominations, not motions, are needed for appointing the positions on the Board. The gavel was turned back over to Mr. Rouggie.

Mr. Rouggie nominated Daniel Taylor to remain Vice Chairman for 2024; there were no other nominations for Vice Chairman. Mr. Taylor nominated Peter Blume to serve as the Board Secretary; there were no other nominations for Board Secretary. Mr. Rouggie made a nomination to re-appoint Jacquelyn Rouggie as Recording Secretary for 2024; there were no other nominations for Recording Secretary. All nominations carried.

MONTHLY MEETING DATES

Mr. Taylor made a motion, seconded by Mr. Moore, that monthly meeting dates shall 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 20th due to the Thanksgiving Holiday, and the December meeting, which will be held on December 18th due to the Christmas Holiday. Motion carried unanimously.

MEETING MINUTES OF SEPTEMBER 27, 2023

Mr. Taylor said on Page 1, in the 1st paragraph, under the "Lhota Plan of Lots", the word "put" should be removed, and the sentence should state: "..which utilities would be on the property."

Mr. Taylor said on Page 2, under "Old Business", Item #2 in the 2nd paragraph, the word "rational" needs to have an "e" added to change the word to "rationale".

Mr. Taylor made a motion, seconded by Mr. Moore, to approve the September 27, 2023, regular meeting minutes as amended. Motion carried unanimously.

DEVELOPMENT PROPOSALS

ALLISON LOT LINE REVISION PLAN - MINOR SUBDIVISION

Commission Members were presented with a plan to eliminate Parcel 722-H-249, so that the house located at 3550 Saxonburg Blvd. can be consolidated with Parcel 722-M-385 to become part of the existing farm. They also propose to re-subdivide a 1.21 acre lot from Parcel 722-M-385, which includes an existing house located at 3540 Saxonburg Blvd. The parcels are located along Saxonburg Blvd., approximately 0.3 miles northeast of the entrance to Hartwood Acres and approximately 0.8 miles southwest of the Saxonburg Blvd. intersection with Dorseyville Road. The properties are zoned "AG" Agricultural. Applicant and owner of the properties, David Allison, was present.

Mr. Allison gave a history of his family's farm land, how it was previously subdivided, and how portions of the land were donated or sold off over the years. He said the acreage remaining is just under 30 acres and contains a main Farmhouse and a smaller house. He said there is currently one house on each lot. He said he is not proposing to change any of the existing total acreage of the two parcels, but to just adjust the property lines for each of the houses. He said no demographics of the land will be changed; he is basically just reconfiguring the lot lines of the two parcels.

Mr. Slagle said the plans were originally submitted to the Township on January 15, 2024. Mr. Curti and Mr. Allison said they feel that this is a simple lot line adjustment since the total acreage of the two parcels is not being changed. Mr. Slagle said in an "AG" Zoning District, the minimum lot size of a parcel is 3 acres. He feels this is not a simple lot line adjustment since they are essentially creating a new lot which does not meet the minimum lot size required in this Zoning District as set by the Township Zoning Ordinance. Mr. Slagle said he reviewed the plans and submitted a review letter summarizing Mr. Allison's request, dated February 14, 2024. He said since that time, revised plans were submitted. The survey date was added and he said a digital copy of the plans need to be provided in AutoCAD format after the Plan is approved. Mr. Slagle said because the one lot is less than the 3 acre minimum, he feels that Zoning Hearing Board approval is needed, but stated this is up to the Planning Commission to decide. Mr. Blume asked if a "waiver" can just be given by the Board of Supervisors; Mr. Slagle said no, since it involves zoning. Mr. Slagle said the easiest option is to move the lot line to create a 3 acre lot, as required by Ordinance. However, Mr. Slagle said Mr. Allison doesn't wish to do this.

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Mr. Slagle said there are several options that the Planning Commission could consider: they could pass the plan on to the Board of Supervisors to review, have the applicant go to the Zoning Hearing Board to request approval and then resubmit the Plan back to Planning Commission, or recommend approval of the plan, conditioned upon a favorable ruling by the Township's Zoning Hearing Board, permitting the less than three (3) acre minimum lot size.

The Planning Commission Members discussed the various options. Mr. Curti pointed out that no new, third lot is being created. Mr. Taylor asked if the properties are located in the "Agricultural Security Area", which could complicate things. Mr. Allison said they are not. Mr. Allison said he just wants to keep his property as a true, operating farm.

Mr. Robb suggested the Planning Commission consider taking the third option; he said he also spoke with Mr. Allison's attorney. Mr. Robb said that technically, this is a subdivision and they must comply with the Township's Zoning Ordinance. He said only the Zoning Hearing Board can approve waiving the three acre minimum lot size in an "Agricultural" Zoning District. He said if this approach is taken, the plan would not have to come back to the Planning Commission if the Zoning Hearing Board grants a favorable approval of the variance on the minimum lot size. Commission Members once again discussed their options. Mr. Allison said when the Township changed the Zoning Map years ago, he asked to remain Agricultural, but he never asked for the Township to change the minimum lot size to be 3 acres.

