

## MINUTES OF MEETING OF TOWNSHIP OF PINE BOARD OF SUPERVISORS

Monday, November 16, 2015

Pine Community Center

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Mr. Michael J. Dennehy, Chair, called this meeting of the Township of Pine Board of Supervisors to order at 6:30 p.m.

Members in attendance were: Michael J. Dennehy, Chair; Phil Henry, Vice-Chair; Pat D. Avolio, and Frank J. Spagnolo. Also in attendance were: Gary Gushard, Tucker Arensberg, P.C., Solicitor; Amy Pampiks, Administrative Operations & Human Resources Manager; Jan Kowalski, Financial Administrator & Business Tax Collector; Larry Kurpakus, Director of Land Development and Code Enforcement; Joni Patsko, Director of Parks and Recreation; Tony Barbarino, Director of Public Works; Tim Flaherty, Fire Marshal; Robert Firek, Lennon Smith Souleret Engineering; Chief T. Robert Amann, Northern Regional Police Department; Mike Hanson, Planning Commission Chair; and Diane Illis, Northern Tier Library Board.

There were 15 visitors present.

### CORRESPONDENCE

Mrs. Pampiks reported there is no additional correspondence.

### PUBLIC COMMENT

There were no requests to address the Board of Supervisors at this time.

### COMMITTEES

#### Parks and Recreation Commission

Ms. Patsko reported that Holiday Dazzle was a great success with over 1400 in attendance. Ms. Patsko thanked Friends of Pine Parks, volunteers, and staff for a job well done!

The Board of Supervisors expressed their appreciation to Ms. Patsko and all involved in making Holiday Dazzle a wonderful and successful event.

#### Friends of Pine Community Parks

### INTERGOVERNMENTAL AGENCIES

#### Northern Tier Regional Library

Ms. Illis reported on 2 months of circulation statistics since she could not make last month's meeting. She added that the library won third place in the Pine Community Center's Halloween Pumpkin Contest and they have high hopes for their *Alice in Wonderland* themed tree in this years "Vote for Your Favorite Tree" contest.

Ms. Illis stated that the library enjoyed participating in the Holiday Dazzle event this year. Two of the library pages came in costume as Anna and Elsa from *Frozen*.

The library's annual fundraiser is just getting started. There are eight Christmas trees and a number of holiday baskets to raffle off, as well as several items autographed by Neil Walker up for auction.

North Hills COG

Mr. Spagnolo stated that the main topics at the meeting were MS4, negotiations with telephone and cable companies, and salt supplies for the coming year.

Pine-Richland School District

Mr. Henry acknowledged many academic and athletic accolades for the school district. He added that Pine-Richland School District is required to submit their Comprehensive Plan by November 30, 2015. This plan officially addresses the timeline of July 1, 2016 through June 30, 2019.

PUBLIC SAFETY

Joint Police Board

Chief Amann had nothing to add to his written report.

Fire Marshal

Mr. Flaherty had nothing to add to his written report.

Wexford Volunteer Fire Company

Mr. Voll highlighted the written report for the Wexford Volunteer Fire Company stating there were 35 fire calls for the month of October and 360 calls since January. He stated that current number of calls for 2015 is more than all calls received for 2014.

REPORT OF THE SOLICITOR

Mr. Gushard reported that the Township of Pine and Wexford Volunteer Fire Company financial support and administrative agreement was sent to WVFC for review. This item is on the agenda for action later this evening. The agreement will not be executed until action is taken by the Board along with a formal vote of the WVFC and both sign the agreement.

COMMUNITY DEVELOPMENT UPDATE

*Developments before the Planning Commission*

Sunset Ridge P.R.D.

Mr. Kurpakus reported that Riviera Land Partners, L.P. is proposing a 47 lot Planned Residential Development (PRD) on a 54.5 acre parcel located along Pearce Mill Road. Access to the development will be from a single township road connection to Pearce Mill Road. A pedestrian trail connection is proposed to link to the existing pedestrian trail to Pinecrest Estates. The plan proposes ½ acre minimum single family detached building lots, stormwater management, landscaping and pedestrian improvements. The Planning Commission recommended tentative approval with conditions at their 11/9/15 meeting. Mr. Kurpakus stated that a public hearing will be scheduled for December 7, 2015.

Forest View Plaza Land Development

Mr. Kurpakus reported that TEC Construction is proposing a 32,100 square foot general office building located along Swinderman Road in the C-2 Zoning District. Office buildings are a permitted use in the C-2 Zoning district. The project includes surface and structured parking, landscaping and stormwater management. The plan submitted shows pedestrian improvements to connect to the Tanglewood open space. No review by Parks and Recreation or the EAC was completed since the plan is less than 10 acres in area. The Planning Commission recommended preliminary and final approval with conditions.

Mike Hanson, Planning Commission Chair, stated that the Planning Commission recommends that the Board of Supervisors grant a waiver of section 48-18A to allow 2:1 slopes as shown on the submitted plan set to limit disturbance to the wetland buffer and section 78-49C to allow disturbance within 50' of a wetland for the construction of a mulch walking trail and installation of additional landscaping and utilities.

Mr. Hanson added that the Planning Commission recommends preliminary and final approval of the Forest View Plaza land development plan with the following conditions:

1. Compliance with the LSSE review letter dated October 27, 2015
2. Compliance with the HRG review letter dated November 16, 2015
3. Developer to provide written easement agreement from the Tanglewood Homeowners' Association prior to any encroachment or construction of the mulch trail on Tanglewood property
4. Revise the photometric plan to limit illumination to 0.5 foot candles along the Swanson Lane right of way per Township Code section 84-112
5. Submission of rear elevation of the building for staff review to insure Code approved materials and articulation
6. Construction entrance is to be shown on the plan
7. Enhance the buffer along Swanson Lane to include landscape groupings

Mr. Hanson stated that some residents of the Tanglewood plan do not want a trail yet others do. He stated that this will need to be addressed by the developer and the Tanglewood Homeowners' Association.

Mr. Hanson added that the plan along Swanson Lane needs to be revised to enhance the buffer to minimize the effects to those residents.

Present to address modifications and questions were the applicant, Kurt Schweiger of TEC Construction, the applicant engineer, Sara Moore of Moore Design Associates, and the architect, Rick Avon of Avon Graf Architects, LLC.

Ms. Moore stated that the project includes surface and structured parking, landscaping and stormwater management. Topography slopes downhill to a wetland and a pond that is on TEC Construction's and a neighbor's properties; grading will be done along Swinderman Road. Parking will be limited to the front and side, a garage in the rear of the building will contain parking. The site plan includes an exterior patio and terrace space to overlook the wetlands; a 50' setback from the wetlands; 2 raingardens; the sanitary sewer easement will cross the wetlands; and a mulch walk will connect Tanglewood.

Ms. Moore explained that since the November 9, 2015 Planning Commission meeting a revised photometric plan has been prepared to limit illumination. Top elevation is what you will see from Swinderman Road which includes the three story building with the view on the right side being offices and the left side garage. The elevation facing the pond and wetland will have two lower levels. From Swanson Lane you will see two levels of offices with garage underneath.

Mr. Spagnolo questioned if the sewer line is located on Tanglewood Estates property.

Ms. Moore stated that there is a 20' existing utilities easement that will cross the wetlands and connect to Tanglewood.

Mr. Spagnolo inquired as to why the 50' right of way is now a 20' right of way.

Mr. Hanson stated that the modification is due to the unique situation of having residential homes in a commercial area. We investigated to see what the right of way needed to be.

Mr. Avolio questioned the bufferyard along Swanson Lane.

Sara Moore stated that there is a 10' evergreen buffer with additional tree planting. Mike Hanson stated that an additional group planting of trees has been requested as well. Ms. Moore responded that the location requested for group planting of trees is not on our property but with agreement we can incorporate that into the plan.

Mr. Baer of 207 Briar Hill Court stated that the wetlands on the cul-de-sac have a 20-30 degree slope, if a 30' office building is built he is concerned about the runoff.

Mr. Spagnolo responded that DEP has to review the property. Mr. Baer stated that he believes there will be flooding problems. Mr. Spagnolo stated that there is a large volume of property and to date it has never flooded.

Sara Moore stated that the wetland and area in and around the pond will be enhanced with plantings and rain gardens. Runoff will travel through the rain gardens before going to underground retention tanks.