Mr. Taylor made a motion, seconded by Mr. Blume, recommending APPROVAL of the "ALLISON LOT LINE REVISION PLAN - MINOR SUBDIVISION" conditioned upon a favorable ruling from the Township's Zoning Hearing Board regarding granting a waiver of the minimum lot size of three (3) acres in an "Agricultural" Zoning District for the one parcel, and that any outstanding items in the Engineer's Letter dated February 14, 2024 be addressed. Motion carried unanimously.

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RICHMONT ESTATES 2nd AMENDMENT - MINOR SUBDIVISION

Commission Members were presented with a plan to take land from Lots #130 & #131 and add it to the open space (722-L-337) for the purpose of separating the stormwater pond area from the residential lots. The Richmont Estates Subdivision is located off of Rich Hill Road, approximately 0.4 miles north of the intersection with Jacoby Road. It is located in an "MDR" Medium Density Residential Zoning District. Mark Schmidt from Hampton Technical Associates was present to represent the Applicant - Richmont Estates Homeowners Association (Frank Zokaites).

Mr. Schmidt said he feels there was an oversight during the Design of the Richmont Estates Plan, and a small area of the stormwater pond encroached onto Lots #130 & #131 within the Plan. He said the owners of these properties indicated they did not wish to own land located within the stormwater pond area, and asked for a lot line revision.

Travis Kilpatrick of 2020 Olivetre Drive (Lot #131), said when the lot was sold to him, he purchased a much bigger parcel of property. He said he contacted the Developer many times, and they went back and forth on how to resolve this issue. He said he has concerns for paying taxes on a larger lot than what he thought he purchased, which ended up being part of the detention basin area.

John Zeiner, Jr. of 2018 Olivetre Drive (Lot #130), said he agreed with Mr. Kilpatrick. He said he did not realize that the detention pond was on their properties because it was not shown on the plans when they purchased their lots. However, when the fencing was put up around the Detention property, it become evident that it is encroaching onto land they owned. Mr. Zeiner said that 1/3 of what they thought were their properties would be taken over by the Detention pond. He said they spoke with the Developer but were unable to come up with a reasonable solution. He also said that he and Mr. Kilpatrick paid a lot more for their lots than other property owners in the Plan because they thought they were getting larger lots.

Mr. Schmidt said he was totally unaware of this situation until recently, and he asked that the Planning Commission "table" the submittal until he can research it further, and also meet with Mr. Kilpatrick and Mr. Zeiner. Mr. Slagle and the Planning Commission Members agreed that this sounds like a reasonable request to the situation by having Mr. Schmidt look into the issue, and meeting with the Developer and the property owners to address their concerns. Mr. Rouggie asked if there was any Public Comment; nobody asked to speak.

Mr. Taylor made a motion, seconded by Mr. Moore, to TABLE the "RICHMONT ESTATES 2nd AMENDMENT - MINOR SUBDIVISION" based on the request of the representative for the Applicant. Motion carried unanimously.

OLD BUSINESS

REVISIONS TO THE PRD SECTION OF THE TOWNSHIP'S ZONING ORDINANCE #368

Mr. Slagle presented Planning Commission Members with a document he put together entitled "Indiana Township Zoning Ordinance - Planned Residential Development - Current Development Summary". He said one of the main reasons he assembled this was for the benefit of the two new Planning Commission Members, giving them a history of the Original Zoning Ordinance No. 123, which was adopted back on June 24, 1972, and summarizing things that have happened with the Ordinance over the years, from its original adoption to present day. He explained that the concept of "Planned Residential Developments" (PRD's) has been in place for many years. He said in the Pennsylvania Municipalities Planning Code (Pa MPC) there is a definition for PRD's and why they are used. Mr. Slagle said PRD's are especially needed in the State of PA, due to the topography, irregular land, streams, steep slopes, etc. He said the intent of a PRD is to help properties to be developed and to provide for allowable density on land that is difficult to build on.

Mr. Slagle said PRD's have always been a part of the Indiana Township's Zoning Ordinance. He reviewed the history of the PRD section of the Township's Zoning Ordinance from its inception until current time. Mr. Slagle put together graphs and

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tables for comparisons in each Zoning District where they are permitted. He said PRD's are NOT permitted in properties zoned Agricultural ("AG"), Trailer Residential ("TR"), or Village Residential ("VR") as a "Permitted Use", nor are they allowed in any Zoning District as a "Conditional Use" or "Special Exception" according to the Table in the Township's Zoning Ordinance.