Mr. Avolio stated that the 2:1 slopes and additional vegetation planting should be included in the motion for Forest View Plaza.

Motion was made by Mr. Spagnolo and seconded by Mr. Henry to grant preliminary and final approval of Forest View Plaza Land Development Plan Sheets C001, C100, C200-202, C300-302, C400, C600-605, C700-702 and L100-101 dated 10/9/15 and prepared by Moore Design Associates; A1.00, A1.01 and A2.00 dated 10/9/15 and prepared by Avin Architects; ES-1.0 and ES1.1 dated 10/7/15 and prepared by Iams Consulting with the following conditions:

Compliance with the Planning Commission recommendation of November 9, 2015, including waiver requests, with additional mitigation trees to be planted on the proposed 2:1 slopes per the woodland replacement requirements of the code and preparation of a standard Township developer's agreement.

The aye on the motion was unanimous. Motion carried.

Village at Pine Phase 6 P.R.D.

Mr. Kurpakus stated that Gigliotti Holding, L.P. is proposing an amendment to the Village at Pine P.R.D. to include an additional 28.8 acre parcel to the East for the construction of an additional 41 single family residential lots with two street extensions to be known as Phase 6. The Planning Commission tabled the application at their 11/9/2015 meeting.

ENGINEER'S REPORT

In addition to his written report, Mr. Firek stated that updates to the Route 910 sidewalk project and guiderail will be completed before Thanksgiving. He added that the 2015 road program work is complete except Jackson Road.

PUBLIC WORKS REPORT

In addition to his written report Mr. Barbarino stated that two pieces of equipment were listed for sale through Municibid and are on the agenda tonight for possible bid award.

ADMINISTRATIVE MATTERS

MINUTES

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to approve the Board of Supervisors minutes of November 2, 2015. The aye vote on the motion was unanimous. Motion carried.

FINANCIAL STATEMENTS

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to approve the Financial Statements and the payment of bills thereon. The aye vote on the motion was unanimous. Motion carried.

BROOKFIELD ESTATES CONDITIONAL USE HEARING CONTINUATION

Mr. Kurpakus handed out the revised site plan and HRG letter in response to site plan review.

Mr. Gushard clarified that the letter from HRG is based on the original plan, not revised. Mr. Kurpakus confirmed that the HRG letter is based on the original plan.

John Schleicher of Gibson-Thomas Engineering, the applicant engineer stated that a revised site plan was prepared to address concerns. Brookfield Drive, the entrance road, has been relocated to a central portion of the site and meets criteria. Also, one unit and driveway was eliminated along Swinderman Road. Units along Swinderman Road will not have direct access to Swinderman Road. A shared, private driveway, parallel to Swinderman Road will provide access. Mr. Schleicher stated that building materials were questioned, so they are proposing all buildings along Swinderman Road be constructed with minimum 75% brick and stone finish. All buildings within the plan (not facing Swinderman Road) will be constructed with minimum 25% brick and stone finish, and street facing garage doors will have an upscale wood finish. Mr. Schleicher continued that a 50' wetland setback will be a recorded easement and no structures will be permitted in setback with exception of storm and sanitary facilities.

Mr. Gushard questioned if there is a change in the number of street facing garage units. John Schleicher stated that the preference of the applicant is all front entrance garages.

Mr. Spagnolo clarified that the applicant is now proposing all 33 units as front entry garages. John Schleicher replied that is correct, at the discretion of the Board.

Mr. Gushard stated that the initial proposal was 33 units with 11 front entry garages, now the proposal has changed to 33 units with front entry garages. Mr. Gushard posed the question of what would happen if the Board allowed only a certain number of units to have front entry garages.

Mr. Schleicher responded that they would try to meet that requirement.

Mr. Spagnolo asked if the applicant had spoken with the Knights of Columbus concerning stormwater.

Mr. Schleicher replied that we are working on those issues with engineering. He added that a set of plans was provided to Knights of Columbus and they spoke with them after the last meeting to begin communication to address their concerns.

Mr. Spagnolo stated that he feels the patio homes are a great concept but with just receiving the revised plan information tonight he is not prepared to make a decision tonight. Mr. Schleicher stated that he understands.

Steve Seaman from the Knights of Columbus stated that he has not been contacted by anyone about the issues.

Mr. Spagnolo also advised the applicant to communicate with the Knights of Columbus and reach an agreement.

Mr. Avolio stated that the biggest issue with the Knights of Columbus property is stormwater and it has not been addressed. Pat Avolio also stated that buffer and land development are other issues that need to be looked at. Mr. Avolio added that the revised road placement looks good.

Mr. Gushard questioned tabling the public hearing until the December 7, 2015 meeting.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to continue the Conditional Use Hearing until the December 7, 2015 meeting. The aye vote on the motion was unanimous. Motion carried.

#### BROOKFIELD ESTATES SUBDIVISION PLAN

Motion was made by Mr. Avolio and seconded by Mr. Spagnolo to table Brookfield Estates Subdivision Plan. The aye vote on the motion was unanimous. Motion carried.

Mr. Baer of 207 Briar Hill Court asked to speak on the Brookfield Estates plan. Mr. Avolio suggested that Mr. Baer review his concerns over the new information with Mr. Kurpakus prior to the December meeting. Mr. Baer agreed to contact the staff. Mr. Gushard agreed.

#### FINANCIAL AND ADMINISTRATIVE SUPPORT AGREEMENT

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to authorize the Board Chair to sign the Township of Pine and Wexford Volunteer Fire Company Financial and Administrative Support Agreement.

Mr. Dennehy questioned if the Board should wait to vote on this until the Wexford Volunteer Fire Company votes.

Mr. Gushard stated that the agreement will not be executed until action is taken by the Board along with formal vote of the WVFC and both sign the agreement. The WVFC Board meeting will not occur until the second week of December, after the December 7<sup>th</sup> Board meeting.

Ms. Kowalski stated that in order to get the accounting and banking procedures set up to be able to take over the administrative support on January 1, 2016 it would be helpful if the Board could take action on this tonight.

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Mr. Avolio stated that the vote is only authorizing the Board Chair to sign the agreement. The agreement does not have to be signed tonight.

Dick Voll, President of the WVFC, stated that the agreement was approved by the fire company and sent to their council before formal action.

Mr. Gushard stated that he spoke with their council and they are in agreement. The vote is a formality.

Mr. Dennehy stated that he feels the Board should wait until the December 7, 2015 meeting to vote on the agreement.

Mr. Spagnolo and Mr. Avolio rescinded their earlier motion to authorize the Board Chair to table the Township of Pine and Wexford Volunteer Fire Company Financial and Administrative Support Agreement.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to table the authorization for the Board Chair to sign the Township of Pine and Wexford Volunteer Fire Company Financial and Administrative Support Agreement. The aye vote on the motion was unanimous. Motion carried.

ADVERTISE FOR PUBLIC HEARING FOR SUNSET RIDGE P.R.D.

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to authorize the advertisement for a Public Hearing on December 7, 2015 for Sunset Ridge P.R.D. The aye vote on the motion was unanimous. Motion carried.

2002 CHEVROLET 3500 4X4 TRUCK BID AWARD

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to award the sale of the 2002 Chevrolet 3500 4x4 Truck to high bidder Michael Schon in the amount of \$20,001. The aye vote on the motion was unanimous. Motion carried.

2012 HI-WAY E2020XT 10' HOPPER SPREADER

Motion was made by Mr. Henry and seconded by Mr. Spagnolo to award the sale of the 2012 Hi-Way E2020XT 10' Hopper Spreader to high bidder Rick Galecki in the amount of \$4,077. The aye vote on the motion was unanimous. Motion carried.

DECEMBER 7, 2015 BOARD MEETING

The Board reviewed and approved the agenda proposed for the December 7, 2015 meeting with the continuation of the public hearing for Brookfield Estates Brookfield Estates, Brookfield Estates Subdivision Plan, and the Township of Pine and Wexford Volunteer Fire Company Financial & Administrative Support Agreement.

ADJOURNMENT

Motion was made by Mr. Spagnolo and seconded by Mr. Avolio to adjourn. The aye vote on the motion was unanimous. Motion carried.

The meeting adjourned at 7:20 p.m.



Recording Secretary



Township Manager