Mr. Slagle said in accordance with the MPC, there is no restriction on a permissible lot size for a PRD; however, in Indiana Township, a property has to be at least 10 acres in size to be considered for a PRD to be developed. Mr. Slagle said PRD's create more open space and wooded areas for residents to enjoy. He said they also provide more flexibility as to how land can be developed. He said the PRD concept is also in sync with the current Comprehensive Plan for Indiana Township, which was adopted in 2011. He said according to the Comprehensive Plan over a 20 year period, approximately 715 residential units are projected to be built. He presented a list of the Developments that have been built over the years. He said since 2017, five new Developments have been approved by the Board of Supervisors. Mr. Slagle asked Mr. Curti how many Building Permits have been issued since that time; Mr. Curti said at least 181. Mr. Slagle said this is less than the projection of development that was predicted in the Comprehensive Plan. Mr. Slagle included in his presentation excerpts from the Comprehensive Plan. He also put together a "Cost/Benefits Analysis" as an example of a proposed 100 unit development. He said according to his "example", the Township would see a Net Asset of approximately $680/unit/year.

Mr. Slagle said the latest proposed revisions to the PRD Section 400 of the Township Ordinance have been given to the Planning Commission in their Meeting Packets. A discussion was held amongst the Planning Commission Members, the Engineer, the Solicitor, and the Code Enforcement Officer regarding the current Ordinance, and the proposed revisions that have been made. Mr. Blume said he would like more time to review all of the documentation, and to take into consideration the various discussions that were held, prior to making any recommendations. Mr. Taylor said he had previously submitted comments regarding the proposed changes, and asked that they be shared with the new Members. Talk continued regarding the benefits of Multiple Subdivisions vs. PRD's, and what impact they would have on the environment and community. Mr. Slagle said the sooner a transition is made into a new, revised Ordinance, the better. Commission Members agreed they would like more time to review everything that has been submitted to them.

Chairman Rouggie opened the Meeting up for Public Comment. Mr. Robb said each resident will be given five (5) minutes to speak about their concerns, ideas, etc.

Jonathan Neumann of 222 Chatham Lane, welcomed the two new Members. He said he is a resident of the Township, as well as the Township Supervisor for District #5 - Fairview. He said his constituents have told him they would like PRD's removed from the District #5 Voting District. He summarized the information he has submitted proving this and asked the Members to take this into consideration.

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Emily Gouwens of 54 Ridgeland Drive, said that PRD's are an "option" and do not have to be permitted in the Township. She said a Petition was previously submitted with over 400 signatures against allowing PRD's. She had concerns regarding open space, and what is considered to be part of it. She asked the Members to look into neighboring Municipalities and review what they allow. She also expressed concerns about properties located in the Counties' "Allegheny Places" and said Conservation Areas should also be considered. Ms. Gouwens expressed concerns about the reduction of trees and asked that the price points of homes and their types be taken into consideration.

Jonathan Spatz of 436 Church Lane, said he did his own comparison of home types, prices, and the impact they have on property taxes for both the School District and the Township.

Nettie Owens of 109 Bruno Drive, said that PRD's are not wanted by the residents. She said the audience members have been through hours of attending meetings and having conversations about the proposed update to the PRD section of the Ordinance. She suggested the new Planning Commission Members take the time to familiarize themselves with what the residents' concerns were. She expressed concerns about updating the Township's Comprehensive Plan and why it is not on the Agenda for discussion. Mr. Blume said he has spent a lot of time familiarizing himself with previous discussions, as well as reviewing materials and reviewing handouts that were available.

Chris Capone of 3606 Windsor Court, asked that the surrounding municipalities and what they allow in their Ordinances regarding Subdivisions be looked into by the Members. He also expressed concerns regarding what is permitted to be in "Open Space" areas. He used the Plan he lives in (Hartwood Meadows), as an example.

Earl Lynch of 880 Dorseyville Road, asked if he could have a copy of the document that Mr. Slagle handed out tonight. Mr. Slagle said it has not yet been put out for review by the general public. Mr. Lynch asked about the density of homes in multi-subdivisions vs. PRD plans. He said he agrees that the PRD Section should be updated and adopted as soon as possible. Then, they can put their efforts into other things, such as updating the Township's Comprehensive Plan. Mr. Lynch thanked the Planning Commission Members, the Engineer, the Solicitor, and all of those involved for their time and efforts they have put into updating the Ordinance, and considering all of the residents' input.

Mr. Rouggie asked if anyone else wished to speak. Nobody responded and the Public Comment period was ended.

Mr. Rouggie suggested that all Members review the outlines, objectives, comments, etc. be considered prior to making any formal recommendation to the Board. Mr. Slagle said he agreed. He said he feels the document that they have put together so far is much better than what is currently in the Ordinance. They all agreed that the sooner an updated document is put into place, the better. However, they want to take everything into consideration. Mr. Slagle agreed he feels they are getting

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close to finalizing a completed document, and would also like to give the new Members time to review everything and submit their comments for consideration before the Commission takes any formal action.

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 September 27, 2023 regular meeting.

ADJOURNMENT

Mr. Taylor made a motion, seconded by Mr. Blume, to adjourn the February 28, 2024, Planning Commission Reorganization Meeting. Motion carried unanimously.

The meeting was adjourned at 7:38 p.m.

Jacquelyn A. Rouggie
Recording Secretary

APPROVED